



An
Coimisiún
Pleanála

Inspector's Report

PL-500051-DR

Development	Part demolition of restaurant and apartment and construction of shop and 3 apartments with associated works.
Location	7, Georges Avenue, Blackrock, Dublin, A94H9D8
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D25A/0352/WEB
Applicant(s)	Malkeet Singh
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Malkeet Singh
Observer(s)	None
Date of Site Inspection	15 January 2026
Inspector	Natalie de Róiste

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1.0 Site Location and Description

- 1.1. The site, with a stated area of 0.015 hectares, contains an existing two-storey building at no 7 George's Avenue, Blackrock, previously with a restaurant on the ground floor and an apartment on the first floor. It is adjoined to the southwest by no 9 George's Avenue (Ruchii restaurant), and to the northeast by 5a George's Avenue (the Mellow Fig restaurant).
- 1.2. The building has been previously extended to the rear with a single-storey extension, covering the whole footprint of the site. There is a shared lane running under the first floor of 5a George's Avenue which provides access to a side door to 7 George's Avenue, and to an extension to the rear of 5a George's Avenue, and provides light to windows to the side elevation of both buildings.
- 1.3. To the rear, there is a red brick and rubble stone wall which forms the boundary with the carriageway to the front of Brusna Cottages. This is a terrace of ten single-storey red brick houses located on the north west side of the street.
- 1.4. The site is just off Blackrock Main Street, and a four-minute walk to Blackrock Dart Station.

2.0 Proposed Development

- 2.1. The development as initially proposed was as follows:
 - Part demolition of existing building (restaurant with two-bed apartment over)
 - New shop to ground floor with new shop front and roller shutter
 - New first floor and second floor (total height 9.6 metres), with three apartments (1 one-bedroom (55 sqm), and 1 two-bedroom to the first floor (68 sqm), and 1 three-bedroom apartment (120 sqm) to the second floor), all with recessed balconies.
 - Cycle parking and ancillary works.
- 2.2. The revised design submitted at Further Information stage was for a one-bedroom apartment of 49 sqm, a two-bedroom apartment of 63 sqm, and a three-bedroom apartment of 117 sqm, with the reduced floor area due to a setback from the Brusna Cottages boundary. Bike and bin storage to the side laneway.

3.0 **Planning Authority Decision**

3.1. **Decision**

Grant permission.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

Two reports, the first requesting further information, and the second recommending a grant.

- Report dated 24/06/25 noted the site context, submissions and reports, extant planning permission, and planning policy, and requested further information with revised design addressing density, design, and compliance with the Apartment Guidelines 2018 with regard to storage of waste.
- Report dated 22/09/25 noted satisfaction with the further information submitted and recommended a grant of permission with 12 conditions.

3.2.2. Other Technical Reports

Conservation Division report dated 19 June 2025 – Further Information requested.

Drainage Planning report dated 27 May 2025 – no objection

EHO Planning report dated 4 June 2025 – Further information requested.

Transportation Planning report dated 10 June 2025 – no objection subject to condition.

Environmental Enforcement report dated 2 September 2025 – recommended conditions

EHO Planning report dated 9 September 2025 – further information is acceptable.

3.3. **Prescribed Bodies**

None on file.

3.4. Third Party Observations

Four received. Issues raised included:

- Overshadowing, overlooking, noise, impact on neighbouring residential amenities, and lack of consultation with neighbours
- Overdevelopment of site, out of scale with character of area (including candidate ACA and historic boundary wall), contrary to Development Plan.
- Poor amenity for future occupiers

4.0 Planning History

D24A/0358 – Permission granted subject to conditions for the part demolition of existing restaurant and two-bedroom apartment, and construction of new shop and two-bed apartment over. Change of use from restaurant to wine shop.

5.0 Policy Context

5.1. National Planning Context

5.1.1. Project Ireland 2040 – National Planning Framework (2018, updated 2025)

5.1.2. A key element of the NPF is a commitment towards ‘compact growth’, which focuses on a more efficient use of land and resources through reusing previously developed or under-utilised land and buildings. It contains several policy objectives that articulate the delivery of compact urban growth.

5.1.3. National Policy Objective 4

A target of half (50%) of future population and employment growth will be focused in the existing five cities and their suburbs.

5.1.4. National Policy Objective 8

Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints and ensure compact and sequential patterns of growth.

5.1.5. **Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2023)**

5.1.6. This sets out Specific Planning Policy Requirements (SPPRs) on unit mix; unit sizes, aspects, and floor-to-ceiling heights; lift and stair cores; and co-living. These SPPRs take precedence over any conflicting policies and objectives of development plans, and the Board and Local Authorities are obliged to apply these SPPRs.

5.1.7. It also sets required minimums for room widths and floor areas, storage space, and private and communal open space, and provides guidance on communal facilities, play areas, and parking and access. It notes that planning authorities should have regard to quantitative performance approaches set out in guides such as *A New European Standard for Daylighting in Buildings EN17037* or the *UK National Annex BS EN17037* and the associated *BRE Guide 209 2022*, in the assessment of daylight.

5.1.8. **Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024)**

5.1.9. These guidelines set out SPPRs and Policies and Objectives on separation distances; private, semi-private, and public open space; and car and cycle parking. The standards are aimed at consolidating existing settlements and avoiding sprawl, and creating compact settlements.

5.1.10. They replace the *Guidelines for Planning Authorities Sustainable Residential Development in Urban Areas (2009)* which are referred to in the Development Plan, which was adopted in 2022. As noted above, planning authorities are required to apply these SPPRs in making decisions on planning applications.

5.1.11. **Site layout planning for daylight and sunlight (BRE 209 2022)**

5.1.12. These guidelines give advice on the achievement of good daylighting and sunlighting. They note that if the angle of elevation between the centre of the lowest window on an existing building and the tallest part of a new building exceeds 25 degrees, than daylight may be adversely affected, (as may sunlight, if the existing window faces south, east, or west).

5.2. Regional Planning Context

5.2.1. Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031 (RSES)

5.2.2. The RSES provides a development framework for the region, including a specific Metropolitan Area Strategic Plan (MASP) for Dublin City and its wider suburbs. The following regional policy objective (RPO) of the RSES is considered relevant to this appeal:

- RPO 3.2 – in promoting compact urban growth, a target of at least 50% of all new homes should be built within or contiguous to the existing built-up area of Dublin city and its suburbs, while a target of at least 30% is required for other urban areas.

5.3. Dun Laoghaire Rathdown Development Plan 2022-28

5.3.1. The site is zoned 'Objective DC' in the Development Plan where the stated objective is to *"protect, provide for and/or improve mixed-use district centre facilities."*

5.3.2. The site lies outside (but adjacent to) the Blackrock Village Candidate Architectural Conservation Area.

5.3.3. Chapter 4 Neighbourhood – People, Homes and Place has a number of policy objectives of relevance.

Policy Objective PHP18: Residential Density

Policy Objective PHP19: Existing Housing Stock – Adaptation

Policy Objective PHP20: Protection of Existing Residential Amenity

Policy Objective PHP27: Housing Mix

Chapter 7 – Towns, Villages, and Retail Development has the following relevant policy objectives

Policy Objective RET4: Retail Hierarchy

Policy Objective RET7: Neighbourhood Centres

5.3.4. Chapter 12 Development Management provides further detailed guidance

Section 12.3 Neighbourhood – People, Homes and Place

Section 12.3.1 Quality Design

Section 12.3.1.1 Design Criteria

Section 12.3.3 Quantitative Standards for All Residential Development

Section 12.3.4 Residential Development – General Requirements

Section 12.3.5 Apartment Development

Section 12.4.5 Car Parking Standards

Section 12.4.6 Cycle Parking

Section 12.4.11 Electrically Operated Vehicles

Section 12.8.1 Landscape Design Rationale

Section 12.8.2 Open Space Categories for Residential Development

Section 12.8.3 Open Space Quantity for Residential Development

Section 12.8.5.3 Communal Open Space – Quality

Section 12.8.5.4 Roof Gardens

Section 12.8.6 Biodiversity and SuDS in both Public and Communal Open Space

12.8.7 Private Amenity Space – Quality Standards

5.3.5. Appendix 5 of the Plan contains the Building Height Strategy, which has the following Policy Objective of interest.

Policy Objective BHS1 Increased Height

5.3.6. **Local Area Plan**

5.3.7. The Blackrock Local Area Plan was adopted in March 2015. It was extended for a further five years to March 2025, and has since lapsed.

5.4. **Natural Heritage Designations**

- South Dublin Bay and River Tolka Estuary SPA 004024 – 130 metres
- South Dublin Bay SAC 000210 – 130 metres

- South Dublin Bay pNHA 000210 – 130 metres

5.5. EIA Screening

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

5.6. Water Framework Directive

- 5.6.1. The subject site is located in a built up area in the Greater Dublin Area, c. 130 metres from Dublin Bay (IE-EA-090-000) c. 170 metres from the Brewery Stream (IE_EA_09B130400). It is within the Brewery Stream_010 sub basin (IE_EA_09B130400). The site is located on top of the ground water body Kilcullen (IE-EA-G-003).
- 5.6.2. The proposed development comprises the construction of a wine shop and 3 apartments, facilitated by the partial demolition of an existing building, and all associated site works.
- 5.6.3. No water deterioration concerns were raised in the planning appeal.
- 5.6.4. I have assessed the 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 & 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.
- 5.6.5. The reason for this conclusion is as follows:
- the relatively small scale and nature of the development

- its location in a built-up area
- the lack of hydrological connections to the nearest water bodies, and the scale of the marine environment

5.6.6. 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.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. Two third party appeal were received, both from residents of Brusna Cottages.

That of Jack Carew raised the following issues:

- Number 4 Brusna Cottages is immediately northwest of the application site, c. 8 metres from the boundary wall.
- The terrace at Brusna Cottages has undergone significant impacts from the construction of the three-storey Blackrock Centre, immediately on the boundary with their rear yards. These yards no longer provide any amenity, being used solely for bin and bike storage, and the area to the front of the cottages now forms the only available outdoor amenity space for the cottages.
- The Council requested a setback from Brusna Cottages, but erred in not requiring a setback at second floor as well as first floor.
- The revised design partially addressed concerns regarding bulk and overshadowing, but the issue regarding the second floor remains.
- An Coimisiún Pleanála is requested to attach a condition that the second floor is set back by 2.12 metres, with a balcony screen with a minimum height of 1.6 metres, removing the possibility of direct overlooking and overshadowing and overbearing impacts.

- Images are included: photographs of sunlight access to Brusna Cottages (both the area to the front and through velux windows), and section drawing of amendment requested).
- The amended design would still allow three apartments, albeit perhaps with a two-bedroom apartment to the top floor instead of a three-bedroom one.

6.1.2. The appeal from Conor McDermott is summarised as follows:

- The Council Planner's report suggested that a second storey is acceptable under Policy Objective BHS1 of the Building Height Strategy but does not give due consideration to the scale of the impact in this case. The cumulative impact of this and previous development (Blockrock Shopping Centre) must be considered.
- There will be disproportionate overlooking from the new development, leaving Brusna Cottages boxed in with reduced light and privacy.
- Development at 5a George's Avenue which was limited to two storeys (D15A/0526) is an appropriate precedent.
- The current setback (2.2-2.7 metres) was devised having regard to the initial setback at second floor; this was inappropriate. If a second floor is permitted, larger setbacks should be implemented to both floors to avoid overlooking and dominating neighbouring properties.
- Contrary to the planner's report, Brusna Cottages is not a public laneway, providing access only to the private residences. Road surfacing and landscaping has been undertaken by the residents.

6.2. Applicant Response

The applicant's agent has responded as follows:

- Matters regarding scale, height, overlooking and overshadowing were comprehensively assessed by the council, including compliance with *Policy Objective PHP18: Residential Density* and *Policy Objective BHS1: Building Height Strategy*.
- The design as submitted at Further Information stage set back the first floor by 2.7 metres, to align with the second-floor building line and reduce the

mass, and provided a solid privacy screen and hedge planting at the resulting first floor terrace.

- There is appropriate setback for this infill development in an urban environment (c. 10 metres).
- The laneway serving Brusna Cottages is unaffected in terms of ownership and access, while the proposed scheme will enhance passive surveillance and help define the space.
- The sunlight study (submitted with the original design) demonstrates that additional overshadowing will be minimal. The revised design will be less impactful again.
- The recessed terrace with solid privacy screen and hedge planting mitigates any perception of overlooking. The proposed rear elevation is lighter and more articulated than the permitted building envelope.
- The development complies with the planning policy and a grant of permission in line with the council decision is appropriate.

6.3. **Planning Authority Response**

6.4. The Planning Authority did not consider that the grounds of appeal raised any new matter which would justify a change of their attitude, and referred the Board to their planner's report[s].

6.5. **Observations**

None on file.

6.6. **Further Responses**

None received.

7.0 **Assessment**

7.1.1. Having examined the application details and all other documentation on file, having inspected the site, and having regard to the relevant local/regional/national policies

and guidance, I consider that the substantive issue in this appeal to be considered is one of neighbouring residential amenity. I note that neither appellant is objecting to the grant of permission or the principle of the development, and I consider that the redevelopment of this site is in line with national, regional, and Development Plan policy on redevelopment of infill sites and the provision of housing in urban areas.

7.2. I have considered the issue of residential amenity under the following headings:

- Overshadowing
- Overlooking
- Overbearing impacts

7.3. **Overshadowing**

- 7.3.1. Both appellants have concerns regarding impacts on sunlight, and particularly cumulative impacts on their properties in combination with the Blackrock Shopping Centre. This latter development wraps around the terrace at Brusna Cottages on three sides. I observed a number of benches and planters outside the houses at Brusna Cottages on my site visit, and it is clear that residents use this lightly trafficked street for sitting out.
- 7.3.2. I note the Development Plan refers to *Site Layout Planning for Daylight and Sunlight, A guide to good practice (Building Research Establishment Report, 2011)* or any updated or subsequent guidance in reference to assessment of residential amenity of new developments, although not specifically for residential amenity of existing neighbouring properties. The updated BRE guidelines do contain useful guidance on the latter, and I refer to this below.
- 7.3.3. I have considered the shadow diagrams submitted with the application (in the cover letter), the photographs submitted by the first appellant, and my own site visit in the early afternoon in mid-January. I note the orientation of the terrace, which faces south-east, the location of the site at its midpoint, and the shape of the site with its long edge perpendicular to the terrace and its short end parallel to the terrace.
- 7.3.4. The applicant's shadow diagrams (for March 20th at 9 am, 12 noon and 5 pm, and for June 21st at the same times) show additional overshadowing from the proposed development. In March, the shadows fall east over the front facades of Brusna

cottages in the morning, and move towards the north (falling on the roadway, on the parking and carriageway area) by midday, leaving the windows and sitting out area unaffected by noon. In June there is additional overshadowing of the directly opposing cottages at 9 am, but this has cleared by noon.

- 7.3.5. Regarding no 7 Brusna Cottages, it is not shown in its entirety in the diagrams (and nos 8, 9, and 10 aren't shown at all). However, due to the distance from the development relative to the height of the development, and due to the orientation (west-south-west of the development), I have no concerns regarding overshadowing of this property. Regarding no 4 Brusna Cottages, there will be additional overshadowing of that property in the morning on March 21st (and by inference, in the winter months between the Autumn and Spring equinoxes).
- 7.3.6. All solid structures will cast shadows; however, I note that due to the shape and orientation of the appeal site the additional overshadowing from this development falls largely on the roofs of adjoining properties to the north-east, and the carriageway and car parking area to the north-west of the site, with some minor transitional overshadowing to some of the properties on Brusna Cottages. I consider the additional overshadowing impacts on Brusna Cottages (both on their window openings, and the amenity area to the front of them) to be transient and acceptable.
- 7.3.7. I note the first appellant's request for a setback of 2.1 metres of the second floor, and the provision of a privacy screen of 1.6 metres at the building edge. This would reduce the angle of elevation between the new development and the window directly opposite (that of no 5 Brusna Cottages) from approximately 29 degrees to about 25 degrees, and eliminate any overshadowing or impacts on daylight. The top floor apartment is a three-bedroom three-bathroom apartment of 117 sqm (compared with the minimum standard for a three-bed of 90 sqm), and a setback of 2.1 metres would result in a loss of some 13 sqm. As such, there may be some scope for redesign. However, in my view, the impacts on any given property are not so great as to warrant this amending condition.

7.4. **Overlooking**

- 7.4.1. The appellants both express concern regarding overlooking, and note that the street to the front of their properties is used as an amenity area. I do not consider this

amenity area to have the same sensitivities to overlooking as, say, an individual rear garden. This is a communal area, with the comings and goings of each of the residents, as well as providing rear access to one or more premises on George's Avenue, and being open to unimpeded access from Main Street.

- 7.4.2. The proposed development as permitted by the Local Authority has a privacy screen (timber hit and miss fence at the top of the existing wall, with hedging behind) at first floor, providing mutual privacy between the balcony of the one-bedroom apartment and the cottages. No privacy measures are proposed to the second floor, where two bedroom windows look onto the street at a distance of some 2.5 metres, and look onto opposite windows at a distance of c. 10 metres. This is a typical front-to-front distance in narrow streets in urban areas, where a degree of mutual overlooking is to be expected.

7.5. **Overbearing impacts**

- 7.5.1. I note the level differences between the site of the proposed development, and the street level at Brusna Cottages, with the ground floor being partly subterranean and windowless to the rear of the site, with a finished floor level some 1.95 metres below the neighbouring ground level. The development is 9.4 metres tall on George's Avenue, and c. 7.2 metres above street level on Brusna Cottages.
- 7.5.2. Regarding the cited precedent at 5a George's Avenue, this application (D15A/0526, which was not implemented) was granted under a previous Development Plan (2010-16), and prior to the adoption of the Compact Settlement Guidelines.
- 7.5.3. The proposed rear elevation of this development is taller than the adjoining two-storey developments on either side; however, these are developed on the boundary, with no first floor setback. I consider the proposal to be in keeping with the pattern of development in this urban area.

7.6. **Other issues**

- 7.6.1. I note the conditions attached. I consider condition 2 to be superfluous, adding nothing that isn't provided by the first condition. I consider condition 4 to be overly onerous, given the minimal exemptions available for advertisement signs or structures, and the requirement to seek planning permission in any case. A detailed

multi-part condition regarding construction is attached. Given the infill nature of the site, this is appropriate.

8.0 Recommendation

8.1. I recommend permission be granted.

9.0 Reasons and Considerations

9.1.1. Having regard to the nature and scale of the development, the location and context of the site, the policies, objectives, and standards of the Dun Laoghaire Rathdown County Development Plan 2022-28, including the zoning of the site, national policy to provide compact settlements, it is considered that, subject to the below conditions, the proposed development would not seriously injure the residential or visual amenities of the area, and is 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, as amended by the further plans and particulars received by the planning authority on the 26th day of August 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 prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

3. The glazing to all bathroom and en-suite windows shall be manufactured opaque or frosted glass and shall be permanently maintained. The application of film to the surface of clear glass is not acceptable.

Reason: In the interest of residential amenity.

4. (a) Construction Management Plan

Prior to commencement of development a 'Construction Environmental Management Plan' (CEMP) setting out proposals for environmental management of the proposed works to avoid the creation of serious environmental nuisance, such as noise, dust and other emissions that may be considered an environmental nuisance, shall be submitted to the Planning Authority for written agreement

- (b) Resource & Waste Management Plan

Prior to the commencement of development, the applicant shall submit to the Planning Authority (for attention of Environmental Enforcement) for written agreement of a detailed site-specific Resource & Waste Management Plan. The plan should be developed in accordance with the 'Best practice guidelines for the preparation of resource & waste management plans for construction & demolition projects' EPA 2021. The Resource & Waste Management Plan should include the following not already detailed in the plan:

- Confirmation that deliveries should not occur before 07:00 nor should vehicles be allowed to queue in advance of this time.
- The plan should identify the type of materials/proportion of re-use/recycled materials and future maintenance to support the implementation of Government and EU circular economy policy.
- In terms of Construction Waste, records shall be maintained and made available for inspection on site demonstrating tracking of all waste generated to final destination.

- (c) Public Liaison Plan

The Applicant and the developments Contractor shall develop and implement a Public Liaison Plan for the duration of the works, covering the following.

- Appointment of a Liaison Officer as a single point of contact to engage with the local community and respond to concerns.
- Keeping local residents informed of progress and timing of particular construction activities that may impact on them.
- Provision of a notice at the site entrance identifying the proposed means for making a complaint.
- Maintenance of a complaints log recording all complaints received and follow up actions.

(d) Operational Waste Management Plan

The Applicant and the developments Contractor shall implement the measures detailed within the submitted Operational Waste Management Technical Note (OWMTN) prepared by AWN Consulting; dated 22/08/202; document No.: 257501.0569WMTN01.

(e) Pest Control Plan

The Applicant and the developments Contractor shall develop and implement a Rodent/Pest Control Plan for the duration of the works on site.

REASON: In order the safeguard the health, safety and amenities of properties and owners in the vicinity, in the interests of orderly development and the proper planning and sustainable development of the area.

5. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interest of traffic safety and convenience.

6. During the construction and demolition phases, the proposed development shall comply with British Standard 5228 *“Noise Control on Construction and open sites Part 1. Code of practice for basic information and procedures for noise control.”*

Reason: In the interests of neighbouring residential amenity.

7. The attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: In the interest of flooding prevention.

8. Any damage to the existing road, footpath and services resulting from this development shall be repaired by the developer at his own expense, to the satisfaction of the Planning Authority.

Reason: in the interest of orderly development.

9. The applicant shall enter into a Connection Agreement with Uisce Éireann to provide for a service connection to the public water supply and/or wastewater collection network and adhere to the standards and conditions set out in that agreement. All development shall be carried out in compliance with Uisce Éireann's Standard Details and Codes of Practice. Uisce Éireann does not permit Build Over of its assets. Where the applicant proposes to build over or divert existing water or wastewater services the applicant shall have received written Confirmation of Feasibility (COF) of Diversion(s) from Uisce Éireann prior to any works commencing.

Reason: To provide adequate water and wastewater facilities.

10. Site development and building works shall be carried out between the hours of 0800 to 1900 from Mondays to Fridays inclusive, between 0900 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

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

12. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in accordance with Section 94 and Section 96 of the Planning and Development Act 2000, unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan for 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.

Natalie de Róiste
Planning Inspector
29 January 2026

Form 1 - EIA Pre-Screening

Case Reference	PL-500051-51-DR
Proposed Development Summary	Wine shop and 3 apartments, partial demolition of existing building
Development Address	7 George's Avenue, Blackrock
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.	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 Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

<p>development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	<p>State the Class and state the relevant threshold</p>
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>Class 10(b)(i) Construction of more than 500 dwelling units – Sub Threshold</p> <p>Class 10(b)(iv) [Urban Development – 10 hectares – sub threshold</p>

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

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	PL-500051-51-DR
Proposed Development Summary	Wine shop and 3 apartments, partial demolition of existing building
Development Address	7 George's Avenue, Blackrock
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	<p>The proposed development is a mixed-use building with 3 apartments over a shop in an urban area, connected to public services, with partial demolition of a restaurant and apartment building.</p> <p>The development would not result in the production of significant waste, emissions, or pollutants.</p>
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	<p>The development is in a built up area, and would not have the potential to significantly impact on an ecologically sensitive site or location. There is no hydrological connection present such as would give rise to significant impact on nearby water courses (whether linked to any European site or other sensitive receptors). The proposed development would not give rise to waste, pollution or nuisances that differ significantly from that arising from other urban developments.</p>
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	<p>The development would not result in the production of significant waste, emissions, or pollutants, and there is no potential for significant effects, either by itself or cumulatively with other developments.</p>
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA

There is no real likelihood of significant effects on the environment.	EIA is not required.
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Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)