



An
Coimisiún
Pleanála

Inspector's Report

PL-500418-DR-25

Development	Demolition of existing bungalow and construction of 4 three storey dwellings.
Location	Miroka Bungalow, 106 Coliemore Road, Dalkey, Co. Dublin, A96DN40
Planning Authority	Dún Laoghaire-Rathdown County Council
Planning Authority Reg. Ref.	D25A/0413/WEB
Applicant(s)	Daragh and Trudi Bass
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Robert & Aran Thomas Alan & Mary Garrioch & others William & Linda Prentice Lydia Bourke David & Kelly Thomas
Observer(s)	None

Date of Site Inspection

13th February 2026

Inspector

Aoife McCarthy

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1.0 Site Location and Description

- 1.1. The subject site has a stated area of 0.091 hectares and is located the site of Miroka at 106 Coliemore Road, Dalkey, Co. Dublin; in the area of Dalkey Commons.
- 1.2. The site comprises a single storey bungalow, on a northwest to southeast alignment.
- 1.3. The appeal site is bound to the northeast by an infill development of 3 no. bungalows (comprising a detached and pair of semi-detached units).
- 1.4. The site is bound by rear gardens boundaries of properties fronting Tubbermore Road to the west and southwest; by a laneway to the south, which egresses to Tubbermore Road. The site is bound by the rear boundary of a cottage to the southeast, which egresses to Tubbermore Road.
- 1.5. The site is accessed from both Coliemore Road and Tubbermore Road, shared with 3 no. bungalows to the north-west of the appeal site.
- 1.6. The site is primarily residential in character.

2.0 Proposed Development

- 2.1. The proposed development consists of:
 - (i) Demolition of the existing bungalow dwelling (119m² GFA) and associated detached single-storey flat roof shed;
 - (ii) the construction of 4 no. three-storey, three-bed flat roofed dwellings (578m² GFA);
 - (iii) Screened terraces at first and second floor levels of each dwelling;
 - (iv) Accessed via an existing vehicular/pedestrian entrance from Coliemore Road and an existing pedestrian entrance laneway from Tubbermore Road;
 - (v) Provided with 4 no. on curtilage car parking spaces (1 no. space per dwelling) and private amenity space; and all associated works.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. The Local Authority issued a Notification of a Decision to Grant Permission on the 14th November 2025, subject to 16 No. Conditions.

3.1.2. Condition 4 of the permission includes the following:

Any changes to parking and hardstanding areas shall be constructed in accordance with the recommendations of the Greater Dublin Strategic Drainage Study for sustainable urban drainage systems (SuDS) i.e. permeable surfacing, and in accordance with Section 12.4.8.3 Driveways/Hardstanding Areas of the County Development Plan 2022-2028. Appropriate measures shall be included to prevent runoff from driveways entering onto the public realm as required. Where unbound material is proposed for driveway, parking or hardstanding areas, it shall be contained in such a way to ensure that it does not transfer on to the public road or footpath on road safety grounds.

Reason: In the interest of public health.

3.2. Planning Authority Reports

3.2.1. Planning Reports (dated 12th November 2025)

3.2.2. The Report includes a summary of planning context and planning history relating to the site. It also includes a summary of the 13 no. submissions received on file. The main points raised are as follows:

- The report notes the A zoning objective relating to the site; and concludes that development is permitted in principle, subject to compliance with relevant Development Plan policies and objectives.
- Collectively CA5, CA6, CA8, PHP19 of the Development Plan create a presumption against demolition and replacement dwellings. The applicant has not provided sufficient justification for the demolition of the existing property, noting it as structurally sound, a comprehensive rationale will be required by way of FI.

- The proposed houses would generally comply with the relevant residential standards for new housing development. The generous floor areas internal layout would result in a high standard of internal residential amenity.
- Residential density would comply with the Sustainable Communities Guidelines 2024 and the Development Plan, and is acceptable.
- Private amenity space would comply with the standards of the Sustainable Community Guidelines and is acceptable. Whilst not required under the DP, the scheme includes 20% of the site as communal open space, high quality in nature, which includes SuDS proposals; and is acceptable to the PA.
- The scheme does not include public open space, which is considered acceptable to the PA, and recommend the inclusion of a condition requiring a contribution in leu.
- Car parking provision of 4 no. spaces, would comply with SPPR 3 of the Sustainable Community Guidelines, takes account of the site's proximity to a High Quality Transport Node, whereby standards are a maximum.
- A high number of houses would have visibility into the site. The full extent of the relationship the proposed development and neighbouring property is unclear. Additionally, the submitted CGIs are of limited use in determining the visual impact of the development on nearby houses, or Coliemore Road and Tubbermore Road, owing to their aerial perspective and limited scope. The applicant is therefore required to provide a set of Verified Views and Photomontages, by way of Further Information.
- The proposal comprising 2- 3 storey proposal has a contemporary design, containing numerous design elements which serve both functional and aesthetic purposes. While there are concerns in relation to the visual impact, it is not considered that these are a direct cause of the height of the proposed development, the overall design rationale and height are acceptable.
- The Planning Authority have concerns in relation to the visual impact, the area's designation as an ACA does not necessarily mean that permission should be refused for developments of the type proposed; and FI will be sought in this regard.

- The proposed development would be acceptable in terms of overlooking and overshadowing.
- A request for Further Information was issued on 17th July 2025, relating to: 1) submission of a justification for demolition of the habitable house, as opposed to restoration, extension or subdivision, carbon impact estimate and management of demolition waste; 2) Verified Views and photomontages from specific points; 3) a) Revised plans showing open boundary from the front of the dwellings to the east of the site, b) provision of cycle parking in accordance within the Development Plan; c) infrastructure to facilitate installation of EV charging points; d) revision to demonstrate tarmac areas would comply with DMURS requirements for carriageway widths and surfaces.
- The response received on the 20th October 2025 included: 1) a Demotion Justification Statement prepared by STEM Consulting Engineers as well as a BER Certificate for the dwelling; 2) Verified photomontages and computer generated images (CGIs) prepared by Digital Dimensions from multiple locations on Coliemore Road, Tubbermore Road and Castle Street. 3)a) revised plans which indicate the removal of the boundary wall to the eastern side of the development. b) plans illustrating cycle parking provision including bike stands and secure bike storage c) plans showing EV locations d) plans showing proposed permeable paving in compliance with DMURS requirements. The permeable paving to the access laneway includes rumble strips. Demarcation details for pedestrian walkways and car parking spaces have also been provided.
- The PA considers that the Applicant has satisfied these Items.
- The PA recommend that permission should be granted.

3.2.3. Other Technical Reports

- **Drainage Planning:** No objection subject to condition.
- **Transportation Planning:** No objection subject to condition.

3.3. Prescribed Bodies

3.3.1. **Uisce Éireann:** No objection subject to Pre-connection agreement.

3.4. Third Party Observations

3.4.1. A total of 13 no. observations were received in relation to this application, as summarised below:

- Significant adverse impacts with respect to residential amenity.
- Inappropriate scale, massing and density.
- Overlooking and loss of privacy, overshadowing and loss of daylight/sunlight, visual intrusion and overbearing impact.
- Inadequate separation distance from neighbouring houses.
- Overdevelopment of a sensitive site.
- Adverse impact on the Dalkey ACA.
- Noise and disturbance.
- Parking shortfall and overspill, unacceptable traffic impacts, unacceptable impacts on pedestrian and cyclist safety.
- Carbon emissions from demolition and rebuild works.
- Damage, management, maintenance issues arising from landscaping proposals.
- Surface water flooding from the swales.
- Devaluation of property in the area.
- Material contravention of the Development Plan, non-compliance with A zoning.
- Conflict with chapters 4, 11 and 12 of the Development Plan.
- Conflict with national planning policy and guidelines.
- Encroachment and legal boundaries.

4.0 Planning History

4.1. Subject Site

- 4.1.1. **P.A. Reg. Ref.: D98A/1020:** Grant, March 1999. 3 no. dormer bungalows.

4.2. History Cases Cited by Appellant 4

Mountainview House, Beaumont Avenue, Churchtown, Dublin 14

- 4.2.1. **ABP Ref.:320570; P.A. Reg. Ref.: D23A/0482;** Refuse by An Bord Pleanála in February 2025 for: (a) retention of site works and (b) completion of 2 no. part two-storey, part three-storey semi-detached townhouses, to be accessed from existing entrance (modified) to the south. The site was within the curtilage of a Protected Structure at the time of the grant of D16A/0783.
- 4.2.2. Permission refused on the grounds that the layout, fenestration, and use of materials would not respect the height and massing of the protected structure and would seriously injure the residential amenity of prospective residents by reason of a substandard layout and aspect of the first floor bedrooms.
- 4.2.3. **ABP Ref.248429; P.A. Reg. Ref.: D16A/0783:** Grant, April 2017 for the change of use from offices to residential, demolition of existing non-original single storey rear extension to existing structure, construction of a part one storey, part two storey extension to the rear, refurbishment and renovation of existing building;
- 4.2.4. Permission also sought for the demolition of derelict outbuildings within the grounds (previously permitted planning permission Ref. No. D14A/0445) and the construction of 2 no. 4 bedroom, part 2 storey, part 3 storey townhouses. Mountainview House would be accessed from Beaumont Avenue while the two houses would be accessed from the existing entrance to the south. A protected structure.
- 4.2.5. **P.A. Reg. Ref.: D14A/0445** Grant, October 2014, for the demolition of derelict outbuildings within the site of the Protected Structure and dispose of the waste material off site to form an open, grass-lawn garden.

5.0 Policy Context

5.1. Quality Housing for Sustainable Communities, Best Practice Guidelines, 2007

- 5.1.1. These Guidelines set out national planning policy and guidance in relation to housing design.
- 5.1.2. Development standards for housing are set out in Table 5.1 of the document. It includes target gross floor area floor area (110m²); min. space requirements for main living room (15m²), aggregate living area (37m²), aggregate bedroom area (36m²), internal storage (6m²) for a 3 bed/6 person 3 storey dwellings.

5.2. Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities, 2024

- 5.2.1. These Guidelines set out national planning policy and guidance in relation to the creation of settlements that are compact, attractive, liveable and well designed. These Guidelines replace the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities, 2009.
- 5.2.2. Development standards for housing are set out in Chapter 5, including SPPR 1 Separation Distances, a separation distance of at least 16 metres between opposing windows serving habitable rooms¹⁶ at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained. There shall be no specified minimum separation distance at ground level or to the front of houses, duplex units and apartment units in statutory development plans and planning applications shall be determined on a case-by-case basis to prevent undue loss of privacy.
- 5.2.3. SPPR 2 in relation to private open space (3-bed 40m²).
- 5.2.4. Section 5.3.4 of the Guidelines relates to quantum, form and location of car parking, sets out that,

“the approach should take account of proximity to urban centres and sustainable transport options, in order to promote more sustainable travel choices. Car parking ratios should be reduced at all urban locations, and should be minimised, substantially reduced or wholly eliminated at locations that have good access to urban services and to public transport.”

5.2.5. SPPR 3 - Car Parking sets out the following;

(ii) In accessible locations, defined in Chapter 3 car- parking provision should be substantially reduced. The maximum rate of car parking provision for residential development, where such provision is justified to the satisfaction of the planning authority, shall be 1.5 no. spaces per dwelling.

5.3. **Architectural Heritage Protection Guidelines for Planning Authorities (2011)**

5.3.1. Chapter 3 refers to The Development Plan - Architectural Conservation Areas

5.3.2. Section 3.10.2 refers to Proposals for demolition - where it is proposed to demolish a structure that contributes to the character of an ACA or to demolish behind a retained façade, the onus should be on the applicant to make the case for demolition. The planning authority should consider the effect both on the character of the area and on any adjacent protected structures. When it is proposed to **demolish** an undistinguished building in an ACA, the proposed replacement should not be of lesser quality or interest than the existing one and should not adversely affect the character of the area.

5.3.3. Section 3.10.3 - The applicant and the planning authority should consider the material effect that that proposed demolition may have on the character of the ACA:

(a) Does the structure (or part of the structure) to be demolished contribute to the character of the area?

(b) What effect would removal of the structure have on the setting of other structures in the area, the balance of an architectural composition or the setting of any adjacent protected structures?

(c) Would the character and special interest of the whole of the structure or of the ACA be diminished by the demolition of a part?

(d) Has the extent and potential impact of the proposed demolition been minimised?

(e) Are there alternatives to demolition, even where the structure is in poor condition?

(f) In the case of accidental damage, could demolition be avoided and the structure saved by carrying out repairs or providing temporary support or shelter to the fabric?

(g) Is partial demolition justifiable in the interests of the retention of the remainder of the structure?

(h) If the special interest of the structure lies in its largely unaltered state, could permission be given to demolish any part of it without damaging that special interest?

(i) Has the incorporation of the structure (or part of the structure) into a new development on the site been given adequate consideration?

(j) What are the merits of alternative proposals for the site, taking into consideration the development plan objective to conserve the character of the area?

5.4. Climate and Low Carbon Development Act 2015 (as amended)

5.4.1. The Acts, to be read in conjunction with Climate Action Plan 2025 with reference to CAP2024, outline measures and actions by which the national climate objective of transitioning to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy by 2050 is to be achieved. They include budgets appropriate across a range of sectors. Of relevance to residential development is the built environment sector. The Commission must be consistent with the Plan in its decision making.

5.5. National Biodiversity Action Plan (NBAP) 2023-2030

5.5.1. The NBAP includes five strategic objectives aimed at addressing existing challenges and new and emerging issues associated with biodiversity loss.

5.5.2. Section 59B (1) of the Wildlife (Amendment) Act 2000 (as amended) requires the Commission, as a public body, to have regard to the objectives and targets of the NBAP in the performance of its functions, to the extent that they may affect or relate to the functions of the Commission. The impact of development on biodiversity, including species and habitats, can be assessed at a European, National and Local level and is taken into account in our decision-making having regard to the Habitats and Birds Directives, Environmental Impact Assessment Directive, Water Framework Directive and Marine Strategy Framework Directive, and other relevant legislation, strategy and policy where applicable.

5.6. Dún Laoghaire-Rathdown County Development Plan 2022-2028

- 5.6.1. The zoning objective for the subject site is “A”, “to provide residential development and improve residential amenity while protecting the existing residential amenities.”
- 5.6.2. Residential use is Permitted in Principle as a land use under this zoning objective.
- 5.6.3. The site is located within the Architectural Conservation Area (ACA) for Dalkey Village, as defined under the Development Plan.
- 5.6.4. **Policy Objective PHP18: Residential Density:** It is a Policy Objective to:
- Increase housing (houses and apartments) supply and promote compact urban growth through the consolidation and re-intensification of infill/brownfield sites having regard to proximity and accessibility considerations, and development management criteria set out in Chapter 12.
 - Encourage higher residential densities provided that proposals provide for high quality design and ensure a balance between the protection of existing residential amenities and the established character of the surrounding area, with the need to provide for high quality sustainable residential development.
- 5.6.5. **Policy Objective PHP35: Healthy Placemaking** It is a Policy Objective to:
- Ensure that all development is of high quality design with a focus on healthy placemaking consistent with NPO 4, 26 and 27 of the NPF, and RPO 6.1, 6.12, 9.10 and 9.11 of the RSES.
 - Promote the guidance principles set out in the ‘Urban Design Manual – A Best Practice Guide’ (2009), and in the ‘Design Manual for Urban Roads and Streets’ (2013).
 - Ensure that development proposals are cognisant of the need for proper consideration of context, connectivity, inclusivity, variety, efficiency, distinctiveness, layout, public realm, adaptability, privacy and amenity, parking, wayfinding and detailed design.
- 5.6.6. **PHP42 (Building Design & Height);** encourages high quality design of all new development and to ensure new development complies with the Building Height Strategy.

5.6.7. **Policy Objective CA5: Energy Performance in Buildings**

Policy Objective CA5: Energy Performance in Buildings It is a Policy Objective to support high levels of energy conservation, energy efficiency and the use of renewable energy sources in existing and new buildings, including retro fitting of energy efficiency measures in the existing building stock.

5.6.8. **Policy Objective CA6: Retrofit and Reuse of Buildings**

It is a Policy Objective to require the retrofitting and reuse of existing buildings rather than their demolition and reconstruction where possible recognising the embodied energy in existing buildings and thereby reducing the overall embodied energy in construction as set out in the Urban Design Manual (Department of Environment Heritage and Local Government, 2009). (Consistent with RPO 7.40 and 7.41 of the RSES).

5.6.9. **Policy Objective PHP19: Existing Housing Stock - Adaptation**

In accordance with Policy Objective PHP19: Existing Housing Stock – Adaptation, infill development will be encouraged within the County. New infill development shall respect the height and massing of existing residential units. Infill development shall retain the physical character of the area including features such as boundary walls, pillars, gates/ gateways, trees, landscaping, and fencing or railings. This shall particularly apply to those areas that exemplify Victorian era to early-mid 20th century suburban ‘Garden City’ planned settings and estates that do not otherwise benefit from ACA status or similar. (Refer also to Section 12.3.7.5 corner/side garden sites for development parameters, Policy Objectives HER20 and HER21 in Chapter 11).

It is a Policy Objective to:

- Conserve and improve existing housing stock through supporting improvements and adaption of homes consistent with NPO 34 of the NPF.
- Densify existing built-up areas in the County through small scale infill development having due regard to the amenities of existing established residential neighbourhoods.

5.6.10. Policy Objective PHP20: Protection of Existing Residential Amenity

It is a Policy Objective to ensure the residential amenity of existing homes in the Built Up Area is protected where they are adjacent to proposed higher density and greater height infill developments.

5.6.11. Policy Objective HER3: Protection of Historic Towns It is a Policy Objective to promote and protect the Historic Town of Dalkey as identified by the Department of Culture, Heritage and the Gaeltacht (DCHG) (consistent with RPO 9.27 of the RSES.

5.6.12. Policy Objective HER13: Architectural Conservation Areas

It is a Policy Objective to:

- i. Protect the character and special interest of an area which has been designated as an Architectural Conservation Area (ACA).
- ii. Ensure that all development proposals within an ACA be appropriate to the character of the area having regard to the Character Appraisals for each area.
- iii. Ensure that any new development or alteration of a building within an ACA or immediately adjoining an ACA is appropriate in terms of the proposed design, including scale, height, mass, density, building lines and materials.
- iv. Seek a high quality, sensitive design for any new development(s) that are complementary and/or sympathetic to their context and scale whilst simultaneously encouraging contemporary design which is in harmony with the area. Direction can also be taken from using traditional forms that are then expressed in a contemporary manner rather than a replica of a historic building style.
- v. Ensure street furniture is kept to a minimum, is of good design and any redundant street furniture removed.
- vi. Seek the retention of all features that contribute to the character of an ACA including boundary walls, railings, soft landscaping, traditional paving and street furniture.

5.6.13. Policy Objective HER14: It is a Policy Objective to prohibit the demolition of a structure(s) that positively contributes to the character of the ACA.

The guiding principle of ACAs is to protect the special external expression of the buildings and the unique qualities of the area to ensure future development is carried out in a manner sympathetic to its distinctive character.

5.6.14. **Policy Objective OSR4: Public Open Space Standards**

It is a Policy Objective to promote public open space standards generally in accordance with overarching Government guidance documents ‘Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities’, (2009), the accompanying ‘Urban Design Manual - A Best Practice Guide’, and the ‘Sustainable Urban Housing: Design Standards for new Apartments’, (2020)

5.6.15. Section 9.2 provides “In the event that these standards of public open space provision are not met, an additional contribution in lieu may be attached to any permission, by way of planning condition, in accordance with Section 48 of the Planning and Development Act 2000, as amended. In certain instances, a development contribution will also be sought for communal open space provision.”

5.6.16. Chapter 12 deals with Development Management.

5.6.17. Section 12.3.7.5 relates to Corner/Side Garden Sites and is referenced under Policy Objective PHP19 of the Development Plan; and includes the following relevant parameters following:

Size, design, layout, relationship with existing dwelling and immediately adjacent properties, Impact on the amenities of neighbouring residents; accommodation standards for occupiers; Development Plan standards for existing and proposed dwellings; Car parking for existing and proposed dwellings provided on site; Adequate usable private open space for existing and proposed dwellings provided and visual harmony, including external finishes and colours.

5.6.18. Section 12.3.7.7 sets out the following with respect to ‘Infill’:

In accordance with Policy Objective PHP19: Existing Housing Stock – Adaptation, infill development will be encouraged within the County. New infill development shall respect the height and massing of existing residential units. Infill development shall retain the physical character of the area including features such as boundary walls, pillars, gates/ gateways, trees, landscaping, and fencing or railings. The policy refers

to Section 12.3.7.5 corner/side garden sites for development parameters, Policy Objectives HER20 and HER21 in Chapter 11).

5.6.19. Section 12.3.9 Demolition and Replacement Dwellings states following:

The Planning Authority has a preference for and will promote the deep retro-fit of structurally sound, habitable dwellings in good condition as opposed to demolition and replacement unless a strong justification in respect of the latter has been put forward by the applicant. (See Policy Objective CA6: Retrofit and Reuse of Buildings and Policy Objective PHP19: Existing Housing Stock - Adaptation).

Demolition of an existing house in single occupancy and replacement with multiple new build units will not be considered on the grounds of replacement numbers only but will be weighed against other factors. Better alternatives to comprehensive demolition of, for example, a distinctive detached dwelling and its landscaped gardens, maybe to construct structures around the established dwelling and seek to retain characteristic site elements.

The Planning Authority will assess single replacement dwellings within an urban area on a case by case basis and may only permit such developments where the existing dwelling is uninhabitable.

Applications for replacement dwellings shall also have regard to Policy Objectives HER20 and HER21 in Chapter 11. In this regard, the retention and reuse of an existing structure will be preferable to replacing a dwelling.

5.6.20. Section 12.8.3 relates to Open Space Quantity for Residential Development. Table 12.8 sets out a minimum requirement of 15% of the site area for residential developments in the existing built up area; and that in certain instances it may not be possible to provide the required standard of public open space. This section and (Section 6.2) also set that in these instances, the Council will seek a development contribution under Section 48 of the Planning and Development Act 2000, as amended. The contribution in lieu would be paid for any shortfall in open space provided.

5.6.21. Section 12.11.4 New Development within an ACA; states the following:

A sensitive design approach is required for any development proposals in order to respect the established character and urban morphology. Where development is

appropriate, the Planning Authority are supportive of contemporary design that is complementary and sympathetic to the surrounding context and scale.

All planning applications for development within an ACA shall have regard to the following criteria:

- All developments within an ACA should be site specific and take account of their context without imitating earlier styles. New developments should be to a high standard of design and should have a positive contribution to the character of the ACA.
- Demolition of structures that contribute to the streetscape character will not normally be permitted. Where demolition is proposed a key consideration is the quality of any replacement structure and whether it enhances/contributes to the ACA.

5.7. Dalkey Village Conservation Area (ACA) Character Appraisal

5.7.1. The document includes the following with respect to New Development:

- New development should contribute to the visual enhancement and vibrancy of the area whilst respecting its existing physical character.
- New Developments should be of their time and to the highest standards of architectural design. Pastiche should normally be avoided.
- Proposals to demolish structures of architectural merit within the ACA will require planning permission and will only be permitted where the replacement structure is of such high quality that it will enhance the future built environment of the ACA.
- There shall be a restriction on benchmark building height of two-three storeys, as proposed in the Building Height Strategy.

5.8. Natural Heritage Designations

5.8.1. The closest European site is the Dalkey Island SPA (Site Code: 004172), located c.459m to the northeast of the subject site at it's closest point.

5.8.2. The closest designated site is the Dalkey Coastal Zone And Killiney Hill pNHA (Site Code: 001206), located c.311m to the northeast of the subject site at it's closest point.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. A total of 5 no. third party appeals has been received, from residents of 3 no. bungalows to the northeast of the appeal site (No.s 1, 2 and 3 Miroka); on behalf of residents of Willow Cottage, Tubbermore Road, which bounds the site to the south; and on behalf of 4 no. residents of Tubbermore Road, to the south of the appeal site.

6.1.2. The grounds of appeal are summarised below:

Loss of Residential Amenity

- The appellants consider that the proposed development constitutes overdevelopment of a constrained backland site.
- This has resulted in the need for excessive screening measures to prevent overlooking of adjoining rear gardens at Tubbermore Road. These measures are inconsistent with the character of dwelling in the area, would result in a claustrophobic environment for prospective residents.
- The appeal refers to a precedent case at Mountain View House, Beaumont Road, Churchtown, Dublin 14 (ABP Ref.:320570; D23A/0482).
- The distribution of private open space is fragmented across three levels comprising small inconsequential areas throughout.
- The appellant sets out that the existing dwelling which needs refurbishment; would be developed to comprise 4 no. 2-3 storey units; the increase in height would have significant negative impact on residential and visual amenity.
- The Appellants resident at Willow Cottage, have requested the inclusion of conditions, including the following:
 - The living room at second floor level of each unit is omitted and the external terrace at second floor level be extended to include the former

living room area. The 1.1m high guard rail with louvered guard over to 1.7m be extended around the extremity of the larger terrace.

- The terrace at first floor level to be omitted.
- The two no. bedroom windows at 1st floor level in the southeast elevation of proposed Unit D shall be fitted with permanent opaque glazing.

Overshadowing

- The appellants queries the validity of the Shadow Analysis; and considers that the proposed development would negatively affect the use of landscaped area to the front of the appellants and adjoining bungalows.
- The appellants query whether ground and first floor areas would comply with the minimum BRE guidelines with respect to receipt of sunlight; contrary to SPPR2 of the Compact Settlement Guidelines, 2024.
- The appellants argue that the proposed development would diminish daylight to the rear garden of No. 6.

Overlooking

- The appellants sets out that two of the properties to the rear of the site contain bedrooms and main living spaces within 16 metres of nearest windows of the proposed development.
- The first floor rear terraces would enable overlooking, located at the boundary to No.6 and within 2.5m of other boundaries. This would be compounded by height of the screens at only 1.7 m.
- The first floor rear terraces would enable overlooking, located at the boundary to No.6 and within 2.5m of other boundaries.
- The appellants argue that locating a roof garden at first and second floor would severely affect the privacy of the adjoining properties.
- The appellants argue views from living room would be entirely eliminated; and views to Dalkey Quarry Watchtower would be replaced by development that is excessively high.

Overbearing

- The appellants set out that the ridge height of the existing bungalow 4.47m and 2.84m to top of the eaves. The proposed development includes a terrace with an overall height of 8.8m; with detrimental impacts with respect to overbearing impacts arising. This impact would be compounded by the second floor set back distance of 4.2m from the rear boundary; noting a setback of 4.0m from the boundary to the existing bungalow.
- A wall of terraces (even if screened) dominated by human activity at an elevated level, would fundamentally change the acoustic and privacy character of the appellants' cottages.
- The proximity of the proposed development to the rear gardens of No.s 9 and 10 in particular, where No.9 contains a bedroom, adjoining a living space, would create a profound loss of privacy, the development being overbearing.
- The severe and permanent negative impact on the residential and visual amenity of these properties was not assessed by the planning authority.
- The proposed development would result in a significant loss of daylight to No. 6, given the use of the rear lightwell and rooflights to provide natural light into the rear of their property. The residents would look onto a two storey wall, constituting a loss of outlook.
- The proposed development by virtue of its overall massing form and proximity to the southern boundary would be visually intrusive; resulting in a highly incongruous form of development, would fail to comply with policy PHP 35 of the Development Plan.

Negative Impact on Dalkey ACA

Layout massing and design

- The appellants consider that the proposed development is out scale with the surrounding buildings, would detract from the open spaces currently enjoyed by these bungalows and would be detrimental to the character of the area.
- The appellants request that the proposed development is assessed against PHP18 (Residential Density); PHP19 (Existing Housing Stock – Adaptation) relating to infill development; PHP20 (Protection of existing residential Amenity); PHP35 Healthy Placemaking & PHP42 (Building Design & Height).

- The proposed development would introduce a monolithic flat roofed urban typology into a fine grain quasi rural backland setting, which fails to mediate the transition in scale between the two storey and primarily single storey cottages that back on to the site. It reads as a commercial insertion violating the rhythm and texture of the ACA.
- The proposed development would be out of character with the context of the site and would constitute over development, exacerbated by a lack of meaningful vegetation throughout the scheme.
- The appeal refers to s.12.3.7.7 of the Development Plan, relating to infill development, which emphasizes height and massing respecting the existing context. The proposed development would introduce a 100% increase in the height directly onto the boundary with single storey homes that form an integral part of the Dalkey ACA.
- The block arrangement and layout fail to respond appropriately to the context of the appeal site and is at odds with the established pattern of development in this urban area which forms part of an Architectural Conservation Area, defined by a historic core, generally with appropriately scaled infill development.

Visual Impact

- The location of proposed development adjacent to a row of single storey dwellings at Tubbermore Road and in front of 3 no. dormer dwellings; would create a new third line of dwellings at a backland location replacing a largely invisible bungalow. These new dwellings would be the tallest and most visually dominant structures at this location would have a detrimental impact on the visual amenity of the area, in particular, Dalkey ACA.
- The planning authority has failed to properly assess the potential visual impact from this proposal on the ACA, noting the absence of a report, and therefore input from the Conservation Office on the application. Permission was previously refused at 18 Tubbermore Road, as the proposal would appear visually dominant and would have a negative impact on the character of the cottage and the ACA. (P.A. Reg. Ref.: D08B/0588 refers.)

- The Appellant's property, the 3 no. units to the northeast and the adjacent dwellings at Tubbermore Road are within ACA; and as such, the injurious visual impact at those properties is equally relevant in terms of impact on the character of Dalkey ACA.
- The photomontages failed to assess the proposed development from where it would be visible, such as from the Coliemore Road entrance; and between No. 4 and 5 Tubbermore Road, where the roof of the bungalow is clearly visible. The three-storey former Garda House (a Protected Structure) is located nearly opposite the appeal site; the scale of the proposed development would have a profound negative impact on the historical streetscape and therefore the setting of this Protected Structure.
- The VIA is deficient.
- The proposed development is contrary to Policy HER13 of the Development Plan that requires development within an ACA to be "appropriate to the character of the area".
- It is recommended that permission is refused on the basis of the inappropriateness of the design approach, its scale relative to its position both within the Dalkey ACA, and relative to the historic fabric formed by the houses along Tubbermore Road.

Demolition

- The demolition justification has not taken account of installation of PVC double-glazed windows throughout the remainder of the house, insulation of wall cavities and the attic level.
- Replacement of soffits and fascias, along with flat roofs with a modern high quality roofing membrane had taken place. As recently as 2023, there was no evidence of degradation to the roof and no evidence of floor slab or wall subsidence since the initial small settlement within 3 years after construction in the 1970s.
- While maintenance works may be required, modernisation might be desirable, the property is viable and has significant upgrade potential.

- The justification fails to consider the possible options of splitting the existing house into 2 or 3 units; or 3 or 4 no. 1 bed units with a modest extension; and that the STEM report does not provide sufficient photographic evidence of the alleged structural deficiencies of the house, which is currently rented and occupied.

Landscape and Open Space

- Appellants set out that larger trees proposed along the northern site boundary, should be set back from this boundary to avoid negative impacts to foundations would cause shading and maintenance issues for the adjoining property.
- Public open space would be inadequate in quality and quantity.
- The scheme does not provide public open space, but does provide communal open space, which is not required.
- The Appellants resident at Willow Cottage, have requested the developer is requested to pay a contribution in lieu of not providing 15% public open space a total sum of 102,375 (calculated as 7,500,00 x 0.01365); by way of condition.

Traffic and Parking

- The proposed car parking would be inadequate; and is in contravention of the car parking requirement of the Development Plan.
- Car parking would serve 9 no. spaces and 7 no. houses, where the shared car parking area is heavily constrained, and it is unclear how all spaces would be accessed in a safe and controlled manner.
- The use of the access from Coliemore Road would lead to further conflicts.
- No evidence has been provided to demonstrate there is adequate turning space within the site.
- The lack of car parking would result in overspill in an area with limited capacity to absorb such additional demand, without resulting in a traffic hazard.

- This appeal also refers to a conflict between the 2 no. car parking spaces (one each) for Units A and B and the two spaces for House 1. Occupancy of these spaces by Units A and B would make it impossible for cars to turn from spaces serving No. 1, leading to dangerous traffic movements where cars reverse onto the public road.
- The appellant is concerned about impacts on access and egress to Willow Cottage due to inadequate car parking provision and consequent reduction in the open yard area used to access this property.
- There are no sightlines at Tubbermore Road and Coliemore Road when exiting the site.
- The development is encroaching on the appellants property, which is currently used for car parking.
- Parking is constrained due to encroachment of House A on an easement adjoining bin port; emergency and service vehicles would find it difficult to enter and exit.
- This appellant also considers that rumbles on the drive have not been necessary and raises risk of accidents by residents and visitors to the scheme.
- 3 out of the 4 no. proposed car parking spaces would not be viable. If these spaces were imposed, manoeuvring and turning of vehicles would become restricted and hazardous for all 7 no. houses, without taking account of additional use by visitors, deliveries, pedestrians.
- The Appellants resident at Willow Cottage, have requested the inclusion of condition, the construction access would be from Coliemore Road only.

Drainage

- There are inaccuracies in the Engineering Report including that the Miroka bungalows are served by the combined 225mm sewer which is not the case. Houses have their own separate foul and surface water systems which connect at the combined manhole on the site boundary.
- The existing combined pipe does not connect into the combined manhole at the entrance to Coliemore Road as indicated on the applicant's drawings.

- The drainage solution suggests that a proper investigation of the wastewater system has been carried out; manholes have not been lifted, and drains were not traced.
- Any solution utilising the old 225mm combined vitrified clay pipe must involve a condition survey to determine whether it is fit for purpose.
- The appeal site and surrounding area is known to have shallow/exposed impermeable granite bedrock. The site and surrounding area have a high water table. The immediate vicinity comprises numerous ground water wells. High water levels continue to be problematic.
- The proposed swales are located up against the boundary of the site. The proposed development is at a higher level than the adjoining bungalow development. Locating a soakage system so close to shallow foundations is not good practice.
- Infiltrated ground water would migrate to permeable hardcore layers to adjoining properties.
- The storm water system should be kept separate up to the site boundary. Given the high ground water levels, a stormwater attenuation system may be a more suitable option for dealing with excess runoff from the blue/green roofs. The removal of the mature tree would further detract from the existing soakage capacity of the site.
- No evidence in the planning application that the applicant has carried out investigation to determine that the site is suitable for an infiltration system. Given the nature of the site and ground conditions, a full investigation, including permeability tests and a FRA, should be carried out. A Storm Water Audit should have been submitted to the LA for review prior to the PA issuing a decision to grant permission.
- Condition 4 of the permission issued by the PA should be amended to refer specifically adjoining sites.
- A test pit dug in 1999 proved inadequate for a local soak away for surface water; and could backup to lower ground level.

- The proposed surface water swales are at an estimated 1.5m above ground levels of the 3 bungalows; in periods of high rainfall and high surface water runoff, there's a real possibility of flooding to these bungalows.
- The existing foul sewer is designed to cater for the three-bungalow development only.

Boundary / Easement

- The appeal from residents of No.2 Miroka state that the provision of 2 no. car parking spaces for Units A & B and a bin store are on lands which are subject to an easement and are the property of the appellant and the owners of No.3 Miroka.
- The provision of 2 no. car parking spaces for Units C&D, which partially encroaches on the easements relating to access from the Tubbermore Road, are the property of the appellant and the owners of the adjoining property to the west.
- The boundaries to an area of land in the ownership of the appellant and that of No. 1 are incorrect, suggesting that the area for turning /reversing vehicles is larger than it is.
- The proposal overlaps one of the designated parking spaces by 50%. This encroachment impacts the ability to safely manoeuvre and turn vehicles including on lands in the ownership of the Appellant.
- Site boundary is incorrectly shown.
- The proposed bicycle parking is located on lands in the ownership of the appellant.

Conditions

- The appeal on behalf of residents of Willow Cottage have set out that without prejudice to the grounds of appeal, if the Commission determines to grant permission, the appellant requests the following are attached by condition.
 1. The living room at second floor level in each unit shall be omitted and the external terrace at second floor level extended to include the former living

room area. The 1.1m high guard rail with louvered guarding over to 1.7m shall be extended around the extremity of the larger terrace.

2. The terrace at first floor level to each unit shall be omitted.
3. The developer to pay the total sum of €102,375 {calculated by €7,500,000 x 0.01365) as a contribution in lieu of not providing 15% public open space.
4. The two no. bedroom windows at first floor level in the southeast elevation of proposed Unit D shall be fitted with permanent opaque glazing.
5. Construction access shall only be at Coliemore Road.

Management Company

- The appellant resident within No.1 Miroka supports the provision of a management company, as a result of the scheme's location on a shared communal easement; to address enforcement of parking rights.

Property Values

- The appeal on behalf of residents of Tubbermore Road consider that the proposed development would have a negative impact on the value of the appellants properties, having regard to the poor quality of the proposal and profound negative impact on the residential and visual amenities arising.

Misleading Drawings

- The appeals on behalf of both the residents of Willow Cottage and the residents of Tubbermore Road consider that comparison of the overall heights as shown on the drawing submitted with the application were misleading.

6.2. Applicant Response

- 6.2.1. A response on behalf of the Applicant to the 5 no. third party appeals is summarised as follows:

Loss of Residential Amenity

- The proposed is not out of scale with the surrounding area; would not have significant impacts on the amenity afforded neighbouring properties and including their open spaces.

- The dwellings have been designed to appear modest and to integrate with the established backland setting.
- The third-storey element is set back to read primarily as two storeys. The roof has been designed to reduce perceived, to limit overbearing and overshadowing effects on neighbouring properties.

Overlooking

- Private terraces are screened at first and second floor levels with 1.6 – 1.7m screens; designed to completely restrict outward and downward views to the rear of the existing properties on Tubbermore Road.
- The development would not result in undue effects for the neighbouring properties.
- The front elevation includes a narrow and opaque window to ensure that overlooking is effectively negated.

Overshadowing

- The proposed development would not unduly impact the current levels of light received by the neighbouring properties, as demonstrated in the shadow study submitted with the application. In addition, the proposed units and their respective areas of open space would receive sufficient levels of daylight penetration to ensure a high level of amenity for prospective residents.

Overbearing

- The area is characterised by 1-3 storey dwellings with pitched roofs; and as such the proposed increase from single to 2-3 storeys is not significant or unreasonable increase for the area. This increase of generally 2.53m would not lead to a significant increase in overbearing effects, particularly due to the screening measures and landscaping which is included in the proposal despite the tight nature and geometry of the surrounding sites. Privacy and amenity are protected through set-backs, screening and careful window positioning.
- The proposed development has been designed as sensitively as possible whilst substantially maximising the residential capacity of the site. The height of the scheme is consistent with a number of properties on Tubbermore Road.

Layout, Massing and Design

- The applicant refutes the assessment of the proposal by the appellants as a '3-storey box', noting that the proposal constitutes a 3-storey element with greater floor area at ground and first floor levels than at the 2nd floor.
- Refute that the area is quasi rural; located in an existing suburban location.
- Whilst greater than the existing building site, the proposal is consistent with the prevailing building heights in the area, 1-3 storey dwellings.
- Additionally, the modern design would allow for a transition between contemporary and traditional architecture.
- The applicant refers to Policy Objective PHP19 of the Development Plan, and argues that the proposed development would provide for a new infill development at a serviced and underutilised site. The applicant notes that whilst the design is contemporary, physical characteristics including gates, and boundary walls would be retained at the site. The scheme includes the removal of 1 no. tree and replacement with several trees in the communal open space; concluding that the proposed development would not negatively affect the character of the area.

Negative Impacts on Dalkey ACA

- Whilst the site is located in the Dalkey ACA, the dwelling was constructed in 1974 and has no historical or architectural significance.
- The proposed development represents a high-quality architectural style and design, would constitute an improvement on the architectural merit of the site, introducing a contemporary infill development, seamlessly integrating with historical buildings within the built-up suburbs of Dublin.
- The Development Plan and the Dalkey ACA do not seek to prohibit new development, nor do they require replication of historic architectural styles. Rather, they emphasise that new development should be of high architectural quality and demonstrate a sensitive response to the established context. The Development Plan recognizes that contemporary architectural responses are acceptable where they demonstrate a high standard of design and an appropriate response to scale, form and context.

- The development would contribute positively to the architectural quality of the site and its immediate surroundings, replacing a substandard 1970s dwelling with no architectural merit, with a high-quality development that respects the wider character and objectives of the Dalkey ACA.
- The report is accompanied by an Architectural Assessment, prepared by the project architects.

Demolition

- The existing dwelling has a BER rating of D2, whilst the development would provide 4 no. A rated family dwellings.
- The applicant refers to the Demolition Justification Report (DJR) prepared by STEM Consulting Engineers; and conclude that the refurbishment of the existing dwelling would result in a suboptimal outcome, preventing appropriate site optimisation, which the proposed development would achieve, providing 4 no. low energy dwellings that integrate with the character of the area.
- The demolition is justified having regard to the substandard nature of the existing property, the policy direction at a national and regional level which seeks to increase the supply of housing in the midst of a national housing crisis, structural deficiencies pertaining to the existing dwelling, and the inability to refurbish the existing dwelling to a high standard.
- The response is accompanied by an Appeals Comment document, prepared by STEM Consulting Engineers, with respect to concerns raised as part of the third party appeals with reference to the DJR as submitted with the application.
- The report includes an assessment of measures that would be involved in order to subdivide the existing house into 3-4 units; including a total internal strip out; retention of external walls only; and breaching perimeter walls in order to provide 4 no. viable units in terms of minimum floor areas and light standards. The report refers to the DJS which confirms that the layout of the existing structure could not be adapted without a significant intervention that is akin to demolition.

- The redevelopment by contrast would achieve 4 no. well-proportioned low energy dwellings; and represents the most sustainable and efficient use of the site as presented in the DJR.

Traffic and Parking

- The proposed development, which includes 4 no. car parking spaces, does not represent an increase of carparking spaces at the site but instead would formalise the situation which currently consists of undesignated ad hoc parking of up to 6 no. cars. As such, the proposed designation of car parking spaces at the site would not represent an intensification but would offer a managed, formal system of parking for future residents.
- Parking provisions at the site are appropriate in terms of quality and quantity, providing adequate space for vehicular manoeuvres and avoiding intensification, as 2 no. spaces would be accessed via each entrance.
- The appeals claim that the parking provisions of 1 no. car parking space per dwelling is inadequate. The applicant refers to s.12.4.5.2 of the Development Plan which allows deviation from the standards of the Development Plan.
- The applicant concurs with the assessment of the PA and considers that the provision of 4 no. formal car parking spaces serving the proposed 4 no. dwellings achieves an appropriate balance between the provision of adequate car parking without intensifying traffic movements on site, and promoting more active and sustainable modes of travel amongst future residents.
- The applicant notes that the existing car parking and access to adjoining spaces would remain unaffected, characterised by private, low speed environments.
- Separately, and without prejudice to the position that the permission is capable of being implemented as granted, the Applicant remains open to engaging with the owners of Nos. 1, 2 and 3 Miroka on any practical, voluntary measures that could improve and/or formalise day to day management of access and parking which are currently ad hoc.

Easement/Boundaries

- Whilst the concerns of the appellants are acknowledged, it is not considered that this issue can be appropriately addressed through the planning system.
- The dispute regarding boundaries and easements is not a valid ground of appeal and is a wholly civil matter in the context of a planning application. The boundaries and easements as presented by the applicant have been developed using the most up to date data available to them.
- Notwithstanding, it is not considered that the alleged boundary and easement discrepancies would affect the development. No significant built form is proposed within the easements, and the dwellings are located in close proximity to the boundaries in which the appeals raise concerns regarding legal interest.
- The development seeks to formalise areas and car parking spaces which are currently ad hoc.

Landscape and Open Space

- The proposed trees to be located within the private communal open space would be planted with adequate root protection distances with regard to the existing boundary on site, in accordance With the Strategy 2024-2030.
- The proposal is inclusive of high-quality private and communal open space with appropriate and extensive landscaping which further mitigate negative visual effects of the development.
- It is not considered feasible to provide public open space, given the limited site size; and location as an infill site away from the public road. As such, the applicant contribution fee adequately addresses the lack of public open space provided.

Drainage

- The subject site is not located within a Flood Zone.
- Conditions No.s. 4 and 7 adequately reduce the risk of surface water flooding affecting neighbouring properties.
- Any changes to parking and hardstanding areas would be constructed in accordance with the recommendations of the Greater Dublin Strategic

Drainage Study for sustainable urban drainage systems (SuDS) and the applicant would ensure that a management would be appointed to be responsible the future maintenance or the water drainage features for the lifetime of the development.

- The response was accompanied by a letter from Gordon White Consulting Engineers relating to the drainage proposals and the appeals as received from residents of the central and western bungalows to the north of the site.

Conditions

- The Applicant has not provided a response to the conditions as requested by the residents of Willow Cottage.

6.3. Planning Authority Response

- 6.3.1. A response was received from the planning authority on 11th December 2025. The grounds of appeal do not raise any matters which, in the opinion of the authority, would justify a change in attitude to the proposed development.

6.4. Observations

- 6.4.1. None received.

6.5. Further Responses

- 6.5.1. None received.

7.0 Assessment

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

- Principle of Development
- Residential Amenity
- Built Heritage

- Demolition
- Traffic and Transportation
- Site Services
- Landscaping and Trees
- Other Issues

7.2. Principle of Development

- 7.2.1. The proposed development relates to the demolition of 1 no. single storey bungalow and provision of 4 no. detached dwellings, served by 2 no. accesses from Coliemore Road and Tubbermore Road.
- 7.2.2. Residential development is a permissible use under the A land use zoning objective which applies to the site. The site is also located within Dalkey ACA, as designated under the Development Plan.
- 7.2.3. Having regard to the above, I consider that the proposed development is acceptable in principle, subject to assessment with respect to the grounds of appeal as raised by the appellants. These are addressed below.

7.3. Residential Amenity

Overlooking

- 7.3.1. Appellants that reside within the western most bungalow set out that the provision of roof gardens at first and second floor levels would severely affect the privacy of the adjoining properties.
- 7.3.2. From a review of the file and site inspection, the subject proposal would include the provision of a terrace of 4 no. 3 storey dwellings; the rear gardens backing onto the rear boundaries of houses fronting Tubbermore Road to the southeast. A laneway extends to the rear of part of the site, which egresses to Tubbermore Road, and provides access to Willow Cottage.
- 7.3.3. The block would sit to the southwest of 3 no. single storey bungalows, comprising 1 no. detached and a pair of semi-detached units.

- 7.3.4. Each of the units generally comprises the same internal layout; comprising a bedroom at ground floor level to the front (north); 2 no. bedrooms at first floor level and a bathroom at 1st floor level; a living room with walking in wardrobe at 2nd floor level. The living room fronts to an area of to the private open space, a terrace, to the northwest.
- 7.3.5. The southwestern elevation of all proposed dwellings includes narrow windows to bedrooms and enclosed terraces which open to the northwest at first floor level; with living room which open to terraces at 2nd floor level. These terraces extend across the depth of the units, with 1.7m high screening at the northwestern and southeastern boundaries. This treatment extends around the northwestern end of the block. There are no windows on the northeastern and southwestern facades of living rooms at 2nd floor level.
- 7.3.6. In this context, the Appellants resident at Willow Cottage, have requested the inclusion of conditions
- The living room at second floor level of each unit is omitted and the external terrace at second floor level be extended to include the former living room area. The 1.1m high guard rail with louvered guard over to 1.7m be extended around the extremity of the larger terrace.
 - The terrace at first floor level to be omitted.
 - The two no. bedroom windows at 1st floor level in the southeast elevation of proposed Unit D shall be fitted with permanent opaque glazing.

Impact on Properties to the Southwest

- 7.3.7. With respect to potential overlooking to the properties to the southwest; properties No.s 6, 8 and 9 are all single storey cottages; with private open space to the rear.
- 7.3.8. Properties No. 4 and 10 both comprise two storeys with gardens to the rear; however, neither of these properties directly oppose the rear of the proposed development, No. 4 to the west and No. 10 to the east.
- 7.3.9. The southern elevation of the proposal includes narrow windows to bedrooms at first floor level; with 1.7m high louvered screened terraces at 2nd floor level. The screening has been provided to prevent overlooking.

- 7.3.10. From a review of the plans, I note a separation distance of 17.0m between rear facing windows at first floor level; and of 18.08m from the rear facing façade of the private terrace to Unit A, at the northern of the block is proposed.
- 7.3.11. This dimension would not exceed the minimum standard for back to back windows of 22m as set in the Development Plan; but would exceed that of 16m as set out within the Sustainable Community Guidelines 2024.
- 7.3.12. The appellant sets out that proximity of the proposed development to the rear gardens of No's 9 and 10, where No.9 contains a bedroom adjoining a living space, would result in a profound loss of privacy. The residents would look onto a 2-storey wall, constituting a complete loss of outlook.
- 7.3.13. For a review of the file, No. 6, 7 and 9 single storey cottages to Tubbermore Road comprise a mix of private open space areas.
- 7.3.14. Having regard to the louvred screening to terraces at 2nd floor level within the northwestern elevation; and to the separation between the blocks, I consider that the proposed development would not result in significant adverse impacts with respect to overlooking of the cottages to the south of the site.
- 7.3.15. With respect to the properties to the southwest, comprise a single storey form and as such, do not comprise upper floors which would directly overlook the rear of the subject proposals including the private open space at grade, 1st and 2nd floor levels.
- 7.3.16. Having regard to the single storey form of the cottages; and separation distances from the rear of the two storey properties at this location; I do not consider that the proposed development would result in significant adverse impacts with respect to overlooking of the prospective units and their private open space.

Property to the Southeast

- 7.3.17. With respect to potential overlooking of the property to the southeast; is noted as an L-shaped single storey cottage, which fronts to the northwest; and comprises a garden and parking to the front of the property.
- 7.3.18. The southeastern elevation is the end elevation of the block, comprising an opaque window to a bedroom and a rear facing terrace at first floor level; and screened terrace at 2nd floor. The elevation comprises primarily the use of brick with glazing and metal finish.

- 7.3.19. The Development Plan does not include standards relating to the minimum distance between gable windows to ground floor level to the front of houses. SPPR 1 of the Compact Settlement Guidelines 2024 recommends that applications should be determined on a case by case basis, in order to protect privacy.
- 7.3.20. There is a separation distance of 28.45m from this end of building gable to the front facing window of this cottage.
- 7.3.21. The appellant has requested the omission of the living room at second floor, replacing instead with an expanded terrace; the extension of the louvered screen around the extended terrace; the omission of the terrace to the rear.
- 7.3.22. The appellant had requested that the 2 no. bedroom windows at first floor are fitted with opaque glazing. I note that there is only a single window at level; which is indicated in the drawings as opaque.
- 7.3.23. In this context, having regard to the separation distance between the properties; the single window; and the louvred screening at second floor level; I do not consider that the proposed development would result in significant adverse impacts with respect to overlooking of this adjoining property.
- 7.3.24. I therefore do not consider it necessary to apply the amendments to the layout as requested by the Appellants; and consider that the proposal would accord with the Development Plan.
- 7.3.25. I also consider that this cottage would not result in adverse impacts of the proposed dwellings including the private open spaces; due to the separation distances between the habitable windows and the subject proposal, the use of opaque glazing to a single window at first floor level and louvered screens at 2nd floor level.
- 7.3.26. The proposed development would be acceptable with respect to overlooking, and would accord with SPPR 1 of the Compact Settlement Guidelines 2024; in the absence of policy within the Development Plan in this regard.

Properties to the Northeast

- 7.3.27. The proposed development relates to the provision of 4 no. 2-3 storey dwellings largely within the footprint of a single storey bungalow.

- 7.3.28. The proposal is located to the southwest of 3 no. dormer bungalows; both developments aligned on a northwest to southeast basis; with the subject proposal opening to the west by c.15 degrees.
- 7.3.29. The existing bungalows comprise a detached and a pair of semi-detached units; with entrances and windows on the southwest elevations and dormer windows at roof level.
- 7.3.30. Whilst the appellants consider a level difference of 1.5m; the levels at the subject site are generally level; with the level difference of 1.5m t
- 7.3.31. The northeastern elevation of the proposed development would include windows to a bedroom at ground floor level, to a bathroom at 1st floor level, with screened terrace at 2nd floor level. It is proposed to extend screening from the northern and southern facades across the northern end of block, relating to Unit A.
- 7.3.32. Again, the Development Plan does not include standards relating to the minimum distance between windows at ground floor level to the front of houses. SPPR 1 of the Compact Settlement Guidelines 2024 recommends that applications should be determined on a case by case basis, in order to protect privacy.
- 7.3.33. From a review of the file, I note a separation distance of 12.32m from the front elevation of the Unit B to the front window of No.1 Miroka; and a separation distance of 14.5m between the bedroom window of Unit C to the front window of No.2 Miroka.
- 7.3.34. From a review of the files; the louvred screens are sufficient to address potential overlooking from the from the terraces at 2nd floor level.
- 7.3.35. Having regard to the alignment of the proposed development, which ensures no directly facing windows; the separation distances between the existing bungalows and front facing windows to habitable rooms at ground floor level; the proposed development would not result in significant adverse impacts with respect to loss of privacy of the bungalows to the northeast of the site.
- 7.3.36. I also consider that this development would not result in significant adverse impacts with respect to overlooking of the proposed dwellings including the private open space to the rear, having regard to the separation distances and communal open space serving the development.

The proposed development would be acceptable with respect to overlooking, and would accord with SPPR 1 of the Compact Settlement Guidelines 2024; in the absence of policy within the Development Plan in this regard.

Overbearing Impacts

- 7.3.37. The issue of and overbearing is raised in the grounds of appeal with reference to the dwellings located to the southwest and bungalow to the northeast.
- 7.3.38. The proposed development comprises a 3 storey backland infill development: largely on the footprint of the existing bungalow.
- 7.3.39. The scheme when viewed from the rear gardens and from the public laneway is set behind an existing 2m high stone wall.
- 7.3.40. The height of development would increase from + 26.9m OD to 29.6m OD 1st floor level, with an overall parapet height of +31.4mOD overall.
- 7.3.41. The proposal would have a marginally greater set back distance at first floor level; albeit that the proposal extends across the width of the site to the south.
- 7.3.42. In this context, whilst the development would result in an increase in height at this location; there would be limited changes in terms of setbacks to the structure at this boundary.
- 7.3.43. I therefore consider the overbearing impact to be acceptable in this instance.

Overshadowing / Access to Daylight

- 7.3.44. The Appellants consider that the proposed development would negatively impact on daylight to No. 6 Tubbermore Road, given the use of a rear lightwell and rooflights, and would result in negative daylight and overshadowing impact on properties at Miroka.
- 7.3.45. Appellants also argue that the ground and first floor areas of the proposed development would not comply with the minimum BRE guidelines with respect to receipt of sunlight.

Assessment

- 7.3.46. The application was accompanied by a Shadow Study, forming part of the drawings as submitted to the Planning Authority in the first instance.

- 7.3.47. Notwithstanding, I note that the extent of shadows cast as a result of the proposed development is based on the height of the proposed structure, the orientation (the sun rising in the east and setting in the west) of the proposal and the existing dwellings and the distance from that dwelling to the east.
- 7.3.48. No. 6 Tubbermore Road is located to the southwest of the site and comprises a single storey extension along the sites northern site boundary, around a central courtyard. Due to the positioning of the development to the northeast of this cottage including the back garden, shadows cast across the property are derived from the cottage itself; across the full day on the Spring equinox.
- 7.3.49. From a review of the analysis, there would be no perceivable increase in shadows cast on the adjoining sites; as a result of the orientation and the separation distances between the proposed development; the existing bungalow development to the northeast; and properties off Tubbermore Road to the east, southeast and southwest. The majority of shadowing of adjacent private open space would be caused by the height of the existing boundary walls and structures.
- 7.3.50. From a review of the plans, the level of sunlight to rear gardens would meet the BRE guidance of 50% of the garden in full sunlight for a period of 2 hours at the March equinox.
- 7.3.51. Having regard to the orientation and to the separation distances between existing bungalow development and residential properties which bound the site to the northeast and southeast; I consider that the proposed development would not give rise to adverse impacts with respect to overshadowing or loss of daylight; and would be acceptable with respect to daylight to the rear.
- 7.3.52. In this context, I note the first party response concluded that the development would not result in additional shadow impacts to neighbouring properties, and that the proposed units and their private open space would receive sufficient levels of daylight penetration.

Loss of Views

- 7.3.53. Appellant resident within the westernmost bungalow to the northeast of the site objects on the grounds that views from the appellant's living room would be

eliminated views to Dalkey Quarry Watchtower would be replaced by development which is excessively high and close to the appellant's home.

7.3.54. The loss of views is not a planning matter; notwithstanding the development would not otherwise result in significant injurious impacts with respect to residential amenity.

7.3.55. While there is no right to a view, and while the development will alter the outlook from adjoining properties, the development would not otherwise result in significant injurious impacts with respect to residential amenity.

Summary Assessment of Residential and Visual Amenity

7.3.56. Objective PHP19 and Section 12.3.7.7 of the Development Plan, outline that new infill development shall respect the height and massing of existing residential units, retaining the physical character of the area, including boundary walls, trees and landscaping. The policy refers to Section 12.3.7.5 Corner / Garden Sites for development parameters.

7.3.57. Development parameters under s.12.3.7.5 include design, scale and layout, potential impacts on the amenities of the neighbouring residents, accommodation standards, provision of adequate private open space and car parking the level of visual harmony, including external finishes and colour.

7.3.58. As demonstrated above, the proposed development would not result in significant impacts with respect to overlooking, overshadowing and overbearing impacts.

7.3.59. The proposed units would exceed the minimum requirement of 60m² for private open space as set out in the Development Plan. I note that this quantum exceeds the private open space requirements for a 3 bedroom house, as set out in SPPR 2 of the Sustainable Residential Development and Compact Settlement Guidelines 2024.

7.3.60. The proposed units also exceed the standards for the provision of a 6 person (3 bed 3 storey house) as set out in the Quality Housing for Sustainable Communities; Quality House for Sustainable Communities' (DOEHLG, 2007).

7.3.61. Matters relating to visual harmony and choice of materials are also addressed below.

7.3.62. The proposed development has had, in my opinion, regard to potential impacts with neighbouring properties, and would not result injurious impacts with respect to overlooking, views, overbearing and overshadowing or loss of access to daylight.

The proposed development would accord with national and local car parking standards applicable to this case, as addressed below.

7.3.63. Overall, I consider that the development meets the development parameters relating to a Corner/ Garden Site (Section 12.3.7.5 refers).

7.3.64. The proposal therefore is considered to accord with the provision of an infill development as referenced within Section 12.3.7.7 of the Development Plan; and is accords with Policy Objective PHP19, which seeks to, inter alia, densify existing built-up areas in the County through small scale infill development having due regard to the amenities of existing established residential neighbourhoods.

Built Heritage

7.3.65. The site is located within the Dalkey ACA, as set out under the Development Plan.

7.3.66. The application was accompanied by an Architectural Appraisal prepared by the project architects, as submitted at FI stage of the application.

7.3.67. The Architectural Appraisal states that the dwelling was constructed in the 1970s and has little or no architectural merit. It does not consist of any significant architectural features and is more typical of a seventies 'bungalow bliss' style dwelling. The report sets out that internal layout comprises small rooms, would not reflect a modern home in terms of layout and room sizes. I note that the dwelling does not benefit from south facing aspect.

7.3.68. The report states that high quality contemporary materials are utilised for the development and concludes that the proposed development has minimal impact on the character of the ACA.

7.3.69. There has been no input from the Conservation Office during the course of the subject application, as referenced by an Appellant.

7.3.70. The appellants consider that the proposed development is contrary to Obj. HER13 of the Development Plan that requires development within an ACA to be "appropriate to the character of the area"; that the proposal fails to mediate the transition between single and two storey dwellings which bound the site to the south; that the layout fails to respond appropriately to the context of the site and is at odds with the established pattern of development which forms part of an ACA, defined by its historic core generally with appropriately scaled infill development.

- 7.3.71. The appellant objects on the grounds that the scale of the development would have a profound negative impact on the historical streetscape and therefore on the setting of the former Garda House (a Protected Structure) located on Tubbermore Road.
- 7.3.72. As set out above, the provisions of Objective HER13 of the Development Plan seeks to protect the character and special interest of an area which has been designated as an ACA; to development proposals within an ACA are appropriate to the character of the area having regard to the respective Character Appraisals for the ACA; to ensure new development is appropriate in terms of the design, including scale, height, mass, density, building lines and materials and to seek a high quality, sensitive design that are complementary and/or sympathetic to their context and scale whilst encouraging contemporary design which is in harmony with the area.
- 7.3.73. The Character Appraisal is not prescriptive with respect to site specific development at the subject site and requires that new development within the ACA should contribute to the visual enhancement and vibrancy of the area; whilst respecting its physical character; and to the highest standards of architectural design. The document refers to the use of rendered concrete and brick throughout the ACA area.

Assessment – Character to ACA

- 7.3.74. With regard to HER13 of the Development Plan, the proposed development relates to the demolition of a single storey bungalow dwelling and construction of a 2-3 storey development including 4 no. units, at an urban backland infill site.
- 7.3.75. From a review of the file, I concur with the assessment as set out within the Architectural Appraisal that the existing structure is of little or no architectural merit.
- 7.3.76. The proposed development comprises a contemporary design, using a mix of brick to the main building, with rendered concrete and metal finish to 3^r storey elements.
- 7.3.77. The structure is 7m in height and 8.8m for the 3rd storey elements; representing an increase of 2.53m for the main part of the building. The development would remain behind an existing 2m high stone wall.
- 7.3.78. When viewed from the southwest; the nature of the design, assists in breaking up the third floor of development at this site. From viewed from the northeast, the building, is set back at third floor level; appearing as a 2 storey development, as illustrated within the CGI which accompanied the application.

- 7.3.79. The choice of materials would comply with the palette of materials as used within the wider area; again noting the backland location of this site off the public road.
- 7.3.80. At a wider context, the proposed development would not be visible from positions along the public roads; due to the back land location, scale, height and positioning of the development as illustrated within the Verified Views as discussed below. The scheme does not affect established building lines to streetscapes within the ACA.
- 7.3.81. The proposed development comprising a contemporary design would, contribute to the visual amenities of the area; notwithstanding the limited extent of development at this location.
- 7.3.82. In this context, taking account of the backland location and limited visibility of the proposed development in in the wider area; I consider that the proposed development would comply with the provisions of the Dalkey ACA Character Appraisal relating to new development.
- 7.3.83. Furthermore, the scale and design including choice of materials would complement the established built context; would accord with the provisions of the ACA; and would therefore accord comply with Policy Objective HER13 of the Development Plan.
- 7.3.84. I therefore consider the concerns of the third parties relating to compliance with this objective to be unfounded.
- 7.3.85. With regard to the objection that the proposal would have a profound negative impact on the historical streetscape and therefore setting of the former Garda House (a Protected Structure); I note that the structure, is located c.10m to the southeast on Tubbermore Road and 40m from the appeal site.
- 7.3.86. The ACA Appraisal refers to this as a, a two-storey over raised basement structure with rendered elevation; towering over other single and two storey structures, and 'adds immensely to the architectural character of Tubbermore Road'.
- 7.3.87. Taking account of the distance of the proposal, the intervening development; and the limited scale of the development, the proposed development would not adversely affect the character or setting of this Protected Structure.

Verified Views

- 7.3.88. The application was accompanied by a series of Verified Views and CGIs at 6 no. locations. The views are taken at locations along Tubbermore Road from the public road at a distance (View 3) and from in front of one of the cottages (View 2).
- 7.3.89. Two were similarly taken from Coliemore Road (View 6) and View 4 adjacent to the site entrance. One was also taken from Leslie Avenue, looking towards Coliemore Road. Finally, an image was taken from Castle Street, looking towards the junction of Coliemore Road and Tubbermore Road.
- 7.3.90. The development is clear from View 4 behind the adjacent to the site entrance; and is visible from behind the bungalow in the foreground; showing a brick façade. The proposed development is not visible from any other locations, primarily due to the scale of the subject proposal.
- 7.3.91. With regard to the commentary that key views should have been taken at the Coliemore Road entrance; and from between No.s 4 and 5 Tubbermore Road; I concur that additional views could have been taken at these locations.
- 7.3.92. Notwithstanding, I consider the views as selected are all from public roads; in positions which are close to and at more removed locations; taking in from Castle Street; as viewed from the village. I therefore do not consider the VIA to be deficient, as set out by a third party.

7.4. Demolition

- 7.4.1. Residents of both No.2 and 3 Miroka flag that the applicant's justification as submitted at FI does not take account of a series of building upgrade works undertaken, including installation of PVC windows, insulating wall cavities and attic.
- 7.4.2. They also state that there is evidence of degradation of the tiled pitched roof; or structural subsidence since the construction of the structure in the 1970s.
- 7.4.3. The appeal on behalf of residents of Willow Cottage highlights that justification report has failed to consider possible options of splitting the house into, for example 2 or 3 units; and that the report does not provide sufficient photographic evidence of the alleged structural deficiencies of the house, currently rented.
- 7.4.4. A Justification Demolition Statement (JDS) was submitted at FI stage of the application, prepared by STEM Consulting Engineers

- 7.4.5. The report outlines that the property displays characteristics typical of its construction period in the 1970s, including dated building methods, failing mechanical and electrical systems, low thermal performance, and limited design adaptability.
- 7.4.6. It is argued that any meaningful restoration would require full slab replacement, internal or external wall insulation, roof insulation, replacement of windows and doors, and a comprehensive overhaul of all mechanical and electrical systems, including heating, plumbing, and a full electrical rewire. Such work would verge on full reconstruction and still fall short of contemporary expectations for layout, performance, and amenity.
- 7.4.7. The report notes that the dwelling sits awkwardly within the plot, limiting its ability to integrate with the surrounding streetscape and further constraining redevelopment potential through extension or subdivision.
- 7.4.8. The report includes a life cycle carbon analysis which concludes that;
- The refurbishment and extension scenario produces one upgraded dwelling (B2 BER) with an estimated lifecycle impact of 124,810 kg CO₂e.
 - The demolition and new-build scenario would produce 4 no. A3-rated dwellings with a total lifecycle impact of 272,801 kg CO₂e, equating to approximately 68,200 kg CO₂e per dwelling.
- 7.4.9. While the overall embodied carbon is higher in absolute terms, this reflects the creation of four new homes rather than one.
- 7.4.10. When assessed per dwelling, and across the standard 50-year life-cycle assessment period defined in EN 15978, the proposed development delivers a clear and measurable net benefit - reducing operational emissions, optimising the use of serviced residential land, and enhancing the quality and sustainability of the local housing stock.
- 7.4.11. On balance, retention is not considered technically, environmentally, or economically feasible.
- 7.4.12. At site inspection, I was unable to access the interior of the property however, it was possible to assess the structure externally; with noted sagging at the centre of the roof as referenced within the applicant's report.

- 7.4.13. Regarding the commentary, that the applicant has failed to consider the subdivision of the house into 2/3 to 4 units, the appeal response as prepared by STEM confirms that the works would require total internal strip out of the roof, all internal walls and the floor slab; with only the perimeter walls remaining. The provision of 3 or 4 units would require that the perimeter walls would need to be breached. The layout of this structure cannot be adapted without a degree of significant intervention indistinguishable from demolition.
- 7.4.14. Policy Objective CA6 relates to Retrofit and Reuse of Buildings sets out that it is a Policy Objective to require the retrofitting and reuse of existing buildings rather than their demolition and reconstruction where possible, recognising the embodied energy in existing buildings and thereby reducing the overall embodied energy in construction as set out in the Urban Design Manual (Department of Environment Heritage and Local Government, 2009.)
- 7.4.15. The policy also states that where an existing building cannot be incorporated into a new layout and the development facilitates a significant increase in density, demolition may be acceptable to the PA.
- 7.4.16. In this instance the existing building cannot be incorporated into a new layout, and that the proposed development would double the density of the site (increasing from 1 to 4 no. units). The proposed development would, in my opinion, accord with Policy Objective CA6 of the Development Plan.
- 7.4.17. Having regard to the date of construction of the building; the extent of refurbishment associated with the building's restoration; the limited scope to achieve modern energy performance targets; and taking account of the proposal to provide 4 no. energy efficient homes, I consider the demolition of this dwelling is justified in this case. The increased intensity of use of this centrally located site, in line with compact growth policy, is a relevant consideration.

7.5. Traffic and Transportation

- 7.5.1. From a review of the file and site inspection, the subject application seeks to provide an infill development within the site. The site is located to the south of the Miroka bungalow development. Car parking spaces serving the existing 4 no. bungalows are not demarcated throughout the site.

- 7.5.2. A wayleave/easement is indicated on the application drawings extending along the entrances from Coliemore Road and Tubbermore Road.
- 7.5.3. The subject proposal would replace the existing bungalow and provide 4 no. car parking spaces to serve the proposed development. The units are indicated on either side of the block; 2 no. spaces to the southeast for Units C & D and 2 no. spaces to the northwest for Units A & B. Spaces to the northwest are aligned parallel to the boundary wall to the west; and primarily within the easement from Coliemore Road. The spaces to the southeast are proposed adjacent to the proposed block; partially within the easement as indicated on the application drawings.
- 7.5.4. As part of the appeal response, the Applicant has stated that the existing car parking spaces and access to adjoining spaces would remain unaffected by the proposed development.
- 7.5.5. As set out above, the appeals from the residents of the existing bungalows to the northeast; grounds relate to land ownership and wayleaves/easements across the site. These matters are addressed elsewhere within this report.
- 7.5.6. This aside, the appellants raise concerns about the viability of the proposed parking on either side of the proposed development and that positioning of these spaces within the rights of way; would impact the safe entrance and egress of these spaces to and from the site.
- 7.5.7. The resident of No.1 is concerned that the proposed development would encroach on two spaces, within the site boundaries.
- 7.5.8. The appeal on behalf of residents of Tubbermore Road consider that the accesses are deficient, and it is unclear how all the spaces could be accessed in a safe and controlled manner. As referenced by two appeals, no evidence has been provided that there is adequate turning space within the site.
- 7.5.9. Finally, the appellants consider that parking provision is inadequate and does not meet the standards of the Development Plan; the proposal would result in overspill parking within the ACA.

Easement/Designated Spaces

- 7.5.10. From a site inspection, and review of the plans, the appeal received from the resident of No.1 raises concerns with respect to the loss of 2 no. car parking spaces

located at the northern boundary to the site at the boundary; to the west of No. 1 Miroka.

7.5.11. From a review of the plans, the area would have dimensions of 5.086m wide and 6.97m deep; of a sufficient size to cater for the 2 no. car parking spaces as currently provided at this location.

Access

7.5.12. The applicant has not submitted turning circle drawings as part of the application.

7.5.13. Notwithstanding, from a review of the plans, there would be sufficient space for cars at the northwest of the block to reverse into the easement to the west of the car parking spaces for No.1 and 2, before egressing to Coliemore Road to the north.

7.5.14. This is also the case for the car parking spaces to the southeast of Units C and D; i.e., there is sufficient space for cars to reverse on site before egressing to Tubbermore Road. In addition, whilst this area is tight, particularly for the eastern car parking space, there is sufficient turning space for cars associated with No.3 to reverse before egressing to Tubbermore Road to the south.

7.5.15. Vehicular access to Willow Cottage is via the access from Tubbermore Road, served by the wayleave/easement to the southeast of Units C &D. From a review of the plans there is sufficient area for vehicle to both enter and egress from the property, without traffic safety risks arising.

7.5.16. The application was not accompanied by sight line drawings.

7.5.17. Notwithstanding, the site egress to Tubbermore Road, is within a 30km /hr zone.

7.5.18. This laneway has a width of 3.2m; and Tubbermore Road a public road, has a width of 5.5m. This section of Tubbermore Road is straight for an estimated length of c.100m in both directions; with the road widening from No.4 Tubbermore Road towards Dalkey Village. In this context, I consider that adequate sight lines are achievable at the egress point from the established laneway to Tubbermore Road.

7.5.19. I note that the Transport Section has raised no objection to the development including sight lines.

7.5.20. Having regard to the above, I consider that the car parking layout to be provide a functional arrangement; would not result in adverse impacts with respect to pedestrian and traffic safety.

Car Parking Provision

7.5.21. The appellants consider that there is insufficient car parking to serve the development; and that it would fail to comply with the Development Plan standards.

7.5.22. The Development Plan requires the provision of 2 no. car parking spaces within Zone 2; the relevant zone for the subject site. This is not a minimum or maximum standard.

7.5.23. Section 12.4.5.2 of the Development Plan sets out that in certain circumstances, deviation from the standards will be applied, with reference to small infill residential schemes (up to 0.25 hectares) in Zones 1 and 2 may be able to fulfil these criteria.

7.5.24. As such, a deviation from the standard applies to this case, subject to assessment against a range of criteria, including proximity to public transport; walking and cycling accessibility/permeability; the need to safeguard investment in sustainable transport and encourage a modal shift; the particular nature, scale and characteristics of the proposed development deviations may be more appropriate for smaller infill proposals; the range of services available within the area; and the impact on traffic safety and the amenities of the area.

7.5.25. The Compact Settlement Guidelines 2024 set out that in all urban areas, car parking provision should be minimised, substantially reduced or wholly eliminated in areas that have good access to urban services and public transport services.

7.5.26. From a review of the site, I note that the subject site is defined as an Accessible location, taking account of the site's location within 1km walking distance of an existing or planned high capacity urban public transport node or interchange, includes DART, high frequency Commuter Rail light rail or MetroLink services as set in Table 3.8 of the Guidelines.

7.5.27. The maximum rate of car parking where such provision is justified to the satisfaction of the planning authority, as set out within the Sustainable Community Guidelines shall be 1.5 no. spaces per dwelling.

- 7.5.28. As such, whilst the Development Plan sets out a requirement of 2 no. spaces per dwelling at this location, the Compact Settlement Guidelines 2024 require a maximum of 1.5 no. spaces per dwelling; noting that objectives of the Development Plan take precedence over the standards as set out in the Compact Settlement Guidelines 2024.
- 7.5.29. Notwithstanding, the site is located at a distance of 450m and 650m (7-minute walk and 9 minute walk) from Dublin Bus route No. 111, 59, 7D and Aircoach bus services operating along Ulverton Road and Dublin Hyde Road. The site is also located a distance of 200m (4 minute walk time) to Dalkey Dart Station.
- 7.5.30. The site is well served by urban services including cafes, shops and schools and other services within Dalkey village; and beyond. the site is also proximate to a range of public open space including Hyde Park, Castle Park, Dalkey Hill and Bullock Harbour.
- 7.5.31. Having regard to the above, I consider that the provision of 1 no. car parking for each 4 no.3 bed dwellings at this urban location, in close proximity to local services and public transport services to be justified in the context of section 12.4.5.2 of the Development Plan and the Compact Settlement Guidelines 2024.
- 7.5.32. The Transportation Section has no objection to the proposed development, subject to condition.

7.6. Landscaping and Open Space

- 7.6.1. The appellants resident within No.3 Miroka welcomes additional trees for screening, however consider that they should be set back from this boundary to avoid negative impacts to foundations; would cause shading and maintenance issues for the adjoining property.
- 7.6.2. The appeal on behalf of the residents of Tubbermore Road sets out that the open space would be inadequate in quality and quantity, with reference to the requirement of the Development Plan to provide 15% of the site as public open space.
- 7.6.3. From a review of the plans, the subject proposal would include an area (191m²) of communal open space located to the northeast of the terrace, and including the provision of 4 no. native trees, lawn and soft landscaping; a gravel pathway from

northwest to southeast through the open space. This open space would adjoin existing landscape buffer between the bungalows to the northeast and the proposed development.

- 7.6.4. In response to the third part appeal, the applicant states that each of the proposed trees would be planted with adequate root protection distances having regard to the existing boundary distances on site, and in accordance with Dun Laoghaire-Rathdown A climate for Trees - Tree Strategy 2024-2030.
- 7.6.5. In this context, the development would include the provision of 4 no. native trees; located at the northern end of the site; in front of Unit A; 1 no. tree of Unit C and two in the area to the front of Unit D. From a review of the plans, I estimate a separation distance of c.1m from the northeastern boundary to the trees to the front northeast of Units A and D and c3.5m to the tree in front of Unit C. A separation of c.2m; between the trees at the northern end of the site.
- 7.6.6. In this context, I estimate that the trees located a distance of 6.7m and 6.5m from the southeastern elevations of Houses 2 and 3; to the northeast of the site. In this context, I do not consider that the location of trees would impact on the foundations of these bungalows.
- 7.6.7. The scheme would include the removal of 3 no. trees on existing open space to the north of the existing bungalow; one of which is a mature specimen, and from site inspection, in excess of 10m in height. I note that there is a minimal change in levels across this open space area including the location of these existing trees; indicating the capacity of the site for tree growth in this area.
- 7.6.8. Notwithstanding, tree planting through this open space area, may coincide with areas of high / exposed bedrock; this may require repositioning to suitably secure positions, during the construction phase; and as such I recommend that the final landscaping scheme should be agreed with the planning authority.
- 7.6.9. Having regard to separation from the northeastern boundary and the bungalows to the northeast, I consider that the tree planting strategy, subject to condition, to be acceptable in this instance.

Public Open Space

- 7.6.10. Section 12.8.3 (Table 12.8) of the Development Plan requires the provision of a minimum of 15% of the site as public open space for residential development in existing urban areas. On sites of less than 0.25 ha, the local authority may consider levying a contribution in lieu of public open space, as provided under Sections 9.2 and 12.8.3 of the Development Plan).
- 7.6.11. The appellant has requested that a condition to this effect is attached to a permission.
- 7.6.12. Having reviewed the file, given the limited extent of this site, surrounded by other houses. I consider the non-provision of public open space to be acceptable in this instance. Parks & Landscape Services section have not commented on the application. The report of the Planning Officer recommends the inclusion of a condition to the effect, having regard to the location away from the public road, surrounded by other houses, and recommended that this be addressed by way of condition.
- 7.6.13. Notwithstanding, I note that a condition to this effect was not included as part of the Notification of Decision to Grant Permission as issued on the 14th November 2025.
- 7.6.14. The financial contribution in lieu of 15% of the site in Public Open Space is set at a rate €7,500,000 per hectare pro rata, as detailed within the Dún Laoghaire-Rathdown Development Contribution Scheme 2023-2028.
- 7.6.15. The subject site has a total area of 0.0912 hectares; 15% of which would relate to an area of 0.01368 hectares.
- 7.6.16. The contribution therefore amounts to a total of €102,375.00 (€7,500,000 pro rata x 0.01368 hectares) as required under s.12.8.3 of the Development Plan.
- 7.6.17. Having regard to the above, I therefore recommend the inclusion of a condition requiring a Contribution in lieu of the provision of public open space, as required under section 9.2 and 12.8.3 of the Development Plan, and referenced in the Development Contribution Scheme.

7.7. Site Services

Wastewater Management

- 7.7.1. The application was accompanied by a series of service drawings including wastewater management infrastructure.
- 7.7.2. From a review of the site services drawings, the units would be served by a 150mm pipe at points located within the communal open space to the north of the site before public wastewater infrastructure on Coliemore Road to the northwest, with a new connection to an existing manhole positioned along the easement to Coliemore Road.
- 7.7.3. The appeal from residents of No.3 Miroka sets out there are inaccuracies in the Engineering report and drawings.
- 7.7.4. The applicant notes that the existing sewer is 225mm diameter whereas a 150mm diameter foul sewer is what is generally regarded as adequate to serve up to 9 no. houses (per Uisce Eireann Code of Practice) and a 225mm pipe for up to 200 houses so from a foul sewerage perspective it is more than adequate.
- 7.7.5. The first party response states that the existing sewer is a combined sewer, i.e. it drains surface water as well as wastewater, so the reduction in surface water discharge as discussed below, would more than compensate for the addition of 3 no. houses (i.e. four houses replacing one house) and would not increase the likelihood of backflow to the existing houses compared to the existing situation.
- 7.7.6. The response also sets out that the likelihood is that any back-up in this sewer would be caused by a constriction in the sewer downstream rather than any increase in flow and would affect the existing houses.
- 7.7.7. The appeal from residents of the central bungalow sets out that the existing foul sewer is designed to cater for the three-bungalow development only. The possibility exists for sewage backflow to the bungalows, which are at a lower ground level; in the event of any overload or sewer restriction from the proposed development.
- 7.7.8. The applicant has set out that this would not affect the design and would reduce the risk of the proposed development affecting these houses.
- 7.7.9. The applicant is satisfied to comply with the suggestion that a condition be attached to the permission that the existing 225mm pipe be surveyed to ensure that it is fit for purpose.

- 7.7.10. Having regard to the above, I consider that the proposed wastewater management system is adequate to serve the development. I note the responses to the appeals relating surface water discharge to the combined sewer; sewage backflows to the bungalows and concur with these analyses.
- 7.7.11. Having regard to the above, I consider that, subject to condition, the proposed development is acceptable with respect to wastewater management and would not give rise to adverse impacts with respect to public health.
- 7.7.12. It is proposed to connect to the public wastewater system on Coliemore Road. A submission was made to the local authority, confirming that Uisce Eireann have no objection to the proposal, subject to condition. I therefore recommend the inclusion of a Condition to this effect, in the event that the Commission decide to grant permission for the subject proposal.

Surface Water Drainage

- 7.7.13. From a review of the file, it is proposed that the development would be served by a series of on SuDS measures including shallow bio retention swales located in the communal open space to the north of the proposed dwellings catering for Residual Drainage from Blue & Green Roofs and permeable paving in rear courtyards, overflowing to the combined sewer; discharges to an existing combined sewer which extends to Coliemore Road and the laneway to the south of the site.
- 7.7.14. The appeal from residents of No.2 and 3 Miroka both notes that the appeal site and surrounding area is known to have shallow/exposed impermeable granite bedrock and a high water table; that the removal of a mature tree would detract from soakage capacity of the site. The appellants suggest that Condition 4 of the permission issued by the PA should be amended to refer specifically adjoining sites.
- 7.7.15. The response sets out that the provision of these swales, along with source control measures, would reduce rather than increase the likelihood of flooding of the bungalows when compared to the existing situation.
- 7.7.16. The applicant suggests that landscaping around the swale can be such that the levels on the side closer to these houses can be slightly higher than those at the side of the proposed new houses.

- 7.7.17. The response includes a table which illustrates that there would be a reduction from 712m² to 349m² in the estimated equivalent impermeable areas before and after the development; confirming that the proposed source controls would reduce the run-off from the property when compared with the existing situation.
- 7.7.18. Having regard to my assessment of the file; I consider that the proposal landscaping levels on the side closer to the Miroka cottages can be slightly higher than those at the proposed units; to be reasonable; and recommend the inclusion of a condition to this effect, in the event the Commission decide to grant permission.
- 7.7.19. I consider that the surface water drainage proposals serving the proposed development would provide a suitable drainage system to serve the proposed development; compliant with SuDS; and that the provision of these swales, along with source control measures, would reduce rather than increase the likelihood of flooding of the bungalows when compared to the existing situation.
- 7.7.20. Having regard to the above, I am satisfied that, subject to condition, the proposed development is acceptable with respect to surface water management, and would not give rise to adverse impacts with respect to public health.

7.8. Other Issues

Procedural Matters

- 7.8.1. As set out above, appeals received from the residents of No.s 1, 2 and 3 Miroka have raised concerns that the application site includes lands which are not in the ownership of the applicant and that the proposed development encroaches on easements/rights of way across at the appeal site, including conflicts between the proposed development and designated car parking spaces.
- 7.8.2. Notwithstanding, the Commission will note the Commission's role is not to adjudicate on legal matters. I note that legal matters relating to, inter alia, land ownership and rights of way, cannot be assessed as part of the appeal process and I refer the Commission to the provisions of Section 34(13) of the Act which states the following:
'A person shall not be entitled solely by reason of a permission under this section to carry out any development.'
- 7.8.3. Traffic safety matters arising are addressed above.

Material Contravention

- 7.8.4. The third-party appeal from the residents of Tubbermore Road considers that the proposed development would contravene policy objective HER13 of the Development Plan relating to ACAs.
- 7.8.5. The proposed development relates to the provisions of a residential development on lands within the Dalkey ACA, as designated under the Development Plan.
- 7.8.6. The policy seeks a high quality, sensitive design, complementary and/or sympathetic to the context and scale of the ACA; whilst encouraging contemporary design which is in harmony with the area; and to ensure that new development has regard to the character of the area, as set out within the respective Character Appraisal.
- 7.8.7. The subject proposal is located at a backland infill site; comprising 4 no. 2-3 storey block of houses replacing a single bungalow. The scheme is contemporary in design comprising a mix of materials which would integrate with the established palette of materials in the wider area. Verified Views and CGIs as submitted with the application confirm that the views to the scheme from the public roads bounding are imperceptible; and would therefore accord with the character of the ACA.
- 7.8.8. The Dalkey ACA Character Appraisal sets out that new development should contribute to the visual enhancement and vibrancy of the area whilst respecting its physical character; such proposals should be of their time and to the highest standards of architectural design.
- 7.8.9. The proposed development at this backland site; has limited impact to the streetscape. Notwithstanding, the proposal is contemporary in design; with the use of brick, metal and rendered concrete; and would integrate with the established palette of materials; complementing the character of the ACA.
- 7.8.10. Policy Objective HER13 is not, in my view, sufficiently specific to justify the use of the term “materially contravene” in terms of normal planning practice. Having regard to above, I consider that the proposed development would not materially contravene Policy Objective HER13 of the Development Plan.

7.9. EIA Screening

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

7.10. Appropriate Assessment

7.10.1. Screening the need for Appropriate Assessment: Screening Determination (Stage 1, Article 6(3) of Habitats Directive).

7.10.2. I have considered the proposed demolition of an existing bungalow and the construction of a terraced block of 4 no. houses and all associated works, in light of the requirements S177U of the Planning and Development Act 2000 as amended.

7.10.3. The closest European site is the Dalkey Island SPA (Site Code: 004172), located c.459m to the northeast of the subject site at it's closest point.

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

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

7.10.6. The reason for this conclusion is as follows:

- The nature of the works proposed which are located on serviced lands.
- The distance from nearest European site.

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

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

7.11. Water Framework Directive Screening

- 7.11.1. The subject site is located in a built-up area in the Greater Dublin Area, c. 3.26km east of the Kill of the Grange Stream _010 (Site Code: E_EA_10K020200, within the Brewery Stream 0_010 sub basin (Site Code: IE_EA_09B130400).
- 7.11.2. The site is located on top of the ground water body Kilcullen (IE-EA-G-003).
- 7.11.3. The proposed development comprises the demolition of a dwelling and replacement with 4 no. dwellings, within an established urban context.
- 7.11.4. No water deterioration concerns were raised in the planning appeal.
- 7.11.5. I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.
- 7.11.6. The reason for this conclusion is as follows:
- the small scale and nature of the development.
 - the distance from the nearest water bodies and the lack of hydrological connections.
- 7.11.7. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

8.0 Recommendation

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

9.0 Reasons and Considerations

Having regard to the location of the site on serviced urban land, the residential zoning objective under the Dún Laoghaire -Rathdown County Development Plan 2022- 2028 which applies to this site, the scale, mass and form of the subject proposal, to the pattern of development in the area, location within Dalkey Architectural Conservation Area, it is considered that, subject to compliance with the conditions as set out below, the proposed development would constitute an acceptable form of development, would not adversely impact on the visual or residential amenities of the area, would comply with Policy Objective HER13 and development standard 12.11.4 relating to New Development within an ACA, and PHP19 and development standard 12.3.7.7 relating to Infill Development.

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

10.0 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on 6 th August 2025, as amended by Further Information received on 20 th October 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.
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	Reason: In the interest of clarity.
2	<p>Each proposed house shall be used as a single dwelling unit and shall not be sub-divided in any manner or used as two or more habitable units.</p> <p>Reason: To prevent unauthorised development.</p>
3	<p>Any changes to parking and hardstanding areas shall be constructed in accordance with the recommendations of the Greater Dublin Strategic Drainage Study for sustainable urban drainage systems (SuDS) i.e. permeable surfacing, and in accordance with Section 12.4.8.3 Driveways/Hardstanding Areas of the County Development Plan 2022-2028.</p> <p>Appropriate measures shall be included to prevent runoff from driveways entering onto the public realm and adjoining sites as required. Where unbound material is proposed for driveway, parking or hardstanding areas, it shall be contained in such a way to ensure that it does not transfer on to the public road or footpath on road safety grounds.</p> <p>Reason: In the interest of public health.</p>
4	<p>The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being taken in charge. Detailed proposals in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: To ensure the satisfactory completion and maintenance of this development.</p>
5	<p>The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:</p> <p>(a) A plan to scale of not less than 1:500 showing –</p> <p>(i) Existing trees, hedgerows specifying which are proposed for retention as features of the site landscaping</p>

	<p>(ii) The measures to be put in place for the protection of these landscape features during the construction period</p> <p>(iii) The species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder] [which shall not include prunus species]</p> <p>(iv) Details of screen planting</p> <p>(vi) Hard landscaping works, specifying surfacing materials, furniture and finished levels.</p> <p>(b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment</p> <p>(c) A timescale for implementation.</p> <p>All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of [five] years from the completion of the development [or until the development is taken in charge by the local authority, whichever is the sooner], shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>. Reason: In the interest of residential and visual amenity.</p>
7	<p>(a) Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>(b) The proposed green/blue roof shall be designed, installed and maintained in accordance with the requirements of Appendix 7.2 of the County Development Plan 2022-2028, BS EN 12056-3:2000 and The SUDS Manual (CIRIA C753).</p> <p>(c) All proposed SuDS features shall be designed, installed and maintained in accordance with the requirements of The SUDS Manual (CIRIA C753).</p>

	<p>(d) Levels within the communal open space shall be higher on the side closer to Miroka development than those at the side of the proposed new houses.</p> <p>Reason: In the interest of public health and surface water management.</p>
8	<p>A Condition Survey of the 225mm combined sewer will be undertaken to ensure that it is fit for purpose. The results of the survey shall be submitted to, the planning authority, prior to commencement of development.</p> <p>Reason: In the interests of public health.</p>
9	<p>A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.</p> <p>Reason: In the interest of environmental protection and neighbouring residential amenities.</p>
10	<p>All necessary measures shall be taken by the Applicant and Contractor to:</p> <ul style="list-style-type: none"> a) prevent any mud, dirt, debris or building material being carried onto or placed on the public road or adjoining properties as a result of the site construction works, b) repair any damage to the public road arising from carrying out the works, c) avoid conflict between construction activities and pedestrian/vehicular movements on the surrounding public roads during construction works. <p>Reason: In the interest of orderly development. .</p>
11	<p>Prior to the commencement of development the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and wastewater collection network.</p>

	Reason: In the interest of public health and to ensure adequate water/wastewater facilities.
12	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 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.</p> <p>Reason: In order to safeguard the [residential] amenities of property in the vicinity</p>
13	<p>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 of roads, footpaths, watermains, drains, 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 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.</p> <p>Reason: To ensure the satisfactory completion of the development</p>
14	<p>The developer shall pay to the planning authority a financial contribution of €102,600.00 as a contribution in lieu of 15% of the public open space requirement in respect of public open space benefitting the development in the area of the planning authority is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the adopted Development Contribution Scheme made under Section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any indexation provisions of the Scheme at the time of payment.</p> <p>Reason: It is a requirement of the Planning and Development Act, 2000,</p>

	<p>as amended, that a condition requiring contribution in accordance with the Development Contribution Scheme made under Section 48 of the Act be applied to the permission.</p>
15	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.</p> <p>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.</p>

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Aoife McCarthy
Planning Inspector

18thth March 2026

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Coimisiún Pleanála Case Reference	500418-25		
Proposed Development Summary	Demolition of a dwelling and construction of 4 no. terraced dwellings and all ancillary works.		
Development Address	Miroka, 106 Coliemore Road, Dalkey, Co. Dublin.		
1. Does the proposed development come within the definition of a ‘project’ for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)	Yes	X	
	No		
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?			
Yes			
No	X		
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]?			
	Threshold	Comment (if relevant)	Conclusion
No			
Yes	X	Class 10(b)(i) Construction of more than 500 dwelling units – Sub Threshold.	Proceed to Q.4

4. Has Schedule 7A information been submitted?

No	X	Preliminary Examination required
Yes		Screening Determination required

Inspector: _____ **Date:** _____

Form 2 - EIA Preliminary Examination

Case Reference	500418-25
Proposed Development Summary	Demolition of a bungalow and construction of 4 no. terraced dwellings and all ancillary works.
Development Address	Miroka, 106 Coliemore Road, Dalkey, Co. Dublin.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
<p>Characteristics of proposed development</p> <p>(In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>The nature and size of the development comprising the demolition of a bungalow, constructed in the 1970s; and the construction of 4 no. dwellings and all associated works is not exceptional in the context of the existing urban environment.</p> <p>The proposed development will not result in the production of any significant waste, emissions or pollutants. Localised construction impacts will be temporary. The development, by virtue of its type (residential), does not pose a risk of major accident and/or disaster.</p>
<p>Location of development</p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>The site is located within the village of Dalkey, Co. Dublin and is zoned Residential. The site is within a suburban area, an urban environment; and is removed from sensitive natural habitats, designated sites.</p> <p>The site is located within Dalkey ACA. There are no Protected Structures at the subject site; or within the immediate environs.</p>
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity)</p>	<p>Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, there is no real likelihood of significant effects on the environment arising from the proposed development.</p>

and complexity, duration, cumulative effects and opportunities for mitigation).	There is no real likelihood of significant cumulative effects having regard to existing or permitted projects.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	
There is a real likelihood of significant effects on the environment.	

Inspector: _____ **Date:** _____

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

(only where Schedule 7A information or EIAR required)