



## Inspector's Report

**PL-500427-DN-25**

<b>Development</b>	Construction of two storey apartment block consisting of two apartments with all associated site works.
<b>Location</b>	Site adjacent to 39 and 41A Edenmore Crescent, Raheny, Dublin 5.
<b>Planning Authority</b>	Dublin City Council North
<b>Planning Authority Reg. Ref.</b>	3391/25
<b>Applicant(s)</b>	Eamon Morris
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse Permission
<b>Type of Appeal</b>	First Party Normal Planning Appeal
<b>Appellant(s)</b>	Eamon Morris
<b>Observer(s)</b>	Annita and Michael Breslin Stephen Dodrill Aaron & Sandra Murphy Denise Kinsella Sinead Costello & Wayne Beresford Emma Squires & Pamela Byrne Tony Dodrill DAA

**Date of Site Inspection**

25<sup>th</sup> March 2026

**Inspector**

Emer Doyle

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## 1.0 Site Location and Description

- 1.1. The site comprises of a vacant plot of land occupying a corner position at Edenmore Crescent, Raheny, Co. Dublin. The site has a stated area of 0.02 Ha.
- 1.2. The predominant type of residential dwelling on Edenmore Crescent are two-storey terraced dwellings. Many have had alterations to the front facades with porches.
- 1.3. The plot would have access onto a cul-de-sac road which leads to other residential dwellings of a similar type. Raheny Dart Station is approximately 700 metres to the south east.

## 2.0 Proposed Development

- 2.1. Permission sought for the construction of a two storey apartment block consisting of 2 No. apartments. The ground floor apartment has a stated area of 47.2m<sup>2</sup> and provides for one bedroom and a private terrace of 8m<sup>2</sup>. The first floor apartment has a stated floor area of 45m<sup>2</sup> and provides for a balcony of 5m<sup>2</sup>. Bin and bicycle storage are provided for to the front of the proposed apartment block and each unit is served by a driveway.

## 3.0 Planning Authority Decision

### 3.1. Decision

#### **Permission refused for one reason as follows:**

Having regard to the provisions of the Dublin City Development Plan 2022-2028, in particular Policy QHSN10 (Urban Density) which seeks to promote residential development at sustainable densities, to a high standard of urban design and integrated with the character of the surrounding area, it is considered that the proposed development would not be in harmony or compatible with established building lines, would not successfully integrate with the built character and appearance of the area. The proposed development would, therefore, if granted contravene the above-mentioned policy of the Development Plan and would be contrary to the proper planning and sustainable development of the area.

### 3.2. **Planning Authority Reports**

#### *Planning Reports*

- Planner's report considers that the design is of a poor quality and the siting would be incompatible with the existing building line and that it would not successfully integrate with the built context and character of the area.

#### *Other Technical Reports*

- *Drainage Division*: No objection subject to conditions.
- *Transportation Section*: No objection subject to conditions.

### 3.3. **Prescribed Bodies**

*Dublin Airport Authority* recommends that Further Information be requested.

### 3.4. **Third Party Observations**

A total of 8 No. observations were submitted to the Planning Authority. The issues raised are similar to those raised in the appeal.

## 4.0 **Planning History**

### **PA Reg. Ref 4347/24/ ACP Ref. 321513-24**

Permission granted by PA and refused on appeal by ACP for a single storey dwelling on this site. The reason for refusal related to design and impact on character of the area and impacts on future residential amenities of intended occupants due to poor quality open space provision, together with impacts on the residential amenities of No. 41 A Edenmore Crescent.

## 5.0 **Policy Context**

### 5.1. **Development Plan**

The Dublin City Development Plan 2022-2028 is the relevant plan for the subject site. The site is zoned 'Zone Z1 Sustainable Residential Neighbourhood'. The general

objective for such areas is “to protect, provide and improve residential amenities’. Relevant planning policies for the proposed development are set out under Section 5 (Quality Housing and Sustainable Neighbourhoods) of the plan. Of particular note is QHSN6 Urban Consolidation where it sets out the policy to “promote and support residential consolidation and sustainable intensification through the consideration of applications for infill development, back land development, mews development, re use/adaption of existing housing stock and use of upper floors, subject to the provision of good quality accommodation”. This policy is balanced by QHSN10 Urban Density which seeks to “promote residential development at sustainable densities throughout the city in accordance with the Core Strategy, particularly on vacant and/or underutilised sites, having regard to the need for high standards of urban design and architecture and to successfully integrate with the character of the surrounding area”.

## 5.2. National or Regional Policy / Ministerial Guidelines

The following national and regional policy/ guidelines are relevant:

*National Planning Framework - First Revision (2025)*

*Eastern & Midland Regional Assembly: Regional Spatial & Economic Strategy (RSES) 2019 to 2031.*

*Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024).*

*Planning Design Standards for Apartments, Guidelines for Planning Authorities (2025).*

*Urban Development and Building Height: Guidelines for Planning Authorities (2018).*

*Development Management: Guidelines for Planning Authorities (2007).*

*Quality Housing for Sustainable Communities: Design Guidelines (2007).*

## 5.3. Natural Heritage Designations

The subject site is not located within a designated site. The nearest are:

North Bull Island SPA c. 2.1km east of the site.

North Dublin Bay SAC. c. 2.1km east of the site.

Baldoyle Bay SPA c. 3.8km east of the site.

Baldoyle Bay SAC c. 3.8km east of the site.

## 6.0 EIA Screening

- 6.1. 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.

## 7.0 The Appeal

### 7.1. Grounds of Appeal

The grounds of the First Party appeal can be summarised as follows:

- The proposed development represents a logical and sustainable development solution for this underused and vacant corner site.
- The development complies with all of the development control standards set out in the Dublin City Development Plan and the Sustainable Residential Development and Compact Settlement Guidelines (2024).
- By moving the building back 5m from the previously proposed bungalow and designing a two storey building, it is considered that the building is more inkeeping with the existing established built environment. Clearly the building has to breach one of the two building lines because of its corner location but this is not reason enough to refuse permission.
- The proposal assists in achieving the Planning Authorities aims and objectives for housing in the city through the intensification and a variety of tenures which would

balance the age profile of the area thereby optimising the diversity and sustainability of public and commercial services in the area.

- The subject site is located within zone 2 on Map J of the Development Plan. Section 16.38 of the Development Plan identifies restricted parking in zones 1, 2 and 3.
- The proposed development will provide an acceptable form of development on a vacant underused site and neither public or residential amenities will be significantly affected.

## **7.2. Planning Authority Response**

The Planning Authority request that the Commission uphold the decision. If the Commission is minded to grant permission a number of standard conditions are recommended including a Section 48 development contribution, the payment of a bond and a naming and numbering condition.

## **7.3. Observations**

A total of 8 No. observations have been submitted. The main issues raised are as follows

- Development out of character with the quiet residential cul-de-sac characterised by single dwellings.
- Height and form would be visually obtrusive.
- Photographs supplied by O' Neill Town Planning were taken from outside the cul de sac and do not show the devastating impact on the cul de sac blocking our substantial area of public open space- i.e. Edenmore Park.
- Impact on sunlight and daylight and overshadowing.
- Proposed development is not age friendly and is unsuitable for families with young children.
- Concur with Dublin City Council's reason for refusal – Policy QHNS10.

- Intensification out of keeping with established pattern.
- Additional pressure on parking.
- Already difficulties with entering and exiting the cul de sac due to narrow configuration.
- Concern that emergency vehicles may have difficulties accessing the existing cul de sac.

## 8.0 **Assessment**

8.1. Having examined the application and appeal documentation and other associated documentation on file, having conducted an inspection of the site, and having reviewed relevant local policies and guidance; I consider the main issues in this appeal can be addressed under the following headings:

- Principle of Development
- Design and Layout
- Other Matters

### 8.2. **Principle of Development**

The proposed development seeks to construct a two storey apartment building containing two apartments within an existing corner site in a serviced area close to the DART station in Raheny.

The appeal site is zoned Z1 (Sustainable Residential Neighbourhoods), in the current Development Plan with a land zoning objective 'To protect, provide and improve residential amenities'.

The proposed development is considered to be in accordance with the zoning objective and should be assessed on its merits.

### 8.3. Design and Layout

Dublin City Council refused permission for one reason only relating to Policy QHSN10 (Urban Density). Policy QHNS10 supports residential development at sustainable densities only where such development can be successfully integrated with the character of the surrounding area and high standards of urban design are achieved. I consider that this is the key issue in this appeal.

The grounds of appeal express concern that the proposed development will not blend in with the character of the existing cul de sac and that the proposal will set an undesirable precedent. Concerns are also expressed that the design, scale, massing and height are inappropriate and that the development will block the open views available of Edenmore Park. It is considered that this will negatively impact on residents and make the open cul de sac feel more closed off.

I am satisfied that the proposed development complies with the residential design standards at national and local policy levels.

I note that the Commission previously refused permission for a single bungalow at this location for one reason relating to urban design and impact on residential amenities. The Commission considered that the proposed development would not be in harmony or compatible with established building lines, and would not successfully integrate with the built context and character of the area.

I note that the Commission also expressed concern regarding the poor quality and usability of private open space and negative impact on residential amenity of future occupiers. I am satisfied that the revised design which provides for two apartments addresses this aspect of the development and the private open space provided at balcony and ground floor level is adequate and compliant with standards.

Whilst the two storey design proposed in lieu of the hipped roof bungalow is somewhat of an improvement in my view, I remain concerned regarding the design and building line. I note that a number of observations consider that the greater scale of the development will exacerbate the visual impacts. I refer the Commission to the contiguous elevation submitted in the appeal documentation which shows both the

previous refusal and the current proposal. I refer the Commission also to Schematic Images 1 and 2 submitted with the application documentation.

The existing cul de sac has a distinct appearance with a neat 'U' shaped arrangement of terraced housing. I have concerns that the proposed development would change the outlook from the existing housing with a significant impact on No. 41 A Edenmore Crescent, and that this change would be obtrusive to the visual amenities of the area.

The site fronts onto a road and is opposite Edenmore park and is considered to be a prominent location. The proposed development would project forward of the existing building line to a significant degree (c. 5m) and would not be in harmony or compatible with the existing building line or pattern of development in the area.

I consider that the proposed development would be visually incongruous from these locations. Further, I note that there are a number of similar sites in the area and the proposed development could set an undesirable precedent for a similar pattern of development.

The planner's report notes that the current cul de sac has an open aspect with expansive views towards the nearby park and that the proposed development would intrude on this vista, closing off the open aspect of this part of the streetscape and would not successfully integrate into the existing built context and established character'. I share this view and consider that whilst the principle of development is acceptable and the increase in density and use of an underutilised site is encouraged in terms of national and local policy, the design is contrary to Policy QHSN10 and Section 15.5.2 of the Dublin City Development Plan and does not demonstrate a positive response to the existing context and would not successfully integrate with the built character of the existing cul de sac at this location.

#### 8.4. **Other Matters**

##### ***Parking and Traffic Safety***

The site is located within Zone 2 of Map J of the Development Plan. Section 16.38 identifies that zones 1 and 2 can have more restricted parking having regard to the proximity to public transport. I am satisfied that the site is located in close proximity to

Raheny Dart Station and that the provision of 1 parking space per unit is satisfactory. I note that concerns have been raised regarding the configuration of the cul de sac and existing issues residents have accessing the main road. Concern is also expressed that emergency vehicles may have difficulties accessing the houses within the existing cul de sac. I noted on the site inspection that the opposite corner appears to be used as a practice corner for driving tests. Notwithstanding this, the Transport Division has raised no concerns and having regard to the scale of the development and the low level of traffic that would be generated, I am satisfied that it can be accommodated at this location without interfering with traffic safety in the area.

### ***Impact on Daylight/ Sunlight***

Whilst I acknowledge the concerns raised in the observations submitted in relation to overshadowing and loss of light, having regard to the orientation of the site and the scale and height of the proposed development, I consider that impacts would be negligible on neighbouring properties. I note that shadow analysis drawings were submitted with the application which confirm that the impact on adjacent properties is minimal.

### ***Impact on Security***

I note that concerns were also expressed in relation to security. There is no evidence available to me that the proposed development of a very limited scale providing for 2 additional units would add a security risk to adjacent properties in the area.

### ***Dublin Airport***

I note the concerns raised by the DAA. There is no objection in principle to residential development at this location but the authority wishes to highlight the potential to negatively impact against the achievement of the Noise Abatement Objective. The planner's report considered that having regard to the small scale of development proposed, this matter could be conditioned. I share a similar view and should the Commission be minded to grant permission, I recommend the inclusion of a condition

requiring the provision of noise insulation to an appropriate standard having regard to the location within the Airport Noise Zone.

## 9.0 AA Screening

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

The subject site is not located within a designated site, with the nearest sites being North Dublin Bay SAC and North Bull Island SPA c. 2.1km east of the site.

No nature conservation concerns were raised within the appeal. 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 European site.

The reason for this conclusion is as follows:

- The nature of the development proposed which is located on serviced lands
- The distance to the nearest European sites, and the absence of any hydrological or other pathways
- Connection to public water, drain and sewer.

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. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) under Section 177V of the Planning and Development Act 2000, as amended, is not required.

## 10.0 Water Framework Directive

10.1. The subject site is located in the urban area of Raheny, Co. Dublin. The nearest waterbody is the SANTRY\_020 IE\_EA\_09S011100 (Poor Status, WFD Risk -At risk), c. 460m west of the subject site. The proposed development will consist of a 2 storey apartment block containing 2 apartments and all associated site works. No third-party concerns were raised in relation to water deterioration.

I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks to protect and,

where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows.

- Scale and size of proposed development
- Separation to nearest water body
- Connection to public water, sewer and drainage

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

## 11.0 Recommendation

I recommend that the decision of the Planning Authority be upheld and permission be refused for the following reasons and considerations set out below.

## 12.0 Reasons and Considerations

Having regard to the provisions of the Dublin City Development Plan 2022-2028, in particular Policy QHSN10 (Urban Density) which promotes residential development having regard to the need to successfully integrate with the character of the surrounding area and Section 15.5.2 (Infill Development) which requires Infill Development to respect and complement existing development and demonstrate a positive response to the existing context, it is considered that the proposed development would not be in harmony or compatible with established building lines and would not successfully integrate with the built context and the character and appearance of the area. Furthermore, the proposed development would set an unwelcome precedent for further development of this type in the surrounding area.

The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

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Emer Doyle

Planning Inspector

27<sup>th</sup> March 2026

**Appendix 1: Form 1 EIA Pre-Screening**

<b>Case Reference</b>	ACP 500427-DN-25
<b>Proposed Development Summary</b>	The construction of a two storey apartment block consisting of 2 No. apartments.
<b>Development Address</b>	Site adjacent to 39 and 41A Edenmore Crescent, Raheny, Dublin 5.
<b>IN ALL CASES CHECK BOX / OR LEAVE BLANK</b>	
<b>1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?</b>	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2.
	<input type="checkbox"/> No, No further action required.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	

<p><b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b></p>	
<p><input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b></p>	<p>Class 10(b)(i), Schedule 5 Part 2</p>
<p><input type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3</p>	
<p><b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b></p>	
<p><input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.  <b>No Screening required.</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.  <b>EIA is Mandatory. No Screening Required</b></p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p>	<p>Class 10(b)(i), Schedule 5 Part 2</p> <p>EIA is mandatory for developments comprising over 500 dwelling units or urban development over 10 hectares in</p>

<p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	<p>size or 2 hectares if the site is regarded as being within a business district.</p> <p>The proposal is significantly below this threshold being 2 no. apartment units and the site has an area of 0.02 hectares which is sub threshold.</p>
<p><b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b></p>	
<p>Yes <input type="checkbox"/></p>	<p><b>Screening Determination required (Complete Form 3)</b></p>
<p>No <input checked="" type="checkbox"/></p>	<p><b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b></p>

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

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

## Appendix 2: Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	ACP 500427-DN-25
<b>Proposed Development Summary</b>	The construction of a two storey apartment block consisting of 2 No. apartments.
<b>Development Address</b>	Site adjacent to 39 and 41A Edenmore Crescent, Raheny, Dublin 5.
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<b>Characteristics of proposed development</b>  (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The development has a modest footprint and comes forward as a standalone project on a corner site within the serviced area of Raheny, Dublin.  It does not require the use of substantial natural resources or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.
<b>Location of development</b>	<b>Briefly comment on the location of the development, having regard to the criteria listed</b>

<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 development is removed from sensitive natural habitats, centres of population and designated sites and landscapes of identified significance in the County Development Plan. There are no protected species/habitats on site.</p>
<p><b>Types and characteristics of potential impacts</b></p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</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, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</p>
<p><b>Conclusion</b></p>	

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.	N/A
There is a real likelihood of significant effects on the environment.	N/A

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

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

(only where Schedule 7A information or EIAR required)