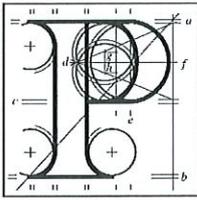


Inspector's Report

PL-500141-DS



An
Coimisiún
Pleanála

Development	Protected Structure: New front railings c/w stone plinths, with vehicular and pedestrian gates, a domestic bin enclosure, new landscaping and repointing of front façade.
Location	33 Marlborough Road, Dublin 4.
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	WEB2859/25
Applicant(s)	Hazel Dooley.
Type of Application	Permission.
Planning Authority Decision	Grant Permission.
Type of Appeal	Third Party
Appellant(s)	Michael O'Connor.
Observer(s)	None.
Date of Site Inspection	14/01/26.

Inspector

Anthony Abbott King

1.0 Site Location and Description

- 1.1. No. 33 Marlborough Road is located on the eastern section of Marlborough Road proximate to the Morehampton Road junction. Marlborough Road is a residential avenue that links Donnybrook to Ranelagh.
- 1.2. The house is positioned mid-terrace within a period streetscape of 3-storey red-brick houses circa.1860 on the north side of Marlborough Road.
- 1.3. No. 33 Marlborough Road is a protected structure, as are the houses comprising the streetscape(s) along the eastern section of Marlborough Road.
- 1.4. The entrance to the houses in the terrace(s) on the east section of Marlborough Road are located above a high raised basement. The entrance door is reached by a broad flight of stone steps with wrought iron railings.
- 1.5. The houses are setback from the street. The setback comprises landscape front gardens accommodating in the majority of properties on the north side of Marlborough Road in-curtilage car parking.
- 1.6. The boundary treatment to the majority of the houses on the north side of the street has been altered to accommodate in curtilage car parking. There is no defined boundary treatment to no. 33 Marlborough Road, which presents as a gap in the streetscape.
- 1.7. The relatively narrow carriageway on Marlborough Road accommodates two way traffic movement with parking restricted to the southside of the street.
- 1.8. The site area is given as 374 sqm. (0.037 hectares).

2.0 Proposed Development

- 2.1. The applicant proposes the following works to the front of a three-storey terrace house, which is a protected structure:
 - New front railings c/w stone plinths;
 - New vehicular & pedestrian gates;
 - A new domestic bin enclosure;
 - Landscaping to the front of the house;

- Re-pointing of the front façade.

3.0 **Planning Authority Decision**

3.1. **Decision**

Grant permission subject to 8 conditions.

3.1.1. The following conditions are relevant:

Condition 3 states:

The Developer shall comply with the following conservation requirements of the Planning Authority:

- (a) A conservation expert with proven and appropriate expertise shall be employed to design, manage, monitor and implement the works and to ensure adequate protection of the retained historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained fabric and the curtilage of the Protected Structure.
- (b) Prior to commencement of the individual work packages, the applicant shall submit the following information for the written approval of the planning authority.
 - (i) Prior to the raking out of pointing on the front façade, the conservation officer shall be given an opportunity to attend site and inspect the façade to determine the correct pointing technique, colour, style, and finish. The applicant shall submit a full scope of works, specification and conservation methodology for the proposed raking out, brick repairs, cleaning and repointing, that shall match the original. The proposed pointing shall be NHL 2 lime mortar,
 - (ii) A method statement for the proposed cleaning and repainting of the wrought iron balustrades and for repair of the extant gate post and for the fabrication of the proposed gates, railings and backstays. The method statement shall be prepared by an experienced conservation blacksmith / forger.

- (iii) Physical samples of the proposed granite plinths, steps, setts, paving and gravel, and samples of workmanship for the tooling of the granite pieces.

(c) The proposed development shall be carried out in accordance with the following:

- (i) All works to the structure shall be carried out in accordance with best conservation practice and the Architectural Heritage Protection Guidelines for Planning Authorities (2011) and Advice Series issued by the Department of Housing, Local Government and Heritage. Any repair works shall retain the maximum amount of surviving historic fabric in situ. Items to be removed for repair off-site shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement.
- (ii) All existing original features, in the vicinity of the works shall be protected during the course of the refurbishment works.
- (iii) All repair of original fabric shall be scheduled and carried out by appropriately experienced conservators of historic fabric.
- (iv) The architectural detailing and materials in the new work shall be executed to the highest standards so as to complement the setting of the protected structure and the historic area.

Reason: In order to protect the original fabric, character and integrity of the Protected Structure at 33 Marlborough Road and to ensure that the proposed works and carried out in accordance with best conservation practice.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The decision of the CEO of Dublin City Council reflects the recommendation of the planning case officer.

3.2.2. Other Technical Reports

- Conservation officer report:
 - No. 33 Marlborough Road is a protected structure of regional significance.

- The Report notes that no conservation architect nor conservation expert has been involved in the application.
 - The conservation officer states that the submitted conservation report is deficient. An augmented AHIA prepared by an appropriately accredited conservation architect is requested by way of further information.
 - Failing a further information request, the conservation officer attaches bespoke conditions to regulate the planning permission – see above (Section 3.1.1).
- Transport Planning Division have no objection to the proposal subject to condition.
 - The Drainage Division have no objection to the proposal subject to condition.

3.3. Prescribed Bodies

- No response recorded within the prescribed timeline.

3.4. Third Party Observations

There is one third party observation on file from the appellant.

The submission notes that the application is accompanied by a conservation report but is not accompanied by an Architectural Heritage Impact Assessment (AHIA), which is required *inter alia* under the provisions of the development plan and the Planning and Development Regulations.

The submission claims that the application is fundamentally flawed without an AHIA, prepared by a conservation architect, as the provided documentation is insufficient to assess the full impact on the historic character. The submission states the application should be refused without the AHIA.

The submission notes that the re-pointing of the front brickwork lacks critical detail. The submission requests the attachment of a condition to be agreed with the planning authority regulating the proposed mortar mix, colour, texture and application technique before the commencement of development in order to preserve the historic fabric and shared character of the terrace.

The submission in the matter of the introduction of a vehicular gate, new landscaping and associated hardstanding areas, requests that the design and scale of the

elements to be proportional to the streetscape. The submission advocates for the proposal to set a positive precedent in the conservation area and for final details to be conditioned to protect visual amenity.

The submission in the matter of drainage and surface water management, requests a detailed drainage plan by way of condition in order to demonstrate that the proposed works will not alter surface water run-off patterns and will mitigate flood risk.

Finally, the submission requests the planning authority to attach a condition to prevent encroachment on the neighbouring property at no.31 Marlborough Road.

The submission concludes that the application is deficient. The planning authority is urged to refuse planning permission or grant permission mandating strict conditions, including: an AHIA; detail specification of all materials and application techniques; the protection of the existing shared property boundary; a detailed drainage plan and; the regulation of the gates, landscaping and finishes in order for the development to be appropriate to the conservation area.

4.0 **Planning History**

4.1. There is no recent relevant planning history on site.

5.0 **Policy Context**

5.1. **Development Plan**

The relevant land-use zoning objective of the Dublin City Development Plan 2022-2028 is Z2 (Residential Conservation) (Map H): *To protect and/or improve the amenities of residential conservation areas.*

- **Built Heritage & Archaeology (The Record of Protected Structures)**

Chapter 11, Section 11.5.1 is relevant and *inter alia* states:

All planning applications relating to protected structures shall contain the appropriate level of documentation in accordance with Article 23 (2) of the Planning and Development Regulations, 2001 (as amended) and Chapter 6 and Appendix B of the 'Architectural Heritage Protection Guidelines for Planning Authorities' (2011), or any

variation thereof including where relevant an Architectural Heritage Impact Assessment.

Furthermore, Section 11.5.2.3 is relevant and *inter alia* states:

The Works to a protected structure should be carried out in accordance with the Architectural Heritage Protection Guidelines for Planning Authorities (2011) and the Conservation Advice Series published by the Department of Housing, Local Government and Heritage

All planning applications for development/works to Protected Structures must provide the appropriate level of documentation, including an Architectural Heritage Impact Assessment, in accordance with Article 23 (2) of the Planning and Development Regulations, 2001 (as amended) and chapter 6 and appendix B of the 'Architectural Heritage Protection Guidelines for Planning Authorities' (2011), to assist in the assessment of proposals.

- **Protected Structures**

Policy BHA2, Chapter 11 states in the matter of the development of protected structures:

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

- (a) Ensure that any development proposals to protected structures, their curtilage and setting shall have regard to the Architectural Heritage Protection Guidelines for Planning Authorities (2011) published by the Department of Culture, Heritage and the Gaeltacht.*
- (b) Protect structures included on the RPS from any works that would negatively impact their special character and appearance.*
- (c) Ensure that works are carried out in line with best conservation practice as advised by a suitably qualified person with expertise in architectural conservation.*

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

(c) Ensure that the form and structural integrity of the protected structure is retained in any redevelopment and ensure that new development does not adversely impact the curtilage or the special character of the protected structure.

(d) Respect the historic fabric and the special interest of the interior, including its plan form, hierarchy of spaces, structure and architectural detail, fixtures and fittings and materials.

(e) Ensure that new and adapted uses are compatible with the architectural character and special interest(s) of the protected structure.

(f) Protect and retain important elements of built heritage including historic gardens, stone walls, entrance gates and piers and any other associated curtilage features.

(g) Ensure historic landscapes, gardens, and trees (in good condition) associated with protected structures are protected from inappropriate development.

(h) Have regard to ecological considerations for example, protection of species such as bats.

- **Residential Conservation Areas**

Policy BHA9, Chapter 11 (Archaeology & Built Heritage), Dublin City Development Plan 2022-2028 *inter alia* states:

Development within or affecting a Conservation Area must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible.

Enhancement opportunities may include:

- *Replacement or improvement of any building, feature or element which detracts from the character of the area or its setting.*
- *Re-instatement of missing architectural detail or important features.*
- *Improvement of open spaces and the wider public realm and reinstatement of historic routes and characteristic plot patterns*
- *Contemporary architecture of exceptional design quality, which is in harmony with the Conservation Area.*
- *The repair and retention of shop and pub fronts of architectural interest.*
- *Retention of buildings and features that contribute to the overall character and integrity of the conservation area.*
- *The return of buildings to residential use.*

- **Development Plan Standards**

Chapter 15, Section 15.15.2.3. (Protected Structures) is relevant and *inter alia* states:

There are almost 8,500 protected structures in the city, as identified on the Record of Protected Structures, Volume 4 of the plan. The inclusion of a structure in the Record of Protected Structures does not prevent a change of use of the structure, and/or development of, and/or extension to the structure, provided that the impact of any proposed development does not adversely affect the character of the Protected Structure and its setting. Conservation is the careful and sensitive management of change and DCC would support new proposals to conserve, repair and adapt Protected Structures to ensure they stay in long term sustainable use.....

- **Vehicular Entrances and Front Garden Parking**

Appendix 5 (Transport and Mobility: Technical Requirements) Section 4.0 (Car Parking Standards) of the Dublin City Development Plan 2022-2028 is relevant., including the following provisions:

Section 4.3 (Parking in Front Gardens), which *inter alia* states:

Panning Permission is required for the alteration of a front garden in order to provide car parking by creating a new access, or by widening of an existing access. Proposals for off- street parking in the front gardens of single dwellings in mainly residential areas may not be permitted where residents rely on on- street car parking and there is a strong demand for such parking.

Section 4.3.1 (Dimensions & Surfacing) is relevant and *inter alia* states:

Vehicular entrances shall be designed to avoid creation of a traffic hazard for passing traffic and conflict with pedestrians. Where a new entrance onto a public road is proposed, the Council will have regard to the road and footway layout, the impact on on-street parking provision (formal or informal), the traffic conditions on the road and available sightlines.

For a single residential dwelling, the vehicular opening proposed shall be at least 2.5 metres or at most 3 metres in width and shall not have outward opening gates. Where a shared entrance for two residential dwellings is proposed, this width may increase to a maximum of 4 metres.

Detailed requirements for parking in the curtilage of Protected Structures and in Architectural Conservation and Conservation Areas are set out in Appendix 5, Section 4.3.7.

Where site conditions exist which can accommodate car parking provision without significant loss of visual amenity and/or historic fabric, proposals for limited off-street parking will be considered which meet a list of performance criteria. The following *inter alia* criteria are relevant to the assessment of the development proposal:

- *A high standard of design and layout will be expected to integrate the proposal into the sensitive context, the use of natural materials that would complement the special character of the Protected Structure i.e. gravels, granite etc.;*
- *The retention of most of the original boundary wall and/or railings and plinth wall and the re-use of the removed railings for new access gates will be sought;*
- *Works which would involve the loss of mature and specimen trees (those in good condition) which contribute to the character of a protected structure or*

conservation area, both within the private and public domain, will be discouraged;

- Every reasonable effort is made to protect the integrity of the protected structure and/or conservation area;*
- Access to and egress from the proposed parking space will not give rise to a traffic hazard;*
- The remaining soft landscaped area to the front of the structures should generally be in excess of half of the total area of the front garden space, exclusive of car parking area, footpaths and hard surfacing. SuDs features should be incorporated as appropriate (see also Appendix 12);*
- Car parking shall be designed so that it is set-back from the house and front boundary wall to avoid excessive impact on the protected structure;*
- Car parking bays shall be no greater than 5 m x 3 m metres wide;*
- The proposed vehicular entrance should, where possible, be combined with the existing pedestrian entrance so as to form an entrance no greater than 2.6 m and this combined entrance should be no greater than half the total width of the garden at the road boundary.....;*
- Where cast or wrought iron or other historic railings exist and historic brick and stone boundary walls, which contribute to the special character of the structure, every effort will be made to preserve and to maintain the maximum amount of original form and construction through minimum intervention. Any original existing gates, piers and cast iron or other railings that require alterations shall be reused and integrated with all new parking proposal.....*

5.2. Relevant National or Regional Policy / Ministerial Guidelines

Architectural Heritage Protection Guidelines for Planning Authorities (2011) published by the Department of Culture, Heritage and the Gaeltacht.

6.0 EIA Screening

- 6.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination.

7.0 The Appeal

7.1. Grounds of Appeal

The appeal statement contains two principal grounds of appeal. The appellant considers that both of these matters can be addressed by varying the permission by the attachment of two additional conditions to the grant of planning permission.

(1) The need for an Architectural Heritage Impact Assessment

- The permission granted by the planning authority includes thorough conditions for how the works to the protected structure are to be implemented. However, the permission was granted without the foundational document: An Architectural Heritage Impact Assessment (AHIA).
- An AHIA provides the crucial unifying vision that connects intent to execution. The AHIA ensures that the result is not just compliant but is coherent and true to the protected structure's character. The subject grant of permission was issued in the absence of an AHIA articulating why the proposal is the correct conservation approach for the building's heritage.
- It is claimed it is necessary to rigorously justify the design concept, material selection and methodological approach as an integrated whole, including an assessment of the impact of the works on the historic character of the subject terrace.
- It is claimed that an AHIA is the standard pre-requisite for assessing the impact of development on a protected structure, as provided for by Article 23(2) of the Planning and Development Regulations (2001) in order that a planning authority can discharge its duty under Section 57(1) of the Planning and Development Act 2000 (as amended) to preserve the character of a protected structure and its setting.
- The appellant welcomes the robust and thoughtful conservation conditions attached to the notification of decision to grant permission for the proposal issued by the planning authority. However, these conditions operate in the absence of the overarching strategy provided by an AHIA, prepared by a conservation architect.

- It is claimed the permission is not complete without the attachment of an additional condition providing for the submission of an AHIA prior to the commencement of development, in order to ensure the application of the highest conservation standards guided by a comprehensive understanding of the development project, and the attachment of an additional condition protecting the appellant's property rights.

(2) The need for explicit boundary protection

- The appellant requested the planning authority to attach a condition to prevent encroachment on his neighbouring / abutting property at no. 31 Marlborough Road. It is claimed the grant of planning permission contains no such explicit safeguard.
- The condition would provide unambiguous guidance and prevent any potential dispute between the adjoining property owners. A template condition is stated in the text of the appeal statement. It is claimed that the imposition of the condition is a simple measure that provides legal and practical clarity, ensuring the project proceeds smoothly.

7.2. Applicant Response in the case of a 3rd Party Appeal

The applicant response, prepared by Colgan O'Reilly Architects, is summarised below:

- In the matter of the requirement for an Architectural Heritage Impact Assessment (AHIA), the planning department and the conservation department of the planning authority determined the application without an AHIA. It is claimed an AHIA at this stage of the process would not add to the development.
- In the opinion of the applicant the approach of the planning authority is correct given the minor nature of the works to the protected structure, which comprise proposed repointing and repair of the granite steps. The remaining works are of a cosmetic nature comprising mainly landscaping.
- The planning authority attached a number of conditions on the works including regulation of material finish and workmanship. It is claimed these conditions will ensure the correct level of workmanship and finish.

- In the matter of the attachment of a condition in relation to boundaries, the boundary between the adjoining properties is clearly defined and is an absolute straight line.
- The applicant has every intention of respecting the neighbours rights (appellant) in relation to encroachment and has made an approach to the owner of the neighbouring property to discuss their concerns without success in contacting the neighbour.
- The boundary issues are a civil matter and are not an issue for the planning process. The applicant can see no reason for the attachment of an additional condition as the applicant intention is to respect the rights of their neighbours.
- The appellant has not asked for the decision of the planning authority to be changed. The applicant agrees that this is a correct approach, as the proposed works will serve to improve the home of the applicant and the overall streetscape.
- However, the applicant does not support the attachment of additional conditions, as it is claimed the planning authority decision conditions are sufficient to ensure quality development.

7.3. **Planning Authority Response**

The planning authority have not responded to date.

7.4. **Observations**

None to date.

8.0 **Assessment**

8.1. I have examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant planning policies and guidance, I consider that the substantive issues to be considered are as follows:

- Zoning / Principle of Development;

- In-curtilage car parking;
- Impact on the protected structure(s) and its setting;
- Other Matters.

- 8.2. I note that there are two principal grounds of appeal: (1) The requirement for an Architectural Heritage Impact Assessment (AHIA), as a foundational document to underpin a grant of planning permission for the proposed works to the protected structure. (2) And the requirement for explicit boundary protection of the appellant's property at no. 31 Marlborough Road, abutting the appeal site to the east, in the implementation of the proposed works.
- 8.3. The appellant considers that both of these matters can be addressed by varying the permission and by the Commission attaching conditions to an amended grant of planning permission.
- 8.4. It is also note that the appellant welcomes the robust and thoughtful conservation conditions attached to the notification of decision to grant permission for the proposal issued by the planning authority.
- 8.5. Finally, the appellant does not object to the grant of permission perse. The appeal seeks to ensure that the permission is compete by ensuring the highest conservation standards and the protection of the appellant's property rights.
- 8.6. I will consider the application de novo with specific reference to the grounds of appeal.

Zoning / Principle of Development

- 8.7. The proposed development is located in an area zoned Z2 (Residential Conservation) in the Dublin City Development Plan 2022-2028, which seeks *to protect and/or improve the amenities of residential conservation areas*.
- 8.8. The appellant proposes to carry out external works to the front of the dwelling house at no.33 Marlborough Road.
- 8.9. I consider that the proposed development is acceptable in principle subject to satisfying the overall policies and objectives of the Dublin City Development Plan 2022-2028, including the policy framework regulating works to protected structures and their setting.

In-Curtilage Car Parking

- 8.10. The interface of the appeal site with the street is characterised by an unsightly gap in the continuous well defined property boundary on the north side of Marlborough Road, including no. 31 Marlborough Road abutting to the east of no. 33 Marlborough Road which retains its original boundary treatment.
- 8.11. I note on the day of my site visit that the original boundary treatment has been removed in its entirety (the conservation officer report notes that the gate post at the eastern extremity of the opening is a remnant of the historic boundary treatment). There is no enclosure to the public street with the hard-surface driveway, located within the front curtilage of no.33 Marlborough Road, opening directly onto the footpath.
- 8.12. The applicant proposes to re-insert the boundary treatment onto Marlborough Road. The works *inter alia* to include new granite plinth wall, wrought iron railings, entrance and pedestrian gates and landscaping.
- 8.13. The proposal comprises a new vehicular access (3m), with inward opening swing gates, new pedestrian access (1m) and associated re-configuration (parking space 3m x 5m) of the existing off-street parking area in the front curtilage of the property.
- 8.14. The Transport Planning Division of the planning authority records that the majority of dwellings on the north-west side of Marlborough Road in the location of the proposed development accommodate in-curtilage parking to the front. The Report notes that the existing gap in the streetscape measures 7.35m.
- 8.15. I noted on the day of my site visit that only 5 out of the 17 houses (nos. 13-45), located in the first two terraces defining the northern streetscape on Marlborough Road west of the Marlborough Road / Morehampton Road junction, do not accommodate off-street car parking within their curtilage (nos.13, 17, 25, 31, 45).
- 8.16. I note that the original boundary treatment to Marlborough Road has been severely compromised at no.13 (the house at the extremity of the northern streetscape at the Morehampton Road junction with Marlborough Road) by the removal of the railings and pedestrian gate. Therefore, 4 houses of the 17 houses in the streetscape have original intact boundary treatment.
- 8.17. The carriageway on Marlborough Road accommodates two way car movement and controlled restricted on-street car parking on one side of the street. I note on the day

of my site visit that parking provision on Marlborough Road is located on the opposite side of the street (south-east side) to no. 33 Marlborough Road.

- 8.18. There is a pay and display and permit parking system in operation on Marlborough Road. The Traffic Planning Division Report notes a high demand for on-street parking. I consider that the proposed development would not result in the removal of existing on-street parking or the potential provision of on-street parking.
- 8.19. Appendix 5, Section 4.3.7 (parking in the curtilage of protected structures) of the Dublin City Development Plan 2022-2028 *inter alia* states where site conditions exist which can accommodate car parking provision without significant loss of visual amenity and/or historic fabric proposals for limited off-street parking will be considered. I consider that the stated site conditions exist at no. 33 Marlborough Road.
- 8.20. The proposed development is acceptable to the Transport Planning Division subject to condition. The Division require the reduction in the vehicular opening to be reduced to a maximum width of 2.6m in accordance with Appendix 5, Section 4.3.7 of the Dublin City Development Plan 2022-2028. This matter can be dealt with by way of condition.
- 8.21. Finally I note that there is no planning history in regard to the existing in-curtilage carparking arrangement at no. 33 Marlborough Road. The existing arrangement appears longstanding and has a visually adverse impact on the protected streetscape and the residential conservation area.
- 8.22. I consider that the principle of off-street in curtilage car parking is acceptable in principle in the instance of no. 33 Marlborough Road, subject to condition, given that the proposed development would not remove existing or potential on-street parking, would significantly reduce the existing opening in the streetscape (7.3m) and provide vehicular gated enclosure (2.6m) to the reconfigured opening while enhancing the visual appearance of no. 33 Marlborough Road and the overall streetscape on the north side of Marlborough Road.
- 8.23. I conclude that the proposed in-curtilage parking area is acceptable in principle subject to satisfying the overall policy requirements of the development plan principally as they relate to the impact of the proposal on the subject protected structure and protected terrace setting.

Impact on the protected structure and its setting

8.24. No. 33 Marlborough Road is a protected structure. The house has evidently been the subject of inappropriate alterations. The negative visual presentation of no.33 Marlborough Road to the street is apparent from the photographic record taken on the day my site visit.

8.25. The applicant proposes to enhance the appearance of No.33 Marlborough Road principally by repointing the front façade, reinstating the boundary treatment and landscaping the front curtilage of the protected structure.

The requirement for an AHIA

8.26. The appellant states that an AHIA is the standard pre-requisite for assessing the impact of development on a protected structure, as provided for by Article 23(2) of the Planning and Development Regulations (2001) in order that a planning authority can discharge its duty under Section 57(1) of the Planning and Development Act 2000 (as amended) to preserve the character of a protected structure and its setting.

8.27. Section 11.5.2.3 (Protected Structures) of the Dublin City Development Plan 2022-2028 *inter alia* requires works to a protected structure should be carried out in accordance with the Architectural Heritage Protection Guidelines for Planning Authorities (2011) and the Conservation Advice Series published by the Department of Housing, Local Government and Heritage.

8.28. Furthermore, in order to assist in the assessment of proposals to protected structures, all planning applications for works to protected structures must provide the appropriate level of documentation, including an Architectural Heritage Impact Assessment, in accordance with Article 23 (2) of the Planning and Development Regulations, 2001 (as amended) and chapter 6 and Appendix B of the 'Architectural Heritage Protection Guidelines for Planning Authorities' (2011).

8.29. Section 11.5.3.2 should be read in conjunction with Section 11.5.1 of Chapter 11 of the development plan, which *inter alia* states all planning applications relating to protected structures shall contain the appropriate level of documentation in accordance with Article 23 (2) of the Planning and Development Regulations, 2001 (as amended) and Chapter 6 and Appendix B of the 'Architectural Heritage Protection

Guidelines for Planning Authorities' (2011), or any variation thereof including where relevant an Architectural Heritage Impact Assessment.

- 8.30. The conservation officer states that she has reviewed the submitted drawings and conservation report. The conservation officer notes that the submitted report is limited and does not contain a method statement beyond a description of the scope of the proposed works.
- 8.31. The conservation officer recommends an augmented Architectural Heritage Impact Assessment (AHIA) prepared by an appropriately accredited conservation architect by way of further information. The conservation officer recommendation also includes a suite of conditions regulating the proposed works in the event of a grant of a planning permission.
- 8.32. Policy BHA2 (a) of the Dublin City Development Plan 2022-2028 states that any development proposals to protected structures, their curtilage and setting shall have regard to the Architectural Heritage Protection Guidelines for Planning Authorities (2011) published by the Department of Culture, Heritage and the Gaeltacht.
- 8.33. Section 6.4 of the Architectural Heritage Protection Guidelines for Planning Authorities provides detail in the matter of the documentation to accompany an application for works *inter alia* to a protected structure. The Section states that works within the curtilage of a protected structure should not require extensive documentation regarding unaffected parts of the structure.
- 8.34. I note that the works proposed relate principally to the front curtilage of no. 33 Marlborough Road and to the repointing of the front façade. The works are limited in scope excluding the interior of the house, roofscape, rear elevation and rear curtilage.
- 8.35. Section 6.4.4 states that in instances where protected structures have undergone inappropriate changes and are to be restored emphasis should be placed on describing the proposed replacement elements and their interface with the historic fabric.
- 8.36. No. 33 Marlborough Road has undergone inappropriate change, as is evident from its presentation on street. The cover letter states that the applicant rationale for the proposed works is in part to re-instate the front railings and the pedestrian and vehicular entrance gates similar to other properties on Marlborough Road.

Reinstatement works

- 8.37. The subject application under appeal relates in principal to the reinstatement of the boundary and the landscaping of the front driveway of the house.
- 8.38. Policy BHA9 (development in a conservation area) of the Dublin City Development Plan 2022-2028 requires that development within or affecting a Conservation Area must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting.
- 8.39. Policy BHA9 provides for enhancement opportunities including the replacement or improvement of any building, feature or element which detracts from the character of the area or its setting and the re-instatement of missing architectural detail or important features.
- 8.40. The applicant proposes to reinstatement the boundary treatment and landscaping to Marlborough Road providing for a vehicular entrance (3m) to give access / egress to a single car parking space (3m x 5m) located between the front facade of the house and new front boundary. The hard surface area would be defined by granite sets and would be finished in 'washed and rounded' stones laid on a compacted stone base.
- 8.41. A pedestrian gate aligned with the front entrance external access stairway would provide a linear path defined by granite slabs (1200mm x 600mm) leading to the base of the stairway.
- 8.42. The boundary would comprise entrance gates (vehicular & pedestrian) exhibiting replicated ironwork panels with sections of ornate railings fixed to granite plinth walls on each side of the new gates (see elevation and plan of the proposed front entrance from Marlborough Road). The submitted section drawing show a boundary height of 1327mm.
- 8.43. I consider that the applicant has in general clearly documented the proposed reinstatement front boundary and in-curtilage works to the front boundary and driveway area, as shown on the submitted Drawing(s) nos. 1782-104 / 1782-103 in accordance with Section 6.4.4 of the Architectural Heritage Protection Guidelines for Planning Authorities.
- 8.44. The conservation officer queried the template (no. 27 Marlborough Road) the applicant has applied to the reinstatement of the boundary treatment to Marlborough

Road. I note the conservation officer preference for the applicant to use the template of the adjoining property at no. 31 Marlborough Road. I also note that the conservation officer accepts in principle the reinstatement as proposed subject to condition.

- 8.45. Finally, I note that there is no extant historic fabric remaining in the location of the front boundary other than the eastern gate post, which survives on the boundary with no. 31 Marlborough Road. The extant gate post would be integrated into the new boundary treatment.
- 8.46. The conservation officer recommends a method statement for the repair of the extant gate post and for the fabrication of the proposed gates, railings and backstays. The method statement shall be prepared by an experienced conservation blacksmith / forger.
- 8.47. I would concur with the planning case officer that the proposed boundary reinstatement and landscaping is of a scale that would not detract from the existing house in terms of character or historic setting.
- 8.48. I consider that the proposed reinstatement of the boundary treatment to no. 33 Marlborough Road and the landscaping of the driveway area would be consistent with Policy BHA2 (development of a protected structure).
- 8.49. I conclude that the reinstatement of the granite plinth, railings, pedestrian and vehicular gate and in-curtilage landscape works to the hard-surface driveway area is acceptable in principle consistent with Policy BHA2 (development of a protected structure) and would represent enhancement / reinstatement works consistent with Policy BHA9 (development in a conservation area) of the Dublin City Development Plan 2022-2028. The requirements of the conservation officer in the matter of detail fabrication can be dealt with by way of condition.

Works to historic fabric

- 8.50. The appellant states that an Architectural Heritage Impact Assessment (AHIA) provides the crucial unifying vision that connects intent to execution. The appellant claims that the AHIA ensures that the result is not just compliant but is coherent and true to the protected structure's character. It is claimed that the subject grant of permission was issued in the absence of an AHIA articulating why the proposal is the correct conservation approach for the building's heritage.

- 8.51. I consider that the applicant proposes minor works to the extant historic fabric principally the repointing of the front facade of the protected structure. I acknowledge that works to the historic fabric are in combination with the reinstatement works to the front boundary and the front garden area.
- 8.52. I concur with the appellant that the overall proposal requires a holistic conservation assessment in terms of their potential impact on the special character of no. 33 Marlborough Road.
- 8.53. Section 6.4.14 of the Architectural Heritage Protection Guidelines for Planning Authorities advises the submission of a brief written statement to help explain the rationale for less complex proposals involving works to protected structures. I note that the written statement can take the form of cover letter.
- 8.54. Section 6.4.14 provides that a written statement can summarise the principal impacts on the character and special interest of the protected structure and describe how it is proposed to minimise these impacts. It may also describe how the works have been designed or specified to have regard to the character of the architectural heritage.
- 8.55. Section 6.4.15 advises Architectural Heritage Impact Assessment (AHIA) for more extensive or complex works with a potential to have a major impact on the architectural heritage. The submission of an AHIA maybe required by the planning authority in order to assess the full implications of a proposal.
- 8.56. I consider that the limited scope and nature of the works proposed to the historic fabric of no.33 Marlborough Road and the combination boundary and front garden reinstatement works would not constitute extensive or complex works. However, I note the content of the conservation officer report.
- 8.57. The conservation officer is of the opinion that the conservation report submitted is deficient in terms of context, methodology and detail. In this regard the conservation officer preference is for the submission of a revised AHIA.
- 8.58. I also note that the conservation officer successfully reviewed the proposal and prepared appropriate bespoke conditions, which are attached to the notification to grant planning permission by the planning authority.
- 8.59. I concur with the planning case officer that the conditions advised by the conservation officer would be appropriate in addressing the conservation officer's concerns. The

recommended conditions provide for the opportunity for the conservation officer to attend on site prior to the commencement of development and include in addition the provision of the specifications and conservation methodology outlined below.

Repointing

- 8.60. In the matter of the repointing of the front façade, the front façade repointing specification is contained in Drawing no.1782-102. The general specification states that a sample panel may be required to demonstrate the chosen approach and the planning authority should approve the details before work begins.
- 8.61. The conservation officer notes that the applicant proposes to repoint the brickwork to the front facade with an appropriate lime-based mortar. The conservation officer considered that the proposal is acceptable in principle. I concur with the conservation officer.
- 8.62. The conservation office requires the applicant to submit a full scope of works, specification and conservation methodology for the proposed raking out, brick repairs, cleaning and repointing. I consider that this matter can be dealt with by way of condition.

Front steps

- 8.63. In the matter of the removal of a concrete step (newer intervention) at the bottom of the main external entrance stairway and the installation of a replacement cut granite step to match the extant steps of the stairway (see Drawing no. 1782-103), the conservation officer considered that the proposal is acceptable in principle. I concur with the conservation officer.
- 8.64. I consider that the submission of a sample of the replacement step and a method statement for the cleaning and repainting of the wrought iron balustrades and handrail to the external stairway can be dealt with by way of condition.

Landscaping works

- 8.65. In the matter of the removal of the existing concrete paving, steps and concrete dwarf wall in the interface area between the front basement and the front driveway, the concrete steps to the lower ground level (basement) would be replaced by 4 granite steps and the existing concrete paving would be replaced with granite paving slabs. A

washed stone bed and French drain would be installed at the base of the front elevation.

- 8.66. The conservation officer considered that the proposal is acceptable in principle. I concur with the conservation officer.
- 8.67. The existing front curtilage between the property boundary on Marlborough Road (to be reinstated) and the front entrance access stairway to the house would be comprehensively landscaped.
- 8.68. The hard-surface area would be covered by a permeable gravel finish. Granite sets would be installed in the apron to the entrance gates and as a border to the proposed driveway. The overall front curtilage reconfiguration would comprise soft landscaping and paths.
- 8.69. The conservation officer considered that the overall landscape proposal for the front curtilage would be acceptable in principle. I consider that the specification and samples of the proposed granite steps, setts, paving and gravel can be dealt with by way of condition.

Meter Box and EV charger

- 8.70. The existing metre box located along the west boundary would be retained and an EV charger would be added. The box would be encased in a vertically treated timber sheeted enclosure. I consider that the proposal would enhance the setting of the protected structure and is acceptable in principle.

Bin Storage

- 8.71. The applicant proposes a timber sheeted bin storage enclosure, for 3 domestic sized bins, along the western boundary. The conservation officer observed that the bin storage location is close to the front boundary.
- 8.72. I note on the day of my site visit that a number of houses in the terrace(s) on the north side of Marlborough Road have enclosed bin storage located toward the front boundary enhancing the visual amenity of the streetscape. I also note the relatively modest domestic scale of the proposed bin enclosure. I consider that the bin storage as proposed is acceptable in principle.

- 8.73. In conclusion, the works to the fabric of the protected structure are in principal limited to re-pointing of the front façade, the removal of a dwarf modern concrete wall and the replacement of later concrete insertions with granite steps / paving to the external entrance access stairway and basement interface.
- 8.74. The expert supervision and detail regulation of these works can be dealt with by of condition, as provided for in the conservation officer report.
- 8.75. I conclude that the conservation documentation provided by the applicant is sufficient to make an informed decision on the potential impact(s) of the proposed works on the special character of the protected structure and its setting, as required by Section 6.4 (information to accompany a planning application for works to a protected structure) and Section 81.1(a) of Appendix B (Requirement for a AHIA Report) of the Architectural Heritage Protection Guidelines for Planning Authorities.

Application Documentation

- 8.76. Article 23 (2) of the Planning and Development Regulation 2001 (as amended) requires a planning application for development consisting of or comprising the carrying out of works to a protected structure, or proposed protected structure or to the exterior of a structure which is located within an architectural conservation area, *inter alia* to be accompanied by such photographs, plans and other particulars as are necessary to show how the development would affect the character of the structure.
- 8.77. The applicant submitted a short covering letter, dated 11/08/2025, detailed drawings of the building elevation and front curtilage, highlighting existing and proposed works, and a conservation report.
- 8.78. The conservation report principally comprises a schedule of photographs with explanatory text: (Photograph 1) shows the existing gap in the streetscape illustrating the absence of boundary treatment; (Photograph 2) details proposed works to the base of the external entrance stairway; (Photograph 3) shows the sloped concrete path down to the side basement entrance door (giving access to the area beneath the landing of the external entrance steps) and details works to the area immediate to the front façade at basement level; (Photograph 4) shows an existing concrete dwarf wall (to be removed) located forward of the building line aligned with the base step of the external entrance access stairway and also shows the existing metre box (to be clad

in timber); (Photograph 5) shows the template (no. 27 Marlborough Road) for the reinstatement of the boundary treatment including proposed new railings, plinth wall, vehicular and pedestrian entrance gates.

Assessment of submitted documentation

- 8.79. I acknowledge that the submitted report is not comprehensive in its analysis of context and detail specification. However, I consider the applicant has satisfied Section 6.4.4 (emphasis placed on describing the replacement elements of a proposal where inappropriate changes have previously occurred) and in general satisfies Section 6.4.14 (written statement of a proposal) of the Architectural Heritage Protection Guidelines for Planning Authorities (2011).
- 8.80. Chapter 11, Section 11.5.1 of the Dublin City Development Plan 2022-2028 inter alia states: *all planning applications relating to protected structures shall contain the appropriate level of documentation in accordance with Article 23 (2) of the Planning and Development Regulations, 2001 (as amended) and Chapter 6 and Appendix B of the 'Architectural Heritage Protection Guidelines for Planning Authorities' (2011), or any variation thereof including where relevant an Architectural Heritage Impact Assessment.*
- 8.81. I consider that the applicant has submitted the appropriate level of documentation for the works proposed to the protected structures to satisfy development plan requirements in accordance with Section 11.5.1 of the Dublin City Development Plan 2022-2028.
- 8.82. I conclude that the applicant has discharged the requirement to submit sufficient documentary detail in the form of letter, photograph and drawing(s) to correctly inform an assessment of the impact of the proposal on the protected structure and setting in order to satisfy the requirements of the Planning and Development Regulations 2001 (as amended) and the procedural requirements of Section 15.15.2.3 of the Dublin City Development Plan 2022-2028.

AHIA by way of condition

- 8.83. Finally, the appellant claims that the absence of an Architectural Heritage Impact Assessment (AHIA) as a part of the submitted application documentation is an outstanding matter and that this matter can be addressed by way of condition.

- 8.84. Section 81.1(b) of Appendix B of the Architectural Heritage Protection Guidelines for Planning Authorities details that where permission has been granted for works to a protected structure that the purpose of the post-permission AHIA is to record the existing fixtures or features which contribute to its special character and which would be lost or altered as a result of the works.
- 8.85. I consider that this contingency does not apply in the instance of the subject development under appeal, as no extant existing fixture or feature which contributes to the special character of no. 33 Marlborough Road would be lost or significantly altered.
- 8.86. I note that the only significant extant boundary feature the extant gate post on the boundary with no. 31 Marlborough Road is to be retained and restored as detailed on Drawing no.1782-103.
- 8.87. I conclude that the proposed development would not have an adverse impact on the special character of the protected structure and its setting given the limited scope of the works to the historic fabric, the existing inappropriate changes that have occurred overtime, including the removal of the front boundary treatment and the comprehensive hard-surfacing of the front curtilage of the protected structure, and subject to the regulation of the proposed works as detailed by the conservation officer by way of condition, including supervision of the works by a conservation expert in accordance with Policy BHA2(c) of the Dublin City Development Plan 2022-2028.

Other Matters

- 8.88. The appellant requests the Commission to attach a condition to prevent encroachment on the adjoining property at no. 31 Marlborough Road. The appellant states that the planning authority neglected to impose a boundary condition notwithstanding that the appellant had made representation to the planning authority in this regard.
- 8.89. The appellant claims that a boundary condition would provide unambiguous guidance and prevent any potential dispute between the adjoining property owners. A template condition is stated in the text of the appeal statement.
- 8.90. I note the applicant response confirms that applicant has every intention of respecting the neighbours rights (appellant) in relation to encroachment.

- 8.91. The planning case officer states that the applicant is advised that any grant of planning permission would not entitle an applicant to construct a development that would oversail, overhang or otherwise physically impinge upon an adjoining or neighbouring property without the permission of the property owner.
- 8.92. I concur with the planning case officer that boundary arrangements are not a planning matter. It is noted that any issue of oversailing or encroachment into neighbouring property is a civil matter and cannot be resolved through the planning process.
- 8.93. Finally, the Drainage Division of the planning authority has no objection to the proposed development subject to a condition requiring all surface water run-off from the new hard-surface area within the front curtilage of the house and vehicular entrance to be Sustainable Drainage Systems (SuDS) compliant, This can be dealt with by way of condition.

9.0 AA Screening

I have considered the proposed development in-light of the requirements S177U of the Planning and Development Act 2000 (as amended).

The subject site is located within an established suburban area and is connected to piped services and is not immediate to a European Site. The proposed development comprises minor works to the front façade and works to the front garden of a dwelling house.

No significant nature conservation concerns were raised in the planning appeal.

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

I conclude that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

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

10.0 Water Framework Directive

10.1. The site is located in an inner suburban location. It is not proximate to a visible watercourse.

The proposed development comprises works to the façade and front garden of an existing building.

No water deterioration concerns were raised in the planning appeal.

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.

The reason for this conclusion is the small scale and nature of the development.

I conclude based on objective information, the proposed development will not result in a risk of deterioration of any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

11.1. I recommend a grant of planning permission subject to condition for the reasons and consideration outlined below.

12.0 Reasons and Considerations

Having regard to the Z2 residential conservation zoning objective, the policy framework provided by the Dublin City Development Plan 2022-2028, for the

regulation of protected structures and their setting, and the Architectural Heritage Protection Guidelines for Planning Authorities (2011), it is considered that the proposed development subject to condition would not have an adverse impact on the special character and setting of no. 33 Marlborough Road, a protected structure, would be consistent with Policy BHA2 (development of a protected structure), Policy BHA9 (development in a conservation area) and Appendix 5 (Transport and Mobility: Technical Requirements), Section 4.3.7 (parking in the curtilage of protected structures) of the Dublin City Development Plan 2022-2028, would satisfy the requirements of Section 6.4 (documentation to accompany an application) of the Architectural Heritage Protection Guidelines for Planning Authorities and Section 11.5.1(The Record of Protected Structures) and Section 15.15.2.3 (Protected Structures) of the Dublin City Development Plan 2022-2028), in terms of the submitted planning application documentation, and, as such, would be consistent with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, and as amended by further information submitted on the 01/09/25, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to the commencement of development, the applicant shall submit a revised elevation drawing and site plan for the written agreement of the planning authority to reduce the width of the vehicular entrance to a maximum 2.6m.

Reason: In order to protect the original fabric, character and integrity of the Protected Structure at 33 Marlborough Road and in compliance with Appendix 5 (Transport and Mobility: Technical Requirements), Section 4.3.7 (parking in the curtilage of protected structures).

3. The applicant shall comply with the following conservation requirements of the Planning Authority:
 - (a) A conservation expert with proven and appropriate expertise shall be employed to design, manage, monitor and implement the works and to ensure adequate protection of the retained historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained fabric and the curtilage of the Protected Structure.
 - (b) Prior to commencement of the individual work packages, the applicant shall submit the following information for the written approval of the planning authority.
 - (i) Prior to the raking out of pointing on the front façade, the conservation officer shall be given an opportunity to attend site and inspect the façade to determine the correct pointing technique, colour, style, and finish. The applicant shall submit a full scope of works, specification and conservation methodology for the proposed raking out, brick repairs, cleaning and repointing, that shall match the original. The proposed pointing shall be NHL 2 lime mortar,
 - (ii) A method statement for the proposed cleaning and repainting of the wrought iron balustrades and for repair of the extant gate post and for the fabrication of the proposed gates, railings and backstays. The method statement shall be prepared by an experienced conservation blacksmith / forger.
 - (iii) Physical samples of the proposed granite plinths, steps, setts, paving and gravel, and samples of workmanship for the tooling of the granite pieces.

(c) The proposed development shall be carried out in accordance with the following:

- (i) All works to the structure shall be carried out in accordance with best conservation practice and the Architectural Heritage Protection Guidelines for Planning Authorities (2011) and Advice Series issued by the Department of Housing, Local Government and Heritage. Any repair works shall retain the maximum amount of surviving historic fabric in situ. Items to be removed for repair off-site shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement.
- (ii) All existing original features, in the vicinity of the works shall be protected during the course of the refurbishment works.
- (iii) All repair of original fabric shall be scheduled and carried out by appropriately experienced conservators of historic fabric.
- (iv) The architectural detailing and materials in the new work shall be executed to the highest standards so as to complement the setting of the protected structure and the historic area.

Reason: In order to protect the original fabric, character and integrity of the Protected Structure at 33 Marlborough Road and to ensure that the proposed works and carried out in accordance with best conservation practice.

4. The site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional

circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water run-off from the repaired / replacement driveway and vehicular entrance, which shall be managed through the use of Sustainable Drainage Systems (SuDS), for the written agreement of the planning authority.

Reason: To prevent flooding and in the interests of sustainable drainage.

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.



Anthony Abbott King
Planning Inspector

29 January 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500141-DS
Proposed Development Summary	Works to the front façade, street boundary and front curtilage of a dwelling house, which is a protected structure.

Development Address	33 Marlborough Road, Dublin 4.
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2 <input type="checkbox"/> No, No further action required.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	

3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?

<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold N/A
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold N/A
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)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: A. [Signature] 4

Date: 27/01/26