



An
Coimisiún
Pleanála

Inspector's Report

PL-500049-DF

Development

(i) Retention planning permission for elevated platform at upper garden level, and stairway connecting lower garden to upper garden, and (ii) planning permission sought for the construction of a home office on the elevated platform, including all ancillary site works.

Location

Little Dell, Shielmartin Road, Sutton, Dublin
13 D13 A562

Planning Authority

Fingal County Council

Planning Authority Reg. Ref.

F25A/0676E

Applicant(s)

Alison Stephens

Type of Application

Permission

Planning Authority Decision

Refuse Retention and Refuse Permission

Type of Appeal

First Party

Appellant(s)

Alison Stephens

Observer(s)

None

Date of Site Inspection

11th December 2025

Inspector

Conor Hughes

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1.0 Site Location and Description

- 1.1.** The site is located in an established residential neighbourhood in Sutton South approximately two-kilometres southeast of Sutton Cross.
- 1.2.** Shielfmartin Road is a tree lined residential street connecting St. Fintan's Road to Strand Road and is comprised mainly of two-storey detached and semi-detached suburban dwellings in large plots.
- 1.3.** 'Little Dell' is a large detached chalet bungalow of masonry construction and a tiled roof set in an extensive curtilage which has a driveway, hardstanding for parking and gardens. A small prefabricated timber shed is located behind the dwelling.
- 1.5.** The boundary of the site to Shielfmartin Road is defined by a random stonewall and gate. The remaining boundaries are comprised of either close boarded timber or paladin fencing which in some places is set behind a random stone wall.

2.0 Retention of and Proposed Development

- 2.1.** The proposal is for the retention of an elevated platform at the upper garden, a stairway connecting to the lower garden and ancillary site works. A home office is also proposed on the elevated platform.

3.0 Planning Authority Decision

3.1. Decision

- On 15th September 2025 the Planning Authority issued notification of their decision to refuse planning permission for the retention planning permission for an elevated platform at upper garden level, and stairway connecting lower garden to upper garden, and planning permission for the construction of a home office on the elevated platform, including all ancillary site works.
- The retained platform and stairs and proposed home office are considered to be in a prominent location and either harm or would harm the visual amenity of the Howth Special Amenity Area and a public laneway adjacent to the site.

- As a consequence, the Planning Authority considers that the retained stairs and platform and proposed home office contravene policy 2.1 and objective 2.1.1 of the Howth Special Amenity Area Order (SAAO) 1999 and materially contravene policies CSP23 and GINHP27 of the Fingal Development Plan 2023-29 (the Development Plan).

3.1.1. Planning Authority Reports

- The planning report noted that the proposed development is on land zoned as 'Residential' in the Fingal Development Plan 2023-2029. It is also in the Howth Special Amenity Area (SAA). It is stated that development proposals will be acceptable in principle subject to meeting the policies and objectives of the Development Plan and the Howth Special Amenity Area Order 1999 (SAAO).
- Despite being described in the planning report as small area the retention of the stairs and platform is considered by the planning authority to be visually prominent from a footpath that is adjacent to the southern boundary of the site.
- It is stated in the report that the footpath is in a visually sensitive location on the edge of the SAAO and the objective is to preserve views. The platform and stairs are described as not 'visually subordinated' to the environment within which they are located. A previous history of refusal is identified to demonstrate that the Planning Authority has consistently resisted this form of development.
- The proposed home office is also considered to be a wholly inappropriate addition and cumulatively would be excessively visible and intrusive due to its design which is prefabricated and generic and unsuitable in this prominent location.

3.1.2. Other Technical Reports

- Water Services Department: No objection subject to no surface water being discharged into the foul water system under any circumstances. The surface water drainage must be in compliance with the Greater Dublin Regional Code of Practice for Drainage Works, Version 6.0, FCC, April 2006.

3.2. Prescribed Bodies

- None

3.3. Third Party Observations

- None.

4.0 Planning History

4.1. Appeal Site

- Planning Authority Reference F99A/0625 – Planning permission was granted in October 1999 for a new four-bedroom, two-storey residence.
- A planning condition attached to this decision provided that notwithstanding the provisions of the Exempted Development Regulations 1994 no further development shall take place on site without the prior grant of permission by the Planning Authority or the Commission on appeal.

5.0 Policy Context

5.1 Development Plan

- The Fingal Development Plan 2023-2029 (the Development Plan) is the relevant plan for the area and the site is in an established residential area and zoned as Zoning Objective 'RS -Residential'.
- The site is also with the Howth SAAO where the density is restricted to 5 dwellings per hectare. The pedestrian access and road adjacent to the southern boundary is also designated to 'preserve views'.
- Section 3.5.13.1 Residential Extensions of Chapter 3: Sustainable Placemaking and Quality Homes refers to the need for people to extend and renovate their dwellings and that this type of development will be considered favourably where it does not have a negative impact on adjoining properties or on the nature of the surrounding area.

- In respect of the proposed garden room on the elevated platform it is stated at Section 14.10.4 that garden rooms can provide useful ancillary accommodation for use by occupants of the dwelling house. It is further stated that:

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.

- At Section 9.6.16 Liffey Valley and Howth are recognised as great natural assets of the Greater Dublin Area with a rich natural, built and cultural heritage. It is stated that the Council will ensure that these areas are protected and enhanced, and that enjoyment by the public is facilitated.

- Policy CSP23 – Howth SAAO states:

Protect the Howth Special Amenity Area Orders (SAAO), including the Buffer zone, from residential and industrial development intended to meet urban generated demand.

- Policy GINHP27 – Howth and Liffey Valley Amenity Orders states:

Protect and enhance the special amenity value of Howth and the Liffey Valley, including its landscape, visual, recreational, ecological, geological, and built heritage value, as a key element of the County's Green Infrastructure network and implement the provisions of the Howth and Liffey Valley Special Amenity Area Orders (SAAO).

5.2. Howth Special Amenity Area Order 1999

- Schedule 2 of the Order sets out the objectives for the preservation of the character or special features of the area as follows:

Objective 2.1: to preserve views from public footpaths and roads.

Policy 2.1.1: The Council will preserve views from the network of footpaths and roads shown on Map B. Applications for planning permission must take into account the visual impact of proposals on views from these paths and roads. Applicants must state whether there would be an impact and describe and illustrate the impact. Where there would be an impact an application for planning permission must be accompanied by a cross-sectional drawing at a suitable scale, showing the proposed development and the affected path or road. The Council will not permit development which it considers would have a significant negative effect on the view from a footpath or road. The Council, at its discretion, may require an applicant to erect a flag pole or poles on site, corresponding to the height of a proposed structure, in order to assist in the assessment of an application.

- The footpath and road adjacent to the southern boundary of the site is identified in Map B of the SAAO as a place where views will be protected.

5.3. Natural Heritage Designations

5.3.1. The site is located approximately:

- 20 metres north of the upland Heath part of the Howth Head Special Area of Conservation (SAC:000202) which is on higher ground
- 300 metres east of the North Bull Island Special Protection Area (SPA:004006)
- 300 metres east of the North Dublin Bay Special Area of Conservation (SAC:000206)
- 500 metres north of the Rockabill to Dalkey Island Special Area of Conservation (SAC:003000)
- 3 kilometres west of Howth Head Coast Special Protection Area (SPA:004113) and the North West Irish Sea Special Protection Area (SPA:004236)

6.0 EIA Screening

- 6.1.** The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development

Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

7.0 The Appeal

7.1. Grounds of Appeal

O'Neill Town Planning acting for Alison Stephens have appealed the decision of Fingal County Council to refuse permission. The grounds of the appeal can be summarised as follows:

- It is confirmed in the grounds of appeal that no submissions are made on behalf of the appellant against the decision to refuse planning permission for the proposed home office. It is further indicated that planning permission is now only sought for the retention of the elevated platform and that the appellant no longer wishes to pursue the proposed home office.
- The appellant explains that a terrace or outdoor patio would normally be exempted development but as the elevated platform projects from a steep cliff between an upper and lower garden terrace it is not covered by the Planning and Development Regulations 2001 (as amended) and subject to Section 34 of the Planning and Development Act 2000. The stairs were included in the application to resolve any dispute.
- It is highlighted that the elevated platform at 13 square metres is small and can only be used by a maximum of three people at a time. It is separated from the closest residence by 28 metres which is more than the 16 metres minimum normally required. It is limited to seasonal daylight use minimising any potential disamenity over longer periods.
- The appellant argues that the retained platform is not visually prominent from the adjacent pedestrian footpath and road. Views are limited to the immediate visual context at the entrance to the property.
- It is stated in the grounds of appeal that it cannot be seen along the entire length of the footpath which connects St. Fintan's Road to Shielmartin Road. It

is argued that if there is no impact on any view then the retained development is in keeping with the proper planning and sustainable development of the area.

- It is further argued that new landscaping will integrate the platform into the cliff face. Before and after photographs are provided in support of this argument.
- The appellant does not agree that this proposal represents a material contravention to the Development Plan. The development proposed for retention is a sitting out area and the planning authority has cited objectives and policies that are neither relevant or sustainable in the context of Section 37(2)(ii) of the Planning and Development Act 2000 (as amended). There are numerous buildings in the special amenity area that have been granted planning permission.
- The appellant invites the Commission to grant retention permission subject to a condition requiring the submission of a landscaping scheme to be approved by the Planning Authority and implemented in the first available planting season.

7.2. Planning Authority Response

- In response the Planning Authority acknowledge the appellant's intention is not to pursue planning permission for the garden room but reiterate that the platform is in a visually prominent location and inappropriate development because the Howth SAAO is a visually sensitive area. It requests that the appeal is upheld.

7.3. Observations

- None

8.0 Assessment

- 8.1.** Having examined the application details and all the other documentation on file, including the submissions received to appeal, the reports of the local authority, and having inspected the site, and having regards to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered as follows:

- The principle of development
- The impact of the elevated platform on the visual amenity of the SAA
- The impact of the proposed home office on the visual amenity of the SAA
- The impact on residential amenity
- Other matters

The principle of development

- 8.2.** The appeal site is an established residential area zoned as objective RS in the Development Plan. I note there is a general presumption in favour of ancillary structures for dwellings consistent with this objective and that if granted planning permission these structures improve the amenities of the residents.
- 8.3.** I recognise however that this must be carefully balanced in practical terms, with the strong presumption against development in an SAA because of the need to protect the rich natural, built and cultural heritage contained within it.
- 8.4.** Policy CSP23 describes the need to protect the Howth SAA from residential and industrial development intended to meet urban generated demand.
- 8.5.** It is explained at paragraph 4.5 of Section 4 – Regulations of the Howth SAAO that there are certain types of development within a residential property that are not exempted in the SAA and require planning permission. This includes *‘building a garage, awning, shed, greenhouse, or any other structure on the property’*.
- 8.6.** I consider this elevated platform and the proposed home office not to be exempted development and that this is ancillary residential development intended to meet an urban generated demand which is principally for the enjoyment of views across Dublin Bay from an elevated position.
- 8.7.** I noted from my site visit new residential development and alterations and extensions to existing residential properties in the local context of the site. I therefore accept the argument presented in the grounds of appeal that this proposal could be permitted in principle and that the requirements of policy CSP23 could still be met subject to meeting other relevant objectives and policies.

- 8.8.** With this in mind I note that policy GINHP27 does however place a significant duty on the appellant to protect and enhance the special amenity value of the Howth SAA.
- 8.9.** For this reason, the amenity that the elevated platform and stairs and the proposed home office provide to the residents of 'Little Dell' must be carefully balanced against the potential loss of visual amenity to the SAA particularly where views from adjacent footpaths and roads are protected.

The impact of the elevated platform on the visual amenity of the SAA

- 8.10.** I recognise the objective of the Howth SAAO to preserve views from public footpaths and roads and I have identified the footpath connecting Shielmartin Road to St. Fintan's Road and the road connecting to Shielmartin Road are the two places where an adverse impact on 'protected views' could potentially result from the development.
- 8.11.** The appellant describes in their grounds of appeal that the visual impact of the retained development is limited to the immediate context of the site and that you have to stand at and peer over the wall at the entrance of the dwelling to see it.
- 8.12.** I observed at the site visit the elevated platform is constructed behind the dwelling and that there is rising ground in the backdrop. A small flat roof concrete structure could also be seen in the same view in a neighbouring site above and behind the property.
- 8.13.** Access to the property is along a road which is a spur off Shielmartin Road. Both sides of the road on approach to the site in both directions were tree lined and heavily planted providing enclosure and limiting view of the structure to the immediate visual context of the entrance to 'Little Dell'.
- 8.14.** I also noted at the site visit that the coastal path is on much lower ground so I considered the view from the junction of Shielmartin Road with Shielmartin Park (approximately 150 metres from the site) and with Strand Road (approximately 280 metres from the site). Views of site were interrupted by the residential development and mature trees and vegetation in the foreground. The structure could not be seen from either view.

- 8.15.** I walked along the footpath connecting Shielfmartin Road to St. Fintan's Road. It is not hard surfaced nor does it have streetlighting. It was also quite overgrown and the rubble stone underfoot was poorly maintained. Again, I was only able to see the elevated platform from in front of the entrance to 'Little Dell'.
- 8.16.** I note that policy 2.1.1 in the SAAO states that development must not have a '*significant negative effect on the view from a footpath or road*'. The site is not on the edge of the coast nor can it be read in the same visual context as any of the natural, built and cultural heritage contained within the SAA.
- 8.17.** The development has buildings in the foreground and backdrop and the structure because of its size, arrangement and design is not obtrusive in the landscape. I concur with the appellant based on my observations that the structure can only be seen in the immediate visual context.
- 8.18.** I do not consider the elevated platform to have a significant negative impact on a view from the footpath or road network that is protected in the Development Plan and the SAAO. I consider objective 2.1 and policy 2.1.1. of the Howth SAAO to be met for the reasons outlined above.
- 8.19.** I also consider the duty to protect the special amenity value of Howth SAAO as set out in policies GINHP27 and CSP23 to be met for the same reasons set out in the preceding paragraphs.
- 8.20.** I also consider that the duty to enhance in policy GINHP27 can be met subject to a comprehensive scheme of landscaping of suitable native species being implemented.
- 8.21.** There is mature landscaping outside the site within the boundaries of a number of neighbouring properties and an additional layer of landscaping in the backdrop of 'Little Dell' will add to this setting and enhance the visual amenity of the SAAO. Examples of what this might look like are included in the grounds of appeal.
- 8.22.** The retention of the elevated platform for the above reasons is consistent with the proper planning and sustainable development of the area.

The impact of the proposed home office on the visual amenity of the SAA

- 8.23.** The appellant describes in the grounds of appeal that planning permission is no longer sought for the proposed home office and state that *'notwithstanding our original planning application submission we wish to state that we have reviewed the overall development proposal submitted and, in terms of the appeal submission, we acknowledge and accept the refusal for the development of a home office on the terrace, and are solely seeking planning permission for the retention of the outdoor raised terrace'*
- 8.24.** Irrespective of this intervention by the appellant the decision to refuse planning permission encompassed both elements in one reason. For completeness, I also consider the impact that the proposed home office will have on the SAA.
- 8.25.** I have previously noted that the elevated platform has buildings in the foreground and backdrop and because of its size, arrangement and design the structure is not obtrusive in the landscape.
- 8.26.** However, adding a rectangular box into a sensitive landscape at an elevated position entirely changes the nature of this impact and effect on the SAA.
- 8.27.** An ancillary building would not normally be located in an elevated position within the curtilage of a dwelling and the proposed structure is at odds with the general layout, arrangement and character of the buildings within the site and those in the immediate context on neighbouring plots.
- 8.28.** Whilst the home office may provide useful ancillary accommodation to the occupants of this dwelling the siting, layout, design and materials of the structure are not complementary to the main house and it does not protect and enhance the visual amenity value of the Howth SAA which is contrary to Section 14.10.4, policy CSP23 and policy GINHP27 of the Development Plan.
- 8.29.** Also, despite having concluded the impact on views of the platform are limited to the immediate visual context of the site the proposed home office because of its size and design will cumulatively have a significant negative effect on the view from road adjacent to the site contrary to objective 2.1 and policy 2.1.1 of the Howth SAAO.

8.30. I concur with the Planning Authority decision to refuse this element of the proposal which is inconsistent with the proper planning and sustainable development of the area. I further note that this element of the refusal is not disputed by the first party.

The impact on residential amenity

8.31. The Planning Authority does not raise any objection on the grounds of loss of residential amenity and no objections are received from any of the adjacent properties in respect of the retention of the elevated platform and stairs and proposed home office.

8.32. I concur with the appellant based on my observations that a separation on at least 28 metres to the closest residential property is adequate and the structure does not impact adversely on the residential amenity of the adjoining property to the west.

Other Matters

8.33. I note that the Planning Authority's reason for refusal states that the proposed development materially contravenes policies CSP23 and GINHP27 of the development plan. Notwithstanding the argument presented by the appellant in the grounds of appeal statement in respect of Section 37(2)(ii) of the Planning and Development Act 2000 (as amended) in respect of the elevated platform both of these policies set out a general approach to protection of a special amenity area from inappropriate development including the home office. The policies are not in my view sufficiently specific so as to justify the use of the term 'materially contravene' in terms of normal planning practice. The Commission should not therefore consider itself constrained by Section 37(2)(b) of the Planning and Development Act.

8.34. Conditions are recommended by the Water Services Division of Fingal County Council. If the Commission is minded to agree with the Inspector's recommendation, then the condition set out in this report should be attached to any grant of planning permission.

9.0 AA Screening

- 9.1. I have considered the proposed development in light of the requirements of Section 177U of the Planning and Development Act 2000 as amended.

The subject site is located approximately 20 metres north of the upland Heath part of the Howth Head Special Area of Conservation (SAC:000202) which is on higher ground; 300 metres east of the North Bull Island Special Protection Area (SPA:004006); 300 metres east of the North Dublin Bay Special Area of Conservation (SAC:000206); 500 metres north of the Rockabill to Dalkey Island Special Area of Conservation (SAC:003000) and 3 kilometres west of Howth Head Coast Special Protection Area (SPA:004113) and the North West Irish Sea Special Protection Area (SPA:004236).

The proposal is for the retention of an elevated platform at the upper garden, a stairway connecting to the lower garden and ancillary site works. A home office is also proposed on the elevated platform.

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 appreciable effect on a European Site. The reason for this conclusion is as follows:

- The site is in an established residential area and within the curtilage of a domestic dwelling house. The scale of the proposed development which is comprised of a steel frame and timber platform with a glass balustrade and stairs and a 20 cubic metre timber shed is small.
- Taking into account the screening determination by the Planning Authority.

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 (Stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Frame Directive

10.1. No watercourses are located close to the site.

The proposal is for the retention of an elevated platform at the upper garden, a stairway connecting to the lower garden and ancillary site works. A home office is also proposed on the elevated platform.

No water deterioration concerns were raised in the planning appeal.

I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface 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 wither qualitatively or quantitatively.

The reason for this conclusion is as follows:

- The site in an established residential area and within the curtilage of a domestic dwelling house. The scale of the proposed development which is comprised of a steel frame and timber platform with a glass balustrade and stairs and a 20 cubic metre timber shed is small.
- Sustainable Urban Drainage can be used as mitigation and reduce the impact of surface/storm water entering the drainage network but is unlikely to be required in this case.
- The distance to the nearest water bodies and the lack of hydrological connection.

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.

11.0 Recommendation

11.1. I recommend a split decision and that retention permission is granted for the elevated platform at upper garden level, and stairway connecting lower garden to upper garden, and the proposed home office is refused for the reasons and considerations set out below.

12.1 Reasons and Considerations (1)

12.1. The commission is satisfied, based on the information provided, that the proposal to retain of an elevated platform at the upper garden, a stairway connecting to the lower garden and ancillary site works is not excessively prominent nor will it have a significant negative impact on a view from the footpath or road network that is protected in the Development Plan and the Howth SAAO.

12.2. Objective 2.1 and policy 2.1.1 of the Howth SAAO and the duty to protect the special amenity value of Howth SAA as set out in policies GINHP27 and CSP23 is met. The duty to enhance in policy GINHP27 can also be met subject to a comprehensive scheme of landscaping of suitable native species being implemented. The development is therefore consistent to the proper planning and sustainable development of the area subject to the following conditions:

1. The development shall be retained in its entirety in accordance with the plans, particulars and specifications lodged with the application save as may be required by the other conditions attached hereto.

Reason: To ensure the development shall be in accordance with the permission and that effective control is maintained.

2. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with,

the planning authority within three months of the decision. This scheme shall include the following:

(a) A plan to scale of not less than [1:500] showing –

(i) Existing trees, hedgerows [shrubs] [rock outcroppings] [stone walls], specifying which are proposed for retention as features of the site landscaping

(ii) The measures to be put in place for the protection of these landscape features during the construction period

(iii) The species, variety, number, size and locations of all proposed trees and shrubs [which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder] [which shall not include prunus species]

(iv) Details of screen planting [which shall not include cupressocyparis x leylandii]

(v) Details of roadside/street planting [which shall not include prunus species]

(vi) Hard landscaping works, specifying surfacing materials, furniture and finished levels.

(b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment

(c) A timescale for implementation [including details of phasing] but this should be no later than the first planting season after the scheme is agreed by the Planning Authority

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of [five] years from the completion of the development [or until

the development is taken in charge by the local authority, whichever is the sooner], shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the Planning Authority.

Reason: In the interest of residential and visual amenity.

3. The development shall comply with the following requirements:
 - a. No surface water/rainwater shall discharge to the foul water system under any circumstances
 - b. Th surface water drainage shall be in compliance with the 'Greater Dublin Regional Code of Practice for Drainage Works Veriosn 6.0 FCC, April 2006.

Reason: In the interest of Public Health

Reasons and Considerations (2)

- 12.3.** The Commission is satisfied that permission be refused for the proposed home office on the elevated platform, for the reasons and considerations set out below:
1. Whilst the home office may provide useful ancillary accommodation to the occupants of this dwelling the siting, layout, design and materials of the structure are not complementary to the main house and it does not protect and enhance the visual amenity value of the Howth Special Amenity Area which is contrary to Section 14.10.4, policy CSP23 and policy GINHP27 of the Fingal County Development Plan 2023-29. Its size and design will also cumulatively have a significant negative effect on the view from road adjacent to the site contrary to objective 2.1 and policy 2.1.1 of the Howth Special Amenity Area Order 1999 which is inconsistent with 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.

Conor Hughes
Planning Inspector

17th December 2025

Appendix A: Form 1 EIA Pre-Screening

Case Reference	PL-500049-DF
Proposed Development Summary	Retention of an elevated platform at the upper garden, a stairway connecting to the lower garden and ancillary site works and the construction of a home office
Development Address	Little Dell, Shielmartin Road, Sutton, Dublin 13 D13 A562
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?	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
<p>(For the purposes of the Directive, "Project" means:</p> <ul style="list-style-type: none"> - 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) 	
2. Is the proposed development of a CLASS specified in <u>Part 1</u>, 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.	State the Class here
<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 <u>Part 2</u>, 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	State the Class and state the relevant threshold
<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)	State the Class and state the relevant threshold
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	

Inspector: _____

Date: 17th December 2025