

An
Coimisiún
Pleanála

Inspector's Report

ABP-322449-25

Development

Demolition of house, construction of house with associated site works

Location

Glencorrib, Grove Road, Malahide, Co Dublin, K36 AC81

Planning Authority

Fingal County Council

Planning Authority Reg. Ref.

F25A/0119E

Applicant(s)

Fred Wilson.

Type of Application

Permission

Planning Authority Decision

Refuse permission

Type of Appeal

First Party

Appellant(s)

Fred Wilson.

Observer(s)

None.

Date of Site Inspection

8th July 2025.

Inspector

Una Smyth

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Appendix 1 –EIA Screening

1.0 Site Location and Description

- 1.1. The site subject to this appeal is located on the western side of Grove Road, Malahide, Co Dublin, a tree lined residential street rising gently from The Mall to the north and linking with The Rise (ACA) to the west. The site lies to the southeast of Malahide Town Centre, within walking distance of both the railway station and the sea front. The site itself is rectangular in shape with a given size of 0.147 Ha. It accommodates an existing two-storey double bayed detached dwelling (219sqm, approx.) with a hipped roof and first floor balcony/veranda feature to the front at first floor level. Finishes include dash to walls with grey roof tiles with blue painted external window shutters, gutters and drainpipes. To the rear is a generously proportioned garden with small timber shed and greenhouse surrounded by a timber fence in poor state of repair with missing or fallen panels, screened in parts by mature hedging to the north and a conifer hedge to the south. A portion of the western boundary is a block wall of rear structure of No 10 The Rise. Located to the front is a concrete driveway and parking area and small garden. The roadside boundary is defined by a low wall and row of mature conifers which provides substantial screening and privacy.
- 1.2. Dwellings in the area are typically detached and set within plots of varying sizes. The host site would be among the larger sites on the street, while that immediately adjacent to the north would be one of the smallest sites on the street. Dwellings vary in style, design and size but are roughly proportioned to their plot size. Properties vary in age and materials with more recent development in the way of replacements, residential upgrades and extensions, having adopted more contemporary architectural style and features.
- 1.3. On the day of my site visit the dwelling appeared unoccupied

2.0 Proposed Development

- 2.1. The proposed development constitutes the demolition of an existing two storey detached dwelling (219 sq.m gross floorspace) and construction of a new two storey detached dwelling (533 Sq.m floorspace), the proposed erection of a shed and gym to rear (43 sq.m gross floorspace), and associated ancillary works and site services including hard and soft landscaping, boundary treatment and in curtilage parking for 2 vehicles

- 2.2. The proposed dwelling remains detached, two storey in height with proposed increase in overall ridge height of approximately 1 metre. Finishes indicated are cut stone cladding and slate roof, cast aluminium rainwater goods and solar panels on southern roof slope.
- 2.3. The proposed shed/gym in the rear garden is a single storey, flat roof structure finished in render and timber cladding.
- 2.4. The development proposes removal of existing conifer vegetation on the eastern and southern boundaries and replanting with native species hedge and trees. A new boundary wall to east (roadside) with revised access arrangements are also proposed.
- 2.5. The application was accompanied by the following documentations of note : - Design Statement and Demolition Justification; Planning Statement; Preliminary Construction and Environmental Management Plan; Proposed Drainage- General Assessment; Sunlight, Daylight and Shadow Report; Verified Views Report; Whole Life Energy Analysis and a Garden Design Letter.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. By Order dated 9th April 2025, Fingal County Council issued a Notification of decision to refuse planning permission, stating two reasons for refusal as follows:

1) The proposed development would consist of the demolition and replacement of a habitable house. The proposed development would result in the emission of excessive carbon dioxide compared to the retention and refurbishment of the existing house. The applicant has failed to properly justify the proposed development as required by Section 14.21.1 of the Fingal County Development Plan 2023-2029. The proposed development therefore contravenes Policy CAP8 and Objective DMSO256 of the Development Plan and would be contrary to the Climate Action Plan 2024, which seeks to reduce construction emissions and embodied carbon in the built environment.

2) The proposed house by virtue of its excessive scale and unsympathetic design would fail to respect the height and massing of existing residential units and consequently would contravene Objective DMSO31 of the Fingal County

Development Plan 2023-2029 and would seriously injure the amenities of property in the vicinity.

3.2. Planning Authority Reports

- 3.2.1. Planning Reports - A planning report dated on 9th April 2025, in accordance with the 2024-2029 Fingal Development Plan, forms the basis for the decision by Fingal County Council to refuse permission and includes the following:
- The proposed development is in conflict with Policy CAP8 and Objective DMSO256 of the Fingal Development Plan 2024-2029 in that the Whole Life Energy Analysis submitted to justify demolition failed to demonstrate that demolition and replacement would be more carbon efficient than its demolition and replacement.
 - The report also considers the design, scale and massing of the proposed house to be unsympathetic to the streetscape and contrary to Objective DMSO31 of the Development Plan.
- 3.2.2. The proposed dwelling is acceptable in terms of separation distances, parking, landscaping, and space standards for floor areas and open space.

3.3. Prescribed Bodies

- 3.3.1. Water Services: No objection subject to condition
- 3.3.2. Parks No objection subject to condition
- 3.3.3. Transport No objection subject to condition
- 3.3.4. Dublin Airport Authority – notes the site is located within Noise Zone C and recommends a condition attaches to the grant of any permission requiring the installation of noise insulation to an acceptable standard.
- 3.3.5. An Taisce – No response
- 3.3.6. Development Applications Unit – No response
- The Heritage Council – No response

3.4. Third Party Observations

- 3.5. None received

4.0 Planning History

- 4.1. F98B/0191: 0191: Single storey side extension, incorporating new stairs. Permission granted June 1998.
- 4.2. F07 B/0077: (a) Single storey bay window to front (b) 6.15m² Single storey kitchen extension to the rear (c) new windows to the north elevation and (d) alterations to the entrance porch to provide level entry. Decision to grant permission upheld on appeal to An Bord Pleanála (PL06F.223091) in October 2007.
- 4.3. F23A/0711 approved for replacement dwelling in May 2024 for Hazelwood, Grove Road, Malahide.
- 4.4. ABP314615-22 for demolition of existing single storey garage and construction of a new 2 storey dwelling at 21 Asgard Howth. Co Dublin

5.0 Policy Context

- 5.1. Fingal County Development Plan 2023-2029 (FDP)
 - 5.1.1. Zonings
 - The site located within land-use zoning objective RS 'Residential' in the Fingal Development Plan 2023-2029 which seeks to provide for residential development and protect and improve residential amenity.
 - Landscape character – coastal, highly sensitive landscape.
 - Noise Zone C associated with Dublin Airport
 - Adjacent to DF-ACA-20 Malahide, The Rise
 - 5.1.2. The following objectives in the development plan have been considered in assessing the visual and residential amenity impacts of the proposed development.
 - 5.1.3. Policies and Objectives -Chapter 14 (Development Standards) and Climate Action.
 - Policy CAP8 and Objective DMSO256 – Retrofitting and Re-Use of Existing Buildings – Support the retrofitting and reuse of existing buildings rather than their demolition and reconstruction where possible.
 - SPQHO44, - Retention, Retrofitting and Retention of Existing dwellings-The Council will encourage the retention and retrofitting of structurally sound, habitable dwellings in good condition as opposed to demolition and

replacement and will also encourage the retention of existing houses, such as cottages, that, while not Protected Structures or located within an ACA, do have their own merit and/or contribute beneficially to the area in terms of visual amenity, character or accommodation type.

- DMSO19- New Residential Development Need to comply with all design and floor area requirements of Quality Housing for Sustainable Communities – Best Practice Guidelines 2007
- DMS031 – Infill Development – respect height and massing of existing units. New development shall respect the height and massing of existing residential units and retain the physical character of area including features like boundary walls, pillars, landscaping.
- DMSO27 Minimum Private Open Space Standards for Houses – Minimum private open space for new houses with 4 or more bedrooms to have a minimum of 75Sqm of private open space located behind the front building line of the house.
- SPQHO39 – New Infill Development – which seek to respect height and massing of existing units retain physical characteristics of area.
- SPQHO43 - Contemporary and Innovative Design Solutions’ which seeks to “Promote the use of contemporary and innovative design solutions subject to design respecting the character and architectural heritage of the area

5.2. Relevant National or Regional Policy / Ministerial Guidelines

- 5.2.1. **The National Planning Policy Framework (NPF)** is generally supportive of residential development in existing built-up areas. Whilst the proposed development does not provide a net gain of residential units, it does contribute to improving housing stock in an existing sustainable location.
- 5.2.2. In addition to the NPF, the Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024) are Ministerial Guidelines under Section 28 of the Planning and Development Act 2000 (as amended), and to which Planning Authorities and An Bord Pleanála shall have regard to and shall apply any specific planning policy requirements (SPPRs) of the Guidelines, in the performance of their functions.

5.3. **Climate Action Plan** - Chapter 5, (Climate Action) Policy CAP8 (Retrofitting and Reuse of Existing Buildings) supports the retrofitting and reuse of existing buildings rather than their demolition and reconstruction where possible.

5.4. **Natural Heritage Designations**

5.4.1. The appeal site is not located within any designated Natura 2000 site or Natural Heritage Area. Malahide Estuary – a Special area of Conservation (000205) and Special Protection Area (004025) is located approximately 180 metres to the North.

6.0 **EIA Screening**

6.1. The proposed development is a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). It has been subject to preliminary examination for environmental impact assessment 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. Refer to Form 1 in Appendix 1 of report.

7.0 **The Appeal**

7.1. **Grounds of Appeal**

7.2. A First Party Appeal has been received from Mr Fred Wilson ('the appellant') in relation to the PA's decision to refuse permission. The appellant does not accept the PA's determination and reasons for refusal and a summary on the grounds of appeal is provided below:

- Ref to Policy CAP 8 which states 'where possible' which implies discretion and a balanced consideration other than carbon footprint as adopted by the Planning Authority in respect of a similar application directly opposite the site – F23A/0711.
- Ref to decision by An Bord Pleanála ref ABP-314615-22 which acknowledges that there is no prescribed format or content for a Justification of Demolition Report.

- The existing 1960's dwelling with minor refurbishment in the 1980's has no architectural merit, with utilitarian design and poor-quality materials and is not worthy of retention.
- The existing dwelling is poorly proportioned with low ceiling heights precluding the installation of modern heat recovery ventilation ductwork. It has a current BER rating of E2 and the upgrading of performance would leave little of the original dwelling remaining and even in this event, the anticipated maximum BER which could be achieved would be a B2.
- The Whole Life Analysis Report indicates considerable energy and carbon savings achieved by replacement.
- The limited structure remaining would not be worthwhile as the low-level benefit in reducing the overall embodied energy at construction stage is outweighed by the benefit of a new highly efficient dwelling.
- All suitable materials to be stripped and recycled or reused and rubble crushed and screen on site to be used in the new construction and landscaping.
- The dwelling is appropriate in massing, scale, design and materials to the area considering the size of the site itself, the character of the street, the nature, style and scale of other dwellings on the street as demonstrated by verified views report. The design breaks down the massing of the proposed dwelling into elements which respond to the scale of neighbouring properties. The height is deliberately low to form a logical step between dwellings to north and south with the overall ridge height increased by only 1 metre from the original. The first floor has been pulled back to minimise impact on neighbour.
- The overall form picks up on elements of buildings in the vicinity, particularly the front facing gables apparent on a number of houses along the road, namely former Grove Hotel, Everest and Coolmaine. Front facing gables ensure lower eaves height to neighbouring properties. Larger dwelling to the north on the site of the former Grove Hotel which is circa 22m wide.
- There is precedent with regard the stone finish in the surrounding area. Burren Lodge, yellow/golden stone cladding, Hillcrest and The Mews, Buff Roman brick all similar colour to that proposed. 2 The Mall extension of grey limestone

cladding and numerous houses with variety of brickwork, including Knocknacarragh, 2 doors away from subject site.

- Acknowledgment that Grove Road building line unorthodox however part of the character of the area. Proposed dwelling maintained front building line of existing dwelling.
- Considers that the proposal meets the policy objective referred to the refusal reason - Objective DMSO31 – Infill Development although site is not technically a traditional infill development as it is neither a vacant nor underused site. No evidence from Fingal PA to substantiate their position that the development is of excessive scale and/or massing.
- The dwelling meets all quantitative standards for new houses set out in policy with regards open space provision, separation distance, overlooking and overshadowing.

7.3. Planning Authority Response

7.3.1. A response has been received from the PA dated 03/06/2025 which states

- The application has been assessed against the relevant policy and guidance in the Fingal County Development Plan 2023 – 2029 and relevant national guidance and policy.
- Policy CAP8 and Objective DMSO256 support retrofitting and reuse of existing buildings rather than their demolition and reconstruction where possible and requires applicants to justify demolition with reference to embodied carbon and the additional use of resources and energy arising from new construction.
- The amended justification for demolition report submitted with the appeal documents provided clarity and addressed errors in the original application documents but still demonstrates that the retention and refurbishment of the house would be significantly more carbon-efficient than its demolition and replacement.
- The applicant relies on the potential construction of a large extension of which there is no permission and no certainty of such a permission being granted.
- Concerns the calculation of emissions during demolition is too low and not based on relevant benchmarks (based on demolition of a large exhibition hall).

- The proposed house is excessively large, with an inappropriate design response which is unsympathetic to the streetscape and contrary to Objective DMSO31.
- The PA requests that An Bord Pleanála upholds its decision. It further requests that the Council's Section 48 Development Contribution Scheme be applied in the event of permission being granted, a Bond/Cash Security and a tree bond or contribution in respect of a shortfall of play provision facilities.

7.4. **Observations**

7.4.1. None

8.0 **Assessment**

8.1. Having examined the application details and all other documents on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site and having regard to the relevant policies and guidelines, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of development
- Visual impact
- Policy Context

8.2. I concur that the main issues in this appeal are those raised in the grounds of appeal and I am satisfied that no other substantive issues arise. The development meets all the quantitative standards for new housing set out in the 'Quality Housing for Sustainable Communities' guidelines.

8.3. **Principle of Development** - Retention or replacement.

8.3.1. The Planning Authority's first reason for refusal refers to the principle of replacement. As required by the Development Plan, a Justification for Demolition Report entitled Whole Life Energy Analysis, was submitted by the First Party to support their application to demolish the existing 1960's dwelling on the site. The PA highlighted errors in figures included in the report but did not avail of the opportunity to seek clarification or further information. These errors were clarified in an amended report submitted for this appeal which now forms the basis for the argument for demolition. The updated report has not altered the opinion of the PA which maintains its stance

in opposition to the proposal on the grounds the analysis 'clearly demonstrates that retention and refurbishment of the house would be significantly more carbon efficient than its demolition and replacement'. The figures provided do demonstrate that the carbon emissions for demolition and replacement far exceed that for upgrade of the existing dwelling and extension by approximately 50%. However, the report also indicates that running carbon emissions for the proposed dwelling over a 50 year period are significantly lower than of a retention and extension scenario, quoting a figure around 70% lower, thereby concluding that the total carbon emission over the lifetime of the property would be lower than retention and extension.

- 8.3.2. The appellant's basis for justification for demolition is reliant on the principle that a reduction in carbon emissions in the long term outweighs the short-term savings, yet the PA has remained silent on this matter. Their response to the analysis report is limited to concerns regarding its content, querying the accuracy of the calculations of emissions during demolition, stating they are implausibly low and not based on relevant benchmarks'. The First Party has however clarified the source of the figures therefore, in the absence of the PA providing alternative 'relevant benchmark figures' or addressing the principle of long term benefits outweighing short term savings, I make my assessment on the information provided.
- 8.3.3. The PA has questioned the appellants calculations for an extension to the existing dwelling, highlighting that such an extension does not currently benefit from permission, nor have any applications for such an extension been submitted. The area quoted for the extension scenario is roughly that of the increase in size from the existing dwelling to proposed new build dwelling. I find that having figures for carbon emissions for retention and retrofitting as opposed to demolition and replacement on floor areas of similar size is helpful to making my assessment.
- 8.3.4. The First Party referenced Planning application Reference F23A/0711 for a replacement dwelling at Hazelwood, Grove Road which was granted approval by FPA in May 2024 and is located almost directly opposite the appeal site. They state that this decision was based on submission of a demolition justification report which appears to indicate that this older property (1930's) was in poor physical condition and despite substantially retrofitting the existing dwelling, it would still remain below the BER B2 standard contained in the National Retrofit Plan. I find this scenario differs from the appeal property, which has been identified – by the appellant - as being younger, in better physical condition and capable of adaption to a B2 rating so

I find this application is not directly comparable and therefore does not set a precedent for demolition of properties with low energy ratings.

8.3.5. The First Party also referred to a previous appeal decision- ABP314615-22. in relation to consideration of the justification for demolition report. This appeal was for demolition of existing single storey garage and construction of a new 2 storey dwelling - The inspector concluded that the justification cannot be based solely on a comparison of the embodied carbon in the existing and proposed structures but should be a holistic consideration of the development in terms of its overall sustainability, demonstrated through a qualitative assessment. As I have stated above, given the omission of any comments or objections to this approach by the PA, I consider it a determining factor for consideration of the acceptability of demolition and replacement.

8.3.6. The appellant has stated that substantial alterations would be required to achieve a satisfactory energy rating for the retained dwelling, claiming that the only remaining elements would be the external structural walls and the part of the foundations. They claim that even in this scenario, the dwelling would not have the same rating should it be replaced. I am not convinced that such extensive works are necessary as there is no pressing requirement to upgrade the dwellings energy performance and it remains capable of occupation in its present state with little intervention. However, in taking an holistic approach to the options available, I am persuaded by the data in the Whole Life Energy Analysis Report that despite generating the most carbon emissions during construction, the demolition and replacement with a new, energy efficient dwelling has the least cumulative carbon emission over the next 50 years.

8.3.7. In weighing up the national and local policy objectives to retain and retrofit and the evidence provided in the Energy Analysis Report that a replacement is more carbon efficient in the long term, I consider the principle of demolition acceptable and would advise the board that there is no obstacle to the principle of replacement in relation to CAP8, Objective DMSO256 and Objective SPQHO44.

8.4. **Visual Impact**

8.4.1. The PA contend that due to the excessive scale and unsympathetic design of the proposed dwelling which would then fail to respect the height and massing of the surrounding area in contravention of Objective DMSO31 and SPQHO39 of the Fingal

County Development Plan 2023-2029. They consider the greater scale of the proposal with regards width and ridge height and the neoclassical design does not respect the character of the site and its location in the street scene, particularly in its relationship with the adjacent dwelling to the North known as Zermatt.

- 8.4.2. The counter argument from the First Party is that the design of the dwelling has been kept deliberately as low to ensure the house fits in well as a logical step in scale between the taller and more elevated dwelling to the south and the lower lying house to the north with classical proportions and forms in a simple neo-classical style.
- 8.4.3. The proposed dwelling will have a ridge height over 2m in excess of the adjacent Zermatt and an increase of over 1m on the overall ridge height of the previous dwelling. Notwithstanding that the proposal represent an increase in building height, the overall height of the proposed dwelling frontage respects the street pattern of ridge and eaves height stepping down toward the sea following topography of the land when viewed from the site frontage. However, when viewing the property from a northern approach, and from the junction of Grove Road and Bath Avenue, the height of the side gable, approximately 24 metres in depth and at 2 metres higher than the adjacent property Zematt is highly visible and would appear overbearing.
- 8.4.4. Having visited the site and surrounding area, Zermatt would appear to be one of the smallest dwellings and plots on the street with a setback position on site. The character of Grove Road is a mix of house type, sizes and a waving building line. It is because of the size and setback position of Zermatt that the full extent of the proposed dwelling presents itself in a manner which I consider excessively large and overbearing and wholly disproportionate to both its immediate neighbour and with other dwellings in the surrounding area. Despite the setback of the first floor and repositioning the footprint of the dwelling away from the site boundary with Zermatt, the proposed dwelling will erode the visual gap which exists between the two dwellings, will have a height and massing which towers over and dominate its smaller neighbour and in doing so, fails to respect the character of its immediate neighbour and the wider street scene .
- 8.4.5. The appellant has referenced the replacement dwelling on the site of the Grove Hotel as a context for size. I do not consider the two comparable, given that the Grove Hotel dwelling – known as Crooked Wood, was a replacement for a previously substantial structure, and while a long frontage of 22m, its materials, scale and massing including gable depth is appropriate to the site and context in the

surrounding area, whereas I consider the scale and massing of the proposed replacement considering height and gable depth is wholly out of character with the area and is contrary to the objectives of DMSO31.

- 8.4.6. The design and materials used on the front elevation aid little with the integration of a larger dwellings into the streetscape. The First Party considers the design is compliant with Objective SPQHO43 of the Development Plan - 'Contemporary and Innovative Design Solutions'. Having surveyed the surrounding area, I acknowledge there is a variety of house types and designs in the area, indeed, much of the character of the area aligns from the lack of uniformity in house size and design. In the proposal, I recognise the incorporation of features common in the area, notably double front bay projection, recessed central entrance, natural stone, hipped roof and building line, along with the addition of other contemporary features including columns and double storey entrance as an attempt to comply with the above-mentioned policy. However, increase in dimensions of the dwelling, unusual contemporary features and the use of stone cladding across the entire frontage has resulted in a dwelling which appears out of character with the surrounding area. The neo classical features which underpin the design are not akin to any I identified in the area and the lack of material or colour variation exacerbates the mass of the building which fails to respect other dwellings in the area. I acknowledge use of natural stone in various properties in the street, (including the dwelling opposite) but the material has been used as a design feature/contrast material, a tool to break down the visual massing of the properties upon which they are placed.
- 8.4.7. Notwithstanding its size and massing, I accept the dwelling has been designed to protect the amenity of its neighbours in respect of separation distances, overlooking and impacts on sunlight, daylight or shadowing given the relationship of the existing dwelling to its neighbour Zematt.
- 8.4.8. I would agree with the PA in their consideration that the scale and design of the proposal would not respect the character of the site and its location and is therefore not in keeping with the policy objective of SPQHO39 and DMSO31 (New Infill Development).

8.5. Policy Context

- 8.5.1. The appellant has referenced that they consider Infill Policies are not appropriate as this proposal is not an infill. I consider the policy appropriate for a dwelling to be erected in an infill site following demolition.

9.0 AA Screening

- 9.1. I have considered the proposal for demolition of a house, construction of a house and all associated site works in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located approximately 180 South of the Special Area of Conservation for Malahide Estuary (000205) and the Special Protection Area for Malahide Estuary (004025). The proposed development constitutes the demolition of an existing two storey detached dwelling (219 sq.m gross floorspace) and construction of a new two storey detached dwelling (533 Sq.m floorspace), the proposed erection of a shed and gym to rear (43 sq.m gross floorspace), and associated ancillary works and site services including hard and soft landscaping, boundary treatment and in curtilage parking for 2 vehicles. No nature conservation concerns were raised in the planning appeal.
- 9.2. 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:

the relatively small scale and nature of the development

the location of the site from the nearest European site and lack of connections

- 9.3. 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.
- 9.4. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required

10.0 Water Framework Directive

- 10.1. The subject site is located approximately 180m directly north of the Malahide Estuary.
- 10.2. The proposed development is the demolition of an existing dwelling on site and erection of a larger replacement dwelling and associated site works.
- 10.3. No water deterioration concerns were raised in the planning appeal.
- 10.4. I have assessed the proposal and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. 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 surface and/or groundwater bodies either qualitatively or quantitatively.
- 10.5. The reason for this conclusion is as follows:
- The relatively modest nature and scale of the development sought, being a replacement of a dwelling in an existing built-up urban area.
 - The distance from the nearest Water body.
 - The nil concern from the LPA.
- 10.6. I conclude that the basis of objective information, that the proposed development would 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.

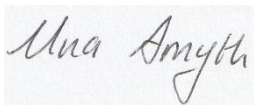
11.0 Recommendation

- 11.1. I recommend that planning permission be refused for the following reasons and considerations

12.0 Reasons and Considerations

12.1. Having regard to the pattern of development in the area, the proposed development by virtue of the excessive scale, height and unsympathetic design and materials of the proposed replacement dwelling would negatively impact on the established character and visual amenities of the area. The proposed development would therefore be contrary to Objective DMSO31 of the Fingal County Development Plan 2023 – 2029 and would be contrary to the proper planning and sustainable development of the area

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.



U Smyth

Planning Inspector

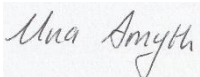
5th August 2025

Appendix 1 - Form 1 EIA Pre-Screening

Case Reference	ABP322449-25
Proposed Development Summary	Demolition and replacement of dwelling
Development Address	Glencorrib, Grove Road, Malahide
	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)	<input checked="" type="checkbox"/> Yes , it is a 'Project'. Proceed to Q2. <input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in <u>Part 1</u>, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	<input type="checkbox"/>
<input checked="" type="checkbox"/> 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?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

<p>development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>Class 10 (b) (i) (infrastructure – less than 500 Units)</p>

<p>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)?</p>	
<p>Yes <input type="checkbox"/></p>	<p>Screening Determination required (Complete Form 3)</p>
<p>No <input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

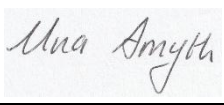
Inspector: 

Date: 5th August 2025

Form 2 - EIA Preliminary Examination

Case Reference	ABP-322449-25
Proposed Development Summary	Demolition and replacement of dwelling
Development Address	Glencorrib, Grove Road, Malahide
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 comprises of the demolition of a dwelling house and erection of a replacement dwelling house of larger footprint. It is located in an existing built up urban area connected to existing water and sewage networks and does not 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.
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, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The development is situated in a built up residentially zoned urban area on a previously developed site. It is located approximately 180 Metres South of the Special Area of Conservation for Malahide Estuary (000205) and the Special Protection Area of Malahide Estuary)004025) and outside any sites of historic, cultural or archaeological significance. It has no impact on adjacent Conservation area DF-ACA-20 Malahide, The Rise.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration,	Having regard to the nature 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.

cumulative effects and opportunities for mitigation).	
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	The proposed development has been subject to preliminary examination for environmental impact assessment. 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.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	
There is a real likelihood of significant effects on the environment.	

Inspector:  Date: 5th August 2025

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)