



An
Coimisiún
Pleanála

Inspector's Report ACP-323164-25

Development	4 apartments and associated site development works.
Location	Site to the side of 36A Chapelizod Hill Road, Dublin 20, D20 KP92
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	WEB2642/24
Applicant(s)	Mac and Franck Limited
Type of Application	Permission
Planning Authority Decision	Grant permission
Type of Appeal	Third Party
Appellant(s)	Edwina Mc Quillan & Patrick Malone
Observer(s)	(1) Briege & Anthony Edward McAlester (2) Eamonn O Cathaill
Date of Site Inspection	16 th October 2025.
Inspector	Yolande McMahon

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1.0 Site Location and Description

- 1.1. The application site is located between Chapelizod and Ballyfermot, on a hill above Chapelizod which overlooks the Liffey Valley and the Phoenix Park beyond. The site is accessed from a narrow lane on the southern side of Chapelizod Hill Road. To the north-east of the site is the Chapelizod by-pass and to the north-west is Chapelizod Hill Road. Development surrounding the site is predominantly residential, including a number of apartment blocks to the south-west of the site which are accessed directly from the Chapelizod Hill Road.
- 1.2. There are 6 detached dwellings served by the lane, which is a cul-de-sac. The lane is well screened from the surrounding roads by extensive mature trees and landscaping. It is understood that the original entrances to the dwellings were from the northern boundary, with the laneway facilitating rear access to the back gardens. Construction of the Chapelizod by-pass resulted in large parts of the front gardens and entrances to these houses being compulsorily purchased by Dublin City Council in the early 1990s. As a result, the front gardens serving the dwellings are to the north-east and the rear gardens are to the south-west.
- 1.3. The application site was originally part of the side garden of No.36A Chapelizod Hill Road, which appears to be under separate ownership to the owners of No.36A. The site, of stated area 0.061 hectares, is irregular in shape, wider to the front (addressing the laneway), and narrower toward the rear (north-east). To the immediate south-west of the site is No.36A which accommodates a detached single storey dwelling, while to the north is an extensive area of trees/vegetation which screens the site from the Chapelizod Hill Road.
- 1.4. The site itself contains dense vegetation and trees which is very overgrown in parts. It is bounded by an existing stone wall on the south-western boundary which faces onto the laneway and a capped boundary wall which appears to run the full length of the north-western boundary. The site slopes downwards towards the Chapelizod by-pass, with level differences across the site.

2.0 Proposed Development

2.1. It is proposed to construct a three-storey building on the site comprising of 4 no. apartments – one 1-bed and three 2 bed apartments (4 person), as follows:

Unit No	Type	Size (sq.m)	Accessed From	Area of Private OS (sq.m)
1	1-bed	46.6	Own door on GF	16.4 terrace
2	2-bed	73.9	Own door on GF	16.5 terrace
3	2-bed	79 over 2 floors	Separate GF entrance	51.4 comprising: 16.4 balcony 12.8 terrace 22.2 terrace
4	2-bed	73	Separate GF entrance	16.4 terrace

Other elements include:

- New access driveway to front of the site with width of 3.54 metres.
- 4 no. parking spaces and bicycle parking proposed to the south-west.
- Bin store located immediately adjacent to the boundary with the laneway.
- Shared recreational space (c.145 sq m) to the north-east (rear) with a number of terraced spaces to reflect the site topography.

3.0 Planning Authority Decision

3.1. Decision

Dublin City Council (DCC) granted planning permission for the proposed development subject to nine (9) conditions. Conditions of note are set out in Section 3.2.14 below.

3.2. Planning Authority Reports

3.2.1. Planning Reports – 1st report dated 30th January 2025

The Planning report contained the following points of note:

- Proposed development acceptable in principle within Zone Z1 (discussed further in Section 5.3 of this report).
- Plot ratio (0.57) and site coverage (31%) are below the minimum recommended standards for this part of the city.
- Scale of the proposal would be at the lower end of supported density and height ranges, having regard to the immediate site context.
- Reference made to the recent permission granted for a two-storey dwelling on the site under Reg. Ref. WEB1820/20 – scale of impact to the windows at ground floor level to the north-eastern elevation of No. 36A not considered to be significantly different to the previously permitted development.
- Concerns raised in relation to overbearing impacts with a recommendation to reduce the parapet height and floor-to-ceiling heights.
- Issues identified regarding potential overlooking to No. 36A due to proposed balconies and terraces, and a number of windows on the southeastern elevation.
- While large extents of vegetation/trees will be removed, the existing belt of tree/vegetation outside the site to the north-west was considered sufficient to retain the sylvan character.

3.2.2. Further Information (FI) was requested in order to address concerns regarding overlooking and overbearing; to ensure compliance with the 2023 guidelines in terms

of floor area, storage and room sizes; access arrangements, car and bicycle parking and drainage. Details of the transport and drainage issues are discussed below.

- 3.2.3. The second planners report dated 7th July 2025 was issued following receipt of the FI.
- 3.2.4. Revised drawings and a design statement were submitted to address the FI. All apartments were considered to comply with the 2023 guidelines in terms of floor area, storage and room sizes.
- 3.2.5. To address overlooking and overbearing, screens were proposed to balconies to the south-eastern elevations to a height of c.1.9m; high-level fixed windows on the side elevations in lieu of opaque windows; the parapet height was reduced from c.8.95m to c.8.45 m.
- 3.2.6. The planner considered that the proposed terraces at 2nd floor level to serve apartment 4* should be omitted due to the need for the 1.9m screens, the immediate site context, to reduce the overall bulk at roof level; and the generous sized balcony at first floor level already serving this unit.

* Note: This was referred to as Apartment 3 on the original application drawings.

3.2.7. Other Technical Reports

Transportation planning (1st report dated 13.1.25) recommended FI - to address the constrained width of the laneway, a revised layout drawing was requested with the site boundary to be set back to provide a 4.8m wide shared laneway; one accessible car parking space; 50% of spaces to have EV charging facilities and 100% of spaces future proofed for EV charging; 7 no. long stay and 2 no. short stay cycle parking spaces to be provided; and submission of a Service Delivery and Access Strategy to demonstrate safe manoeuvres for all vehicles.

- 3.2.8. **Transportation planning (2nd report dated 24.6.25)** – In response to the FI, the site boundary was set back to provide a 4.8m shared laneway width in front of the site with a swept-path analysis drawing demonstrating safe manoeuvrability for a fire truck. An updated parking layout was provided. A 6 m curb radius was provided on either side of the access, however given that access by larger vehicles such as fire tender and larger service vehicles will be infrequent, the curb radius was recommended to be reduced to 1 to 3m, and a separate trafficable zone provided for occasional use for larger vehicles. No boundary wall was proposed which had implications for

encroachment of parking into the set-back area. The large area of hardstanding was considered to lead to ad hoc parking, including on internal pedestrian walkways. To address this, a shared surface access route and the addition of soft landscaping to the front was requested to reduce potential for additional internal ad hoc parking. A revised layout plan to address these concerns was recommended, including a front boundary wall to be provided.

- 3.2.9. A Service Delivery Plan was submitted which outlined waste management and collection arrangements, servicing access, traffic circulation and pedestrian safety measures.
- 3.2.10. One accessible space was provided but not considered to be in line with best practice guidelines, and revised plans were recommended by condition, with the reduction in quantum of car parking by 1 no. space considered an acceptable solution. EV charging was provided for all 4 no. car parking spaces.
- 3.2.11. Details submitted for cycle parking were not considered sufficient, and revised cycle parking plans were requested by condition, to ensure that pedestrian walkways were not obstructed by cycle parking; for ease of access and use and with consideration of Chapter 6 of the NTA cycle design manual.
- 3.2.12. Following a review of the FI, the recommendation from transportation was: no objection to the proposed development subject to conditions (Condition 4 below).
- 3.2.13. **Drainage division (1st report dated 9.1.25)** recommended FI to explore further surface water run off options. Following receipt of FI, a second report from Drainage dated 9.7.25 had no objection to the proposal, subject to compliance with the Greater Dublin Drainage Code of Practice for Drainage Works Version 6.0. Surface water runoff follows a SuDS based strategy incorporating green roofs, permeable paving, planted swales and bio-retention areas.

3.2.14. Conditions

The majority of the conditions were standard conditions. Those of note include the following:

Condition 3 – The development hereby permitted shall be amended as follows:

- a. The proposed roof terraces (front and back) at second floor level shown to serve apartment no. 4 shall be omitted.*

- b. The rear window serving the rear bedroom of Apartment 04 shall be fitted with angled wooden louvres to ensure no direct view into the rear garden area of the neighbouring house.*
- c. Angled wooden louvres shall be incorporated into the corner design of the screen serving the balcony of Apartment no. 3 to ensure no undue overlooking of the neighbouring garden area.*
- d. No part of the flat roof shown as the Green Roof shall be used as a roof terrace.*

Reason: In the interest of residential amenity.

Condition 4 – *The developer shall comply with the following requirements of the Transportation Planning Division of DCC:*

- a) Prior to commencement of the development, revised plans shall be submitted for written agreement of the Planning Authority demonstrating the following:*
 - (i) A revised layout plan of the internal car parking and access road, including pedestrian walkways, to the front of the proposed building. A front boundary wall shall be provided, unless otherwise agreed in writing with the Planning Authority. The vehicular entrance shall be limited in width as far as possible, while facilitating required emergency and service access. Measures to prevent internal ad hoc parking shall be included. Shared surface access routes and increased landscaping shall also be considered.*
 - (ii) 1 no. accessible car parking space in line with best practice guidelines in terms of size.*
 - (iii) Revised cycle parking plans demonstrating that pedestrian walkways are not obstructed by cycle parking and are located to facilitate ease of access and use. A minimum of 7 no. long stay cycle parking spaces and 2 no. short stay cycle parking spaces shall be provided. Cycle parking shall allow both wheel and frame to be locked.*
- b) The car parking facilities hereby permitted shall be reserved solely to serve the proposed development.*

- c) *All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of development, shall be at the expense of the developer.*

Reason: In the interest of pedestrian and vehicular safety.

Condition 5 – Landscaping condition to protect trees to be retained.

3.3. Prescribed Bodies

Uisce Eireann - no response received.

3.4. Third Party Observations

Three observations were made to the planning authority on the planning application. The issues raised are similar to those outlined in the grounds of appeal and relate to the access arrangements and car parking; legal/title issues; residential amenity/development plan standards and biodiversity; procedural issues.

4.0 Planning History

Appeal site:

Ref. WEB1820/20: Planning Permission was **granted** by DCC in January 2021 for the part demolition of existing utility room and sub-division of existing site to side of 36A Chapelizod Hill Road, for a 2 storey 3 bed detached dwelling house with balcony to rear. Site works included new vehicular access gate to public boundary with reduced height boundary wall and piers plus 2m high block separating wall between sites and new soakaway.

Ref. 1179/04 (ABP Ref. PL29S.206808): Planning Permission **refused** by DCC & upheld by the Board in March 2004 for the erection of a 2 storey, 3 bedroom detached house in side garden, complete with all associated site works between the entrance and the building line of the existing dwelling.

Board's reason for refusal as follows:

Having regard to its size and siting, it is considered that the proposed house would substantially break an established building line, create a prominent structure on the

brow of a hill, fail to respect the established pattern of development in the area and would seriously injure the amenities of the area and of property in the vicinity. The proposed development would, therefore, be contrary to the provisions of the current development plan for the area and would be contrary to the proper planning and sustainable development for the area.

Adjoining sites (No. 36B Chapelizod Hill Road)

Reg. Ref. WEB1655/23 (ABP 318317-23) - Planning permission **refused** by DCC in September 2023 and upheld by the Board for the demolition of a single storey side extension to existing 2 storey detached dwelling to facilitate a new access road for the construction of a 2 storey 3 bedroom detached dwelling, sunken enclosed courtyard and terraced garden, bike & bin store, external store and associated site works including 2 no. parking spaces all to the rear of existing 2 storey detached dwelling.

The Transportation Planning Division recommended refusal for the following reason: *The laneway, due to its constrained width, lack of vehicle turning facilities is considered to be substandard and the proposed development would result in increased pedestrian, cyclist and vehicle use and conflict. The capacity of the laneway to facilitate an intensification of use, providing safe vehicular access and egress arrangements for all vehicular access required to service the proposed development including private car, service, delivery and vehicles, and emergency vehicles have not been demonstrated, and the proposed development would be contrary to the policy of the planning authority as set out in Section 15.13.4 Backland Housing, 15.13.3 Infill/Side Garden Housing Developments and Appendix 5, Section 2.1 Layout and Access and Section 2.4 Service Delivery and Access Strategy of the Dublin City Development Plan 2022 – 2028. The proposed development would set an undesirable precedent for the laneway, and is considered to be contrary to the proper planning and sustainable development of the area.*

This reason was included as the second reason for refusal by DCC, with the first reason broadly similar to the Board's decision.

The Board refused permission for 1 no. reason as follows:

Notwithstanding the design quality of the dwelling proposed, the Board considered that the siting of the proposed dwelling in the original front garden of the existing dwelling on the site, forward of the original front building line of a row of dwellings,

would result in a development that would conflict with the existing pattern of development in the area, would be visually incongruous given its front garden location and would set an undesirable precedent for similar developments in the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In relation to vehicular access, the Planning Inspector made the following comments:

While I acknowledge the issues raised by the Planning Authority and observers relating to vehicular access to and intensification of the use of the laneway, I do not consider that the additional traffic movements generated by the proposed development would be significant. In this context I also note the low-speed environment of the access laneway, given its constraints in terms of width and the absence of turning areas.

Site to west (known as Tristan Square)

ABP Ref. PL29S248958 (DCC Ref 2869/17) – The Board granted planning permission in December 2017 following a refusal by DCC. The applicant sought permission for 171 no. apartments in two 5 storey apartment blocks and all associated development. There is an extensive planning history on this site with various amendments made to the original permitted development.

ABP-317762-23 – invalid due to name/address under S.127(1)(b)

5.0 Policy Context

5.1. National Planning Framework – First Revision April 2025

- 5.1.1. National Planning Objective 22 provides that *“In urban areas, planning and related standards, including in particular height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth.”*
- 5.1.2. National Policy Objective 43 seeks to *“prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location”*.

- 5.1.3. National Policy Objective 45 seeks *“to increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration, increased building heights and more compact forms of development.”*

5.2. Section 28 Ministerial Guidelines

- 5.2.1. The following were consulted in the preparation of this report:

- Sustainable Residential Development and Compact Settlements 2024;
- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2023;

Note: Where Specific Planning Policy Requirements (SPPR's) are set out in the above documents they take precedence over any contradictory standards in Development Plans.

- Design Manual for Urban Roads and Streets 2019;

- 5.2.2. Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities 2024

SPPR 1 relates to separation distances. A distance of at least 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units and apartment units above ground floor level is required. Separation distances below 16 metres may be considered acceptable in circumstances where there are no opposing windows serving habitable rooms and where suitable privacy measures have been designed into the scheme to prevent undue overlooking of habitable rooms and private amenity spaces. The onus is on the proposer to demonstrate that residents will enjoy a high standard of amenity and that the proposal would not have a significant negative impact on the amenity of occupiers of existing residential properties.

SPPR 3 relates to car parking provision and provides, inter alia, that in city centres and urban neighbourhoods car parking provision should be minimised, substantially reduced or wholly eliminated. Maximum rate of car parking provision for residential development is one space per unit.

- 5.2.3. The attention of An Coimisiún is drawn to the fact that The Design Standards for Apartments, Guidelines for Planning Authorities (2025) have been recently published and Sustainable Urban Housing: Design Standards for New Apartments (2020) and subsequent revisions. These are applicable to any application for planning permission and to any subsequent appeal or direct application to An Coimisiún Pleanála submitted after the issuing of the Guidelines, i.e. from 9th July 2025.
- 5.2.4. The Department Circular letter NSP 04/2022 states that:
- “The revocation of the ‘Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities’, 2023 (and all preceding updates) does not apply to current appeals or planning applications, i.e. that were subject to consideration within the planning system on or before the 8th of July 2025. These will be considered and decided in accordance with the ‘Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities’, 2023, or as set out below, where applicable.”
- 5.2.5. As such, the applicable guidelines for this appeal are the 2023 design standards for new apartments.
- 5.2.6. Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2023 – relevant policy:
- 5.2.7. SPPR 3 – Minimum apartment floor areas - 45 sq m for a 1 bedroom and 73 sq m for a 2 bedroom (4 person).
- 5.2.8. SPPR 4 – Minimum number of dual aspect apartments - minimum of 33% in more central and accessible urban locations; minimum of 50% in suburban or intermediate locations; urban infill sites up to 0.25 ha such as this one, dual aspect provision is on a case-by-case basis.
- 5.2.9. SPPR 5 – Floor to ceiling height – ground floor apartment floor to ceiling heights to be a minimum of 2.7 m; urban infill sites up to 0.25 ha such as this one, will be determined on a case-by-case basis.
- 5.2.10. SPPR 6 – Lift and stair cores – urban infill sites up to 0.25 ha such as this one, the general standard may be relaxed on a case-by-case basis.
- 5.2.11. Private amenity space – (Appendix 1) – The relevant minimum floor areas for private open space is 5 sq m for a 1 bed and 7 sq m for a 2 bed (4 person).

- 5.2.12. Communal Amenity Space – (Appendix 1) – The relevant minimum floor areas for communal amenity space is 5 sq m for a 1 bed and 7 sq m for a 2 bed (4 person).

5.3. **Dublin City Development Plan 2022-2028**

- 5.3.1. The Dublin City Development Plan 2022-2028 came into effect on the 14th of December 2022 and is the relevant plan. The site is zoned 'Z1' – Sustainable Residential Neighbourhoods, (Zoning Map D refers) the objective for which is *'to protect, provide and improve residential amenities'*. 'Residential', is a permissible use in this zone.
- 5.3.2. Chapter 4: Shape and Structure of the City, sets out the Council's strategy to guide the future sustainable development of the city. The objective is to ensure that growth is directed to, and prioritised in, the right locations to enable continued targeted investment in infrastructure and services and the optimal use of public transport. The relevant policies in this chapter include:
- SC10: Urban Density
 - SC11: Compact Growth
 - SC12: Housing Mix
 - SC20: Urban Design
 - SC21: Architectural Design
- 5.3.3. Chapter 5 Quality Housing and Sustainable Neighbourhoods, seeks the provision of affordable, accessible, quality homes and sustainable community infrastructure which meet the needs of the city's population and which contribute to the making of good, connected neighbourhoods is a key priority of the development plan. The relevant policies from this chapter include:
- QHSN1: National and Regional Policy
 - QHSN2: National Guidelines
 - QHSN6: Urban Consolidation - *To promote and support residential consolidation and sustainable intensification through the consideration of applications for infill development, backland development, mews development, reuse/adaption of existing*

housing stock and use of upper floors, subject to the provision of good quality accommodation

- QHSN10: Urban Density *To promote residential development at sustainable densities throughout the city in accordance with the core strategy, particularly on vacant and/or underutilised sites, having regard to the need for high standards of urban design and architecture and to successfully integrate with the character of the surrounding area.*
- QHSN17: Sustainable Neighbourhoods
- QHSN22: Adaptable and Flexible Housing
- QHSN34: Social, Affordable Purchase and Cost Rental Housing
- QHSN35: Diversity of Housing Type and Tenure
- QHSN36: High Quality Apartment Development
- QHSN37: Houses and Apartments - *To ensure that new houses and apartments provide for the needs of family accommodation with a satisfactory level of residential amenity in accordance with the standards for residential accommodation*
- QHSN38: Housing and Apartment Mix
- QHSN39: Management

5.3.4. Chapter 15: Development Standards sets out the standards and criteria to be considered in the development management process so that development proposals can be assessed both in terms of how they contribute to the achievement of the core strategy and related policies and objectives. The relevant policies of Chapter 15 include:

- 15.4: Key Design Principles
- 15.5: Site Characteristics and Design Parameters

15.5.2 Infill Development

Infill development refers to lands between or to the rear of existing buildings capable of being redeveloped i.e. gap sites within existing areas of established urban form. Infill sites are an integral part of the city's development due to the historic layout of streets and buildings. Infill development should complement the existing streetscape,

providing for a new urban design quality to the area. It is particularly important that proposed infill development respects and enhances its context and is well integrated with its surroundings, ensuring a more coherent cityscape.

As such Dublin City Council will require infill development:

- To respect and complement the prevailing scale, mass and architectural design in the surrounding townscape.
 - To demonstrate a positive response to the existing context, including characteristic building plot widths, architectural form and the materials and detailing of existing buildings, where these contribute positively to the character and appearance of the area.
 - Within terraces or groups of buildings of unified design and significant quality, infill development will positively interpret the existing design and architectural features where these make a positive contribution to the area.
 - In areas of low quality, varied townscape, infill development will have sufficient independence of form and design to create new compositions and points of interest.
 - Ensure waste management facilities, servicing and parking are sited and designed sensitively to minimise their visual impact and avoid any adverse impacts in the surrounding neighbourhood.
- 15.6: Green Infrastructure and Landscaping

15.6.9 Trees and Hedgerows

A tree survey must be submitted where there are trees within a proposed planning application site, or on land adjacent to an application site that could influence or be affected by the development. Information will be required on which trees are to be retained and on the means of protecting these trees during construction works. Where development is proposed, it is essential that existing trees are considered from the very earliest stages of design and prior to an application for planning permission being submitted. Root systems, stems and canopies, with allowance for future movement and growth, need to be taken into account in all projects.

(Also of relevance Policy GI41, Chapter 10:

Protect Existing Trees as Part of New Development

To protect existing trees as part of new development, particularly those that are of visual, biodiversity or amenity quality and significance. There will be a presumption in favour of retaining and safeguarding trees that make a valuable contribution to the environment.

- 15.7: Climate Action
- 15.8: Residential Development

15.9 Apartment Standards

15.9.18 Overlooking and Overbearance

‘Overbearance’ in a planning context is the extent to which a development impacts upon the outlook of the main habitable room in a home or the garden, yard or private open space service a home. In established residential developments, any significant changes to established context must be considered. Relocation or reduction in building bulk and height may be considered as measures to ameliorate overbearance.

5.3.5. Section 15.13.3: Infill / Side Garden Housing Developments

The planning authority will favourably consider the development of infill housing on appropriate sites. In general, infill housing should comply with all relevant development plan standards for residential development including unit sizes, dual aspect requirements, internal amenity standards and open space requirements.

The planning authority will have regard to the following criteria in assessing proposals for the development of corner/side garden sites:

- The character of the street.
- Compatibility of design and scale with adjoining dwellings, paying attention to the established building line, proportion, heights, parapet levels and materials of adjoining buildings.
- Accommodation standards for occupiers.
- Development plan standards for existing and proposed dwellings.
- Impact on the residential amenities of adjoining sites.

- Open space standards and refuse standards for both existing and proposed dwellings.
- The provision of a safe means of access to and egress from the site.
- The provision of landscaping and boundary treatments which are in keeping with other properties in the area.
- The maintenance of the front and side building lines, where appropriate.
- Level of visual harmony, including external finishes and colours.
- Larger corner sites may allow more variation in design, but more compact detached proposals should more closely relate to adjacent dwellings. A modern design response may, however, be deemed more appropriate in certain areas and the Council will support innovation in design.
- Side gable walls as side boundaries facing corners in estate roads are not considered acceptable and should be avoided.
- Appropriate boundary treatments should be provided both around the site and between the existing and proposed dwellings. Existing boundary treatments should be retained/ reinstated where possible.
- Use of first floor/apex windows on gables close to boundaries overlooking footpaths, roads and open spaces for visual amenity and passive surveillance.

5.3.6. Appendix 5, Section 2.1 Layout and Access

The layout for all developments shall seek to maximise pedestrian permeability within the development and to improve pedestrian and cycle linkages to the wider road network, as far as possible. A walkability and/or cyclability audit may be required depending on the location of the development and existing provisions within the local road network.

All developments, from one-off housing to large-scale mixed-use development, shall demonstrate safe vehicular access and egress arrangements. All vehicular access shall be considered, including private car, service, delivery and vehicles, and emergency vehicles, in addition to applicable vehicular access requirements. Where possible, service areas shall be provided within the curtilage of the site to minimise the impact on the local road network.

5.3.7. Appendix 5, Section 2.4 Service Delivery and Access Strategy

The servicing requirements for any development should be established early in the preplanning process. Swept-path analysis shall also be submitted demonstrating the safe manoeuvrability of all vehicles servicing the site.

For residential developments, details of access for service vehicles shall be considered at an early stage in the design process. Access for emergency vehicles, refuse collections and general servicing needs (i.e., domestic/household deliveries) shall be adequately demonstrated.

5.4. Natural Heritage Designations

The appeal site is not located within or in the vicinity of any European Site. The South Dublin Bay SAC and the South Dublin Bay and River Tolka Estuary SPA are the closest European sites located approximately 8.11 km and 9.25 km respectively to the east of the proposed development. Liffey Valley proposed NHA is located within 1 km of the appeal site.

5.5. EIA Screening

- 5.5.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 at the end 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 EIA is not required.

6.0 The Appeal

6.1. Grounds of Appeal

A third-party appeal has been received from No. 36A Chapelizod Hill Road. The grounds of appeal are summarised below:

Incorrect drawings

- The drawings do not demonstrate the difference in levels on the site.

- Distances to boundary wall and existing dwelling incorrect.
- There is a maintenance wayleave on the site.

Legal/Title Issues

- Applicant is using land he does not own to meet the access requirements for the site
- Part of new access goes through an area of trees on Council-owned land.
- Access will also remove an entrance pillar – pillars and entire laneway are in the ownership of all residents of the laneway.
- Deeds for appellants house state that the width of the lane is 10 feet wide and cannot be altered.

Residential Amenity/Tree removal

- Mature trees are hundreds of years old, tree removal and loss of biodiversity will be devastating, potential damage to trees on adjoining sites. No information on the extent of mature trees and habitats to be removed.
- Appellant's dwelling has an attic conversion with bathroom and kitchen velux windows which will be overlooked.
- Development on opposite side stipulated opaque glass in upstairs window but this was not enforced. Inspectors note: It is not clear if this comment refers to No.36B.
- Overbearing impact on residential amenity.

6.2. Applicant Response

None received.

6.3. Planning Authority Response

6.3.1. The Planning Authority request that the Board uphold its decision to grant permission and recommend the following conditions in the event of a grant:

- A condition requiring the payment of a Section 48 development contribution.
- A naming and numbering condition.

6.4. Observations

Two observations were received from Nos. 36C and 36D Chapelizod Hill Road. The issues raised are similar to those raised in the planning application observations and grounds of appeal, and are summarised as follows:

Layout of the existing dwellings – front gardens are to the north-east reflecting the previous road layout prior to the construction of the N4; rear gardens to the south-west (laneway).

Traffic/Access and Car parking

- Access laneway – due to constrained width and lack of vehicle turning facilities was previously considered substandard.
- Swept-path analysis submitted will encroach into and alter land not within the applicant's ownership and does not demonstrate that all parking spaces can be accessed.
- Accessible parking space does not meet the requirements and would require an additional 1.2 metres clearance.
- Footpath at entrance to the laneway omitted giving impression more road space available.
- Cycle parking – cycle parking and proposed storage not conveniently located; access route to the bike store does not meet the minimum width of 1500mm set out in the Building Regulations;

- Proposed cycle storage shed will be located in front garden – will break the established front building line and detailed drawings not provided.
- Difficulty for residents, service vehicles, emergency services to access the lane due to overflow parking from adjoining apartment development.
- Service Delivery and Access Strategy has not adequately resolved how bins will be collected, currently an issue for bin lorries to collect waste resulting in parking on Chapelizod Hill Road with resultant obstruction of traffic and pedestrians.
- Condition 4 of permission requires revised plans regarding access, parking and bicycle parking – these issues should have been resolved at application stage.
- Parking – Existing problem with parking will be exacerbated by the proposal. Disabled parking should be provided on a level surface and not on an incline.

Residential Amenity/development plan standards

- Design and scale detracts from established character of the area.
- Site is at much higher level than the laneway with a major public sewer close to the wall of the site.
- Tree removal and loss of biodiversity with potential damage to trees on adjoining sites and laneway. No tree survey submitted or information on the extent of mature trees and habitats to be removed.
- No bat survey requested, bats in the area.
- Surface water treatment plan misleading as it will not enhance the aesthetic appeal and ecological function of the site.
- Overbearing/overlooking/loss of privacy from proximity of development and inclusion of balconies/roof terraces.
- Currently rear gardens of existing dwellings overlooked by adjoining apartments in Tristan Square development.
- Previous grant for single dwelling on site under Reg. Ref. WEB 1820/20 is more appropriate form of development.

Other matters

- Ownership – The lane and structures are in shared ownership by the residents living on the lane and are not taken in charge by Dublin City Council.
- Applicants have not demonstrated access arrangements within the boundary of their land and within their control.
- Drawings do not represent the true site conditions – difference of +1.1 to +1.2 in levels between laneway and the application site – layout has not demonstrated it can meet building standards for accessible approach, access and use regulations. Structured ramped and stepped approach will be required for safe pedestrian access from the lane to the building.
- Fails to comply with building regulations - Shared access entrance lobby and stairs, and approach and access to and around the building do not meet the minimum building control standards.
- Conditions attached –
 - Condition 3 – parapet should also be reduced on the second floor roof terrace;
 - Condition 4 a) – not clear which windows are being referenced; 4 b) screen to balcony of Apartment 3 not sufficient to prevent overlooking; 4 c) how will the flat roof be maintained?
 - Condition 5 refers to how trees are to be retained on site – there will be no retained trees.
- Maintenance wayleave through the application site – which will be encroached on by the proposed building. (Note: the observation from No. 36C includes a map taken from Reg. Ref. WEB1820/20 showing a maintenance wayleave through the application site).
- Water supply – drop in water pressure experienced since the Tristan Square development.
- Property values will be negatively impacted.

6.5. Further Responses

None

7.0 Assessment

7.1. Introduction

7.1.1. Having examined the application details and all other documentation on file, including the third party appeal and the observations received in relation to the appeal, the report/s 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:

- Impact on residential amenities
- Impact on the character of the area
- Legal Interest
- Access and car parking
- Other matters

Note: During my site visit, the site was very overgrown and difficult to access, as such the lower part of the site was inaccessible (to the north-east, towards the by-pass).

7.2. Impact on residential amenities

Adjoining dwellings

- 7.2.1. The main concerns raised in the appeal relate to overlooking, overbearing and loss of privacy, to adjoining neighbours and in particular to No. 36A.
- 7.2.2. No. 36A comprises of a detached bungalow with a side return on the north-western side and two windows at ground level on this elevation; a number of velux windows at roof level were also noted.
- 7.2.3. I note the concerns raised by the appellant at No. 36A regarding overlooking to an attic conversion with bathroom, and kitchen velux windows. In order to address overlooking, a number of revisions were made to the proposal - on the south-eastern elevation which faces No.36A, opaque windows at first and second floor levels were revised to be high-level and fixed, and it is noted that all windows serve either bathrooms/storage or circulation areas.

- 7.2.4. Balconies are proposed at first floor level to the north-west and south-east to serve Apartments 3 and 4 respectively. To reduce overlooking from these balconies to the front and rear gardens of No. 36A, 1.8m high screens were requested at FI stage to the south-east side of the balconies, with the applicant proposing 1.9m high screens, which were considered acceptable to the planning authority.
- 7.2.5. At second floor level, two large terraces (14.1 sq m, 21 sq m) were proposed on the north-west and south-east to serve Apartment 4. While screens measuring between 1.8 metres - 2 metres in height were proposed, following FI the planning authority omitted the proposed terraces by condition, having regard to the need for the screens, the immediate site context, and the generous sized balcony at first floor level already serving unit 4.
- 7.2.6. While I consider that the revisions made to the original proposal with regard to windows and terraces will address overlooking, I consider that the balcony to serve Apartment 4 on the south-west elevation which will project c.6.25 metres beyond the rear building line of No. 36A will result in overlooking to the rear garden of this dwelling.
- 7.2.7. In relation to potential overbearing impact, the submitted drawings indicate that the proposed development is set back 1.2 metres from the north-eastern boundary and c.2 metres from the side wall of No.36A. These distances are disputed by the appellant and others. I would also query the accuracy of the proposed distances to the existing dwelling/boundary wall, based on my measurements taken from the Site Location Map.
- 7.2.8. The majority of the proposed building is 2-storey with a 2nd floor level inset of the parapet. The 2-storey element of the proposal is set back from the front building line of No.36A (to the north-east) and will project c.6.25 metres beyond the single storey extension to the rear of No. 36A to the south-west.
- 7.2.9. In order to address overbearing impacts, a number of revisions were made to the original proposal at FI stage. These included reducing the parapet height and reducing the floor-to-ceiling height. These revisions reduced the overall height of the building from c.8.95m to c.8.75 m. Two proposed terraces at 2nd floor level to serve Apartment 4 were also omitted by condition in order to further reduce the overall bulk of the building at roof level.

- 7.2.10. While the revisions address overbearing impact to a certain extent, I am not satisfied that this is sufficient in the context of the existing dwelling. I consider that the overall scale, height and proximity of the proposed development to No. 36A would have an overbearing impact on the residential amenity of No. 36A to an unacceptable degree.
- 7.2.11. I refer to the elevations and section drawing (drawing no. 1002 date stamped 11/6/2025) and in particular the north-east elevation which faces the side of No. 36A. This elevation clearly shows the full extent, (17.79 metres in length) height and scale of the proposed development and the large number of windows proposed which will be positioned in close proximity to No. 36A. Having regard to the foregoing I consider the proposed development would have an overbearing impact and would be seriously injurious to the residential amenity of No. 36A. I also consider that the proposal does not comply with relevant policy on infill development under Sections 15.5.2 and 15.13.3 of the CDP. In particular, the proposal fails to respect and complement the prevailing scale and mass within the immediate surroundings and does not demonstrate a positive response to the existing context or comply with the Z1 zoning objective which seeks to *'protect, provide and improve residential amenities'*. I consider the proposed development warrants a refusal on this basis.
- 7.2.12. While the plot ratio (0.57) and site coverage (31%) are below the minimum recommended standards for this part of the city, this is a relatively narrow infill site that is constrained in terms of its access and by its relationship to the adjoining dwelling at No. 36A. While I consider that the site is appropriate for residential development, I consider the proposed development constitutes overdevelopment of the site, due to the need to remove all of the existing mature vegetation and proximity to No. 36A in order to accommodate the proposal on this site.
- 7.2.13. The previous permitted development was for a 2-storey detached dwelling, which I consider was more sympathetic in terms of design, scale and extent of windows proposed than the current application.
- 7.2.14. I note that the pattern of development on specific sites has changed over the last number of years, to a more high-density urban development, as seen in the nearby Tristan Square apartment development located to the south of the laneway. However, I do not consider this to be a precedent for higher density on the application site, particularly given that Tristan Square was a larger site with fewer site constraints in

terms of access and proximity to adjoining development compared to the application site.

Residential amenity of future occupants

- 7.2.15. The proposed apartments comply with the minimum floor areas, storage and room sizes for apartments as set out in the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2023.
- 7.2.16. All units comply with the minimum private open space standards and minimum depth of 1.5m. Private open space is in the form of ground floor terraces proposed to serve Apartments 1 and 2, and balconies at first/second floor levels to serve Apartments 3 and 4. The communal open space requirement is 26 sq m, and the amount provided is stated to be c.122.8 sq m, which is located to the north-east of the site in the form of a number of terraced spaces which reflect the site topography.
- 7.2.17. I note that at ground floor level the bedroom in Apartment 1 which is a 1-bed unit and bedroom 2 to Apartment 2 would have limited daylight and outlook due to the location of windows positioned c.1.2 metres from the north-eastern boundary of the site. While no daylight analysis was submitted with the proposal, the planning authority concluded that on balance there would be sufficient daylight to these bedrooms. I note that both of the proposed apartments are dual aspect, with generous private open space in the form of terraces and additional glazing to living areas. On balance, these design elements would compensate for the reduced daylight to these bedrooms and in this instance is acceptable.
- 7.2.18. While this may be considered a new issue given it has not been ventilated in the appeal process, given the substantive reason for refusal outlined above and recommended in the Reasons and Considerations below, I do not believe it would be necessary to seek the views of the parties on this matter at this time.

7.3. Impact on the character of the area

- 7.3.1. Concerns were raised by the appellant and others regarding tree removal and loss of biodiversity. I note the pattern of development on the laneway which is characterised by detached dwellings on large plots with extensive mature trees and landscaping, which creates a secluded environment and strong sense of character to the immediate area.

- 7.3.2. While a tree survey was not submitted as part of the planning application, the application site contains a number of mature trees and dense vegetation. It is noted from the site layout plan (date stamped 11/6/2025) that only one tree located at the most northerly part of the site is to be retained.
- 7.3.3. Section 15.6.9 of the CDP sets out policy in relation to trees and hedgerows with a presumption in favour of retaining and safeguarding trees that make a valuable contribution to the environment. I consider the existing mature trees and vegetation to be an important feature of the site, however no attempt has been made to retain them. In order to achieve the scale of the proposed development, the existing trees and vegetation need to be removed. In my opinion, the proposed development does not respect and enhance its site context and is not considered to comply with Section 15.6.9 of the CDP.
- 7.3.4. I note that the previous grant of permission on this site for a detached dwelling proposed to retain a greater number of existing trees on site, which I consider to be more in keeping with CDP policy and the character of the area.

7.4. Legal Interest

- 7.4.1. Concerns have been raised by the appellant and observers that the land required to access the proposed development is not in the applicants' control. It is stated that the lane is private and in the ownership of all the households on the lane. The entrance to the lane is demarcated by piers and a boundary wall, which it is stated was constructed in part to compensate the residents for the loss suffered by the impacts of the CPO when the Chapelizod by-pass was being constructed. A maintenance wayleave is also stated to pass through the application site which would be impacted by the proposed development. I note the observation from No. 36C includes a map taken from Reg. Ref. WEB1820/20 showing a maintenance wayleave through the application site. In that application, the applicant stated that the proposed dwelling was designed to allow for a maintenance wayleave to the northwest. I have reviewed the planners report and internal reports for that application and there is no assessment of the maintenance wayleave in those reports. As such I am not in a position to comment further on this issue.

- 7.4.2. On the application form submitted with the planning application, under Question 10 Legal Interest of Applicant in the Land or Structure, the applicant has ticked that they are the owner of the land. The applicant has made no response to the appeal.
- 7.4.3. I note that no evidence or substantive information has been submitted by the appellant or observers to verify their claim over ownership of the lane. The issue of ownership was not raised by the planning authority in their assessment. Section 5.13 of the 2007 Development Management Guidelines states that 'The planning system is not designed as a mechanism for resolving disputes about title to land or premises or rights over land; these are ultimately matters for resolution in the Courts. In this regard, it should be noted that, as section 34(13) of the Planning Act states, 'a person is not entitled solely by reason of a permission to carry out any development.' The provisions of Section 34(13) of the Planning and Development Act should be advised to the applicant in the event of a grant of planning permission.

7.5. Access and car parking

- 7.5.1. Several transport related concerns have been raised, which relate to the constrained width and lack of vehicle turning facilities making access arrangements difficult; increased traffic on laneway; problems for service vehicles and emergency services to access the laneway; and parking issues.
- 7.5.2. The legal interest in the laneway has been discussed in Section 7.4 as such I do not propose to revisit the issue in this section of the report.

Access Arrangements

- 7.5.3. The application site is located off a private laneway accessed from the Chapelizod Hill Road. There is only a left-turn exit onto this road from the laneway which reflects the one-way west bound traffic arrangement on Chapelizod Hill Road which ends at the junction with the laneway. The laneway is narrow with the width being c.3 - 4 metres, with only one vehicle able to pass along it at any one time and no footpath available. In order for vehicles to pass along the laneway, they are required to pull into the existing vehicular access points. The application site is located along the narrowest section of the laneway, closest to the Chapelizod Hill Road.
- 7.5.4. At present, the application site has no existing access off the laneway, apart from access to the parent property No. 36A. A new vehicular entrance of 3.54 metres in

width is proposed off the laneway and is in compliance with development plan standards of a maximum of 4m, for a shared entrance for more than one dwelling.

- 7.5.5. In order to improve access along the laneway and to mitigate the impact of the intensification of use of the laneway, the Transportation Planning Division (TPD) recommended setting back the boundary of the site to provide a 4.8m wide shared laneway in front of the site. I consider that this measure would improve access for all road users of the laneway.

Servicing

- 7.5.6. Section 15.13.3 Infill/Side Garden Housing Developments requires the provision of a safe means of access to and egress from the site, while Section 2.1 Layout and Access and Section 2.4 refer to Service Delivery and Access Strategy. At FI stage the applicant submitted a Service Delivery and Access Strategy and swept-path analysis. In relation to refuse collection, a dedicated bin store of 10 sq. m is proposed to the south-west elevation of the apartment block. The applicant outlined that waste is collected weekly by Dublin City Council or a private waste contractor with the collection point at the site entrance for easy accessibility.
- 7.5.7. With regard to emergency and fire access, a swept path analysis drawing demonstrates safe manoeuvrability for a fire truck, which would access the site from the Chapelizod Hill Road. The Transportation division were satisfied with the servicing arrangements submitted.

Parking

- 7.5.8. The site is located within Parking Zone 2 of Map J of the CDP – *Existing and Future Strategic Transport and Parking Areas of the City Development Plan*, which has a maximum car parking standard of 1 no. space per dwelling given its location close to a key public transport corridor (Table 2 Appendix 5 of CDP refers). A total of 4 no. car parking spaces is proposed to serve the development, one of which is an accessible space. The quantum of car parking spaces proposed is in line with development plan standards. However, the accessible space is not considered to be in line with best practice guidelines and revised plans to provide an accessible space was required under Condition 5. A revised layout plan was conditioned in order to provide a clear demarcation and safe internal space for pedestrian, cyclist and vehicular movements. I would consider this to be a satisfactory approach.

- 7.5.9. Bicycle parking is proposed to the rear of the site, with a dedicated cycle storage facility proposed to accommodate 8 no. long-stay bicycles and bicycle rack for 2 no. short-stay cycle parking spaces. Revised cycle parking plans were conditioned to ensure that the pedestrian walkways are not obstructed by cycle parking and ensure compliance with the NTA Cycle Design Manual.
- 7.5.10. I note the concern raised that the proposed bicycle storage will break the established front building line and that detailed drawings were not provided. As noted on the site layout plan the dimensions of the proposed bicycle storage are 4m x 2.485m giving an overall size of approx. 9.94 sq m. As this is an ancillary structure of modest size rather than the principle building on site, I am satisfied that it does not break the established front building line.
- 7.5.11. Having regard to the foregoing information, including the transportation reports, and taking into consideration the concerns raised by local residents, I consider that the mitigation measures, which include increasing the width of the laneway, will improve the current access arrangements for all residents using the laneway. Overall, the access arrangements, parking and servicing are acceptable for this development.

7.6. Other Matters

- 7.6.1. Building Regulations - I note the matters raised in relation to failure to comply with various parts of the Building Regulations. The issue of compliance with Building Regulations will be evaluated under a separate legal code and thus need not concern the Commission for the purposes of this appeal.
- 7.6.2. Insufficient drawings – As referred to by observers, I note that there are no details provided on the following:
- No elevation drawing of the proposed vehicular entrance and boundary treatment, height, width etc were submitted.
 - No details of proposed boundary treatments.
 - Elevations of the proposed bicycle storage.
 - I also consider that the application would have benefitted from the submission of additional contiguous elevations, in addition to the north-east street view

provided. Notwithstanding this, the drawings available were sufficient to assess the application.

8.0 AA Screening

8.1.1. I have considered the proposed development in light of the requirements of S.177U of the Planning and Development Act 2000, as amended. The subject site is located within an established urban area, c. 8.11 km to the west of the South Dublin Bay SAC (000210) and c.9.25 km to the west of the South Dublin Bay and River Tolka Estuary SPA (004024); c.10.56 km to the east of the Rye Water Valley/Carlton SAC (001398). The proposed development comprises the construction of four (4) apartments and all associated works. Surface water runoff follows a SuDS based strategy incorporating green roofs, permeable paving, planted swales and bio-retention areas.

8.1.2. No further nature conservation concerns were raised in the planning appeal.

8.1.3. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

The reason for this conclusion is as follows:

- The nature of the works.
- The location of the development in a serviced urban area so that any surface water runoff will be managed via the proposed rainwater planters and permeable paving within the site.
- The distance from the nearest European site and the lack of connections.

8.1.4. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European site either alone or in combination with other plans or projects.

8.1.5. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000, as amended) is not required.

8.1.6. Having regard to the nature and small scale of the proposed development and the distance from the nearest European site, no Appropriate Assessment issues arise,

and it is not considered that the proposed development would be likely to have a significant effect, individually, or in combination with other plans or projects, on any European site.

9.0 Water Framework Directive

- 9.1.1. The surface waterbody Liffey _180 (IE_EA 09L012350) is approximately 243 metres north of the subject site (Poor water body status) and the groundwater body is Dublin (IE_EA_G_008) (Good water body status).
- 9.1.2. The subject site is located on zoned land within an established residential area in Chapelizod, Dublin 20. The proposed development comprises the provision of four apartment units and all associated site works. No water deterioration concerns were raised in the planning appeal.
- 9.1.3. I have assessed the proposed development seeking permission 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 water and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.
- 9.1.4. The reason for this conclusion is as follows:
- Nature of works e.g. small scale and nature of the development.
 - Location-distance from nearest water bodies and/or lack of hydrological connections.
- 9.1.5. 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.

10.0 Recommendation

I recommend permission is refused for the following reasons and considerations below:

11.0 Reasons and Considerations

Having regard to Zoning Objective Z1 which seeks '*to protect, provide and improve residential amenities*' and to the criteria set out in section 15.5.2 Infill Development and section 15.13.3: Infill / Side Garden Housing Developments of the Dublin City Development Plan 2022-2028, it is considered that the proposed development, by virtue its scale, design, extent and proximity to No. 36A Chapelizod Hill Road, would result in undue overlooking of the rear garden of No. 36A and would have an overbearing impact on that dwelling to an unacceptable degree. The proposed development would be seriously injurious to the residential amenity of No. 36A and would therefore, be contrary to the proper planning and sustainable development of the area.

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

Yolande Mc Mahon
Planning Inspector

4th November 2025

Form 1 - EIA Pre-Screening

Case Reference	ACP -323164-25
Proposed Development Summary	4 apartments and associate site development works.
Development Address	
	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.	N/A
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	N/A

development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	N/A
<input checked="" type="checkbox"/> 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)	Class 10 Infrastructure Projects (b) (i) Construction of more than 500 dwelling units.

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 <input type="checkbox"/>	
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	ABP 323164-25
Proposed Development Summary	4 apartments and associated site development works
Development Address	Site to the side of No. 36A Chapelizod Hill Road, Dublin 20, D20 KP92
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	<p>Construction of a 3-storey apartment building comprising of 4 no. apartments.</p> <p>The project due to its size and nature will not give rise to significant production of waste during both the construction and operation phases or give rise to significant risk of pollution and nuisance.</p> <p>The construction of the proposed development does not have potential to cause significant effects on the environment due to water pollution. The project characteristics pose no significant risks to human health.</p> <p>The proposed development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change.</p>
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	<p>The subject site is located in a built-up urban area and comprises a brownfield site.</p> <p>The subject site is not located in or immediately adjacent to ecologically sensitive sites. It is considered that, having regard to the limited nature and scale of the development, there is no real likelihood of significant effects on other significant environmental sensitivities in the area.</p>
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary,	<p>The size of the proposed development is notably below the mandatory thresholds in respect of Class 10 Infrastructure Projects of the Planning and Development Regulations 2001 as amended.</p> <p>There are no likely significant effects on the environment.</p>

intensity and complexity, duration, cumulative effects and opportunities for mitigation).	
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	
There is a real likelihood of significant effects on the environment.	

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)