



An
Coimisiún
Pleanála

Inspector's Report

ABP-321313-24

Development	Demolition of structure and construction of 22 apartments with amenities and all associated site works.
Location	The Barn, Atmospheric Road, Dalkey, Co. Dublin, A96 TN90
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D24A/0736
Applicant(s)	Triple Lock Limited.
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Joe O'Shea Andrew Rogals and Simon Rogals
Observer(s)	Ciara Byrne, Eamonn Augustine O'Duibhgeannain

Date of Site Inspection

18th September 2025

Inspector

Kenneth Moloney

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Appendix 1 – Form 1: EIA Pre-Screening

Appendix 2 – Form 2 - EIA Preliminary Examination

Appendix 3 – Appropriate Assessment Screening

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1.0 Site Location and Description

- 1.1. The appeal site is located in Dalkey, Co. Dublin, off the Barnhill Road and situated north of the railway line.
- 1.2. The front of the appeal site adjoins Atmospheric Road (also known as The Metals). The Metals is a pedestrian / cycle amenity route from Dun Laoighaire harbour to Dalkey Hill and passes the front of the appeal site.
- 1.3. The size of the appeal site is c. 0.25 ha and the site includes an existing two-storey detached dwelling which is currently unoccupied. There are mature trees situated adjacent to the front boundary adjoining The Metals, and also to the rear of the site.
- 1.4. There is an existing housing development (Barnhill Lawn) situated to the north of the appeal site. Barnhill Lawn is a small cul-de-sac development comprising of 5 no. detached two-storey suburban houses.
- 1.5. Barnhill Grove is situated to the immediate west of the development site and comprises of two-storey semi-detached suburban properties.
- 1.6. There are two detached two-storey houses, on individual sites, located to the immediate east of the appeal site.

2.0 Proposed Development

- 2.1. Planning permission is sought for the demolition of the existing house and outbuildings on the subject site, with a total floor area of 571 sq. metres. The proposed development includes the construction of 22 no. apartments comprising of the following.
 - 11 no. 1-bed units
 - 11 no. 2-bed units.
- 2.2. The proposed apartments are located in two separate blocks. Block A contains 15 no. apartments and is situated to the front (south) of the site and is 3-storeys in height. Block B is located to the rear of the site and is 2-storeys in height and includes 7 no. apartments.

- 2.3. The proposed private open space provision is in the form of terraces/balconies, and in the case of Block A all the terraces, with the exception of one, are south facing. In the case of Block B, all proposed terraces are south facing.
- 2.4. The proposed development includes communal open space (640 sq. m.) situated in the centre of the site between Block A and Block B, and public open space (280 sq. m.) situated to the front of Block A, adjoining The Metals amenity route.
- 2.5. The proposed development also includes a communal amenity pavilion, bulky storage provision, internal bicycle storage for 24 no. spaces, and internal storage for refuse. A second internal bicycle storage building accommodates 10 no. spaces, and the proposal also provides for external bicycle storage.
- 2.6. The proposed development provides for 4 no. car parking spaces, comprising of 2 no. club spaces, 1 no. disabled parking space and 1 no. visitor space.
- 2.7. The application is accompanied by the following documentation:
- Planning Report
 - Mobility Management Strategy
 - Bat Survey Report
 - Flood Risk Assessment Report
 - Quality Audit
 - Arboricultural Report
 - Appropriate Assessment Stage 1 – Screening Report
 - Preliminary Construction & Environmental Management Plan
 - Ecological Impact Assessment Report
 - Landscape Report & Outline Landscape Specification
 - Lighting Application Specialists Design
 - Water Supply and Wastewater Management Report
 - Architectural Heritage Impact Assessment
 - Building Life Cycle Report

- Operational Waste Management Plan
- Daylight and Sunlight Assessment Report
- Architectural Design Statement
- Verified Views and CGI
- Storm Water Management Plan Report
- Transport Statement

3.0 Planning Authority Decision

3.1. The Planning Authority decided to grant planning permission, subject to 23 no. conditions. The conditions are standard for the proposed development type.

3.2. Planning Authority Reports

3.2.1. The Planning Officer's report notes the following.

- Proposal acceptable in principle having regard to the residential zoning objective of the site.
- Conservation Section noted demolition of existing building is acceptable.
- Proposed density is 88 UPH and is considered acceptable and consistent with the Compact Settlement Guidelines (2024).
- Proposed mix of residential units acceptable.
- Part V required for site and can be addressed by condition.
- Proposed apartments are compliant with the Compact Settlement Guidelines (2024) in respect of SPPR 3 (Minimum Floor Areas), SPPR 4 (Dual Aspect Ratio), SPPR 5 (Floor to Ceiling Height) and SPPR 6 (Lift and Stair Cores).
- Internal and external storage provision is acceptable.
- Private open space is in accordance with CDP and Guidelines (2024).

- Public open space and communal open space considered to be a high standard. There is a shortfall in the quantum of public open space provision as such a development contribution is recommended in lieu.
- Proposed children's play area is consistent with the CDP provisions.
- Proposed building bulk and mass is appropriate allowing for the set back from the site boundaries. Proposal will not result in any undue overbearance, overshadowing or overlooking impacts on adjoining amenities.
- The separation distances are considered acceptable and consistent with s. 5.3.1 of the Guidelines (2024).
- Drainage Division request F.I. in relation to green roofs. This can be addressed by condition.
- Parks Dept. have requested F.I. in relation to the extent of tree removal on the site, or refusal if not addressed. Applicant is proposing to plant a significant number of trees to mitigate the loss of trees, and 2 no. mature trees are to be retained. No trees on the site are afforded any statutory protection.
- The proposed landscaping, including public open space which improves the interface to the Metals, the planting and the retention of two larger trees mitigates the loss of trees on the site.
- The level of overshadowing towards no. 5 Barnhill Lawn, as indicated in the submitted 'Daylight and Sunlight Report', is considered minor.
- Apart from one window of no. 5 Barnhill Lawn, all other windows are in compliance with the relevant BRE Guidelines.
- The proposed development performs well in respect of daylight and sunlight.
- Public Lighting Dept. requested F.I., however this issue can be addressed by condition.
- It is not considered that the proposal will adversely affect users of the Metals, and the proposal supports policy HER28 (The Metals). The proposal includes public realm improvement works including 80m of surface treatment upgrades, provision of public seating, landscaping and cycle parking/maintenance facilities.

- Transportation Planning have requested that prior to commencement of development a detailed car parking strategy is submitted to ensure that the development will not result in overspill car parking, which is acceptable.
- Proposed public open space will enhance the quality and character of the cACA. Conservation Section have no objections.
- Proposal will not result in any adverse visual impacts.
- The proposed development includes upgrade works to the Metals / Atmospheric Road to the south.
- Transportation Planning consider that the proposal satisfies a number of the Assessment Criteria for Deviation from Car Parking Standards set out in s. 12.4.5.2 of the CDP. Proposal also consistent with SPPR 3 of the Compact Settlement Guidelines.
- A condition is recommended to ensure compliance with the cycle parking standards.
- Condition also recommended requiring provision of footpath at the junction between Barnhill Road and Atmospheric Road/The Metals.
- A condition in relation to the appointment of a mobility management strategy is also recommended.
- The Drainage Division requested F.I., however it is considered that these issues can be addressed by condition. EHO requested that a noise assessment is requested by F.I., however these issues can be addressed by condition.
- The proposed waste storage provision is acceptable.
- The proposal will not have any adverse effects on the integrity of the relevant Natura Sites.
- EIA not required.

3.2.2. Other Technical Reports

- **Conservation Office:** Relevant provisions in the CDP include Section 11.4.2.6 Policy Objective HER18: Development within a Candidate

Architectural Conservation Area and Section 11.4.3.2 Policy Objective
HER20: Buildings of Vernacular and Heritage Interest. The Planning history on the site is acknowledged where the principle of demolition of the existing house was accepted by ABP (appeal ref. 311099). Proposed replacement development will make a positive contribution to the streetscape.

- **Drainage Planning:** Further information sought (a) details in relation to proposed soakpits, (b) surface water details in relation to community amenity pavilion and bicycle store buildings, (c) confirmation that trees will not be planted above the soakpits, (d) specific details of the proposed water feature (pond), (e) details in relation to extent of green roof, and (f) details of stormwater disposal, (g) confirm that the urban creep of 10% has been included in the design calculations for the proposed soakaways.
- **Environmental Enforcement:** Development acceptable subject to the following conditions (a) construction environmental management plan, (b) resource and waste management plan, (c) public liaison plan, and (d) operational waste management plan, and (e) pest control plan.
- **Environmental Health Office:** Further information sought for (a) noise impact assessment and (b) dust and airborne pollution management.
- **Housing Dept.:** Recommended that a condition is attached to a grant of permission requiring that the applicant / developer to enter into an agreement with Part V of the Act.
- **Parks Dept.:** Would strongly request revised site layout redesign to retain the character of the existing mature trees along the Metals. Refusal recommended should revised layout not be achieved.
- **Public Lighting.:** Issues with obtrusiveness of the proposed lighting and location of one streetlight on the side of a car parking space.
- **Transportation Planning:** No objections subject to conditions. Conditions relate to (a) making tenants aware of no car parking provision, (b) a minimum of 2 no. car parking space made available to a car share scheme, (c) cycle parking constructed in accordance with DLR CDP standards, (d) public realm works, (f) the items raised in the Quality Audit shall be implemented, (g)

outline construction management plan agreed with PA prior to commencement of development, (h) details of the appointed Travel Plan Coordinator shall be agreed with PA, (i) details of car parking strategy to prevent overspill shall be agreed with PA, (j) the appointed Travel Plan Coordinator to encourage future residents and visitors to use sustainable travel to and from the proposed development, (k) the appointed Travel Plan Coordinator shall provide an annual report advising on progress, (l) all measure taken by contractor to prevent mud / dirt on the public road, and (m) all proposed works constructed in accordance with DLR's Taking in Charge standards.

3.3. Prescribed Bodies

- **Iarnród Éireann:** Proposal acceptable subject to conditions.
- **Uisce Éireann:** The applicant is required to engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public water/wastewater infrastructure. The Confirmation of Feasibility (COF) must be submitted to the planning department as the response to this further information request.

3.4. Third Party Observations

3.4.1. The PA received 5 no. observations, including a single observation supporting the proposed development on the basis that the proposal will promote sustainable development. 4 no. observations opposed the development and the issues raised in these objections are summarised as follows.

- Inadequate car parking provision.
- Overspill car parking will impact on local roads and housing estates.
- There will be additional vehicular movements from visitors, deliveries and services.
- Additional turning movements from Barnhill Road to the Metals will result in additional congestion along Barnhill Road.

- The junction at Barnhill Road and The Metals is substandard and additional congestion and turning movements will endanger public safety.
- Existing house on site has architectural merit.
- The scale of the development and relative position to the boundaries of adjacent properties would make the development visually overbearing when viewed from Barnhill Road and Barnhill Grove.
- Proposal is contrary to the s. 4.3.1.3 Policy Objective PHP20 'Protection of Existing Residential Amenity'.
- The usable open space in the proposed development is substandard.
- Negative impact on c.Architectural Conservation Area and contrary to the Architectural Guidelines.
- Proposal would have an adverse impact on the amenity The Metals and therefore contrary to CDP policies 'Special Local Objective 27' and s. 8.6.4 Policy Objective GIB15 Recreation Access Route.
- Adverse impact on trees on the site.
- Negative impact on the value of adjoining properties.

4.0 Planning History

4.1. On site

4.1.1. L.A. Ref. D23A/0767

Permission **refused** for demolition of existing two-storey house and construction of 9 no. residential units comprising of 7 no. houses and 2 no. apartments and associated works. The development to include 15 no. car parking spaces at surface level. The single reason for refusal relates to the section of The Metals / Atmospheric Road over which the proposed development is to be accessed and comprises an important local pedestrian / cycle route, and the laneway lacks sufficient capacity to safely accommodate additional traffic movements which the proposed development would generate. The proposed development would endanger public safety by reason of traffic hazard or obstruction of road users.

On appeal, the Board **refused** permission for demolition of existing two-storey house and construction of 22 no. apartments. The proposal provided for 19 no. car parking spaces for the following reasons.

1. The section of The Metals/Atmospheric Road over which the proposed development is to be accessed comprises an important local pedestrian/cycle route. This laneway lacks sufficient capacity to safely accommodate the additional vehicular movements which the proposed development will generate along with existing and future cyclist/pedestrian movements anticipated on this important local pedestrian/cycle route. It is considered that the proposed development (including the revised proposal received by ABP on the 11th day of August 2021) would constitute over development of the site, result in an unsuitable level of intensification of use of the subject site and would endanger public safety by reason of traffic hazard. This traffic safety issue will be further exacerbated by the overspill onto the adjacent public walk/cycle way and road network resulting from the low level of car parking provision on site. Furthermore, it is considered that the scale of the proposed development would be inconsistent with Specific Local Objective 27 and Policy Objective HER28 of the Dun Laoghaire-Rathdown County Development Plan, 2028-2028, which both encourage The Metals use as a walking and cycling route between Dún Laoghaire and Dalkey. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.
2. Having regard to the height, scale, mass and design involved in the proposed development (as received by the planning authority on the 21st day of May, 2021), it is considered that the proposed development would have a negative impact on the residential amenities of the properties to the immediate north and east of the site, by way of overbearing and overlooking. Therefore, the proposed development is considered to be contrary to the Policy Objective PHP20, set out in Section 4.3.1.3 of the Dun Laoghaire Rathdown County Development Plan 2022-2028, and would therefore, be contrary to the proper planning and sustainable development of the area.

L.A. Ref. D21A/0464

The Planning Authority **refused** permission for the following reasons. (1) massing, scale, design and proximity to the subject site boundaries, would adversely impact on the residential amenity of adjacent properties by reason of overlooking and overbearing appearance. (2) the intensification of use and resultant potential hazard arising from illegal parking and traffic along the existing access lane from Barnhill Road to the proposed scheme, would endanger public safety by reason of traffic hazard or obstruction of road users or otherwise. (3) the proposed development, by reason of its height, scale and overall layout would not integrate satisfactorily with the existing area, and would result in a poor interface with the adjoining candidate Architectural Conservation Area of The Metals which is a public right of way.

4.1.2. PL06D.247207 (L.A. Ref. D16A/0039)

Permission **granted**, subject to conditions, for two new dwellings to the side of the existing house. Both houses are detached dwellings with off-street car parking provision.

5.0 Policy Context

5.1. National / Regional Policy

5.1.1. The National Planning Framework – First Revision (April 2025)

Several national policy objectives (NPOs) are applicable to the proposed development. These include NPO 7 (compact growth), NPO 9 (compact growth), NPO 12 (high quality urban places), NPO 22 (standards based on performance criteria), and NPO 45 (increased density).

5.1.2. Eastern Regional Assembly – Regional Spatial and Economic Strategy (RSES) 2019 - 2030

This RSES provides a high-level development framework for the Eastern Region that supports the implementation of the National Planning Framework (NPF). The vision of the RSES is to create a sustainable competitive region that supports the health and well-being of people and places, with access to quality housing, travel and employment opportunities for all.

5.1.3. Section 28 Ministerial Planning Guidelines

Note: Circular Letter NSP 03/25 confirms that the Design Standards for New Apartments, Guidelines for Planning Authorities (2025) are not applicable to the current development before the Commissioners. The Apartment Guidelines (2025) are applicable to any application for planning permission or to any subsequent appeal or direction application to An Coimisiún Pleanála submitted after the issuing of the Guidelines, i.e. from 9th July 2025.

The Design Standards for New Apartments, Guidelines for Planning Authorities (2023) applies to current appeals or applications that were the subject of consideration within the planning system on or before the 8th of July 2025.

The relevant guidelines for the proposed residential development include the following:

- Sustainable Urban Housing, Design Standards for New Apartments, Guidelines for Planning Authorities, 2023 (Apartment Guidelines). Applicable policy for the proposed development includes:
 - Standards and requirements of SPPR 2 (discretion of standards on a case-by-case basis for certain building schemes) SPPR 3 (minimum floor areas, and by reference to Appendix 1, minimum storage, private open space areas for apartments), SPPR 4 (33% to be dual aspect units in more central and accessible urban locations).
- Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities, 2024. Applicable policy for the proposed development includes:
 - Section 3.4: contains Policy and Objective 3.1 which requires that the recommended density ranges set out in Section 3.3 (Settlements, Area Types and Density Ranges) are applied in the consideration of individual planning applications.
 - Section 5.3: includes achievement of housing standards as follows:
 - SPPR 1 – Separation Distances (minimum of 16m between opposing windows).

5.2. Dun Laoghaire-Rathdown County Development Plan, 2022 – 2028

5.2.1. The appeal site is zoned 'Objective A' and the stated objective for such land use is

'to provide residential development and improve residential amenity while protecting the existing residential amenities'.

5.2.2. Chapter 4 – Neighbourhood – People, Homes and Place

5.2.3. Section 12.3.1 'Quality Design' advises that a core aim of land-use planning is to ensure that new residential developments offer a high quality living environment for residents, both in terms of the standard of individual dwelling units and in terms of the overall layout and appearance of streets and outdoor spaces.

5.2.4. Section 12.3.1.1 'Design Criteria' advises that an objective of the Plan is to achieve high standards of design and layout to create liveable neighbourhoods. The following is relevant criteria for the proposed development.

- Land use zoning and specific objectives
- Density - Higher densities should be provided in appropriate locations.
- Site configuration, open space requirements and the characteristics of the area will have an impact on the density levels achievable.
- Quality of the proposed layout and elevations, layouts, elevations, and plan form must be designed to emphasise a 'sense of place' and community, utilising existing site features, tree coverage and an appropriate landscape structure.
- Levels of privacy and amenity, consideration of overlooking, sunlight/daylight standards and the appropriate use of screening devices.
- Quality of linkage and walking and cycling permeability – to adjacent neighbourhoods and facilities
- Accessibility and traffic safety
- Quantitative standards
- Safety and positive edges to the public realm - opportunities for crime should be minimised by ensuring that public open spaces are passively overlooked by housing and appropriate boundary treatments applied.

- Quality of proposed public, private, and communal open spaces and recreational facilities
- Quality of the pre-existing environmental sound environment.
- Context
- Variety of house types and unit size.
- Roofscape, plant and green roofs.

5.2.5. The following policies are relevant to the proposed development

- Policy Objective PHP18: Residential Density
- Policy Objective PHP20: Protection of Existing Residential Amenity
- Policy Objective PHP27: Housing Mix
- Policy Objective PHP30: Housing for All
- Policy Objective PHP42 Building Design & Height

5.2.6. Chapter 8 – Green Infrastructure and Biodiversity

5.2.7. The following policy is relevant to the proposed development

- Policy Objective GIB15: Recreation Access Routes

5.2.8. Chapter 11 – Heritage and Conservation

5.2.9. The following provisions are relevant to the proposed development

- Section 11.4.2.5 Policy Objective HER17: Candidate Architectural Conservation Areas
- Section 11.4.2.6 Policy Objective HER18: Development within a Candidate Architectural Conservation Area
- Section 11.4.3.2 Policy Objective HER20: Buildings of Vernacular and Heritage Interest
- Section 11.5.4 Policy Objective HER28: The Metals

5.2.10. Chapter 12 – Development Management

The following is relevant to the proposed development.

- Section 13.3.3.2 – Residential Density
 - This section advises compliance with s. 28 guidelines ‘Sustainable Residential Development in Urban Areas (2009)’ and Sustainable Urban Housing: Design Standards for New Apartments (2020)’.
- Section 12.3.5 – Apartment Development
 - This section includes guidance on dual aspect apartments, separation between blocks, internal and external storage, minimum floor areas, additional apartment design requirements.
- Section 12.4 – Transport
 - The appeal site is located within Parking Zone 2. Table 12.5 ‘Car Parking Zones and Standards’ sets out the car parking requirements by development type.
 - Section 12.4.5.2 advises that the PA may consider that no car parking spaces are required for small infill residential schemes (up to 0.25 ha) or brownfield/refurbishment residential schemes in zones 1 and 2.
 - s. 12.4.5.2 (i) includes ‘Assessment Criteria’ for deviation for car parking standards.
 - Section 12.4.6 provides guidance for cycle parking.
- Section 12.6.1 – Assessment of Development Proposals in Towns, Districts and Neighbourhood Centres.
- Section 12.8 Open Space and Recreation

5.2.11. Chapter 14 – Specific Local Objectives

- **Specific Local Objective 27** states ‘To manage and enhance The Metals from Marine Road to Dalkey giving due regard to its historic importance while encouraging its use as a walking and cycling route between Dún Laoghaire and Dalkey’.

5.2.12. Appendix 5 – Building Height Strategy

The following policy objectives are relevant to the proposed development

- Policy Objective BHS 1 – Increased Height
- Policy Objective BHS 3 – Building Height in Residual Suburban Areas

5.3. **Natural Heritage Designations**

- South Dublin Bay SAC (Site Code 000210) 3.5km northwest
- Rockabill to Dalkey Island SAC (Site Code 003000) 1.4km east
- South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) 3.5km northwest
- Dalkey Islands SPA (Site Code 004172) 1km east
- Dalkey Coastal Zone and Killiney Hill pNHA (Site Code 001206) 900m east

5.4. **EIA Screening**

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

6.0 **The Appeal**

6.1. Two third party appeal submissions were received.

6.2. The following is a summary of the submission received by Joe O'Shea, Barnhill Road, Dalkey, Co, Dublin.

Parking

- The proposed development for 22 apartments only provides 4 parking spaces.
- The 4 no. car parking spaces comprises of 1 no. accessible space, 2 no. car club spaces and 1 no. visitor parking space.

- The proposed car parking is inadequate given the location which is not city centre.
- No car parking available for visitors.
- This will result in overspill of parking onto neighbouring roads.

Vehicular Movements

- Regardless of the car parking provision there will be significant uplift in vehicular movements due to food deliveries, taxis, health care visits and visitors.
- The previous application on the site (D21A/0464 (Appeal Ref. 311099) was refused permission by the PA and ABP due to overdevelopment of the site, unsuitable level of intensification would endanger public safety by reason of traffic hazard, and the scale of the development would be inconsistent with Specific Local Objective 27 and Policy HER28 (The Metals) of the CDP.

Endangerment to Public Safety

- The junction between the Barnhill Road and The Metals is substandard and would give rise to the endangerment of public safety due to intensification.
- The junction is blind for drivers and pedestrians, and there is no footpath.
- The Metals is common with walkers and cyclists.

6.3. A second appeal submission was received by Marston Planning Consultancy on behalf of Andrew Rogals (5 Barnhill Lawn) and Simon Rogals (60 Castle Court). The submission describes the subject site and environs, the development plan context, the planning history, the nature and the extent of the proposed development, the decision of the Planning Authority and the grounds of appeal. The grounds of appeal may be summarised as follows:

Car Parking

- The PA conclusion that the site is suitable for a substantial reduction in car parking under s. 12.4.5.2 of the DP is flawed.
- The CDP requirement for car parking is 22 spaces.

- The site is located at the perimeter of Zone 2, and it is outside the 10 min walking distance of a Dart station. Two Dart stations are greater than 10 min from the site. This includes Glenageary (850m – 11 min walk) and Dalkey (900m – 13 min walk).
- It is submitted in allowing a reduction in car parking under s. 12.4.5.2 (i) of the CDP criteria includes proximity to public transport services (Dart stations are greater than 10 minutes' walk), existing availability of car parking (which there is none) and impact on traffic safety and capacity of the surrounding road.
- The PA's approach in their assessment in respect of s. 12.4.5.2 (i) of the CDP lacks any real justification
- There are no local areas that have the potential to absorb overspill car parking.
- Any parking along the Metals would compromise this amenity space.
- Barnhill Lawn has a seriously compromised road width and does not enable two cars to pass, and therefore on-site car parking would not be permitted in this location. There is no potential for overspill car parking in Barnhill Lawn.
- The local area does not have capacity to absorb overspill car parking without resulting in a traffic hazard.
- There will be significant additional vehicular movements due to food deliveries, taxis, health care visits, tradesmen and visitors.
- The Transportation Planning Division of the Council has misinterpreted section 5.3.4 of the Compact Settlement Guidelines and the context in which it was stated in relation to a 9-unit proposal. The current proposal is a significant intensification than the 9-unit proposal and more in keeping with the original 2021 proposal refused permission.
- The proposal is not consistent with SPPR 3 of the guidelines, as SPPR 3 refers to within 1km of a Dart Station. The subject site is located on the periphery of where such a reduction would be allowed. Any reduction should be commensurate to how close it is to the station and the availability of on-street car parking. The development site falls short of these two criteria.

- The inadequate car parking provision will result in overspill car parking along the Metals, Barnhill Lawn and Barnhill Grove where there is no capacity for on-street parking.
- The proposal will put pressure on The Metals amenity route.
- Concern in relation to traffic hazard along the Metals and at the junction to Barnhill Road, which will not be addressed by the set-back of the junction and replacement of the yield with stop sign.
- The set-back of the stop-sign proposed will reduce sightlines making the junction more hazardous. The level of service / delivery vehicles will ensure that volume is not reduced at the junction.

Negative Impacts on Residential Amenity / contrary to CDP Policy Objective PHP20

- The proposal will result in a loss of residential amenity to the new properties to the west, property to the north (5 Barnhill Lawn) and the rear properties along Barnhill Grove to the east.
- The separation distances are inadequate, e.g. Block B is only 3m from the existing dwelling at 5 Barnhill Lawn.
- The Daylight and Shadow analysis indicates an adverse impact on the ground floor windows (5a) of 5 Barnhill Lawn. The natural light will decrease at all other windows, reducing residential amenity.
- The proposal is contrary to s. 4.3.1.3 Policy Objective PHP20 of the CDP.
- The proposal would have a negative setting on the candidate Metals Architectural Conservation Area. Six category B trees will be removed.
- The proposal is contrary to s. 11.4.3.2 Policy Objective HER20 Buildings of Vernacular and Heritage Interest of the CDP.
- The proposed demolition is contrary to s. 11.4.2.2 Policy Objective HER14 (Demolition within ACA) of the CDP. There is no justification for the demolition of the existing building supporting the application.

Contrary to Specific Local Objective 27 and Policy Objective GIB15

- Undesirable precedent for new infill apartment development in close proximity to candidate Metal ACA.

Failure to maintain existing amenities (trees) within the subject site

- The application does not include justification for removal of 7 of the 9 existing trees within the subject site, of which 6 are category B and add to the character of the site.
- Proposal to remove existing trees is contrary to s. 12.8.11 (Existing Trees and Hedgerows) of the DP.

Negative Impact on Property Values

- Adverse impact on the value of all the adjoining properties given the poor quality of the proposal and knock-on negative impacts on overspill car parking.

6.4. Applicant Response

6.5. The following is a summary of the applicant's response to the third-party appeals.

Response to Appeal no. 1

6.6. Insufficient Car Parking

- The site is accessible by walking and cycling and Dalkey village is 500m from the site.
- The appeal submission overlooks Table 3.1 of the Compact Settlement Guidelines which define the city urban neighbourhood category as lands around existing or planned high-capacity urban public transport.
- Within 1km of the site there is existing or planned high-capacity urban public transport, including Dart, high frequency commuter rail, and Busconnects.
- The application is less than 1km walking distance for both Glenageary and Dalkey Dart stations.
- The site is suitably located.

6.7. Vehicular Movements

- The Transportation Planning Section of the PA conclude that the volume of trips envisaged will not result in an adverse impact on the local road network.
- The section of road between the Atmospheric Road and Barnhill Road is short (40m) and would not allow vehicles to build up speed.
- The proposed site access will accommodate enhanced sightlines in comparison to the existing site and there are no bends on the Atmospheric Road between the site and Barnhill Road.

6.8. Endangerment of Public Safety

- The Traffic Response Note¹ (that accompanied the applicant's response) acknowledges the enhancements contained in the Accessibility Audit, as follows
 - Buff coloured surface provided on vehicular carriageway adjacent to site.
 - Paving provided on Atmospheric Road at junction with Barnhill Road connecting footpaths either side of the junction
 - Replacing 'Yield' line marking with 'STOP' line. This line should also be set back further from the edge of Barnhill Road (more than 600mm).
 - Provision of suitable shared space signage should also be provided along Atmospheric Road upon entry from Barnhill Road.
- The Traffic Response Note² acknowledges the following improvements to the junction.
 - Revised surface treatment in the vicinity of the application site entrance.
 - Priority shall be afforded to pedestrians rather than vehicles at the Atmospheric Road at junction with Barnhill Road.

¹ Prepared by Transport Insights, Transport Planning Consultants

² Prepared by Transport Insights, Transport Planning Consultants

- Provision of 'Stop Sign' before new granite pavers would improve the safety of the junction.
- The increased shared space signage will increase the potential for the road to operate as a suitable shared space.
- Based on the concerns raised in Appeal no. 1, the appellant may not be aware of the scope of the enhancements in Condition no. 6 of the PA grant of permission.
- Proposed 4 no. car parking spaces are considered appropriate given the location of the development site in close proximity to Dalkey Village Centre, availability of high-quality walking and cycling routes such as the Metals.

Response to Appeal no. 2

Car Parking Strategy

- DLR Transportation Section considers the subject site satisfies a number of criteria in s. 12.4.5.2 of the CDP and also notes that the proposed car parking aligns with SPPR 3.
- The PA's Planning Officer concurs with the DLR Transportation Section assessment.
- The PA's Planning Officer report makes the following relevant considerations.
 - The proposed vehicular movements will not adversely affect users of the Metals and further supports CDP policy HER28.
 - A detailed car parking strategy will be submitted for approval detailing measures to prevent overspilling of car parking and there will be a requirement for tenants to be made aware of the lack of car parking provision.
- The site is strategically located between two Dart Stations and close to a range of services.

Purported Negative Impact on Residential Amenity

- A neighbouring property (5 Barhill Lawn) obtained planning permission for a dormer roof extension which overlooks the appeal site. It is questioned how the application site cannot do similar.
- The existing dwellings to the west are abutted by the gable end of the 2 and 3 no. storey apartment blocks, with upper floor setbacks.
- The proposal will have no material impacts on these properties due to orientation of the blocks and the absence of windows or balconies. No material impacts arise in the Daylight / Sunlight Report.
- There is a significant separation distance to the properties to the east.
- In relation to Policy Objective PHP20 the proposal is not a greater height than the prevailing height of the local area and is not significantly taller than the prevailing two-storey height.
- The Planning Officer's PA report (pg. 55) concludes no adverse impacts on residential amenities by way of overlooking, overshadowing and overbearing.
- The height of the proposal is consistent with the height of the area as evident from the site section A-A.
- The proposed development at its tallest is 3-storeys. The prevailing height in the immediate environs is 2-storeys with some variations up to 3-storeys.
- The proposed stepped design ensures that height is well integrated into the surrounding context and does not result in a materially overbearing or overshadowing impact on adjacent residential properties.
- The PA Planner's Report concludes, based on the Daylight and Sunlight Assessment, that the extent of overshadowing in respect of 5 Barnhill Lawn is minor.
- The PA Planner's Report concludes that the development performs well regarding the recommendations in the BRE Guidelines. The 91% compliance rate which is a minor adverse impact is considered de minimis and completely acceptable in a core urban area.

- The 'minor adverse impact' level of effect relates to Vertical Sky Component study with all other study impacts including Annual Probable Sunlight Hours (APSH), Winter Probable Sunlight Hours (WPSH) and SOG (Sun on Ground) achieving full compliance with BRE Guidelines.
- The PA Planner's Report concludes that the proposed development will not result in any overlooking of adjoining amenities.
- The fenestration on the first-floor rear block is designed to face inwards within the site, positioned away from the rear boundary ensuring no direct line of sight of no. 5 Barnhill Lawn.
- The PA Planner's Report notes that variation in height, form and massing creates visual interest within the Metals streetscape that will not result in any significant impact on adjoining amenities.
- It is considered that DLR Planner's Report appropriately concluded in respect of Policy Objective PHP20.

Character and Setting of the Candidate Metals ACA

- The appellant referred to the previous application (2021 application) in the context of architectural heritage. The Inspectors' comments in appeal ref. 311099 submitted that the development, including the demolition of the existing dwelling, was justified.
- The Inspector's report also notes in the context of Policy Objective HER20 the building proposed to be demolished is not assigned any conservation status and that the building makes a limited contribution to the streetscape.
- The DLR Conservation Officer states the demolition of the existing dwelling is acceptable.
- The demolition of the dwelling has been previously considered acceptable.
- The current planning application is supported by an Architectural Impact Assessment which determines that the house has been subject to alterations and is not of architectural merit.

- The Inspector's Report in appeal ref. 311099 addresses tree removal. It is stated that the level of tree removal from the site is acceptable.
- Public open space is provided to the front of the site along the southern boundary. This will comprise of seating areas. The proposed public open space will be integrated and provide a clear 'public zone' for the wider community. The proposal also includes bicycle stands to the front of the site along the Metals for public use.
- The Inspector's Report in appeal ref. 311099 notes that the works to the front of the site are considered a positive feature. The Inspector's Report also notes that the bicycle stand to the front would make a positive contribution.
- The opening up of the site combined with ground-floor dwellings will activate the streetscape and improve the public realm. The upgrade to the front boundary will increase the visibility of the Metals enhancing passive surveillance.
- The improvements to the front boundary of the development site will enhance safety and visibility.
- The proposal will enhance the Metals by encouraging its use as a walking and cycling route. This directly aligns with Special Local Objective 27 and Policy Objective GIB15.
- The proposal reduces car dependency.
- Constraints in relation to tree locations was significant in terms of building location. The proposal includes high quality planting. The PA consider the loss of trees to be acceptable.
- The proposal is consistent with Policy Objective CA18 (Urban Greening).
- Evidence shows that good urban design and infrastructure improvements promote vibrant public spaces and prioritise pedestrian and cycle access and tend to boost property values. The proposal will increase rather than diminish the value of adjacent properties.

6.9. Planning Authority Response

6.10. The PA responses (dated 2nd December 2024, 12th December 2024 and 23rd January 2025) refer the Board to the previous planner's report and considers that the appeal did not raise any new matter which would justify a change of attitude to the proposed development.

6.11. Observations

6.11.1. The Commission received two observations. The first observation was from Ciara Byrne, of no. 4 Barnhill Lawn, Dalkey, and in summary the observer raises the following points.

Car Parking

- The car parking provision is inadequate given the scale of the development.
- Dalkey is not a city centre location with extensive amenities and public transportation options.
- Public transport is challenging for westward journeys away from the Dart line. Car-free living in the area is not practical.
- It is inevitable that residents of the proposed apartments will end up buying cars.
- The development will also have to accommodate visitors, deliveries and services, resulting in overflow car parking in the surrounding areas.
- Recent developments in Dalkey (D18A/0418, DA15A/0051, D17A0707) all included car parking provision. Barnhill Place development nearby includes 103 car parking spaces.

Risk to Public Safety

- The proposed development, regardless of non-car parking provision, will result in a significant uplift in vehicular movements, having regard to visitors, deliveries and services.

- The increased vehicular movements will result in significant risk to public safety due to intensified traffic flow and potential hazards arising along the Metals, from Barnhill Road.
- The existing junction between the Metals and Barnhill Road is narrow. The Metals is used daily by extensive number of walkers and cyclists, of all ages.
- The increased vehicular movements would make Atmospheric Road a safety hazard.

6.11.2. The second observation is from Eamonn Augustine O'Duibhgeannain, of 43 Springfield Court, Celbridge, Co. Kildare, and the issues raised are summarised as follows.

- The scale and scope of the proposal is inappropriate and out of context with the existing area.
- Neighbouring residential amenities will be lowered.
- Inadequate infrastructural resources or amenities to cope with the proposed development.
- Traffic congestion during construction will be unacceptable. The demolition and construction will have adverse impacts in terms of dust and noise.
- Inadequate consideration for wildlife and general aesthetic character of the area.
- An independent expert is required to ensure that a high standard of concrete and cement is used and also that there is adequate provision of fire escapes.

6.12. Further Responses

6.12.1. The following is a summary of a response by third party appellant Joe O'Shea to the applicant's response submission.

Design

- The proposed contemporary design is out of character with the site and the surrounding area.
- A recent development "The Forge" is a good example of design.

- The current house at the Barn, although not protected has architectural merit.

Parking

- Car free living, given work commutes, is not practical in the local area.
- The occupancy of the proposed development could be 66 occupants, resulting in overspilling of car parking on the adjoining roads, in particular Barnhill Grove, Barnhill Road and The Rise.

Vehicular Movements

- The proposed development, without car parking, is an attempt to address refusal reason no. 1 in appeal ref. 311099, which stated that traffic safety would be further exacerbated by overspill into adjacent public walk/cycle way and road network resulting from a low level of car parking on the site.
- The proposed development will intensify vehicular movements from visitors, deliveries and services on the laneway, that lacks capacity to safely accommodate the additional movements.

The following is a summary of a response by third party appellant's Andrew Rogals (5 Barnhill Lawn) and Simon Rogals (60 Castle Court) to the applicant's response submission.

Car Parking

- The PA and the applicant have incorrectly interpreted the location of the site, the availability of car parking and accessibility to public transport in making a decision on car parking.
- SPPR 3 and Table 3.8 of the Compact Settlement Guidelines confirm that a reduction in car parking is only allowable in extreme circumstances.
- The location of the site means that there are no areas that have the potential to absorb car parking. The first party have not appropriately considered this instead arguing that low car parking levels are warranted in this instance.

- Counter to the applicant's claim, The Metals is not a car parking space. It is a shared space. No basis to the claim that the proposal will result in a net planning gain.
- Such a reduction in car parking relative to CDP standards will result in overspill parking in an area where there is no capacity to absorb such overspill without a resulting traffic hazard. This will not address the previous refusal reason on the site.
- The applicant's response in relation to car parking is based mainly on location and fails to consider site characteristics including the cul-de-sac and shared surface nature of the site.
- The analysis by the Transport Insights Report assesses that the club car space will only generate 6 two-way trips per day. It is unclear whether this relates to the proposed 22 apartment by served by 11 car parking spaces or not.

Negative Impact on Residential Amenity

- The neighbouring dormer window to the south of the site was permitted at a time when it was set back 26 metres from existing house on the subject site and not impacting on the amenity of that property.
- The proposal includes angled windows to the rear elevations to avoid impacts on adjoining amenities. The design of angled windows is reflective of overdevelopment of the site.
- The proposal will have adverse impacts on the ground floor window (5a) of no. 5 Barnhill Lawn, as indicated in the Daylight and Sunlight Assessment.

Contrary to Policy PHP20

- It is unclear on what basis the first party have interpreted policy PHP20 and needs an assessment of the proposed height.

Daylight and Sunlight

- No light analysis has been undertaken for the bedroom apartments adjacent to no. 5 Barnhill Lawn, given the narrow-angled windows and the adjacent trees. The amenity levels of these bedrooms would be reduced.

Architectural Heritage

- The proposed development is contrary to section 11.4.3.2 Policy Objective HER20 '*Buildings of Vernacular and Heritage Interest*', Policy Objective HER 14 '*Demolition within an ACA*' of the CDP.

Trees

- No justification provided for the removal of 7 of the 9 existing trees on the site. Their removal will result in the loss of the visual amenity of the area.

Proposals to front of site

- The proposal will not achieve the planning gain alluded to by the applicant due to traffic movements along The Metals.

Precedent along the Metals

- A key consideration for the Board is whether the correct balance has been achieved in terms of number of residential units and car parking.

Negative Impact on Property Values

- The failure to address the balance between residential properties and car parking will result in a loss of amenity and property value.

The following is a summary of a response by observer Ciara Byrne to the applicant's response submission.

Car Parking

- Public transport does not provide a viable alternative in terms of efficiency for trips to medical care, employment and children's sports activities.
- Continuous cycle paths are unavailable to Cherrywood.
- Overspill car parking will impact on local roads.

Risk to Public Safety

- The proposed improvements at the junction are noted, including revised surface treatment and signage indicating shared space usage. These

improvements will not address fundamental safety concerns posed by increased vehicular traffic in the area.

- Additional traffic movements at the junction of the Metals and Barnhill Road will result in congestion on Barnhill Road, making the junction unsafe for all road users.

7.0 **Assessment**

Having examined the application details and all other documentation on file, including reports of the Planning Authority, carried out a site inspection, and having regard to the relevant local/regional/national policies and guidance, I consider that the key issues on this appeal are as follows:

- Principle of Development
- Car Parking and Public Safety
- Impacts on Residential Amenities
- Architectural Heritage
- Retention of Trees
- Other Matters

7.1. **Principle of Development**

- 7.1.1. The appeal site is zoned 'Objective A' and the stated objective for such land use is

'to provide residential development and improve residential amenity while protecting the existing residential amenities'.

- 7.1.2. Table 13.1.12 of the Dun Laoghaire-Rathdown County Development Plan, 2022 – 2028, (DLR CDP), includes a Land Use Zoning Matrix, and I would acknowledge that the proposed 22 no. apartments are permitted in principle within the 'A' zoning objective. The proposed development, therefore, which relates to 22 no. apartments is consistent in principle with zoning provisions of the current Development Plan.

- 7.1.3. In addition to meeting the zoning objective of the development plan, the development represents a brownfield intensification of an urban site which is situated within close proximity to urban amenities, services and quality public transportation. The development would contribute to compact growth and would be consistent with DLR CDP policies to achieve compact growth (Policy Objective CS11), development of brownfield sites (Policy Objective CS12) and to address underutilisation of lands (Policy Objective CS14).
- 7.1.4. The intensification of the development site is also consistent with the National Planning Framework – First Revision³ policies such as compact growth (NPO 7 and NPO 9) and increased density (NPO 45). Further the development proposal is consistent with EMRA Regional Spatial Economic Strategy (2019 – 2031) policies to achieve compact growth (RPO 3.2) and brownfield regeneration (RPO 3.3).
- 7.1.5. I would therefore conclude that the proposed mixed-use development which involves the intensification of an existing urban site is consistent with the policy provisions of the Dun Laoghaire-Rathdown County Development Plan, 2022 – 2028, and national and regional policy objectives to achieve compact growth and brownfield regeneration and accordingly I would consider that the principle of development is acceptable, subject to other planning considerations addressed below.

7.2. Car Parking and Public Safety

- 7.2.1. The proposed development provides for 4 no. car parking spaces, comprising of 2 no. club spaces, 1 no. disabled parking space and 1 no. visitor space to serve the proposed development and the PA granted permission on the basis of this car parking provision, subject to conditions.
- 7.2.2. The third party appeals both argue that the quantum of car parking provision is inadequate to serve the proposed development and is considerably short of the required DLR CDP car parking provision of 22 no. spaces. The appellants submit that the lack of car parking provision will have indirect impacts including overspill car parking on surrounding roads and housing estates and also an adverse impact on The Metals amenity walk, which adjoins the site to the south. Further the appellants submit that the additional vehicular turning movements generated by the proposed

³ April 2025

development will adversely impact on traffic and pedestrian safety given the substandard junction at The Metals / Barnhill Road.

- 7.2.3. I will assess the car parking provision below, and the issues in relation to overspill car parking, and separately I will consider the additional vehicular movements on traffic and pedestrian safety under the subheading public safety below. I will consider the potential impacts of the proposed development on 'The Metals' amenity walk under para. 7.4 below.

7.2.4. Car Parking Provision

The appeal site is located within Parking Zone 2 in accordance with the provisions of Supplementary Map T2 Parking Zones of the DLR CDP. I would note from Table 12.5 'Car Parking Zones and Standards' of the CDP that the required car parking provision for the proposed development is 1 space per apartment which amounts to a requirement of 22 spaces for the development. As noted above the proposed development provides for 4 no. car parking spaces.

- 7.2.5. Notwithstanding the shortfall in car parking spaces relative to DLR CDP development plan standards I would acknowledge that section 12.4.5.2 'Application of Standards' of the CDP provides flexibility in car parking provision for small infill residential schemes (up to 0.25 ha) or brownfield/refurbishment residential schemes in zones 1 and 2. The proposed development on a site that measures approximately 0.25 ha would therefore qualify for flexibility or deviation from the CDP car parking standards providing it meets the criterion 12.4.5.2 (i) 'Assessment Criteria' of the CDP. The PA in their consideration concluded that the reduction in car parking to 4 no. car parking spaces is acceptable having regard to section 12.4.5.2 (i) of the DLR CDP.

- 7.2.6. In considering whether Section 12.4.5.2 (i) 'Assessment Criteria' of the CDP would apply to the development proposal I would have regard to the following relevant criteria.

- *Proximity to public transport services and level of service and interchange available.*

The applicant's Planning Report⁴, submitted with the application refers in Section 2.2 of the report to site accessibility and I note that the nearest Dart

⁴ Dated September 2024

station (Dalkey) is located approximately 750m from the subject site and also Glenageary Dart station located c. 850m from the development site. The report also refers to nearby bus stops on Barnhill Road, located c. 300-350m from the appeal site. I would consider, having regard to the location of the proposed development, that the proposal would have good accessibility to two Dart stations and as such the subject site is located in a sustainable location with a number of accessible public transport options.

- *Walking and cycling accessibility/permeability and any improvement to same.*

The development site is located on a secondary cycle feeder route (The Metals) which would enhance accessibility to and from the site. Further The Metals, located adjacent to the development site, offers good walking opportunities from the development site to Dun Laoighaire town centre. Barnhill Road has footpath provision along both sides of the public road which provides access to Dalkey village.

- *The need to safeguard investment in sustainable transport and encourage modal shift.*

Public investment is proposed in public transport upgrades locally including the 'DART+ Coastal South' programme and the proposed BusConnects Programme. DLR CC have also invested in The Metals as an amenity cycling and walking route.

- *Particular nature, scale and characteristics of the proposed development (as noted above deviations may be more appropriate for smaller infill proposals).*

The development proposal is a small brownfield infill residential development on a site that measures approximately 0.25 ha and located within car parking Zone 2 of the CDP. The CDP provides flexibility in car parking provision for small infill residential schemes (up to 0.25 ha) or brownfield/refurbishment residential schemes car parking zones 2.

- *The range of services available within the area.*

The proposal would have good accessibility to Dalkey village centre (c. 500m), Dun Laoighaire town centre, and also, as noted above, public transport provision.

- 7.2.7. I would be satisfied that the proposed development would adequately meet the criteria in Section 12.4.5.2 (i) '*Assessment Criteria for deviation from Car Parking Standards*' of the DLR CDP, having regard to the above. Furthermore, I would note that section 5.5.1 of the applicant's Planning Report demonstrates a justification for reduction in car parking under the criteria in section 12.4.5.2 (i) of the DLR CDP.
- 7.2.8. Having regard to the above considerations I would conclude that the flexibility in respect of car parking provision in the CDP would apply to the proposed development. Notwithstanding I will now consider whether the proposed quantum of car parking provision for the development is acceptable and would not result in adverse impacts on the local area.
- 7.2.9. I would note the planning history, and specifically the assessment and decisions in relation to previous car parking proposals on the subject site. The most recent permission (L.A. Ref. D23A/0767) on the appeal site relates to a proposal for 9 no. residential dwellings with 15 car parking spaces and I have noted in section 4.0 of this report that the PA refused permission on the basis that the proposal would represent an unacceptable intensification of traffic movements on The Metals. The 2021 proposal (L.A. Ref. D21A/0464 (ABP-311099-21) related to 22 no. apartments with 19 no. car parking spaces and the Board refused permission on the basis that the laneway lacks insufficient capacity to safely accommodate the additional vehicular movements. In the current proposal the vehicular access is situated in the southeast corner of the site which would require vehicles travelling approximately 40 metres along The Metals, from the junction with Barnhill Road, to access the site.
- 7.2.10. The current proposal therefore represents a significant reduction in car parking provision relative to previous schemes proposed on the subject site. I would note that the Transportation Dept. of the DLR CC in their report, dated 31st October 2024, consider that the car parking proposal is acceptable, on the basis of the trip generations estimated from the proposed development as indicated by the applicant

in the submitted Quality Audit report and also having regard to the section 5.6 (car parking strategy) of the applicant's submitted Mobility Management Strategy. I would consider that the significant reduction in car parking would reduce vehicular movements on the laneway, which was noted in previous applications as lacking insufficient capacity to safely accommodate the additional vehicular movements. This, therefore, in my view, would partially address previous refusal reasons on the site.

7.2.11. I would also note in support of the proposal that the application documentation includes a Mobility Management Strategy (MMS), which includes both on- and off-site infrastructural components. This is in addition to complementary car parking management measures (to encourage and support low car ownership among the residents), marketing measures (to target occupancy of the site by households who do not own a car) and travel planning interventions (to support residents' mobility needs). The proposed on-site transport facilities include 46 no. cycle parking spaces, car club parking on the site which will be solely available to residents, a marketing plan, which will include the appointment of a travel plan co-ordinator, to promote the range of sustainable travel facilities locally, and a car parking strategy is proposed to manage the use of the 2-no. visitor car parking spaces and prevent overspill car parking in the immediate area of the development site. I would consider that the MMS would provide a working basis to ensure that the reduction car parking is appropriately managed to safeguard any adverse impacts of the proposal on the surrounding roads.

7.2.12. The appeal submission argues that the Apartment Guidelines (2023) would not provide for a reduction in car parking as proposed. The Apartment Guidelines (2023) advise in para. 4.21 in respect of car parking provision for apartment developments in central and/or accessible urban locations. The Guidelines advise that in more central locations that are well served by public transport, the default policy is for car parking provision to be minimised, substantially reduced or wholly eliminated in certain circumstances. Also, the Guidelines (2023) in para. 4.29 advise that for urban infill sites up to 0.25ha that car parking provision may be relaxed in part or whole. As noted above the development site is accessible to amenities and well served by public transport and the site is less than 0.25ha in size as such I would consider that

the proposed development is consistent with the Guidelines (2023) in respect of a relaxation of car parking standards.

- 7.2.13. Furthermore, in considering the merits of the proposed development I would acknowledge that the development proposal fulfils key CDP strategic policy objectives to achieve compact growth (Policy Objective CS11), development of brownfield sites (Policy Objective CS12) and to address underutilisation of lands (Policy Objective CS14). The proposed intensification of an urban site would be consistent with these strategic CDP policy objectives.
- 7.2.14. Therefore, in conclusion, I would consider, having regard to the location of the proposed development, within close proximity to public transport provision and an urban village, and furthermore having regard to national, regional and local policy objectives to achieve compact forms of development and to encourage a modal shift away from the private car to more sustainable forms of transport, that the reduction in car parking for the development proposal, would be acceptable.

7.2.15. Public Safety

In respect of public safety, the appellants argue that the generation of traffic from the proposed development, including that of visitors, food deliveries, health care visits and service vehicles, would intensify the number of vehicular movements at the substandard junction of The Metals and Barnhill Road. Further the appeal argues that the junction is blind for drivers and pedestrians and there are no footpaths along The Metals which is commonly used by pedestrians and cyclists.

- 7.2.16. The core issue in respect of public safety arises from the intensification of traffic at the development site and the substandard nature of The Metals / Barnhill Road junction. In considering the public safety I would note that the applicant's submitted a Quality Audit (August 2024), which accompanied the planning application, includes proposals to address public safety. The Quality Audit outlines that the purpose of the Quality Audit is not to 'pass' or 'fail' a design, rather it is intended as an assessment tool that highlights the strengths and weaknesses of a design. In this respect I would note section 4.2 of the report identifies design issues and makes the following recommendations.

- A revised surface treatment in the vicinity of the site to improve delineation comprising of buff coloured surface, stretching from site boundary to close to junction with Barnhill Road.
- Paving (assumed granite pavers) to be provided on Atmospheric Road at the junction with Barnhill Road connecting footpaths either side of the junction in accordance with DMURS Advice Note 6. This will address the interrupted footpath at the junction of Atmospheric Road and Barnhill Road.
- In order to improve safety at the junction of Atmospheric Road with Barnhill Road replace the 'Yield' line marking with a 'STOP' line. This line should also be set back further from the edge of Barnhill Road (more than 600mm, in accordance with the Traffic Signs Manual). It is also recommended to locate this line marking immediately before the new granite pavers recommended within the item above.
- The 'STOP' line should be supplemented with a 'STOP' sign provided, in accordance with the Traffic Signs Manual.
- Provision of suitable shared space signage should also be provided along Atmospheric Road upon entry from Barnhill Road to clarify the status of the road.

7.2.17. I would consider that the proposed footpath extension across The Metals, at the junction of Barnhill Road would improve public safety at the junction and would also give pedestrians priority at this location. The revised surface treatment in the vicinity of the site would emphasis the shared nature of the surface for both pedestrians and motorists, which in my view would improve public safety. Furthermore, the proposed additional signage and setting back the 'Stop Line' further from the Barnhill Road would also improve public safety at the junction with Barnhill Road. I would also note that the PA's Transportation Planning Section, in their report dated 31st October 2024, recommends a condition which requires items proposed in the Quality Audit to be addressed prior to the commencement of development. The PA included this in condition no. 6 in the grant of their permission.

7.2.18. In considering public safety I would also have regard to the number of traffic movements proposed and based on the number of car parking spaces which totals 4 no. spaces, the overall vehicular movements from the proposed development would

be low. However, I would acknowledge the appeal comments that notwithstanding the low quantum of car parking provision that the proposal would generate traffic movement in the form of visitors, deliveries, care visits and services and I would accept that there would be insufficient car parking provision to accommodate these traffic movements.

- 7.2.19. Notwithstanding the shortfall in car parking to accommodate services, I would note that in favour of the proposed development the applicant's appeal response includes an estimated 'development trip generation' in Table 2.1 of the Transport Report⁵ that accompanied the appeal response. Table 2.1 estimates that 20 no. two-traffic movements will be generated per day. Overall, this represents a low level of traffic generation which would be sporadic over the day, which in my view would not have a significant impact on The Metals or the junction at Barnhill Road. I would also note that the vehicular access to the site is located c. 40 metres from the The Metals / Barnhill Road junction and as such traffic movements from the proposed development will not impact on the remainder of the The Metals.
- 7.2.20. I would also acknowledge the appeal comments that the proposed development will result in overspill parking in the surrounding roads and housing estates. In this regard I would recognise that the proposed development in accordance with the submitted MMS will be advertised as a car free development, and therefore attracting owners / tenants without cars, and this will form a key part of the role of the appointed travel plan coordinator. As I have noted above in para. 7.2.14 it is proposed that the travel plan co-ordinator will promote the range of sustainable travel facilities locally and will also develop a car parking strategy to manage the use of the 2-no. visitor car parking spaces and prevent overspill car parking in the immediate area of the development site. I would therefore consider that the implementation of the MMS will ensure that overspill parking is avoided.
- 7.2.21. Overall I would be satisfied having regard to the low level of car parking provision, the anticipated traffic generation from the development proposal, the safety measures proposed, as contained in section 4.2 of the applicants Quality Audit, the proposed measures in the Mobility Management Strategy, as submitted with the application, the location of the development site within walking and cycling distances

⁵ Prepared by Transport Insights, Transport Planning Consultants

of two Dart stations, and the accessibility of the development site to Dun Laoghaire town centre, via The Metals amenity walk, and also to Dalkey, that the proposed development would be acceptable and would not endanger public safety by reason of traffic hazard.

7.3. Impacts on Residential Amenities

- 7.3.1. The appeal site is surrounded by existing residential development to the immediate north (Barnhill Lawn), east (Barnhill Grove) and west (two detached properties). The appeal site falls slightly in level from the front (south) to the rear, and the appeal site is on slightly higher ground than the neighbouring property to the north and the rear gardens of Barnhill Grove to the east. The proposed site layout includes Block A (3-storeys high) situated to the front of the site, and Block B (2-storeys high) situated to the rear of the site.
- 7.3.2. The appeal submission raises concerns that the proposed development will result in a loss of residential amenity for the property to the north (no. 5 Barnhill Lawn) and the rear properties along Barnhill Grove. Furthermore, it is argued that the separation distances from the proposed development to no. 5 Barnhill Lawn is inadequate, and that the daylight and sunlight analysis indicates an adverse impact on no. 5 Barnhill Lawn.
- 7.3.3. The appeal therefore considers that the proposed development is contrary to section 4.3.1.3 Policy Objective PHP20 'Protection of Existing Residential Amenity' of the CDP. I would note from Policy Objective PHP20 that proposed developments that exceed established neighbouring residential developments in terms of density, scale and size should demonstrate that the proposal does not represent over development of the site. In this regard the CDP policy requires that the development must demonstrate how the transition from a high scale development to a lower scale development is achieved without it being overbearing, intrusive and negatively impacting on existing residential amenities. Having regard to the provisions of Policy Objective PHP20, and assessing the impact of the proposed development on established residential amenities I will assess the impacts of the proposal in terms of overlooking, overshadowing and overbearance on adjacent properties to determine

whether the transition from the proposed development to established residential amenities is acceptable.

7.3.4. Overlooking

I would note that s. 12.3.5.2 'Separation Between (*apartment*) Blocks' of the requires a minimum clearance of 22 metres, in general, between opposing windows in the case of apartments up to three storeys in height, however given the height of the proposed development and established development this standard would not apply to the proposed development. The DLR CDP does not include a specific separation distance requirement new apartment development with existing housing developments. The DLR CDP provides support for the guidelines 'Sustainable Residential Development in Urban Areas' (2009), which were replaced by the Compact Settlement Guidelines (2024). SPPR 1 of the Compact Settlement Guidelines (2024) requires a separation distance of 16 metres between opposing first floor rear windows. SPPR 1 also states that separation distances below 16 metres may be considered acceptable in circumstances where there are no opposing windows serving habitable rooms and where suitable privacy measures have been designed into the scheme to prevent undue overlooking of habitable rooms and private amenity spaces.

7.3.5. The submitted Site Plan, that accompanied the planning application, illustrates that the proposed eastern elevation of Block A achieves a minimum separation distance of 23.1m between directly opposing first floor rear windows to the rear of properties in Barnhill Grove. Furthermore, I note from the submitted drawings that the first floor living room window on the eastern elevation of Block A includes privacy fins to reduce potential overlooking. Therefore, I would consider, as noted from the submitted Site Plan, that the eastern elevation would adequately exceed the minimum requirement of SPPR 1 above, as such, in my view, this elevation would not result in any undue overlooking of adjoining amenities.

7.3.6. The proposed western elevation of Block A at first floor level is set back approximately 9m from the existing side elevation of an established two-storey house and there are no directly opposing windows between the proposed development and the established house. The first-floor elevation includes design features such as high-level glazing with vertical privacy fins and also windows with

obscured glazing to prevent overlooking. I would also note that the second-floor western elevation of Block A has no glazing proposed and there is therefore no direct overlooking into opposing neighbouring windows.

- 7.3.7. As such I would be satisfied, having regard to the above considerations, that the proposed Block A would not result in any undue overlooking of established residential amenities.
- 7.3.8. The western elevation of proposed Block B is set back in excess of 18 metres from the side elevation of the existing house to the immediate west of the appeal site and this would therefore exceed the minimum requirements of SPPR 1. While noting this adequate setback distance, I would also note that the first-floor western elevation of Block B has no glazing. The eastern elevation of proposed Block B has a minimum set back distance of approximately 14 metres to the rear of the adjacent properties at Barnhill Grove, and similar to the western elevation of Block B there is no glazing proposed on the eastern elevation of Block B at first floor level. As such I would not consider that either the western or eastern elevations of Block B would overlook adjoining residential amenities.
- 7.3.9. In relation to the north facing elevation of Block B, I note that the first-floor level is set back approximately 7.1m from the side of no. 5 Barnhill Lawn, however I would consider this acceptable as the first-floor elevation does not include directly opposing windows. The first-floor elevation includes two windows, both serving bedrooms, and the windows have a design feature that includes angled windows that look away from no. 5 Barnhill Lawn. This design feature is acceptable as a suitable privacy measure to prevent overlooking consistent with the provisions of SPPR 1. I would therefore consider that Block B as proposed would not result in any undue overlooking of established residential amenities.
- 7.3.10. In addition to the above considerations, I would note that all the proposed balconies / terraces in respect of proposed Block A, with the exception of one, are south facing towards The Metals amenity route, and looking away from established residential amenities. The single north facing balcony within Block A, serves a first-floor apartment and this apartment is set back a minimum distance of 13.7m from the subject site boundary with no. 10 Barnhill Grove. The site boundary at this point

forms the rear garden boundary of no. 10 Barnhill Grove. I would consider that this is an acceptable setback distance for this urban location.

7.3.11. The proposed Block B includes 3 no. first floor south facing balconies which would overlook the proposed communal space within the development proposal. I would consider, based on the submitted drawings that accompanied the planning application, that these balconies would not overlook the rear gardens of Barnhill Grove, given the projecting nature of the stair core blocks which would prevent any direct overlooking towards the rear gardens of Barnhill Grove from these proposed balconies. Furthermore, given the angle of the viewpoint from the eastern most first floor balcony of Block B the setback distance to the eastern site boundary is 17m, which is an adequate setback distance for this urban location. In respect of the western most first floor balcony in Block B, the balcony includes a design feature in the form of a privacy screen on the western elevation which would avoid overlooking into no. 6 Barnhill Lawn.

7.3.12. In conclusion therefore I would be satisfied, having regard to the above considerations, that the proposed development would not undermine adjoining residential amenities by reason of overlooking.

7.3.13. Overshadowing

I would note that the application documentation includes a 'Daylight and Sunlight Assessment Report' prepared by 3D Design BUREAU. I would consider that the results of the submitted 'Daylight and Sunlight Assessment Report' can be used as evidence to determine whether the proposal integrates into the surrounding context and does not result in an overbearing and overshadowing impact on adjacent residential properties.

7.3.14. I would note that the submitted 'Daylight and Sunlight Assessment Report' includes an 'impact assessment' with an assessment on the Vertical Sky Component (VSC), Effect on Annual/Winter Probable Sunlight Hours (APSH/WPSH) and Effect on Sun on Ground in Existing Gardens.

7.3.15. In relation to VSC the report illustrates that 5 no. windows / rooms assessed across the surrounding properties would have negligible impacts, and 1 no. window / room had a minor adverse effect. The window / room identified as having a minor adverse effect relates to no. 5 Barnhill Lawn, situated to the immediate north of the appeal

site. The report concludes that as this is the only registered level of impact caused by the proposed development the overall impact results could be viewed as favourable.

7.3.16. I would also acknowledge that the Report assessed the effect on APSH/WPSH on the 6 no. windows (rooms) across the adjacent properties and concluded that 100% of these windows have met the criteria for the effect of APSH and WPSH as set out in the BRE Guidelines. In addition, I would note that the removal of trees was identified as having a beneficial impact on one of the properties.

7.3.17. The Daylight and Sunlight Assessment Report also assessed the effect the proposed development would have on the level of sunlight on March 21st in the rear gardens of the neighbouring properties and concluded that 100% of these outdoor spaces have met the criteria for effect on sun lighting as set out in the BRE Guidelines.

7.3.18. I am satisfied that on balance the submitted Daylight and Sunlight Report has adequately demonstrated that the impacts of the proposed development will not result in undue overshadowing on established residential amenities.

7.3.19. Visual Overbearance

In relation to visual overbearance I would note that the scale of the proposed development is reduced relative to the previous planning application, on the appeal site, for 22 no. apartments (L.A. Ref. D21A/0464 (ABP-311099-21). In this previous application the Board refused permission on the basis that the height, scale, mass and design involved in the proposed development would have a negative impact on the residential amenities of properties to the immediate north and east of the site.

7.3.20. The proposed building height in the previous application, which was refused permission, was 4-storeys over basement, whereas the current proposal, before the Commission, is a maximum of 3-storeys. The height in the current application of proposed Block A, situated to the front of the site, is 2-storey's with a third floor set back, and the height of proposed Block B, situated to the rear of the site, is two-storeys in height.

7.3.21. I would consider that the reduction in height across the site and the reduction in mass by providing two separate blocks rather than a singular block, as proposed in the previous application, allows for visual integration and also reduces the

overbearing impacts relative to that previously proposed in application L.A. Ref. D21A/0464 (ABP-311099-21). Furthermore, I would note from the submitted 'Site Plan' that Block A is set back from the eastern site boundary, and the associated rear gardens of Barnhill Grove. The proposed eastern elevation of Block A is set back a minimum distance of 23 metres from the rear elevations of properties in Barnhill Grove, which is an adequate set back distance to prevent any undue impacts in terms of visual overbearance on adjoining residential amenities.

7.3.22. I would consider that the proposed development in itself, in terms of design and height, would be adequately set back from established residential amenities and the proposed height, which is 3-storey to the front of the site and 2-storey to the rear of the site, would be acceptable having regard to established building heights of neighbouring properties which are 2-storeys in height. Accordingly, I would consider that the current proposal, on the basis of proposed design and height, would not cause any visual overbearance to neighbouring residential properties. Furthermore, I would consider on the basis of the revised design and layout that the reduced massing and height of the proposal, relative to the previous proposal of 22 apartments on the subject site, would allow for improved integration with the established area without any undue overbearing on established residential amenities.

7.3.23. Conclusion

I would be satisfied therefore, having regard to the above considerations, that the proposed development would be acceptable without being overbearing, intrusive or negatively impacting on the amenity value of existing dwellings in the immediate area. Furthermore the proposed development would make a suitable transition in terms of scale to established developments, and as such the proposed development, in my view, would not have a negative impact on property values in the area and would not be contrary to CDP policy objective PHP20 'Protection of Existing Residential Amenity'.

7.4. Architectural Heritage

7.4.1. In terms of architectural heritage, I would note that the appeal submission claims that the proposed development would be contrary to s. 11.4.3.2 Policy Objective HER20

(Buildings of Vernacular and Heritage Interest) of the DLR CDP and Specific Local Objective 27 which is a policy to manage and enhance The Metals giving due regard to its historic importance while continuing to facilitate and encourage its use as a walking and cycling route. The proposed development involves the demolition of the existing two-storey house on the site, and associated structures, and the development site adjoins a candidate Architectural Conservation Area (c.ACA).

- 7.4.2. The report on the file, from the Conservation Officer of DLR dated 16th October 2024, concludes that the principle of demolition of the existing house has been accepted on the appeal site. I would acknowledge that the Conservation Officer notes the previous application on the site, and the report of the planning inspector, in appeal ref. 311099, which concluded that the principle of demolition of the existing dwelling is acceptable, given the limited contribution the house makes to the streetscape and its relatively inefficient use of the site.
- 7.4.3. In respect of Policy Objective HER20 (Buildings of Vernacular and Heritage Interest) which requires the retention of older buildings that make a positive contribution to their area, and in considering the conservation merits of the existing house I would note that the existing house is not a protected structure, nor is the development site located within an architectural conservation area. I would note, as submitted in the applicant's Architectural Heritage Impact Assessment that the house was built on the subject site in 1907, and in 1936 it was remodelled. I noted from my site assessment that the house includes many external contemporary interventions to the side and the rear of the property, which in my view, undermines any architectural heritage associated with the property. Furthermore, I would refer the Commission to the conclusion in the applicant's Architectural Heritage Impact Assessment which acknowledges that the house is not of architectural heritage merit, and it has been altered and extended on many occasions. I would consider on the basis of the above considerations that the existing house does not make a positive contribution to the character and appearance of the area and streetscape, and the demolition of the house, which I consider acceptable would not be contrary to Policy Objective HER20 (Buildings of Vernacular and Heritage Interest) of the DLR CDP.
- 7.4.4. In addition to the above an important consideration is the relationship of the proposed apartment development with The Metals c.ACA. I would acknowledge that it is an objective (policy objective HER17) of the DLR CDP to assess the Metals

c.ACA and determine whether it would meet the requirements and criteria of an ACA, and also it is an objective of the Plan (policy objective HER18) that developments within c.ACA should preserve or enhance the established character of the buildings and streetscape. It is important to note that the appeal site adjoins the c.ACA and is not located within an c.ACA. Further the DLR CDP includes an objective (policy objective HER28 and Specific Local Objective 27) to manage and enhance The Metals giving due regard to its historic importance.

7.4.5. In considering the impact of the proposed development on the The Metals c.ACA, I have reviewed the applicant's submitted Verified Views and CGI which accompanied the planning application, prepared by 3D Design BUREAU. I would note that the proposed VVM1 which provides views of the proposal from the east of the development site along Atmospheric Road / The Metals. The proposed VVM1 illustrates the retention of an established mature tree located in the south-east corner of the appeal site, which in my view contributes to retaining the character of the site from this viewpoint. Further the proposed VVM1 also outlines proposed planting along the front of the site, and in my view demonstrates, that the proposal successfully visually integrates with The Metal c.ACA. I would also consider that the proposed VVM2, which is a viewpoint of the proposal from the west of the site along Atmospheric Road / The Metals, and illustrates the public open space proposed, also the retention of a second mature tree, and proposed planting to the front of the site, and this would in my view, allow for the integration of the proposed scheme with The Metals c.ACA. I would consider on the basis of the above considerations that the proposed scheme, having regard to its design and integration with the public domain, would not undermine the historic importance of the Metals or its function as a pedestrian and cycling amenity, and therefore would not be contrary to Specific Local Objective 27 of the DLR CDP.

7.4.6. I would therefore consider that the development as proposed including the public open space to the front of the site would contribute positively to The Metals c.ACA and that the proposed development would not be contrary to the policy objectives HER20 (Buildings of Vernacular and Heritage Interest), HER17 (Candidate Architectural Conservation Areas), HER18 (Development within a Candidate Architectural Conservation Area), and HER28/Specific Local Objective 27 (The Metals).

7.5. Retention of Trees

- 7.5.1. I noted from my site assessment that the existing site contained several mature trees, throughout the site. The Parks Dept. of the LA, in their report dated 18th October 2024, raise concerns with the extent of trees to be removed to facilitate the development proposal. The appeal submission contends that the extent of tree removal is contrary to Section 12.8.11 (Existing Trees and Hedgerows) of the DLR CDP. Section 12.8.11 of the Plan outlines that new developments shall be designed to incorporate, as far as practicable, the amenities offered by existing trees and hedgerows.
- 7.5.2. The Parks Dept. report notes that the submitted Arboricultural Report states that of the nine mature trees on site, only two would be retained, one of which is the smallest tree of the nine. This includes the felling of six category B trees. I would also note that the report from the Parks Dept. recommended a revised site layout in relation to Block A which would afford the protection of additional mature trees situated to the front of the site, than that proposed in the application. The Parks Dept. recommend that this issue is addressed by F.I., or refusal should the issue not be addressed by a revised design. Notwithstanding the Park's Dept. recommendation, the PA conclude that the proposed public open space to the front of the site, the proposed planting and the retention of two trees mitigate the loss of the mature trees on the site. The PA consider that the loss of trees is acceptable, and the landscaping design is appropriate.
- 7.5.3. I have reviewed the submitted Arboricultural Report that supported the planning application. I would note from the accompanying drawing 'Atmospheric Road Tree Impacts Plan', which was submitted with the planning application, that 8 no. trees on the site were identified as Category B Trees (Good Quality Trees) and 2 no. trees were identified as Category C Trees (Poor Quality Trees). Of the ten trees, eight are regarded as being in generally good condition, offering substantial sustainability for tree retention in terms of protecting and conserving existing ground, particularly soil conditions, based on the proposed development. The remaining two trees, numbers 327 and 328, are affected by decline and/or decay and thus offer less sustainability.

One of the 8 trees identified as Category B is located on the neighbouring site to the west but overflows onto the development site.

- 7.5.4. The Arboricultural Report acknowledges that development and construction activities can easily damage the soil environment, and modifications to the soil damages tree roots and render the soil incapable of supporting plant root function. Further the compaction of soil due to construction vehicles denatures the soil. I would acknowledge that the Report advises that sustainability of a tree's health and safety can be compromised where the above issues occur within the minimum "root protection area" defined by "BS5837-2012", then the affected tree is likely to be regarded as unsustainable and unsuitable for retention. Accordingly having regard to the layout of the proposed development the Arboricultural Report recommends retaining two of the 9 trees on the development site and this includes a Category B and Category C tree, both located to the front of the site. The justification for removing the remaining trees is based on the development layout as proposed would compromise the trees health and safety.
- 7.5.5. I acknowledge the loss of 6 no. Category B trees to facilitate the proposed development, and I would note the Park's Dept. report recommending a revised layout by turning the proposed southern building at an angle which would partially move Block A away from the front of the site. This recommended modification would also have an impact on the communal open space by reducing its quantum. However, I would have concerns with this recommended revised layout for Block A on the basis that the proposed western elevation would be positioned closer to the rear elevations of Barnhill Grove and would impact on established amenities in terms of overlooking and visual impact. Furthermore, the front elevation balconies in proposed Block A would also look towards the rear gardens in Barnhill Grove which would impact on established residential amenities.
- 7.5.6. I would therefore consider on the basis of the layout of the proposed scheme and in the interest of protecting adjoining residential amenities that the justification for the removal of 6 no. category B trees would be acceptable in my view, and furthermore in justifying their removal from the site I would acknowledge that none of these trees are afforded any development plan statutory protection.

- 7.5.7. In addition, I would consider that the proposed Landscape Plan⁶ submitted with the application provides adequate compensatory measures which includes planting to the front of the site and within the site, which would adequately mitigate the loss of the existing Category B trees.
- 7.5.8. I would therefore conclude that the proposed development, in my view, would not be contrary to the s. 12.8.11 (Existing Trees and Hedgerows) of the CDP, which requires that new developments shall be designed to incorporate, as far as practicable, the amenities offered by existing trees and hedgerows.

7.6. **Other Matters**

- 7.6.1. I note that no concerns were raised in the appeals or the submissions in respect of residential amenity standards for the proposed development. The PA in their assessment, concluded that the proposed apartments are compliant with the Compact Settlement Guidelines (2024) in respect of SPPR 3 (Minimum Floor Areas), SPPR 4 (Dual Aspect Ratio), SPPR 5 (Floor to Ceiling Height) and SPPR 6 (Lift and Stair Cores). The PA also concluded that the proposed storage provision and private open space provision is acceptable, and that there is a shortfall in public open space which can be addressed by a development contribution in lieu. I would therefore be satisfied that the proposed development provides a good standard of residential amenity for future occupants.
- 7.6.2. I note that the Public Lighting section of the PA raise a number of issues in relation to lighting design and layout as referred to in section 3.2.2 above in this report. I would consider that these issues can be addressed by condition, should the Commission be minded to grant permission.

8.0 **AA Screening**

- 8.1. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the South

⁶ Drawing no. 101

Dublin Bay SAC (Site Code 000210), the Rockabill to Dalkey Island SAC (Site Code 003000), the South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) and the Dalkey Islands SPA (Site Code 004172) in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The absence of any ecological pathway from the development site to the nearest European Sites.
- The scale of the development site and location of the development in a fully developed urban area.
- Location-distance from nearest European sites.

9.0 Water Framework Directive

Refer to Appendix 4. I conclude that on the basis of objective information, that the proposed development, subject to standard construction practice during construction phase, will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

10.0 Recommendation

10.1. I recommend that planning permission for the proposed development should be granted for the reasons and considerations set out below.

11.0 Reasons and Considerations

11.1. Having regard to the nature of the proposed development, the 'Residential – Objective A' zoning of the site which permits in principle residential development, the design and layout of the proposed development, it is considered that subject to the conditions set out below, the proposed development would be acceptable in terms of standard of residential amenity, car parking and achieving brownfield compact

growth, the proposed development would not seriously injure the amenities of the area, and would be in accordance with the provisions of the Dun Laoghaire-Rathdown County Development Plan, 2022-2028, the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2023) and the Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024). The subject development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The disposal of surface water, including SuDS measures, 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.

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

3. Prior to the commencement of development the developer shall enter into a Connection Agreement(s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.

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

4. The roof areas shall not be accessible except for maintenance purposes only.

Reason: In the interest of residential amenity.

5. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being taken in charge. Detailed proposals in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure the satisfactory completion and maintenance of this development.

6. The development shall be carried out and operated in accordance with the provisions of the Mobility Management Strategy (MMS) submitted to the planning authority on 17th September 2024. The specific measures detailed in Section 5 of the MMS to achieve the objectives for the development shall be implemented in full upon first occupation. The developer shall undertake an annual monitoring exercise to the satisfaction of the planning authority for the first 3 years following first occupation and shall submit the results to the planning authority for consideration and placement on the public file.

Reason: In the interest of sustainable development.

7. The public safety measures along The Metals in accordance with the provisions of the Quality Audit submitted to the planning authority on 17th September 2024, the internal road network serving the proposed development, including turning bays, parking areas, footpaths, and kerbs shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS).

Reason: In the interest of amenity and of traffic and pedestrian safety.

8. Details of the layout of cycle parking provision and marking demarcation of these spaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

9. Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development. The scheme shall include lighting along pedestrian routes through open spaces. Such lighting shall be provided prior to the making available for occupation of any residential unit.

Reason: In the interest of amenity and public safety.

10. Prior to the commencement of development, the applicant shall engage with Iarnród Éireann in relation to works in the vicinity of the Overbridge OBR105.

Reason: To ensure the integrity of the Overbridge OBR105, owned by C.I.É/Iarnród Éireann is not compromised during the construction phase.

11. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

12. Details of the materials, colours and textures of all the external finishes to the proposed building shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

13. Proposals for apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all street signs, and apartment numbers, shall be provided in accordance with the agreed scheme. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility.

14. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, including the retention of 2 no. existing mature trees in accordance with the provisions of the Arboricultural Report submitted to the planning authority on 17th September 2024, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

15. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

16. A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

Reason: In the interest of environmental protection, residential amenities, public health and safety and environmental protection.

17. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials within each duplex and apartment unit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained and waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

18. That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.

19. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an

agreement in writing with the planning authority in relation to the transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended], unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan for the area.

20. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

21. 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.

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.

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.

Kenneth Moloney
Senior Planning Inspector

16th October 2025

Form 1 - EIA Pre-Screening

Case Reference	ABP-321313-24
Proposed Development Summary	Demolition of structure and construction of 22 apartments with amenities and all associated site works.
Development Address	The Barn, Atmospheric Road, Dalkey Co. Dublin.
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2. ☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Class 10(b)(i) of Part 2: threshold 500 dwelling units. Class 10(b)(iv) of Part 2: threshold 2 ha.

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	ABP-321313-24
Proposed Development Summary	Demolition of structure and construction of 22 apartments with amenities and all associated site works.
Development Address	The Barn, Atmospheric Road, Dalkey Co. Dublin.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The development will consist of the demolition of existing 2-storey detached house and outbuildings on the subject site, with a total floor area of 571 sq. metres and the construction of 22 no. apartments in two blocks. Proposed Block A will contain 15 no. apartments and proposed Block B will contain 7 no. apartments. Given the urban location within a predominantly residential area, there are established residential uses in the immediate vicinity of the subject site. The proposal is not considered exceptional in the context of the established pattern of development in the area. During the construction phases the proposed development would generate waste. However, given the moderate size of the proposed development, I do not consider that the level of waste generated would be significant in the local, regional or national context. No significant waste, emissions or pollutants would arise during the construction or operational phase due to the nature of the proposed use. The proposed development involves the demolition of the existing house and outbuildings. The development, by virtue of its residential type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones,	The subject site is not located within or adjoins any environmentally sensitive sites or protected sites of ecological importance, or any sites known for cultural, historical or archaeological significance. The nearest designated site to the appeal site is the Dalkey Islands SPA (Site Code 004172) situated c. 1km to the east of the development site. South Dublin Bay SAC (Site Code 000210) and South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) are both

nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	located 3.5km to the northwest of the appeal site, and Rockabill to Dalkey Island SAC (Site Code 003000) is situated 1.4km to the east of the subject site. I have concluded in my AA Stage 1 Screening that the proposed development would not likely have a significant effect on any European site. I consider that there is no real likelihood of significant cumulative impacts having regard to other existing and/or permitted projects in the adjoining area.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the scale of the proposed development and the nature of construction works associated with the development, its location removed from any sensitive habitats / features, the likely limited magnitude and spatial extent of effects, and the absence of in combination effects, there is no potential for significant effects on the environment.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	N/A
There is a real likelihood of significant effects on the environment.	N/A

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 3 – Appropriate Assessment Screening

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Case file ABP-321313-24	
Brief description of project	Normal Planning Appeal Demolition of structure and construction of 22 apartments with amenities and all associated site works. See section 2 of Inspectors Report
Brief description of development site characteristics and potential impact mechanisms	The proposed development will consist of the demolition of existing 2-storey detached house and outbuildings on the subject site, with a total floor area of 571 sq. metres and the construction of 22 no. apartments in two blocks. Proposed Block A will contain 15 no. apartments and proposed Block B will contain 7 no. apartments. The site is located within an existing suburban residential area approximately 500 metres from Dalkey village. The site is an urban site and will be served by public water main, public drainage scheme and public surface water drain. There are no waterbodies within the site or adjoining the subject site. The nearest designated site to the appeal site is the Dalkey Islands SPA (Site Code 004172) situated c. 1km to the east of the development site. South Dublin Bay SAC (Site Code 000210) and South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) are both located 3.5km to the northwest of the appeal site, and Rockabill to Dalkey Island SAC (Site Code 003000) is situated 1.4km to the east of the subject site.
Screening report	Y (Prepared by OPENFIELD Ecological Services). Dun Laoghaire-Rathdown County Council's planners report concludes that the proposed development would not significantly impact upon a Natura 2000 site.
Natura Impact Statement	N
Relevant submissions	None

Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests Link to conservation objectives (NPWS, date)	Distance from proposed development	Ecological connections	Consider further in screening Y/N
South Dublin Bay SAC (Site Code 000210)	Mudflats and sandflats not covered by seawater at low tide Annual vegetation of drift lines Salicornia and other annuals colonising mud and sand Embryonic shifting dunes <u>Conservation Objectives</u> South Dublin Bay SAC National Parks & Wildlife Service	3.5km	No direct connection. Weak indirect wastewater connection.	Y
The European Site Rockabill to Dalkey Island SAC (Site Code 003000)	Reefs Phocoena phocoena (Harbour Porpoise) <u>Conservation Objectives</u> Rockabill to Dalkey Island SAC National Parks & Wildlife Service	1.4km	No direct connection Weak indirect wastewater connection.	Y
South Dublin Bay and River Tolka Estuary SPA (Site Code 004024)	Light-bellied Brent Goose Oystercatcher Ringed Plover Grey Plover Knot Sanderling Dunlin Bar-tailed Godwit	3.5km	No direct connection Weak indirect wastewater connection.	Y

	Redshank Black-headed Gull Roseate Tern Common Tern Arctic Tern Wetland and Waterbirds <u>Conservation Objectives</u> South Dublin Bay and River Tolka Estuary SPA National Parks & Wildlife Service			
The Dalkey Islands SPA (Site Code 004172)	Roseate Tern Common Tern Arctic Tern <u>Conservation Objectives</u> Dalkey Islands SPA National Parks & Wildlife Service	1km	No direct connection Weak indirect wastewater connection.	Y

Further Commentary / discussion

In respect of the South Dublin Bay SAC (Site Code 000210), the Rockabill to Dalkey Island SAC (Site Code 003000), the South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) and the Dalkey Islands SPA (Site Code 004172) there is no hydrological connectivity between these European sites and the development site.

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Site 1 South Dublin Bay SAC (Site Code 000210)	Wastewater connection and issues in relation to hydraulic overloading from the proposed development on the WWTP.	The wastewater from the development site will be piped to public foul main and onto WWTP. I would note that an increase in PE associated with the proposed development would be negligible

Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Salicornia and other annuals colonising mud and sand [1310] Embryonic shifting dunes [2110]		given the scale of the development and that Uisce Eireann, in their report to the PA, have no objections in principle to the proposed development, subject to a pre-connection enquiry. I am satisfied that no significant impacts to the European Sites can arise from additional loading on the public infrastructure as a result of the proposed development. Conservation objectives would not be undermined.
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
	Impacts	Effects
<u>Site 2</u> The European Site Rockabill to Dalkey Island SAC (Site Code 003000) Reefs [1170] Phocoena phocoena (Harbour Porpoise) [1351]	Wastewater connection and issues in relation to hydraulic overloading from the proposed development on the WWTP.	As above.
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
	Impacts	Effects
<u>Site 3</u> South Dublin Bay and River Tolka Estuary SPA (Site Code 004024)	Wastewater connection and issues in relation to hydraulic overloading from the proposed development on the WWTP.	As above.

Light-bellied Brent Goose (<i>Branta bernicla</i> <i>hrota</i>) [A046]		
Oystercatcher (<i>Haematopus</i> <i>ostralegus</i>) [A130]		
Ringed Plover (<i>Charadrius hiaticula</i>) [A137]		
Grey Plover (<i>Pluvialis</i> <i>squatarola</i>) [A141]		
Knot (<i>Calidris canutus</i>) [A143]		
Sanderling (<i>Calidris</i> <i>alba</i>) [A144]		
Dunlin (<i>Calidris alpina</i>) [A149]		
Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]		
Redshank (<i>Tringa</i> <i>totanus</i>) [A162]		
Black-headed Gull (<i>Chroicocephalus</i> <i>ridibundus</i>) [A179]		
Roseate Tern (<i>Sterna</i> <i>dougallii</i>) [A192]		
Common Tern (<i>Sterna</i> <i>hirundo</i>) [A193]		
Arctic Tern (<i>Sterna</i> <i>paradisaea</i>) [A194]		
Wetland and Waterbirds [A999]		

	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
	Impacts	Effects
<u>Site 4</u> The Dalkey Islands SPA (Site Code 004172) Roseate Tern (Sterna dougallii) [A192] Common Tern (Sterna hirundo) [A193] Arctic Tern (Sterna paradisaea) [A194]	Wastewater connection and issues in relation to hydraulic overloading from the proposed development on the WWTP.	As above.
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
Step 4 Conclude if the proposed development could result in likely significant effects on a European site		
I conclude that the proposed development (alone) would not result in likely significant effects on the South Dublin Bay SAC (Site Code 000210), the Rockabill to Dalkey Island SAC (Site Code 003000), the South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) and the Dalkey Islands SPA (Site Code 004172). The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project. No mitigation measures are required to come to these conclusions.		

Screening Determination

Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the South Dublin Bay SAC (Site Code 000210), the Rockabill to Dalkey Island SAC (Site Code 003000), the South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) and the Dalkey Islands SPA (Site Code 004172) in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The absence of any ecological pathway from the development site to the nearest European Sites.
- The scale of the development site and location of the development in a fully developed urban area.
- Location-distance from nearest European sites.

Appendix 4 – WFD Impact Assessment Stage 1

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	ABP-321313-24	Townland, address	The Barn, Atmospheric Road, Dalkey Co. Dublin.
Description of project		Permission for the demolition of structure and construction of 22 apartments with amenities and all associated site works.	
Brief site description, relevant to WFD Screening,		The appeal site is located in an established suburban residential area.	
Proposed surface water details		Public drain	
Proposed water supply source & available capacity		Public services	
Proposed wastewater treatment system & available capacity, other issues		Public services	

Others?			No			
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
River Waterbody	2.9km to the southwest of the development site.	KILL OF THE GRANGE STREAM_010 IE_EA_10K020200	Poor	At Risk	UWW, UR, HYMO	Yes – surface run-off
Groundwater Waterbody	Underlying site	Kilcullen IE_EA_G_003	Good	At Risk	Ag, Unknown, For	Yes – site is underlain by poorly protective bedrock.
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.						

CONSTRUCTION PHASE							
No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	<u>Surface</u> Site clearance / Construction	KILL OF THE GRANGE STREAM_010	Existing surface water run-off	Siltation, pH (Concrete), hydrocarbon spillages	Standard construction practice Distance to watercourse	No	Screened out
2.	<u>Ground</u> Site clearance / Construction	Kilcullen	Pathway exists	Spillages	As above	No	Screened out
OPERATIONAL PHASE							
1.	Surface run-off	KILL OF THE GRANGE STREAM_010	Surface water drainage system in the area	Hydrocarbon spillage	Public surface water drains	No	Screened out

2.	Discharges to Ground	Kilcullen	Pathway exists	Spillages	Standard operational management.	No	Screened out
DECOMMISSIONING PHASE							
1.	NA	NA	NA	NA	NA	NA	NA