



An
Bord
Pleanála

Inspector's Report

ABP-322135-25

Development

Construction of a single storey bungalow, new vehicular access and all associated site works

Location

36 Rosemount Estate, Dundrum D14 PP38

Planning Authority

Dun Laoghaire Rathdown County Council

Planning Authority Reg. Ref.

D25A/0001/WEB

Applicant(s)

Yongheng Xu and DI Zhang

Type of Application

Permission

Planning Authority Decision

Grant permission

Type of Appeal

Third Party

Appellant(s)

Anglela Kettle and others

Observer(s)

P+J Fagan

N O'Connor

M + M Cremin

Cllr Anne Colgan

Residents of Rosemount Park &
Rosemount Estate

Date of Site Inspection

25th May 2025

Inspector

Killian Harrington

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Appendix 1 – Form 1: EIA Pre-Screening

Appendix 2 – Form 2: EIA Preliminary Examination

1.0 Site Location and Description

The subject property at 36 Rosemount Estate, Dundrum, Dublin 14 consists of a two-storey mid-terrace dwelling with a large rear garden on a 0.024 ha plot. It is accessible from the Rosemount Estate road and bounded by other residential properties. Detached residential dwellings have also been constructed on backland to the rear of property numbers 35 and 37 Rosemount Estate – forming dwellings 35A and Cúl an Tí respectively. The subject property is c. 900m north of Dundrum town centre, with the nearest Luas stop being less than 500m away. The wider area is residential in nature and the prevailing pattern of development is characterised by conventional housing set around a series of cul-de-sacs predominantly comprising two-storey terraced dwellings with front and rear gardens.

2.0 Proposed Development

- 2.1. The proposed development consists of a single storey, 2 bedroom bungalow with pitched roof to be constructed in the rear garden of 36 Rosemount Estate, new vehicular access and pedestrian access location, from Rosemount Park, works to boundary wall, associated site works.
- 2.2. The proposed development would border the curtilage of 36, 35, 35A and Cul an Ti residential properties. No transparent windows are proposed for east and west elevations (opaque material proposed) but there are six rooflights proposed along these sides with transparent windows at the north and south gable. Proposed rear garden space amounts to 48 sqm in area while the host dwelling (no. 36) retains 60 sqm of private open space.

3.0 Planning Authority Decision

3.1. Decision

Dun Laoghaire Rathdown County Council decided to grant permission 11 conditions including:

- Condition 2 seeking opaque or frosted centre skylights on each roof plane.
- Condition 5 restricting car parking to one vehicle space only.

3.2. Planning Authority Reports

3.2.1. Planning Report

- The planners report noted that the principle of a residential dwelling was acceptable under zoning objective 'A' and concluded that there would be no undesirable effects, would be compatible with the policies and objectives of the zoning and would be consistent with the proper planning and sustainable development of the area.
- Specific matters addressed in the report includes residential amenity, visual impact, access and parking and drainage.
- The height of the proposed dwelling was addressed with the report stating that it was single-storey and while the roof pitch would be similar in height to what was refused on site previously (Reg. Ref. D24A/0668/WEB), the highest point is centralised reducing to single-storey towards the side boundaries with neighbours and the bulk and mass has reduced from the refused application addressing visual impact, daylight and overbearance. There are also no transparent windows proposed to side boundaries and 6 no. skylights will be orientated away from properties and will have obscured glazing by condition in the event of a grant of permission.
- Rear open space provision was deemed acceptable at 60 sqm in area
- The provision of 2 no. car parking spaces will be reduced to one by condition in the event of a grant of permission noting a Luas stop c. 900m away.

- Proposed drainage measures were considered acceptable subject to a standard urban drainage condition in the event of a grant of permission

3.2.2. Other Technical Reports

- Transportation Planning report dated 21/02/25 concluded no objection to the development subject to the alteration of the vehicular entrance to appropriate standards and standard construction measures to avoid debris or damage on public paths (this is set out in Conditions 5 and 7 respectively)
- Drainage report dated 31/01/25 concluded no object subject to standard drainage condition (Condition 6)

3.3. Prescribed Bodies

- No referrals made

3.4. Third Party Observations

There were 10 objections and the main points can be summarised as follows:

- Reasons for refusal in previous application have not been addressed
- Proposed development is actually two-storey with attic included
- There would be a negative impact on residential and visual amenity (including overlooking and overshadowing) of the surrounding dwellings along Rosemount Park and Rosemount Estate
- Size, scale and bulk and height of proposed dwelling
- Would cause drainage issues
- Inadequate open space for both new dwelling and existing dwellings
- Overdevelopment
- Bad precedent for the area

4.0 Planning History

Subject site

Reg. Ref. D24A/0668/WEB – Permission refused for a 2 storey, 3 bedroom new dwelling, new vehicular access and pedestrian access location, from Rosemount Park, works to boundary wall, associated site works.

Reason for Refusal:

The proposed development would result in inadequate quantitative and qualitative areas of private open space for the existing dwelling at 36 Rosemount Estate, contrary to the content of Section 12.8.3.3(i) Private Open Space, Table 12.10, and Section 12.3.7.6 Backland Development of the County Development Plan 2022-2028. The proposed two-storey dwelling due to its height, massing, and scale, and its close proximity to boundaries and the neighbouring dwellings on this constrained site would also have negative impacts on visual and residential amenity. The proposal would represent overdevelopment at the subject site and would injure the residential and visual amenities of property in the vicinity. The development would help set an undesirable precedent for backland development in the local area and the wider County, and would be contrary to the proper planning and sustainable development of the area.

Reg. Ref. D23A/0703 – Permission refused for 1) Construction of a new 148.59sqm, 4 bedroom, single storey with attic conversion dormer windows on the backland site as a new postal number of 36A to Rosemount Park, Dundrum, Dublin 14. It is to be externally finished in cement and brickwork with PVC casement windows & doors & a pitched slate roof metal ridge covering with seven roof lights. 2) Works will include relocating shed. 3) Rebuilding back garden wall aline with boundary. 4) Widening entrance vehicle access to Rosemount Park with one parking. 5) All ancillary works in association.

Reasons for Refusal:

1. The proposed development would result in inadequate quantitative and qualitative areas of private open space for the existing dwelling at 36 Rosemount Estate, and also for the proposed dwelling, contrary to Section 12.8.3.3(i) Private Open Space, Table 12.10, and Section 12.3.7.6 Backland Development of the County Development Plan 2022-2028. The proposed dwelling due to height, bulk and length and close proximity to boundaries and surrounding dwelling structures in its

restricted site would also have visual overbearing impacts, and would be visually incongruous and overly prominent when viewed from surrounding properties, and would have undue negative impacts on the residential amenity of neighbouring property no.35A by virtue of close overlooking and impacts on privacy. The proposal would therefore represent overdevelopment and would seriously injure the residential and visual amenities of property in the vicinity. The development would help set an undesirable precedent for backland and infill development in the local area and the wider County area, and would be contrary to the proper planning and sustainable development of the area.

2. The proposed development provides insufficient off-street car parking for the proposed 4-bedroom, 148sq.m. dwelling. The development proposed is therefore not in accordance with the content of Section 12.4.5.1(ii) Parking Zone 2 and Table 12.5 of the County Development Plan 2022-2028, respectively. As such, the development would help set an undesirable precedent for residential car parking standards in the local area and the wider County area, and would not be in accordance with the proper planning and sustainable development of the area.

Adjacent properties

Reg. Ref. D18B/0294 – Permission granted for new ground floor extension to front of the existing detached bungalow, removal of a section of the existing tiled roof and form a first floor extension with a front cantilevered obscure glazed window structure to the front, external finishes and tiled roof to match existing, internal alterations and associated site works.

Reg. Ref. D17B/0397 – Permission refused for a new ground floor extension to the front of the existing detached bungalow, removal of a section of the existing tiled roof and construct a new first floor extension over with a tiled roof and external finishes to match existing, internal alterations and associated site works. The decision was appealed to An Bord Pleanála (ABP-300248-17) and subsequently refused

ABP Reason for refusal:

Having regard to the restricted size and configuration of the site, it is considered that the proposed development by reason of its overall design and proximity to the

western boundary would result in an unacceptable reduction in the established levels of residential amenity of the neighbouring property to the immediate west by reason of overlooking and overbearing. The proposed development would therefore seriously injure the amenities of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.

DLRCC Reason for refusal:

1. The proposed window on the first floor extension would lead to overlooking of the garden of the adjoining property to the west: No.36 Rosemount and would therefore be seriously injurious to the residential amenity of No.36 Rosemount and depreciate the value of this property. 2. The proposed extension would result in a four bedroom house with inadequate private open space which would contravene Zoning Objective A: 'To protect and/or improve residential amenity.' of the 2016-2022 Dun Laoghaire Rathdown County Development Plan and would, therefore, be contrary to the proper planning and sustainable development of the area.

5.0 Policy Context

5.1. Guidelines for Planning Authorities

Design Manual for Quality Housing (2023)

Sustainable Residential Development and Compact Settlements (2024)

SPPR 1 – Separation Distances

When considering a planning application for residential development, a separation distance of at least 16 metres between opposing windows serving habitable rooms¹⁶ at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained. 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. There shall be no specified minimum separation distance at ground level or to the front of houses, duplex units and apartment units in statutory development plans and planning applications shall be determined on a case-by-case basis to prevent undue loss of privacy.

SPPR2 – Minimum Private Open Space

It is a specific planning policy requirement of these Guidelines that proposals for new houses meet the following minimum private open space standards:

- 2 bed house 30 sqm
- 3 bed house 40 sqm

SPPR 3 – Car Parking

It is a specific planning policy requirement of these Guidelines that:

- (i) In city centres and urban neighbourhoods of the five cities, defined in Chapter 3 (Table 3.1 and Table 3.2) car-parking provision should be minimised, substantially reduced or wholly eliminated. The maximum rate of car parking provision for residential development at these locations, where such provision is justified to the satisfaction of the planning authority, shall be 1 no. space per dwelling.
- (ii) In accessible locations, defined in Chapter 3 (Table 3.8) car- parking provision should be substantially reduced. The maximum rate of car parking provision for residential development, where such provision is justified to the satisfaction of the planning authority, shall be 1.5 no. spaces per dwelling.
- (iii) In intermediate and peripheral locations, defined in Chapter 3 (Table 3.8) the maximum rate of car parking provision for residential development, where such provision is justified to the satisfaction of the planning authority, shall be 2 no. spaces per dwelling

5.2. Development Plan

Under the Dun Laoghaire-Rathdown County Development Plan 2022-2028 the site is subject to the Land Use Zoning 'Objective A', which seeks to provide residential development and improve residential amenity while protecting the existing residential amenities. The following are relevant Development Plan policies and objectives:

Chapter 3 (Climate Action)

Section 3.4.1.3 Policy Objective CA7 - Construction Materials

Chapter 4 (Neighbourhood – People, Homes and Place)

Section 4.3.1.2 Policy Objective PHP19 – Existing Housing Stock – Adaptation

Section 4.3.1.3 Policy Objective PHP20 – Protection of Existing Residential Amenity

Chapter 12 (Development Management)

Section 12.2.1 Built Environment

Section 12.3 Neighbourhood – People, Homes and Place

Section 12.3.1 Quality Design

Section 12.3.7 Additional Accommodation in Existing Built-up Areas

Section 12.3.7.6 Backland Development

Section 12.3.7.7 Infill

Section 12.4.8 Vehicular Entrances and Hardstanding Areas

Section 12.4.8.1 General Specifications

Section 12.4.8.3 Driveways/Hardstanding Areas

Section 12.8.3.3(i) Private Open Space for Houses

- 1-2 bedroom dwelling = 48 sqm required
- 3 bedroom dwelling = 60 sqm required

Section 12.8.7 Private Amenity Space – Quality Standards

Section 12.8.7.1 Separation Distances

Section 12.8.7.2 Boundaries

5.3. Natural Heritage Designations

The site is c. 3.4km west of South Dublin Bay SAC, South Dublin Bay proposed NHA, Booterstown Marsh proposed NHA & South Dublin Bay and River Tolka SPA and 7km south of North Dublin Bay SAC and North Bull Island SPA and c. 12 km from Howth Head SAC

6.0 EIA Screening

The proposed development comes within the definition of a 'project' and a 'class' for the purposes of EIA, that is, it comprises construction works or intervention in the natural surroundings. Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required. Refer to Appendices 1 and 2 of this report.

7.0 The Appeal

7.1. Grounds of Appeal

- The attic space in the dwelling will be used for non-storage purposes and amounts to a two-storey dwelling
- Two central rooflights will offer unfettered overlooking of the neighbouring properties and should be removed by condition if the Board are mindful to grant permission
- Roof angle and height of proposed dwelling should be reduced if the Board are minded to grant permission
- The proposed oval windows on front and rear gable have no function, are incongruous and create the impression of first floor level. They should be removed by the Board
- Siting of proposed dwelling is too close to surrounding properties and the proposal would appear overbearing from residents at Cul an Ti and 35A in particular
- Potential for damage to structural integrity to adjacent properties
- Proposal would have a negative impact on property values

7.2. Applicant Response

- None

7.3. Planning Authority Response

- The planning authority state that the grounds appeal do not raise any new matters which would justify a change of attitude to the proposed development

7.4. Observations

There were three observations from local residents, one from a local councillor and one observation from a residents group with 48 signatories from the Rosemount Park and Rosemount Estate area. The issues can be summarised as follows:

- There would be a negative impact on privacy of several houses and rear gardens with overlooking by six rooflights and gable end windows (especially into 3 Rosemount Park, 37 Rosemount Estate and 39 Rosemount Estate) and the proposed dwelling would only be 400mm from the boundary wall of 3 Rosemount Park)
- Size, scale and bulk and height of proposed dwelling would have an overbearing and overshadowing impact on adjacent properties and street
- Proposal would cause drainage issues due to lowering of site
- Proposal would cause traffic congestion
- Inadequate open space for both new dwelling and existing dwellings
- Overdevelopment setting a bad precedent for backland site
- Description of dwelling as single-storey is inaccurate. If minded to grant, a condition should be attached restricting attic to storage purposes.

7.5. Further Responses

- None

8.0 Assessment

- 8.1. Following a review of the file, assessment of the relevant planning policies and inspection of the site, I conclude that the key issues raised by this appeal are (1) design matters (2) neighbouring residential amenity and (3) other matters

Design matters

- 8.2. Firstly, the principle of a bungalow dwelling on an urban infill site is acceptable and complies with zoning objective 'A' in the Development Plan. The proposed materials would be a mix of render and metal cladding with a selected roof finish.
- 8.3. Addressing the concerns about the size of the roof and use of the attic for habitation and the suggestion that it would result in a first floor by stealth, the proposed roof has no dormer extensions. The proposed internal attic conversion does not involve any external addition outside of the pitched roof and it is annotated as storage in the proposed drawings. It would feature 6 no. rooflights – 3 on each plane elevated away from properties and Condition 2 in the planning authority's decision requires that the central rooflights closest to the properties on Rosemount Park and Rosemount Estate (i.e those referred to in the appeal) would be made opaque/frosted and this condition would be applied in the event of a grant of permission. Therefore, the attic or loft feature does not constitute a first floor and if used for purposes other than storage would not give rise to direct overlooking of any surrounding properties
- 8.4. With regard to the oval windows on the front (facing the road) and rear gable (facing the rear garden of no. 36), these do not directly impact on the amenity of properties. With the lack of light at the eastern and western gables due to the small windows here being opaque to preserve neighbour privacy, these oval window features would be acceptable.
- 8.5. In terms of the bulk and height of the proposed bungalow, the roof pitch would be approximately 3.6 metres at a c. 43 degree angle, constructed to a similar height as what was refused under planning application Reg. Ref. D24A/0668/WEB. However, in this proposal it is noticeably centred on the site, orientated away from dwellings to allow maximum light and distance to 35A, 35 and Cul and Ti. This avoids undue overbearance or overshadowing.
- 8.6. When compared with the surrounding properties, the ridge height of the proposed dwelling would be well below the dwellings of 35 Rosemount Estate, 35A Rosemount Estate and Cul and Ti – all of which have two storeys and a pitched roof - and would appear very much like a bungalow in this setting. The pitched roof in the proposal is acceptable as it aligns with the prevailing pattern of roofs in the area while still

conforming to a low-profile, bungalow appearance. I see no reason to revise the proposed standard of accommodation any further than what has been proposed.

- 8.7. I am satisfied that properties 3 Rosemount Park, 37 Rosemount Estate and 39 Rosemount Estate referred to in appeal observations would not be impacted as a result of the proposed bungalow by reasons of proximity, orientation and not being overshadowed or overlooked by the oval windows to the front (south) or rear (north)
- 8.8. In terms of the siting of the dwelling within the red line boundary it is acknowledged that there is less than 1 metre gap between the boundary wall and the proposed dwelling on the east and west sides. However, for an infill development this is acceptable if there are no undesirable impacts on surrounding properties.

Neighbouring Residential Amenity

- 8.9. Concerns were raised about the proximity of the proposed dwelling to surrounding properties.
- 8.10. The proposed length of the north-facing rear garden is c. 7 metres and when this is added to the length of the retained garden of 36 Rosemount Estate (c. 9 metres) and the existing rear garden of 35 Rosemount Estate (c. 9 metres) a sufficient buffer of c. 16 metres to the rear windows of these properties is achieved. The distance to the nearest rear window of 35A Rosemount Estate is c. 12 metres. This ensures there is no feeling of overbearance at these boundaries. In all cases, there are no directly overlooking windows.
- 8.11. The gable wall of Cul an Ti is significantly closer to the gable of the proposed dwelling at its western side with the distance decreasing from c. 4 metres to less than 2 metres at the northwest corner. There is a single ground floor window at this location. However, it is noted that Cul an Ti is a much larger dwelling of two-storeys with a roof extension and due to the orientation and size of that building, this would not give rise to any unacceptable overshadowing. Similarly, there would be no overlooking at this boundary facing Cul and Ti given that the window on this elevation is opaque.
- 8.12. SPPR 1 of the *Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities* state 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.

- 8.13. Policy Objective PHP19 in the Development Plan seeks small scale infill residential development to increase housing stock having due regard to the amenities of existing established residential neighbourhood. This objective also facilitates backland development on suitable sites that can protect adjoining amenities.
- 8.14. It is clear that the reduced massing and use of small opaque windows at western and eastern gables and the siting of the proposed bungalow towards the roadside minimises encroachment into the amenity of other dwellings. The only windows on the proposed dwelling are at the front and rear (sufficiently distant from neighbouring dwellings) and the central rooflights would be obscured.
- 8.15. Addressing the concern of overdevelopment in general, the proposal is an infill development site and complies with Section 12.3.7 of the Development Plan and being a bungalow orientated away from nearest properties, there would be no direct overlooking and there would be no harmful effects on residential amenity of surrounding properties. The proposal provides 48 sqm of private open space which is Development Plan compliant for a 2 bedroom dwelling and retains 60 sqm of private open space for 36 Rosemount Estate. I note the proximity to Dundrum Luas stop within 500 metres and Dublin Bus stops 2892 and 5032 at the entrance to Rosemount Estate.
- 8.16. I also note the modest design, reduced bulk from previous refusal and the safe access onto Rosemount Park Road in the proposal and compliance with the Development Plan policies on infill sites. I am satisfied that this is not overdevelopment.

Other matters

- 8.17. I note the concerns raised in the grounds of appeal in respect of the devaluation of neighbouring property. However, having regard to the assessment and conclusion set out above, I am satisfied that the proposed development would not seriously injure the amenities of the area to such an extent that would adversely affect the value of property in the vicinity.

- 8.18. With regard to structural integrity, there is no evidence to suggest the structural integrity of surrounding properties would be harmed as a result of the proposal. Any mitigation of the impacts of construction works can be dealt with by way of condition in the event of a grant of permission.
- 8.19. In relation to increased traffic, with a single car parking space allocated to this development, it is not anticipated that there would be any traffic congestion as a result of the proposal. I note the vehicular access width would not exceed the maximum 3.5 metres in the Development Plan and would be acceptable in planning terms.
- 8.20. Proposed drainage includes a soakaway and this is sufficiently set out in the application to the satisfaction of the planning authority's drainage planning section and if the Board is minded to grant permission, a condition would be added to ensure compliance with Policy Objective EI6 of the Development Plan regarding sustainable drainage.
- 8.21. I am therefore satisfied from this assessment that the proposal is acceptable in planning terms and complies with the policy objectives mentioned in Section 5 of this report.

9.0 AA Screening

- 9.1. I have considered the proposed dwelling in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located in an established residential area c. 3.4km west of South Dublin Bay SAC & South Dublin Bay and River Tolka SPA and 7km south of North Dublin Bay SAC and North Bull Island SPA and c. 12 km from Howth Head SAC.
- 9.2. The proposed development comprises construction of a single storey bungalow, new vehicular access and all associated site works as per Section 2.0 of this report. 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 it could not have any effect on a European Site. The reason for this conclusion is as follows:

- Nature of works
- Location in an established residential area
- Lack of connections to nearest European sites

9.4. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Recommendation

10.1. I recommend a grant of permission

11.0 Reasons and Considerations

Having regard to the location of the application site on lands zoned for residential development, the residential standards contained in the Dun Laoghaire-Rathdown County Development Plan 2022-2028 and the pattern of development in the area, it is considered that the proposed development would be in keeping with the residential character of the area and would not be injurious to the amenities of other residential properties in the area, thereby according with the provisions of the current Dun Laoghaire-Rathdown County Development Plan 2022-2028 and 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
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	<p>shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The glazing within the proposed centre skylights on each roof plane shall be manufactured opaque or frosted glass and shall be permanently maintained. The application of film to the surface of clear glass is not acceptable.</p> <p>Reason: In the interests of residential amenities</p>
3.	<p>The proposed dwelling shall be used as a respective single dwelling unit and shall not be subdivided in any manner or used as two or more separate habitable units.</p> <p>Reason: In the interest of visual amenity.</p>
4.	<p>Vehicle parking and access (a) The parking and hard standing areas in front of the proposed dwelling facing Rosemount Park Road shall be restricted in its accommodation to 1 no. Vehicle. (b) The width of the proposed vehicular entrance shall be a maximum of 3.5m. (c) The footpath in front of the proposed vehicular entrance shall be dish and strengthened at the Applicant's own expense including any moving / adjustment of any water cocks /chamber covers and all to the satisfaction of the appropriate utility company and Planning Authority. With regards to the dishing and strengthening of the footpath the Applicants shall contact the Road Maintenance & Roads Control Sections to ascertain the required specifications for such works and any required permits.</p> <p>Reason: In the interest of orderly development.</p>

5.	<p>Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the relevant Section of the Council for such works and services. Prior to the commencement of development the developer shall submit to the Planning Authority for written agreement a Stage 2 - Detailed Design Stage Storm Water Audit. Upon completion of the development a Stage 3 Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed, and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.</p> <p>Reason: In the interest of public health and surface water management.</p>
6.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:</p> <ul style="list-style-type: none"> (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse; (b) Location of areas for construction site offices and staff facilities; (c) Details of site security fencing and hoardings; (d) Details of on-site car parking facilities for site workers during the course of construction; (e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site; (f) Measures to obviate queuing of construction traffic on the adjoining road network;

	<p>.(g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;</p> <p>.(h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;</p> <p>.(i) Provision of parking for existing properties at [specify locations] during the construction period;</p> <p>.(j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;</p> <p>.(k) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;</p> <p>.(l) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;</p> <p>.(m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.</p> <p>.(n) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority;</p> <p>.</p> <p>Reason: In the interest of amenities, public health and safety and environmental protection</p>
7.	<p>The attic space shall not be used for the purposes of human habitation</p> <p>Reason: In the interests of residential amenities</p>
8.	<p>.The developer shall pay to the planning authority a financial contribution of €13,473.39 (Thirteen thousand four hundred and seventy three euro and thirty nine cents) 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</p>

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

Killian Harrington
Planning Inspector
30 May 2025

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	322135-25		
Proposed Development Summary	Construction of a single storey bungalow, new vehicular access and all associated site works		
Development Address	36 Rosemount Estate, Dundrum D14 PP38		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	X	Class 10(b) of Part 2 (dwelling units)	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			EIA Mandatory EIAR required
No	X		Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	Tick/or leave blank	Proposed development is a single dwelling substantially below the 500 dwelling unit threshold in Class 10(b)	Preliminary examination required (Form 2)
5. Has Schedule 7A information been submitted?			

No	X	Screening determination remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector:

Date: 30 May 2025

Appendix 2 - Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference Number	ABP-322135-25
Proposed Development Summary	Construction of a single storey bungalow, new vehicular access and all associated site works
Development Address	36 Rosemount Estate, Dundrum D14 PP38
<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</p> <p>(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 is a modest stand-alone construction of a single storey dwelling on an infill plot of land (0.024 ha) in a serviced residential area with hardstanding driveway, main sewer connection, SUDS, pedestrian and vehicular entrances, with access onto Rosemount Park Road in Dundrum, Dublin 14.</p> <p>It does not require demolition works or the use of 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>
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<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 development is situated in an established urban residential area that is well serviced. The development is removed from sensitive natural habitats and designated sites and landscapes of identified significance in the County Development Plan.</p>
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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 modest nature and low impact characteristics of the proposed development, its location removed from 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.	
Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	Yes or No
There is no real likelihood of significant effects on the environment.	EIA is not required.	Yes
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.	No
There is a real likelihood of significant effects on the environment.	EIAR required.	No

Inspector:

Date :30 May 2025

DP/ADP: _____

Date:

_____ (only where Schedule 7A information or EIAR required)

