



An
Coimisiún
Pleanála

Inspector's Report ACP-323700-25

Development

retention of removal of two disused (derelict) out buildings of 103 sq.m. and retention of a single storey shed (68 sq.m) for storage and non-habitable use with pitched roof to the rear of no. 10 Burrowfield Road and all ancillary works.

Location

10 Burrowfield Road, Sutton

Planning Authority

Fingal County Council

Planning Authority Reg. Ref.

F25A/0644E

Applicant(s)

Albert Flynn.

Type of Application

Permission.

Planning Authority Decision

Refuse Permission

Type of Appeal

First Party

Appellant(s)

Albert Flynn.

Observer(s)

N/A.

Date of Site Inspection

24th October 2025.

Inspector

Stephanie Farrington

1.0 Site Location and Description

- 1.1. The appeal site, which has a stated area of 0.049 ha, is located at no. 10 Burrowfield Road, Sutton, Dublin 13. The site accommodates a two-storey semi-detached dwelling. Burrowfield Road forms the northern boundary of the site and the site is adjoined to the east and west by semi detached dwellings. To the south the site adjoins the Dart railway line.

2.0 Proposed Development

- 2.1. The proposed development, as described within the public notices, seeks retention of removal of two disused (derelict) out buildings of 103 sq.m. and retention of a single storey shed (68 sq.m) for storage and non-habitable use with pitched roof to the rear of no. 10 Burrowfield Road and all ancillary works.

3.0 Planning Authority Decision

3.1. Decision

Fingal County Council issued a notification of decision to refuse permission for retention of the development in accordance with the following reasons and considerations:

“The proposed development by reason of inappropriate scale would not be a subordinate form of development to the existing house on site. The development would present as a dominant feature in the rear garden setting which would fail to integrate appropriately, represent an overbearing feature and would seriously injure properties in the vicinity. The proposed development would be contrary to Section 14.10.4 of the Fingal County Development Plan 2023-2029, set an inappropriate precedent for other similar development and would therefore be contrary to the proper planning and sustainable development of the area”.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Planner’s Report (26/08/25):

The planner's report recommends a refusal of permission in accordance with the planning authority's decision. The following provides a summary of the key points raised:

- The works seeking retention are an acceptable form of development in principle within the RS zoning objective.
- The application site is located within an established residential location. Given the location of the site, it is not envisaged to give rise to undue visual impact on the streetscape.
- The height of the shed at 5.1m and floor area of 68 sq.m. it is considered excessive and overbearing to adjacent residential properties.
- The report refers to the existing structure to the front of the shed as evident from site inspection and outlines that this is not illustrated on the application drawings. The report outlines that the application is ambiguous and unclear in this regard. The structure would not be considered exempt.
- The report outlines that surface water is indicated as being to the existing sewer/drain. This is deemed to be contrary to Objectives GINHO15 and IUO9 of the Fingal Development Plan.
- In terms of Environmental Impact Assessment, the report outlines that the development does not constitute a scale or size of development for the purposes of Part 10.
- An Appropriate Assessment Screening is carried out within the planner's report. This outlines that: *"The proposed project site is not connected with any European (Natura 2000) site and there is no realistic pathway between the proposed project and any European site. Having regard to the nature, scale and location of the proposed project, in comparison with the existing baseline, it is considered that there is no real likelihood of significant effects on any European sites during the construction or operation of the proposed project, and it is further considered that there are no other plans or projects that will act in combination with the proposed project to have a significant effect on European sites"*.

- The report outlines that the development seeking retention, if permitted, would directly contravene policy 14.10.4 of the Fingal Development Plan and recommends that permission is refused for retention of the development.

3.2.2. Other Technical Reports

Transportation Department: No objection. The report outlines that the development does not intensify the parking and access requirements for the site and no additional units are proposed. The application does not propose any alterations to the existing site access and driveway.

3.3. Prescribed Bodies

Iarnród Éireann: Proposed development is to comply with The Railway Safety Act 2005. The observation outlines the following:

- The applicant must take cognisance of the proximity of the site to the railway corridor during the planning and construction phases of the development.
- The existing boundary wall must not be altered.
- The applicant shall not enter the railway corridor to undertake construction of the development.
- The submission refers to a requirement of 4m from the boundary treatment on the applicant's side to ensure sufficient space for the applicant to carry out maintenance of their building and protect railway safety.
- The applicant shall submit to Iarnród Éireann methodologies for maintaining the dwelling without the need to access railway land or oversail the railway boundary.
- The observations recommends that these points are addressed by means of condition in the instance of a grant of permission.

3.4. Third Party Observations

3 no. observations were submitted in respect of the proposal from residents within the vicinity. The following provides a summary of the issues raised within the observations:

- Loss of Privacy
- Excessive Scale of Structure
- Potential Change of Use
- Surface Water Run off
- Cumulative Impact associated with permitted extension
- Overdevelopment
- One observation recommends that conditions restricting the use of the space are not attached in the instance of a grant of permission.

4.0 Planning History

PA Ref: F24A/0771: Permission granted in January 2025 for construction of 31 sq.m. first floor extension to the rear with pitched roof over, 8sq.m. to the First Floor over garage at the front with alterations to increase height of hipped roof to the side for attic access, 4sq.m. ground floor extension to front living room area, amendments to front elevation at ground floor to include new window and relocating existing front door, removal of garage door with new flat roof over. Attic Conversion with new window to gable end at the rear and to include ancillary works.

The planner's report refers to the following enforcement history on site:

Enforcement Case: 25/106 (Active): Construction of structure to the rear without planning permission.

5.0 Policy Context

5.1. Development Plan

Fingal Development Plan 2023-2029

Zoning

- 5.1.1. The site is zoned for Objective RS – Residential purposes within the Fingal Development with an objective to *“provide for residential development and protect*

and improve residential amenity". The vision for this zoning objective seeks to: "ensure that any new development in existing areas would have a minimal impact on and enhance existing residential amenity".

5.1.2. The following provisions of the Plan are of relevance:

- Policy SPQHP41 – Residential Extensions seeks to: *Support the extension of existing dwellings with extensions of appropriate scale and subject to the protection of residential and visual amenities.*
- Objective SPQHO45 – Domestic Extensions: Encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area.

5.1.3. Development Management Standards are set out within Chapter 14 of the Development Plan.

5.1.4. The following guidance is of relevance to the proposal:

"14.10.4 Garden Rooms Garden Rooms can provide useful ancillary accommodation such as a playroom, gym, or study/home office for use by occupants of the dwelling house. Such structures should be modest in floor area and scale, relative to the main house and remaining rear garden area. Applicants will be required to demonstrate that neither the design nor the use of the structure would detract from the residential amenities of either the main residence or of adjoining property. External finishes shall be complementary to the main house and any such structure shall not provide residential accommodation and shall not be fitted out in such a manner including by the insertion of a kitchen or toilet facilities. Such structures shall not be let or sold independently from the main dwelling".

5.2. Natural Heritage Designations

The site is not located in or adjacent to a European site. The nearest designated sites to the appeal site include the Baldoyle Bay Special Area of Conservation (SAC) and proposed Natural Heritage Area (p NHA) (Site Code 000199) and the Baldoyle Bay Special Protection Area (SPA) (004016) c.240m east. The North Dublin Bay SAC and p NHA (Site Code 000206) and North Bull Island SPA (Site Code 004006) are located c. 400m to the south of the site.

5.3. EIA Screening

The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

6.0 The Appeal

6.1. Grounds of Appeal

A first party appeal was submitted on behalf of the applicant in respect of Fingal County Council's notification of decision to refuse permission for the development. The following provides a summary of the grounds of appeal:

Background to Development/ Site History:

- The appeal outlines that the site previously accommodated 2 no. structures including a glasshouse and shed with a cumulative floor area of 103 sq.m. which were constructed pre-1963. The structures had structural damage and were removed in their entirety for safety reasons. These structures were not of any architectural merit and were in poor condition. A grant of permission for retention of the demolition of these structures is requested.
- The appeal outlines that the applicant built the existing storage shed in their place on the understanding that such works were exempted development. The structure is small in scale relative to the previous structures on site. The applicant's son works in the construction industry and uses the building to store tools, other equipment and motorcycles. The appeal outlines that the building is for storage and not habitable use.
- The applicant has no objection to making amendments to the aesthetics of the structure in the instance of a grant of permission. The appeal outlines that this could be addressed by means of condition.
- The shed is located in the southernmost area of the site to ensure that sufficient rear private amenity space is maintained to serve the main dwelling

and avail of existing screening to ensure no significant impact on adjoining residential properties. The development is considered to comply with the provisions of Section 14.10.4 of the FCD as it relates to Garden Rooms.

- The appeal refers to commentary in the planner's report that the application is unclear in relation to the existing structure in front of the shed proposed for retention. The appeal outlines that this structure is not permanent and will be removed.

Planning Authority Decision

- The appeal refers to the Planning Authority's Decision to refuse permission for retention of the development.
- The appeal outlines that the reason for refusal makes no reference to the demolished structures on site and no concerns are raised with the planner's report in relation to the removal of same. In this regard it is stated that a grant of permission to retain the demolition of the structures should have been approved.
- The appeal outlines that the shed is smaller in scale than previous buildings on site and less visually dominant. The structure is not for habitable use and is not considered to cause disamenity to adjoining dwellings by reason of overlooking, overshadowing or overbearance.

Grounds of Appeal

Demolition of Derelict Structures:

- The 2 no. derelict structures which have been removed included a 73 sq.m. glasshouse and 30 sq.m. shed/workshop. The structures were pre 1963 and were in serious state of disrepair and had become a safety hazard.
- The structures were not of architectural merit. The planner's report does not raise concerns in relation to the demolition of the structures.
- Permission to retain the demolition of these structures is justified.

Scale and Footprint:

- The footprint of the shed is significantly smaller than previous outbuildings on site.

- The shed is modest in scale relative to the existing house on site which is currently being extended. The appeal refers to the planning history pertaining to the site wherein permission was granted by FCC under PA Ref: 24A/0771 for extension to the existing dwelling. The appeal response outlines that the area of private amenity space maintained to serve the dwelling remains at 230 sq.m. even with the extension and shed in place.

Compliance with Fingal Development Plan 2023-2029:

- The development is deemed to be in compliance with Policy 14.10.4 of the FDP and the RS zoning objective pertaining to the site.
- The appeal outlines that the shed with a floor area of 68 sq.m. and a ridge height of 5.1m is subordinate in scale to the existing dwelling on site and the previous buildings on site.
- The removal of the structures has resulted in an increase in private open space serving no. 10 from 197 sq.m. to 230 sq.m. (an increase in 17%). The removal of the building has therefore enhanced the residential amenity of the property.
- The appeal outlines that the main house, which when extended, will comprise 160 sq.m. and a ridge height of 8.8m. The structure is also located over 22m from the dwelling. The shed is deemed to be subordinate in scale and height relative to the main house.

Residential Amenity:

- The development is modest in scale and will not result in overbearing or overshadowing effects for neighbouring properties. It is a non-habitable structure which is required for storage purposes.
- The shed is adjacent to the rear garden space of nos. 8 and 12 Burrowfield separated from both by a 2m high wall with hedging, trees and vegetation, thereby screening the structures from the adjoining garden spaces.
- The appeal outlines that while intermittent views of the shed structure will be available from neighbouring properties, it is not considered to represent an overbearing form of development. All windows will be opaque and therefore not result in overlooking.

- In terms of overshadowing the appeal outlines that the neighbouring gardens are deep and the development would will receive sufficient daylight even with the development in place.
- The appeal outlines that the PA's assertion that the development would seriously injure the amenities of properties in the vicinity is overstated and not substantiated within their assessment of the case.

Consideration of Planning History / Site Context

- The appeal refers to the surrounding site context and previous decisions by FCC to grant permission for shed structures similar to that for which retention permission is sought including those at no. 16 and no. 38 Burrowfield Road. Under PA Ref: F17B/0076 an application for permission for retention of a 59 sq.m., 5m high shed to the rear of no. 38 Burrowfield Road. The Commission is requested to have regard to the site context.

Finishes

- In terms of finishes the appeal outlines that the development includes render finish and concrete roof tiles consistent with the host dwelling. Window openings will be opaque glass.
- The appeal reaffirms that the building is not a habitable structure, nor is it intended to be such in the future.

Surface Water Disposal

- The appeal refers to the concerns raised within the planner's report in relation to surface water proposals and outfall to the public sewer. The appeal includes a revised Site Plan (attached as Appendix B of the appeal) which incorporates a soakway on site.

Conclusion

- The appeal requests that permission is granted to retain the development proposed.

6.2. Planning Authority Response

Fingal County Council provided a response to the grounds of appeal. The following points are raised:

- The application was assessed against the policies and objectives of the Fingal Development Plan 2023-2029.
- The development was assessed having regard to the zoning objective as well as the impact on visual and residential amenities and the character of the area.
- The decision of the Planning Authority is deemed appropriate as the development does not comply with Policy 14.10.4 of the FDP due to its inappropriate scale and failure to integrate appropriately in the rear setting.
- The shed would also represent an overbearing feature and would seriously injure the amenities of properties in the vicinity.
- The development seeking retention is not considered to be acceptable. The development seeking retention permission is not consistent with the proper planning and sustainable development of the area and would contravene Policy 14.10.4 Garden Rooms.
- It is requested that An Coimisiún Pleanála uphold the decision of the planning authority and refuse permission to retain the development.

7.0 Assessment

7.1. I have reviewed the proposed development and the correspondence on the file. I am satisfied that the proposed development is acceptable in principle, in accordance with the zoning objective of the site. The main issue for consideration is the reason for refusal, as cited by the Planning Authority.

7.2. Scale and Impact on Residential Amenity

7.2.1. Fingal County Council issued a notification of decision to refuse permission for the development in accordance with the following reasons and considerations:

“The proposed development by reason of inappropriate scale would not be a subordinate form of development to the existing house on site. The development would present as a dominant feature in the rear garden setting which would fail to integrate appropriately, represent an overbearing feature and would seriously injure properties in the vicinity. The proposed development would be contrary to Section 14.10.4 of the Fingal County Development Plan 2023-2029, set an inappropriate precedent for other similar development and would therefore be contrary to the proper planning and sustainable development of the area”.

- 7.2.2. At the outset in considering the proposal I note that the application relates to 2 distinct elements namely (1) retention of demolition of two disused derelict outbuildings and (2) retention of existing 68 sq.m. storage shed. I consider these elements of the application separately as follows.

(1) Demolition of Derelict Outbuildings

- 7.2.3. The application seeks retention permission for the demolition of 2 no. outbuildings on including a glasshouse and shed with a cumulative floor area of 103 sq.m. I refer to Drawing no 01 Site Plan which illustrates an outline of the glasshouse and shed/workshop. The appeal outlines that the structures on site were constructed pre-1963, had structural damage and were removed in their entirety for safety reasons. The appeal outlines that the removal of the structures has resulted in the increase in private open space serving the property from 197 sq.m. to 230 sq.m.
- 7.2.4. The appeal site is zoned for RS purposes within the Fingal Development Plan, there are no Protected Structures on site, and the site is not located within an Architectural Conservation Area. On review of the planning authority's reason for refusal, I note see no objection to the demolition of the structures. I have no objection to the principle of the demolition of the structures and recommend that permission is granted to retain this element of the proposal.

(2) Retention of 68 sq.m. shed

- 7.2.5. FCC's reason for refusal raises concerns in relation to the scale of the storage shed and the impact of the structure on the residential amenity of the area. The development is deemed to be contrary to the guidance of Section 14.10.4 of the Fingal Development Plan in this regard which outlines the following:

“14.10.4 Garden Rooms Garden Rooms can provide useful ancillary accommodation such as a playroom, gym, or study/home office for use by occupants of the dwelling house. Such structures should be modest in floor area and scale, relative to the main house and remaining rear garden area. Applicants will be required to demonstrate that neither the design nor the use of the structure would detract from the residential amenities of either the main residence or of adjoining property. External finishes shall be complementary to the main house and any such structure shall not provide residential accommodation and shall not be fitted out in such a manner including by the insertion of a kitchen or toilet facilities. Such structures shall not be let or sold independently from the main dwelling”.

- 7.2.6. The first party appeal outlines that the development complies with the requirements of Section 14.10.4 of the Development Plan and states that the structure proposed for retention is modest in scale relative to no. 10 Burrowfield Road and would not detract from the residential amenity of no. 10 or adjacent properties.

Scale relative to no. 10 Burrowfield Road

- 7.2.7. Drawing no. 02 “Existing Plans and Elevations” illustrates that the shed has an overall height of 5.12m, is 12.4 in length and 7.6m in width. The shed has a render finish, roller shutter doors and concrete roof tiles. The structure is set back 600mm from the eastern and western site boundaries. Drawing no 01 Site Plan illustrates the location of the shed relative to the existing house and illustrates the outline of the removed glasshouse and shed/workshop. The shed is set back a minimum of 22m from no. 10. The rear garden maintains 230sq.m. of private open space. Having carried out a site inspection, I do not consider that the structure presents a dominant feature within the garden.
- 7.2.8. In considering the guidance set out within Section 14.10.4 of the FCD, the appeal outlines that the scale of the shed is modest relative to the host dwelling. The existing shed has a stated floor area of 68sq.m. and height of 5.1m. I refer to the planning history pertaining to no. 10 Burrowfield Road wherein permission was granted by FCC to extend the dwelling under PA Ref: F24A/0771. On site inspection, I note that the extension is currently under construction. The planning application form submitted under PA Ref: F24A/0771 outlines that the existing dwelling has a gross floor area of 115 sq.m. The appeal outlines that the main house, which when

extended, will comprise 160 sq.m. and a ridge height of 8.8m. The appeal furthermore cites precedents in the vicinity of the site wherein permission has been granted for similar scale structures.

- 7.2.9. Having regard to the information set out within the application and appeal, and having carried out a site inspection I am satisfied that the shed is subordinate in scale and height relative to no. 10 Burrowfield Road and does not represent a dominant feature within the garden.

Impact on Residential Amenity of no. 10 Burrowfield Road

- 7.2.10. The shed is located along the southern site boundary at a minimum distance of 22m from the existing dwelling at no. 10. The application drawings illustrate that an area of 230 sq.m. of private open space is provided to the rear of no. 10. Having regard to the siting of the shed relative to no. 10, the set back from the existing dwelling and the extent of existing private open space I do not consider that the structure impacts on the residential amenity of the existing dwelling at no. 10.

- 7.2.11. In design terms, I note that the render finish of the shed reflects that of no. 10 Burrowfield in accordance with the requirements of Section 14.10.4 of the Fingal Development Plan.

Impact on Residential Amenity of Adjoining Dwellings

- 7.2.12. The appeal site is adjoined by no. 12 Burrowfield to the east and no. 8 Burrowfield to the west. On site inspection, I note that the appeal site and adjoining properties accommodate long back gardens enclosed by walls and mature tree / hedgerow planting. Figures 14 and 15 of the appeal illustrate the boundary treatment with adjoining dwellings.

- 7.2.13. Having regard to the height of the structure and existing nature of the boundary treatment which includes extensive planting I do not envisage there to be significant overshadowing or overbearing impact. While I acknowledge that the structure would be visible from adjoining properties, I do not consider that it constitutes an overbearing form of development.

- 7.2.14. I have had regard to the contents of the submissions on the application from residents of no. 12 and no. 8 Burrowfield Road. The concerns raised include loss of privacy associated with window openings and overlooking and potential future

residential use of the structure. In terms of the concerns raised in relation to overlooking and loss of privacy, I note that the structure is single storey and I do not perceive loss of privacy and overlooking on this basis. All windows are detailed as opaque, and door openings will be enclosed with roller shutters.

- 7.2.15. In terms of the use of the structure I note that permission is sought to retain a shed/storage building and the appeal sets out a rationale for the use. This is consistent with my observations on site inspection. The application and appeal documentation are clear in that the building is not for residential use in accordance with the provisions of Section 14.10.4 of the FDP. I am satisfied that the use of the building can be addressed by means of condition.

Conclusion

- 7.2.16. In conclusion, having regard to the above reasons and considerations and the existing site characteristics, I do not consider that the existing shed represents a scale or format of development which forms a dominant feature in the area or detrimentally impacts on the residential amenity of no. 10 Burrowfield Road or adjoining residential properties. I consider the development complies with the provisions of Section 14.10.4 of the Fingal County Development Plan and recommend that permission is granted to retain the structure.

7.3. Other Issues

Surface Water

- 7.3.1. I note the concerns raised within the planner's report which informs the decision of the planning authority to refuse permission for the development in relation to the proposed surface water connection to the public sewer. I refer to revised Site Plan submitted in conjunction with the appeal which includes the provision of a soakway on site to cater for surface water. I consider that the principle of the proposed soakway is acceptable. I recommend that surface water proposals are submitted to the PA for agreement in the instance of a grant of permission.

Rail Line

- 7.3.2. The southern boundary of the site adjoins the existing Dart rail line. I refer to the submission on file from Iarnród Éireann which relates to measures to be employed for construction and maintenance of development in proximity to rail lines. I note the

nature of development relates to permission to retain the existing structure and construction has been undertaken. I consider the issues in relation to maintenance and site boundary can be addressed by means of condition.

Shed Structure

- 7.3.3. The planner's report which informs the decision of FCC to refuse permission for the development outlines that the application documentation is unclear in relation to a second shed structure on site. The appeal outlines that the structure is temporary and will be removed. I recommend that the removal of this structure is addressed by means of condition in the instance that the Commission is minded to grant permission to retain the development.

8.0 Water Framework Directive

- 8.1. No surface water features are evident within the vicinity of the site on EPA mapping. No water deterioration concerns were raised in the planning application or appeal. I have assessed the proposed development, on an established residential site and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.
- 8.2. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

9.0 Appropriate Assessment

- 9.1. I have considered the proposed domestic extensions in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is

located in a well-serviced suburban settlement c. 240m from the closest European site at Baldoyle Bay SAC and SPA. The development seeks retention for demolition of existing structures and retention of an existing garden shed of 68 sq.m. No nature conservation concerns were raised within the planning authority's reason for refusal.

9.2. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows:

- The limited scale and nature of works
- The location of the site within an established, serviced residential area
- Lack of connections to nearest European sites

9.3. 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.

10.0 Recommendation

10.1. I recommend that permission be granted to retain the development subject to conditions.

11.0 Reasons and Considerations

Having regard to the provisions of the Fingal Development Plan 2023-2029 and to the nature and scale of the development proposed for retention on residentially zoned land, it is considered that, subject to compliance with the conditions set out below, the development proposed for retention including the demolition of derelict outbuildings and construction of 68 sq.m. shed for non-habitable use does not form a dominant feature in the area or seriously injure the visual or residential amenities of the area or of property in the vicinity. The proposed development would, therefore,

be in accordance with the provisions of Section 14.10.4 of the Fingal Development Plan 2023-2029 and proper planning and sustainable development of the area.

12.0 Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application on the 16th of July 2025 and by the further plans and particulars received by An Coimisún Pleanála on the 22nd of September 2025, 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 within 3 months of the issue of this decision and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The structure shall be used for the purposes of a shed/storage only and shall be ancillary to the main dwelling and shall not be used for human habitation or any commercial, industrial or other use.

Reason: To protect the character and principle use of the site.

3. The existing boundary between the development site and railway corridor shall not be altered in any way without prior consent from Iarnród Éireann.

Reason: In the interest of railway safety.

4. All works associated with the development including maintenance and construction shall be within the applicant's site only. No works or development shall encroach into neighbouring property.

Reason: In the interest of residential amenity.

5. The existing shed to the front of the shed proposed for retention on site shall be removed within 3 months of this decision and shall not be retained on site for construction or other use, nor for use as a domestic shed or for other domestic use.

Reason: In the interest of orderly development.

6. Within 3 months of the issue of this decision the application shall submit surface water proposals for the development for written agreement of the Planning Authority. The disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of orderly development

7. 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 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 Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the

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.

Stephanie Farrington
Senior Planning Inspector

28th of October 2025

Appendix 1:

Form 1 - EIA Pre-Screening

Case Reference	ACP-323700-25
Proposed Development Summary	retention of removal of two disused (derelict) out buildings of 103 sq.m. and retention of a single storey shed (68 sq.m) for storage and non-habitable use
Development Address	10 Burrowfield Road, Sutton
	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 checked="" 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 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)	

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____