



An  
Coimisiún  
Pleanála

## Inspector's Report PL-500114-DN

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<b>Development</b>	Demolition of the existing garage and side extension for the construction 3 dwellings.
<b>Location</b>	1 Foxfield Grove, Raheny, Dublin 5, D05 X5N2
<b>Planning Authority</b>	Dublin City Council North
<b>Planning Authority Reg. Ref.</b>	WEB1318/25
<b>Applicant(s)</b>	Little Team Creche
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission + Conditions
<b>Type of Appeal</b>	Third Party Normal Planning Appeal
<b>Appellant(s)</b>	Little Team Creche
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	16th January 2026
<b>Inspector</b>	Frank O'Donnell

# Contents

1.0 Site Location and Description .....	4
2.0 Proposed Development .....	4
3.0 Planning Authority Decision .....	5
3.1. Decision .....	5
3.2. Planning Authority Reports .....	6
3.3. Prescribed Bodies .....	6
3.4. Third Party Observations .....	7
4.0 Planning History.....	7
5.0 Policy Context.....	7
5.1. Development Plan.....	7
5.2. Guidelines.....	10
5.3. Natural Heritage Designations .....	11
5.4. EIA Screening .....	11
6.0 The Appeal .....	11
6.1. Grounds of Appeal .....	11
6.2. Applicant Response .....	15
6.3. Planning Authority Response.....	18
6.4. Observations.....	18
6.5. Further Responses .....	18
7.0 Assessment.....	19
8.0 Appropriate Assessment.....	30
9.0 Water Framework Directive .....	31
10.0 Recommendation .....	32

11.0 Reasons and Considerations..... 32

12.0 Conditions ..... 33

Appendix 1 – Form 1: EIA Pre-Screening

## 1.0 Site Location and Description

- 1.1. The subject appeal site is located at no. 1 Foxfield Grove, Raheny, Dublin 5. The site is prominent corner site, located on the northern side of the intersection of Foxfield Grove and Greendale Road. The site has a stated area of 0.088 hectares and comprises an existing semi-detached 2 storey 3 bedroom dwelling with an attached single storey side garage and side and rear extension and associated side and rear garden space. There are 3 no. existing mature trees located along the front site boundaries.
- 1.2. There are 3 no. Primary Schools, a Preschool, a Montessori School and a Church in the general locality, within walking distance of the subject appeal site.

## 2.0 Proposed Development

- 2.1. The Proposed Development comprises the following:
  - Demolition of the existing side garage and single storey side/ rear kitchen extension. The proposed demolition is stated to have an overall floor area of 33 sqm.
  - Construction of 2 no. 2 storey 3 Bedroom semi-detached houses to the side (east) of the existing 2 storey dwelling and referred to as House 1B (GFA 118.4 sqm) and House 1C (GFA 118.4 sqm) respectively. The 2 no. proposed dwellings are each shown to measure 8.9 metres in height and have A Gabled roofs. The private open space for each dwelling measures c. 76 sqm.
  - Construction of 1 no. detached one and a half storey 2 Bedroom Dormer type dwelling in the rear garden space of the existing dwelling referred to as House 1D (GFA 91 sqm). The dwelling is shown to measure 6.9 metres in height and has an A Gabled roof. The private open space for this dwelling measures 59 sqm.
  - The proposal also includes the provision of 3 no. separate vehicular access points and all associated site works.

## 3.0 Planning Authority Decision

### 3.1. Decision

The Local Authority issued a Request for **FURTHER INFORMATION** on 14<sup>th</sup> April 2025 on 2 no. main points relating to i) Surface Water Management/ Drainage and ii) Vehicular Access arrangements and the Protection of Street Trees.

The Local Authority issued a Notification of Decision to **GRANT** permission on 25<sup>th</sup> September 2025 subject to 13 no. conditions.

- Condition no. 1 is a standard condition relating to the plans and particulars received and amended by way of Further Information received on 11<sup>th</sup> August 2025.
- Condition no. 2 is a Development Contribution for €34,976.77.
- Condition no. 3 is a standard bond condition.
- Condition no. 4 is a standard condition relating to materials, finishes and design details.
- Condition no. 5 is a standard condition relating to the protection of existing public trees.
- Condition no. 6 is a standard condition relating to Transportation requirements containing 4 no. subparts.
- Condition no. 7 is a standard condition relating to Drainage requirements containing 7 no. subparts.
- Condition no. 8 is a standard condition relating to the numbering of dwellings.
- Condition no. 9 relates to compliance with the Codes of Practice of the Drainage Division, the Transportation Planning Division and the Noise and Air Pollution Section.
- Condition no. 10 relates to the Hours of Operation for Construction works.
- Condition no. 11 relates to Noise Control.
- Condition no. 12 relates to the control of Waste and Debris during the Construction period.

- Condition no. 13 relates to a Section 96 Agreement in relation to the provision of Social Affordable Housing in accordance with the Local Authority Housing Strategy.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

- The **Local Authority Planner** recommended that Further Information be sought in relation to Drainage and the Protection of Trees.
- Following receipt of the Response to the Request for Further Information, the **Local Authority Planner** considered that having regard to the zoning of the site and the provisions of the Development Plan, that the proposed development was acceptable and that subject to the conditions set out (13 no. recommended) the proposed development would not materially contravene the policies and objectives of the development plan and would accord with the proper planning and sustainable development of the area. A Grant of permission was therefore recommended.

#### 3.2.2. Other Technical Reports

- The **Drainage Division** recommended the Further Information be sought in relation to Surface Water Management (See point no. 1 of the Request for Further Information). Following receipt of the Response to the Request for Further Information, the Drainage Division raised no objection to the proposed development subject to 1 no. condition (See Condition no. 7).
- The **Transportation Planning Division** recommended that Further Information be sought in relation to Traffic and Access issues (See point no. 2 of the Request for Further Information). Following receipt of the Response to the Request for Further Information, the Transportation Planning Division raised no objection to the proposed development subject to 1 no. condition (see Condition no. 6)

### 3.3. Prescribed Bodies

- None

### 3.4. Third Party Observations

3.4.1. A total of 7 no. Third Party Observation/ Submissions were received during the initial 5 week submission period predominantly from surrounding residents, as follows:

- Kevin O’Gorman and Rachel Quinn, Paula Murphy, Jacinta and Gavin Cleary, Dave Moore, Aisling & Kieron Ward, Anne Farren, Paul O’Connell.

3.4.2. Following receipt of the Response to Further Information, the following 4 no. Third Party Observations/ Submission were received from neighbouring residents:

- Gavin and Jacinta Beirne, Kevin O’Gorman and Rachel Quinn, Aisling and Kieron Ward, Paula Moore.

3.4.3. The main issues raised in the above observation submissions are as summarised in the Local Authority Planners Assessment and as raised in the Appeal. The issue of pressure on local services (Drainage, Water and Sewerage) and the potential Commercial Nature of the proposed development were also raised.

### 4.0 Planning History

- **Planning Reg. Ref. No. 3712/02:** Retention GRANTED for a front entrance porch extension to an existing 2-storey semi-detached dwelling.

### 5.0 Policy Context

#### 5.1. Development Plan

- **Dublin City Development Plan, 2022 to 2028**

5.1.1. I have reviewed the Development Plan, and, in my opinion, the most relevant Chapters, Sections, Policies and Objectives are set out below. The Appeal site is zoned Z1 – Sustainable Residential Neighbourhoods in the Dublin City Council Development Plan, 2022 to 2028. The relevant zoning objective is: ‘*To protect, provide and improve residential amenities.*’ Residential is a use which is Permitted in Principle on lands zoned Z1 – Sustainable Residential Neighbourhoods.

5.1.2. Chapter 4 relates to the Shape and Structure of the City. Relevant Policies from this Chapter include the following:

- *SC8: Development of the Inner Suburbs, SC10: Urban Density, SC11: Compact Growth, SC12: Housing Mix, SC13: Green Infrastructure, SC19: High Quality Architecture, SC20: Urban Design & SC21: Architectural Design*

5.1.3. Chapter 5 relates to Quality Housing and Sustainable Neighbourhoods. Relevant Policies and Objectives from this Chapter include the following:

Policies:

- *QHSN2: National Guidelines, QHSN6: Urban Consolidation, QHSN9: Active Land Management, QHSN10: Urban Density, QHSN11: 15-Minute City, QHSN12: Neighbourhood Development, QHSN14: High Quality Living Environment, QHSN16: Accessible Built Environment, QHSN17: Sustainable Neighbourhoods, QHSN22 Adaptable and Flexible Housing, QHSN37: Houses and Apartments.*

Objectives:

- *QHSNO4: Densification of the Suburbs, QHSNO10: Intergenerational Models of Housing & QHSNO11: Universal Design.*

5.1.4. Chapter 8 of the Development Plan relates to Sustainable Movement and Transport.

5.1.5. Chapter 14 of the Plan relates to Land Use Zoning.

5.1.6. Chapter 15 relates to Development Standards. Relevant Sections include the following:

- Section 15.4: Key Design Principles, Section 15.5: Site Characteristics and Design Parameters, Section 15.6: Green Infrastructure and Landscaping, Section 15.7: Climate Action, Section 15.8: Residential Development, Section 15.11: House Developments
- Section 15.13: Other Residential Typologies

- **Section 15.13.3: Infill /Side Garden Housing Developments**

*The development of a dwelling or dwellings in the side garden of an existing house is a means of making the most efficient use of serviced residential lands. Such developments, when undertaken on suitable sites and to a high standard of design, can constitute valuable*

*additions to the residential building stock of an area and will generally be allowed for by the planning authority on suitable large sites.*

*The planning authority will favourably consider the development of infill housing on appropriate sites, having regard to development plan policy on infill sites and to facilitate the most sustainable use of land and existing urban infrastructure. In general, infill housing should comply with all relevant development plan standards for residential development including unit sizes, dual aspect requirements, internal amenity standards and open space requirements. In certain limited circumstances, the planning authority may relax the normal planning standards in the interest of ensuring that vacant, derelict and under-utilised land is developed.*

*The planning authority will have regard to the following criteria in assessing proposals for the development of corner/side garden sites:*

- *The character of the street.*
- *Compatibility of design and scale with adjoining dwellings, paying attention to the established building line, proportion, heights, parapet levels and materials of adjoining buildings.*
- *Accommodation standards for occupiers.*
- *Development plan standards for existing and proposed dwellings.*
- *Impact on the residential amenities of adjoining sites.*
- *Open space standards and refuse standards for both existing and proposed dwellings.*
- *The provision of a safe means of access to and egress from the site.*
- *The provision of landscaping and boundary treatments which are in keeping with other properties in the area.*
- *The maintenance of the front and side building lines, where appropriate.*

- *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 and the Council will support innovation in 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.*
  - *Section 15.13.4: Backland Housing*
- Appendix 3 - Achieving Sustainable Compact Growth Policy for Density and Building Height in the City, Appendix 4 – Development Plan Mandatory Requirements, Appendix 5: Transport and Mobility: Technical Requirements, Appendix 7 – Guidelines for Waste Storage Facilities, Appendix 12 – Technical Summary of Dublin City Council Sustainable Drainage Design & Evaluation Guide (2021), Appendix 13 –Surface Water Management Guidance, Appendix 14 - Statement Demonstrating Compliance with Section 28 Guidelines, Appendix 16 - Sunlight and Daylight, Appendix 18 - Ancillary Residential Accommodation

## 5.2. Guidelines

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024
- Planning Design Standards for Apartments Guidelines for Planning Authorities, 2025

- Design Manual for Urban Streets (2019)
- Urban Development and Building Heights – Guidelines for Planning Authorities (2018)
- Urban Design Manual - A Best Practice Guide (DoEHLG, 2009)
- Quality Housing for Sustainable Communities - Best Practice Guidelines for Delivering Homes, (DoEHLG, 2009)

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

5.3.1. The site is not located within or adjacent to a Natura 2000 site. The nearest Natura 2000 sites are as follows:

- North Bull Island SPA (Site Code 004006), c. 270 metres to the Southeast;
- North Dublin Bay SAC (Site Code: 000206), c. 280 metres to the Southeast;

### 5.4. **EIA Screening**

5.4.1. Having regard to the nature and scale of the development proposed, the site location within an established built-up urban area and outside of any protected site or heritage designation, the nature of the receiving environment, the existing pattern of development in the vicinity, and the separation distance from the nearest sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## 6.0 **The Appeal**

### 6.1. **Grounds of Appeal**

6.1.1. The proposed development is the subject of 1 no. Third Party Appeal lodged for and on behalf of adjacent neighbours to the immediate west of the existing dwelling on site. The 1 no. Third Party Appeal is as follows:

- Gavin and Jacinta Beirne

6.1.2. The main Grounds of Appeal can be summarised as follows:

- **Overdevelopment:** The proposals represent an Overdevelopment of the site. The existing building line is broken by house no's 1A and 1B and 1C is too close to Greendale Road. A reduced density of 1 no. detached dwelling with a side garage and the existing side garage of no. 1 retained on the overall site is more appropriate.
- **Private Open Space:** The design of the Private Open Space will result in Overlooking, appears to be undersized and represents poor design. The wellbeing of future occupants does not appear to have been considered.
- **Boundary Treatment:** There is a lack of detail in relation to proposed boundary treatments on all boundaries. Boundary heights should be at least 2.1 metres in height. Proper walled boundaries are most appropriate as in other Local Authorities. Boundary treatments should be specified in a form such as concrete walls rendered on both sides and capped.
- **Overlooking & Diminished Light:**
  - The proposed houses are overbearing and will reduce natural daylight for surrounding properties and will reduce daylight from the southwest to the Appellants' property. The proposed 2 storey dwellings will overlook and overbear adjoining residential properties. This is contrary to the Development Plan.
  - The proposals would serve to seriously injure the amenity of properties in the area.
  - A loss of privacy and a depreciation in property values will result from the above.
  - The Appellant refers to Site Layout Planning for Daylight and Sunlight, BRE 209, implies the proposals should be assessed against same and states they would prefer a reduced building height to address overbearance of their rear garden.

- The Appellant invites the Commission to apply appropriate conditions they consider will address their concerns set out above.
- **Heights & Massing:** The ridge height of the proposed 2 no. semi-detached dwellings is higher than existing ridge heights. The Appellant requests this be reduced to match existing.
- **DCC Development Plan:** The proposals will impact negatively upon the Applicants residential amenity. The Appellant submits the proposal should adhere to Objective QHO1 of the Development Plan in relation to optimum residential density, refers to the DEHLG Guidelines on Sustainable Residential Development in Urban Areas, 2009 and the Regional Planning Guidelines, 2010 to 2022, and invites the Commission to apply appropriate conditions they consider will address the issues raised.
- **Party Structures:** The proposals could potentially under sail the boundary lines in addition to damaging the existing boundary structures. No consent for undersealing has been provided by the Appellant or indeed sought by the Applicant. Prior to the commencement of any works a letter is required from a competent Structural Engineer in relation to this shared boundary wall. Written consent to be obtained for any works which under sails, over sails or impinges on adjoining property. The works should be compliant with requirements contained in the Land and Conveyancing Law Reform Act, 2009.
- **Trees:**
  - The existing mature trees on site should be retained. A Tree Preservation Order should be considered.
  - Tree felling of any tree over 10 years old is illegal as per the Forestry Act, 1946, unless notice is provided in accordance with the Act. Fines can be imposed. The person may also be required to replant.
  - Point no. 2 of the Planners Report (14/04/2025) is noted. The revised plans still negatively affect tree T3. The Applicant admits the root protection is affected by the driveway to house 1C. Approval cannot therefore be granted on this basis. The Appellant request an independent review of the tree and root system be completed by the Local Authority.

- **Parking:** Other jurisdictions require 2 spaces per dwelling. Vehicular access should be at least 2.5 metres wide with no outward opening gates. The access arrangements will probably result in high traffic congestion and a traffic hazard and could prove difficult for construction activities. Worst case scenarios during peak times should be submitted.
- **Nuisance and Disturbance:** Nuisance and Disturbance to local residents is likely to be caused by construction process. Construction works should be carried out during weekdays only and not on bank holidays. Noise levels should be compliance with BS5228 Noise Control on Construction and open sites. Adjoining streets to be kept free of clean and free of rubbish and other materials. The Local Authority is invited to attach appropriate conditions in this regard.
- **Drainage:** The Appellant repeats items raised in the Drainage Planning, Policy and Development Control Section (DPPDC) recommendation dated 1st September 2025.
- **General Observations:** Future Maintenance proposals are unclear and should be provided such as a proper Life Cycle Report.
- **Safety & Health:**
  - The Appellants assume the Applicant is aware of his responsibilities under the Safety, Health & Welfare at Work (Construction) Regulations including providing safe access to the Appellants to maintain the shared boundary structures.
  - There is a Duty of Care to Public Health in line with Covid Regulations including the number of persons working in close proximity to one another, social distancing, good hygiene, CIF Construction Sector C-19 Pandemic Standard Operating Procedures (including online C-19 Induction Programme assessment), all employees to have Safe Pass Cards and Visual Confirmation, Risk Assessment Method Statement and Safe Working Plan, Insurance Details, Company Safety Statement.

- The level of risk will change for the carrying stages of the development. The PSCS (Project Supervisor Construction Stage) is critical in this regard in order to appraise and address all potential risks in so far as possible.
- **Local Eco Systems:** The proposed development could potentially damage the green areas within the estate which are home to natural wildlife including foxes, badgers and squirrels.
- **Planning History:**
  - Permission has been Refused in the area for issues including overdevelopment, congested development and traffic hazard, see Appeal Ref. no. PL29N207434, DCC Planning Ref. no. 2013/04, Appeal Ref. no's. PL29N.215217 and PL29N.224714.

## 6.2. Applicant Response

6.2.1. The Applicant submitted a Response to the issues raised in the Appeal which can be summarised as follows:

- **Overdevelopment:**
  - The proposed dwelling space standards and zoning of the dwelling comply with the requirements of the Local Authority.
  - As per the initial planning assessment, the proposals were deemed to be acceptable in principle subject to the assessment of impacts on the surrounding area and this was confirmed in the pre-planning meeting.
  - The significant site size and the efficient use of the side garden were deemed to be acceptable in accordance with the relevant planning policies regarding densification of the suburbs.
  - The proposed house designs and finishes were deemed to be acceptable.
  - No. 3 Foxfield will not be overshadowed. The shadow projection diagrams demonstrate no private rear gardens will be overshadowed as a result of the proposed new houses.
  - The existing building line is broken by no. 1 and no. 3 Foxfield Grove. The building line of 1B is consistent with that of the ground floor of no. 1. The

building line of 1C is consistent with the first floor of no. 1. The proposed development serves to animate this corner, provides sufficient space to the front and rear and serves to anchor the building with the adjacent buildings.

- **Private Open Space:** The Private Open Space provision complies with Development Plan and is ample. Some shading will occur for northern gardens which is not untypical for north facing gardens.
- **Boundary Treatment and Party Structures:** The Applicant is proposing to provide new rear boundary walls of 2.1 metre high timber panel fencing. No changes are proposed to existing boundary between the subject site at the Appellants property. If not acceptable the Applicant will accept an alternative boundary treatment by way of condition. No works are proposed which will interfere with any existing party structures.
- **Overlooking and Diminished Light:**
  - BRE Digest 209 does not apply in this case as it is only relevant where new buildings directly overshadow an existing window.
  - No overlooking occurs from any opposing first floor windows as this has been intentionally designed out. This arrangement is standard. Overlooking of the rear garden of no. 3 will not increase.
  - Natural daylight to no. 3 will not be diminished.
- **Heights and Massing:** Ridge height of no. 1 & no. 3, Foxfield (+8.45m) is 550 mm below that of the proposed ridge height of the 2 no. 2 storey dwellings (+8.998m) The proposed ridge height is fixed as a result of proposed storage space at attic level and provides a similar roof pitch in keeping with existing dwellings on Foxfield Grove. A reduction in ridge height to that of the existing dwellings would not be result in a qualitative difference to the impact of the proposal on surrounding streets. When viewed from the street, the ridge height difference would not be disproportionate to that of the existing dwellings. The Applicant will however accept condition to the reduce the ridge height, where deemed necessary.

- **DCC Development Plan 2022 to 2028:** The Local Authority deemed the proposed development to be acceptable in terms of zoning and relevant Development Plan Objectives relating to densification and side garden developments.
- **Trees:** The Applicant refers to the Tree survey which accompanies the application. The construction of the driveway will affect the root protection area of 1 no. tree, which is not considered significant as there is sufficient space for it to grow. It is not proposed to remove any street trees, see revised design details submitted as part of the Response to Further Information. The Forestry Act is not applicable to the subject proposals.
- **Parking:** There is adequate parking proposed, no anticipated traffic hazard arising and construction traffic will be appropriately managed.
- **Nuisance and Disturbance:** Construction works and the noise and Disturbance from same are temporary and can be suitably controlled in consultation with surrounding residents. This issue is a site management is not a grounds for planning refusal.
- **Drainage:** The Response to the Request for Further Information includes revised drainage details which was deemed acceptable to the Local Authority. the system has extra capacity to cater for the development.
- **Life Cycle Report:** A Life Cycle Report is not part of the current planning process and is not a grounds for planning refusal.
- **Health and Safety:** Health and Safety is outside of the scope of the planning process and is not a grounds for planning refusal.
- **Local Eco-System:** The site is in use as a domestic rear garden and will continue to be used as such. The site is not of sufficient size to impact local wildlife and as the Local Authority confirm, the proposals are unlikely to have any significant impact on the local environment and conclude an Environmental Impact Assessment is not required.
- **Conclusion:** The scale and layout of the proposed development has been misunderstood by the Third Party who have obvious concerns. No changes are proposed to the Appellant property. There is no Overlooking or

Overshadowing or no negative impact on the Appellants dwelling in terms of a Loss of Daylight. Proposed Parking is adequate and no trees are adversely impacted. The proposals satisfy the Development Plan in terms of interest and external spaces, drainage and utility requirements. The proposals will provide 3 no. new homes, are well designed, are sensitive relative to other nearby corner site developments and will make a positive addition to the design of the street and into the future.

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

6.3.1. The Local Authority submitted an Appeal Response which can be summarised as follows:

- The Local Authority Planning Department request that if permission is granted that conditions be attached in relation to the following:
  - A condition requiring the payment of a Section 48 development contribution.
  - A condition requiring the payment of a bond.
  - A social housing condition.
  - A naming & numbering condition.

### **6.4. Observations**

- None

### **6.5. Further Responses**

- None

## 7.0 Assessment

### 7.1. Introduction

7.2. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal and the reports of the planning authority and having inspected the site, and having regard to relevant local/ regional and national policies and guidance, I consider the main issues in this appeal are as follows:

- Traffic and Car Parking
- Overdevelopment, Overbearance and Residential Amenity
- Boundary Treatment and Party Structures
- Trees
- Site Drainage and Pressure on Local Services
- Other Matters
  - *Construction Impacts*
  - *Local Ecology*
  - *Commercial Nature*
  - *Devaluation of Property*
  - *Planning History*

### 7.3. Traffic and Car Parking

- *Traffic*

7.3.1. I note the subject appeal site is served by an existing single vehicular entrance from Foxfield Grove and that the proposed development, as presented, seeks to provide a further 2 no. new vehicular entrances at this location thereby providing a total of 3 no. vehicular entrances onto Foxfield Grove. A new and separate entrance to serve proposed dwelling 1D is also proposed onto Greendale Road further to the north. The existing vehicle entrance is directly opposite that of no. 6 Foxfield Grove, and I note there is an existing vehicular entrance further to the northeast of this said entrance which serves no. 4 Foxfield Grove. I further note no's 2 and 2A Foxfield

Grove are each served by existing vehicular entrances directly onto Greendale Road and that house no's 12 to 34 Greendale Road (12 no. dwellings in total) are all directly accessed from Greendale Road, as are no's 3 to 9 Greendale Road further to the northwest. As per existing road traffic signage in the area, the section of Greendale Road of relevance to the subject appeal site, is located within a reduced traffic speed zone of 30 kmph. In addition, there are existing roundabouts further along Greendale Road to the north and south. All of these measures are likely, in my view, to contribute towards reduced traffic speeds along Greendale Road.

- 7.3.2. I note Foxfield Grove Estate Road is curved on approach to its intersection with Greendale Road. This, in addition to the multiple existing vehicular entrances to residential properties along Foxfield Grove, on street parking and a requirement to observe oncoming traffic from the south at the junction are likely to contribute to reduced traffic speeds at this location. 2 no. additional vehicular entrances at this location are, in my opinion, likely to assist in further reducing traffic speeds at this location, adjacent to a 30 kph zone.
- 7.3.3. Having regard to the foregoing, it is my opinion that the provision of 1 no. additional vehicular entrance for residential purposes, along Greendale road and 2 no. additional vehicular entrances along Foxfield Grove, as presented, would be unlikely, in of itself, to give rise to significant traffic safety concerns. I therefore consider the principle for the proposed additional 3 no. vehicular entrances and the slight relocation of the existing vehicular entrance to be acceptable in principle and I do not consider, in this instance for it to be necessary, owing to the low traffic volumes anticipated (i.e. 1 no. car parking space per dwelling) for the Applicant to demonstrate anticipated worst case scenario traffic impacts during peak times.
- 7.3.4. I note the Transportation Department of the Local Authority raise no objection to the proposed development, as presented, subject to 1 no. condition containing various subparts.

- *Car Parking*

- 7.3.5. The subject appeal site is located within Parking Zone 2 as shown on Mapset J (Existing and Future Strategic Transport and Parking Areas) of the Dublin City Development Plan, 2022 to 2028. The proposed car parking arrangement of 1 no. space per dwelling is consistent with maximum Car Parking standards set out in

Table 2 of Volume 2, Appendix 5 of the Dublin City Development Plan, 2022 to 2028. I therefore consider the quantum of car parking proposed to be acceptable.

7.3.6. The Appellant considers the proposed vehicular entrances should be a minimum of 2.5 metres in width. I note as per the submitted site layout drawing (GA Layouts, no. 0002, Rev. C05) that all proposed entrances measure a minimum of 2.5 metres in width and that in the case of proposed house no. 1D, the proposed vehicle entrance is indicated to measure 3.0 metres in width. I am therefore satisfied that all vehicle entrances proposed exceed 2.5 metres in width. I note the issue of the proposed vehicle entrance widths was raised in the initial Transportation Department Report and under point no. 2 b) of the Request for Further Information.

7.3.7. The Appellant refers to the control of outward opening gates from the said entrances. As per the submitted site layout drawing (GA Layouts, no. 0002, Rev. C05), I note no gates are shown. I further note condition no. 6 a) of the Notification of Decision to Grant permission issued by the Local Authority which states: *'Driveway entrances shall not have outward opening gates.'* In the event of a Grant of permission being issued, such a condition or similar should be attached.

#### 7.4. Overdevelopment, Overbearance and Residential Amenity

- *Residential Density*

7.4.1. The subject Appeal site, which includes the existing dwelling, has a stated site area of 0.088 hectares. I estimate the proposed 3 no. dwellings, together with the 1 no. existing dwelling, equates to an overall net residential density of 45 no. dwellings per hectare. I estimate the proposed development site, excluding site no.1, as proposed and including the proposed new 3 no. dwellings, has an approximate net residential density of approximately 50 no. dwellings per hectare.

7.4.2. I note the Guidance set out in Section 15.5.5 of Chapter 15 (Development Standards) of Volume 1 of the Dublin City Council Development Plan, 2022 to 2028, which relates to Density. The said Guidance further refers to Appendix 3 of the Development Plan. Section 3.2 of Appendix 3 Volume 2 of the Development Plan relates to Density. Table 1 of the same said Section sets out recommended net density ranges for various locations in the City. On lands located within the Outer Suburbs, the recommended net density range is 60 to 120 dwellings per hectare.

7.4.3. I note as per Table 3.1 (Areas and Density Ranges Dublin and Cork City and Suburbs) of the Sustainable and Compact Settlement Guidelines, 2024, in City – Suburban/ Urban Extension areas, *‘It is a policy and objective of these Guidelines that residential densities in the range 40 dph to 80 dph (net) shall generally be applied at suburban and urban extension locations in Dublin and Cork, and that densities of up to 150 dph (net) shall be open for consideration at ‘accessible’ suburban / urban extension locations (as defined in Table 3.8).’* I am satisfied that the proposed net residential density is acceptable in this instance having regard to the setting and location of the subject site.

- *Building Line*

7.4.4. I note the original building line of the existing dwelling and that of the adjacent semi-detached dwelling (no. 3) is set back approximately 6 metres from the established front building line of the adjacent dwellings further to the west (no’s 5 & 7, Foxfield Grove). In addition, I note the established ground floor front porch/ sunroom on the front elevation of the subject property which projects a further 3.4 metres at ground floor level from the main dwelling for a distance of 6 metres, in width. The new building line of proposed dwelling no. 1B is in line with the established ground floor building line of the existing dwelling. The building line of proposed dwelling no. 1C is set a further 2.5 metres back from the proposed building line of house no. 1B. I estimate the building line of proposed dwelling no. 1D to be approximately 5.8 metres from the inside edge of the adjacent public road (Greendale Road) and is approximately 7 metres forward of the established building line of no. 3 Greendale Road.

7.4.5. While I agree with the Appellant that the proposals break the existing building line, I note the building line of proposed dwellings 1B and 1C is behind that of the established building line of the majority of dwellings along Foxfield Grove. In addition, I note the proposed building line for dwelling no. 1D is consistent with other established building lines in the general area such as that of dwelling no. 1 Greendale Road located c. 62 metres further to the south of the subject appeal site. On nearby corner sites to the south, in similar settings to that of the subject appeal site, established building lines are staggered to address their corner locations.

7.4.6. I note Section 15.13.3 (Infill/ Side Garden Housing Developments) of Chapter 15 (Development Standards) of the Dublin City Development Plan, 2022 to 2028 where it is stated, inter alia, that the planning authority will have regard to certain criteria in assessing such proposals for the development of corner/ side garden sites including the character of the street and *'...compatibility of design and scale with adjoining dwellings, paying attention to the established building line, proportion, heights, parapet levels and materials of adjoining dwellings... the maintenance of the front and side building lines, where appropriate ...'*

7.4.7. In my opinion, the proposed building lines are consistent with established building lines in the area and the referenced guidance set out above.

- *Building Heights*

7.4.8. I note the height of the existing dwelling is indicated to be 8.5 metres. The proposed height of dwellings 1B and 1C, as shown on the Contiguous Elevation Drawing submitted as part of the Response to Further Information (Drawing no. 0005, Rev. C03) is indicated to be 9.0 metres (8.998 metres) which is a maximum of 0.5 metres (500 mm) higher than that of the existing dwelling. The increased building height is in my view marginal and will be imperceptible. The Applicants reasoning for the increased building height to accommodate the potential for the future adaptation of the loft space for human habitation is, in my opinion, adequate justification for the increase in building ridge height in this instance.

- *Private Open Space*

7.4.9. I note the quantum of Private Open Space proposed for each of the 4 no. dwellings, including the existing dwelling. The quantum of private open space proposed throughout exceeds the minimum quantum of private open space as recommended in Section 15.11.3 (Private Open Space) of Chapter 15 (Development Standards) of Volume 1 of the Dublin City Development Plan, 2022 to 2028 where it is stated that *'generally, up to 60-70 sqm of rear garden area is considered sufficient for houses in the city.'* I am satisfied that the quantum of private open space proposed is acceptable and that the residential amenities of future residents is suitably addressed in this regard.

- *Overlooking*

7.4.10. I note the existing relationship between the rear of the Appellants property and that of the existing dwelling. At present, the existing arrangements do not result in an unacceptable or abnormal extent of overlooking from the existing dwelling of the Appellants rear garden space. As shown on the proposed site layout drawing (GA Layouts, no. 0002, Rev. C05), the proposed new 2 storey dwellings 1A and 1B are positioned further to the east away from the Appellants dwelling and do not, in my opinion, serve to result in any significant or increased overlooking of the Appellants property. I note dwelling 1D is a one and a half storey dormer dwelling and that there is a total of 4 no. velux type windows proposed in the rear roof plane at a high level. Only 2 no. of these said windows serve a bedroom (i.e. the Master bedroom and Bedroom no. 2). Based on the position of these rooflights as well as the configuration of the Appellants rear garden, I do not consider the proposed dwelling would serve to result in any undue overlooking of the appellants rear garden space or lead to any significant loss of privacy. In my opinion therefore, the proposals, as presented, are acceptable in terms of a perceived loss of privacy or undue overlooking.

- *Daylight and Overshadowing*

7.4.11. The issues of a loss of Daylight and Overshadowing of surrounding properties is raised by the Appellant. I note the location of the Appellants Property and that of the adjacent property to the north (no. 3 Greendale Road) relative to the existing 2 storey dwelling on the subject site, the proposed 2 no. new 2 storey dwellings (no's 1B and 1C) and the proposed 1 no. dormer/ one and a half storey dwelling (no. 1D). Based on the 2 no. Proposed Shadow Analysis Drawings presented (drawing no's. 0006, Rev. C01 and Rev. C03) and owing to the orientation of the proposed dwellings and the distances observed from the existing adjacent properties, I am satisfied that the majority of year shadows will be cast towards the proposed rear gardens and towards the east of the site and adjacent road. The proposed dwellings are south facing and will therefore receive ample natural Daylight. I am satisfied that the proposed development, as presented, is acceptable in terms of Daylight and Overshadowing.

- *Residential Amenity*

7.4.12. I note the Appellant concerns in relation to the impact of the proposed development upon the future residential amenity of both the Appellants property and that of the surrounding neighbourhood. The subject appeal site is zoned Z1 – Sustainable Residential Neighbourhoods in the Dublin City Development Plan, 2022 to 2028, where Residential development is identified as a ‘Permitted Use’. The subject site is an Infill/ Side Garden. Section 15.13.3 of Volume 1 of the Dublin City Council Development Plan, 2022 to 2028, as quoted above in Section 5.0 of this Report, relates to Infill/ Side Garden Housing Developments. I am satisfied that that the proposed development, as presented, adheres to the guidance set out in Section 15.13.3 (Infill/ Side Garden Housing Developments). The proposals do not, in my opinion, represent an overdevelopment of the site, have had regard to and respect the established building lines in the area, are of an acceptable building height and design which is not overbearing, satisfy development plan standards internal floorspace and private open space standards and will not result in any undue overlooking or any negative impacts in terms of daylight or overshadowing. I am satisfied that the proposed development, as presented, will not serve to impact negatively upon the established and future residential amenities of the area. The proposed development, in my opinion, satisfies the relevant zoning objective *‘to protect, provide and improve residential amenities.’*

#### 7.5. Boundary Treatment and Party Structures

- 7.5.1. I note the existing boundary treatments surrounding the subject appeal site which include a high concrete block wall with some additional timber screening on top along the northeast roadside boundary (along Greendale Road) and the rear northwest boundary with no. 3 Greendale Road and a block wall along the rear party boundary with no. 3 Foxfield Grove.
- 7.5.2. I note both the proposed site layout drawing ‘GA\_Plans\_Proposed, Drg. no. 0003, Rev. C01’, as initially submitted to the Local Authority and the amended Site Layout Drawing submitted as part of the Response to Further Information ‘GA\_Layouts, Drawing no. 0002, Rev. C05.’ The said drawings both indicate a proposed 1.8 metre high wall/ fence to the rear of the sides and rear of proposed house no’s 1B and 1C.
- 7.5.3. As part of the Appeal response, the Applicant has provided additional information and clarity as to the proposed boundary treatments which includes new rear

boundary walls of 2.1 metre high timber panel fencing. I also note as per the GA Layouts Drawing, Drawing no. 002, Rev. C05, received in response to Further Information that the proposed boundary treatment along Greendale Road, to the side of proposed dwelling 1C, is stated as 'Existing low level boundary block wall to be retained' and that there is no clear indication as to the proposed treatment of the remainder of this boundary along Greendale Road. A capped and plastered concrete block wall to a height of 2.1 metres would, in my opinion be appropriate at this location having regard to the established setting of the site. In my opinion, further clarity is required in relation to the proposed treatment of the existing boundary with no. 3 Greendale Road, the proposed boundary treatments to rear of sites 1, 1B and 1C and the front of proposed dwellings 1B and 1C. An appropriate boundary condition should be attached in the event of a Grant of permission being issued.

7.5.4. I note the Appellants concerns in relation to the impact of the proposed development upon Party Structures, that the proposals could potentially under-sail or over-sail the boundary lines and that consent for such works should be provided. I have examined the proposed plans and drawings and note the extent of development proposed does not, in any way, impinge upon any of the Appellants party boundary or indeed any party structures. No changes are proposed to the existing boundary between the subject site and the Appellants property. As stated above, final boundary treatments can be agreed by way of condition in the event of a Grant of permission being issued.

## 7.6. Trees

7.6.1. I note as part of the Response to the Request for Further Information, the Applicant submitted a Tree Survey (Arboricultural Report) prepared by an Arboricultural Consultancy which assessed existing trees located in the grass verge along the site frontages along Greendale Road and Foxfield Grove which includes 3 no. Norway Maples, 1 no. Swedish Whitebeam and 1 no. Silver Birch. I note the Arboricultural Assessment has had regard to Section 4.2.3 Impact on Street Trees, Chapter 15 (Development Standards) of the Dublin City Development Plan, 2022 to 2028 and to the Dublin Tree Strategy, 2016 to 2020. The Report concludes '*..the proposed works will have a minimal impact on the health and structural condition of the trees concerned.*'

- 7.6.2. I note the Appellants concerns in relation to Trees. Having inspected the site, I can confirm there are no mature trees of significance on the subject appeal site, as defined by the proposed redline boundary, which are, in my opinion, worthy of retention. I note the proposals will not result in the removal of any existing mature trees along the site frontage.
- 7.6.3. A Tree Preservation Order in relation to any of the said existing Mature Trees (5 no. in total) is not, in my opinion, warranted in this instance as the said trees are not of unique or exceptional value which would warrant such an Order.
- 7.6.4. The Appellant refers to the Forestry Act in relation to the removal of trees. This is a separate legal code and thus need not concern the Commission for the purposes of this appeal.
- 7.6.5. I note the Appellants concerns that the proposals still negatively affect T3, that the driveway to house 1C will affect the root protection of same and that therefore approval cannot be granted on this basis. The Appellant has requested an independent review of said tree and root system to be completed by the Local Authority. I note the Tree Survey Plan Drawing, ref. 250527-P-10 and Tree Protection Plan Drawing, ref. 250527-P-11 which accompany the Tree Survey (Arboricultural Assessment) submitted in response to the Request for Further Information. The southeast corner of House 1C is estimated to be located within c. 5 metres of the centre of T3 and within the defined 5.5 metre wide root protection area. Similarly, the driveway of proposed dwelling no. 1C also marginally encroaches into the defined 5.5 metre wide tree protection zone for T3. I note the Appraisal of the anticipated impact of the proposed development upon the Root Protection Area (RPA) of both T3 and T2 as per the submitted Arboricultural Assessment and I agree that the incursion is not significant. I note the specific tree protection measures proposed in the Arboricultural Assessment Report. In my opinion, the proposals are unlikely to have a negative impact on the long-term health and condition of the trees concerned.
- 7.6.6. Condition no. 5 of the Notification of Decision to Grant permission, as issued by the Local Authority, is a standard condition which relates to tree protection measures as per BS 5837. In the event of a Grant of permission being issued, an appropriate tree protection condition should be attached.

- 7.7. Site Drainage and Pressure on Local Services
- 7.7.1. I note the Appellant raised the issue of on-site drainage and has quoted from the Report and recommendation of the Drainage Planning, Policy and Development Control Section (DPPDC) to Grant permission subject to conditions as per the Report dated 1<sup>st</sup> September 2025. I note the issue of Drainage formed part of the Request for Further Information issued on 14<sup>th</sup> April 2025, see point no. 1. I note the Applicants' Response to point no. 1 of the Request for Further Information which includes a Proposed Drainage Plan, a typical Sustainable Urban Drainage Systems (SuDs) Drawing, a Typical Drainage Details Drawing and a Surface Water Drainage Report prepared by the Appointed Consulting Engineers. I have reviewed the said Report and Drawings and I note the Applicants' proposals to introduce SuDs measures which includes permeable paving with a 200mm layer of stone beneath to store and filter rainwater and the provision of infiltration beds (bio retention planters) for each of the 3 no. new sites.
- 7.7.2. I note the Local Authority has imposed a specific Drainage Condition, see Condition no. 7 of the Notification of Decision to Grant permission, which is based on the Report from the Drainage Planning, Policy and Development Control Section (DPPDC).
- 7.7.3. In my opinion, the proposed surface water drainage arrangements are satisfactory.
- 7.7.4. A concern is raised in relation to an increased pressure on existing services arising as a result of the proposed development. The remaining services include sewerage and water supply. I note the Application was referred to Uisce Eireann who are responsible for the sewerage network and water supply and that no report was received. I further note the Applicants Engineering Services Report submitted as part of the Response to Further Information includes details in relation to Foul Water and a Potable Water Supply. It is proposed to connect the development to the existing Foul Sewer in 2 no. locations as shown on the submitted Proposed Drainage Plan Drawing (Drg. No. 25079-STEM-XX-XX-DR-C-401, Rev. P03). There is an existing uPVC watermain located along the site frontages to which the Applicant also proposes to connect. In my opinion, the proposed foul and water supply connections are acceptable in principle. These proposals will, in any case, be the subject of future

connection agreements with Uisce Eireann. This should be conditioned as part of any Grant of permission issued.

## 7.8. Other Matters

- *Construction Impacts*

7.8.1. I note the concerns of the Appellant in relation to the potential construction impacts of the proposed development. The Appellant's concerns include general noise and disturbance to local residents during the construction process, hours of operation, the storage of materials and litter. The Appellant states that the Local Authority '*is invited to attach condition(s) as they may feel will adequately deal with minimum requirements ...*'. In my opinion, the above concerns of the Appellant can be suitably addressed by way of condition in the event of a Grant of permission being issued.

7.8.2. The Appellant has also raised various Health & Safety concerns. Health & Safety is a matter for the Developer and is governed and evaluated under separate legal codes. The issue of future Health & Safety on the subject appeal site and during the Construction phase of the proposed development need not therefore concern the Commission for the purposes of this appeal.

- *Local Ecology*

7.8.3. I note the concerns of the Appellant in relation to the potential negative impact of the proposed development upon the green areas within the estate which are home to natural wildlife including foxes, badgers and squirrels. I note the character and setting of the subject site as well as the extent and nature of the proposed works. I am satisfied that the proposed development, as presented, owing to the relatively minor and localised nature of the works, are such that they are unlikely to present any significant negative impact on local ecology.

- *Commercial Nature*

7.8.4. The issue of the potential commercial nature of the proposed development is raised in the Third Party Submissions. The proposed development, as presented, is for residential purposes as opposed to commercial use. I note the Local Authority Planners Assessment of this issue wherein it is stated that '*As part of the current planning application, permission for three new dwelling houses has been proposed.*

*Commercial uses would not be permitted on site within prior consent.* I would agree with the assessment of the Local Authority in this regard.

- *Devaluation of Property*

7.8.5. The issue of an anticipated Devaluation of Property is raised in the Appeal. I note however that the Appellant has not provided any evidence in support of this contention. Having regard to the assessment and conclusion set out above, I am satisfied that the proposed development would not seriously injure the amenities of the area to such an extent that it would significantly impact the value of property in the vicinity.

- *Planning History*

7.8.6. Reference is made in the Appeal to 3 no. cases which were previously refused permission on the basis of overdevelopment and traffic hazard. I note the 3 no. cases referenced all relate to the same site which is a side garden with limited site frontage positioned to the side of an existing 2 storey detached dwelling which is served by 2 no. existing vehicular entrances and is positioned to the north and proximate the intersection of the Greendale Road and Howth Road (R105). In my opinion, the referenced site does not share the same or indeed directly comparable characteristics to that of the subject appeal site which is significantly larger, is less restricted and has significant frontage onto 2 no. public roads with likely lower traffic speeds. In my opinion, the proposed development, as presented, is in keeping with the established pattern of development in the area.

## 8.0 **Appropriate Assessment**

8.1.1. I have considered the proposed demolition and construction in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located approximately 280 metres to the northeast of North Bull Island SPA (Site Code 004006) and North Dublin Bay SAC (Site Code: 000206). The proposed development comprises the demolition of the existing garage and side extension for the construction 3 no. dwellings. No nature conservation concerns relevant to Appropriate Assessment were raised in the planning appeal.

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

8.1.3. The reason for this conclusion is as follows:

- The small scale and nature of the development.
- The location of the site relative to the nearest European Sites and the lack of any connections to same.
- Taking into account the screening determination of the Local Authority.

8.1.4. 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.

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

## 9.0 Water Framework Directive

9.1.1. The Santry\_20 River is located c. 1.3 km to the southwest. The site lies above the Dublin Groundwater Body. The proposed development comprises the demolition of the existing garage and side extension for the construction 3 no. dwellings. No water deterioration concerns were raised in the planning appeal.

9.1.2. I have assessed the proposed development and I 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.

9.1.3. The reason for this conclusion is as follows:

- The small scale and nature of the development

- The lack of any connectivity from the proposed development to the Santry\_20 River of the Dublin Groundwater Body.

9.1.4. 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 Water Framework Directive objectives and consequently can be excluded from further assessment.

## 10.0 Recommendation

10.1. I recommend that permission be Granted subject to the conditions set out below.

## 11.0 Reasons and Considerations

11.1. Having regard to the zoning objective of the site, which seeks *‘to protect, provide and improve residential amenities’* as set out in the Dublin City Development Plan, 2022 to 2028, the nature of the proposed residential development which is permitted in principle on lands zoned Z1 – Sustainable Residential Neighbourhoods, to guidance set out in Section 15.13.3 of the Development Plan which relates to ‘Infill/ side Garden Housing Developments’, to the established character and pattern of development in the area, the location of the site, surrounded by existing residential development, it is considered that the proposed development, subject to compliance with the conditions set out below, would be in accordance with the zoning objective for the site, would be acceptable in terms of scale, design and traffic safety, would not seriously injure the residential amenities of existing properties and would provide a satisfactory level of residential amenity for future occupants. It is considered that the proposed development would be in accordance with the proper planning and sustainable development of the area.

## 12.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 11<sup>th</sup> August 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interests of clarity.

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

Reason: In the interest of visual amenity.

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

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

4. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

5. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interests of public health and surface water management.

6. Prior to the commencement of development the developer shall enter into a water and wastewater connection agreement with Uisce Éireann.

Reason: In the interests of public health.

7. All tree protection measures shall be implemented in full to the satisfaction of the planning authority.

Reason: In the interests of amenity, ecology and sustainable development.

8. The developer shall comply with the following requirements:
  - a) Driveway entrances shall not have outward opening gates.
  - b) At the respective vehicle entrances, the footpath and kerb shall be suitably dished as per the requirements of the planning authority.
  - c) The applicant/ developer shall liaise with the relevant utility providers to ascertain their requirements if the existing telecommunications column requires relocation to facilitate the vehicular entrance and footpath dishing. Any costs in relation to same shall be the responsibility of the applicant/ developer.

Reason: In the interests of pedestrian and traffic safety and orderly development.

9. Prior to the commencement of any work on site, a comprehensive boundary treatment plan shall be submitted to and agreed in writing with the planning authority. This shall include details of the proposed heights, materials and finishes for all boundaries on site.

Reason: In the interests of residential and visual amenities.

10. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development. This plan shall provide details of intended construction practice for the development, including management of construction traffic, noise management measures and off-site disposal of construction/ demolition waste.

Reason: In the interests of public safety and residential amenity.

11. Proposals for a street name and house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. Thereafter, all street signs, and

house numbers, shall be provided in accordance with the agreed scheme. No advertisements/ marketing signage relating to the name of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name.

Reason: In the interests of public safety and residential amenity.

12. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority [in relation to the transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended], unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Coimisiún Pleanála for determination.

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

13. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

14. 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 Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

*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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Frank O'Donnell

29<sup>th</sup> January 2026

## Appendix 1 - Form 1

### EIA Pre-Screening

[EIAR not submitted]

<b>An Coimisiún Pleanála Case Reference</b>	PL-500114-DN		
<b>Proposed Development Summary</b>	Demolition of the existing garage and side extension for the construction 3 dwellings.		
<b>Development Address</b>	1 Foxfield Grove, Raheny, Dublin 5, D05 X5N2		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)	<b>Yes</b>	<b>X</b>	
	<b>No</b>	No further action required	
<b>2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?</b>			
<b>Yes</b>			EIA Mandatory EIAR required
<b>No</b>	<b>X</b>		Proceed to Q.3
<b>3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?</b>			
		<b>Threshold</b>	<b>Comment (if relevant)</b>
			<b>Conclusion</b>
<b>No</b>		N/A	
<b>Yes</b>	<b>X</b>	Class 10 b) (i) Construction of more than 500 dwelling units.	Proceed to Q.4

		Class 10 b) (iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built up area and 20 hectares elsewhere. (In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial use.		
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<b>4. Has Schedule 7A information been submitted?</b>		
<b>No</b>	<b>X</b>	<b>Preliminary Examination required</b>
<b>Yes</b>		<b>Screening Determination required</b>

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