



An
Coimisiún
Pleanála

Inspector's Report

ACP-323608-25

Development	Conversion of granny flat to residential unit. Construction of extension with all associated site works.
Location	59 Channel Road, Rush, Co. Dublin
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F25A/0607E
Applicant	Niall Bollard
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant	Niall Bollard
Observers	None
Date of Site Inspection	25 th October 2025
Inspector	Ian Campbell

1.0 Site Location and Description

- 1.1. The appeal site is located on the southern side of Channel Road, at the junction of Healy's Lane and Daly's Lane, c. 1.4 km south-west of the centre of Rush (i.e. Main Street).
- 1.2. The area in the vicinity of the appeal site is residential in character. There is little uniformity in terms of the design of the dwellings in the vicinity.
- 1.3. The appeal site has a stated area of 0.035 ha., and comprises part of an existing detached two storey dwelling, indicated as a granny/family flat. When viewed from Channel Road the granny/family flat element and the host property have the appearance of two separate dwellings. The floor plans submitted indicate that the granny/family flat is internally connected to the host property at first floor level.
- 1.4. The wider site (i.e. the host property and its curtilage, which are indicated within the blue line boundary of the site) include a yard/garden to the rear/south. A right-of-way is indicated to the rear of the host property.

2.0 Proposed Development

- 2.1. The proposed development comprises;
 - Conversion of granny/family flat to separate dwelling.
 - Construction of first floor rear extension (stated floor area c. 23 sqm).
 - Associated site works.
 - 2 no. car parking spaces indicated to rear of site, accessed via right-of-way.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority issued a Notification of Decision to **REFUSE** permission on the 22nd of August 2025¹ for 3 no. reasons, summarised as follows.

¹ The CE Order is signed 25th August 2025.

1. The proposal fails to comply with Policy SPQHP45 (Rural Housing); Policy SPQHP46 (Rural Settlement Strategy); Objective SPQHO92 (Applications for Houses within the South Shore Area); and, Objective SPQHO93 (Applications for Houses in the South Shore Area from Relatives of Residents), and would intensify existing unauthorised development.
2. The proposal does not comply with the minimum floor areas and dimensions set out in the DEHLG Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities 2007.
3. The massing, depth, scale and design of the proposed extension is visually overbearing, out of character with the area, and would be contrary to Policy SPQHP41 (Residential Extensions); SPQHO45 (Domestic Extensions); Policy GINHP9 (Landscape Character); and, Section 14.18.3 (Landscapes Principles for Development).

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the Planning Officer generally reflects the reasons for refusal. The report also notes the following –

- The applicant has presented sufficient evidence of having lived in the family home identified in the application/within the locality of the family home for a period of 15 no. years prior to the application. A Supplementary Application Form and a Declaration witnessed by a Commissioner of Oaths/practicing solicitor has been submitted.
- Policy Objective SPQH092 requires that the applicant has resided in the South Shore area for a minimum of 10 no. years, which has not been demonstrated.
- There is no evidence of permission having previously been granted for the granny/family flat and as such it is considered to be unauthorised. The proposal is deemed to be an intensification of an unauthorised development.

- The proposal is deemed substandard with reference to the DEHLG Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities 2007, being below the minimum floor area for single bedrooms (i.e. 6.5 sqm, whereas 7.1 sqm is required, and below the required aggregate floor area of 28 sqm, with 26 sqm provided. The width of the living room is 3.6 metres whereas 3.8 metres is required).
- The proposed rear extension is considered incongruous when viewed from the side, particularly given the absence of any current or proposed boundary treatment, and given the differences in material finishes between the rear kitchen structure and host property. The proposed rear extension is also considered to be overbearing in terms of its massing and scale.
- The subdivision of the property from the host property would be imposing and overbearing, and would diminish the amenities of the host property.
- It is unclear if the rear garden is accessible to facilitate bicycle parking.
- Car parking provision is unclear.
- Vehicular access to the site is unclear. A sightline drawing has not been submitted.

The report of the Planning Officer recommends a REFUSAL of permission consistent with the Notification of Decision which issued.

3.2.2. Other Technical Reports

Water Services –report recommends standard conditions.

Transport Planning Section – the report on the file relates to a different site address and a different development.

Parks & Green Infrastructure Division – report recommends standard conditions.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

None received.

4.0 Planning History

Appeal Site

None.

5.0 Policy Context

5.1 Ministerial Guidelines

5.1.1 Having regard to the nature of the proposed development and to the location of the appeal site, I consider the following Guidelines to be pertinent to the assessment of the proposal.

- Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024).
- Design Manual for Urban Roads and Streets (2019).
- Appropriate Assessment of Plans and Projects in Ireland, Guidelines for Planning Authorities (2010).
- Quality Housing for Sustainable Communities - Best Practice Guidelines for Delivering Homes Sustaining Communities (2007).

5.2. Development Plan

5.2.1. The Fingal Development Plan 2023-2029 is the relevant County Development Plan. The appeal site is zoned 'RU' - Rural (see Map 6B) in the Fingal Development Plan 2023-2029, the objective for which is to *'protect and promote in a balanced way, the development of agriculture and rural related enterprise, biodiversity, the rural landscape, and the built and cultural heritage'*. 'Residential' is noted as being permitted in principle subject to compliance with the Rural Settlement Strategy (see pages 508/509 of CDP).

5.2.2. The appeal site is designated as a 'Highly Sensitive Landscape'.

5.2.3. There is a Site Specific Objective Boundary around the South Shore Area of Rush, indicated on Map 6B.

5.2.4. The roads in the vicinity of the appeal site are indicated as 'GDA Cycle Network Plan'.

5.2.5. The provisions of the Fingal Development Plan 2023-2029 relevant to this assessment are as follows;

Chapter 3 (Sustainable Placemaking and Quality Homes)

- **Objective SPQHO92** – Applications for Houses within the South Shore Area
- **Objective SPQHO94** – Occupancy Requirement for House in the South Shore Area

Chapter 14 (Development Management Standards)

- **Objective DMSO19** – New Residential Development
- **Objective DMSO27** – Minimum Private Open Space Provision (60 sqm for 3 bedroom houses or less)
- **Section 14.10.2.4** - First Floor Extensions
- **Section 14.12.11** - South Shore Rush (reiterates the policy contained in Chapter 3 – see above)
- **Table 14.17:** Bicycle Parking Standards (2 spaces + 1 no. for each bedroom)
- **Table 14.19:** Car Parking Standards (2 no. spaces required for 3+ bedroom unit within Zone 2)

5.3. **Natural Heritage Designations**

- Rogerstown Estuary SAC (Site Code: 000208) – c. 870 metres south-east.
- Rogerstown Estuary SPA (Site Code: 004015) – c. 820 metres south-east.
- Rogerstown Estuary pNHA (Site Code: 000208) – c. 700 metres south-east.

5.4 **EIA Screening**

(See Form 1 and Form 2 attached to this report) Having regard to the limited nature and scale of the development and the absence of any significant environmental sensitivity in the vicinity of the site, as well as the criteria set out in Schedule 7 of the

Planning and Development Regulations, 2001, as amended, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

This is a first-party appeal against the decision to refuse permission. The grounds for appeal may be summarised as follows;

- The decision of the Planning Authority is unsound, disproportionate, contrary to precedent, and does not afford sufficient weight to the social and economic circumstances of the applicant.
- The Planning Authority have previously permitted the conversion of family flats to dwellings (examples cited).
- The proposal entails the formalisation and modest extension of an existing ancillary residential unit and will provide for the reuse of existing building stock.
- The proposal has been designed to integrate with the area, and is similar to other such developments permitted within the County (examples, including planning register references cited). The proposal is modest in scale. The flat roof of the extension allows for a reduced height. Material finishes of the extension will match the host property.
- The decision of the Planning Authority focuses on minor technical issues and overlooks higher level policy. The guidance referred to by the Planning Authority are advisory. The Sustainable Residential Development and Compact Settlement Guidelines 2024 advises flexibility. The Commission may, if it wishes, attached a condition providing for minor internal adjustments. The Planning Authority have previously allowed for such minor deviations (example cited).
- The rooms within the dwelling are usable, naturally lit and well ventilated.

- The existing granny/family flat has own door access, which was in keeping with the Council's former policy.
- The existing granny/family flat has existed for decades, and was occupied by the applicant's grandmother.
- The applicant has lived in Rush his entire life (15+ years). A declaration has been submitted in this regard. The applicant is a grandson and son of residents of the South Shore, thereby satisfying Objective SPQHO93.
- Objective SPQHP48 of the Fingal Development Plan recognises that family flats may evolve into independent dwellings.
- 2 no. car parking spaces are provided on the site and right of way indicated over lands to rear. Sightlines of 45 metres are achievable.
- Private open space exceeds the Development Plan requirements.

6.2. Planning Authority Response

A response was received from the Planning Authority requesting that should the Commission grant permission for the proposed development that a planning condition requiring the payment of a development contribution/and or any special development contribution in accordance with the Council's Section 48 Development Contribution Scheme.

6.3. Observations

None received.

7.0 Assessment

- 7.1. Having examined the application details and all other documentation on file, including the appeal, response of the Planning Authority, and having inspected the site, and having regard to the relevant national and local policy and guidance, I consider the main issues in relation to this appeal are as follows:

- Refusal Reason 1 (compliance with Rural Housing Policy applicable to South Shore)

- Refusal Reason 2 (internal accommodation standards)
- Refusal Reason 3 (visual impact)
- Issues Arising
- Appropriate Assessment Screening

7.2. Refusal Reason 1 (compliance with applicable Rural Housing Policy applicable to South Shore)

- 7.2.1. The first reason² for refusal cited by the Planning Authority concerns compliance with the Rural Settlement Strategy. The Planning Authority contend that the proposal fails to comply with Policy SPQHP45 (Rural Housing); Policy SPQHP46 (Rural Settlement Strategy); Objective SPQHO92 (Applications for Houses within the South Shore Area); and, Objective SPQHO93 (Applications for Houses in the South Shore Area from Relatives of Residents).
- 7.2.2. The report of the Planning Officer notes that the applicant has presented sufficient evidence of having lived within the locality of the family home for a period of 15 no. years prior to the application. Elsewhere the report of the Planning Officer notes that the requirements of Policy Objective SPQH092 have not been meet, specifically that the applicant has not demonstrated that he has resided in the South Shore area for a minimum of 10 no. years.
- 7.2.3. Section 3.5.15.8 (pages 153 – 155) of the Fingal Development Plan 2023 – 2029 sets out the Rural Settlement Strategy for the South Shore Area of Rush, which differs compared to other rural parts of the County. The Development Plan notes that ‘...*the settlement strategy for housing in the open countryside will be more flexible within the area demarcated on the Plan maps*’, and the Development Plan goes on to describe the South Shore where this ‘more flexible’ approach in relation to housing applies, i.e. ‘*south and east of the R128 from the junction with Spout Road, immediately to the west of Rush*’. The Development Plan states that ‘*housing will be considered for*

² The issue of the planning status of the appeal property is addressed under paragraph 7.5.1 (below).

persons who have been resident in the South Shore, or within the development boundary of Rush or within one kilometre by road of either of these areas for a minimum of ten years', and that 'housing will also be considered for a mother, father, son or daughter of a resident who qualifies' (page 154).

- 7.2.4. Based on the information submitted with the planning application/appeal I note that the applicant falls into the first category. The above requirement, i.e. for South Shore residents, is set out in Objective SPQHO92, which provides '*consider planning applications for a house located within the South Shore area of Rush from persons who have been resident for a minimum of ten years within the South Shore area or within the development boundary of Rush or within one kilometre by road of either of these areas, subject to sustainable planning and consideration of climate change impacts*'. I have reviewed the information submitted by the applicant in support of the application. Extensive verifiable correspondence, including bank statements, letters from schools, and Governments Departments have been furnished spanning a period from 2006 to 2025. The applicant's address is stated in all correspondence as Channel Road, Rush. Having regard to the information submitted by the applicant I consider that the applicant complies with the requirements of Objective SPQHO92, specifically the applicant has demonstrated that he has resided within the South Shore area of Rush for a period in excess of 10 no. years.
- 7.2.5. The report of the Planning Officer refers to the requirement for the applicant to demonstrate his relationship to his parents (i.e. through the submission of his Birth Certificate) in any future application in order to demonstrate compliance with the Rural Settlement Strategy as it applies to the South Shore area of Rush. Having reviewed the Rural Settlement Strategy in respect of Rush I note that no such requirement would arise in this instance, and would only be relevant if an applicant was seeking a house under Objective SPQHO93, i.e. on the basis of being a relative of a resident of the South Shore. IT is clear from the information submitted that the applicant is seeking a house on the basis of his residency in the South Shore, and therefore his compliance with the Rural Settlement Strategy is not contingent on his relationship to a family member.

7.2.6. The report of the Planning Officer indicates that the requirements set out under Table 3.5 are relevant in assessing this case. From reviewing the Development Plan I note that the Rural Settlement Strategy for the South Shore area of Rush is separate to that of the wider rural area of the County, as is set out on pages 153 – 155 of the Development Plan. As addressed above at paragraph 7.2.4 I am satisfied that the applicant has satisfactorily demonstrated compliance with the Rural Settlement Strategy, as it applies to the South Shore area of Rush, and that there is no other additional requirement which would arise.

7.3. Refusal Reason 2 (internal accommodation standards)

7.3.1. The second reason for refusal cited by the Planning Authority concerns non-compliance with the minimum standards set out in respect of internal accommodation in Quality Housing for Sustainable Communities - Best Practice Guidelines for Delivering Homes Sustaining Communities (2007), specifically bedroom areas, aggregate bedroom area and living room width. In response to this reason for refusal the applicant notes that the Planning Authority have been overly focused on minor technical breaches in terms of the internal standards.

7.3.2. Page 48 and Table 5.1 (Space provision and room sizes for typical dwellings) of the Guidelines sets out minimum internal areas for houses. From reviewing the floor plans submitted I note that the proposal complies with the overall floor area requirement for the unit type proposed (i.e. a 3 bedroom/4 person unit, which is 83 sqm, whereas the unit proposed has a stated floor area of 88 sqm), with accommodation comprising, main living area (13 sqm required, versus c. 19 sqm provided), aggregate living area (30 sqm required, versus c. 37 sqm provided when the kitchen area is considered) and aggregate bedroom area (28 sqm required, versus c. 32 sqm provided. Storage provision of 4 sqm, whilst not indicated, can easily be accommodated within the proposed unit. Regarding the Planning Officer's assertion that the width of the living room is below the requirement, I note that this depends on the assumed orientation of the living room, and that if measured from the opposite orientation it achieves the required minimum width of 3.8 metres. Both single bedrooms are marginally below the recommended floor area of 7.1 sqm, however having regard to the marginal shortfalls concerned in each bedroom and to the overall provision of floor areas within the unit,

which exceed the minimum standards set out in the Guidelines I do not consider that the proposal could reasonably be considered to be substandard, nor do I consider that a refusal of permission would be warranted.

7.4. Refusal Reason 3 (visual impact)

- 7.4.1. The third reason for refusal cited by the Planning Authority concerns the design of the first floor rear extension and its impact on the visual amenity and character of the adjoining area. The Planning Authority contends that the massing, depth, scale, and design of the proposed first floor rear extension would be excessive, visually overbearing and dominant in the streetscape.
- 7.4.2. The proposed first floor rear extension extends c. 6 metres from the rear wall of the property, over an existing flat roof kitchen annex. The overall height of the resultant rear annex, i.e. the existing ground floor projection in addition to the proposed extension, will be c. 5.2 metres. A flat roof is indicated, which the applicant indicates has been proposed so as to reduce the height of the extension. Having considered the scale and design of the proposed extension, and the character of the area, I do not concur with the Planning Authority that the proposed extension would be excessive, nor do I consider that it would be dominant, or represent a discordant feature when viewed from the local streetscape. The proposed flat roof of extension provides for the extension to be read as a subordinate element to the main dwelling, and assists with the assimilation of the proposal. I also note that the proposed material finishes match the existing dwelling. I consider that the proposed extension accords with Policy SPQHP41(Residential Extensions), which requires extensions to be of an appropriate scale and the protection of residential and visual amenities, and Objective SPQHO45 (Domestic Extensions), which seeks to encourage sensitively designed extensions which do not negatively impact the environment or adjoining property.
- 7.4.3. I note that the almost the entire settlement of Rush is designated as a 'Highly Sensitive Landscape', including the South Shore. The area in the vicinity of the appeal site does not exhibit any specific exceptional landscape sensitivities in my opinion, nor are there any scenic views available to/from the site. Views of the appeal property are only

possible from the immediate environs of the site, to the front and side of the site along Channel Road and Daly's Lane. This area is not characterised by any particular architectural character, or uniformity. As noted above, I consider the scale and design of the proposed extension to be acceptable and I do not consider that it would result in any significant negative impacts on the visual amenities of the wider area. In my opinion, a refusal of permission on the basis of the scale/design or massing of the proposed extension would not be warranted.

- 7.4.4. The Planning Authority note in refusal reason no. 3 that the proposed extension would be contrary to Policy GINHP9 of the Fingal Development Plan 2023 – 2029. This policy seeks to *'ensure that green infrastructure provision responds to and reflects landscape character including historic landscape character, conserving, enhancing and augmenting the existing landscapes and townscapes of Fingal which contribute to a distinctive sense of place'*. The relevance of Policy GINHP9 in the context of the proposed development is not clear. I am satisfied that the proposed development would not be contrary to Policy GINHP9 of the Fingal Development Plan 2023 – 2029.

7.5. Issues Arising

- 7.5.1. Planning Status of Family/Granny Flat - The Planning Authority note that no planning permission authorising the family/granny flat can be identified and contend that the proposal, if permitted, would entail the intensification of an unauthorised use. In response, the applicant notes that the family/granny flat has existed for decades. I have reviewed the Planning Authorities planning search system and similarly cannot identify a permission permitting the existing family/granny flat. That being said, I note that the Commission are not precluded from granting permission for the proposed development in such circumstances. I note that the applicant is not seeking retention permission for the family flat but rather its conversion to a separate residential unit, and that the proposal is assessed on its merits.
- 7.5.2. Car/Bicycle Parking & Access – the report of the Planning Officer refers to the report of the Transportation Section, which it notes recommends that Further Information is sought in respect of car and bicycle parking, and access/sightlines. I note that the report attached to the file relates to a different location and development. On the issue of parking and access, I note that car parking provision for 2 no. cars is indicated to

the rear of the site, as per Development Plan requirements, and that a right-of-way is indicated over the adjoining lands (indicated within the blue line boundary of the site) which would facilitate access at an existing vehicular entrance onto Channel Road. Whilst no sightline drawing has been provided at this existing entrance I note that it is an existing established entrance. I am generally satisfied with the level of visibility at the entrance and I note that the wall of the adjoining shed at the entrance is splayed which improves visibility turning left on exit. I am satisfied that bicycle parking can be facilitated to the rear of the dwelling.

7.6. Screening for Appropriate Assessment

- 7.6.1. I have considered the proposed development at 59 Channel Road, Rush, Co. Dublin in light of the requirements S177U of the Planning and Development Act, 2000, as amended. The subject site is located in excess of 800 metres north-west of Rogerstown Estuary SAC (Site Code: 000208) and Rogerstown Estuary SPA (Site Code: 004015).
- 7.6.2. The proposed development comprises permission for the conversion of granny/family flat to residential unit, the construction of an extension and associated site works. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is based on the following;
- The distance from nearest European Site(s) and absence of connectivity between the development site and European Sites.
 - The nature and scale of the proposed development, and location of the proposed development within an existing developed/urban site.
 - The proposal to connect to the existing public sewer at operational phase.
- 7.6.3. I conclude that 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 (stage 2) (under Section 177V of the Planning and Development Act, 2000) is not required.

8.0 Recommendation

- 8.1. Having regard to the above it is recommended that permission is granted based in the following reasons and considerations and subject to the attached conditions.

9.0 Reasons and Considerations

Having regard to:

- (a) The design, scale and layout of the proposed development,
- (b) The pattern of development in the area,
- (c) The provisions of the Fingal Development Plan 2023 – 2029, including the objectives of the Development Plan relating to Rush South Shore, and the policies and objectives contained therein,
- (d) The documentation submitted by the applicant in respect of his residency within the South Shore area of Rush,

it is considered that subject to compliance with the conditions set out below, the proposed development would comply with the Rural Settlement Strategy of the Fingal Development Plan 2023 – 2029 as it applies to the South Shore area of Rush; would not be visually intrusive or seriously injurious to the amenities of the area; would not result in traffic safety issues; and would not have a significant impact on ecology or on European Sites in the vicinity; and, would be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the Planning Authority, the developer shall agree such details in writing with the Planning Authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.
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	Reason: In the interest of clarity.
2.	<p>(a) The proposed dwelling, when completed, shall be first occupied as a place of permanent residence by the applicant, members of the applicant's immediate family or their heirs, and shall remain so occupied for a period of at least seven years thereafter [unless consent is granted by the Planning Authority for its occupation by other persons who belong to the same category of housing need as the applicant]. Prior to commencement of development, the applicant shall enter into a written agreement with the Planning Authority under section 47 of the Planning and Development Act, 2000 to this effect.</p> <p>(b) Within two months of the occupation of the proposed dwelling, the applicant shall submit to the Planning Authority a written statement of confirmation of the first occupation of the dwelling in accordance with paragraph (a) and the date of such occupation.</p> <p>This condition shall not affect the sale of the dwelling by a mortgagee in possession or the occupation of the dwelling by any person deriving title from such a sale.</p> <p>Reason: To ensure that the proposed house is used to meet the applicant's stated housing needs and that development in this rural area is appropriately restricted to meeting essential local need in the interest of the proper planning and sustainable development of the area.</p>
3.	<p>The external finishes to the proposed development shall be as indicated on <i>Drawing no. 56-45-02</i>, unless otherwise agreed with the Planning Authority prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.</p> <p>Reason: In the interest of visual amenity.</p>
4.	Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the detailed requirements of the Planning Authority for such works and services.

	Reason: In the interest of public health.
5.	<p>Prior to commencement of development, the developer shall enter into water and waste water connection agreements with Úisce Eireann.</p> <p>Reason: In the interest of public health.</p>
6.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the Planning Authority.</p> <p>Reason: In order to safeguard the amenities of property in the vicinity.</p>
7.	<p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.</p> <p>Reason: In the interests of visual and residential amenity.</p>
8.	<p>The developer shall pay to the Planning Authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the Planning Authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the</p>

	Development Contribution Scheme made under section 48 of the Act be applied to the permission.
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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.

Ian Campbell
Senior Planning Inspector

28th October 2025

Appendix 1 - Form 1

EIA Pre-Screening

An Bord Pleanála	ACP-323608-25		
Case Reference			
Proposed Development Summary	Conversion of granny flat to residential unit, construction of extension and all associated site works.		
Development Address	59 Channel Road, Rush, Co. Dublin		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	X	Part 2, Sch. 5, Class 10, (b), (i) Part 2, Sch. 5, Class 10, (b), (iv)	Proceed to Q3.
No			
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			
No	X		Proceed to Q4

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	X	Class 10, (b), (i) (threshold is 500 dwelling units) – proposal is for 1 no. dwelling unit. Class 10, (b), (iv) (threshold is 10 Ha.) – site area is 0.035 ha.	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	X	Preliminary Examination required
Yes		Screening Determination required

Inspector: Ian Campbell

Date: 28th October 2025

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	ACP-323608-25
Proposed Development Summary	Conversion of granny flat to residential unit, construction of extension and all associated site works.
Development Address	59 Channel Road, Rush, Co. Dublin
<p>The Board carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations.</p> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>	
<p>Characteristics of proposed development</p> <p>(In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>The proposed development comprises the conversion of an existing family flat into 1 no. residential unit, the construction of an extension, and associated site works. The site is located on a brownfield site within an urban area.</p> <p>The proposed development will not give rise to the production of significant waste, emissions or pollutants.</p>

<p>Location of development</p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>The development is located in an urban area on a brownfield site. The site is in excess of 800 m from a European Site. Following screening for Appropriate Assessment, it has been ascertained 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.</p> <p>Given the scale and nature of development there will be no significant environmental effects arising.</p>
<p>Types and characteristics of potential impacts</p> <p>(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>During the construction phase noise, dust and vibration emissions are likely. However, any impacts would be local and temporary in nature and the implementation of standard construction practice measures would satisfactorily mitigate potential impacts.</p>

Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	Yes or No
There is no real likelihood of significant effects on the environment.	EIA is not required.	Yes
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.	No
There is a real likelihood of significant effects on the environment.	EIAR required.	No

Inspector:

Date:

DP/ADP: _____

Date: _____

(only where Schedule 7A information or EIAR required)