



An
Coimisiún
Pleanála

Inspector's Report

ABP-322531-25

Development	Demolition of apartment building and construction of 5 house terrace with associated works.
Location	Point Lobis, Henley Court, Churchtown, Dublin 14
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D24A/0892/WEB
Applicant(s)	Ronan & Rachel Furlong
Type of Application	Permission
Planning Authority Decision	Grant Permission with Conditions
Type of Appeal	Third Party
Appellant(s)	Siobhan Nagle and others
Observer(s)	Seamus & Ann Caulfield

Date of Site Inspection

7th July 2025

Inspector

Suzanne White

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Appendix 1 – Form 1: EIA Pre-Screening

Appendix 2 - Form 2 - EIA Preliminary Examination

1.0 Site Location and Description

- 1.1. The subject site is located on the western side of a private laneway, Henley Court, which in turn is accessed from a cul-de-sac, Henley Villas. The site comprises an existing 2 storey, flat roofed apartment building and its curtilage together with lands to the rear (west) which currently form part of the private garden area of the adjoining dwelling 'The Orchard', situated to the south. There is an informal parking area to the front (east) of the building, an enclosed amenity space to the rear and a single storey outbuilding to the north. The site is bounded by mature hedging to the west and north. The rear gardens of existing dwellings in Henley Villas and Briarly Court back on to the site. The surrounding area is residential in character, characterised by dormer and two storey dwellings of varying design.
- 1.2. Henley Court serves the existing apartment building and 6no. residential dwellings, including 'The Orchard', which is also in the applicant's ownership. The site is located in the Churchtown Upper area, c. 850m (12minute) and c. 1.2km (19minute) walking distance to Windy Arbour and Dundrum Luas stations, respectively. The site is c. 550m walking distance from bus stops on Churchtown Road which serve Bus Connects S6 route and routes 14 & 161.
- 1.3. The site area is 0.0802ha.

2.0 Proposed Development

- 2.1. The proposed development is for:
 - demolition of an existing two storey apartment building, containing 4no. 2bed apartments and outbuilding;
 - the construction of a two-storey terrace of 5 houses comprising 3 x 2 bed houses and 2 x 3 bed houses. The terrace is oriented east west on site, with pedestrian access to the units from the northern side and also from a laneway along their southern boundaries. Each unit would have a rear garden area to the south.

- 1no. multi-use parking space (sized as a disabled space), a bike shelter of 12no. spaces and an area of public open space (75.7sqm) are located on the eastern side of the terrace, adjacent to Henley Court

3.0 Planning Authority Decision

3.1. Decision

Permission GRANTED subject to 21 conditions, by Order dated 16th April 2025. The following conditions are of note:

Condition 7 relates to a revised landscape design rationale and proposals.

Condition 16 relates to a financial contribution in lieu of public open space within the site.

Prior to the grant of permission the planning authority requested FURTHER INFORMATION on the 8th January 2025 in relation to a number of items including: compliance with private amenity space and floor area standards; provision of adequate access for fire tender; further/revised details of the surface water drainage design and maintenance; confirmation of permeable/impermeable areas; provision of noise impact assessment, construction environmental management plan and resource & waste management plan and details of the location and potential noise impact of any building services e.g. heat pumps. Further information was submitted on the 27th March 2025 and was not deemed significant.

3.2. Planning Authority Reports

Planning Reports

The main points of the Planner's Report (taking account of the further information submitted) include:

- Residential development is permitted in principle under Zoning Objective 'A'
- Based on the structural report submitted, the proposal is compliant with Policy Objective CA6 Retrofit and Reuse of buildings and 12.3.9 Demolition and Replacement Dwellings

- Car-free development acceptable given site's proximity and accessibility to high-frequency transport services
- The proposal generally accords with the requirements of the Building Height Strategy
- The proposed density of 62dph is acceptable in this location deemed an 'urban neighbourhood'
- Potential overlooking impacts on The Orchard mitigated by angled windows to Houses 1 & 2. Proposal otherwise acceptable in terms of neighbouring amenity.
- Proposed design is sensitive to the surrounding urban context.
- All units meet the required residential standards.
- Existing trees on southern boundary retained. Detailed landscaping plan can be conditioned.

3.2.1. Other Technical Reports

- Transport Planning: no objection in response to further information submitted, subject to conditions.
- Drainage: no objection in response to further information submitted, subject to conditions.
- Environmental Enforcement: no objection in response to further information submitted, subject to conditions.
- Parks and Landscape: no objection, subject to conditions requiring a detailed landscape plan.
- Housing: note applicant granted exemption from Part V of the PDA 2000, as amended.

3.3. Prescribed Bodies

Uisce Eireann: no objection, subject to conditions.

3.4. Third Party Observations

Two submissions were received in relation to the application. The issues raised were largely the same as those set out in the grounds of appeal, though the additional issues were also raised:

- Inadequate justification for demolition of existing apartment block
- Residential standards not met

4.0 Planning History

Application site:

D23A/0167: permission REFUSED by DLRCC to “demolish existing 2 storey apartment block containing 4 no. 2 - bed apartments along with bin storage and construct a single terrace of 4no.dwellings, consisting of no.5- bed houses and 1 no. 2-bed duplex over 1 no. 2- bed apartment, with access via existing shared entrance and roadway, complete with all ancillary site works, parking, and external bin storage at 'Point Lobis', Henley Court, Dublin 14”. The reason for refusal was:

The applicant has not demonstrated that the requirements of Policy Objective CA6 'Retrofit and Reuse of Buildings', Section 12.2.1 'Built Environment' and Section 12.3.9 'Demolition and Replacement Dwellings' of the Dun Laoghaire Rathdown County Development Plan 2022-2028 have been met in that no justification for the demolition of the existing building on the site has been put forward in the context of the Planning Authority's preference for the deep retro-fit of structurally sound, habitable dwellings in good condition as opposed to demolition and replacement. In this context, the applicant has also not demonstrated how the proposed development would contribute to climate action and has failed to provide for an increased density on the site. Consequently, the failure to demonstrate a case for the demolition of the dwelling, combined with the failure to increase the density on the site in accordance with Policy Objective PHP19, is contrary to the policy objectives of the Dun Laoghaire Rathdown County Development Plan 2022-2028 and would be contrary to the proper planning and development of the area. It is noted that there are also a number of issues that would have to be addressed by the applicant if the planning authority was to consider granting permission. These include, and are not limited to, issues related to detailed residential space standards, cycle parking, demonstration of access for a refuse truck, daylight and sunlight analysis, boundary treatments,

open space, landscaping and trees, drainage issues and waste management provision.

Adjacent sites:

D03A/0588: Permission granted by the Planning Authority at The Orchard for 'Erection of a five bedroom dormer bungalow and associated site works on a 0.09ha site'.

Relevant appeal decisions in Dun Laoghaire Rathdown:

ABP-321619-25: permission refused (22/04/2025) for demolition of existing detached two-storey house and construction of two number two-storey houses. The reason for refusal stated that there was not a sufficiently robust justification for the demolition of the existing dwelling.

PL06D.314540: permission granted (23/04/2024) for demolition of existing two-storey dwelling and construction of a residential development comprising 26no. Apartments. The reason notes that the proposal would provide for the intensification of residential use on a zoned site.

PL06D.315310: permission granted (25/01/2024) for demolition of existing two-storey house and construction of new two-storey house. The poor structural and uninhabitable condition of the existing dwelling is noted in the reasons and considerations.

PL06D.314950: permission refused (02/01/2024) for proposed demolition of existing dwelling and construction of replacement dwelling refused for two reasons. The first reason was that the demolition of the existing building and construction of a replacement building would be contrary to Section 12.3.9 and Section 3.4.12 Policy Objective CA6 of the Development Plan 2022-2028. The Inspector's Report notes that insufficient justification for demolition was provided in the appeal documentation, including the submitted Structural Environmental Report.

PL06D.316181: permission refused (04/08/2023) for demolition of existing house and garage and replacement with a new four-bedroom house including granny flat. The second reason for refusal was that insufficient information had been provided to

justify demolition of an existing dwelling, contrary to Policy Objectives CA6 and PHP19 and Sections 12.3.9 and 3.4.1.2 of the Development Plan 2022-2028.

5.0 Policy Context

5.1. Development Plan

Dun Laoghaire Rathdown County Development Plan 2022-2028

Site is subject to *Zoning Objective 'A'* – To provide residential development and improve residential amenity while protecting the existing residential amenities.

Objective CA6 - to require the retrofitting and reuse of existing buildings rather than their demolition and reconstruction where possible recognising the embodied energy in existing buildings and thereby reducing the overall embodied energy in construction as set out in the Urban Design Manual (Department of Environment Heritage and Local Government, 2009).

Objective PHP18 - increase housing supply and promote compact urban growth, including through infill; encourage higher densities, ensuring a balance with protection of existing amenities and established character.

Objective PHP19 – objective to conserve and improve existing housing stock and densify existing built-up areas through small scale infill development having due regard to amenities of existing established residential neighbourhoods.

Objective PHP20 - ensure the residential amenity of existing homes in the Built Up Area is protected where adjacent to higher density or height infill development

Objective PHP27 – ensure a wide variety of housing and apartment types is provided throughout the County

Objective T19 - manage carparking as part of the overall strategic transport needs of the County in accordance with the parking standards set out in Section 12.4.5

Objective OSR4 - to promote public open space standards generally in accordance with overarching Government guidance documents

Objective EI6 - to ensure that all development proposals incorporate Sustainable Drainage Systems (SuDS)

Objective EI14 - to implement the provisions of national and EU Directives on air and noise pollution and other relevant legislative requirements Natural Heritage Designations

Objective EI22 - Flood Risk Management

Section 12.3.7.7 Infill - In accordance with Policy Objective PHP19: Existing Housing Stock – Adaptation, infill development will be encouraged within the County. New infill development shall respect the height and massing of existing residential units. Infill development shall retain the physical character of the area including features such as boundary walls, pillars, gates/ gateways, trees, landscaping, and fencing or railings. This shall particularly apply to those areas that exemplify Victorian era to early-mid 20th century suburban ‘Garden City’ planned settings and estates that do not otherwise benefit from ACA status or similar. (Refer also to Section 12.3.7.5 corner/side garden sites for development parameters, Policy Objectives HER20 and HER21 in Chapter 11).

Section 12.3.9 Demolition and Replacement Dwellings - The Planning Authority has a preference for and will promote the deep retro-fit of structurally sound, habitable dwellings in good condition as opposed to demolition and replacement unless a strong justification in respect of the latter has been put forward by the applicant. (See Policy Objective CA6: Retrofit and Reuse of Buildings and Policy Objective PHP19: Existing Housing Stock – Adaptation)

Objective T19 - manage carparking as part of the overall strategic transport needs of the County in accordance with the parking standards set out in Section 12.4.5

Section 12.4.5 Car Parking Standards

In reference to the Parking Zones map which forms part of the DLR County Development Plan 2022-2028, the site is located in Parking Zone 3, though is in close proximity to Zone 2. Section 12.4.5.2 states that, in such cases, the level of parking provision will be decided at the discretion of the Planning Authority, having regard to the criteria set out in this section.

(iii) Parking Zone 3

Within parking zone 3 maximum standards shall apply to uses other than residential where the parking standard shall apply. In zone 3 additional parking shall be provided for visitors in residential schemes at a rate of 1 per 10. In some instances, in zone 3 reduced provision may be acceptable dependent on the criteria set out in 12.4.5.2 (i) below with particular regard to infill/brownfield developments in neighbourhood or district centres.

The applicable standards for Zone 3 are:

2bed dwelling: 1 space

3bed dwelling: 2 spaces

I note that the same standards apply for Zone 2.

12.4.5.2 Application of Standards – allows for deviation from the standards in Zone 1 & 2 and some locations in Zone 3 (in neighbourhood or district centres) based on certain criteria, noting that small infill residential schemes (up to 0.25 hectares) or brownfield/refurbishment residential schemes may be likely to fulfil these criteria. The Assessment Criteria include: proximity to public transport services and level of service and interchange available; Walking and cycling accessibility/permeability and any improvement to same; the need to safeguard investment in sustainable transport and encourage a modal shift; availability of car sharing and bike / e-bike sharing facilities; existing availability of parking and its potential for dual use; particular nature, scale and characteristics of the proposed development (as noted above deviations may be more appropriate for smaller infill proposals); the range of services available within the area; impact on traffic safety and the amenities of the area; capacity of the surrounding road network; urban design, regeneration and civic benefits including street vibrancy.

In certain instances, in Zones 1 and 2 the Planning Authority may allow a deviation from the maximum or standard number of car parking spaces specified in Table 12.5 or may consider that no parking spaces are required. Small infill residential schemes (up to 0.25 hectares) or brownfield/refurbishment residential schemes in zones 1 and 2 along with some locations in zone 3 (in neighbourhood or district centres) may be likely to fulfil these criteria.

12.4.5.6 Residential Parking notes that car ownership levels in the County are high and therefore car storage for residential development is an issue as people may choose to use sustainable modes to travel to work or school but still require car parking/storage for their car.

Natural Heritage Designations

The appeal site is not located in or immediately adjacent to a designated European Site, a Natural Heritage Area (NHA) or a proposed NHA.

6.0 EIA Screening

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

7.0 The Appeal

Grounds of Appeal

One appeal was received from a third party. The grounds of appeal can be summarised as follows:

Overshadowing impact on neighbouring properties. Shadow analysis submitted which indicates a significant impact on the gardens of 10-20 Henley Villas.

Overlooking and privacy: significant impact caused by the windows facing on to the back gardens of Henley Villas and the kitchen and ground floor bedrooms as well as a washroom and toilet behind the garage of No. 10.

Trees: potential impact on the trees in the back gardens of Henely Villas.

Safety: for pedestrians arising from potential congestion locally due to increased volume of traffic and cars parking in Henley Villas and for occupiers of Henley Court due to lack of footpath. Difficulty for emergency vehicle access on Henley Villas.

Car parking: increase parking on Henley Villas, leading to increased congestion and access difficulties for larger vehicles such as refuse trucks and emergency vehicles. Data from 2022 Census for Churchtown area shows that the average number of cars per household is 1.5 cars, which would mean 7-8 cars for the five houses in the new development, excluding visitors. Site located in car parking zone 3.

Sewage system: increase from 4no. to 10-15 bathrooms on site

Fire tender swept path analysis: revised fire tender swept path analysis provided in the planning application does not meet Building Regulations requirements.

Errors in applicant's Planning Report:

- States that the site is within 200m from high frequency bus stops on Churchtown Road and within 800m from Windy Arbour Luas stop and 1.2km walking distance from Dundrum Luas stop and bus stops, whereas the site is actually 550m from nearest bus stop and 820m from Windy Arbour Luas stop.
- Erroneously states that the site is located within the edges of the area designated as the 'Major Centre' of Dundrum

Errors in applicant's Transport Statement:

- Appendix A (Transport Briefing Note) not submitted
- Proposes compliance with standards associated with Zones 1 & 2, whereas the site is in Zone 3. Site is located near the zone boundary, but not on it. Site is not located in a neighbourhood or district centre and as such, the development plan does not allow for a reduction below the standard
- Site is in an intermediate location, not within an area of highest degree of accessibility, according to the Sustainable Residential Development and Compact Settlements Guidelines

Applicant Response

A response was received from the first party, which may be summarised as follows:

Overshadowing: the building height on site would increase from 6.2m to 7.9m, largely due to the pitched roofs of the proposed houses. The DLRCC Planner's Report noted that the proposed building height accords with the requirements of the Building Heights Strategy; the proposed development would not adversely impact on local amenities by reason of overshadowing, overlooking or overbearing appearance; the proposed design is sensitive to the context. Appendix 4 of this response is a Sunlight, Daylight and Shadow Assessment for the development, carried out by Chris Shackleton, which concludes that "*the proposed development will not negatively materially impact on neighbouring properties in relation to access to sunlight and daylight and will not cause any significant impact in relation to overshadowing of neighbouring properties*".

Overlooking and privacy: the proposal provides for appropriate separation distances to adjacent properties and will mitigate any overlooking or overbearing impacts through effective architectural design. Refers to Section 5.6 of the submitted Planning Report, which sets out the following separation distances:

- 13m at first floor level to 'The Orchard', with no windows to the rear of House 1 and off-set windows with louvers at first floor level of House 2 to mitigate potential overlooking
- 13m to Briarly Court, with no windows proposed on western elevation
- 21m to first floor rear windows of Henley Villas
- 24m to Henley Court dwellings
- The applicant also notes that landscaping and screen planting at the northern, western and part of the southern perimeter will provide mitigation, that the proposed buildings are equal to or lower in height than surrounding dwellings and that the Local Planning Authority Planner's report concluded no adverse impact on neighbouring amenity.

Impact on trees in back gardens of Henley Villas:

- The Planning Authority did not raise any concerns with the trees located to the north of the site, outside the red line boundary. The applicant will adhere to the requirements of the grant of permission and every effort will be made to avoid any potential impact on the trees to the north.

- The submitted landscape plan included a mix of screen planting at the northern and western perimeters of the site, with existing retained and consolidated.

Safety

- Henley Court accommodates 6no. houses in addition to the existing apartment building to be replaced. Existing and expected future volumes of traffic on Henley Court are low. The road is deemed to be a self-enforcing low speed environment, with no visibility constraints. Henley Court falls below the threshold (70m length) for traffic calming measures in DMURS.

Car Parking on neighbouring residential roads and streets

- The proposal, as approved by the Planning Authority, provides for a car-free development, therefore future residents are not expected to own a car or to require access to a car parking space. Therefore, there is no basis to the Appellant's claim. Section 3.8 of the original Transport Statement includes an analysis of local car ownership and mode split patterns, which notes that 60% of local residents either work from home or travel to work by means other than the car, while 15% of local households do not own a car. It does not follow that, because the average household locally owns a car, that each of the households in the development will have 1.5 cars. A notable proportion of residents adopt a lifestyle which does not require owning a car and the locality supports such behaviour. The proposed development is being positioned as car-free and by virtue of its design and wider area characteristics (with limited on-street or off-street long-stay parking options) is deemed unlikely to attract car-owning individuals.

Fire Tender Swept Path Analysis

- The revised swept path analysis submitted as part of response to a request for Further Information was found to be acceptable by the Planner and DLRCC's Transportation Department.
- There is no turning head in Henley Court, with emergency vehicles expected to complete a three-point turn. Therefore, the wall to wall turning circle referred to by the appellants is not applicable as emergency vehicles are not expected to complete a 180 degree turn within the width of Henley Court.

Potential impact on sewage system

- The Planning Authority raised no concern with the increase in the number of bathrooms or demand for increased water capacity.

Inconsistencies within Planning Report

- In relation to the site's accessibility, the site is c. 800m walking distance from Windy Arbour Luas stop and c. 550-750m to the nearest bus stops and therefore falls within the "High Capacity Public Transport Node or Interchange" category and is therefore an 'accessible location'
- Figure 2.9 of the CDP, showing the 'Major Centre' of Dundrum is indicative and should be treated as such. Maintains that the site is located within the edges of the area designated as the 'Major Centre' of Dundrum. This approach was accepted by the Planning Authority (having regard to the Planner's Report which notes the proximity of public transport and Urban Neighbourhood status of the site).
- Not clear whether the note prepared by Professor Emeritus Seamus Caulfield is an appendix to the appeal or a separate objection. However, these observations are addressed by the Applicant's response.

Inconsistencies within Transport Statement

- Parking zone: rationale for car-free proposal set out in the original Transport Statement. Application site is at the boundary between Parking Zones 2 & 3, while Henley Villas is within Zone 2. Note on the parking maps states that it is indicative, therefore the applicable level of parking is at the discretion of the Planning Authority as per 12.4.5.2 of the Development Plan.

General

- Proposed development complies with all relevant national, regional and local planning framework, will implement a high-quality, modern residential development which makes optimum use of brownfield lands, without significant impacts on existing residential amenities.
- Appropriate scale, form and density of development, suitable to its accessible location

Planning Authority Response

The Planning Authority response refers the Board (Commission) to the previous Planner's Report. It is considered that the grounds of appeal do not raise any new matter which, in the opinion of the Planning Authority, would justify a change of attitude to the proposed development.

7.1. Observations

One observation was received, from Seamus and Ann Caulfield. The points raised may be summarised as follows

- The proposed development of 5no. houses with one parking space means that the statistically expected 10+ cars of the occupants and in addition the cars of visitors to Point Lobis will be parked in the adjacent Henley Villas. The owners/occupiers of the 6no. houses in Henley Court possess 13no. Cars.
- Suggestion that visitors can park in Supervalu car park is a falsehood given the distance, parking charges and clamping policy
- On-street parking space in Henley Villas/Park will be utilised by builders and future occupiers of Point Lobis, causing disturbance and impact on amenity due to short front garden length
- The public open space and parking space proposed will not be available to residents of Henley Park and Villas, given the private nature of Henley Court
- Bin collection point on Henley Park will cause disturbance for neighbouring occupiers in terms of noise associated with collection and moving the bins to/from this position. Also issue of bins not returned promptly to individual dwellings.
- Site falls into the 'intermediate' category, therefore density should be below 50 per hectare but because the site is too small to create its own identity it should fit into the existing settlement pattern suggesting one or at most two dwellings
- Guidelines on page 54 state that the obligation is on the project proposer to demonstrate that the development will not have a significant impact on the amenity of occupiers of existing residential properties.

7.2. Further Responses

Further responses were received on the applicants' submission from the Third Party and Observers. The points raised may be summarised as follows:

Overshadowing: while the Sunlight, Daylight and Shadow Assessment submitted by the applicant at appeal stage shows that the impact of the proposed development falls within guideline figures, it does confirm an adverse impact on the properties at 10-16 Henley Villas. Note that the 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' document states that the guide is 'purely advisory and the numerical target values within it may be varied to meet the needs of the development and its location'.

Overlooking: current apartment block has no windows facing onto 10 & 12 Henley Villas. Proposed development of 5no. Houses with two windows each facing 10-16 Henley Villas will cause overlooking and affect occupants' privacy.

Trees: applicant has not addressed the potential impact on trees in the rear gardens of Henley Villas.

Safety: applicant has not addressed safety concerns due to increased traffic (including construction traffic) and access difficulties for emergency services due to on-street parking.

Car parking on neighbouring roads: Census 2022 data in Transport Insights response indicates that 85% of households own one or more cars. Transport Insights response states that many car-owning individuals may not use their car for commuting but doesn't take account of other reasons for owning a car e.g. school drop-off/collection. Believe the proposed development will not be car free and will cause increased parking on Henley Park & Villas.

Emergency vehicle access: the wall-to-wall turning circle describes the path swept by the body of the vehicle rather than the wheels (described by the kerb-to-kerb turning circle). The radius swept by the body of the vehicle as it passes by the pillar/canopy on the property to the east of the proposed development equates to a circle of 18.6m, 0.6m less than the 19.2m prescribed by the Building Regulations as a minimum. Also, there is an ESB mini-pillar at the base of the brick pillar supporting the canopy, which is higher than the ground clearance of the vehicle.

Site location: resubmit that the site is not within the Major Centre of Dundrum.

Accessibility: the site is not within 1km of a High Capacity Node or Interchange, which is defined in the Sustainable Residential Development and Compact Settlements as “Transport Node or Interchange: places of convergence and interchange between different forms of transportation”. Windy Arbour is merely a LUAS stop, with no convergence with or interchange. ‘Accessible location’ refers to lands within 500 metres of existing or planned high frequency urban bus services. The site is c.550m from the closest bus stop. The accessibility of the site has been used to justify the low parking strategy.

Parking zone: the note on the County Development Plan 2022-2028 T2 Parking Zone Map does state that an area can move between zones, but this is contingent on “*the presence or delivery of permeability links which would increase the walkability catchment and/or due to future public transport provision...*”, neither of which are planned.

Consider that none of the points previously raised have been refuted by the applicant team.

8.0 **Assessment**

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

- Principle of development
- Demolition of existing apartment building
- Car parking
- Neighbouring amenity
- Access and road safety
- Other issues

I note that consideration was given to other relevant matters as part of the Local Planning Authority's assessment of the application, including site layout, building height, density, visual amenity, standard of accommodation, drainage, Part V arrangements and environmental enforcement. The Planner's Report considered that the proposed development was acceptable in reference to the objectives of the Development Plan with regard to these matters, subject to conditions, and I concur with that assessment.

8.1. Principle of development

- 8.1.1. The site is zoned 'A' with the objective 'to provide residential development and improve residential amenity while protecting the existing residential amenities'. The development of additional housing units is permissible in principle under this zoning, subject to accordance with other objectives of the Development Plan.

8.2. Demolition of the existing apartment building

- 8.2.1. Objective CA6 of the Development Plan 2022-2028 requires the retrofitting and reuse of existing buildings rather than their demolition and reconstruction where possible, recognising the embodied energy in existing buildings and thereby reducing the overall embodied energy in construction. Section 12.3.9 relates to dwellings specifically and states that the Planning Authority has a preference for, and will promote, the deep retro-fit of structurally sound, habitable dwellings in good condition as opposed to demolition and replacement unless a strong justification in respect of the latter has been put forward by the applicant. The supporting text to Objective CA6 provides that, where an existing building cannot be incorporated into a new layout and the development facilitates a significant increase in density, demolition may be considered to be acceptable to the Planning Authority. The issue of demolition and replacement of the existing structure was raised in third party submissions at application stage. I also note that it was the reason for refusal of the previous application on site, D23A/0167.
- 8.2.2. The proposal is for demolition of the existing apartment building containing 4no. 2 bed units and the construction of 5no. 2-3bed houses on an extended site which incorporates part of the rear garden of the adjacent dwelling, 'The Orchard'. The

Local Authority Planner's report accepted the principal of demolition on the basis that the proposed development would result in an increase in the density of residential development on site and on the basis of the submitted 'Structural Environmental Report' which identified structural issues with the building and concern for occupant health. I have some concerns with the findings and scope of this report, outlined below.

- 8.2.3. Firstly, the report refers to the site as being stepped and banked with the entire building footprint interfacing with the existing ground level and the building being significantly impacted by rising damp. However, this is not reflected in the submitted plans, which show the site and ground floor of the building to be level. The site visit photos in Appendix 1 of the report also illustrate the level nature of the site and show no sign of rising damp or mould internally. The report also indicates that the roof is in poor structural condition with multiple leaks, however no evidence is provided and the photos of the internal areas show them to be in good order with no evidence of ceiling damage or mould growth. The only evidence presented of a structural issue with the building is a photo in the appendix of the report which highlights cracks in the external wall above the front entrance, however they are not easily discernible from the photo and no assessment is provided in relation to same. Page 8 of the report notes that the building does not present serious aspects of degradation which would make it uninhabitable, but repairs are necessary. Having regard to the information submitted and to my own observations on site, I have no reason to believe that the existing apartment building is not structurally sound, habitable and in good condition.
- 8.2.4. The report presents a comparison of the energy performance of the existing and proposed structures. For the existing structure, a BER F rating is assumed, though is not based on a BER assessment. The assessment of the proposed structure is based on an assumed BER A2 rating and an environmentally aware structural option being implemented. The report does not include an assessment of the viability of retrofitting the existing structure.
- 8.2.5. Although I note other relevant objectives of the Development Plan, particularly Objective PHP18 which seeks to promote urban growth through the consolidation and re-intensification of infill/brownfield sites, and Objective PHP19 which seeks to conserve and improve existing housing stock and densify existing built up areas , the

proposed development would not achieve a significant increase in density on the site and it has not been shown that the existing building could not be incorporated into a new layout which included the land to the rear.

- 8.2.6. Overall, having regard to the application and appeal documents and my own observations on site, the existing apartment building appears to be in good condition, habitable and offer good quality residential accommodation. It has not been demonstrated that retrofit of the existing structure is not a viable option, as required where possible by Policy Objective CA6. The proposed development would not result in a significant increase in density on the site. Consequently, I do not consider that a strong and robust justification for the demolition of the existing building has been made and I recommend that the proposal is refused on this basis.

8.3. Car parking

- 8.3.1. The subject proposal is a car free development, but including 1no. multi-use space, sized as an accessible space, on the eastern side of the site, accessed from Henley Court. The Planner's Report considers the proposal to be acceptable, having regard to the site's proximity and accessibility to high-frequency transport services and its 'Urban Neighbourhood' status under the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities. The Local Authority Transport Planning Report does not make any comments on parking provision.
- 8.3.2. The appellant and observers make the point that the site is not on the fringe of the Major Centre of Dundrum. I calculate that the site is c. 0.7km from the indicative centre, as shown on the Core Strategy Map (Figure 2.9) of the Development Plan 2022-2028.
- 8.3.3. The appellant argues that only 1no. current occupier of the existing apartment building keeps a car on site and that this indicates that future occupiers would not need a car. I note that there is an informal parking area in front of the existing building with space for approximately 4no. cars.
- 8.3.4. Objective T19 of the Development Plan seeks to manage car parking in accordance with the parking standards set out in Section 12.4.5. The supporting text to the objective explains that the County has been divided into 4no. parking zones with the aim of ensuring adequate residential parking/car storage, whilst also allowing greater

flexibility in car parking standards on sites well served by public transport. A maximum standard is provided for non-residential uses (destination parking) whilst for residential parking a standard has been retained, in recognition of the fact that car usage may be required for non-peak hour trips, resulting in the need for car storage.

- 8.3.5. The site is located in Parking Zone 3 (access to a level of existing or planned public transport and to services) and c. 40metres from Zone 2 (defined as being within 10minute walk of Core Bus Corridors and Dart/Luas stations). Section 12.4.5.2 of the Development Plan states that where a site is located on the boundary of two or more parking zones, the level of parking provision will be decided at the discretion of the Planning Authority, having regard to criteria set out under this section, which are considered further below.
- 8.3.6. The applicable standards for Zones 2 & 3 are 1 space for 2bed dwellings and 2 spaces for 3bed dwellings. Additional parking is required for visitors at the rate of 1 per 10. On this basis, the appeal scheme would be expected to provide 7-8no. car parking spaces. SPPR 3 of the Sustainable Residential and Compact Settlements Guidelines is also relevant. Being c. 700m from the nearest bus stop serving high frequency (10 minute) services, c.1.2km to the nearest public transport node/interchange (Dundrum Luas and bus station) and c. 550m from a bus stop with services every 15 minutes, the site would be categorised as an 'intermediate' location in terms of accessibility, according to Table 3.8 of the Guidelines. I note that Windy Arbour Luas stop is c. 800m (10 minute walk) from the site with peak frequency for services of 4minutes, which adds to the accessibility of the site, though would not elevate it into the 'High Capacity Public Transport Node or Interchange' category as it would not meet the definition of a public transport node or interchange set out in the glossary to the Guidelines as the nearest other form of public transport (bus services on Dundrum Road) are c. 400m east. Consequently, as an intermediate location, SPPR3 sets a maximum parking standard of 2no. spaces per dwelling for the site.
- 8.3.7. The Development Plan allows for reduced parking provision in some cases in Zones 2 & 3, though in Zone 3 this is envisaged for infill/brownfield developments in neighbourhood or district centres, and only where justified according to the criteria are set out in Section 12.4.5.2 of the Development Plan. The Transport Statement

submitted with the planning application and the appeal documentation submitted by the applicant address these criteria. I consider the criteria in turn below.

Section 12.4.5.2 criteria	Observations	Assessment
Proximity to public transport services and level of service and interchange available.	c.800m to Windy Arbour Luas stop, c. 1.2km to Dundrum Luas & bus station and c. 550 & 700m to the nearest bus stops	The site has moderate access to public transport, reflected by its position in Parking Zone 3 as defined by the Local Planning Authority and categorisation under Table 3.8 of the Sustainable Residential Guidelines 2024
Walking and cycling accessibility/permeability and any improvement to same.	Footpaths c. 40m distance on Henley Villas/Park. Cycle lanes c. 500m distance on R112 (Churchtown Road Upper). Churchtown Road Lower included in planned improvements to Dublin Area Cycle Network – no timescale for delivery available.	Henley Court has no defined footpath or lighting as existing and serves multiple entrances. It falls outside the application site boundary and there are no proposals for its improvement. It is considered that existing pedestrian infrastructure is not adequate to support the proposed residential development.
The need to safeguard investment in sustainable transport and encourage a modal shift.		As a car free scheme, modal shift would be encouraged
Availability of car sharing and bike / e-bike sharing facilities.	4no. car sharing points at c. 850m, 700m, 1.3km and 1.5km from the site. No bike sharing facilities identified locally.	The existing car sharing facilities are considered to be too distant from the site to offer a convenient alternative to the private car.
Existing availability of parking and its potential for dual use	Churchtown Village Centre c. 850m distance (pay and display, 3hour stay limit)	Not suitable for residential occupiers and, given the distance and cost, unlikely to appeal to visitors given availability of on-street parking closer
Particular nature, scale and characteristics of the proposed development (as noted above deviations may be more appropriate for smaller infill proposals).	Infill scheme of 5no. Dwellings on c. 0.1ha.	The proposal is for 2x3bed and 3x2bed houses. The larger units in particular would be suitable for families. The character of the area is suburban and surrounding houses have at least 1 off-street parking space.
The range of services available within the area	Closest amenities listed in the Transport Statement are Churchtown Village Centre at 850m (11mins) walking distance	There are a range of services in the wider area but not in proximity to the site.
Impact on traffic safety and the amenities of the area.		Extent and impact of overspill parking on Henley Villas and Henley Park has not been quantified.

Urban design, regeneration and civic benefits including street vibrancy.	The proposal would provide 1no. additional residential unit on site, together with c. 75sqm public open space.	The existing buildings are of no heritage or architectural interest. The proposed development would deliver a modern, contemporary design. However, as noted above, the Development Plan seeks the retrofit of existing dwellings where possible.
Robustness of Mobility Management Plan to support the development.	Mobility Management Plan not submitted	I would have concerns that a mobility management plan may not be an effective tool in this situation as it is a small private scheme of own door houses, therefore there is limited scope for a Coordinator to be appointed, and for monitoring and review to be undertaken.
The availability of on street parking controls in the immediate vicinity.	None noted in Henley Park & Villas	Absence of parking controls on adjacent streets means there is no deterrent to future occupiers of the scheme from parking in local streets
Any specific sustainability measures being implemented including but not limited to: <ul style="list-style-type: none"> - The provision of bespoke public transport services. - The provision of bespoke mobility interventions. 	A multifunctional bay (sized to accommodate a disabled bay) is to be provided. Resident and visitor cycle parking are provided, including cargo bike parking.	<p>No details have been provided as to how use of the bay would be managed, so as to be available for deliveries/drop-off/visitors etc, reserved for disabled users and for occupants of the 5no. dwellings.</p> <p>The cycle storage for Houses 1-3 would be located outside their curtilage in a shared cycle storage area. As set out in further detail below, I would have concerns that this would not be adequately secure or flexible enough to store a variety of bikes e.g. cargo bikes and e-bikes so as to be a real alternative to private car use.</p>

8.3.8. Based on my assessment above, I do not consider that the omission of car parking can be justified for the proposed development.

8.3.9. The proposed development includes cycle storage. This is provided within the curtilages of Houses 4 & 5. For units 1-3, cycle storage is proposed to be located in a communal cycling shelter, which would also accommodate visitor parking, located adjacent to Henley Court. I note that cycle storage was originally included within the rear gardens of Units 1-3, but amended at further information stage due to concern raised by the Planning Authority in relation to inadequate private amenity space. I

note that the site is located on a quiet, private lane however I would be concerned that the specification of the cycle store (open-sided) would not provide adequate security for residents' bikes. All three of the units affected exceed the minimum private amenity space required by SPPR 4 of the Guidelines 2024 and, although the provision of a cycle store for 2no. bicycles may reduce the back garden area of Unit Nos. 2 & 3 marginally below the SPPR 2 standard (which can be considered for infill sites of under 0.25ha), I consider that this would be a preferable outcome in terms of the requirements and objectives of the Guidelines.

8.3.10. The parties all make reference to Census 2022 data to support their positions in respect of parking. The applicant's Transport Statement notes that 40% of people in the 3no. electoral divisions surrounding Windy Arbour (and including the appeal site) travel to work by car, while 18% mainly work remotely and 21% use public transport according to Census 2022 data. For the same area, 15% of households do not own a car, 45% have one car and 32% have two cars. Having checked the Census 2022 data, I note that results are similar for the larger Dundrum electoral area, within which the site is located. The Transport Statement concludes from these figures that many car-owning households do not use a car for commuting and that the site is suitable for a car-free lifestyle. In my opinion, the Census data indicates that a large proportion of households in the area own a car and therefore require car storage. This is consistent with the approach set out in the Development Plan, which notes at Section 12.4.5.6 that car ownership levels in the County are high and therefore car storage for residential development is an issue as people may choose to use sustainable modes to travel to work or school but still require car parking/storage for their car. The approach to car parking standards for residential development set out in the Development Plan reflects this position wherein a standard rather than a maximum standard is set.

8.3.11. Having regard to the foregoing, I consider that the car-free nature of the proposed development would not be justified, given the site's distance from public transport and services. The potential impact of overspill parking on local streets has not been quantified and insufficient mitigation exists or has been proposed, having regard to the lack of pedestrian infrastructure on Henley Court, the nature of the cycle parking proposed, lack of proposals for management of the multi-functional parking space,

the distance to car share services and lack of mobility management measures proposed.

- 8.3.12. I have given consideration to the possibility of omitting proposed dwelling No.1 as part of a grant of planning permission and requiring the provision of car parking in its place (the public open space and visitor cycle parking would be relocated to the footprint of Unit No.1 and additional car parking provided in their place, adjacent to the multi-functional space). There would be sufficient space for 5no. spaces in total i.e. 2no. for the 3bed unit and 1no. each for the 2bed units, in line with the Development Plan standards. However, given my conclusion further above that the demolition of the existing structure has not been justified, I have concluded that the proposed development as a whole should be refused for reasons relating to lack of car parking and lack of justification for demolition of the existing apartment building.

8.4. Neighbouring amenity

- 8.4.1. The grounds of appeal raise concern with regard to overshadowing, overlooking and impact on trees in the rear gardens of Henley Villas.
- 8.4.2. The zoning objective for the site seeks to provide residential development and improve residential amenity while protecting the existing residential amenities. Objectives PHP18, 19 & 20 of the Development Plan seek to increase housing supply whilst ensuring a balance with protection of existing amenities.
- 8.4.3. I note that there are existing trees within the rear gardens of the dwellings in Henley Villas, on the boundary with the appeal site. There is no tree survey or details of the species, height or root protection areas of the trees available. I note that the Local Authority Parks and Landscape Services report noted a potential impact on trees on the adjoining site to the south, though made no recommendations given that the trees were in the ownership of the applicant. No concern was raised in this report with regard to the trees within the neighbouring properties to the north. The front elevation of the proposed dwellings would be set off the northern boundary by at least 4 metres, with a minimum of 1.1m soft planting proposed along the boundary and the remainder of that space comprising concrete path, planting beds and a single storey utilities meter/privacy wall. On the basis of my review of the submitted

plans, the Local Authority Parks and Landscape Services report and from my observations on site, I consider that the separation distance would be sufficient to prevent material impacts to existing trees within the rear gardens of properties in Henley Villas. If the Commission were minded to grant permission for the development, a condition could be attached requiring tree protection measures to be implemented during the construction phase.

- 8.4.4. The Local Authority Planner's Report notes that, by virtue of the separation distances (21.5-23.2m) achieved to the north of the proposed dwellings and the inclusion of angled windows on the southern elevation where the separation distance to The Orchard is 16m, the design of the proposed scheme has adequately addressed overlooking and overbearance concerns in relation to these neighbouring occupiers. Proposed dwelling no.5 would be located c. 1m from the western site boundary, presenting a flank elevation to the rear garden boundary of No.10 Briarly Court. The separation distance to the main rear elevation of No. 10 would be c. 13metres and no window is proposed on this elevation. Whilst I note from aerial imagery a single storey rear extension to that property which is not indicated on the submitted plans (though is shown in the Sunlight/Daylight/Shadow Assessment), it is not located directly west of proposed unit No.5 and, consequently, I am satisfied that the appeal scheme will not result in an unacceptable impact in terms of overlooking or overbearance for the occupiers of No. 10 Briarly Court. The proposed development would include new dwellings with windows at 1st floor level facing the rear gardens of Henley Villas and I understand the concerns raised by the appellants and observers in this regard. However, having reviewed the submitted plans, I agree with the Planner's assessment and am satisfied that the proposed development would be in accordance with the requirements of SPUR1 of the Sustainable Residential Development and Compact Growth Guidelines 2024 in relation to separation distances and would not result in a material impact on neighbouring occupiers in respect of overlooking or overbearance. I also note that the submitted landscape plan includes a mix of screen planting at the northern and western perimeters of the site, which would help to soften and screen the development in views from neighbouring properties.

- 8.4.5. In terms of potential overshadowing, the applicant has included as part of their response to the grounds of appeal, a Sunlight, Daylight and Shadow Assessment

prepared by Chris Shackleton Consulting, in accordance with the relevant guidance document “Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice – Third Edition 2022”. I note that the appellants acknowledge in their further response that this document shows that the impact of the development falls within guideline figures, though they maintain that it confirms an adverse impact on the properties at 10-16 Henley Villas. Although this document was not available to the Planning Authority at application stage, the Planner’s Report raised no significant concerns with regard to daylight, sunlight and overshadowing, on account of the siting and orientation of the proposed development and adequate separations from surrounding structures. Having reviewed the Sunlight, Daylight and Shadow Assessment and noting the siting of the proposed development relative to existing properties and its two storey scale, I would concur that the proposed development is acceptable with regard to daylight, sunlight and overshadowing impacts.

- 8.4.6. Overall therefore, having regard to the information on file and to my site observations, I consider that the proposed development would not result in material adverse impacts on neighbouring occupiers in terms of overlooking, overshadowing or overbearance.

8.5. Access and traffic safety

- 8.5.1. Issues raised in the grounds of appeal relating to pedestrian safety and emergency vehicle access to Henley Villas, arising from potential congestion due to parking overspill, have been addressed earlier in this report. The grounds of appeal also raised concern in relation to emergency vehicle access for the proposed development.
- 8.5.2. The initial Local Authority Transport Planning report requested revised drawings and details to demonstrate adequate vehicular access for a fire tender within the proposed development. Revised drawings submitted by the applicant as further information were accepted by the Transport Planning Section and by the Planner in their report. I note the presence of car parking canopies of neighbouring occupiers to the east of Henley Court and an ESB mini-pillar adjacent to one of the canopies. On review of the swept path drawings, I am satisfied that access and egress by a fire tender to the site is feasible.

8.5.3. No other issues relating to traffic and access were raised by the Transport Planning Section.

8.6. Other issues

- 8.6.1. The grounds of appeal also raise concern at the impact on the public sewerage system resulting from the increased number of bathrooms on the site. I note no concern was raised by Uisce Eireann with regard to capacity and that the proposed development represents a modest increase in the potential number of occupants on the site. Therefore, I would not expect the proposed development to result in a material impact on the capacity of the existing system.
- 8.6.2. Concern was raised by the Observers in relation to bin storage. The application plans show a bin storage area at the northernmost point of Henley Court, outside the application site boundary but within the applicant's control. During my site visit I noted bins positioned on the footpath on Henley Villas, near the entrance to Henley Court, which may include some from the existing apartment building. The proposed bin storage location is an appropriate location and would provide an improvement in terms of visual amenity, in my opinion.
- 8.6.3. Some concerns were raised by the appellant and observers in relation to construction-related disturbance, mainly relating to parking in local streets. I note that these impacts would be temporary in nature and could be mitigated by standard measures including limited hours of operation and management of parking, deliveries, dust etc. The applicant submitted as part of their further information response, a Noise Impact Assessment, Resource & Waste Management Plan, Operational Waste Management Plan and Construction Management Plan. I consider that the concerns raised could be adequately resolved by condition in the event of a grant of permission.

9.0 AA Screening

- 9.1. Having regard to the modest nature and scale of the proposed development, its location in an urban area, connection to existing services and absence of connectivity to European sites, it is concluded that no Appropriate Assessment

issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

10.0 Water Framework Directive Screening

10.1. Having regard to the modest nature and scale of the proposed development, it is concluded on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

11.1. I recommend permission be REFUSED, for the reasons below.

12.0 Reasons and Considerations

1. On the basis of the information submitted with the application and appeal, a sufficiently robust justification for the demolition of the existing apartment building at the subject site to facilitate the construction of five replacement dwellings, or an adequate demonstration that the existing structure cannot be remodelled, retrofitted and reused to improve energy efficiency and residential amenity, has not been provided. The proposed development would therefore be inconsistent with Policy Objective CA6: Retrofit and Reuse of Buildings and Policy Objective PHP19 Existing Housing Stock – Adaption, and it would not accord with the provisions of Section 12.3.9 Demolition and Replacement Dwellings of the Dun Laoghaire Rathdown County Development Plan 2022-2028. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to Policy Objective T19 of the Dun Laoghaire Rathdown County Development Plan 2022-2028, which seeks to manage car parking as part of the overall strategic transport needs of the County, to the omission of car parking to serve the proposed dwellings by reference to the car parking standards set out in Section 12.4.5 of the Development Plan and to the lack of

justification provided in this regard in reference to Section 12.4.5.2 of the Development Plan, it is considered that the proposed development would be seriously deficient in terms of car parking provision and would be inadequate to cater for the parking demand generated by the proposed development, thereby leading to conditions which would be prejudicial to public safety by reason of traffic hazard on the public roads in the vicinity and which would tend to create serious traffic congestion.

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.

Suzanne White
Planning Inspector

18th August 2025

Appendix 1

Form 1 - EIA Pre-Screening

No EIAR Submitted

Case Reference	ABP-322531-25
Proposed Development Summary	Demolition of apartment building and construction of 5 house terrace with associated works
Development Address	Point Lobis, Henley Court, Churchtown, Dublin 14
	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 Part 1, 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.	State the Class here
<input 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 checked="" 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>State the Class and state the relevant threshold</p>
<p><input 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>State the Class and state the relevant threshold</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"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: Suzanne White Date: 18/08/2025

Appendix 2

Form 2 - EIA Preliminary Examination

Case Reference	ABP-322531-25
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Proposed Development Summary	Demolition of apartment building and construction of 5 house terrace with associated works
Development Address	Point Lobis, Henley Court, Churchtown, Dublin 14
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	<p>The development proposed is the demolition of an existing two storey, 4 unit apartment building and associated outbuilding and the construction of a terrace of 5no. two-storey dwelling houses together with cycle parking, public open space and 1no. multi-use parking space on an extended site which includes part of the rear garden of the adjacent dwelling.</p> <p>The standalone development has a modest footprint and does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance.</p> <p>The development, by virtue of its type and scale, 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>
Location of development	The development is situated in a densely populated urban area on brownfield land and is located at a remove from sensitive natural habitats, designated sites and landscapes of significance identified in the DLRCDP.
Types and characteristics of potential impacts	Having regard to the modest nature of the proposed development, its location relative 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.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: Suzanne White **Date:** 18/08/2025