

# Inspector's Report ABP-322653-25

**Development** The construction of a dormer window

and 1 no. roof light to the rear

elevation and 1 no. roof light to the

front elevation lower roof

**Location** 38, Cedarmount Road, Blackrock, Co.

Dublin, A94P8D4

Planning Authority Dún Laoghaire-Rathdown County

Council

Planning Authority Reg. Ref. D25B/0133/WEB

**Applicant** Thomas Griffin

Type of Application Permission

Planning Authority Decision To grant permission with conditions

Type of Appeal First Party

**Appellant** Thomas Griffin

**Observers** None

**Date of Site Inspection** 21<sup>st</sup> July 2025

**Inspector** Trevor Rue

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## 1.0 Site Location and Description

- 1.1. The application site, which has a stated area of 0.028 hectares, is in the Mount Merrion area about 5 kilometres to the west of Dún Laoghaire. It comprises a two-storey semi-detached dwelling with a pitched roof running parallel to the road and a sizeable front porch. It is set back from the public road and has off-street parking as well as a small garden area to the front. There is a large single-storey extension, part of which has a flat roof and part of which has a mono-pitch roof, to the rear of the dwelling, as well as amenity space which measures 16.49 metres long by 9.04 metres wide.
- 1.2. The site is in an established residential area and is bounded to the east, west and north by residential properties. An area of public open space is located to the south.

## 2.0 **Proposed Development**

- 2.1. It is proposed to:
  - construct a dormer window in the rear elevation of the dwelling;
  - insert one roof light in the rear elevation; and
  - insert one roof light in the lower front roof (over the porch).
- 2.2. The dormer window originally proposed would be 5.555 metres in width. It would be set 150 millimetres below ridge height at its junction with the existing roof but would slope upwards. It would be constructed using dark grey profiled metal cladding. Roof tiles would match the existing and new aluminium/timber windows would be installed.

## 3.0 Planning Authority Decision

#### 3.1. Decision

- 3.1.1. On 2<sup>nd</sup> May 2025, Dún Laoghaire-Rathdown County Council decided to grant permission subject to four conditions. Condition 1 required accordance with submitted plans, particulars and specifications. Condition 3 stated that the dwelling shall not be sub-divided or used as two or more separate habitable units. Condition 4 required all external finishes to harmonise in material, colour and texture with the existing dwelling.
- 3.1.2. Condition 2 said this:

Prior to the commencement of development on site, the Applicant shall submit for the written agreement of the Planning Authority, revised drawings showing the proposed rear dormer modified and reduced as follows:

- (a) Reduced in scale to a maximum of 4.5m in width, when measured externally and centrally positioned within the roofscape.
- (b) Set down from the existing roof ridge level by 0.2m with a flat roof that does not slope upwards.
- (c) The glazing within the dormer revised, to be consistent with the windows at first floor level.

REASON: In the interest of visual and residential amenity.

#### 3.2. Planning Authority Reports

Planning Reports

- 3.2.1. A planner's report provided the reasoning for the authority's decision. The main points were as follows:
  - Given the scope of the proposed works, the development would not create undue negative impacts on energy use or performance. The proposed materials are acceptable in the context of the high standards set out in the Building Regulations.
  - Rear dormer extensions are common in the county and the area. Larger rear dormers are more common in the area than they may have been in 2012 [when a previous planning application was made for extensions to the dwelling].
  - While the proposed dormer window would be set in sufficiently from the western boundary, there would not be an adequate set back from No. 36 to the east. While the dormer would not result in any overlooking of neighbouring dwellings, it would have four window panes which would be larger than, and not in keeping with, the existing first-floor windows. In the event of a grant of permission, a condition should be attached requiring the applicant to submit revised drawings to address these matters.
  - The proposed attic roof light is acceptable but its location would need to be amended in line with the repositioned dormer.

• The proposed roof light in the front porch is also acceptable and would not result in any overlooking of neighbouring dwellings.

Other Technical Reports

3.2.2. The Council's Drainage Planning Engineer had no objection.

## 4.0 Planning History

#### 4.1. Application Site

4.1.1. D12A/0219: On 26<sup>th</sup> July 2012, planning permission was granted to Tom and Eimear Griffin for works including (i) the widening of the existing vehicular entrance (from Cedarmount Road) and provision of new hard landscaping to the driveway and front garden; (ii) demolition of the existing garage and utility shed to the side of the existing dwelling; (iii) construction of a new single-storey extension with pitched roof to the full width of the front; (iv) construction of new two-storey extension with gabled roof to the side of the existing building, the ridge line of the new roof to tie in with the existing; (v) construction of new single-storey extension to the full width of the rear, part with a flat roof and part with a mono-pitched roof; (vi) provision of one roof window and two solar energy panels to the front slope of the extended main roof; and (vii) conversion of the extended attic space into habitable accommodation including the provision of two new dormer windows to the rear slope of the extended main roof.

#### 4.1.2. Condition 3 of the permission stipulated that:

Prior to the commencement of the development, the applicants shall submit revised drawings for the written agreement of the Planning Authority which illustrate the omission of the proposed gable roof extension and the proposed 2 no. dormer extensions in the rear roof slope. A hipped roof should be included in the revised design.

REASON: In the interest of visual amenity.

4.1.3. An appeal was made to An Bord Pleanála against Condition 3 and another condition (240993). On 14<sup>th</sup> December 2012, the Board directed the Council to amend Condition 3 to the following:

Prior to the commencement of the development, the applicants shall submit revised drawings for the written agreement of the planning authority which illustrate the

omission of the proposed dormer extension to the landing in the rear roof slope and its replacement with a suitably sized roof light.

REASON: In the interest of visual amenity.

4.1.4. D12A/0219/C1: Revised drawings were submitted to the Council and on 19<sup>th</sup> June 2013, the Council confirmed that the submission was in compliance with Condition 3. The proposed attic conversion (Element (vi) of Application D12A/0219) was not, however, implemented.

#### 4.2. Adjacent Properties

- 4.2.1. **D09B/0109:** On 24<sup>th</sup> June 2009, permission was granted for works which included a rear roof dormer window and footlight at 3 Cedarmount Road.
- 4.2.2. **D09B/0155:** On 15<sup>th</sup> July 2009, permission was granted for dormer attic extension and ground floor conservatory, both to the rear, and for three roof lights and a single-storey extension, both to the front of 42 Cedarmount Road.
- 4.2.3. **D17A/0108:** On 27<sup>th</sup> April 2017, permission was granted for works which included a dormer extension to the rear of the existing main roof and the provision of a combined/altered window to the rear at 5 Cedarmount Road.
- 4.2.4. **D22B/0189:** On 4<sup>th</sup> August 2022, permission was granted for works which included a single-storey extension to the side and rear, a redesigned roof, the conversion of the attic and the addition of a flat-roofed dormer on the rear roof at 23 Cedarmount Road.

## 5.0 **Policy Context**

#### 5.1. **Development Plan**

- 5.1.1. Land Use Zoning Map 2 of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 indicates that the application site is subject to Objective A, to provide residential development and improve residential amenity while protecting existing residential amenities.
- 5.1.2. Section 4.3.1.2 of the Development Plan refers to actively promoting and facilitating adaptation of existing housing stock to accommodate changing household size and needs. It says that retention and adaption of stock will be further encouraged by facilitating suitably designed domestic extensions.

- 5.1.3. Section 12.3.7.1(iv) of the Plan states that roof alterations/expansions to main roof profiles will be assessed against a number of criteria including:
  - careful consideration and special regard to the character and size of the structure, its position on the streetscape and proximity to adjacent structures;
  - existing roof variations on the streetscape;
  - distance/contrast/visibility of proposed roof end; and
  - harmony with the rest of the structure, adjacent structures, and prominence.
- 5.1.4. Section 12.3.7.1(iv) goes on to say that dormer extensions to roofs, to the front, side, and rear, will be considered with regard to impacts on existing character and form, and the privacy of adjacent properties. The design, dimensions, and bulk of any roof proposal relative to the overall size of the dwelling and gardens will be the overriding considerations. Dormer extensions shall be set back from the eaves, gables and/or party boundaries. Dormer extensions should be set down from the existing ridge level so as to not read as a third-storey extension at roof level to the rear.
- 5.1.5. Section 12.3.7.1(iv) concludes by stating that the proposed quality of materials/finishes for dormer extensions will be considered carefully as this can greatly improve their appearance. The level and type of glazing within a dormer extension should have regard to existing window treatments and fenestration of the dwelling. However, regard should also be had to size of fenestration proposed at attic level relative to adjoining residential amenities. Particular care will be taken in evaluating large, visually dominant dormer window structures, with a balance sought between quality residential amenity and the privacy of adjacent properties. Excessive overlooking of adjacent properties should be avoided.

#### 5.2. **Natural Heritage Designations**

- 5.2.1. The application site is not in any Natura 2000 site of European nature conservation importance. The nearest Natura 2000 sites are:
  - South Dublin Bay Special Area of Conservation (SAC), about 2.5 kilometres to the east, designated for mudflats and sandflats, annual vegetation of drift lines, annuals colonising sand and mud and embryonic shifing dunes;

- South Dublin Bay and River Tolka Estuary Special Protection Area (SPA),
   about 2.5 kilometres to the east, designated for various bird species;
- Rockabill to Dalkey Islands SAC, about 8 kilometres to the east, designated for harbour porpoise;
- Dalkey Islands SPA, about 8 kilometres to the east, designated for various bird species;
- Knocksink Wood SAC and Nature Reserve, about 9 kilometres to the south, designated for petrifying springs, old sessile oak woods and alluvial forests;
- Ballyman Glen SAC, about 10 kilometres to the south, designated for petrifying springs and alkaline fens; and
- Wicklow Mountains SAC, about 8 kilometres to the south west, designated for oligotrophic waters, natural dystrophic lakes and ponds, heaths, grasslands, blanket bogs, siliceous scree, rocky slopes, old sessile oak woods and otter.
- 5.2.2. Table 8.3 of the Development Plan lists six proposed National Heritage Areas which are not SACs or SPAs in the area served by Dún Laoghaire-Rathdown County Council

   Booterstown Marsh; Dalkey Coastal Zone and Killiney Hill; Fitzsimons Wood;
   Loughlinstown Woods; Dingle Glen; and Ballybetagh Bog.

## 6.0 Environmental Impact Assessment Screening

6.1. The proposed development is not 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). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

## 7.0 The Appeal

#### 7.1. Grounds of Appeal

- 7.1.1. The grounds of appeal may be summarised as follows:
  - In response to Condition 2a, a design review was undertaken to try to make the internal layout of the attic floor work. It is proposed to reduce the dormer width, measured externally, by 550 millimetres to 5 metres, and its internal width to

- 4.46 metres. The setback distance between 36 Cedarmount Road and the proposed dormer would be increased to 1.3 metres. The reduced dormer width would still enable a useable floor plan for the attic conversion. Locating the stairs, *en suite* and wardrobes in the sloped roof sections of the attic to the front and side of the proposed dormer, as shown on the drawing submitted with the appeal, would maximise the habitable area of the bedroom.
- Condition 2a is excessive having regard to surrounding dwellings with rear dormer windows. The proposed compromise reduction in the dormer width would meet the Council's and the appellant's needs. The proposed dormer roof detailing would enhance the area's architectural character and provide a modern habitable bedroom and a home worthy of its location.
- Condition 2b would make the attic room a non-habitable space as the internal ceiling height would be less than 2.4 metres for at least 50% of its floor space. If the dormer roof were set 200 millimetres below the ridge and sloped away from the ridge, a 2.4-metre head height would not be achievable. A rubber roof membrane would have to be used to provide better head height but still not 2.4 metres. If the attic roof sloped away from the ridge, this rubber membrane would be visible with a gutter fixed to the rear elevation, which would not be aesthetically pleasing. Using a more appealing material like zinc would require an increased roof pitch, further reducing the finished head height in the attic.
- The dormer window, as now proposed, would enable a habitable room to be created whilst keeping the dormer roof 200 millimetres below the existing ridge where it meets the existing roof. The high point of the dormer roof would be 50 millimetres below the existing ridge height.

#### 7.2. Planning Authority Response

7.2.1. The planning authority did not submit a response in a physical format within the fourweek period specified.

#### 8.0 **Assessment**

- 8.1. Having inspected the site and considered in detail the documentation on file for this First Party appeal, it seems to me that the sole planning issue is whether the requirements of the planning authority's Condition 2 are justified in the interests of the visual amenity of the area and/or the residential amenity of neighbouring properties.
- 8.2. I am satisfied, having regard to the nature of Condition 2, that determination by the Commission of the application as if it had been made to it in the first instance would not be warranted. It seems to me that, pursuant to Section 139 of the Planning and Development Act, the Commission has discretion to give to the planning authority such directions as it considers appropriate relating to the attachment, amendment or removal of Condition 2.
- 8.3. The acceptability in principle of the development is not at issue. The Dún Laoghaire-Rathdown County Development Plan, at Section 4.3.1.2, seeks to promote and facilitate adaptation of existing housing stock to accommodate changing household size and needs, but encourages suitably designed domestic extensions. The main purpose of the proposed development is to accommodate a new bedroom with *ensuite* facilities. The proposed roof lights to the front and rear are not in themselves controversial. In its 2012 appeal decision, An Bord Pleanála accepted a proposed rear dormer extension to serve an additional bedroom at the property, while rejecting a second dormer window at the attic landing.
- 8.4. **Condition 2a** would require the proposed rear dormer to be reduced to a maximum of 4.5 metres in width, when measured externally, and to be centrally positioned within the "roofscape". Section 12.3.7.1(iv) of the Plan requires consideration to be given to the size, bulk and prominence of proposed dormer extensions relative to the overall size of the dwelling and gardens, and to existing roof variations on the streetscape. There is no stipulated maximum width and central positioning is not specified.
- 8.5. The roof of the dwelling is just over 9 metres wide. The width of the dormer structure, as originally proposed, was 5.555 metres. The revised drawing submitted at appeal stage shows a reduced width of 5 metres, which would facilitate a bedroom of 13 square metres plus wardrobe space plus *en-suite* facilities. In either case, the dormer would take up more than half the width of the roof.

- 8.6. The dormer which An Bord Pleanála accepted in 2012, which was never built, would have been 3.295 metres wide and would have facilitated a bedroom of 16.88 square metres (which did not include separate wardrobe and *en-suite* facilities). The dormer at 42 Cedarmount Road, which is visible from the back garden of the application site, has an approved width of 2.98 metres. The dormers at Nos. 44 and 48, also visible from there, appear to be of a similar width. The permitted rear dormers at Nos. 3, 5 and 23, on the southern side of Cedarmount Road, beyond the grassed open-space area, range from 3 to 3.5 metres in width but are not visible from the application site.
- 8.7. It seems to me that a dormer structure 5 metres, or even 4.5 metres, wide would be unduly bulky and prominent relative to the existing dwelling and when compared with existing dormers nearby. In my view, the maximum acceptable width of the proposed dormer extension, measured externally, is 3.5 metres, which is the width of the dormer approved by the planning authority at 23 Cedarmount Road. The planning history of the application site indicates that this would still leave space for a useable bedroom. I appreciate that restricting the development to this extent would be a worse outcome for the appellant than if he had not appealed. However, in my view, it would not be in the public interest for outsized dormers to become the new normal in this area.
- 8.8. While Condition 2a referred to "roofscape", I assume what was intended was that the dormer would be centrally positioned on the roof of the actual dwelling on which it would be constructed. It seems that the purpose of this requirement was to achieve greater separation from the roof of the adjoining dwelling at 36 Cedarmount Road. Section 12.3.7.1(iv) of the Development Plan requires dormer extensions to be set back from party boundaries but does not specify a distance.
- 8.9. The separation distance originally proposed was 750 millimetres. The revised drawing shows that distance increased to 1.3 metres. The dormer which An Bord Pleanála accepted in 2012 would have been roughly 600 millimetres from No. 36. Other dormers in the area have been built very close to the boundary with adjoining dwellings and do not appear out of place in that respect. Taking all this into account, I am not convinced that it is necessary to control the horizontal position of the dormer.
- 8.10. **Condition 2b** would require the proposed rear dormer to be set down from the existing roof ridge level by 200 millimetres with a flat roof that does not slope upwards. Section 12.3.7.1(iv) of the Development Plan requires dormer extensions to be set back from

- the eaves and to be set down from the existing ridge so as not to read as a third-storey extension at roof level to the rear. There is no specific reference to setting down by 200 millimetres or to avoidance of an upward slope.
- 8.11. The roof of the dormer structure, as originally proposed, was positioned 150 metres below the ridge line but sloped upwards so that at its outer extremity it was at the same level as the ridge. The revised drawing submitted at appeal stage shows a 200-millimetre set down where the dormer joins the existing roof but a steeper upward slope enabling the outer extremity of the dormer to reach the ridge level. The roof of the dormer which An Bord Pleanála accepted in 2012, had it been built, would have been 245 millimetres below the ridge line. However, the nearby dormer extensions which have been completed at 42, 44, 48 and 3 Cedarmount Road all appear to meet the main roof closer to the ridge line.
- 8.12. The appellant argues that full compliance with the requirements of Condition 2a would make the attic room a non-habitable space because a consistent internal ceiling height of at least 2.4 metres could not be achieved. If that is correct, the condition would defeat the main purpose of the dormer extension. However, it is notable that the 2012 appeal decision, despite providing a greater set down than what would be required by Condition 2a, also allowed for 2.4 metres of headroom.
- 8.13. It occurs to me that a principal constraint on head height in the current proposals is the choice of roofing materials. The appellant's evidence suggests that a zinc or similar roof is intended. The revised drawing indicates that it would be up to 400 millimetres thick. The 2012 drawings showed a difference of only 200 millimetres between ceiling height and roof height. The use of different roofing materials might make it easier to attain the standard head height while at the same time achieving a consistent set down from ridge level.
- 8.14. I agree with the planning authority that an upward-sloping dormer roof is not acceptable. When seen from the rear, the difference in level between the ridge and the dormer roof would not be apparent. When seen from neighbouring back gardens on both sides, the shape of the dormer would be visually anomalous. I judge that provided the dormer roof were horizontal rather than sloping, a set down of 150 millimetres as originally proposed would be acceptable. This dimension takes account of existing dormer developments in the area and allows some flexibility for redesign.

- 8.15. Condition 2c would require the glazing within the dormer to be revised to be consistent with the windows at first-floor level. It may be inferred from the planner's report that the authority was concerned about the number, size and/or appearance of the proposed window panes. Section 12.3.7.1(iv) of the Development Plan does not contain any specific requirement for consistency with first-floor windows but it does say that the level and type of glazing within a dormer extension should have regard to existing window treatments and fenestration of the dwelling. It cautions that excessive overlooking should be avoided and states that, in carefully evaluating large dormer window structures, a balance will be sought between quality residential amenity and the privacy of adjacent properties.
- 8.16. The revised drawing shows four vertical window panes in the attic bedroom with an overall width of about 3.3 metres. The window serving the existing master bedroom on the first floor has three vertical panes and is about 2 metres wide. The other two first-floor rear windows have two panes and are about 1 metre wide. The large, not quite square, sliding door and picture window on the ground-floor rear elevation of the dwelling are not comparable to dormer windows. The dormer window accepted by An Bord Pleanála in 2012 was about 2.3 metres wide and had one large and one small pane. The window now proposed would also be considerably wider than the existing dormers at 42, 44 and 48 Cedarmount Road, whose width I estimate to be roughly 2.5 metres. No. 42 has three panes, two small and one large.
- 8.16. In my judgement, the proposed glazing would be disproportionately large and out of keeping with the existing first-floor window treatments and fenestration. Adjacent property, particularly the back garden of No. 36, is already overlooked from the back bedroom on the first floor of the appellant's dwelling. The proposed dormer window would, in my opinion, lead to an excessive increase in opportunities for overlooking and unduly affect the privacy of adjacent properties. It seems to me that the provision of good-quality residential accommodation at attic level does not necessitate extensive glazing and that restricting the width of the window to 2.5 metres would strike a reasonable balance between the appellant's interests and those of his neighbours.
- 8.17 Abandoning the requirement for central positioning would allow the proposed dormer window to align more closely with the existing three-pane master bedroom window on the first floor, although the dormer window would be larger. In my opinion it is

- necessary, in order to mitigate further the perception of overlooking, to require that the dormer window be split vertically into at least three panes.
- 8.18. The planner's report stated that the location of the proposed rear roof light would need to be amended in line with the repositioned dormer and it seems to me that a new clause should be inserted into Condition 2 to allow for this eventuality.

## 9.0 Appropriate Assessment Screening

9.1. Having considered the nature, location and modest scale of the proposed development, the nature of the receiving environment as a built-up urban area, the nature of the foreseeable emissions therefrom, the availability of public piped services to accommodate the foul effluent arising therefrom, the distance from the nearest European site and the absence of any known hydrological link between the application site and any European site, I am content on the basis of objective information that the development is not likely to have a significant effect on any European site, either alone or in combination with other plans or projects. I therefore conclude that the carrying out of an appropriate assessment under Section 177V of the Planning and Development Act 2000 is not required.

#### 10.0 Recommendation

10.1. I recommend the Commission to make the following direction:

Having regard to the nature of the condition the subject of the appeal, the Commission is satisfied that the determination by the Commission of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs Dún Laoghaire-Rathdown County Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to AMEND condition number 2 to the following:

- 2. The proposed development shall be amended as follows:
  - (a) the width of the proposed rear dormer, measured externally, shall be reduced to no more than 3.5 metres;
  - (b) the dormer shall be set down from the existing roof ridge level by at least 150 millimetres and have a horizontal rather than sloping flat roof;

(c) the width of the dormer window shall be reduced to no more than 2.5 metres

and it shall be split vertically by glazing bars into at least three panes; and

(d) any necessary consequential adjustments shall be made to the position of the

proposed rear roof light.

Revised drawings showing compliance with these requirements shall be submitted to,

and agreed in writing with, the planning authority prior to commencement of

development.

Reason: In the interest of visual and residential amenity

11.0 Reasons and Considerations

11.1. Having regard to the provisions of the Dún Laoghaire-Rathdown County Development

Plan 2022-2028, including Objective A which pertains to the application site, and to

the nature, form, scale and design of the proposed development, it is considered that,

subject to the amendment of Condition 2 as indicated above, the development would

not seriously injure the visual or residential amenities of the area and would be in

accordance with 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.

Trevar A Rue

TREVOR A RUE

Planning Inspector

31st July 2025

# Appendix 1 - Form 1 EIA Pre-Screening

Case Reference	APB-322653-25		
Proposed Development Summary	Dormer window and two roof lights		
Development Address	38 Cedarmount Road, Blackrock, Co. Dublin		
	In all cases check box /or leave blank		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means:  - The execution of construction works or of other installations or schemes,  - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☑ Yes, it is a 'Project'. Proceed to Q2.		
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?			
✓ No, it is not a Class specified in Part 1. Proceed to Q3			
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?			
☑ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road			
development under Article 8 of the Roads Regulations, 1994.			
development under Article 8 of the Roads Regulations, 1994.  No Screening required.			
development under Article 8 of the Roads Regulations, 1994.  No Screening required.	submitted AND is the development a Class ne EIA Directive (as identified in Q3)?		

Inspector:

Date: 31st July 2025

**TREVOR A RUE**