



An
Coimisiún
Pleanála

Inspector's Report

ACP-323488-25

Development	Construction of 4 dwellings with all associated site works.
Location	Lands located at The Elms, College Road, Castleknock, Dublin 15, D15 DD7R
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	FW25A/0248E
Applicant(s)	Brookhampton Limited
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Brookhampton Limited
Observer(s)	<ol style="list-style-type: none">1. Dr. Mary Jennings and others2. David Hughes3. Noreen Strong4. Cllr. Ellen Troy
Date of Site Inspection	20 th November 2025
Inspector	Emma Gosnell

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	4
4.0 Planning History.....	9
5.0 Policy Context.....	9
6.0 Natural Heritage Designations	12
7.0 EIA Screening.....	13
8.0 Water Framework Directive Screening	13
9.0 The Appeal	13
10.0 Assessment.....	18
11.0 AA Screening.....	39
12.0 Recommendation	39
13.0 Reasons and Considerations.....	40
Appendix 1 – Form 1: EIA Pre-Screening and Form 2: EIA Preliminary Examination.	
Appendix 2 – AA Screening Determination.	
Appendix 3 – Screening for Water Framework Directive Assessment Determination.	

1.0 Site Location and Description

- 1.1. The appeal site, with a stated area of c. 0.13 ha, is located at 'The Elms', College Road, Castleknock, Dublin 15, D15 DD7R and is situated c. 60m from the main street of Castleknock village.
- 1.2. The site, which is located on the west side of College Road (50km/hr), is bounded to the north by the rear gardens of the 2-storey dwellings at no's 5-8 Church Court; to the north-east by the 2-storey Elm Cottage (NIAH Reg. No. 11362050 with regional architectural rating)) which is currently undergoing upgrade/ refurbishment works and by St. Brigid's Well (a Protected Structure RPS No. 764); to the south by a large 2-storey 3-bay detached 19th century dwelling ('The Elms' which is not a Protected Structure but is included on the Inventory of National Heritage (Reg. No. 11362012) on account of its regional architectural and artistic interest); and, to the west by the rear gardens of the 2-storey dwellings at no's 1 and 2 The Crescent. The wider area is predominantly residential in character and St. Bridgid's Church of Ireland and graveyard is located c. 50m to the north-west at the junction of College Road and Castleknock Road.
- 1.3. The relatively flat site comprises of the side garden of 'The Elms'. The existing access to the site off College Road (shared with 'The Elms') is ungated and it comprises of stone piers (one of which has been removed) flanked by c. 2m high stone boundary walls. The northern and western boundaries are defined by modern blockwork boundary walls with mature tree and shrub planting. The appeal site is partially delineated from 'The Elms' by a c. 2.1m high composite panel fence.
- 1.4. The site is situated within the boundary of the Castleknock Architectural Conservation Area (ACA) but it does not contain any designated Protected Structures.

2.0 Proposed Development

- 2.1. The development for which permission is sought comprises of:
 - (i) the construction of 3 no. 2-storey 3-bed terraced houses and 1 no. 1-storey 2-bed detached house (ranging in size from c.104 sq m to c.169 sq m GFA).
 - (ii) minor relocation of the existing vehicular access on College Road.
 - (iii) proposed internal access road; services provision.
 - (iv) drainage works including Sustainable Urban Drainage Systems (SuDS).
 - (v) car parking (4 no. spaces).

- (vi) bin and bicycle storage, lighting, hard and soft landscaping and boundary treatment works.
- (vii) all associated site excavation, infrastructural and site development works above and below ground.

3.0 Planning Authority Decision

3.1. Decision

Permission refused on 29/07/2025 for 1 no. reason:

1. The subject site is zoned 'RS' Residential with the objective to 'provide for residential development and protect and improve residential amenity' within the Fingal Development Plan 2023-2029. The development by virtue of its layout and form is indicative of overdevelopment of the infill site and is of an incongruous design and detailing which is at odds with the surrounding pattern of development, the visual amenity of the locality and the proposed development fails to protect the special character of the Castleknock Architectural Conservation Area. Furthermore, the development by virtue of its design, proximity and massing results in adverse overlooking, overbearing, domineering and overshadowing impacts on properties nos. 4-7 Church Court to the north which will seriously injure residential amenities and depreciates the value of their properties. In this regard, the development materially contravenes the 'RS' Residential zoning objective, and contravenes Section 14.10.1, Objectives DMSO31 & DMSO187, Policy HCAP14 and Tables 14.4 & 14.24 of the Fingal Development Plan 2023-2029 and will set an inappropriate precedent for other similar forms of development. The development is therefore contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

Planning Reports

1 no. planning report (dated 24/07/2025) formed the basis of the planning authority's (PA) assessment. Key points raised are:

- *Principle of Development* – acceptable on account of residential development being permitted in principle under 'RS' zoning and in line with Core Strategy.

- ***Layout – Permission refused on this basis.***
 - proposed detached dwelling (unit no. 4) to front of site deviates from the established building line and presents a poor interface to/ has a poor relationship with College Road and with the boundary to same.
 - 3 no. proposed terraced dwellings (unit no's 1-3) are not sufficiently setback from north and south boundaries and this constitutes site overdevelopment.
 - not compliant with Section 14.10.1, Objective DMSO31 or Table 14.4 (Infill Development).
- ***Design – Permission refused on this basis.***
 - the terraced dwellings' large front window opes are excessively visually dominant, their lack of traditional architectural features, elevational materiality and first floor balconies inappropriate, and their flat roof profile is at odds with the established character of hipped/ gable roofs on College Road.
 - the detached dwelling's flat roof and elevational materiality (render and brick detailing) is also inappropriate and its large vertical windows and corner door feature on east elevation are inappropriate re: interface with College Road.
 - overall proposed houses are considered to be of incongruous design which poorly integrates with the College Road streetscape and the proposal's visibility from the adjoining public road would exacerbate its impact on visual amenity.
- ***Conservation/ Impact on ACA – Permission refused on this basis.***
 - applicant did not engage with PA's Conservation Officer (CO) prior to lodging their application and has not addressed how the proposal will impact on the architectural character of the Castleknock ACA, 'The Elms' (property to immediate south) or on Protected Structure RPS No. 764 (St. Bridgid's Well).
 - the CO recommends further information (FI) is sought from the applicant.
 - PA consider a refusal on basis of proposal's material impact on the special character of the ACA and non-compliance with Policy HCAP14, Objective DMSO187 and Table 14.24 (Development in ACAs) is warranted.
- ***Residential Amenity – Permission refused on this basis.***
 - terraced dwelling no. 3 has inadequate separation from no's 5-7 Church Court. This proximity together with its bulk, height, first floor rear window arrangement

and site topography gives rise to overbearance, overshadowing and overlooking of these neighbouring properties.

- terraces' side windows obscured – permanency to be controlled by condition.
- proposed single-storey bike and bin store on north side of site (situated to rear of no. 8 Church Court) could cause security issues for neighbouring property.
- *Housing Quality* – houses and gardens exceed floorspace, area and room sizing standards and comply with Objective DMSO19 and SPPR2 of 2024 Guidelines.
- *Access/ Parking* –
 - submitted sightlines inadequate (2.4m setback from nearside for 45m needed). FI required.
 - inadequate detail on access and parking layout for houses. Proposed parking exceeds SPPR3 maximum standard of 1.5 spaces per dwelling. FI required.
 - footpath adjoining site is substandard and a setback of existing boundary (4m from nearside road edge) is required which will necessitate a change in layout/ omission of a dwelling. FI required.
 - uncertainty around quantum of bike parking proposed. FI required.
- *Landscaping* –
 - c. 2.1m high concrete and post timber fences delineating the houses rear gardens is not acceptable on visual grounds. FI required.
- *Drainage/ Servicing* –
 - water supply and foul drainage connections are acceptable (Uisce Eireann Confirmation of Feasibility (feasible without infrastructure upgrades) is noted).
 - connection to public surface water sewer is acceptable. FI required on surface water proposals re: green roof and permeable paving.
 - no flood risk identified.
- *Other* –
 - Sunlight and Daylight Assessment and Road Safety Audit not required due to nature and scale of proposal.
 - Part V certificate of exemption noted.

An FI request was not pursued and the report concluded by recommending a refusal of permission as detailed in Section 3.1 of this report.

3.3. Other Technical Reports

- *Parks and Green Infrastructure Division (14/07/2025)* – FI sought in form of a revised landscape plan which addresses setback of boundary along College Road, provision of wider public footpath and street trees, and change to boundary treatment between houses' rear gardens.
- *Conservation Officer Section (23/07/2025)* – FI requested in respect to: Architectural Heritage Impact Assessment (AHIA) of setting of 'The Elms'; change to redline boundary to include 'The Elms'; compliance with FDP ACA policy; clarification on houses' materials and finishes; providing greater separation between the terrace and 'The Elms'; details of changes to southern and eastern site boundaries and vehicular entrance to 'The Elms'; omission or repositioning of house no. 4; and, provision of a contiguous front elevation drawing of proposal, 'The Elms' & Elm Lodge/ Cottage (to north).
- *Water Services Department (07/07/2025)* – FI requested on design and functionality of proposed green roof and permeable paving, and on proposal's surface water outflow calculations.
- *Transportation Planning Section (15/07/2025)* – FI sought in respect to access and parking layout, parking provision, sightlines and setback of front boundary wall.

3.4. Prescribed Bodies

No submissions received.

3.5. Third Party Observations

13 no. third party submissions were received at planning application stage from Cllr's and neighbouring property owners. I have summarised the issues raised by theme:

Access

- Footpath adjoining site is narrow/ undersized and not DMURS compliant.
- Boundary wall to site should be setback and public footpath widened.

Traffic

- This part of College Road is hazardous for pedestrian and cyclists.

- Concerns raised re: site specific and cumulative construction traffic impact on College Road and on dangerous junction of College Road and Castleknock Road.
- Application should include a Road Safety Audit.

Design and Layout

- Layout breaches existing building line on College Road and is overdevelopment.
- Proposal not compliant with Objective DMSO32 and is overdevelopment of site.
- House no. 4 is too close to boundary wall and deviates from east/ west orientation of houses in area and will create a gable-end onto public realm thereby negatively impacting visual amenity.
- Design of proposal is out of character/ visual appearance with houses in area.
- Terraced houses are inappropriately modular in their design and finishes.

Works to 'The Elms'

- Recent extension abuts boundary with no. 2 The Crescent and has set a precedent for overdevelopment of site.

Impact on Residential Amenity

- Ground level of site is higher than The Crescent and Church Court and this will exacerbate loss of daylight to, overlooking and overshadowing impacts on, same.
- Application should include Daylight and Sunlight Analysis and related assessment.
- Proposal's adverse impact on residential amenity of Church Court/ The Crescent.
- Siting/ design of house no. 3 will give rise to overbearance and visual intrusion.
- Existing trees and bushes along northern boundary will need to be removed and this will give rise to overlooking and exposure of neighbouring properties.
- Objections raised to any windows on terraces' side elevations re: privacy.
- Condition to ensure obscured/ non-opening glazing maintained in perpetuity.
- House no. 3's rear first floor bedroom windows will give rise to overlooking.
- Proximity of proposed bin/ bike store to no. 8 Church Court is a security issue.
- Condition sought to stop terraced houses' flat roofs being used as amenity space.
- Level difference between the site & neighbouring estates is safety/ security issue.
- Proposal contravenes site's land use zoning in light of the above issues.

Housing Quality

- Configuration of rear garden serving house no. 3 is qualitatively substandard.

Other

- Photomontages are misleading.
- Stone boundary wall to public road is in poor condition and is a safety hazard.
- Systematic issues with housing supply should not discommode homeowners.

4.0 Planning History

4.1. Appeal Site

None found.

4.2. Neighbouring Sites

The Elms

P.A. Ref. FW25A/0304E – Application (by Brookhampton Ltd.) to reinstate a pedestrian entrance and gate, which previously existed in the same location and was subsequently blocked up in the front boundary wall, granted permission on 15/10/2025 subject to 4 no. conditions.

P.A. Ref. 25/038 – open enforcement file in relation to alleged unauthorised development.

5.0 Policy Context

5.1. National Policy

Project Ireland 2040 – National Planning Framework (NPF) (2025) – NSO1 Compact Growth, NPO3a (40% new homes in built-up footprint of existing settlements).

Climate Action Plan (2024 & 2025).

The Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (DoHLGH, 2024) - Section 5.3.1 and SPPR1 (Separation Distances), SPPR2 (Min. Private Open Space Standards for Houses), SPPR3 (Car Parking), SPPR4 (Cycle Parking), Section 3.1 (Tailoring Policy to Local Circumstances) and Table 3.1 (Areas and Density Ranges Dublin and Cork City and Suburbs), Policy and Objective 5.1 (Public Open Space).

National Biodiversity Action Plan (NBAP) 2023-2030.

Design Manual for Urban Roads and Streets (DMURS) (DoHLGH, 2019) – min. 1.8m footpath width in residential areas.

Architectural Heritage Protection Guidelines for Planning Authorities (DoHLGH, 2011).

Quality Housing for Sustainable Communities Best Practice Guidelines for Delivering Homes and Sustaining Communities (DoHLGH, 2007) - Section 5.3.2 and Table 5.1.

5.2. Regional Policy

Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy 2019-2031 - RPO 3.2 (achieving compact growth).

5.3. Development Plan

The Fingal Development Plan (FDP) 2023-2029 applies.

Zoning

Section 13.5 (Zoning Objectives, Vision and Use Classes): The appeal site is zoned 'RS – Residential' with the objective to 'Provide for residential development and protect and improve residential amenity'. Residential development is permitted in principle under the 'RS' zoning objective.

Residential Development

Section 2.2.11 (Core Strategy).

Sections 14.8.2 and 14.6.6.3 (Separation Distances), 14.6.6.4 (Overlooking and Overbearance), 14.8 (Housing Development/Standards), 14.8.3 (Private Open Space) and 14.9 (Residential Developments – General Requirements).

Objectives DMSO23 – Separation Distance, DMSO26 - Separation Distance between Side Walls of Units and DMSO19 – New Residential Development.

Objective DMSO22 – Daylight and Sunlight Analysis.

Section 14.6.5 (Open Space Serving Residential Development) and Tables 14.6 (Open Space Categories) and 14.8 (Private Open Space for Houses).

Tables 14.6 (Open Space Categories) and 14.12 (Recommended Quantitative Standards). Objective DMSO53 (Financial Contribution in Lieu of Public Open Space).

Objectives DMSO27 (Min. Private Open Space Provision).

Objectives SPQHO35 (Private Open Space) and SPQHO36 (Public Open Space).

Objectives SPQHO36 and DMSO52 – Public Open Space Provision.

Infill Development

Sections 3.5.13 (Compact Growth, Consolidation and Regeneration), 14.5 (Consolidation of the Built Form: Design Parameters) and 14.5.2 (Building Density).

Objective SPQHO37 – Residential Consolidation and Sustainable Intensification.

Sections 14.10 (Additional Accommodation in Existing Built-up Areas).

Section 14.10.1 (Corner/Infill Development): The development of infill housing on underutilised infill and corner sites in established residential areas will be encouraged where proposals for development are cognisant of the prevailing pattern of development, the character of the area and where all development standards are observed. While recognising that a balance is needed between the protection of amenities, privacy, the established character of the area and new residential infill, such development provides for the efficient use of valuable serviced land and promotes consolidation and compact growth. Contemporary design is encouraged and all new dwellings shall comply with Development Plan standards in relation to accommodation size, garden area and car parking.

Tables 14.3 (Brownfield Opportunities & Regeneration) and 14.4 (Infill Development).

Objective HCAO24 – Alteration and Development of Protected Structures and ACAs.

Objectives HCAO38 and SPQHO39 (Infill Development/ New Infill Development).

Objective DMSO31– Infill Development: New infill development shall respect the height and massing of existing residential units. Infill development shall retain the physical character of the area including features such as boundary walls, pillars, gates/gateways, trees, landscaping, and fencing or railings.

Objective SPQHO42 – Development of Underutilised Infill, Corner and Backland Sites.

Objective DMSO32 – Infill Development on Corner/ Side Garden Sites.

Architectural Conservation/ Heritage

The appeal site comes within the Castleknock Architectural Conservation Area (ACA).

Section 10.5.2.2 (ACAs)) and Objective DMSO187 – Planning Applications in ACA: All planning applications for works in an Architectural Conservation Area shall have regard to the information outlined in Table 14.24.

Policy HCAP14 – Architectural Conservation Areas: Protect the special interest and character of all areas which have been designated as an Architectural Conservation Area (ACA). Development within or affecting an ACA must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting wherever possible. Development shall not harm buildings, spaces, original street patterns, archaeological sites, historic boundaries or features, which contribute positively to the ACA.

Objective DMSO187 - Planning Applications within an ACA.

Table 14.24 (Direction for Proposed Development within Architectural Conservation Areas).

Appendix 5 – Summary Description of Architectural Conservation Areas (ACAs).

Parking

Tables 14.18 (Car Parking Zones) and 14.19 (Car Parking Standards).

Table 14.17 (Bicycle Parking Standards) and Objective DMSO109 – Bicycle Parking.

6.0 Natural Heritage Designations

The appeal site is not located within or adjoining any designated site.

The nearest European sites in close proximity to the appeal site are as follows:

- Rye Water Valley/Cartron SAC (Site Code 001398) - approx. 8.5km
- South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) – approx. 9km
- South Dublin Bay SAC (Site Code 000210) – approx. 11km
- North Bull Island SPA (Site Code 004006) – approx. 12km
- North Dublin Bay SAC (Site Code 000206) – approx. 12km.

The nearest Natural Heritage Areas in close proximity to the appeal site are as follows:

- Liffey Valley pNHA (Site Code 000128) – approx. 1.km
- Royal Canal pNHA (Site Code 002103) – approx. 1.5km.

7.0 EIA Screening

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

8.0 Water Framework Directive Screening

I have concluded, on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment (refer to form in Appendix 3 for details).

9.0 The Appeal

9.1. Grounds of Appeal

A first party appeal submission was received (25/08/2025) and seeks to address the PA's reason for refusal. The grounds of appeal (GOA) can be summarised as follows:

Procedural

- Applicant should have been given opportunity to address issues by FI request.
- The GOA are accompanied by a revised proposal which addresses issues (itemised below) raised in the PA's refusal reasoning.
- Site sensitivity is overstated as 'The Elms' is not a Protected Structure.
- Infill proposal on zoned, serviced lands delivers on urban compaction policy.

Response to Reason for Refusal

- *Zoning/ Principle* – compliant with RS zoning and compact growth policy.

- *Overdevelopment* – density is consistent with national to local policy. Separation distances meet/ exceed standards. 25% site coverage is below FDP thresholds.
- *Incongruous Design* – contemporary design was acceptable to the PA's CO and it accords with/ is respectful to character of the area and will enhance the ACA.
- *Visual Amenity* – photomontages illustrate that no adverse visual impact arises. High quality design and landscaping will contribute positively to streetscape.
- *Residential Amenity* – design complies with SPPR1. Generous setbacks are provided for. Windows on north elevation are opaque.
- *Devaluation* – no evidence of property devaluation.
- *Material Contravention* – does not arise as scheme complies with zoning and with all sections, policies and objectives cited in the refusal reasoning.
- *Precedent* – concerns unfounded. ABP have granted approval for similar and/ or more intensive infill schemes elsewhere in Castleknock, Blanchardstown etc.

Impact on ACA

- The site (and 'The Elms') was recently included in ACA boundary under current FDP but no rationale for same evident as its detached from/ outside historic village core and makes a limited contribution to character and significance of the ACA.
- AHIA concludes there will be no adverse impact on 'The Elms' or on the ACA.

Precedents

- Commission's attention is drawn to examples of infill and higher density residential development in suburban areas (incl. elsewhere in Castleknock):
 - FW25A/0195E: 1 St. Brigid's Park.
 - FW20A/0058 & ABP-307889-20: Glenmalure, Castleknock Road – density/ACA.
 - FW20A/0076 & ABP-307900-20: 37 Castleknock Lodge - infill.
 - FW20A/0146: 12 Dunsandle Court – contemporary design infill.
 - FW20A/0204 & ABP-309548-21: 26 St. Brigid's Park.
 - FW20A/0078 & ABP-307965-21: Clonross, Navan Road.
 - FW19A/0228: 62 Castleknock Park.
 - Fernbank and Frankfort Castle Dundrum – infill, with Protected Structures.

Policy Context

Proposal is fully consistent with relevant national, regional, local policy and DMURS:

- NPF/ Rebuilding Ireland/ Housing for All/ RSES – compact growth and efficient use of zoned and serviced land.
- 2024 Compact Settlement Guidelines – 33dph complies with recommended density of 30-50dph for ‘Key Town/Large Town – Suburban/ Urban Extension’.
- FDP – ‘RS’, Section 14.10.1, DMSO31, DMSO187, HCAP14, Tables 14.4/ 14.24.

Alternative Scheme

The GOA are accompanied by an alternative design proposal (hereinafter referred to as the ‘appeal scheme’) which proposes the following design changes:

- *3 no. 2-storey terraced units (units no’s 1-3/ house type B – c. 138-146sq.m):* reduction in overall unit size via reductions in their internal width (c. 0.5m), depth (c. 0.9m) and height (c. 0.6m) and personage to 5 (from 6) – which brings the front building line of the terrace in line with that of ‘The Elms’ and increases separation from same (c. 0.5m) and from north boundary (c. 1m).
- *1 no. single storey detached unit (unit no. 4/ house type A – c.100sq.m):* east elevation (facing College Road) has been stepped back to accommodate the c. 4m road reserve, and its height has been reduced by c. 0.3m.
- *Boundary to College Road:* a 4m ‘reserve area’ bordering the public road has been provided for with a 2m wide public footpath proposed in interim by setting back the eastern boundary wall.
- *Boundary Treatments:* the proposed fence between the terrace and ‘The Elms’ has been replaced with a composite panel fence. Additional landscaping has been provided along perimeter of relocated eastern boundary wall (soften visual impact).
- *Access:* internal road relocated westwards c. 0.9m, improves site circulation.
- *Parking:* car parking reduced to comply with SPPR3, and bike parking increased to comply with SPPR4.
- *Materials & Finishes:* upgraded to ensure high quality design in ACA.

The appellant seeks that the Commission base their decision on the appeal scheme which they argue provides for a modest, proportionate scale of development which respects neighbouring residential amenity and the character of the Castleknock ACA whilst also overcoming the PA’s refusal reason (i.e. material contravention of zoning, overdevelopment, incongruous design, property devaluation, and impact on visual and residential amenity and on the Castleknock ACA).

Enclosures

The following documentation is enclosed with the appeal:

Drawings & Reports		
<i>Architectural</i>	<i>Engineering</i>	<i>Landscape</i>
<u>Drawings:</u> <ul style="list-style-type: none">- Proposed Site Plan- Proposed House Type A- Proposed House Types B & B1- Context Site Sections/ Elevations- External Finishes <u>Reports:</u> <ul style="list-style-type: none">- Architectural Heritage Impact Report- Housing Quality Assessment- Schedule of Accommodation- Drawing List	<u>Drawings:</u> <ul style="list-style-type: none">- Entrance Sightlines with 2m & 2.4m setback- Autotrack Vehicle Movements- Standard Permeable Paving and Green Roof Details <u>Reports:</u> <ul style="list-style-type: none">- Engineering Response	<u>Drawings:</u> <ul style="list-style-type: none">- Revised Landscape Boundary Treatments

9.2. **Planning Authority Response**

Response dated 18/09/2025 states that the PA have concerns regarding the design of the appeal scheme on account of its layout and form being at odds with the visual amenity and character of the ACA, and its impact on the residential amenity of no's 4-7 Church Court.

The PA seeks that the Commission uphold their decision to refuse permission. However, in the event that their decision is overturned by the Commission they seek that, where relevant, conditions relating to the payment of a standard and/ or special Section 48 Development Contribution, a bond/ cash security and a payment to compensate for a shortfall in open space be applied.

9.3. Observations

4 no. observations on the appeal were received from a local councillor and neighbouring property owners (Dr. Mary Jennings on the behalf of other residents (received 19/09/2025), Noreen Strong (21/09/2025, David Hughes (received 22/09/2025) and Cllr. Ellen Troy on behalf of a number of constituents (received 22/09/2025)), three of whom previously made an observation at planning application stage. The issues raised therein are detailed below and are similar in nature to those raised at planning application stage.

Principle of Development

- Proposal constitutes overdevelopment and materially contravenes RS zoning on account of its impact on residential amenity.
- Appellant has not set out why permission should be granted under 37(2)(b) of the Planning and Development Act (2000) as amended.

Design and Layout

- House design out of character with/ not appropriate for suburban environment.
- Orientation/ design/ siting of house no. 4 is inappropriate.
- CO concern re: proximity/ impact on 'The Elms' not addressed in appeal scheme.
- 1 no. terrace house and the detached dwelling should be removed.
- Private garden for house no. 3 is still qualitatively deficient.

Residential Amenity

- Unacceptable impacts on residential amenity of neighbouring properties (as detailed in Section 3.5 of this report) have not been addressed by appeal scheme.
- Concerns raised about use of flat roofs as external amenity space, obscured windows – seek conditions attached to control same.
- Disproportionate impact on residential amenity of Church Court.

ACA/ Protected Structures

- Unacceptable impact on 'The Elms' and 'Elm Lodge/ Cottage'
- Proposed flat roofs, modular design, balconies will negatively impact on the ACA.
- Boundary treatment to/ delineation arrangements from 'The Elms' inappropriate.

- Reconstruction of east boundary should be supervised by Conservation Architect and be a pre-commencement condition.
- Concerns re: alleged unauthorised works carried out on 'The Elms'.

Access/ Traffic

- Footpath adjoining site is narrow and hazardous for pedestrians and the setback of wall/ widening of footpath should be ensured by condition.
- Requirement to set boundary wall back from road will further constrain site.
- Concerns raised re: impact of construction traffic on road network/ junction.
- Inadequate detail provided on traffic impact of proposal on College Road.

Other

- Concerns raised re: storage of materials during construction.
- Proposal for/ siting of communal bin and bike store is inappropriate.
- No construction management plan has been provided – omission is of concern.
- Surface water drainage remains a concern given difference in levels on sites.

10.0 **Assessment**

- 10.1.1. As part of the grounds of appeal, the appellant has submitted revised plans and particulars (which I will refer to as the 'appeal scheme') in an attempt to address the PA's reason for refusing planning permission for the 'application scheme' as originally lodged. The appellant seeks that the Commission base their decision on the appeal scheme only.
- 10.1.2. The amendments put forward under the GOA are detailed in Section 9.1 of this report and, in short, involve reductions in the size and height of the 3 no. terraced units; a change to the siting/ footprint and height of the detached unit; changes to the materiality of the proposed houses, internal boundary treatments/ landscaping and to the internal road/ parking arrangements; and, the setting back of the site boundary to College Road.
- 10.1.3. Given that the appeal scheme provides for relatively minor revisions to the height, floorplate configuration/ siting and materiality of the proposed dwellings and to the

scheme parking, boundary treatments and parking/ internal road arrangements, I do not consider the changes proposed to be material or in need to readvertising.

10.1.4. Accordingly, I consider the application scheme as originally lodged in the first instance, and I assess the amended appeal scheme only where the appellant has put forward revised proposals in an attempt to overcome the PA's refusal reasoning.

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

- Principle of Development
- Design and Impact on ACA
- Infill Development
- Residential Amenity
- Other Matters

10.2. Principle of Development

10.2.1. The appeal site is zoned 'RS – Residential' with the objective to 'Provide for residential development and protect and improve residential amenity'. Having regard to the fact that residential use is permitted in principle under the RS zoning and to the general policy support for compact growth and consolidation under Sections 3.5.13 and 14.5 of the FDP, I consider the proposal for 4 no. residential dwellings to be acceptable in principle, subject to the detailed considerations below.

10.3. Design and Impact on ACA

Siting and Layout

10.3.1. The refusal reasoning cites concerns in respect to the layout and form of the proposal giving rise to overdevelopment in contravention of FDP Section 14.10.1 (Corner/ Infill Development), Objective DMSO31 and Table 14.4 (Infill Development) which require, amongst other things, the protection of neighbouring amenities and privacy. The siting of the detached dwelling is a cause for concern for the PA and for third parties, on the basis of its poor relationship with the public realm on College Road and its gable-end being too close to the eastern boundary, who argue that this dwelling deviates from

the established building line and east/ west property orientation on the road. Various concerns are also raised about proximity of the proposed terrace to north and south site boundaries and impact of same on 'The Elms' and existing residential amenities.

10.3.2. The appeal scheme proposes (non-material) changes to the siting and footprint of the detached house and to the terrace north of 'The Elms'. These changes have no bearing on my assessment of the scheme's general siting and layout outlined in paragraphs 10.3.3 -10.3.6 below.

10.3.3. I consider that there is variation evident in the established building lines on College Road – particularly on its west side. The built form around its junction with Castleknock Road to the north and College Grove/ Castleknock Lodge to the south is sited close to the road with variable orientations. Properties in-between these junctions typically have an east/west orientation and tend to be further setback from the road. I note that whilst the 3 no. existing properties to the immediate south of the applicant's lands share a common building line ('The Elms' is sited in a setback position from same (c. 7m) and c. 22m from College Road), with properties in Church Court and Elm Cottage to the north stepping further forward and breaking this building line.

10.3.4. In this context, where no clear building line or predominant building orientation exists, I consider the proposal to provide for an east-facing terrace of 3 no. houses which respect the front and rear building lines of the 'The Elms' to be acceptable. Furthermore, whilst the CO raised an issue with the siting of the detached house sitting forward of the front building line of 'The Elms' and sought its omission or repositioning northwards in order to provide the existing historic house with adequate space, I note that its position is off-set from same and in-keeping with the building line established by 'Elm Cottage' to the immediate north. I also do not agree with the view that the detached dwelling would have a poor visual relationship with College Road. This is on the basis of its single storey nature (which would not give rise to the perception of overbearance on the adjoining public realm) and the screening/ visual containment that would be provided by the proposed boundary planting and boundary wall which acts as a strong edge, providing definition to the street. Notwithstanding, given the issues raised in respect to sightlines and pedestrian safety etc., I consider that the siting of this dwelling in close proximity to the boundary wall (within c. 2.5m – 4m) is not acceptable and requires further consideration (as per Section 10.6.7 of this report).

- 10.3.5. The proposed terrace is sited c. 2.5m from 'The Elms', c. 10m from the western boundary and c. 1m from the site's northern boundary at its closest point. Section 14.6.6.3 and Objective DMSO23 (Separation Distances) of the FDP require a minimum separation distance of 22m between directly opposing rear first floor windows whilst Section 5.3.1 and SPPR1 (Separation Distances) of the 2024 Compact Settlement Guidelines require a minimum separation of 16m between opposing windows serving habitable rooms to the rear and side of houses at first floor level.
- 10.3.6. The rear bedroom windows of the proposed terrace oppose those of no. 1 The Crescent and a separation in excess of 25m is provided for which is in compliance with the national and development plan policy requirements outlined in paragraph 10.3.5 above. Proposed terraced unit no. 3 adjoins the rear gardens of no's 6 and 7 Church Court and its side elevation is separated by c. 13.84m and c. 12.56m from same respectively. Having examined the house's proposed internal layout, I note no windows serving habitable rooms are proposed at first floor level on its gable elevation and that non-compliance with FDP Section 14.6.6.3/ Objective DMSO23 or SPPR1 therefore does not arise. This is also the case in respect to terrace house no. 1 and 'The Elms'. Having considered the relationship between the terrace and no. 5 Church Court, I am of the opinion that there would be no line of sight between same on account of the perpendicular offset.
- 10.3.7. Whilst the siting of the proposal complies with the aforementioned separation policy, I note that the CO sought that the applicant provide a greater separation between the terrace and 'The Elms' and I consider that the layout and siting of the proposal does have the potential to give rise to a negative impact on its architectural heritage, by reason of its physical proximity and visual intrusion on same, and to overbearance and visual intrusion on neighbouring properties which would not be in compliance with Section 14.10.1 (Corner/ Infill Development) and Table 14.4 (Infill Development). These issues are explored further in paragraphs 10.3.13 – 10.3.19 below.

Architectural Design and Visual Impact

- 10.3.8. The refusal reasoning raises an issue with the proposed architectural design (i.e. large front windows, balconies, flat roof profile, elevational materiality and lack of traditional architectural features) and detailing being visually incongruous and out of character and appearance with the prevailing pattern of development in the area and thereby

giving rise to a contravention of Section 14.10.1 (Corner/ Infill Development). This concern is also reiterated by appeal observers who consider that the terraced houses are inappropriately modular in their design and finishes.

- 10.3.9. In my opinion the proposal is of a contemporary rather than traditional or pastiche architectural design and, in this regard, I note that Section 14.10.1 encourages such a design approach and that the PA's CO considered the architectural design of the proposed houses to be generally acceptable. I acknowledge that the design is a new departure from the established suburban built character of this part of College Road (i.e. predominantly 2-storey 20th century (rather than historic) detached and semi-detached dwellings with hipped, pitched and gable roofs) on the basis that it proposes single storey detached/ terraced housing (a new typology for the immediate area) with a flat roof profile (which, in the case of the terrace, respects the parapet of 'The Elms' and the ridge height of Church Court and is purposely visually subordinate to same). However, I do not consider the proposed design to be out of character with the same on the basis that the prevailing built form exhibits a variety of plot sizes, architectural designs and forms, roof profiles (some properties have flat roofed front dormers i.e. infill at 5A & 5B College Road), window opening sizes and designs, projecting bay window elements, and use of mix of brick and render, with examples of front-facing balconies also being evident. The proposal reflects and harmonises with many of these architectural forms and details and, as such, does not give rise to visual incongruity. In light of the foregoing, I consider that the proposal satisfactorily integrates with the streetscape of College Road and will not unacceptably alter the character of same.
- 10.3.10. The PA have raised a specific issue with the appropriateness of the detached dwelling's large vertical windows and corner door feature on its east elevation as these features relate to the streetscape on College Road, and consider that the proposal's visibility from the adjoining public road would exacerbate its visual amenity impact. Having reviewed the drawings and visualisations on file, I note that whilst the unit would be visible from the public realm, its visual impact on same would be moderated by its single storey nature, materiality (in-keeping with that of adjacent properties), the eastern boundary and the proposals for planting along same.
- 10.3.11. Overall, I consider that the proposal respects the height and massing of existing residential units and seeks to retain the site's physical features, incl. boundary walls

and gate piers (albeit in an altered state), as required by Objective DMSO31 (Infill Development).

- 10.3.12. I note that the PA's CO sought further clarification on the houses' materials and finishes, which are stated to comprise of light cream colour brick and render, and highlighted the importance of using high-quality materials (incl. aluminium windows and stone sills) that reflect those used in the construction of 'The Elms'. Whilst I consider the proposed materiality to be generally acceptable on the basis that the use of brick and render it is in-keeping with the character of the area, I recommend that, where the Commission are minded to grant permission, a condition be attached to require the applicant to agree the details of the materials and finishes with the PA.

Impact on ACA

Application Scheme

- 10.3.13. The PA's refusal reason refers to the negative impact of the proposal on visual amenity and on the special character of the Castleknock Architectural Conservation Area in contravention of Policy HCAP14 (Architectural Conservation Areas), Objective DMSO187 (Planning Applications within an ACA) and Table 14.24 (Direction for Proposed Development within Architectural Conservation Areas).
- 10.3.14. The FDP states that the Castleknock ACA is characterised by a diversity of building typologies and varied architectural expression and ages and is centred on the junction of College Road and Castleknock Road.
- 10.3.15. Objective DMSO187 requires all planning applications for works in an ACA to have regard to the guidance outlined in Table 14.24 (Direction for Proposed Development within ACAs) which, in turn, requires that development proposals for new build follow a sensitive design approach that respects the established character of the ACA in terms of scale, massing/ bulk, plot sizes and patterns, proportions and materials. As detailed in paragraphs 10.3.8-10.3.12 of this assessment, I am satisfied that the proposal is in-keeping with the character of the area in terms of its architectural design and materiality. Furthermore, while the plot sizes and form/ proportions proposed are a new departure for the locality, they are not inconsistent with the urban grain or range of housing typologies in the wider ACA, which exhibits significant variety, and I consider that the proposed compact urban form is acceptable on the basis of the requirement to make efficient use of zoned and serviced land and do not detract from

the character of the ACA. The guidance in Table 14.24 also states that direction can be taken from traditional forms and dimensions that are then expressed as high quality contemporary design rather than an exact copy of a historic building style. In this regard, as detailed in paragraph 10.3.9, I am of the view that the contemporary architectural design of the proposed houses is acceptable.

- 10.3.16. Policy HCAP14 seeks that development within an ACA protect and enhance the character and appearance of same by not harming buildings or historic boundary features which contribute positively to same. In this regard, I consider that the siting of the proposed terrace c. 2.5m from 'The Elms' gives rise to a negative impact on the setting and architectural heritage of that structure (which is not a Protected Structure but a historic house that makes a positive contribution to the Castleknock ACA), and I am also not satisfied as to the applicant's proposed treatment of their eastern stone boundary wall (an important and defining streetscape element in this area of the ACA). This latter point is discussed further in Section 10.6.7. As per the recommendation of the PA's CO, I consider that the separation distance between 'The Elms' and the proposed terrace is not acceptable and should be increased. However, I do not consider that the proposal will negatively impact on 'Elm Cottage', on the Protected Structure RPS No. 764 (St. Brigid's Well), on St. Brigid's Church, or on the historic core of the ACA, on account of the separation distance from (over c. 27m), and intervening boundaries and built form (Church Court) between, same.

Appeal Scheme

- 10.3.17. The proposed site plan submitted with the GOA increases the separation between the proposed terrace and 'The Elms' by c. 0.5m to c. 3m and an AHIA (prepared in accordance with the 2011 Architectural Heritage Protection Guidelines) is also provided which considers the architectural heritage impact of the proposal on 'The Elms' and wider Castleknock ACA. The AHIA notes that 'The Elms' has recently been refurbished (ope replacement, loss of fanlight and substantial internal works) and extended to the rear, with a pre-existing c. 1970s garage (on its north side now forming part of the appeal site) having been removed. The AHIA states that these post-2000 works have diminished the survival of the structure's original historic fabric (as identified on the NIAH) and determines that it is now of modest architectural merit with its value lying primarily in its historic form and proportions (representative of mid-19th century private dwelling development along College Road and an expansion of the

historic village core) rather than in any intact design detailing. It is also stated that recent construction works within 'The Elms' side garden (the appeal site) has given rise to disturbance and removal of original character. In considering the location (relative to the ACA's focal point) and immediate architectural context of 'The Elms', the AHIA considers that it makes only a limited contribution to the character and significance of the ACA.

10.3.18. I note the works that have given rise to the aforementioned downgrading in 'The Elms' architectural and historical merit (from regional to local as stated in the applicant's AHIA) do not appear to have the benefit of planning permission and, as such, I do not accept the value argument put forward in the AHIA in this regard.

10.3.19. Overall, I consider that amendments made under the appeal scheme do not overcome the PA's reason for refusal and I am of the view that the proximity of the proposed terrace to 'The Elms' gives rise to visual intrusion and encroachment or crowding effect on the setting of same, and would therefore have an unacceptable impact on the legibility and architectural/ historical value of this structure and, by implication on, a defining character of the ACA at this specific location. I recommend to the Commission that permission for the amended appeal scheme be refused on this basis.

10.4. Infill Development

10.4.1. Whilst not cited in the PA's assessment or refusal reasoning, given the infill nature of the proposal and location of the appeal site within the side garden of 'The Elms', I consider its compliance with Objective DMSO32 (Infill Development on Corner/ Side Garden Sites) to be a relevant consideration:

<i>Applications for residential infill development on corner/ side garden sites will be assessed against the following criteria:</i>	
<i>Compatibility with adjoining structures in terms of overall design, scale and massing. This includes adherence to established building lines, proportions, heights, parapet levels, roof profile and finishing materials.</i>	Compatible – see Section 10.3 of this report.
<i>Consistency with the character and form of development in the surrounding area.</i>	Generally consistent – see Section 10.3 of this report.

<i>Provision of satisfactory levels of private open space to serve existing and proposed dwelling units.</i>	Provided - see Section 10.6.1 of this report (but note issue re: terraced unit no. 3)
<i>Ability to safeguard the amenities of neighbouring residential units.</i>	Issues identified in this regard – see assessment in Section 10.5 of this report.
<i>Ability to maximise surveillance of the public domain, including the use of dual frontage in site specific circumstances</i>	Design & layout provides for passive surveillance of internal road network and entrance to site.
<i>Provision of side/gable and rear access arrangements, including for maintenance.</i>	Provided - see Section 10.6.1 of this report.
<i>Compatibility of boundary treatment to the proposed site and between the existing and proposed dwellings. Existing boundary treatments should be retained/ reinstated where possible</i>	Issues identified in this regard – see assessment in Sections 10.6.7 and 10.6.8 of this report.
<i>Impact on street trees in road-side verges and proposals to safeguard these features.</i>	Issues identified in this regard – see assessment in Section 10.7.3 of this report.
<i>Ability to provide a safe means of access and egress to serve the existing and proposed dwellings.</i>	Provided – see assessment in Section 10.6.9 of this report.
<i>Provision of secure bin storage areas for both existing and proposed dwelling.</i>	Issues identified in this regard – see assessment in Section 10.6.6 of this report.

10.4.2. Having regard to the assessment provided in the table above, I consider the proposal is non-compliant with Objective DMSO32 with regard to impact on boundaries and the amenities of neighbouring residential units, bin storage and private open space requirements. I refer the Commission to the sections cited in the table above where these issues are considered in greater detail.

10.5. Residential Amenity

Application Scheme

10.5.1. The PA's refusal reason reasoning states that the design, proximity and massing of the proposal results in adverse overlooking, overbearing, domineering and

overshadowing impacts on no's 4-7 Church Court to the north, thereby injuring their residential amenity and impacting their property values.

10.5.2. The appeal observers outline a range of concerns in respect to the design and siting of proposed terraced house no. 3 and consider that it will give rise to unacceptable overbearance, visual intrusion, privacy impacts on, and overshadowing of, neighbouring properties in Church Court - particularly having regard to the applicant's proposals to remove existing trees and bushes along the northern boundary. The observers also call attention to ground level differences between the site and neighbouring estates (which are at a lower level) and related safety and security issues and argue that this topography will exacerbate loss of daylight to, overlooking and overshadowing impacts on, the neighbouring estate.

10.5.3. The observers also raise an issue in respect to the adverse impact of the proposal on the residential amenity of the neighbouring properties in The Crescent on account of the relatively differing site levels.

Overlooking/ Privacy Impacts

10.5.4. Having regard to the fenestration arrangement on house no. 3's gable elevation at first floor level (obscured window to en-suite) and to the proposal's compliance with FDP Sections 14.8.2 and 14.6.6.3 (Separation Distances) which require a minimum standard of 22 metres separation between directly opposing rear first floor windows (in order to avoid negative effects such as excessive overlooking, overbearing and overshadowing), I do not consider that there is any potential for the proposal to give rise to overlooking of adjoining properties. I am of the view that this is also the case for house no. 1 adjoining the side gable of 'The Elms' (opaque ensuite and landing window).

10.5.5. Having regard to the layout of the proposal, its separation from The Crescent (which exceeds 22m) and the proposal to retain the shared western boundary, I do not consider that there is any potential for the proposal to give rise to a negative impact in terms of overlooking of these properties.

10.5.6. Concerns are raised regarding the provision of small balconies on the terraces' front elevations from a visual amenity perspective. Whilst the FDP provides no guidance on the design or siting of house balconies, having considered the site layout and orientation of the proposed houses relative to one another, in addition to the design of

the balconies which sit within the building envelope, I am satisfied that they will not give rise to overlooking or disturbance/ nuisance. I am also satisfied that they are not out of character with the area which features balconies elsewhere on College Road.

10.5.7. Some neighbouring property owners have raised concerns about the principle of using obscured glazing on the side elevations of the proposed houses. The use of such glazing is a standard mitigation measure to ensure residential privacy and can be controlled by the attachment of a condition requiring its use in perpetuity where the Commission are minded to grant permission.

10.5.8. Appeal observers seek that a condition is attached to prevent the flat roofs to the rear of the terraced dwellings being used as amenity space. I consider this request to be reasonable, and I recommend the attachment of a condition to control same where the Commission are minded to grant permission.

Overbearance/ Visual Intrusion/ Overshadowing

10.5.9. Having regard to the layout of the proposal, its separation from The Crescent (which exceeds 22m) and the proposal to retain the shared western boundary, I do not consider that there is any potential for the proposal to give rise to negative impacts in terms of overbearance or visual intrusion (or for the same reasons, on daylighting).

10.5.10. I consider that the proximity of unit no. 3 to the northern party boundary (c. 1m – c. 2.8m) together with its 2-storey height and bulk/ depth coupled with the ground level differential, gives rise to unacceptable overbearance and visual intrusion on no's 5-7 Church Court which would not be in compliance with Section 14.6.6.4 (Overlooking and Overbearance).

10.5.11. Having regard to the topographical differences between 'the Elms' and Church Court and to the orientation, aspect and siting of the properties relative to one another, I also consider that there may be potential for overshadowing of the latter properties' rear gardens. However, I draw the Commission's attention to the absence of sufficient information on file with regard to this matter. Having regard to the inadequate level of detail on file, I consider that this matter would need to be addressed should the Commission wish to consider a grant of permission.

Appeal Scheme

Overbearance/ Visual Intrusion

10.5.12. The appeal scheme provides for an increased separation from the boundary shared with Church Court (c. 2.79m to c. 3.72m) and a c. 600mm reduction in the height/ bulk of the terraced dwellings. Whilst I acknowledge this c. 1m increase in the proposed separation distance and the supplementary planting/ boundary treatments proposed along this boundary, I note that at its closest point the side gable of house no. 3 is c. 1.22m from the boundary adjoining no's 5 and 6 Church Court and, on this basis, I am still concerned that its 2-storey height (notwithstanding the 600mm reduction proposed) and depth/ massing coupled with its close proximity to this boundary would give rise to unacceptable overbearance and visual intrusion on no's 5-7 Church Court, which are set at a lower ground level. This would not be in compliance with Section 14.6.6.4 (Overlooking and Overbearance). On this basis, I am not satisfied that the revisions made under the amended appeal scheme do not overcome the PA's reason for refusal and I recommend to the Commission that permission be refused on this basis.

10.6. Other Matters

10.6.1. Housing Quality

Objective DMSO26 requires a separation of at least 2.3m between the side walls of units in order to provide for the amenity/ functionality of the proposed dwellings. Whilst terraced unit's no's 1 and 3 fall short of this quantitative requirement (i.e. providing for c. 1.25m and a min. of 1m respectively), I do note that the wording of this objective allows for a reduction on a case-by-case basis in respect to infill development such as that proposed. On this basis, I consider the shortfall acceptable.

Application Scheme

The PA found that the proposed houses and gardens exceed all required floorspace, area and room sizing standards and they were satisfied that they were in compliance with Objective DMSO19 (New Residential Development), which requires that applications for residential development comply with all design and floor area requirements set out in the 2007 Housing and 2024 Compact Settlement Guidelines.

Having reviewed the information on file, I am also satisfied as to the houses' compliance with the design standards set out under Section 5.3.2 and Table 5.1 of the 2007 Housing Guidelines. However, I note that the private amenity space associated with terrace house no. 3 (Type A) is just 40sq.m and, as such, is in material

contravention of Section 14.8.3, Table 14.8 and Objective DMSO27 of the FDP which requires a minimum of 60sq.m for 3-bed houses. Notwithstanding, I note that SPPR2 of the 2024 Compact Settlement Guidelines sets requires a minimum of 40sq.m of private open space for 3-bed houses and that the proposal is quantitatively compliant with same. However, I would have a concern about the quality and functionality of this house's private amenity space on account of its constrained configuration, and I consider that it would provide for a sub-standard level of residential amenity.

Appeal Scheme

Having reviewed the appeal scheme, I am also generally satisfied as to the houses' compliance with the design standards set out under Section 5.3.2 and Table 5.1 of the 2007 Housing Guidelines (with the exception of the living room widths provided in the terraces which at c. 3.6m fall below the 3.8m required for 3-bed houses, a de-minimum underperformance).

I note that the design modifications made to the scheme have marginally increased the size of the rear garden serving house no. 3 to 41sq.m. Notwithstanding, as per the application scheme, it retains its constrained, triangular shape (i.e. constrained western corner) and I am still not satisfied that the proposed garden would provide for a good standard of residential amenity for future occupants. In this regard whilst there is some additional space provided to the side of the unit, I note that Objective DMSO27 explicitly states that "narrow strips of open space to the side of houses shall not be included in the private open space" and, as such it cannot be relied upon for the purposes of the assessment. I recommend to the Commission that permission be refused on this basis.

10.6.2. Density

Both the PA and observers have raised the issue of the site's overdevelopment arising from the scheme design/ layout rather than the quantum of housing proposed. Table 14.3 in the FDP promotes the use of 'appropriate residential densities' whilst both Tables 14.3 and 14.4 require that proposals respect/ respond to neighbouring properties and to the wider context. Medium density development is the prevailing character of development in the locality with an emerging pattern of higher density development on smaller plots (i.e. No's 5A & 5B College Road). At c. 31 dwellings per hectare (dph) gross, the density proposed for both the application and appeal schemes

is lower than the guide density of c. 39 dph for the City Metropolitan Area set out under Section 2.2.11 of the FDP and is also lower than the 40-80dph density range provided for City - Suburban/Urban Extension in Table 3.1 of the 2024 Density Guidelines. Whilst the proposed density constitutes a material contravention of the development plan density standard outlined above, having considered the constrained, infill nature of the site (which presents notable design and configuration challenges), I find the proposed unit quantum and residential density to be acceptable in principle in this instance in accordance with FDP Section 14.5.2 (Building Density) which allows for site density to take account of the character, context and architectural qualities of the surrounding area and Section 3.2 (Tailoring Policy to Local Circumstances) of the 2024 Density Guidelines. On this basis, I note it is open to the Commission to invoke Section 37(2)(a) of the Planning and Development Act, 2000 (as amended) should they be minded to grant permission.

10.6.3. Open Space

The PA, in their response to the appeal, sought that where relevant a payment to compensate for a shortfall in open space be applied.

Neither the application scheme nor amended appeal scheme provide for public open space. Section 14.6.5 (Open Space Serving Residential Development) states that appropriate provision must be made for public open space within all new multi-unit residential developments. Objective DMSO52 states that public open space shall be provided in accordance with Table 14.12 (Recommended Quantitative Standards) which in turn requires a minimum of 12% of infill/ brownfield residential development sites to be given over to this use. Whilst I consider that the non-provision of public open space on the appeal site materially contravenes this quantitative policy requirement, I note that Table 14.6 (Open Space Categories) in Section 14.6.5 states that “In all instances where public open space is not provided a contribution under Section 48 will be required for the short fall” with this provision being formalised under Objective DMSO53 (Financial Contribution in Lieu of Public Open Space).

In these circumstances and given the small-scale nature of the site (0.13ha) and infill nature of the proposal together with its proximity to Phoenix Park (within 600m), I consider this material contravention and the payment of a contribution in lieu of the

provision of public open space on site to be acceptable in this particular instance. I recommend to the Commission that this matter be addressed by condition.

Therefore, whilst I am satisfied that the non-provision of public open space on site is a material contravention of Objective DMSO52 and Table 14.12 of the FDP, I consider that a grant of permission is warranted, for the reasons outlined above. On this basis I note it is open to the Commission to invoke Section 37(2)(a) of the Planning and Development Act, 2000 (as amended) should they be minded to grant permission.

10.6.4. Construction

Observers have raised various construction stage concerns in respect to traffic/ impact on junction, disruption and the storage of materials. I acknowledge these concerns and the potential for temporary localised disturbance in the locality during the construction stage. However, I consider that such impacts are not out of the ordinary and can be managed and mitigated through the use of standard best practice construction measures and by requiring the preparation and submission Construction Environmental Management Plan (CEMP) at the pre-commencement stage. I recommend the attachment of a condition to require same in the event the Commission are minded to grant permission.

10.6.5. Servicing

The applicant's water supply and foul drainage proposals were to the satisfaction of the PA's Water Services Department at application stage (as detailed in Sections 3.2 and 3.3) on the basis that the Confirmation of Feasibility from Uisce Eireann states that the proposed connections were feasible without infrastructure upgrades. In light of same, I am satisfied that the scheme's foul and potable water servicing arrangements are matters capable of being addressed by condition should the Commission be minded to grant permission.

Appeal observers have raised concerns in respect to the applicant's surface water management proposals given the difference in levels between the site and adjoining properties. In this regard I note that PA were satisfied with the applicant's proposal to connect to the public surface water sewer but sought additional information on the design/ functionality of their green roof and permeable paving proposals and on the scheme's surface water outflow calculations.

Section 2.5 of the engineering response submitted with the GOA provides details of how the green roof on the detached dwelling and the permeable paving on the access road (standard design details for same provided) and in-curtilage parking areas will act as the proposal's primary SuDS measures providing for on-site temporary storage and infiltration of run-off within the site boundary. The report concludes by stating that surface water discharge rates (to public sewer/ drain system) are reduced/ improved when compared to the baseline greenfield discharge rate.

Having considered the above, I am satisfied that sufficient information has been provided by the appellant in respect to their surface water management proposals and I am of the view that compliance with best practice surface water management can be ensured via the attachment of a standard condition where the Commission are minded to grant permission.

10.6.6. Bin Storage

Observers consider that the applicant's proposal for a communal bin and bike store is inappropriate, and they also raise security issues on account of its siting against the northern boundary shared with no. 8 Church Court. These concerns are shared by the PA. I note that no changes have been made to the siting or design of the bin store under the appeal scheme.

Having regard to the concerns outlined above, to the issues raised by the PA in respect to the dual functionality of this structure and to the fact that there is ample space to provide for domestic bin storage in-curtilage having regard to the requirement to provide a maximum of 4 no. car parking spaces on the site in light of its accessible location, I consider it appropriate that the bin and bicycle store be omitted by condition (and replaced with a dedicated, purpose built bike shelter only) where the Commission are minded to grant permission.

10.6.7. Footpath/ Eastern Boundary Wall

Application Scheme

Multiple observers and the PA raise the issue of the narrow, substandard nature of the public footpath adjoining the site on College Road and seek that the applicant setback the site's boundary wall in order to facilitate its widening and a public realm upgrade.

Having visited the site and walked the perimeter, I would share the public safety concerns raised in respect to the current substandard width of the footpath adjoining the busy public road and I also note that the alignment of the site's eastern boundary wall is set much further forward than those of adjoining properties. On this basis, I consider that the eastern boundary wall should be setback to provide for a DMURS compliant footpath width adjoining the site.

The PA's Transportation Planning Section and Parks and Green Infrastructure Division specifically sought that the applicant setback the boundary by 4m from the nearside edge of the public road (bringing it in line with the boundary line of neighbouring properties to the north and south) in order to facilitate the provision of a wider public footpath and space for public realm upgrades (tree planting etc.). However, no Part 8 scheme or similar justification for this design revision was put forward by the PA and this design modification was ultimately not pursued on account of the PA's decision to refuse permission.

Appeal Scheme

The appellant states that they propose to setback their eastern boundary to College Road in order to provide for a 4m (future) reservation area bordering the public road to include a 2m wide public footpath adjoining the site in the interim. They also propose to relocate their internal road westwards (by c. 0.9m) in order to improve internal site circulation.

Having reviewed the proposed site plan and engineering report submitted with the GOA, it appears that the existing site boundary wall adjoining the footpath on College Road will be removed and setback marginally (no exact dimensions provided) in order to provide for a 2m wide public footpath along the full extent of the site frontage (which I note exceeds DMURS 1.8m recommended minimum footpath width in residential areas). Whilst I appreciate that the neighbouring eastern boundary of Elm Cottage/ St. Bridgid's Well to the north do pose a constraint, this proposal would not succeed in bringing the property boundary into alignment with the front boundary of the neighbouring property to the south and the pedestrian pinch point adjoining the appellant's property would remain (albeit to a lesser extent as acknowledged above).

Furthermore, whilst the footprint of house no. 4 has been reduced with its east elevation pulled back, the line of the 4m reservation (behind the relocated boundary

wall) is shown to go through its private amenity space and would therefore necessitate landtake of a substantial portion of that property's garden at some point in the future.

Whilst I note the supporting arguments advanced in the appellant's engineering response, overall, I consider the applicant's proposals to address the concerns raised in respect to the public footpath and its relationship with the public realm on College Road to be poorly considered and unacceptably ambiguous in terms of its impact on the proposed site layout and residential amenity of the detached unit. Having regard to the level of detail on file, I consider that there are a number of outstanding issues in relation to the potential impact of the wall which should be addressed should the Commission wish to consider a grant of permission. In my opinion, given the inadequate level of detail submitted, I am of the view that this matter should not be addressed by condition.

More generally, I consider that there is also ambiguity in the GOA in respect to whether a new (lower height) boundary wall is to be constructed or whether the existing 2m stone boundary wall is to be realigned and rebuilt/ reinstated at a lower height and in a setback position. In this regard I note that the appellant's own AHIA states that the site's existing stone boundary wall to College Road is a defining heritage and townscape element in this part of the Castleknock ACA and of some quality/ historic merit and that works to it should be undertaken under the supervision of a Conservation Architect. On this basis I consider it reasonable to require the stone wall to be recorded, dismantled and rebuilt in a setback position, to the rear (west side) of the reservation area, under the supervision of the appellant's Conservation Architect. I recommend the attachment of a condition to ensure same in the event the Commission are minded to grant permission.

10.6.8. Landscaping and Boundaries

Application Scheme

The PA considered that the c. 2.1m high concrete and post timber fences delineating the houses' rear gardens and delineating the terrace from 'The Elms' were not acceptable on visual grounds, and the Parks and Green Infrastructure Division sought that this proposed boundary treatment be changed. I note from my site inspection that a c. 2m high post and composite panel fence has been installed between 'The Elms' and terraced house no. 1 and I consider that, given the visibility of this particular site

boundary as one enters the site, the colour and materiality of this boundary should be carefully considered.

Appeal Scheme

The appellant states that they have sought to replace the proposed fence between the terrace and 'The Elms' with a composite panel fence (which I noted during my site inspection was already in-situ). One observer considers the proposed boundary treatment to be inappropriate but does not further elaborate on their rationale.

Given that 'The Elms' is not a Protected Structure and does not have statutory protection, I consider the design and materiality of boundary treatments internal to the site to be a minor matter capable of being addressed by condition where the Commission are minded to grant permission.

I note from the site plan submitted with the GOA that the appellant has provided additional landscaping along perimeter their eastern boundary wall in order to provide greater visual screening from the public realm. I consider these proposals to be acceptable in principle, but I note that they may conflict with their reservation proposals and with the overall useability of the private garden serving unit no. 4.

10.6.9. Traffic Impact/ Sightlines

Observers raised concerns about the traffic impact of the proposal on the local road network and about the lack of assessment provided by the applicant in this regard.

I note that the PA's Transportation Planning Section raised no issues in respect to the impact of the proposal on local traffic/ junction/ road network and only raised concerns in respect to the adequacy of the proposed access sightlines onto College Road. The PA's CO did highlight an issue with the lack of information submitted in respect to the minor relocation of the vehicular entrance to 'The Elms' and proposed works to the stone-built front boundary wall and I deal with these matters under Section 10.6.7 of this report.

The engineering report submitted with the GOA seeks to address the application stage issues raised in respect to traffic and sightlines. It states that, in terms of trip generation, the proposal will give rise to an estimated 8 no. trips per dwelling per day or a total of 40 no. trips per day when 'The Elms' is also considered or to a peak hour generation of 4-5 trips/hour (two-way). Having considered these relatively low entry/

exit rates, I note that this would be a low category impact on the local road network and, as such, I am satisfied that the proposal would not give rise to a negative impact on the adjoining road network.

In respect to the issue of sightlines, I note that the PA sought that the applicant provides 45m in each direction from on basis of 2.4m setback from nearside of road. The GOA are accompanied by engineering drawings with provide 2 no. 45m sightline options – 2m or 2.4m back from the nearside edge of the road. Whilst the latter, which is in accordance with Table 4.2 of DMURS, fulfils the PA's request, I note that the sightline to the north would be marginally obstructed by the realigned eastern boundary wall. Notwithstanding in consider the latter (2.4m) proposal to be acceptable having regard to my recommendations in Section 10.6.7 of this report.

10.6.10. Parking

The PA's Transportation Planning Section raised concerns about the houses' excessive parking provision and layout, which they determined exceeds SPPR3 max. standard of 1.5 spaces per dwelling, and also about ambiguities in respect to the quantum of bike parking that was proposed.

The submitted landscape plan shows 1 no. space per dwelling in-curtilage (reiterated in planning report) which I note is compliant with both FDP car parking standards (Table 14.19) and with SPPR3. The submitted planning report states that 6 no. cycle parking spaces are proposed in a dedicated, secure bike storage building (which I note from the plans also doubles as a bin store) with capacity to provide for cycle parking in curtilage within units 1, 3 and 4. Table 14.17 of the FDP requires 1 plus 1 per bedroom for 2-bed dwellings and 2 plus 1 per bedroom for 3-bed dwellings (or 19 no. in case of the proposal) with SPPR4 requiring a total of 11 no. residential spaces. However, it is unclear from what is proposed whether the proposal meets these standards. Notwithstanding, I do not consider this to be a material contravention of FDP Table 14.17 on account of the wording of Objective DMSO109 which seeks to ensure bike parking provision in accordance with Table 14.17 where feasible and I consider that the provision of SPPR4 cycle parking (11 no. spaces) can be provided in the dwelling's rear gardens (in the case of units 1, 3 and 4 i.e. 1 space per bedroom) and via the provision of cycle storage in place of the bin and bike store (to serve visitors

and terraced unit no. 2). I recommend that this minor matter be addressed by condition where the Commission are minded to grant permission.

10.6.11. Unauthorised Works

Some observers seek to draw the Commission's attention to alleged unauthorised works that were carried out/ are ongoing at 'The Elms' with the CO also raising this issue. Planning enforcement is a matter for the PA and I note that there is an active enforcement file open on 'The Elms' property which, whilst also being in the legal ownership of the appellant, does not come within the scope of the appeal before the Commission.

10.6.12. Precedents

The appeal submission seeks to draw the Commission's attention to multiple examples of PA and ACP grants of planning permission, in Castleknock and elsewhere in Dublin, for infill and higher density suburban residential development. Having regard to the extensive list of planning precedents cited, I note that many concern materially different planning and development circumstances, in terms of the zoning, scale of proposal and site size and condition etc., when compared to the appeal site. Notwithstanding, every appeal is considered on its own merits having regard to the sensitivity of the receiving environment and the specifics of the proposal. In the case of this appeal, the crux of the matter is design and layout and impact on residential amenity, architectural heritage and the prevailing character of the area and ACA.

10.6.13. Procedural Issues

An observer states that the PA cited material contravention of the FDP in their refusal reasoning and notes that the GOA do not set out why permission should be granted under 37(2)(b) of the Planning and Development Act (2000) as amended. The appellant is of the view that the issue of material contravention does not arise as the scheme complies with zoning and with all sections, policies and objectives cited in the refusal reasoning. I have had due regard to the issue of material contravention in my assessment and have highlighted issues for the Commission's attention as they arise.

The appellant also states that they should have been given the opportunity to address the PA's issues by FI. I am satisfied that the appeal process has given the appellant the opportunity to address the matters raised.

11.0 AA Screening

11.1. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Sites, specifically Rye Water Valley/Carton SAC, South Dublin Bay and River Tolka Estuary SPA, South Dublin Bay SAC, North Bull Island SPA and North Dublin Bay SAC, in view of these sites' Conservation Objectives, and Appropriate Assessment (and submission of an NIS) is not therefore required.

11.2. This determination is based on:

- The relatively minor nature of the development.
- The location-distance from the nearest European Site and lack of connections.
- Taking into account the appropriate assessment screening undertaken by PA.

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

11.4. Likely significant effects are excluded and therefore Appropriate Assessment (Stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

12.0 Recommendation

Whilst the appeal scheme is an improvement on the application scheme, I am not satisfied that it sufficiently addresses the PA's refusal reasoning with regard to the issue of the proposal's excessive proximity to 'The Elms' and to the boundary shared with no's 5-7 Church Court (and related visual intrusion and residential amenity issues). I also wish to draw the Commission's attention to the unacceptable level of ambiguity which remains in respect to the treatment of the eastern stone boundary wall, 'future reservation area' adjoining College Road and related implications for the

siting and private amenity space of proposed dwelling No. 4. Having regard to the cumulative nature of these issues, I recommend to the Commission that permission for both the application scheme and amended appeal scheme be refused.

I recommend that permission for the proposed development be REFUSED for the reasons and considerations set out below.

13.0 Reasons and Considerations

1. Having regard to Section 14.6.6.4 (Overlooking and Overbearance) and Objective DMSO32 (Infill Development on Corner/ Side Garden Sites) of the Fingal Development Plan 2023-2029, it is considered that the proposed development, by reason of its siting, height, bulk/depth and elevated position relative to the Church Court estate, would give rise to unacceptable overbearance and visual intrusion on no's 5-7 Church Court thereby seriously injuring their residential and visual amenity in contravention of the site's 'RS – Residential' zoning. It is also considered that the proposed layout would give rise to a substandard and qualitatively deficient private amenity space serving proposed terrace unit no. 3. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed infill development, by reason of its design and siting, would give rise to unacceptable visual intrusion and encroachment on 'The Elms' (which is identified on the National Inventory of Architectural Heritage under Reg. No. 11362012 as being a building of regional architectural and artistic interest) thereby unacceptable impacting on the legibility and architectural/ historical value of this historic structure which would not be in compliance with Policy HCAP14 of the Fingal Development Plan 2023-2029 which seeks that development within an ACA protect and enhance the character and appearance of same by not harming buildings or historic boundary features which contribute positively to same. The proposed development 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.

Emma Gosnell

Planning Inspector

4th December 2025

Form 1 - EIA Pre-Screening

Case Reference	ACP-323488-25
Proposed Development Summary	Construction of 4 dwellings with all associated site works
Development Address	Lands located at The Elms, College Road, Castleknock, Dublin 15, D15 DD7R
	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.	
<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 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	

<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)	Part 2, Class 10(b)(i) Infrastructure – dwelling units – 500 units. Proposal is for 4 no. dwelling units. Part 2, Class 10(b)(iv) - Urban development – 10 hectares (built-up area). Site is c. 0.13 ha.
---	---

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

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	ACP-323488-25
Proposed Development Summary	Construction of 4 dwellings with all associated site works
Development Address	Lands located at The Elms, College Road, Castleknock, Dublin 15, D15 DD7R
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The development is for 4 no. dwelling houses and related works and it comes forward as a standalone project, and it does not involve the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption	The development is situated at a property located at The Elms, College Road, Castleknock, Dublin 15. The Royal Canal is located c. 1.1km to the north of the appeal site whilst the River Liffey is located c. 1.2km to its south. These watercourses/ waterbodies provide very indirect potential hydrological links to the Rye Water Valley/Carlton SAC, South Dublin Bay and River

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>Tolka Estuary SPA, South Dublin Bay SAC, North Bull Island SPA and North Dublin Bay SAC. However, it is considered that there is no pathway from the appeal site to this river as per Section 11 of the Inspector's Report (AA Screening).</p> <p>The proposed development and development to be retained is removed from sensitive natural habitats, dense centres of population and designated sites identified significance in the County Development Plan.</p>
<p>Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Having regard to the nature of the proposed development, its location removed from sensitive habitats/ features; likely limited magnitude and spatial extent of effects; and, absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</p>
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ Date: _____
DP/ADP: _____ Date: _____
(only where Schedule 7A information or EIAR required)

Appendix 2 – AA Screening Determination

Screening the need for Appropriate Assessment: Screening Determination (Stage 1, Article 6(3) of Habitats Directive)

I have considered the proposal comprising of the construction of 4 no. dwellings with all associated site works at The Elms, College Road, Castleknock, Dublin 15 Dublin in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located:

- Rye Water Valley/Carton SAC (Site Code 001398) - approx. 8.5km
- South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) – approx. 9km
- South Dublin Bay SAC (Site Code 000210) – approx. 11km
- North Bull Island SPA (Site Code 004006) – approx. 12km
- North Dublin Bay SAC (Site Code 000206) – approx. 12km.

No nature conservation concerns were raised in the planning appeal.

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:

- Small scale nature of works/ development
- Location-distance from nearest European site and lack of connections
- Taking into account screening report/ determination by PA.

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.

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

Appendix 3

WFD IMPACT ASSESSMENT STAGE 1: SCREENING

Step 1: Nature of the Project, the Site and Locality

An Bord Pleanála ref. no.	ACP-323488-25	Townland, address	Lands located at The Elms, College Road, Castleknock, Dublin 15, D15 DD7R
Description of project		The proposal comprises of the construction of 4 no. houses and all associated site works – see Section 2.0 of Inspector's Report for further details.	
Brief site description, relevant to WFD Screening,		<p>Greenfield (side garden), relatively flat urban site.</p> <p>Located in Flood Risk Zone C.</p> <p>The Royal Canal (Royal Canal Main Line (Liffey and Dublin Bay)) is located c. 1.1km to the north of the appeal site whilst the River Liffey (LIFFEY_180) is located c. 1.2km to its south</p> <p>No watercourses on site.</p>	
Proposed surface water details		SuDS and connection to public surface water sewer.	
Proposed water supply source & available capacity		Public mains - capacity available without requiring upgrade.	

Proposed wastewater treatment system & available capacity, other issues			Public waste water network – capacity available without requiring upgrade.			
Others?			n/a			
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
The Royal Canal (Canal)	c. 1.1km to north	(Royal Canal Main Line (Liffey and Dublin Bay)) IE_09_AWB_R CMLE	Good	Under Review	Agriculture, Industry etc.	No direct pathways. Potential indirect pathway via groundwater/ SuDS.
River Liffey (transitional)	c. 1.2km south	LIFFEY_180 IE_EA_09L012 350	Poor	At Risk	Agriculture, Industry, Hydromorphology etc.	No direct pathways. Potential indirect pathway via groundwater/ SuDS.
Dublin Groundwater Body (groundwater)	Below site	Dublin Groundwater IE_EA_G_008	Good	Under Review	Agriculture, Industry etc.	Direct pathway via groundwater.

Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.

CONSTRUCTION PHASE

No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Silt-laden surface water discharges/ contaminated surface water discharges	The Royal Canal River Liffey Dublin Groundwater Body	Foul drainage system. Drainage/ SuDS system.	Water pollution	Best Practice Construction/ Site Management and CEMP – the implementation of the standard measures outlined in same would satisfactorily mitigate potential impacts.	No	Screened Out - No Remaining Risk
2.	Contaminated groundwater discharges	The Royal Canal River Liffey	Foul drainage system. Drainage/ SuDS system.	Water pollution	Best Practice Construction/ Site Management and CEMP – the implementation of the standard measures outlined	No	Screened Out - No Remaining Risk

		Dublin Groundwater r Body			in same would satisfactorily mitigate potential impacts.		
3	Alterations to natural hydrology, hydraulic conditions, functioning, and hydrogeology	The Royal Canal River Liffey Dublin Groundwater r Body	Foul drainage system. Drainage/ SuDS system.	Water pollution. Pluvial and fluvial flooding.	Best Practice Construction/ Site Management and CEMP – the implementation of the standard measures outlined in same would satisfactorily mitigate potential impacts.	No	Screened Out - No Remaining Risk
OPERATIONAL PHASE							
4.	Surface water/ groundwater pollution events from plant/ storm overflows	The Royal Canal River Liffey Dublin Groundwater r Body	Drainage system/ On-site waste water treatment system or attenuation/ SuDS measures malfunctioning pathway via groundwater or overland.	Water pollution, Pluvial flood risk	The development will implement standard, best practice SUDS measures to control the quality and quantity of surface water run-off. These will be maintained on an ongoing basis as part of the responsibilities of the management company.	No	Screened Out - No Remaining Risk