



An
Coimisiún
Pleanála

Inspector's Report ACP-322796-25

Development	Protected Structure: Detached garage/shed in rear garden for purposes incidental to the enjoyment of the house as such and all associated site and ancillary works.
Location	Harlech House, Harlech Downs, Clonskeagh, Dublin 14, D14F2F4 (A Protected Structure)
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D25A/0246/WEB
Applicant(s)	WJZ Ireland Ltd
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	WJZ Ireland Ltd
Observer(s)	None
Date of Site Inspection	17 September 2025
Inspector	Natalie de Róiste

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	4
4.0 Planning History.....	5
5.0 Policy Context.....	6
6.0 The Appeal	14
7.0 Assessment.....	16
8.0 AA Screening.....	19
9.0 Recommendation.....	20
10.0 Reasons and Considerations.....	20
Appendix 1 – Form 1: EIA Pre-Screening	

1.0 Site Location and Description

- 1.1. The appeal site refers to Harlech House, a large detached two storey period dwelling which is a Protected Structure (RPS No. 212) and set within mature landscaped grounds with a stated site area of 0.360 hectares. There are a variety of specimen trees in the gardens, of various species and sizes. Harlech House is accessed from Harlech Downs, a residential estate characterised by semi-detached dwellings. It has two vehicular entrances; one due north of the house, which leads to the forecourt, and one recently permitted and constructed at the end of the cul-de-sac, which leads to the rear garden of the house. The forecourt to the front of the site provides informal parking sufficient for approximately 6 cars. A small single-car garage is located to the side of the house.
- 1.2. On inspection of the site, I found that an area of minimum c. 7 metres width by 15 metres length had been concreted over between the entrance gate and the proposed shed. Concrete foundations have been laid for the shed.
- 1.3. The site is surrounded by later suburban housing built in its former grounds. To the north and west is Harlech Downs; to the south and east is Harlech Crescent. The rear garden of a backlands house, 72 Roebuck Road, borders the site to the north west.
- 1.4. It is located close to the junction of Goatstown Road and Roebuck Road, a 10-minute walk from the entrance to UCD on that road, and a 5-minute walk from the bus stops served by the number 11 (to be replaced by the 86 under the Bus Connects plan).

2.0 Proposed Development

- 2.1. It is proposed to construct a detached garage in the north-east corner of the rear garden, for purposes incidental to the enjoyment of the house, with all associated site works. The proposed garage is c. 70 sqm gfa, three metres in height with a flat roof, and finished in brick and render with square-headed openings. An area of cobbled paving is indicated between the garage and the cobbled parking area permitted under D24B/0371/Web for the garden maintenance vehicle (see planning history below). A drainage channel connects to an oil/petrol interceptor and thence to a soakpit.

3.0 Planning Authority Decision

3.1. Decision

Refuse permission for the following reason:

The proposed development is considered to pose a risk to public safety due to potential traffic hazards arising from increased use of the rear garden vehicular access. The development would likely result in substandard visibility for vehicles exiting the rear access, particularly in relation to vehicles using adjacent accesses (nos. 25 and 26 Harlech Downs). In addition, the quantum of parking it would facilitate would be contrary to Table 12.5 Car Parking Zones and Standards of Dun Laoghaire-Rathdown County Development Plan 2022-2028, and would set an undesirable precedent for additional vehicular parking in the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

One report, dated 20/5/25, summarised as follows:

- Site context, planning history, planning policy, and departmental reports and departmental recommendations for refusal noted. Garage considered to be of modest scale, with no overlooking, overshadowing or overbearing. Concerns regarding risk of use of (substandard) vehicular entrance as main entrance, with resulting impacts on residential amenity. Concerns regarding impacts on trees and protected structure would merit a request for further information; potential for intensification of use of entrance merits refusal.

3.2.2. Other Technical Reports

- Conservation, report dated 16 May 2025, recommends that further information is requested on tree loss and impacts on the setting of the Protected Structure.
- Transport Department, report dated 14 May 2024 (sic), recommending refusal, noting the substandard visibility for vehicles exiting the access permitted under D24A/0189, which is acceptable only for occasional use, and the inadvisability of the intensification of its use.

- Drainage Planning, report dated 29 April 2025, no objection subject to SuDS measures.
- Parks Department, report dated 28 April 2025, noted works had already commenced, trees had already been felled, and recommended either refusal of permission, or further information with revised site layout, cessation of ground works and submission of arboricultural survey to mitigate impacts on trees.

3.3. Prescribed Bodies

No reports.

3.4. Third Party Observations

None received.

4.0 Planning History

On site

ABP-319888-24 (D24A/0189/WEB) PROTECTED STRUCTURE: Construction of 3.5m wide vehicular entrance with timber gates to rear of Harlech Downs (a protected structure) with removal of non-historic wall and installation of new brick gate piers and all associated site works. Permission granted with conditions, 11 February 2025.

Adjacent sites

72 Roebuck Road (immediately to east)

ABP-321167-24 (D24B/0371/WEB) Retention permission granted for detached single-storey garden room and site works 20 February 2025.

5.0 Policy Context

5.1. Dun Laoghaire Rathdown Development Plan 2022-28

- 5.1.1. The Dún Laoghaire-Rathdown County Development Plan 2022–2028 (CDP), categorises the site as zoning objective ‘A’, which seeks to provide residential development and improve residential amenity while protecting the existing residential amenities.
- 5.1.2. Harlech House is listed on the Register of Protected Structures (RPS Ref. 212). The single tree symbol shown on the Development Plan Zoning Map within the grounds of Harlech house indicates an objective 'To protect and preserve Trees and Woodlands'.
- 5.1.3. *Chapter 4: Neighbourhood – People, Homes and Place*, sets out the policy objectives for residential development, community development and placemaking, to deliver sustainable and liveable communities and neighbourhoods. The relevant policy objectives from this chapter include:
- PHP20: Protection of Existing Residential Amenity
- 5.1.4. *Chapter 5 Transport and Mobility* aims to integrate land use with public transport provision, and to promote modal change from car travel to public transport and active travel modes.
- *Policy Objective T19: Carparking Standards It is a Policy Objective to 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 5.7.4* continues that while a maximum standard is set for non-residential uses (destination parking), the planning authority recognises the need for car storage in residential developments.
- 5.1.5. *Chapter 10 Environmental Infrastructure and Flood Risk* notes the following:
- Policy Objective EI6: Sustainable Drainage Systems It is a Policy Objective to ensure that all development proposals incorporate Sustainable Drainage Systems (SuDS).

5.1.6. *Chapter 11: Heritage and Conservation* guides decision-making on protection of heritage through protection, management, sensitive enhancement or appropriate repurposing. Relevant sections include:

- *HER7: Record of Protected Structures*

It is a Policy Objective to include those structures that are considered in the opinion of the Planning Authority to be of special architectural, historical, archaeological, artistic, cultural, scientific, technical or social interest in the Record of Protected Structures.

- *HER8: Work to Protected Structures*

It is a Policy Objective to:

- i. Protect structures included on the RPS from any works that would negatively impact their special character and appearance.*
- ii. Ensure that any development proposals to Protected Structures, their curtilage and setting shall have regard to the 'Architectural Heritage Protection Guidelines for Planning Authorities' published by the Department of the Arts, Heritage and the Gaeltacht*
- iii. . Ensure that all works are carried out under supervision of a qualified professional with specialised conservation expertise.*
- iv. Ensure that any development, modification, alteration, or extension affecting a Protected Structure and/or its setting is sensitively sited and designed, and is appropriate in terms of the proposed scale, mass, height, density, layout, and materials.*
- v. Ensure that the form and structural integrity of the Protected Structure is retained in any redevelopment and that the relationship between the Protected Structure and any complex of adjoining buildings, designed landscape features, or views and vistas from within the grounds of the structure are respected.*
- vi. Respect the special interest of the interior, including its plan form, hierarchy of spaces, architectural detail, fixtures and fittings and materials.*

- vii. *Ensure that new and adapted uses are compatible with the character and special interest of the Protected Structure.*
- viii. *Protect the curtilage of protected structures and to refuse planning permission for inappropriate development within the curtilage and attendant grounds that would adversely impact on the special character of the Protected Structure.*
- ix. *Protect and retain important elements of built heritage including historic gardens, stone walls, entrance gates and piers and any other associated curtilage features.*
- x. *Ensure historic landscapes and gardens associated with Protected Structures are protected from inappropriate development (consistent with NPO 17 of the NPF and RPO 9.30 of the RSES)*

5.1.7. *Chapter 12: Development Management* provides guidance on standards to be applied to proposed developments. Relevant sections of this chapter include:

Section 12.4.5 Car Parking Standards

5.1.8. This section sets standards for car parking throughout the county, noting that ‘*car parking standards provide a guide on the number of required off-street parking spaces for new developments*’ and that parking standards and zones are per Map T2 and Table 12.5, with the figures indicated for residential developments in zone 1 (MTC zoned areas and Blackrock) being a maximum, and for Zone 2 (Near Public Transport) and Zone 3 (Remainder of County (non-rural)) being a standard to be achieved.

5.1.9. Map T2 indicates that the site is in Parking Zone 3 (Remainder of County (non-rural)); Table 12.5 indicates that the standard for houses with 3 bedrooms or more in this zone is 2 spaces.

5.1.10. *Section 12.4.5.6 Residential Parking*

The Planning Authority recognises that car ownership by itself is unlikely to be the main determining factor in whether or not someone chooses sustainable transport options with proximity to quality public transport, availability of good walking and cycling infrastructure and proximity to services likely to be more relevant. The 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.

There is a key distinction between residential parking and destination parking and there is less value in adopting more restrictive residential parking standards for the purposes of encouraging sustainable travel. Notwithstanding this, the proximity of residential developments, within parking zone 1 in particular, to both public transport and services, together with the need to strengthen the sustainability and resilience of our urban centres and make efficient use of land, will see an increasing shift towards densification of development around transport nodes and significant service centres with car travel and car ownership becoming less relevant. Within Zone 1, car parking for residential developments has therefore been set as a maximum.

Section 12.4.8 Vehicular Entrances and Hardstanding Areas

This section provided guidance and standards on parking and driveways (although it makes no specific reference to garages), including to properties in Architectural Conservation Areas, and to Protected Structures. It notes the importance of provision of sightlines in compliance with DMURS; the importance of provision of SuDS measures; and the requirement to maintain visual amenity and avoid dominating a property.

Section 12.8.11 Existing Trees and Hedgerows

New developments shall be designed to incorporate, as far as practicable, the amenities offered by existing trees and hedgerows. New developments shall, also have regard to objectives to protect and preserve trees and woodlands (as identified on the County Development Plan Maps). The tree symbols on the maps may represent an individual tree or a cluster of trees and are not an absolute commitment to preservation. Decisions on preservation are made subject to full Arboricultural Assessment and having regard to other objectives of the Plan.

Section 12.11.2.3 Development within the Grounds of a Protected Structure

This section notes the potential for development within the curtilage of a protected structure to adversely affect its setting and amenity. Development must respect and complement the Protected Structure and its setting, and will be assessed in terms of the following:

- *The proximity and potential impact in terms of scale, height, massing and alignment on the Protected Structure, impact on existing features and important landscape elements including trees, hedgerows, and boundary treatments. Any development should be sensitive of the relationship between the principal residence and its adjoining lands and should not sever this.*
- *Development proposals within historic landscapes and gardens shall include an appraisal of the existing landscape character to include identification and description of the structures, features, planting, and boundaries. This appraisal should be undertaken prior to the initial design of any development, as it will provide an understanding of the essential character of the site and help to inform the appropriate location for any development.*
- *The retention of an appropriate setting for the Protected Structure to ensure the relationship between the building, associated structures, amenity value, and/or landscape features remain unaffected by the development.*
- *Impact of associated works including street furniture, car parking, hard landscaping finishes, lighting, and services. These should be designed using appropriate mitigation measures, such as careful choice of palette of materials, and finishes, and use of screen planting.*

5.1.11. *Chapter 13 Land Use Zoning Objectives deals with land use zoning objectives, land uses permitted or open for consideration in each zone, and definitions of land uses. Section 13.1.5 Not Permitted/Other Uses sets out that:*

Uses which are not indicated as 'Permitted in Principle' or 'Open for Consideration' will not be permitted. There may, however, be other uses not specifically mentioned throughout the Use Tables that may be considered on a case-by-case basis in relation to the general policies of the Plan and to the zoning objectives for the area in question.

Section 13.2 Definition of Use Classes contains the following definition:

Private Garage/Car Storage

A building or part thereof or land used for the storage of private cars where no sales or services are provided.

5.2. Relevant National Guidance

5.2.1. Architectural Heritage Protection Guidelines for Planning Authorities (Department of Arts, Heritage and the Gaeltacht 2011).

Chapter 13 deals with works in the curtilage and attendant grounds of a relevant structure, with specific sections on hard landscaping, gardens, and car parking.

Consideration of Proposals Affecting Gardens

13.4.20 Gardens are generally a combination of built features and planting. Unlike works to structures, gardening does not require development consent.

13.4.21 Designed gardens associated with, and in the curtilage of, protected structures can be an integral part of the setting of the building. Such gardens can be seen as an extension to the house and, in some cases, planning permission will be necessary for major works such as significant landscaping or the removal or alteration of important design features. Careful consideration should be given to these proposals to ensure that they do not adversely affect the character of the protected structure or its curtilage.

Planted features

13.4.22 Within the curtilage and/or attendant grounds of a protected structure there may be planted features which are important to the character and special interest of the structure and which contribute to its setting. These could include tree-lined avenues, decorative tree-clumps, woodlands, species plants or plant collections.

13.4.23 Many planted features, although they may form part of a designed planting scheme forming the setting of a building, cannot be described as built features and may not be protected as part of the protected structure. Where planted features contribute to the setting of a protected structure or an ACA, they should be protected by means of tree preservation orders or by the designation of a landscape conservation area, as appropriate.

Car Parking

13.7.7 The loss of garden may seriously affect the setting and character of a protected structure or of an ACA. Careful consideration should be given to the location of the car park to avoid damage to the character of the structure or its

attendant grounds. The demolition of garden walls and the combining of two or more areas of garden to provide car parking within an urban area should generally be avoided.

13.7.8 Where it is necessary to provide car parking, efforts should be made to minimise its impact by careful design and use of materials. The associated alteration of boundary features should not be permitted unless the changes are considered not to be damaging to the character of a protected structure or of an ACA and would not result in inappropriate cumulative changes.

5.2.2. Sustainable and Compact Settlements: Guidelines for Planning Authorities (2024).

Section 5.3.4 Car Parking – Quantum Form and Location deals with car parking, and SPPR 3 (iii) sets out that ‘*in intermediate and peripheral locations, defined in Chapter 3 (Table 3.8) the maximum rate of car parking provision for residential development, where such provision is justified to the satisfaction of the planning authority, shall be 2 no. spaces per dwelling*’ with applicants required to provide a rationale and justification for the number of spaces proposed.

5.2.3. 5.2.1. Guidelines for Planning Authorities: Development Management (2007) DEHLG

5.2.4. Section 7.3 of these guidelines note that any conditions attached to a permission need to be necessary; relevant to planning; relevant to the development to be permitted; enforceable; precise; and reasonable.

5.3. Natural Heritage Designations

- South Dublin Bay and River Tolka Estuary SPA 004024 –2.35 kilometres
- South Dublin Bay SAC 000210 – 2.35 kilometres
- South Dublin Bay pNHA 000210 – 2.35 kilometres

5.4. EIA Screening

5.4.1. 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.

5.5. Water Framework Directive

- 5.5.1. The subject site is located in a built up area in the Greater Dublin Area, c. 970 metres east of the Dodder, c. 400 m south of a tributary of the Brewery Stream_010 (aka the Elm Park Stream), within the Brewery Stream_010 sub basin (IE_EA_09B130400). The site is located on top of the ground water body Dublin (IE-EA-G-008).
- 5.5.2. The proposed development comprises the construction of a garage.
- 5.5.3. No water deterioration concerns were raised in the planning appeal.
- 5.5.4. I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.
- 5.5.5. The reason for this conclusion is as follows:
- the small scale and nature of the development
 - the distance from the nearest water bodies and the lack of hydrological connections
- 5.5.6. I conclude that 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.

6.0 The Appeal

6.1. Grounds of Appeal

One appeal was received, from the first party against refusal. Issues raised are summarised as follows:

- Harlech House is a substantial house on a site of over 3,600 sqm, recently brought back to use as a family home following 10 years of vacancy during which the gardens became unkempt and overgrown. The applicants have set about protecting and pruning the existing planting and trees, and removing over mature and dead planting, which will be replaced with native Irish trees, hedging and shrubs.
- Planning permission was granted for a gate into the rear garden – with the Board confirming the decision of the council – with no restrictions placed on its use. The new gateway, which serves the garden and would serve the proposed garage, is plainly visible, does not cross the footpath serving the neighbouring houses, and there is a mutual awareness by drivers using the gate and nearby driveways.
- The proposed garage is required for recently acquired rare cars, which are occasionally used and which require covered storage. The family cars remain parked in the front garden. The existing garage (in the front garden) is too small, fitting only a single small car.
- The proposed site is appropriately located behind the tall garden wall and adjacent to the neighbour's gym building, remote from Harlech House and all neighbouring houses.
- New native Irish screen planting is proposed between the garage and the house.
- The Development Plan sets maximum parking limits for new developments, rather than existing dwellings, and distinguishes between residential parking and destination parking. The proposed garage is for a rare car collection, and not due to a need for additional vehicular transport. It will not cause any new

or greater traffic hazard. The dwelling and site are unique in the area, and precedent is not an issue.

- None of the planting within Harlech House is protected, and it is open to the property owner to upgrade or replace planting.
- The garage will have no impact on tree growth; a small part of the garage may be below the outer crown of one tree, but this will have no impact on the tree growth. Car parking at the former Jury's hotel on Lansdowne Road installed 25 years ago is a precedent.
- Appropriate drainage is assured.
- The garden landscaping, boundary walls, and planting are modern and date from 1988 when the housing estates were developed. The detached garage, which will be screened from view, is typical of the outbuildings normally associated with a small country house of the middle size.
- None of the trees in the grounds is subject to a Tree Preservation Order. The trees that were in the vicinity of the proposed garage were old and overmature and were replaced elsewhere within the garden. The applicant was never given an opportunity to address the issues relating to removal, pruning or planting of trees.
- The use of Clause 4 (endangerment of public safety by reason of traffic hazard) of the Fourth Schedule (reasons for the refusal of permission which exclude compensation) is inappropriate as the vehicular entrance is already permitted, for access/egress for small trucks. The Transport Planning Department had no objection to permission for the original gate, nor did the Board Inspector. This is a low speed area, and access cannot be considered a traffic hazard.

6.2. Planning Authority Response

The Planning Authority did not consider that the grounds of appeal raised any new matter which would justify a change of their attitude, and referred the Board to their previous report.

6.3. Observations

None received.

7.0 Assessment

- 7.1.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal and 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 to be considered are as follows:

- Zoning and Principle of Development
- Traffic Hazard
- Car Parking Provision
- Impacts on the protected structure
- Tree protection

7.2. Zoning and Principle of Development

- 7.2.1. The proposed use is a private garage/car storage, as per the definition in the development plan. This use is not specifically listed as either permitted in principle or open for consideration in the residential zoning; however, it does not feature in any of the use tables for any zoning, and as such it can be considered as per Section 13.1.5 of the Plan.

7.3. Traffic Hazard

- 7.3.1. It is proposed to access the garage via the recently permitted gate into the rear garden (permitted under ABP-319888-24 (D24A/0189/WEB)). The issue of traffic hazard was considered during the assessment of that file. The Transportation Planning Division of the Planning Department note in their report on this file, that they had recommended the attachment of a condition that *'the proposed new vehicular entrance shall be strictly for occasional use for the maintenance of the rear garden'* as they considered the limited visibility from the new entrance to render it

acceptable only for occasional use, due to potential for conflict with vehicles exiting no 25 and no 26 Harlech Downs.

- 7.3.2. The Local Authority did not attach this condition. The Board Inspector and the Board also considered that the development as applied for was acceptable in terms of traffic and pedestrian safety, with the Board noting the modest nature and scale of it.
- 7.3.3. Given the limited traffic and the low speed on this cul-de-sac, I do not have particular concerns regarding traffic safety from this entrance, notwithstanding a proposed increase of use. I note that drivers emerging from no 25 or 26 need to do so with due care and attention to avoid conflict with each other, and subject to typical observation of the rules of the road, I do not anticipate any risk to public safety from an increased use of this entrance. However, the development as shown on the drawings shows four cars in the garage, with limited manoeuvrability and a likelihood of reversing out more than one car at a time into the turning area on Harlech Downs to facilitate retrieval of one car, with resulting inconvenience to other road users.

7.4. Car Parking Provision

- 7.4.1. The Local Authority refused the development in part because it would facilitate a quantum of parking in excess of the level set in Table 12.5 of the Development Plan. I note that the *Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities* (2024) have superseded the Development Plan standards on car parking. The Development Plan set out standards for car parking within new developments; those standards did not apply to existing houses; however, I consider it appropriate to take those standards into account in the assessment of an application for new parking in an existing house. The Compact Settlement Guidelines deal largely with standards for new housing; however, *SPPR 3 – Car Parking* does not specifically mention new housing, and refers to car parking provision in general. The site lies in an Intermediate Location (having regard to Tables 3.1, 3.2, and 3.8 of the Guidelines), for which the maximum provision is 2 spaces per dwelling.
- 7.4.2. The applicant's agent states in the original application that the proposed garage is so that their client's 'collection of classic/vintage cars could be accommodated on site'. The appeal letter notes that rare cars were acquired following the grant of permission

for the gate, that they will be used occasionally, and that there will be no intensification of use as the driver cannot drive two cars at the same time. No further information has been submitted with the appeal on the car collection (for example, details of car ownership, tax or insurance, or membership of a car club or vintage society).

7.4.3. In my view, the granting of permission for garaging for four cars, on a site with ample outdoor parking and an existing small garage would not be in keeping with the provisions of either the Development Plan or the Compact Settlement Guidelines on the issue of car parking.

7.4.4. I do not think that a condition to restrict the use of the garage to certain types of cars would be enforceable or reasonable, particularly in light of the dearth of information submitted with the application. While vehicles older than 30 years old can be classified as vintage for motor tax purposes, there is no such definition for a rare or collectible car. Additionally, as the Commission is aware, permissions are granted to the benefit of the property, rather than to the applicant. As such, the assurance that only one person uses the vehicles, and only occasionally, is of limited significance, as numerous residents of the property in the future might avail of the garage.

7.5. Impacts on the protected structure

7.5.1. As noted above, a large area of the garden has been concreted over, with the loss of mature planting, with inappropriate impacts on the setting and grounds of the protected structure. However, this does not form part of the application as advertised. Enforcement of any unauthorised development is an issue for the local authority rather than the commission. The development as proposed, with an outbuilding of modest scale relative to the house and its grounds, which is located in a corner not in direct view of the main reception rooms, accessed via a cobbled driveway with planting retained to either side, would have acceptable impacts on the setting of the protected structure.

7.6. Tree Protection

7.6.1. The garden contains a number of trees of various sizes, including two large oaks in proximity to the proposed garage, and a large cedar tree immediately adjacent to the

existing greenhouse, close to the house. No tree survey has been submitted, and the site plan does not accurately reflect the location or size of existing trees. I note the development plan commentary on the objectives to protect and preserve trees and woodlands, which states that the tree symbols may represent an individual tree, or a cluster of same.

- 7.6.2. The parks department report notes that the works undertaken to date involve *‘excavation right up to the butt of a mature Oak and Cedar, which are the trees labelled on DLRCOCO’s tree protection icon GIS map’*. They also note the recent removal of a number of trees due to the groundworks that have taken place. The parks department recommended a revised site for the garage, and that ground works be undertaken outside the root protection area of the large oak and the cedar tree. I note there are limited sensible locations for the garage, given the requirement to be close to the vehicular entrance but leave room for the work vehicle, and given the potential for impacts on the setting of the protected structure and on the root protection zone of other trees.
- 7.6.3. I note that the cedar tree is some distance from the proposed works (as opposed to the works already permitted, or those recently undertaken). However, the proposed development is in close proximity to the larger of the oaks, within the root protection zone. I note the precedent mentioned (the former Jury’s Hotel on Lansdowne Road); however, the proposed development is materially different; the construction of a building on top of the root protection zone involves foundations, putting roots at greater risk, and the creation of a watertight structure, interfering with drainage more than cobble lock parking provision. I am not satisfied that the development could be undertaken without damage to the tree, which is the subject of a Development Plan objective to protect and preserve trees and woodlands, given its proximity, the lack of detail regarding foundations, and the lack of any inputs from a suitably qualified arborist.

8.0 AA Screening

- 8.1. The Planning Authority’s report screened out appropriate assessment. The site is located within the built-up area of Dublin, approximately 2.35 kilometres west of the South Dublin Bay and River Tolka Estuary SPA 004024 and the South Dublin Bay

SAC 000210. It is considered that the hydrological connection to this SAC and this SPA is indirect, weak and sufficiently remote. Foul runoff and residual surface runoff will ultimately be drained through the public sewerage system.

8.2. Having regard to the nature and scale of the proposed development, the nature of the foreseeable emissions therefrom, the distance from the nearest European site and the absence of pathways between the application site and any European site it is possible to screen out the requirement for the submission of an NIS at an initial stage.

8.3.

9.0 Recommendation

I recommend a refusal of permission.

10.0 Reasons and Considerations

1. The development as proposed provides minimal hard standing to provide for manoeuvring and turning within the site, and would potentially require a number of cars to be reversed out, resulting in inconvenience to other road users. The quantum of parking it would facilitate is in excess of the standards set out in *Table 12.5 Car Parking Zones and Standards* of Dun Laoghaire-Rathdown County Development Plan 2022-2028, and the maximum standards set out in *Sustainable and Compact Settlements: Guidelines for Planning Authorities*.
2. The development as proposed is located within the root protection zone of a tree which is the subject of an objective in the development plan for the protection of trees and woodlands. It has not been demonstrated that the development could be carried out without adverse impacts on the tree.

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.

Natalie de Róiste
Planning Inspector

26 September 2025

Form 1 - EIA Pre-Screening

Case Reference	ABP-322796-25
Proposed Development Summary	Construction of garage
Development Address	Harlech House, Harlech Downs, Clonskeagh, 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)	☒ Yes, it is a 'Project'. Proceed to Q2.
	☐ 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)?	
☐ 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
☒ 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. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
☐ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold

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)?	
Yes ☐	Screening Determination required (Complete Form 3) <i>[Delete if not relevant]</i>
No ☐	Pre-screening determination conclusion remains as above (Q1 to Q3) <i>[Delete if not relevant]</i>

Inspector: _____ Date: _____