



An
Bord
Pleanála

Inspector's Report

ABP-321459-24

Development	Demolition of a single storey rear garage and construction of a new two storey one bedroom house with roof garden to the rear, and ancillary site works
Location	Rear of 46 Botanic Road, Glasnevin, Dublin, D09 C7F6
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	4131/24
Applicant(s)	Lorraine and Stephen Shanley
Type of Application	Permission.
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Patrick Boyle
Observer(s)	None
Date of Site Inspection	14 th March 2025.
Inspector	Robert Keran

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1.0 Site Location and Description

- 1.1 The appeal site has a stated areas of 39 sq.m and is located to the rear garden of No. 46 Botanic Road. The site addresses Prospect Avenue, located to the rear (west) of Botanic Road. No. 46 Botanic Road forms part of a terrace of properties. Immediately adjoining the site to the north is an existing two storey dwelling at 46 Prospect Avenue.
- 1.2 There is a change in levels in the rear garden of No. 46 Botanic Road, with the level towards Prospect Avenue higher than towards the rear of the dwelling. There are a number of steps in the rear garden to allow this transition.

2.0 Proposed Development

- 2.1 The proposed development comprises of the demolition of the existing single storey garage and the construction of a new two storey one bedroom house. The proposal is for a flat roof design with render finish. The total gross floor area proposed is 58 sq.m. The proposed layout is for an open plan living/dining/kitchen at ground floor with WC with a single bedroom with ensuite and storage at first floor.
- 2.2 The submitted drawings show a party wall between the appeal site and the site at 46 Prospect Avenue retained, with the new dwelling to be built inside (on the 46 Botanic Road) side of the party wall.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1 A notification of decision to grant planning permission was issued by Dublin City Council on the 26th November 2024.
- 3.1.2 The decision followed a request for further information by the City Council dated 1st October 2024 and response to same by the applicant dated 30th October 2024. The further information related to concerns in relation to overlooking from the roof garden, clarification in relation to development being built partly on a party wall, and details of surface water drainage and SUDs measures.

3.2 Conditions

3.2.1 The notification of decision was subject to no. 11 conditions.

- Condition 1 requires the development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application and at further information stage.
- Condition 2 relates to a Section 48 development contribution.
- Condition 3 relates to a Section 49 development contribution.
- Condition 4 requires the development to comply with the specific requirements of the Drainage Planning Policy and Development Control Section.
- Condition 5 requires the development to comply with specific requirements of the Transportation Planning Division, including provision of 1 no. bicycle parking space, details relating to dishing of existing footpath, requirement to extend pay and display parking in consultation with Dublin City Council Transport Advisory Group (TAG) via a Transport Service Request, and submission of a Construction Management Plan.
- Condition 6 requirements submission and agreement of details of external materials.
- Condition 7 relates to agreement on naming and numbering.
- Condition 8 requires the developer complies with the requirements set out in the Codes of Practice from the Noise & Air Pollution Section.
- Condition 9 relates to hours of work.
- Condition 10 relates to noise control during demolition and construction.
- Condition 11 requires development works and construction works to be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material.

3.3 Planning Authority Reports

3.3.1 Planning Reports

- The City Council's Planners Report o the 1st October 2024 resulted in a request for further information. The key points of the Planners Report are as follows:

- The proposed development will have a plot ratio of 1.5 and a stated site coverage of 80%. Although the proposal would result in a densification of the subject site, the stated plot ratio and coverage are considered acceptable in principle.
- There is no objection in principle to the proposed design. It is noted that a third party has requested that the front door be moved to the other side of the house for disturbance reasons, however the entrance door is slightly setback from the front of the house and is considered to be appropriate.
- The Planners Report assessed the proposed dwelling in terms of quantitative development standards as set out in the City Development Plan and 'Quality Housing for Sustainable Communities' Guidelines (2007) and found the proposal to be compliant with same. However, concerns were raised about the roof space in terms of overlooking/loss of privacy/disturbance and it was considered that a garden area at ground level should be provided instead. It was also noted that the proposed bin storage area is at the roof terrace area. This was not considered appropriate and should be located at ground level.
- While the issue of overlooking of habitable rooms and private amenity spaces has been alleviated through the non-provision of windows on the applicable elevations there is a concern regarding the roof terrace and it is considered that it should be omitted from the development and a garden area be provided
- The second City Council Planners Report of the 27th November 2024 assessed the further information submitted and concluded as follows, in summary:
 - The internal layout of the dwelling has been re-organised so that the kitchen/living/dining room and WC is located at ground level with access to a new rear garden area of 20 sq. m. The first floor will comprise of a bedroom and separate bathroom. The rear garden will also provide storage for bicycles and bins. This arrangement is considered to be acceptable and has addressed Item 1 of the RFI request.
 - The Planning Authority welcome the clarification that all party walls will remain unaltered by the proposed development. The response received is considered satisfactory and has addressed the concerns raised.
 - The Applicant's Agent has consulted with the Drainage Planning and Development Control Division Section (DPPDC) prior to the submission of the response and

agreed in principle the proposal for surface water management within the proposed development.

- Drainage Planning and Development Control Division Section (DPPDC) of the City Council issued a report dated 3rd September 2024 which stated that insufficient information was submitted on the management of surface water. Further information and revised plans were recommended.
- Following consideration of the response to the request for further information, the Drainage Planning and Development Control Division Section (DPPDC) of the City Council recommended a grant of permission subject to conditions.
- The Transportation Planning Division of the City Council issued a report dated 13th September 2024 and noted the following in summary:
 - In terms of car parking, the application does not propose any off street parking. Google street imagery outlines a dished kerb to the front of the proposed dwelling on Prospect Avenue. The existing site plans outline an existing garage access via the dishing. Given the usage of the dwelling will not incorporate off-street parking, the dished kerb should be reinstated to the adjacent level kerb upstand, and pay and display and permit parking should be extended to include this area.
 - The subject site is located within Zone 2 of Map J of the Dublin City Development Plan 2022-2024. This outlines a minimum of 1 per unit for new residential dwellings. The application does not appear to outline any bicycle parking. 1 no. bicycle parking space should be provided as part of the development.
 - In terms of waste collection and servicing the development, the proposal outlines waste storage at the roof garden level with access to the roof level via a proposed external stairs. Given the existing development along Prospect Avenue and the width of the existing carriageway, it is considered that the proposed development can be serviced without difficulty in this regard.

3.4 Prescribed Bodies

- 3.4.1 A submission by TII (undated) states that the development falls within the area to which the Section 49 development contribution scheme for Luas Cross City applies, and requests

that a condition to any grant requires the payment of a Section 49 levy under this scheme, unless the development is exempt.

3.5 Third Party Observations

3.5.1 There were 2 no. submissions on the application:

- A submission by Patrick Boyle of 46 Prospect Avenue requested that the new dwelling be 3 feet from the house. Mr Boyle also requested the front door of the new dwelling to be further away, raised concerns with overlooking of his property from the proposed roof garden, queried whether the new dwelling will be supplied by a new water supply,
- A submission by Iona and District Residents' Association raised concerns in relation to absence of a rear garden, states that the external stairs to access the roof garden overhangs the rear garden of 46 Botanic Road, concern with bin storage on the roof garden, concern that the wall to the roof garden will be overbearing, concerns that the height, scale and overbearing nature of the rear wall of the proposed dwelling would negatively affect the enjoyment of the private amenity space of the existing dwellings on Botanic Road Daylight, concern with single aspect nature of the ground floor, concerns with absence of absence of car parking and availability of on-street car parking.

4.0 Planning History

Appeal Site

4.1 Under Reg. Ref: 3267/18 permission was refused by Dublin City Council in August 2018 for a proposed development comprising of the demolition of an existing single-storey garage to the rear of 46, Botanic Road and the construction of a new three storey, three bedroom house with access from Prospect Avenue with all associated site works. The 2 no. reasons for refusal were as follows:

- The proposed development would result in a substandard level of private open space for the existing house, no 46 Botanic Road and as a consequence would set an undesirable precedent for similar developments and would be seriously injurious to property

- The proposed development would result in a substandard level of private open space for the existing house, no 46 Botanic Road and as a consequence would set an undesirable precedent for similar developments and would be seriously injurious to property in the vicinity. The proposal would be contrary to paragraph 16.10.2 Residential Standards - Houses of the Dublin City Development Plan 2016-2022 and would be contrary to the zoning objective for the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

4.2 There was no appeal to An Bord Pleanala.

4.3 Under Reg. Ref: 3993/15 retention permission was granted by Dublin City Council in February 2016 for retention of alterations and additions to the existing terraced house at No 46 Botanic Road which comprised the removal of the existing two-storey rear return and the construction of a new two-storey rear return extension, including a new hipped roof and associated site development. There was no appeal to An Bord Pleanala.

Rear of 48 Botanic Road / 46 Prospect Avenue

4.4 Under Reg. Ref: 1949/93 permission was granted by Dublin City Council in March 1994 for the construction of a two-storey house to the rear of 48 Botanic Road, fronting on to Prospect Avenue. There was no appeal to An Bord Pleanala.

5.0 Policy Context

Development Plan

5.1 The operative Development Plan is the Dublin City Development Plan 2022 – 2028.

5.2 The following are the key provisions of the Development Plan relating to the appeal site and appeal:

- The site is zoned Z1 Sustainable Residential Neighbourhoods with an objective “To protect, provide and improve residential amenities”. Residential development is a permissible use within the Z1 zoning.
- The site is located to the east of Prospect Square / De Courcy Square and Environs Architectural Conservation Area.

- Policy QHSN6 Urban Consolidation is to promote and support residential consolidation and sustainable intensification through the consideration of applications for infill development, backland development, mews development, re-use/adaptation of existing housing stock and use of upper floors, subject to the provision of good quality accommodation.
- Policy QHSN10 Urban Density is to promote residential development at sustainable densities throughout the city in accordance with the Core Strategy, particularly on vacant and/or under-utilised sites, having regard to the need for high standards of urban design and architecture and to successfully integrate with the character of the surrounding area.
- Policy QHSN22 Adaptable and Flexible Housing is to ensure that all new housing is designed in a way that is adaptable and flexible to the changing needs of the homeowner as set out in the Lifetime Homes Guidance contained in Section 5.2 of the Department of Environment, Heritage and Local Government's 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007) and the Universal Design Guidelines for Homes in Ireland 2015.
- Policy QHSN37 Houses and Apartments is to ensure that new houses and apartments provide for the needs of family accommodation with a satisfactory level of residential amenity in accordance with the standards for residential accommodation.
- Chapter 3 of the Development Plan deals with the matter of Climate Change.
- Chapter 15 of the City Development Plan sets out the development management standards. The key provisions are as follows:
 - Section 15.5.2 of the City Development Plan relates to Infill Development and states that infill development should complement the existing streetscape, providing for a new urban design quality to the area. It is particularly important that proposed infill development respects and enhances its context and is well integrated with its surroundings, ensuring a more coherent cityscape. It goes on to state that Dublin City Council will require infill development to, inter alia:
 - To respect and complement the prevailing scale, mass and architectural design in the surrounding townscape.

- To demonstrate a positive response to the existing context, including characteristic building plot widths, architectural form and the materials and detailing of existing buildings, where these contribute positively to the character and appearance of the area.
 - Within terraces or groups of buildings of unified design and significant quality, infill development will positively interpret the existing design and architectural features where these make a positive contribution to the area.
 - In areas of low quality, varied townscape, infill development will have sufficient independence of form and design to create new compositions and points of interest.
 - Ensure waste management facilities, servicing and parking are sited and designed sensitively to minimise their visual impact and avoid any adverse impacts in the surrounding neighbourhood.
- Section 15.13.4 of the City Development Plan relates to backland development, and states that such development is generally defined as development of land that lies to the rear of an existing property or building line. It is stated that Dublin City Council will allow for the provision of comprehensive backland development where the opportunity exists.
 - Section 15.11 relates to house developments. It is stated that houses shall comply with the principles and standards outlined in Section 5.3: 'Internal Layout and Space Provision' contained in the DEHLG 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007).
 - It is further stated, at Section 15.11.3 relating to private open space that private open space for houses is usually provided by way of private gardens to the rear of a house and that a minimum standard of 10 sq. m. of private open space per bedspace will normally be applied. A single bedroom represents one bedspace and a double bedroom represents two bedspaces.

5.1. Relevant National or Regional Policy / Ministerial Guidelines (where relevant)

5.1.1 The National Planning Policy Framework (NPF) is generally supportive of residential development in existing built up areas. The following from the NPF is noted in particular:

- National Policy Objective 3a is to *“Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements”*.
- National Policy Objective 33 - Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

5.1.2 Other relevant national policy includes Sustainable Residential Development and Compact Settlements: Guidelines for Planning Authorities, 2024 (‘the Compact Settlement Guidelines’) which supports the more intensive use of sites in locations served by existing facilities and public transport. The Compact Settlement Guidelines supersede the Guidelines on Sustainable Residential Development in Urban Areas and accompanying Urban Design Manual. The SPPRs relating to house size, car parking, storage and bicycle parking will be relevant to the consideration of the proposed development.

5.1.3 Also relevant is ‘Quality Housing for Sustainable Communities: Design Guidelines’ (2007),

5.2. Natural Heritage Designations

5.2.1 The appeal site is located at the rear of 46 Botanic Road, Glasnevin, Dublin, D09 C7F6, approximately 2.8 kilometers to the west of South Dublin Bay and River Tolka Estuary SPA. North Bull Island SPA is approximately 3.4 kilometres distant to the west.

6.0 EIA Screening

6.1 Having regard to the nature, scale and location of the development and the criteria set out schedule 7 of the Planning and Development Regulations 2001, as amended, there is no real likelihood of significant effects on the environment based on the nature, size and location of the proposed development and therefore no EIA is required in this instance. See completed EIA Pre-Screening and Preliminary Screening attached in Appendix 1.

7.0 The Appeal

7.1. Grounds of Appeal

7.1.1 There is 1 no. third party appeal.

7.1.2 The third party appeal by Patrick Boyle raises only one issue. The appellant states that he requires the gap between his house (46 Prospect Avenue) and the proposed development to be 3 foot / 93 cm.

7.2 Applicant Response

7.2.1 The response of the applicant to the third party appeals was made by Mel Reynolds of MRD Architecture dated 8th January 2025. A summary of the response is as follows:

- Notes that the appeal relates to one issue only, and that the appellant has no objection in principle to the proposed development.
- Clarifies that the appellant refers to a gap of 15cm between his property and the proposed development whereas the proposed gap, as amended at further information stage, is 400mm.
- The design of the new dwelling allows for the retention of existing party walls unaltered.
- Noted that the appellants request to increase the gap to 930mm has been considered by the City Council during the course of the application consideration.

7.3. Planning Authority Response

7.3.1 The local planning authority by letter dated 7th January 2025 requested that the Board upheld the decision to grant and attached conditions relating to Section 48 contributions, Section 49 Luas Cross City contributions, payment in lieu of open space, and a naming and numbering condition.

7.4. Observations

7.4.1 There are no observations on the appeal.

7.5. Further Responses

7.5.1 There are no further responses.

8.0 Assessment

8.1 I consider the main issues in determining this appeal are as follows:

- Principle of development
- Character and Design
- Impact on Residential Amenity
- Relationship to Neighbouring Property at 46 Prospect Avenue

Principle of Development

8.2 The site is zoned Z1 Sustainable Residential Neighbourhood,, the objective of which is ‘to protect, provide and improve residential amenities.’ Residential use is permissible in principle under this zoning objective.

8.3 Furthermore, Policy QHSN6 Urban Consolidation and QHSN10 Urban Density and Objective QHSN04 of the City Development Plan support infill developments subject to compliance with relevant standards.

8.4 Having regard to the above, the principle of residential development is accepted within this zoning objective subject compliance with other policies, objectives and standards of the Dublin County Development Plan 2022-2028.

Character and Design

8.5 Sections 15.5.2 and 15.5.7 of the City Development Plan set out the key principles in relation to the design quality and finishes of a proposed development. The proposal is for a flat roof design with render finish. The neighbouring building on Prospect Avenue is a red brick finish, with buildings further north painted pebbledash. The design of the proposed development is contemporary and simple in style and will not be out of character with the surrounding area, the character of which is mixed.

8.6 The height of the proposed development will assimilate well with neighbouring and surrounding buildings.

- 8.7 Overall, the introduction of the proposed development at this location will represent an improvement in the appearance of the site.
- 8.8 It is noted that the third party appellant, in his submission on the planning application, has requested that the front door be moved to the other side of the house to avoid disturbance. I see no particular rationale for this. Side by side front doors are common and in fact occur on this street at No's 48 and 50 Prospect Avenue.
- 8.9 Furthermore, I am satisfied that the proposed development meets the minimum standards set out in the Quality Housing for Sustainable Communities - Best Practice Guidelines for Delivering Homes Sustaining Communities. The private open space provision of 20 sq.m in a rear garden complies with SPPR 2 - Minimum Private Open Space Standards for Houses of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024) which provides a requirement of 20 sq.m. it is noted that refuse storage and bicycle parking erode into this 20 sq.m, however this is considered to be relatively immaterial and the SPPR does acknowledge that for urban infill schemes on smaller sites (e.g. sites of up to 0.25ha) the private open space standard may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality and proximity to public open space.
- 8.10 Similarly, the existing house at No. 46 Botanic Road will retain 57 sq.m of private open space, with SPPR 2 providing a requirement of 50 sq.m for a 4 bed plus house.
- 8.11 I am also satisfied that the zero car parking provision for the proposed development, considering the location, is in compliance with SPPR 3 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024).
- 8.12 1 no. bicycle parking space to the rear has been provided in accordance with SPPR 4.

Impact on Residential Amenity

- 8.13 The proposed development will comprise the continuation of infill/backland development on Prospect Avenue and will be of a similar height, scale and massing to existing buildings to the north.
- 8.14 The appellant does not raise any issues in terms of impact on amenities of his immediately adjoining property to the north. Whilst the rear of the proposed dwelling does extend further east than the ground floor rear extension at No. 46 Prospect Avenue, this is not considered

likely to have any negative overbearing or overshadowing impact. A south facing ope in this extension is noted however the massing of the proposed development is not likely to cause any material loss of daylight, and there is an east facing window to the same room. The issue of the 'gap' between the existing and proposed dwellings is addressed separately.

- 8.15 With the omission of the originally proposed roof garden, and with no rear facing windows at first floor level, there is no concern in relation to overlooking.
- 8.16 The separation distance to the rear of the proposed development to the rear of No. 46 Botanic Road appears to be circa 15.3 metres, although this is not clearly stated on the drawings. SPPR 1 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024) is that a separation distance of at least 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained. It goes on to state however 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. In the case of the proposed development, the first floor to the rear is occupied by a landing and bathroom, with no windows in either. The proposed development is considered to comply with SPPR 1.
- 8.17 Having regard to all of the above, I consider that the proposed development will not have any material negative impact on residential amenities.

Impact on Neighbouring Property at 46 Prospect Avenue

- 8.18 The third party appeal raises only one issue, which is that the gap between his house (46 Prospect Avenue) and the proposed development should be 3 foot / 93 cm. The rationale for requesting such a gap is unclear.
- 8.19 The 'gap' as per the submitted drawings, as amended at further information stage, is 400mm (or 40 cm). Refer to Dwg. No. P-01 Rev. E. The existing party wall between the properties is clearly shown as retained.
- 8.20 The design approach taken, including the retention of the party wall, appears to be logical and will provide an acceptable appearance to the street. There is no planning merit to an

increased gap between the buildings. On this basis, I am satisfied that the proposed development is acceptable in this respect.

9.0 AA Screening

9.1 I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.

9.2 The subject site is located at rear of 46 Botanic Road, Glasnevin, Dublin, D09 C7F6, approximately 2.8 kilometers to the west of South Dublin Bay and River Tolka Estuary SPA. North Bull Island SPA is approximately 3.4 kilometres distant to the west.

- The development comprises permission for a single dwelling unit.
- No nature conservation concerns were raised in the planning appeal.

9.3 Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:

- The small scale and minor nature of the development
- The urban location in an existing residential area
- The distance to the nearest European site and lack of pathways between the development and the European Site.
- Taking into account screening determination by Dublin City Council.

9.3 I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

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

10.0 Recommendation

10.1 I recommend that permission be granted with conditions.

11.0 Reasons and Considerations

11.1 Having regard to the provisions of the Dublin City Development Plan 2022-2028, in particular Section 15.13.3 relating to infill developments, and the nature, scale and design of the proposed development, it is considered that, subject to compliance with the conditions below, the development would not impact on adjoining structures or on the amenities of adjoining properties, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on 8th August 2024 and further information submitted on the 30th October 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2	<p>The entire dwelling shall be used as a single dwelling unit and shall not be sub-divided in any manner or used as two or more separate habitable units.</p> <p>Reason: To prevent unauthorised development</p>
3	<p>Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.</p>
4	<p>Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interest of public safety and amenity.</p>

5	<p>The site development and construction works shall be carried out in such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material and cleaning works shall be carried on the adjoining public roads by the developer and at the developer's expense on a daily basis.</p> <p>Reason: To protect the residential amenities of properties in the vicinity.</p>
6	<p>Site development and building works shall be carried out only between the hours of 7.00am to 7.00pm Monday to Friday inclusive, 8.00am to 2.00pm Saturdays and no works permitted on site on Sundays and public holidays. Deviations from these times will only be allowed in exceptional circumstances where prior written approval has been obtained from the Planning Authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
7	<p>The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.</p> <p>Reason: To prevent flooding and in the interests of sustainable drainage.</p>
8	<p>Prior to the commencement of development, the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and wastewater collection network.</p> <p>Reason: In the interest of public health and to ensure adequate water/wastewater facilities.</p>
9	<p>Proposals for house naming/numbering shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: the interest of urban legibility</p>

10	<p>The developer shall pay to the planning authority a financial contribution in respect of Luas Cross City in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 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. The application of any indexation required by this condition 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.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.</p>
11	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>

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

Robert Keran

14th March 2025

Appendix 1 - Form 1 and Form 2

EIA Pre-Screening and Preliminary Examination

Form 1

EIA Pre-Screening

An Bord Pleanála	ABP-321459-24		
Case Reference			
Proposed Development Summary	The proposed development comprises of the demolition of the existing single storey garage and the construction of a new two storey one bedroom house.		
Development Address	Rear of 46 Botanic Road, Glasnevin, Dublin, D09 C7F6		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	✓
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	✓	Class 10(b)(i) – Part 2 of Schedule 5	Proceed to Q3.
No			Tick if relevant. No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			

No	✓		
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	✓		Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	✓	
Yes		

Inspector: Robert Keran

Date: 12th March 2025

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference Number	ABP-321189-24
Proposed Development Summary	Planning permission is being sought for a single storey dwelling of 122 sqm.
Development Address	Rear of 46 Botanic Road, Glasnevin, Dublin, D09 C7F6
<p>The Board carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations.</p> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>	
<p>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).</p>	<p>The development has a modest footprint and is of modest scale. The project is a standalone project and does not require demolition works, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.</p>

<p>Location of development</p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>The appeal site has a stated areas of 39 sq.m and is located to the rear garden of No. 46 Botanic Road. The site addresses Prospect Avenue, located to the rear (west) of Botanic Road. No. 46 Botanic Road forms part of a terrace of properties. Immediately adjoining the site to the north is an existing two storey dwelling at 46 Prospect Avenue.</p> <p>The proposed development is consistent with the existing land use in the area.</p>	
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Having regard to the modest nature of the proposed development, its location removed from and with no pathways to sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</p>	
Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	Yes or No
There is no real likelihood of significant effects on the environment.	EIA is not required.	No

There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.	
There is a real likelihood of significant effects on the environment.	EIAR required.	

Inspector: Robert Keran

Date: 14th March 2025

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)