



An  
Coimisiún  
Pleanála

## Inspector's Report

**PL500054-DS**

### Development

#### PROTECTED STRUCTURE / RETENTION:

(i) retention of existing ancillary garden office room (15sqm) with; (ii) permission to upgrade external finishing from corrugated steel to timber cladding and relocate garden office room to the southeast corner of the shared rear garden to replace the existing shed approved for demolition under Reg. Ref. WEB2626/24. (iii) Permission is also sought for new gravel path and rear boundary hedge, and; (iv) all ancillary works necessary to facilitate the proposal. The properties are Protected Structures

### Location

Rear of 94/96 Rathmines Road Lower,  
Rathmines, Dublin 6

### Planning Authority

Dublin City Council

### Planning Authority Reg. Ref.

WEB2748/25

### Applicant(s)

Coolbridge Ltd

### Type of Application

Retention Permission

<b>Planning Authority Decision</b>	Refuse Retention
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Coolbridge
<b>Observer(s)</b>	Justin Whelan
<b>Date of Site Inspection</b>	21 <sup>st</sup> December 2025
<b>Inspector</b>	Andrew Hersey

## **1.0 Site Location and Description**

- 1.1 The site is located at 94/96 Rathmines Road Lower, Rathmines, Dublin 6
- 1.2 The site comprises of two mid terrace (94 & 96) 4 storey over basement red bricked period properties which face onto the Rathmines Road.
- 1.3 There is no access to the rear of the property other than through the property. The rear of the property is not visible from any surrounding roads or lanes.
- 1.4 The property is listed as a Protected Structure in the Dublin City Development Plan 2022-2028
- 1.5 Both properties have modern two storey rear extensions
- 1.6 The property is bounded to the rear by a mews terrace, Richmond Lane, which has short rear gardens. These units share a party boundary wall with the proposed development site.

## **2.0 Proposed Development**

- 2.1 The proposed development is for;
  - The retention of an ancillary garden office room with a stated floorspace of 15sq.m.
  - To upgrade the external finishing from corrugated steel to timber and dark slate roof
  - To relocate the garden office room to the southeast corner of the shared rear garden to replace the existing shed granted permission for demolition under Reg. Ref. WEB2626/24
  - New gravel path and rear boundary hedge and
  - All ancillary site works

## **3.0 Planning Authority Decision**

- 3.1 **Decision** – Refuse Permission for the following reason:

*By way of its design, quality and materials, the proposed relocated garden office room and all associated works sought by permission in the rear garden (amalgamated) of two Protected Structures would result in an unsympathetic form of development which would cause serious injury to their special architectural character and setting. Therefore, the proposed retention and relocation of this structure would contravene Policies BHA2 (b), (d), (e), (g), and (i) of the Dublin City Council Development Plan 2022-2028 and would set an undesirable precedent for similar development in the curtilage of Protected Structures. The proposed development is contrary to the proper planning and sustainable development of the*

## **3.2 Planning Authority Reports**

3.2.1 The case planners report raises the following issues;

- That ancillary structures are acceptable in principle at this location but that greater emphasis is placed on its impact of the setting and historic character of the two protected structures
- That regard is had to the Conservation Report on file as detailed below and a recommendation of refusal is recommended on that basis

3.2.2 Conservation Report (dated 5<sup>th</sup> September 2025) states the following

- That the applicant proposes to relocate an unauthorised existing ancillary garden office room to the southeast corner of the rear garden.
- The proposed retention and relocation of the garden office room was previously refused permission under Planning Reg. Ref. Web2626/24. In architectural conservation terms, the reason for refusal was that the garden office room detracts from the Protected Structures and would result in an unsympathetic form of development which would cause serious injury to the special architectural character and setting of the Protected Structures.
- Under the current proposal the external treatment would be modified, replacing the existing corrugated steel pitched roof and walls with a metal tiled roof with blackened timber clad walls. Externally a gravel path from the main house and a hedge to the eastern boundary are proposed.

- The report further states that the Architectural Heritage Protection Guidelines for Planning Authorities (2011) outline that the curtilage of a Protected Structure is often an essential part of the structure's special interest. Under Section 13.3.1 'Features within the curtilage and attendant grounds of a protected structure can make a significant contribution to the character of that structure.' Section 13.4.21 of the same publication states that, 'Careful consideration should be given to proposals to ensure that they do not adversely affect the character of the protected structure or its curtilage.'
- The report further refers to policy BHA2 of the Dublin City Development Plan 2022-2028 as cited above
- The report concludes that *'Notwithstanding the proposed alterations to the external treatment of the garden office room, the applicants have not overcome the previous reasons for refusal on this site. The proposed retention of the unauthorised structure and its relocation would contravene Policies BHA2 (b), (d), (e), (g), and (i) of the Dublin City Council Development Plan 2022- 2028 and would set an undesirable precedent for similar development in the curtilage of Protected Structures.'*

### 3.2.3 Other Technical Reports

- Drainage (13<sup>th</sup> August 2025) – no objection

### 3.3. Prescribed Bodies

None on file

### 3.4. Third Party Observations

3.4.1 There is one submission on file from a Justin Whelan of 1 Richmond Lane (dated 28<sup>th</sup> August 2025) which raises the following issues;

- That the “ancillary garden office room” and “existing shed” referenced in the proposal currently operate as the service centre for the commercial operations at 94-96 Rathmines Road Lower, which consists of 21 apartments, with a contracted capacity of 81 residents

- That the “ancillary garden office room” to date has included providing the residents with storage for large items, replenishment of toiletries and essential items. These services take place throughout the day and into the late night where required, as they should do.
- The existence of an office in the rear garden is to the detriment to their and others amenity. The third party states that he has seen increased foot traffic and noise pollution, which is contrary to Objective 14.8.4 of the Dublin City Development Plan.
- That this use should take place within the existing buildings

## 4.0 Planning History

4.1 There are a number of previous applications on the site of relevance as follows:

4.1.1 Planning Reg. Ref. *WEB2626/24* Spit Decision issued with a grant of permission given for removal of existing garden shed and timber fence and permission and retention permission refused for the retention of the existing ancillary garden office room and its relocation to the back of the rear garden for the following reason;

*By way of its design quality and materials, the proposed relocated garden office room in the rear garden (amalgamated) of two Protected Structures, would result in an unsympathetic form of development which would cause serious injury to their special architectural character and setting. The applicants have not overcome the previous reason for refusal on this site. Therefore, the proposed retention and relocation of this structure would contravene Policies BHA2 (b), (d), (e), (g), and (i) of the Dublin City Council Development Plan 2022- 2028 and would set an undesirable precedent for similar type development in the curtilage of Protected*

*Structures. The proposal would therefore be contrary to the proper planning and sustainable development of the area.*

- 4.1.2 Planning Reg. Ref. 4054/24 retention permission refused for an ancillary garden office room (15sqm) garden equipment shed and timber fence to the rear garden of 94-96 Rathmines Road Lower, Dublin 6 for the following reason;

*The design, scale, materials and siting of the two structures and the timber fence (proposed to be retained) in a central position in the rear garden of two Protected Structures, have resulted in an unsympathetic and incongruous form of development which would be visually obtrusive when viewed from the Protected Structures and adjoining Protected Structures and has resulted in causing serious injury to their special architectural character and setting. Therefore, the proposed retention of this development would contravene Policy BHA2 of the City Development Plan 2022-2028, would create an undesirable precedent for similar type development and is contrary to the proper planning and sustainable development of the area*

## **5.0 Policy Context**

### *5.1 Development Plan*

- 5.1.1 The Dublin City Development Plan 2022-2028 is the statutory development plan in force in the area at present.
- 5.1.2 Under that Plan, the site is zoned as Z4 'Key Urban Villages' the objective of which is 'To provide for and improve mixed service facilities'
- 5.1.3 Policy BAH2 refers to the development of Protected Structures and states the following;

*That development will conserve and enhance protected structures and their curtilage and will:*

- a. *Ensure that any development proposals to protected structures, their curtilage and setting shall have regard to the Architectural Heritage Protection Guidelines for Planning Authorities (2011) published by the Department of Culture, Heritage and the Gaeltacht.*

- b. Protect structures included on the Record of Protected Structures (RPS) from any works that would negatively impact their special character and appearance;*
- c. Ensure that works are carried out in line with best conservation practice as advised by a suitably qualified person with expertise in architectural conservation;*
- d. Ensure that any development, modification, alteration, or extension affecting a protected structure and/or its setting is sensitively sited and designed, and is appropriate in terms of scale, mass, height, density, layout and materials.*
- e. Ensure that the form and structural integrity of the protected structure is retained in any redevelopment and ensure that new development does not adversely impact the curtilage or the special character of the protected structure.*
- f. Respect the historic fabric and the special interest of the interior, including its plan form, hierarchy of spaces, structure and architectural detail, fixtures and fittings, and materials.*
- g. Ensure that new and adapted uses are compatible with the architectural character and special interest(s) of the protected structure.*
- h. Protect and retain important elements of built heritage including historic gardens, stone walls, entrance gates and piers and any other associated curtilage features.*
- i. Ensure historic landscapes, gardens and trees (in good condition) associated with protected structures are protected from inappropriate development.*
- j. Have regard to ecological considerations, for example, protection of species such as bats*

### **5.3. Natural Heritage Designations**

- The Grand Canal NHA (Site Code 002104) is located 900m to the north of the site
- The South Dublin Bay and River Tolka SPA (Site Code 004024) is located 4km to the east of the site

- South Dublin Bay SAC (Site Code 000210) is located 4km to the east of the site
- Rockabill to Dalkey Island SAC (Site Code 003000) is located 9km to the east of the site

## **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 & 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.

## **7.0 The Appeal**

### **7.1 Grounds of Appeal**

7.1.1 A first party appeal was lodged on the 13<sup>th</sup> October 2025. The appeal in summary raises the following issues;

- That the proposal represents a modest and well considered subordinate structure in the rear garden of 94-96 Rathmines Road Lower.
- It is not visible in the public realm and it is sited to sit comfortably in the southeast corner of the garden where it will be screened by sufficient boundary and screen planting
- That the design has been altered from the previous application in that the metal cladding is to be replaced with charred timber and the roof is to be a dark tiled roof. These finishes were informed by a permitted garden structure at 217 Rathmines Road Upper within metres of the appeal site (Planning Reg. Ref. 3154/24 ABP 320168)
- The garden room is a lightweight fully reversible structure
- The proposal accords with good conservation practice as set out in the Architectural Heritage Protection Guidelines for Planning Authorities (2011)

which recognises that 'modest contemporary and reversible additions can be acceptable within the curtilage of Protected Structures where they do not detract from the special interest of the historic buildings or their settings.

- That a 'residential' use is permitted in principle on lands zoned as Z4 in the Dublin City Development Plan 2022-2028. A garden office room is therefore an acceptable use at this location.
- That the proposal complies with Policy BAH4.

### **7.3. Planning Authority Response**

None received

### **7.4. Observation**

7.4.1 An observation to the appeal (in the name of Justion Whelan) was received 11<sup>th</sup> November 2025. The response states that the response is on behalf of himself and his wife Eva, Paul and Grace McKay, Damien Kelly and Claire O'Gorman all of whom reside on Richmond Lane which is located to the rear south of the proposed development site. The response raises the following issues;

- That the appeal refers to the structure in question as a 'Garden Room Development' whereas the application is for a 'Garden Office Room'
- The structure for retention is being operated as a commercial entity.
- The application referred to as precedent in the appeal relates to a garden shed/playhouse – which is clearly residential in nature.
- The response raised residential amenity impacts as a consequence of its use which will deteriorate further as a consequence of it been moved closer to the boundary of the third party property.

## **8.0 Assessment**

8.1. I have examined the application details and all other documentation on file and I have inspected the site and have had regard to relevant local development plan policies and guidance.

8.1.2 I am satisfied the substantive issues arising from the grounds of this third party appeal relate to the following matters;

- Principle of Proposed Development/Development Plan Policy
- Residential Amenities
- Visual Amenity Considerations

### **8.2 Principle of Proposed Development/Development Plan Policy**

8.2.1 The proposed development site is located within an area designated in the Dublin City Development Plan 2022-2028 (hereunder referred to as the plan) with zoning objective Z4 ·Key Urban Villages the objective of which is '*To provide for and improve mixed service facilities*'

8.2.2 The use of the building which is seeking retention and relocation is referred to as a 'Garden Office Room' in the development description. The use of the said garden office room is not cited in any first party or in the case planner report but is referred to as being used for commercial use in third party submissions. The third party states that it is being used as a store to serve the apartments in the main buildings on site i.e. 94-96 Rathmines Road Lower which according to the third party comprises of multiple apartments (this is verified in the case planners report relating to Planning Reg. Ref. WEB2626/24

8.2.3 It is noted that the appeal refers to its use as residential and justifies that the residential use is appropriate on lands zoned as Z4

8.2.4 Form A of the Planning Application Form submitted with the application does not refer to its use but it is noted that the fee paid relates to a Class 13 Development i.e. *Development not in other classes*. If it were residential in nature then a fee for a Class 2 Development would have been paid i.e. domestic extension

- 8.2.6 The Heritage Impact Assessment submitted which is compiled by the applicants architects states that 'The cabin is used exclusively as home office for the property'. It is not clear as to how this is the case as the buildings contain multiple properties
- 8.2.7 I note that the local authority case planner has accepted the use of the garden office at this location. I would consider its use as an office to serve the apartments on site appropriate in this context but this would clearly be commercial rather than domestic in nature.
- 8.2.8 The site is zoned as Z4 in the statutory development plan serving the area the objective of which is *To provide for and improve mixed service facilities*' The plan states that it is the primary purpose of Z4 zones *'to serve the needs of the surrounding catchment providing a range of retail commercial cultural social and community facilities that are easily accessible by foot, bicycle or public transport, in line with the concept of a 15 minute city'*
- 8.2.9 The plan clearly therefore allows for a commercial use in this land use. The main buildings on site comprise of multiple units and it is considered that, as previously stated, an office to serve these would be appropriate in this context. I would consider that the use of a garden office is therefore acceptable at this location subject to a condition being imposed that the use is ancillary to the use of the existing apartments within 94-96 Rathmines Road Lower and is not a separate commercial entity to the principle use on site i.e. residential apartments.

#### **8.4 Residential Amenity Impacts**

- 8.4.1 The office building is located in the centre of the rear garden of the site and it is proposed that it is to be relocated to the southeast corner of the shared rear garden to replace an existing shed which was previously granted permission for demolition under Reg. Ref. WEB2626/24
- 8.4.2 This will in effect put the building closer to the boundaries of the appellants properties.
- 8.4.3 I note that a new hedge has been permitted along the party boundary under a previous application which will provide some protection to the residents of the mews residents. I would consider it important that such a hedge be planted as mature

specimens at least 2.0 metres in height and planted the length of the rear party boundary of the property.

- 8.4.4 Notwithstanding the concerns raised by the third party, it is considered that the use of the structure as an office would not raise significant noise or disturbance than that which would result if it were not present in the first place. Regard is also had to the fact that this is located in a high density urban environment where some level of noise is normal from neighbouring properties.

## **8.5 Visual Amenity Considerations**

- 8.5.1 The principal issue of this appeal is therefore with respect to visual amenity considerations and whether the proposed garden office room for retention would or would not impact upon the setting of 94/96 Rathmines Road Lower which are identified as Protected Structures in the statutory development plan serving the area. I also note that the adjacent properties to the north and south of this terrace are also protected.

- 8.5.2 It is proposed to relocate the said structure to the south east corner of the site adjacent to the party boundary with the mews buildings. This is to replace a storage shed at this location. The metal cladding is to be removed and replaced with black timber cladding with a dark tile roof. The said structure has a floorspace of just 15sq.m. and measures 5 metres x 3 metres with an overall ridge height of just 3.2 metres.

- 8.5.3 While within the curtilage of the protected structures I consider that the structure will because of its revised location will read as part of the mews structures rather than the protected structures. I further note that the said structure will not be visible in the wider area other than from the rear windows of the 94/96 Rathmines Road Lower and from adjacent properties on the terrace.

- 8.5.4 Regard is had to BAH2 particularly subsection (d) which seeks to:

*Ensure that any development, modification, alteration, or extension affecting a protected structure and/or its setting is sensitively sited and designed, and is appropriate in terms of scale, mass, height, density, layout and materials.*

And subsection (e) which in part, seeks to;

*ensure that new development does not adversely impact the curtilage or the special character of the protected structure.*

- 8.5.5 Section 13.4.21 of the Architectural Heritage Protection Guidelines for Planning Authorities (2011) states that, *‘Careful consideration should be given to proposals to ensure that they do not adversely affect the character of the protected structure or its curtilage.’*
- 8.5.6 I note that the conservation officers report on file recommends that the proposed finishes are not appropriate in this context and therefore recommends that the proposed development is refused on the grounds of non-compliance with a number of subsections of Policy BAH2 specifically subsections (b), (d), (e), (g), and (i)
- 8.5.7 The conservation officers report does not detail as to why the timber cladding and dark slate roof is inappropriate, though it would appear that the relocation to the south east corner has been accepted.
- 8.5.8 The first party refers to precedent and cites Planning Reg. Ref. 3154/24 (ABP 320168) which was for the retention of a playroom in the rear garden of a protected structure which exhibits dark exterior cladding and a dark flat mono-pitch roof. The conservation officer notes under the report associated with this file that this structure is 22.5 metres from the protected structure on site and that landscaping is proposed to prevent the structure being visible from adjacent properties.
- 8.5.9 The garden office structure subject of this appeal is just over 10 metres from the modern rear return of the protected structure and 20 metres from the original rear façade and while the office structure will not be visible in the wider area it will be visible from windows of the main structure on site i.e. 94/96 Lower Rathmines Road and potentially from the rear windows of adjacent properties which I note are also protected structures. However, I consider that landscaping within the site can block views and that this can be imposed by way of a planning condition.
- 8.5.10 I do not consider that the views of the garden office with the new material finishes will impact upon the setting of the protected structure and therefore would not contravene Policy BAH2 or guidance with respect to development within the curtilage of protected structures as set out in Architectural Heritage Protection Guidelines for Planning Authorities (2011).

8.5.11 I therefore consider the proposed development to be acceptable in terms of visual amenity subject to landscaping which will screen the proposal from views from adjacent properties.

8.5.12 Regard is also had to Policy BAH2 items (b), (g) and (i) which are cited in the reason for refusal

8.5.12 With respect to Policy BAH2 (b) which seeks to *Ensure that works are carried out in line with best conservation practice as advised by a suitably qualified person with expertise in architectural conservation*; ,I note that works proposed are with respect to changing materials on the garden office and the relocation of the same. I further note that the application has been supported by a Heritage Impact Assessment. I do not consider that there will be any impact to the protected structure as a consequence of the works.

8.5.13 Policy BAH2 (g) seeks to; *Ensure that new and adapted uses are compatible with the architectural character and special interest(s) of the protected structure*, I consider that the proposed garden office will not impact upon the architectural character of the protected structure in this context.

8.5.14 Policy BAH2 (i) seeks to; *Ensure historic landscapes, gardens and trees (in good condition) associated with protected structures are protected from inappropriate development*. I note in this regard that garden where the proposed development is located has been significantly modified as a consequence of extensions to the rear and has been shortened as a consequence of the development of the mews buildings. It cannot be said to be of any architectural or landscape interest and does not contain any mature trees. In this respect, I do not consider that the proposal is contrary to this policy

## **9.0 AA Screening**

- 9.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 9.2 The subject site is located
- 4kms to the west of the South Dublin Bay and River Tolka SPA (Site Code 004024)
  - 4kms to the west of the South Dublin Bay SAC (Site Code 000210)
  - 9km to the west of the Rockabill to Dalkey Island SAC (Site Code 003000)
- 9.3 The proposed development comprises of a garden office in an urban area. No nature conservation concerns were raised in the planning appeal.
- 9.4 Having considered the nature, scale and location of the project, and its location in a suburban area, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site
- 9.5 The reason for this conclusion is as follows:
- The relatively small scale nature of the works proposed
  - The lack thereof of any hydrological connection from the proposed development to the Natura 2000 site.
  - Having regard to the screening report/determination carried out by the Planning Authority
- 9.6 I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.
- 9.7 Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required

## **10.0 Water Framework Directive**

- 10.1. The subject site is located approximately 900m to the south of the Grand Canal NHA (Site Code 002104)
- 10.2 The proposed development comprises of a detached garden office in an urban area.
- 10.3 No water deterioration concerns were raised in the planning appeal.
- 10.4 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.
- 10.5 The reason for this conclusion is as follows [insert as relevant]:
- The minor scope of the works and nature of the development
  - The 900m distance to the nearest water body and the lack of hydrological connections to the same.
- 10.6 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.

## **11.0 Recommendation**

- 11.1 I recommend that permission for the development be granted.

## 12.0 Reasons and Considerations

Having regard to the information submitted with the application and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would comply with the zoning objective for the site and polices with respect to development within the curtilage of protected structures as set out in the Dublin City Development Plan 2022-2028, would not be injurious to the visual or residential amenities of the area or to adjoining properties, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

### Conditions

1.	<p>The development shall be retained and completed in accordance with the plans and particulars lodged with the application except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The garden office room shall be used for purposes ancillary to the use of the existing buildings on the site i.e. residential apartments. It shall not be separated from the existing building by sale or lease, used for sleeping accommodation or used for any use which is not ancillary to the use of the existing buildings on site without a separate grant of planning permission</p> <p><b>Reason:</b> In the interests of residential amenity</p>
3	<p>External finishes shall be indicated on the plans submitted unless otherwise agreed in writing with the Planning Authority prior to commencement of the development.</p>

	<b>Reason:</b> In the interest of Visual Amenity
4.	<p>Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.</p> <p><b>Reason:</b> In the interest of public health</p>
5.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Monday to Fridays, between 0800 and 1400 hours on Saturday and not at all on Sundays and Public Holidays.</p> <p>Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p><b>Reason:</b> To safeguard the residential amenities of adjoining property in the vicinity</p>
6.	<p>A comprehensive boundary treatment and landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to commencement of development for the purposes of providing screening of the proposed development from overlooking from adjacent properties to the north and south. This scheme shall include the following:</p> <ul style="list-style-type: none"> <li>(a) details of all proposed hard surface and/or permeable surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development;</li> <li>(b) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings;</li> <li>(c) details of proposed street furniture, including bollards, lighting fixtures and seating;</li> <li>(d) details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes.</li> <li>(e) The proposed hedge along the eastern boundary of the site shall be at least 2.0 metres in height at the time of planting.</li> </ul>

	<p>The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme within 12 months of this order and shall be maintained in good condition in perpetuity.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
7	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p><b>Reason:</b> 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.</p>

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.

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Andrew Hersey  
Planning Inspector

13th January 2026

## Appendix A: Form 1 EIA Pre-Screening

<b>Case Reference</b>	PL500054-DS
<b>Proposed Development Summary</b>	Detached Garden Office
<b>Development Address</b>	94/96 Rathmines Road Lower, Rathmines, Dublin 6
<b>IN ALL CASES CHECK BOX /OR LEAVE BLANK</b>	
<b>1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?</b>	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
(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)	
<b>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)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in <b>Part 1</b> .  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	<b>State the Class here</b>
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>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?</b>	

<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.  <b>No Screening required.</b>	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.  <b>EIA is Mandatory. No Screening Required</b>	<b>State the Class and state the relevant threshold</b>
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.  <b>Preliminary examination required. (Form 2)</b>  <b>OR</b>  <b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b>	<b>State the Class and state the relevant threshold</b>

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_