



**Development**

**Construction of three storey 3 bedroom home on side garden. Main pitched roof with rooflight to the front and dormer structure to the rear.**

**Location**

**Saint Anne's, Killiney Road, Dalkey, Dublin, A96RX48**

**Planning Authority**

**Dun Laoghaire Rathdown County Council**

**Planning Authority Reg. Ref.**

**D25A/0592/WEB**

**Applicant(s)**

**Ciaran Brady**

**Type of Application**

**Permission**

**Planning Authority Decision**

**Grant Permission + Conditions**

**Type of Appeal**

**Third Party**

**Appellant(s)**

**Andrew & Hillary Fenton**

**Colin & Kate Doherty**

**Observer(s)**

**None**

**Date of Site Inspection**

**12 December 2025**

**Inspector**

**Aoife McCarthy**



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## **1.0 Site Location and Description**

- 1.1. The subject site has a stated area of 0.23 hectares and comprises a side garden to a 2 storey detached house, St. Anne's, located at the junction of Killiney Road and Killiney Grove, Killiney, Co. Dublin.
- 1.2. The site is bound by the front garden of No. 15 Killiney Grove to the north, Killiney Grove to the east, a footpath fronting to Killiney Road to the south; and St. Anne's to the east.
- 1.3. Killiney Grove is a cul-de-sac comprising 10 no. semi-detached 2 storey houses.
- 1.4. Permission has been granted in December 2024 for an extension of the side and rear of St. Anne's property, provision of a new roof profile, elevational alterations and all ancillary works (D24A/0878/WEB refers).
- 1.5. The site and environs are residential in character.

## **2.0 Proposed Development**

- 2.1. The proposed development will consist of:
  - Construction of a three storey 3 bedroom home on side garden (total GFA 158m<sup>2</sup>).
  - Main pitched roof with rooflight to the front and dormer structure to the rear, frosted window on side elevation at first floor, ground floor windows and entrance to the side elevation.
  - New boundary treatment walls and landscaping with new pedestrian and vehicular accesses to the rear garden off Killiney Grove.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

- 3.1.1. The local authority issued a Notification of a Decision to Grant Permission on the 19<sup>th</sup> September 2025, subject to 12 Conditions.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Report (dated 26<sup>th</sup> July 2025)

- The Report includes a summary of the 8 no. submissions received on the file (see below).
- The Report includes a detailed planning history and planning context relating to the site.
- The principle of residential development may be permitted where the PA is satisfied that the development would be compatible with the overall policies and objectives for the zone, would not have undesirable effects.
- In principle, the density of development is considered to be in accordance with PHP18 and PHP 19 of the Development plan, subject to the protection of residential amenity of the adjoining properties.
- The internal areas the standard of the Quality Housing for Sustainable Communities Best Practice Guidelines 2007 and the Development Plan.
- Private amenity provisions for both units exceed the Quality Housing for Sustainable Communities Best Practice Guidelines 2024 and qualitatively are acceptable to the PA.
- With respect to issues raised by third parties relating to the previous application on the subject site D24A/0878/WEB are matters of enforcement and should be reported to the Planning Enforcement Section; the current application is assessed on its own merits.
- The report includes an assessment of the proposed development under the criteria of the Plan relating to Corner / Side Garden Sites.
- The report concludes that, having regard to zoning objective, massing, scale and form, the proposed development would result in adverse impacts with respect to residential amenity, in terms of overlooking, overshadowing and overbearing appearance, would not detract from the character of the area and would be in accordance with relevant provisions of the Development Plan.
- The report recommends that, subject to conditions, permission is granted on that basis.

- No issues with respect to AA and EIA arise.
- The report notes that Condition 5(a) of D24A/00878/WEB permission required the omission of the existing entrance on Killiney Grove; on the basis that permission had been granted for a new entrance on Killiney Road; and that the PA did not consider it appropriate for a single dwelling to be served by two vehicular entrances.
- The circumstances have changed with the current application, which proposed a new dwelling within the side garden; it is considered the provision of a space to serve this single unit to the north/rear of the site to be acceptable.
- The use of an electronic sliding gate, whilst contrary to s.12.4.8.1 of the Development Plan, is considered acceptable in this instance.

### 3.2.2. Other Technical Reports

- **Drainage Planning:** No objection subject to condition.
- **Parks and Landscape Services:** No objection subject to condition.
- **Transportation Planning:** No objection subject to condition.

### 3.3. Prescribed Bodies

3.3.1. None received.

### 3.4. Third Party Observations

3.4.1. The grounds of 8 no. third party submissions, from residents of properties within Killiney Grove and Killiney Road, and may be summarised as follows:

- Overdevelopment of the site.
- Overlooking issues.
- Loss of natural light to rear garden area.
- Proposed 3 storey house would be out of scale with the area.
- Roof tiles (orange/terracotta) clash with surrounding homes.

- Design does not integrate with established pattern of development in the area.
- The proposal would visually dominate the street, negatively affecting the character of Killiney Grove.
- New windows would result in direct overlooking of neighbouring gardens.
- Loss of privacy in patios, kitchens, and living areas.
- Loss of natural light within private amenity space.
- The combined massing of both houses would be visually overbearing.
- The new house disregards the building line on Killiney Grove.
- The proposal does not comply with the Development Plan zoning objective.
- The proposal does not comply with Section 1 2.3.7.5 of the Development Plan relating to Corner Sites.
- The boundary wall is insufficiently high, resulting in overlooking at ground level of neighbouring properties.
- Proposal is not comparable to development at 32A Ballinclea Heights.
- There is a lack of existing car parking on Killiney Grove.
- The proposal would affect residents' ability to access their driveways.
- Road width at 5.5m does not permit safe parking on both sides of the road.
- Proposed new entrances remove existing parking spaces from the cul-de-sac.
- Killiney Grove is used by residents, visitors, carers and for school traffic purposes.
- Killiney Grove is used as turnaround point by traffic from Killiney Road adding to congestion on the cul-de-sac.
- The proposal results in increased risk of blocked driveways.
- Emergency vehicles would be unable to access the full length of Killiney Grove.
- The creation of 2 no. entrances onto Killiney Grove would result in increase in traffic movements on the cul-de-sac.

- Pedestrian safety concerns relating to an established pedestrian link from Killiney Grove to Springfield Park due to increase traffic movements on Killiney Grove/Killiney Road.
- Only 1 no. site notice was erected at the Killiney Road end of the site. A second should have been erected at the proposed vehicular entrance to Killiney Grove.
- Development at St. Anne's (as constructed) does not fully comply with the permission as granted (D24A/OB78/WEB refers).
- Roof height of St. Anne's has increased by 1.4m.
- Development as permitted does not comply with the provisions of the Development Plan relating to extensions (D24A/OB78/WEB refers).
- Builders working outside permitted hours of D24A/0878/WEB.

## 4.0 Planning History

### 4.1. Subject Site

4.1.1. **P.A. Reg. Ref.: D24A/0878/WEB:** Planning permission granted in December 2024 for the development will consist of (a) The removal and replacing of the existing roof with new roof profile, (b) modifications to the front porch, (c) modifications and extension of the side/rear extension, (d) new vehicular entrance off Killiney Road, (e) external insulation, (f) elevational alterations and ancillary works.

4.1.2. Condition 5(a) states the following:

The existing vehicular entrance shall be removed (blocked up) and the dishing in front of the existing vehicular entrance to be blocked up shall be reinstated to match the materials and continuous levels of the adjacent footpath bays.

4.1.3. **P.A. Reg. Ref.: D07B/1043:** Retention permission granted in February 2008 for the following works: (1) Lean - to roof, ground floor, link to garage at rear (15m<sup>2</sup>) (2) Conversion of flat-roofed rear garage to habitable accommodation (16m<sup>2</sup>) (3) Pitched roofed, ground floor, rear and side garden room (19m<sup>2</sup>).

## 4.2. Relevant Cases-

- 4.2.1. The following cases are cited by the Applicant.
- 4.2.2. **P.A. Reg. Ref.: D25A/0397:** No.1 Wanford Close, Killiney, Dublin: Planning permission granted for the subdivision of the existing site and construction of a new two storey four-bedroom detached dwelling, with associated site development, including the formation of a new vehicular access point on Ballinclea Heights and a new pedestrian access point on Killiney Road.
- 4.2.3. **P.A. Reg. Ref.: D25A/0348/WEB:** Site at No.1 Ballinclea Heights, Killiney, Co. Dublin. Planning permission granted in July 2025 for subdivision of the existing site and development of land to the northern side of No.1 Ballinclea Heights, Killiney, Co. Dublin, consisting of the construction of a new two storey detached dwellinghouse with additional habitable space within the roof. Works at roof level will include a dormer window and solar panels facing Ballinclea Heights to the front and three Velux rooflights on the roof slope to the rear. The development will also include all associated site development, drainage and landscaping works including car parking for one vehicle to the front.
- 4.2.4. **PL06D.312164; P.A. Reg. Ref.: D21A/0860:** Grange House, Killiney Road, Killiney, Co. Dublin. Planning permission granted by the local authority in November 2021 and subsequently by An Bord Pleanála in April 2022 for the construction of an end of terrace 2-storey 2-bedroom detached house to the existing side garden, to include attic storage space, rooflights, PV panels, new pedestrian/vehicular entrances and all associated site works, boundary alterations, drainage, landscaping and site services.

## 5.0 Policy Context

- 5.1. **National Planning Framework, First Revision, April 2025**
  - 5.1.1. **National Policy Objective 43** Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.
  - 5.1.2. **National Policy Objective 45** Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill

development schemes, area or site-based regeneration, increased building height and more compact forms of development.

## **5.2. Quality Housing for Sustainable Communities, Best Practice Guidelines, 2007**

- 5.2.1. These Guidelines set out national planning policy and guidance in relation to housing design.
- 5.2.2. The guidelines include the following relevant target for a 3 storey 3B/6P dwelling; target floor area (110m<sup>2</sup>); minimum main living room (15 m<sup>2</sup>) aggregate living area (37m<sup>2</sup>); aggregate bedroom area (36m<sup>2</sup>) and storage (6m<sup>2</sup>).

## **5.3. Quality Housing for Sustainable Communities, Best Practice Guidelines 2024**

- 5.3.1. These Guidelines set out national planning policy and guidance in relation to the creation of settlements that are compact, attractive, liveable and well designed.
- 5.3.2. Development standards for housing are set out in Chapter 5, including SPPR1 – relating to separation distances, requiring a minimum distance of 16 metres between opposing windows serving habitable rooms at the rear or side of house above ground floor level.
- 5.3.3. SPPR 2 in relation to private open space (3-bed + 40 m<sup>2</sup>).
- 5.3.4. SPPR 3, at peripheral locations, the maximum rate of car parking where such provision is justified to the satisfaction of the planning authority, shall be 2 no. spaces per dwelling.

## **5.4. Dun Laoghaire Rathdown Development Plan 2022-2028**

### **5.5. Land Use Zoning**

- 5.5.1. The site is zoned Objective A, “to provide residential development and improve residential amenity while protecting the existing residential amenities.”
- 5.5.2. Residential is Permitted in Principle under this zoning objective.

### **5.6. Corner/Side Garden Sites (Section 12.3.7.5)**

- 5.6.1. The Plan includes the following relevant policies:

Corner/Side Garden Sites Corner site development refers to sub-division of an existing house curtilage and/or an appropriately zoned brownfield site, to provide an additional dwelling(s) in existing built up areas. In these cases, the Planning Authority will have regard to the following parameters (Refer also to Section 12.3.7.7):

- Size, design, layout, relationship with existing dwelling and immediately adjacent properties
- Impact on the amenities of neighbouring residents.
- Accommodation standards for occupiers.
- Development Plan standards for existing and proposed dwellings.
- Building lines followed, where appropriate.
- Car parking for existing and proposed dwellings provided on site.
- Side/gable and rear access/maintenance space.
- Adequate usable private open space for existing and proposed dwellings provided.
- Level of visual harmony, including external finishes and colours.
- Larger corner sites may allow more variation in design, but more compact detached proposals should more closely relate to adjacent dwellings. A modern design response may, however, be deemed more appropriate in certain areas where it may not be appropriate to match the existing design.
- Side gable walls as side boundaries facing corners in estate roads are not considered acceptable and should be avoided.
- Appropriate boundary treatments should be provided both around the site and between the existing and proposed dwellings. Existing boundary treatments should be retained/ reinstated where possible.
- Use of first floor/apex windows on gables close to boundaries overlooking footpaths, roads and open spaces for visual amenity and passive surveillance.

It is also recognised that these sites may offer the potential for the development of elderly persons accommodation of more than one unit, and this will be encouraged

by way of corner/ side and infill development. This would allow the elderly to remain in their community in secure and safe accommodation. At the discretion of the Planning Authority, subject to design and level of accommodation provided, there may be some relaxation in private open space and car parking standards for this type of proposal.

## 5.7. **Infill**

### 5.7.1. In accordance with **Policy Objective PHP19: Existing Housing Stock –**

**Adaptation**, infill development will be encouraged within the County. New infill development shall respect the height and massing of existing residential units. Infill development shall retain the physical character of the area including features such as boundary walls, pillars, gates/ gateways, trees, landscaping, and fencing or railings. This shall particularly apply to those areas that exemplify Victorian era to early-mid 20th century suburban ‘Garden City’ planned settings and estates that do not otherwise benefit from ACA status or similar. (Refer also to Section 12.3.7.5 corner/side garden sites for development parameters, Policy Objectives HER20 and HER21 in Chapter 11).

## 5.8. **Private Open Space (12.8.3.3)**

### 5.8.1. Part (i) refers to Private Open Space for Houses, stating that,

All houses (terraced, semi-detached, detached) shall provide an area of good quality usable private open space behind the front building.

The minimum Private Open Space requirement for a 3 bed house is 60m<sup>2</sup>, noting that this provision may be acceptable in cases where it can be demonstrated that good quality usable open space can be provided on site (Table 12.10 of the Development Plan refers).

### 5.8.2. In instances where an innovative design response is provided on site, particularly for infill and corner side garden sites, a relaxation in the quantum of private open space may be considered, however this is on a case-by- case basis. The provision of open space to the front and side of the site to serve the proposed dwelling may also be considered acceptable, subject to design, residential amenity, etc.

## 5.9. Natural Heritage Designations

- Rockabill to Dalkey Island SAC (Site Code: 003000), c.1.875km to the east.
- Dalkey Island SPA (Site Code: 004172) c.1.75km to the northeast.
- Dalkey Coastal Zone And Killiney Hill pNHA (Site Code: 001206), c.0.43km to the southeast.

## 5.10. EIA Screening

- 5.10.1. The Appellant, objects on the grounds that the EIA (Screening) Assessment in the Decision incorrectly refers to a two storey house.
- 5.10.2. From a review of the Decision, it is possible that this is simply a typographical error by the local authority.
- 5.10.3. Notwithstanding, the Commission is the Competent Authority with respect to EIA.
- 5.10.4. 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.

## 5.11. Appropriate Assessment

- 5.11.1. Screening the need for Appropriate Assessment: Screening Determination (Stage 1, Article 6(3) of Habitats Directive).
- 5.11.2. I have considered the proposed 3 storey 3 bed detached house and all associated works, in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 5.11.3. The closest European site is the Dalkey Island SPA (Site Code: 004172), located c.1.75km to the northeast of the subject site.
- 5.11.4. No nature conservation concerns were raised in the planning appeal.

5.11.5. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

5.11.6. The reason for this conclusion is as follows:

- The distance from nearest European site.
- The small scale and nature of the subject proposal.

5.11.7. 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.

5.11.8. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

## 5.12. Water Framework Directive Screening

5.12.1. The subject site is located in a built-up area in the Greater Dublin Area, c. 3.13km south-east of the Brewery Stream \_010 (Site Code: IE\_EA\_09B130400), within the Brewery Stream 0\_010 sub basin (Site Code: IE\_EA\_09B130400). The site is located on top of the ground water body Kilcullen (IE-EA-G-003).

5.12.2. The site is also located c.1.9km from the Kill of the Grange Stream \_010 (IE\_EA\_10K020200).

5.12.3. The proposed development comprises the construction of a single garden site dwelling within an established urban context.

5.12.4. No water deterioration concerns were raised in the planning appeal.

5.12.5. 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.

5.12.6. The reason for this conclusion is as follows:

- the small scale and nature of the development;
- the distance from the nearest water bodies and the lack of hydrological connections.

5.12.7. 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. The 2 no. appellants in this case reside within the immediate environs of the subject site. The grounds of appeal are summarised as follows:

#### 1. Colin and Kate Doherty 'Greeba', No. 75 Killiney Road

- The works as undertaken to St. Anne's do not fully comply with the permission, as granted D24A/0878/WEB.
- The appellant made a submission to the PA relating to the subject application as lodged in July 2025; at which time, works relating to the permitted dwelling, (Jan 2025) were on-going. The appellant states that as permission for works to the existing dwelling and the current application related to the same site and that planning matters were therefore, intrinsically linked.
- Permitted roof tiles do not integrate with dark brown concrete tiles which dominate the area, and are contrary to Condition 3, as detailed above.
- The Planner's Report stated that these matters should be reported to the Planning Enforcement Section; and the appellant reported non-compliance to the Planning Enforcement Section as referenced within the Planner's Report.
- The appellant requests that The Commission address these non-compliance matters as part of this appeal.

- Permission for the previous application should have been refused having regard to the provisions of the Development Plan relating to extensions.
- The side elevation has not included windows or doors of the permitted development at ground floor level; and is contrary to condition 1 D24A/0878/WEB.
- A new window opening to the rear of the property was not included on the plans as submitted under D24A/0878/WEB.
- Initial works to St. Anne's resulted in significant overlooking of the appellants property. The proposed dwelling is on a narrow cul-de-sac and will result in a significantly increased negative impact to the privacy at Greeba. The back garden and patio area will be overlooked by 2 no. significantly larger windows at first and roof level.
- Windows in the side elevation will result in significant overlooking of the property.
- The proposed entrance door and adjoining windows will look directly to the ground floor sitting room of Greeba. The proposed boundary wall will not protect their privacy.
- The proposal will diminish natural light further to rear garden.
- Pitched roof 1.4m higher than ridge line originally on St. Annes. Use of orange/terracotta tiles on both roofs will damage visual harmony in the area.
- The development would, by reason of combined bulk, scale and mass would be visually incongruous.
- Insufficient car parking has been provided.
- The proposed vehicular entrance will result in the removal of 2 no. spaces on either side of Killiney Grove.
- The proposal to provide 2 no. accesses from Killiney Grove does not align with permission for St. Anne's, which sought to remove a vehicular access to St. Anne's from Killiney Grove.

- Pedestrian safety issues relating to the extent and nature of traffic and pedestrian traffic movements on Killiney Grove, arising from the proposed entrance off Killiney Grove.
- Emergency/refuse trucks potentially unable to access to the end of Killiney Grove.
- Construction traffic vehicle parking outside/blocking access from Greeba to Killiney Grove.
- The proposal is contrary to A zoning objective.
- The applicant should have made a single application for amendments to St. Annes and the subject application to avoid objections relating to the cumulative residential and visual impacts arising, having regard to, inter alia, the increase in height across both properties.
- Potential impacts with respect to the re-routing of 4 no. overhead powerlines in closer proximity to the appellant's property.

## **2. Andrew and Hillary Fenton, Inis Cealtra, Killiney Road**

- The Decision does not provide a rationale or reference to the appellants grounds of objection.
- The EIA (Screening) Assessment in the Decision incorrectly refers to a two storey house.
- There is a breach in services between the Planning and Enforcement sections of the local authority.
- The Planning Report states that the proposed development is in line with dwelling as permitted; however, this property has not been constructed in accordance with this permission D24A/0878/WEB. The applicant should not be able to rely on the permission, as the development is, in their opinion, non-compliant.
- Maintenance issues will arise due to excessive proximity between the existing and proposed development.

## 6.2. Applicant Response

6.2.1. A response to the appeals has been prepared by Colgan O'Reilly Architects on behalf of the first party, providing a response to the issues raised by both appellants which can be summarised as follows:

### 1. Colin and Kate Doherty

- The only window at first floor level is for the bathroom and as permitted, comprises opaque glazing D24A/0878/WEB. The property includes full windows facing Killiney Grove at first floor level, (P.A. Reg. Ref.: D20A/0354 refers).
- Ground floor windows are set back 1m from the edge of the site. The windows are directly across from ground floor level double doors.
- The applicant presumes that the boundary hedge within the appellants property is maintained, in order to screen views to and from the ground floor sitting room windows and the public road.
- To widen the existing entrance, as suggested by the appellant, would require an access gate in excess of 3.5m in width, exceeding the Development Plan standard to this effect. No evidence has been provided to support this proposal.
- There is no opportunity for overlooking of the appellants site from ground floor windows, taking account of the dense hedgerow boundary and separation distances in this instance.
- The rear garden windows do not overlook the appellant's property.
- The dormer windows are rear facing, and do not oppose any upper floor windows of adjoining properties; with a separation distance to the rear boundary of the subject site of 22m, exceeding SPPR1 of the 2024 Sustainable Communities Guidelines.
- There would be no adverse overlooking from the dormer window of the appellants property, located on the other side of the public road.
- Condition 5 of St. Anne's permission requires that the vehicular entrance off Killiney Grove is blocked up; with a new vehicular access to be provided off

Killiney Road (D24A/0878/WEB). This will be completed during the lifetime of the permission.

- The subject permission allows for the provision 1 no. off-street car parking space and the blocking up of an existing access off Killiney Grove.
- There is no overall loss of on street parking on as Killiney Grove as a result of the proposed development.
- From a review of Google mapping, the applicant has not experienced lack of car parking within the cul-de-sac.
- At the start of any project, the Main Contractor would be made aware of the relevant traffic laws and to respect all road users and adjacent properties.
- The applicant is not in a position to comment on concerns relating to a proposed pedestrian entrance onto Killiney Grove, outside the scope of the application, and appropriately dealt with by the Transportation Department and outside the scope of the application.
- The applicant is not in a position to comment on issues raised relating to egress from the appellants property.
- The report sets out that an allegation has been made to the Enforcement Department that the dwelling height exceeds the height as permitted under D24A/0878. An allegation has also been made that the roof finishes are not in accordance with this permission (Condition 3 refers).
- The applicant has responded to Enforcement Section of the local authority, refuting these allegations.
- The first party “believes” that the house is being constructed in accordance with the permission, as granted (D24A/0878 refers).
- The house has been designed in accordance with the Development Plan.
- No evidence has been provided to support the claim that the proposed development would result in negative visual impact to Greeba.
- The applicant would consult with the relevant state body with respect to the relocation of overhead cables.

- No evidence has been provided that the proposal would result in a devaluation of their property.

## **2. Andrew and Hillary Fenton**

- A legal right of way, or easement, as necessary would facilitate maintenance of the gable wall. This is not a planning matter.
- The first party has received a Warning Letter relating to height of the dormer, roof and the roof tiles, and the Applicant has made a response to the local authority to this effect.
- The first party states that whilst the appellant refers to non-compliance with respect to this permission; that no specifics have been detailed; and as such there is nothing further to respond to at this time.
- The first party “believes” that this house is being constructed in accordance with the permission, as granted (D24A/0878).

### **6.3. Planning Authority Response**

- 6.3.1. A response was received from the planning authority on 28<sup>th</sup> October 2025. The grounds of appeal do not raise any matters which, in the opinion of the authority, would justify a change in attitude to the proposed development.

### **6.4. Observations**

- 6.4.1. None received.

### **6.5. Further Responses**

- 6.5.1. None received.

## 7.0 Assessment

7.1. Having examined the application details and other documentation on file, including the report of the local authority, having inspected the site and having regard to the relevant national and local planning policy guidance, I consider the substantive issues in this appeal area as follows:

- Principle of Development
- Residential Amenity
- Visual Amenity
- Traffic and Transportation
- Other Issues

### 7.2. Principle of Development

- 7.2.1. The proposed development relates to the provision of 1 no. detached 3 storey dwelling, new vehicular and pedestrian accesses from Killiney Grove. The proposal is located within the garden of a 3 storey detached dwelling (St. Anne's).
- 7.2.2. Residential development is a Permissible use under the A land use zoning objective which applies to the site.
- 7.2.3. The proposed development complies with the target gross floor area for a 3B/6P 3 storey dwelling as identified under the Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities (2007) and the private amenity standards and minimum separation distances as set out in the Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities (2024). The proposed development complies with private open space standards as set out in the Development Plan.
- 7.2.4. As such, it is considered that the proposed development is acceptable in principle at this location, subject to its compliance with all other relevant development management criteria as discussed below.

### 7.3. Residential Amenity

- 7.3.1. Appellants, residents of property to the east, on opposite side of Killiney Grove, consider that the proposed development would have significant negative impacts to the amenity of the rear garden of Greeba, as a result of proposed windows in the side elevation at first floor level; the first floor and dormer windows to the rear. The proposed entrance door and adjoining windows will look directly to the ground floor sitting room of their property and that the proposed boundary wall will not protect their privacy. The appellant refers to their location across, a “narrow” cul-de-sac.
- 7.3.2. The appellant states that Greeba is situated on a higher site than St. Anne’s; in addition, ground floor levels are c.0.6m higher than the footpath level, with raised internal floors. A boundary gate has been installed to height of 1.83m.
- 7.3.3. At the outset, I note that Killiney Grove is public road, and an established residential estate; with a width of 5.5m.
- 7.3.4. From a review of the file and site inspection the proposed development includes a single window with opaque glazing at first floor level serving a bathroom, facing onto Killiney Grove and appellants dwelling, which I consider acceptable with respect to impacts on adjoining property.
- 7.3.5. The rear elevation includes windows at first floor level and a dormer window above.
- 7.3.6. The rear windows at first floor level overlook the rear gardens of the proposed dwelling and that of St. Anne’s to the east, with a separation distance to the rear boundary of the subject site of 22m, exceeding the minimum requirement for first floor opposing windows as set out in the Guidelines 2024. These do not oppose any upper floor windows in adjoining properties.
- 7.3.7. I note that the windows and door at ground floor level are set behind a 1.1m high boundary wall. Whilst not illustrated on the drawings, I estimate the closest distance between the respective windows across Killiney Grove at 16.5m.
- 7.3.8. The properties and sites are large, and whilst the height differential is noted, I consider that there would be no adverse overlooking of the ground floor windows; having regard to the location of the property on the opposite side of a public road; the proposed boundary treatments and separation distances involved.

- 7.3.9. I note the applicant states for example, that the established hedging which bounds the appellants' property provides screening from ground floor habitable rooms to beyond the site.
- 7.3.10. The appellant sets out that the increase in building height of St. Anne's has resulted in a loss of natural light within the rear garden of their property and that this will be further diminished as a result of the proposed development.
- 7.3.11. A shadow study has not formed part of the application; or part of the third party appeal.
- 7.3.12. Notwithstanding the above, the extent of shadows cast as a result of the proposed development is based on the height of the proposed structure, the orientation (the sun rising in the east and setting in the west) of the proposal and the existing dwellings and the distance from that dwelling to the east.
- 7.3.13. In this case, from Google maps, the proposed dwelling is located at a distance of c.14.5m from the closest area of amenable open space within the appellants' rear garden, across Killiney Grove.
- 7.3.14. The rear garden extends to depth of c14.2m and 18m in width and is bound to the south by the two storey residence, Greeba. The dwelling is set back on the western side by a depth of c.8.5m and c.4m wide.
- 7.3.15. The proposed dwelling is located to the south-west of this garden area; and is also south facing.
- 7.3.16. From a review of the layout, I consider that the structure Greeba, would cast shadows partially across the rear garden of the subject property; with the set back in the building line providing a reduced shadow on the western side of the rear garden.
- 7.3.17. The proposed dwelling is also south facing; and taking account of the marginal increase in building height from the original St. Anne's dwelling (1.4m) the proposal is likely to cast a shadow across its own rear garden. The shadow would extend marginally across Killiney Grove, however, I do not consider that it would extend as far as the appellants rear garden, having regard to the distance of c14.5m from the closest point of the proposed roof and the appellant's property.
- 7.3.18. Taking account therefore of the increase in building height associated with the proposed development, the orientation of both properties; I do not consider that the

proposed dwelling would result in significant adverse impacts to natural daylight within the appellant's rear garden.

- 7.3.19. I refer the Commission to Policy Objective PHP19: Existing Housing Stock – Adaptation of the Development Plan, which supports infill development in the County; seeking to retain the physical character of the area. The policy refers to Section 12.3.7.5 which relates to the development of a Corner/Side Garden site; which I consider applicable in this case.
- 7.3.20. Development parameters include assessment of the potential impacts on the amenities of the neighbouring residents, the provision of adequate private amenity space, accommodation standards for occupiers and Development Plan standards for existing and proposed dwellings.
- 7.3.21. The proposed development provides a total of 95m<sup>2</sup> of private amenity space, in the form of a rear garden, exceeding the minimum standard of 60m<sup>2</sup> of the Development Plan and 40m<sup>2</sup> in the 'Quality House for Sustainable Communities' 2024.
- 7.3.22. Target floor areas are for a 3 storey 3B/6P dwelling as set out within the 'Quality House for Sustainable Communities' (DOEHLG, 2007) are as follows: overall area (110m<sup>2</sup>); main living room (15 m<sup>2</sup>) aggregate living area (37m<sup>2</sup>); aggregate bedroom area (36m<sup>2</sup>) and storage (6m<sup>2</sup>). The proposed dwelling has a total floor area of 158m<sup>2</sup>; main living room area of 20.7m<sup>2</sup>, aggregate living area of 33.6m<sup>2</sup>; aggregate bedroom area of 40m<sup>2</sup> (including study room at first floor) and storage 5.4m<sup>2</sup>.
- 7.3.23. Whilst the aggregate living area of the property falls below the target aggregate living area by c.3.4m<sup>2</sup>; I note that the living room is south facing, and as such receives sunlight to this room during daytime. The layout includes an open plan kitchen/dining room across the rear of the property and otherwise exceeds the overall target area for such a property by 48m<sup>2</sup>.
- 7.3.24. I note that the storage area is also marginally below the target by 0.6m<sup>2</sup>. I note that the house includes 2 no. en-suite bathrooms; a WC at ground floor level and a bathroom at 1<sup>st</sup> floor level. The bedrooms exceed the aggregate requirement by 3m<sup>2</sup>. In this context, I consider that the dwelling has adequate opportunities for storage provision throughout the dwelling.

- 7.3.25. Having regard to the above, I consider that the proposed development is in compliance with the 'Quality House for Sustainable Communities' 2007 and 2024
- 7.3.26. I consider that the proposed development has had due regard to potential impacts with neighbouring properties, would not result injurious impacts with respect to overshadowing or loss of access to daylight; meeting the relevant standards of the Development Plan with respect to infill development / development within a Corner / Garden site, as set out under Policy Objective PHP19.

#### **7.4. Visual Amenity**

- 7.4.1. Appellants, residents of property to the east, on opposite side of Killiney Grove object on the ground that the proposed roof ridge line is 1.4m higher than the ridge line of the original property at St. Anne's. They also consider that the use of orange/terracotta tiles on both roofs would damage the visual harmony of the area; and that the development would, by reason of combined bulk, scale and mass would be visually incongruous.
- 7.4.2. From a review of the file and site inspection, I note that the proposed dwelling would reflect the permitted ridge line to St. Anne's as constructed to date; and I consider the overall massing of this additional structure to be acceptable having regard to the limited increase in roof height involved (1.4m) and the siting and design of the proposed dwelling.
- 7.4.3. I note that St. Anne's has been constructed to date with terracotta tiles, which, in my opinion, integrate successfully with the palette of materials throughout the subject building, and those within the environs of the site, and would provide a positive addition to the visual amenities of the area.
- 7.4.4. Development Plan parameters relating to development of a Corner or Garden Site, refer to the level of visual harmony, including external finishes and colours.
- 7.4.5. In my opinion, the selection of materials would integrate successfully with the established pattern of development with the wider area; and would be visually harmonious at this location. I consider therefore, that the proposed development would accord with the provision of the Development Plan with respect to development of garden / corner site.

- 7.4.6. The appellant considers that the proposed development is contrary to the A zoning objective of the Development Plan, which seeks to provide residential development and improve residential amenity, whilst protecting existing residential amenities.
- 7.4.7. In this context, I consider that the proposed development provides a high level of residential amenity for prospective residents; whilst protecting and enhancing the visual amenities of residences in the area.
- 7.4.8. I therefore consider the proposed development to accord with the respective zoning objective under the Development Plan.

## 7.5. **Traffic and Transportation**

- 7.5.1. Appellants, residents of property to the east, on opposite side of Killiney Grove, consider that insufficient car parking has been provided to serve the proposed development; and that the proposed vehicular access would result in the loss of 2 no. on-street spaces on either side of Killiney Grove.
- 7.5.2. The appellant also considers that the proposed development would potentially constitute a risk to pedestrian safety, arising from an increase in traffic movements on Killiney Grove; and that the proposal would affect emergency vehicles accessing the full length of the cul-de-sac.
- 7.5.3. Car Parking standards, as set out in Table 12.5 of the Development Plan require the provision of 2 no. car parking spaces within Zone 3; the relevant zone for the subject site. This is not a maximum standard.
- 7.5.4. I consider that, in accordance with the Development Plan, a reduction in car parking from recommended rate from is justified.
- 7.5.5. The Compact Settlement Guidelines 2024 set out that in all urban areas, car parking provision should be minimised, substantially reduced or wholly eliminated in areas that have good access to urban services and public transport.
- 7.5.6. From a review of the site, I note that the subject site is defined as at a peripheral location, noting that the location of the site does not meet accessibility criteria as set out in Table 3.8 of the Guidelines.
- 7.5.7. The maximum rate of car parking where such provision is justified to the satisfaction of the planning authority, shall be 2 no. spaces per dwelling. For peripheral locations,

as applies to the subject site, the Guidelines recommend the maximum provision of 2 no. car parking spaces.

- 7.5.8. Policy objectives of the Development Plan take precedence over the standards as set out in the Compact Settlement Guidelines 2024.
- 7.5.9. The proposed development includes the provision of 1 no. car parking space; below the recommended standard of the Development Plan.
- 7.5.10. Section 12.4.5.2 of the Development Plan sets out that in certain circumstances, deviation from the standards will be applied, with reference to small infill residential schemes (up to 0.25 hectares) in neighbourhood or district centres in Zone 3. The Development Plan includes criteria, under which a deviation from the parking standard specified in Table 12.5 would be considered.
- 7.5.11. The site is located a distance of 1.5km to Glenageary and Dalkey Dart Stations, the closest high frequency services to this site. The site is also served by Dublin Bus services, including No. 59. The subject proposal relates to the provision of a single dwelling on an infill /garden site. Having regard to the limited extent of development, I consider that the proposed development would not result in significant additional traffic to the local road network.
- 7.5.12. I note that the permission for St. Anne's comprises the removal of the access from Killiney Grove and the provision of a new vehicular access from Killiney Road.
- 7.5.13. The proposed development includes the provision of 1 no. off street car parking space, located at the northern extent of the subject site, with access from Killiney Grove.
- 7.5.14. From a review of the file, including site inspection, the proposed development would therefore result in the loss of 1 no. car parking space along Killiney Grove, noting the access to be 3m in width. There are no policies in the Development Plan, restricting new accessing which result in the loss of on-street car parking.
- 7.5.15. The proposed dwelling is gable fronted, also facing Killiney Grove. As such, there is potential that future residents would park directly adjacent to the property from Killiney Grove.

- 7.5.16. Notwithstanding, I consider that the proposed layout would support the use of the off-street car parking space, in close proximity to the rear of the property, across the landscaped rear garden.
- 7.5.17. I note that this proposed access replaces the previously established access point from St. Anne's from Killiney Grove; which in combination with the access arrangements for St. Anne's, would, in my opinion, provide a functional use of this part of site.
- 7.5.18. Overall therefore, I do not consider that this arrangement would generate additional demand for on-street parking, as raised by the Appellant. In addition, I note that Killiney Grove is a public road, and spaces are not demarcated or reserved, in any manner, including for any residence.
- 7.5.19. The appellants consider that the provision of an additional vehicular and pedestrian entrances from Killiney Grove does not accord in principle, with the permission for the dwelling at St. Anne's, comprising the relocation of vehicular access from Killiney Grove to Killiney Road to serve this single dwelling, D24A/0878/WEB refers.
- 7.5.20. The current application includes the provision of an access from Killiney Grove at the northern extent of the site; along with a separate pedestrian access to this gable fronted house related to the provision of a vehicular access from Killiney Road in addition to the existing access serving the property from Killiney Grove. I note that Transportation Planning of the Local Authority considered that the dwelling should be served by a single access only; and recommended by condition, the blocking up of the existing access from Killiney Grove (Condition 5, D24A/0878/WEB refers).
- 7.5.21. I consider that the proposed use of the subject garden site with an off street car parking space at the northern end, to constitute an efficient use of this site. I do not consider that the previous application constitutes a limiting precedent in this regard.
- 7.5.22. I note that the Transportation Department has come to the same conclusions, that the proposed access is capable of serving the proposed development, as referenced in the Planner's Report relating to the subject application.
- 7.5.23. With respect to pedestrian safety, I note the commentary of the appellant, outlining that Killiney Grove experiences heavy pedestrian school traffic and I note the link

from Killiney Grove to residential areas including Springhill Park and Anglesea Park to the north of the site; with a pedestrian crossing across Killiney Road.

- 7.5.24. Notwithstanding this road is short in length, with properties set back within their respective sites, with good visibility along it's length.
- 7.5.25. The proposed development includes the provision of a single off-street car parking space to serve the proposed development. Access to the dwelling as amended at St. Anne's will be from Killiney Road only, as set out in this permission, D24A/0878/WEB refers.
- 7.5.26. The PA considers that the provision of a car parking space to be acceptable, having regard to the intermediate/peripheral location of the site as defined in the Sustainable Residential Development and Compact Settlement Guidelines 2024.
- 7.5.27. As such, I do not consider that the proposed development presents a risk to pedestrian safety in the environs of the site, having regard to limited extent of development and provision of sufficient off street car parking to serve this dwelling.
- 7.5.28. With respect to the proposed emergency access, having regard to the limited extent and visibility along this street, I do not consider that the subject proposal per se, would affect access by emergency services along the cul-de-sac.
- 7.5.29. I note that in this instance, the car parking provision of 1 no. car parking space to serve this 3 bed 3 storey house is below the recommended standard of the Development Plan and the maximum standard as set out in SPPR 3 of the Compact Settlement Guidelines 2024.
- 7.5.30. As set out above, I consider that a reduction in car parking from the recommended rate of the Development Plan to be justified, having regard to the nature and limited extent of development involved, proximity to public transport services.
- 7.5.31. The Development Plan parameters relating to a Corner or Garden Site, refer to car parking provision for existing and proposed dwellings.
- 7.5.32. As outlined above, development as permitted for the principal residence includes the provision of 1 no. on-site car parking space, accessed from Killiney Road. The proposed development would be served by 1 no. off street car parking space accessed from Killiney Grove.

7.5.33. As outlined above, the Development Plan provides for reductions in Development Plan car parking standards, which I consider applicable in this case.

7.5.34. The proposed development would also accord with national car parking standards.

## 7.6. Other Issues

### Unauthorised Works

- 7.6.1. The appellant considers that the development as permitted to extend St. Anne's dwelling, does not comply with the permission as granted, D24A/0878/WEB refers. The appellant considers that as permission for works to the house and the subject application relate to the same site, and that planning matters across both applications were intrinsically linked.
- 7.6.2. The Appellants, in residence at Inis Cealtra, Killiney Road, consider that the applicant should not be able to rely on this permission, as the development is, in their opinion, non-compliant, with the permission, as granted.
- 7.6.3. From a review of the file and site inspection, the dwelling as constructed to date, does not accord with permission, as granted. Specifically, windows and glass doors on the eastern elevation, serving a series of habitable rooms have been omitted, with the resultant eastern wall comprising a blank gable elevation.
- 7.6.4. Notably, the proposed dwelling also comprises a blank gable on its western elevation, with a separation distance ranging between 1.2m and 1.4m between the St. Anne's and the subject proposed dwelling.
- 7.6.5. In the event that the applicant seeks to implement the adjoining permission in full, i.e., through the insertion of permitted opes along this wall, there is in my opinion, sufficient distance for windows at doors to this lane, to operate.
- 7.6.6. Having reviewed, the file, in my opinion, the level of daylight to the as constructed dwelling, would not be significantly adversely affected as a result of the proposed development, with the sitting and dining rooms served primarily by the south facing window to the sitting room.
- 7.6.7. The rear of the property includes a series of glazing, and therefore no adverse impacts with respect to access to daylight to the rear of the property and omission of permitted doors and windows on the eastern elevation of St. Anne's.

- 7.6.8. I note that matters relating to the previous application on the adjoining site, cannot be assessed as part of the subject appeal, as they relate to two separate applications, made under s.34 of the Planning and Development Act, 2000 and the Regulations thereunder.
- 7.6.9. I also refer the Commission to Section 34(13) of the Act, which states that a person shall not be entitled solely by reason of a permission under this section to carry out any development.

## **8.0 Recommendation**

I recommend that Permission is granted, subject to conditions, for the reasons and considerations as set out below.

## **9.0 Reasons and Considerations**

Having regard to the site's location on urban land, the residential zoning objective which applies to this site under the Dun Laoghaire-Rathdown County Development Plan 2022- 2028 which applies to this site, the nature, scale and form of development, pattern of development in the area, Development standard 12.3.7.5 of the Development Plan relating to Corner / Garden Sites, Development and Policy Objective PHP19, it is considered that, subject to compliance with the conditions as set out below, the proposed development would constitute an acceptable form of development on a garden site, would be acceptable in terms of residential amenity for future residents, traffic and pedestrian safety and would not adversely impact on the visual or residential amenities of the area.

The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

## 10.0 Conditions

1	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on 26<sup>th</sup> July 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.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2	<p>The entire dwelling shall be used as a single dwelling unit and shall not be sub-divided in any manner or used as two or more habitable units.</p> <p><b>Reason:</b> To prevent unauthorised development.</p>
3	<p>The glazing on the first-floor eastern elevation serving the ensuite 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.</p> <p><b>Reason:</b> In the interests of residential amenities.</p>
4	<p>a) The proposed gates and piers serving the proposed vehicular entrance shall be no more than 1.1m in height.</p> <p>b) The footpath in front of the proposed vehicular entrance shall be dished and strengthened at the Applicant's own expense including any moving / adjustment of any water cocks /chamber covers and all to the satisfaction of the appropriate utility company and Planning Authority. With regards to the dishing and strengthening of the footpath in front of the proposed vehicular entrance and the reinstatement of the footpath in front of the entrance required to be removed, the Applicant shall contact the Road Maintenance &amp; Control Section to ascertain the required specifications for such works and any required permits.</p>

	<b>Reason:</b> In the interest of orderly development.
5	<p>The applicant shall enter into a Connection Agreement(s) with Uisce Éireann to provide for a service connection(s) 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.</p> <p><b>Reason:</b> To provide adequate water and wastewater facilities.</p>
6	<p>The drainage proposals 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.</p> <p><b>Reason:</b> In the interest of public health.</p>
7	<p>Site development and building works shall be carried out only between the hours of 7.00am to 7.00pm Monday to Friday inclusive, 8.00am to 2.00pm Saturdays and no works permitted on site on Sundays and Public holidays. Deviations from these times will only be allowed in exceptional circumstances where prior written approval has been obtained from the Planning Authority.</p> <p><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>
8	<p>All necessary measures shall be taken by the Applicant and Contractor to:</p> <ul style="list-style-type: none"> <li>• prevent any mud, dirt, debris or building material being carried onto or placed on the public road or adjoining properties as a result of the site construction works,</li> <li>• repair any damage to the public road arising from carrying out the works,</li> </ul>

	<ul style="list-style-type: none"> <li>• avoid conflict between construction activities and pedestrian/vehicular movements on the surrounding public roads during construction works.</li> </ul> <p><b>Reason:</b> In the interest of orderly development.</p>
9	<p>Prior to the commencement of development and construction activities, the applicant shall lodge a Tree Bond of €5,000 with the Planning Authority. This bond shall serve as security for the protection of the London Plane (<i>Platanus × acerifolia</i>) street tree located on the western side of the entrance to Killiney Grove, and act as a deterrent to wilful or accidental damage during construction. The bond is based on the amenity and ecosystem value of the tree and shall be refundable subject to confirmation from the Parks Department that the tree has not been adversely affected upon completion of the development.</p> <p><b>Reason:</b> To provide security for the protection and long-term viability of existing street trees and give practical effect to the retention, protection and sustainability of trees during and after construction of the permitted development.</p>
10	<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</p>

	Development Contribution Scheme made under section 48 of the Act be applied to the permission.
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I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

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Aoife McCarthy  
Planning Inspector

20<sup>th</sup> January 2026

## Form 1 - EIA Pre-Screening

<b>Case Reference</b>	500079-25
<b>Proposed Development Summary</b>	Construction of 3 storey 3 bedroom home on side garden.
<b>Development Address</b>	Saint Anne's, Killiney Road, Dalkey, Dublin
<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>  (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.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</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 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?</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	

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

<p><b>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)?</b></p>	
<p><b>Yes</b> <input type="checkbox"/></p>	
<p><b>No</b> <input checked="" type="checkbox"/></p>	<p><b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b></p>

## Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	500079-25
<b>Proposed Development Summary</b>	Construction of 3 storey 3 bedroom home on side garden.
<b>Development Address</b>	Saint Anne's, Killiney Road, Dalkey, Dublin
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<b>Characteristics of proposed development</b>  (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 application relates to the construction of 1 no. 3 storey dwelling and all associated works, including new vehicular and pedestrian accesses.</p> <p>The size is not exceptional in this context. The development would not be exceptional in this context.</p> <p>The development would not result in the production of significant waste, pollution and nuisance.</p>
<b>Location of development</b>  (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 site is located within a suburban area, an urban environment.</p> <p>The subject site is not located within or adjacent to any Natura 2000 sites.</p> <p>The development would not have the potential to significantly impact any European sites or areas.</p>
<b>Types and characteristics of potential impacts</b>  (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration,	There is no potential for significant effects on the environment.

cumulative effects and opportunities for mitigation).		
<b>Conclusion</b>		
<b>Likelihood of Significant Effects</b>	<b>Conclusion in respect of EIA</b>	
There is no real likelihood of significant effects on the environment.	EIA is not required.	
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.		
There is a real likelihood of significant effects on the environment.		

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

DP/ADP: \_\_\_\_\_ Date: \_\_\_\_\_

(only where Schedule 7A information or EIAR required)

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