



An
Coimisiún
Pleanála

Inspector's Report

PL-500441-DR-25

Development	Demolition of house and construction of 5 bedroom dwelling with landscaping and all associated site works.
Location	54 Woodbine Road, Booterstown, Dublin A94WF22
Planning Authority	Dun Laoghaire and Rathdown County Council
Planning Authority Reg. Ref.	D25A/0563/WEB
Applicant(s)	Lolita and Ronan Quinn
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Lolita and Ronan Quinn
Observer(s)	None

Date of Site Inspection

6 March 2026

Inspector

Paul Christy

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Appendix A - Form 1: EIA Pre-Screening

Appendix B - Form 2: EIA Preliminary Examination

1.0 Site Location and Description

- 1.1. The subject site is located in the large suburban residential area of Booterstown, south Dublin. The area is characterised by a typical suburban layout largely comprised of two-storey detached and semi-detached dwellings. The subject property is a 1950s-built two-storey, hipped roof detached dwelling with ground floor annexes on its eastern and western sides. The dwelling is set in a corner plot and benefits from generous garden areas on all sides. The subject plot and wider area are notably flat with minimal differences in floor levels.
- 1.2. The main central module of the dwelling is finished in a combination of red brick on the ground floor and yellow/cream painted render on the first floor. The predominant finish for the ground floor annexes is also red brick. The roadside boundary wrapping around the front and eastern side boundary is formed of red brick matching the brick used for the dwelling, together with a well maintained hedgerow extending above the wall. There are semi-mature trees in the north-eastern part of the plot to the front of the house.
- 1.3. There are typical two-storey semi-detached dwellings to the west (No.52/50 Woodbine Park) and south (Nos. 11/12 Woodbine Park) of the site. Being on a corner plot, the site is flanked by suburban roads to the north and east of the site.

2.0 Proposed Development

- 2.1. The main elements of the proposed development include:
 - The demolition of the existing dwelling;
 - The erection of a replacement, contemporary-style dwelling;
 - The removal of the existing brick boundary wall and its replacement with metal railing on a granite plinth;
 - Connections to the existing public mains water supply and sewer; and disposal of surface water via an on-site soakaway.
- 2.2. The original application submitted to the Local Authority was accompanied by a 'Planning Architectural Report'. A 'Demolition Justification Report' was included with the Applicants response to a Request for Further Information issued by the Local Authority.

3.0 Planning Authority Decision

3.1 Decision: Refuse

3.1.1. The decision was refused for one reason:

'1. Having regard to the proposed development, which includes the demolition of an existing dwelling house, it is considered that the proposed development would fail to accord with Policy Objective CA6: Retrofit and Reuse of Buildings and Policy Objective PHP19: Existing Housing Stock – Adaptation and with the provisions of Section 12.3.9 Demolition and Replacement Dwellings of the Dun Laoghaire Rathdown County Development Plan 2022-2028, as a strong justification has not been provided for the demolition of the existing dwelling on site. Neither has it been established that the existing dwelling is uninhabitable and cannot be remodelled, retrofitted and reused (partially or otherwise) to improve energy efficiency and residential amenity. Therefore, to permit the development, as proposed, would set an undesirable precedent for other similar development. The proposed development would, therefore, be contrary to the provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, and to the proper planning and sustainable development of the area.'

3.2. Planning Authority Reports

3.2.1. [First Planning Report, 5th September 2025]: The report includes, inter alia, the following comments of relevance to the refusal reason:

- Notes that the preference in the policies of the Development Plan (eg. Policy Objective CA6; Policy Objective PHP19; and Development Management Standard 12.3.9) is for the deep retrofit and reuse of existing buildings over their demolition and reconstruction.
- Notes that a report prepared by NBK Architectural '*attempted to provide a strong justification*' for the proposed demolition and replacement by detailing several existing defects including: structural deterioration (visible cracking to internal and external walls); 'movement in external walls'; absence of a damp proof course; and other issues contributing to poor thermal performance and functional obsolescence (eg. uninsulated external walls, outdated plumbing and electrical systems).
- Refers to a comment in the NBK report that their inspection was a 'non-invasive inspection' and comments that the report itself acknowledges a significant limitation in its current assessment.

- Concludes that the submitted information, while indicative of issues, does not definitively confirm that the dwelling is beyond repair. At the Authority's own site inspection, it was not indicated that the dwelling was uninhabitable, either internally or externally.

3.2.2. The Report concludes with a recommendation to issue a Request for Further Information (RFI) to include, inter alia, a request for a structural survey. An RFI issued on 5th September, 2025 and included, inter alia, a request for a structural survey '*which details that the existing structure is uninhabitable*'.

3.2.3. [Second Planning Report dated 2nd November, 2025]: This Report contains an assessment of the Applicants' response to the Request for Further Information. The main points of this report are set out below:

- Reviews a structural report submitted by Ross Somers Consulting Engineer. It is concluded that the justification provided in the report for the proposed demolition and rebuild is '*insufficiently robust*', particularly in the context of the Development Plan and the Climate Action Plan.
- Acknowledges referenced precedent cases, including ACP Ref. 321283. However, concludes that planning policy and decision-making increasingly favour the retrofitting and reuse of existing buildings, and that the submitted information has not demonstrated that retrofitting and reuse is unfeasible or that the house is inhabitable (sic).
- Concludes with a recommendation for refusal generally as per the wording of the formal refusal reason.

3.2.4. [Transportation Division]: Over-provision of parking spaces in context of the Division's interpretation of the site as being within an 'urban neighbourhood' as per the Compact Settlement Guidelines¹; entrance width exceeds maximum standards in Development Plan; absence of details re EV charging points; standard comments re sustainable urban drainage, and prevention of damage to public roads and footpath.

3.2.5. [Drainage Division]: Standard report advising of no objections, subject to standard conditions.

3.3. Prescribed Bodies

3.3.1. None.

¹ Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities – DHLGH, 2024.

3.4. Third Party Observations

3.4.1. None.

4.0 Planning History

4.1. **Subject site:** None.

4.2. Wider Locality (Similar Cases):

~ 70a Booterstown Avenue: P.A. Ref. D21A/1024, ACP Ref. 312743 Demolition of single-storey bungalow and construction of new dwelling. ACP Grant 2023.

~ 33 Coolkeel, Knocknacree Park, Dalkey: P.A. Ref. D24A/0678, ACP Ref. 321283-24 Demolition of dwelling and construction of replacement dwelling. ACP Refusal March 2025 on grounds of applicants' failure to provide a strong justification for the demolition of the existing dwelling.

~ Seacroft Mews, Seafield Road, Killiney: P.A. Ref. D23A/0662, ACP Ref. 319952 Demolition of dwelling and construction of replacement dwelling. ACP Grant 2024.

~ Sanford, Green Road, Dalkey: P.A. Ref. D21A/0835, ACP Ref. 313301 Demolition of dwelling and construction of replacement dwelling. ACP Grant 2023.

5.0 Policy Context

5.1. National Policy

5.1.1. Climate Change:

~ Climate Action and Low Carbon Development Act, 2015, (as amended) - Section 15(1): *'A relevant body shall, in so far as practicable, perform its functions in a manner consistent with— (a) the most recent approved climate action plan, (b) the most recent approved national long term climate action strategy, (c) the most recent approved national adaptation framework and approved sectoral adaptation plans, (d) the furtherance of the national climate objective, and (e) the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State.'*

~ National Planning Framework, First Revision: National Policy Objective 67: *'Support the circular and bio economy including in particular through greater efficiency in land and materials management, promoting the sustainable re-use and refurbishment of existing buildings and structures...'*

5.2. Regional Policy

5.2.1. Climate Change:

~ Eastern and Midlands Regional Assembly Regional and Spatial Economic Strategy: RPO 7.40: *'Local authorities shall include policies in statutory land use plans to promote high levels of energy conservation, energy efficiency and the use of renewable energy sources in existing buildings, including retro fitting of energy efficiency measures in the existing building stock and energy efficiency in traditional buildings. All new buildings within the Region will be required to achieve the Nearly Zero-Energy Buildings (NZEB) standard in line with the Energy Performance of Buildings Directive (EPBD).'*

~ RPO 7.41: *'Support and promote structural materials in the construction industry that have low to zero embodied energy & CO2 emissions.'*

5.3. Development Plan: Dun Laoghaire-Rathdown County Development Plan, 2022-2028

5.3.1. Zoning: The subject site is covered by Land Use Zoning Objective A. The relevant objective is: *'To provide residential development and improve residential amenity while protecting the existing residential amenities.'*

5.3.2. Climate Change:

~ 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.'*

~ 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 (Dept. of Environment, Heritage and Local Government, 2009). (Consistent with RPO 7.40 and 7.41 of the RSES).'*

~ Policy Objective CA7: Construction Materials - *'It is a Policy Objective to support the use of structural materials in the construction industry that have low to zero embodied energy and CO2 emissions. (Consistent with the RPO 7.41 of the RSES).'*

~ Policy Objective PHP19: Existing Housing Stock – Adaptation: *'It is a Policy Objective to (includes):*

- *Conserve and improve existing housing stock through supporting improvements and adaptation of homes consistent with NPO 34 of the NPF'*

~ Policy Objective PHP19 Accompanying Narrative: (Includes) *‘The Council will encourage the retention and deep retrofit of structurally sound, habitable dwellings in good condition as opposed to demolition and replacement ... (see Chapter 3, Policy Objective CA6 and Chapter 12, Section 12.3.9)’.*

~ Development Management Narrative 12.3.9 – Demolition and Replacement Dwellings (includes):

- *‘The Planning Authority has a preference for and will promote the deep retrofit 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 ... and Policy Objective PHP19...)*
- *‘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’.*

5.4. Natural Heritage Designations

- 5.4.1. The site is located: 595m to the west of the South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code 004024); 595m to the west of the Booterstown Marsh Proposed Natural Heritage Area; and c.685m to the west of the South Dublin Bay Proposed Natural Heritage Area.

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 Water Framework Directive Screening

- 7.1. The subject site is located: c.200m to the south of the Brewery Stream river waterbody (IE_EA_09B130400); c.500m to the west of the Brewery Stream river waterbody (IE_EA_09B130400); c.875m to the west of the Dublin Bay coastal waterbody (IE_EA_09_0000); and is situated over the Dublin ground waterbody (IE_EA_G_008).
- 7.2. No water deterioration concerns were raised in the planning appeal.

7.3. I have assessed the proposed demolition of the existing dwelling; erection of a replacement, contemporary-style dwelling; removal of the existing brick boundary wall and its replacement with metal railing on a granite plinth; connections to existing public mains water supply and sewer; and disposal of surface water via on-site soakaway 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.

7.4. The reasons for this conclusion are as follows:

- Whilst there is a potential hydrogeological pathway between the site and the Dublin ground waterbody as a result of soil exposure during groundworks and excavation during the construction, given the small-scale of the proposed development and the assimilative capacity of the waterbody, which will dilute any potential effects, it can be concluded that there is no conceivable risk to this waterbody either qualitatively or quantitatively.
- Whilst the nearest surface waterbody, the Brewery Stream river waterbody is located only 200m to the north of the subject site, there is no known hydrological connection between the two. Furthermore, it is proposed to dispose of effluent via the adjacent public sewer system.

7.5. Conclusion: 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 The Appeal

8.1. Grounds of Appeal

8.1.1. One no. first party appeal was received from the Applicants. The appeal consists of a paper prepared by the Agents, NBK Architects, and a 'Demolition Justification Report' prepared by RS Consulting Engineers. The grounds of appeal can be summarised as follows:

- A range of defects in the existing building are identified including, inter alia: structural deterioration (visible cracking to internal and external walls; the existing foundations not wide enough to cater for the applied loads); absence

of a damp-proof course leading to rising damp and chronic moisture ingress at lower wall levels, damp and black spotting evident throughout; no insulation to external walls, ground floor or roof space; plumbing and electrical system defects; insufficient and outdated internal layout; lowest possible Building Energy Rating (G).

- Health and safety concerns: various works would be required in order to retain the existing structure/parts of the original structure – such works are a health and safety risk.
- Carbon emissions and annual energy consumption improvements when compared to the existing house.
- Precedents for demolition: Notes that there are precedents within the Authority area assessed under comparable Development Plan provisions for demolition and replacement projects where the applications were either approved by the Local Authority, or by the Commission on appeal. The submission then lists five such cases and provides commentary on each.

8.1.2. The Appellants conclude with various summary comments including:

- Dwellings of superior quality and considerably shorter lifespan have been permitted to be demolished in the Authority's area.
- In cases where justification for demolition was provided, the reasoning mirrored that advanced by the professional reports submitted with the subject application and appeal – a rationale previously accepted by the Local Authority and the Commission.
- The Appellants have demonstrated that the retention of the existing dwelling is not practicable if it is to serve as a modern family dwelling. Given the inadequacy of the roof structure, walls and foundations, the effort and expense to retain what little structure remains can only lead to the determination that demolition and reconstruction are necessary to logically provide accommodation that complies with contemporary standards of sustainability, flexibility and comfort.

8.2. **Planning Authority Response**

8.2.1. Refers to the previous Planner's report and considers that the grounds of appeal do not raise any new matters which, in the opinion of the Authority, would justify a change of attitude to the proposed development.

8.3. **Observations**

8.3.1. None.

9.0 Assessment

9.1. Overview

9.1.1. Having examined the application details, and all other documentation on file including the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local policies and guidance, I consider that the substantive issue in this appeal to be assessed is as follows:

- The degree of compatibility of the proposed development with the relevant elements of the climate change-related planning policy framework

9.2. Compatibility of Proposed Development With The Relevant Climate Change-Related Planning Policy Framework

9.2.1. The key Development Plan policy provisions in respect of demolition and replacement are Policy Objectives CA6, and Section 12.3.9 respectively, in my opinion. PO CA6 requires '*the retrofitting and reuse of existing buildings rather than their demolition and reconstruction where possible*'. Development Management Narrative 12.3.9 – Demolition and Replacement Dwellings contains a similar sentiment but refers to the need for a '*strong justification*' for demolition and replacement. In the latter provision it is also stated that single replacement dwellings may only be permitted where the existing dwelling is '*uninhabitable*'.

9.2.2. The term 'where possible' (in PO CA6) is vague and open to interpretation, in my opinion. The references to the need for a 'strong' justification and 'uninhabitable' in Section 12.3.9 are similarly ambiguous. Consequently, it is my further opinion that the application and interpretation of these provisions should include a sense of realism, reasonableness and balance. The need for such balance was noted in the Commission's Direction on relevant similar case ref. 313301 (ACP Grant 2023).

9.2.3. Part, if not all, of the rationale for the policy preference for retrofitting and reuse of existing buildings rather than their demolition and reconstruction as contained in Policy Objective CA6 is a recognition of the embodied energy in existing buildings and that the reuse of existing dwellings will reduce the overall embodied energy in construction as set out in the Urban Design Manual (Dept. of Environment, Heritage and Local Government, 2009). Section 7.3 of the Appeal Statement addresses carbon emissions and annual energy consumption but does not include a comparison of a reuse project v a demolition and rebuild project, which comparison would more usefully inform the degree of compliance with PO CA6. Rather, it includes a comparison of the existing house v the proposed house. Unsurprisingly, the figures provided indicate that the performance of the proposed house over the

existing house (presumably in its existing condition) would be vastly superior in terms of carbon emissions and annual energy consumption.

9.2.4. In Section 7.1 of the Appeal Statement, '*a range of serious structural, environmental and functional deficiencies*' with the existing structure are identified. I have briefly summarised these issues at Section 8.1 above. The structural issues identified by the Agents are particularly relevant, and merit more detailed consideration, in my opinion. The identified issues include:

- '*The existing foundations are not wide enough to cater for the applied loads*'. Photographs showing exposed foundations at the front and side of the existing building are attached to the Report in support of these claims.
- Visible cracking to internal and external walls. The Agents state that this raises concerns regarding the long-term safety and durability of the building fabric.
- Upgrading the existing structure to meet current NZEB (Nearly Zero Energy Building) standards would require extensive, and cost prohibitive intervention with limited long-term benefit.

9.2.5. In addition to identifying issues with the existing structure in its current state, the Agents also provide commentary in relation to fundamental problems with a 'retain and reuse' project that would meet the requirements of the owners. Thus on p.7 of the Appeal Statement, the Agents advise that: '*With the planned reconfiguration of the structures, it will be impossible to maintain the current arrangement without substantial structural alterations due to current room sizing standards*'. The Agents then indicate that an existing spine wall would have to be removed, and that this in turn would result in the roof having to be removed in its entirety with replacement timbers, roofing membrane and material coverings and insulation required. In addition, all of the floors will have to be removed and replaced (as they are uninsulated and show no evidence of damp proof measures). The Agent concludes that this would result in the maintenance of the external walls only, and that these walls show significant structural defects which will require remedial action to significant portions of this remaining structure.

9.2.6. At my site inspection, many of the issues identified by the Agents were readily apparent, including: the disjointed layout; damp, narrow upstairs corridor and limited headroom on stairs; internal and external cracking; and foundations issues.

9.2.7. With reference to PO Policy Objective CA7 (support for the use of structural materials in the construction industry that have low to zero embodied energy and CO2 emissions), I note from the sustainability strategy included in the Appeal documents that the new blockwork construction will allow for the integration of high-performance insulation, airtight membranes, and elimination of cold bridging. The

strategy also refers to the careful dismantling of the existing structure and sending off for recycling or reuse where feasible.

9.2.8. I note the conclusions in the Local Authority Planning Officer's report of 2nd November, 2026 that it has not been demonstrated that retrofitting and reuse is unfeasible or that the house is inhabitable (sic). I also note the associated reference in the report to ACP Ref. 321283² together with the following associated comment: *'However, in light of the current policy context – particularly the Development Plan and the Climate Action Plan – it is considered that planning policy and decision-making increasingly favour the retrofitting and reuse of existing buildings over demolition and replacement. The broader trend reflects a commitment to sustainability and the reduction of embedded carbon, aligning with national and local climate objectives'*. Whilst the views expressed in the Planner's report may reflect public sentiment, I would advise that:

- both the Development Plan and the Dun Laoghaire-Rathdown Climate Action Plan (2024-2029) remain unchanged from the time of the referenced Commission's decision; and
- whilst there is a different Government Climate Action Plan (CAP) now in place (the 2025 CAP) from that in place at the time of the Commission's decision on ACP-321283 (the 2024 CAP), I have compared the two documents and would conclude that there is no discernible step change between the documents in terms of any strengthening of policy requirements regarding a preference for retrofit and reuse over demolish and rebuild.

9.2.9. In summary, I would conclude that there is no material difference in the policy context from the Commission's decision on ACP-321283.

9.2.10. I would also refer to several similar cases decided by the Commission during the lifetime of the current County Development Plan, 2022-2020 and referenced in the appeal documents and/or the Planning Authority reports (ACP Refs. 319952, 313301, 312743 & 321283). The first three were granted by the Commission, while the last was refused.

9.2.11. Among the collective issues referenced by the respective Inspectors across the granted cases and subsequently acknowledged in the Directions of the Commission as carrying weight in its respective decisions were, inter alia: poor accommodation standards in the existing dwellings; rising damp; economic viability of a reuse project; limited contribution to the visual amenity of the area; poor energy performance of existing v proposed dwelling; building having no architectural merit; compatibility with

² The tone of this part of the report would suggest that the Planner was referring to the referenced case as if it had been granted by the Commission. The Appeal was actually refused by the Commission in March, 2025.

the 'A' (residential) zoning. In the subject case, the Agents have identified similar issues affecting the subject property.

- 9.2.12. With regard to the Commission's refusal of ACP Ref. 321283, I note that the Commission's reason for this refusal in that case was the Appellants' failure to provide a strong justification for the demolition of the existing dwelling. In paras. 9.2.4 – 9.2.7 I have set out why, in my opinion, the Appellants have provided a reasoned and reasonable case supporting the proposed demolition in the subject Appeal.
- 9.2.13. I note that the Local Authority also included a reference to Policy Objective PHP19 in its refusal reason. In my opinion, it is clear from the supporting narrative as contained in the Development Plan that the underlying purpose of this PO is 'the promotion and encouragement' of additional dwelling units within existing communities (refer top-right paragraph, p.84). The narrative includes an extensive list of how such additional units could be achieved eg. sub-division of larger houses; development of mews buildings and other infill accommodation; 'living over the shop schemes'. I acknowledge that the narrative also notes that: '*The Council will encourage the retention and deep retrofit of structurally sound habitable dwellings in good condition as opposed to demolition and replacement*'. However, the 'encouragement' of such an approach in the narrative of the Plan in the context of a Policy Objective clearly aimed at promoting additional units should carry little weight, in my opinion, particularly as the said narrative concludes by referring the reader to Policy Objective CA6 and Section 12.3.9.
- 9.2.14. In conclusion, having regard to: the extent of the existing structural deficiencies, and the amount of the existing dwelling that would have to be removed and the (modest) proportion of the dwelling that would remain; the other issues referred to at Section 8.1 above and as verified at my site inspection; the inclusion in the sustainability strategy of proposals for the incorporation of sustainable material in the new build and the efficient dismantling of the existing dwelling for recycling or reuse; and having regard also to the need for a balanced assessment as referred to at para. 9.2.2, the Appellants have adequately demonstrated that it is not reasonably possible to retrofit and reuse the dwelling, in my opinion. The proposed demolition and replacement is therefore, generally compliant with Policy Objective CA6. It is my further balanced assessment that the Appellants have also provided a strong justification for the demolition of the existing house, and that the house is uninhabitable in its current state, and that the proposed development is therefore also generally compliant with Section 12.3.9 of the Development Plan.
- 9.2.15. I would note that the referenced Development Plan policy framework is generally aligned with Section 15 of the Climate Action and Low Carbon Development Act, 2015, (as amended). However, in my opinion, compliance with the Development Plan policy is not practical in the subject case for the reasons set out in the

preceding paragraphs and summarised in para. 9.2.14, notably the identified structural issues. Having regard also to the longer term operational benefits in terms of carbon metrics, and the proposals for the sustainable management of materials to be removed from the site, I am satisfied that my assessment and recommendation are consistent with Section 15 in accordance with the Supreme Court's interpretation of the law³.

9.3. Other Matters

- 9.3.1. Proposed Development; and Local Amenities: It is proposed to replace a fairly typical part two-storey, part single-storey suburban dwelling with a more contemporary part two-storey, part single-storey design. The footprint of the proposed two-storey element is broadly in line with the two-storey semi-detached dwellings to the rear. A long single-storey module, c.16.9m in length, runs westwards from the two-storey element and broadly parallel with the public road to the north. The proposed finishing materials include standing seam cladding (dark grey) roofing and cladding, and selected brick finishes. I am satisfied that this design approach can be absorbed at this location in terms of general visual amenities, particularly given the generous dimensions of the subject plot.
- 9.3.2. In terms of impacts on residential amenities, I am satisfied there will be no impact on the property to the west, given the distance of 11.41m between the proposed western single-storey gable and the party boundary. With regards to the property to the south, No. 11 Woodbine Park, the proposed two-storey element is set back a slightly greater distance from the party boundary (c.2.7m) than the neighbouring dwelling gable (c. 1.5m). There is one window on the gable of the neighbour's upper floor, which window appears to be serving a bathroom. Subject to the issue addressed at para. 9.36 below, I am satisfied that there will be no material impact on the amenities of the neighbouring dwelling to the south arising from the two-storey element of the proposed dwelling.
- 9.3.3. I have also noted the proposed single-storey storage element of the proposed dwelling located between the proposed two-storey element and the party boundary. This element is 6.55m long, 3m in height and is set back c.0.35m from the party boundary. There is no fenestration proposed on the southern elevation of the single-storey element and thus there is no issue in terms of overlooking. In terms of overshadowing and overbearing, there is only a narrow footpath passageway (c.1.2m-wide) between the two-storey gable of the third party dwelling and the party boundary. Light penetration into this area is already compromised due to the

³ Coolglass Windfarm Limited v An Bord Pleanala, Supreme Court, 4 February 2026.

presence of the associated dwelling and I am satisfied that the proposed development will not materially change this status quo.

- 9.3.4. Parking Provision: The submitted layout plan identifies capacity for at least two, and possibly three, spaces. During the Local Authority's processing of the planning application, the Authority and the Appellants disagreed over the level of parking provision that should be permitted. Both parties referred to parking standards contained in the Compact Settlement Guidelines. The Authority considers that the site is within an 'Urban Neighbourhood' as defined in the Table 3.1 of the Compact Settlement Guidelines and, therefore, that one space is appropriate in accordance with SPPR3(i) of the Guidelines. The Appellants contend that the site is more appropriately considered as being located within an 'Intermediate Location' as defined in Table 3.8 of the Guidelines and thus that SPPR3(iii) (allows for maximum of 2 spaces where such provision is justified to the satisfaction of the Planning Authority) should apply.
- 9.3.5. My own interpretation of the Guidelines is that they are directed at new development, rather than developments providing for replacement dwellings. In this context, a reasonable course of action would be to permit the same level of parking provision for the replacement dwelling as was provided for the existing dwelling, in my opinion. Parking provision for the existing dwelling is comprised of two spaces – one space in the garage, and one in the driveway leading to the garage. A further justification for the provision of two spaces is contained in the parking standards in the Development Plan. Table 12.5: 'Car Parking Zones and Standards', whilst accompanied by various elements of qualifying text, notes a standard of 2 spaces for 'Zone 2 Near Public Transport' areas. The Local Authority considers that the site is well positioned in terms of proximity to public transport services. This conclusion is reflected in my recommended conditions.
- 9.3.6. Neighbours' Amenities: The Authority's Request for Further Information (RFI) addressed an overlooking issue of No.11 Woodbine Park to the rear of the subject property arising from the proposed corner window serving the proposed first floor bedroom. The Authority requested a revised fenestration pattern to avoid this overlooking. In their response to the RFI, the Appellants submitted revised proposals and the Authority accepted same. This is reflected in my recommended conditions.
- 9.3.7. Vehicular Entrance Width: The Authority's RFI also requested revised proposals for the vehicular entrance to comply with the maximum 3.5m width guidelines contained in the Development Plan (Sub-Section 12.4.8.1 General Specifications, Section 12.4.8 Vehicular Entrances and Hardstanding Areas). In their response to the RFI, the Appellants submitted revised proposals and the Authority accepted same. This is reflected in my recommended condition
- 9.3.8. Future EV Charging Point: The Authority's RFI also requested revised proposals

indicating the installation of appropriate infrastructure to enable installation at a later stage of a recharging point for EVs in accordance with the requirements of Section 12.4.11 of the Development Plan 2022 – 2028. In their response to the RFI, the Appellants submitted revised proposals and the Authority accepted same. This is reflected in my recommended condition.

- 9.3.9. Development Contributions: The Local Authority report is silent on development contributions. In Section 7.2(i) of the Dun Laoghaire-Rathdown Development Contribution Scheme, 2023-2028 (as amended), it is clarified that contributions are payable ‘*Where existing residential development is demolished and replaced by new residential development*’, albeit that a reduction is also included. My recommendation includes a condition requiring the payment of the required contribution under the Scheme.

10.0 AA Screening

- 10.1. I have considered the proposed demolition of an existing house and the construction of a 5-bedroom dwelling with landscaping and all associated site works at to No54, Woodbine Road, Booterstown, Dublin in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located 595m to the west of the South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code 004024).
- 10.2. The main elements of the proposed development include:
- The demolition of the existing dwelling;
 - The erection of a replacement, contemporary-style dwelling;
 - The removal of the existing brick boundary wall and its replacement with metal railing on a granite plinth;
 - Connections to existing public mains water supply and sewer; and disposal of surface water via on-site soakaway.
- 10.3. 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 reasons for this conclusion are as follows:
- the nature of the works: small scale redevelopment of an existing developed plot within a large urban area with connections to the public sewer;
 - the distance of the site from the nearest European site (c.595m) and the absence of any connections between the two.

I conclude that on the basis of objective information, 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) is not required.

11.0 Recommendation

11.1. I recommend that permission for the development be granted, subject to conditions for the reasons and considerations as set out below.

12.0 Reasons and Considerations

12.1. Having regard to the current condition and structural integrity of the existing dwelling, to its restrictive design and layout, and to the longer-term operational efficiencies identified for the proposed dwelling, it is considered that the proposed development would generally be acceptable in terms of compliance with Policy Objective CA6 of the Dun Laoghaire-Rathdown County Development Plan and the criteria stipulated in Section 12.3.9 of the said Plan. Having regard also to the site's location within an area zoned as Land Use Zoning Objective A, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area or property in the vicinity, and would be acceptable from a visual amenity perspective. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 16th day of 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.</p> <p>Reason: In the interests of clarity.</p>
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2.	<p>Two no. parking spaces only shall be provided to serve the proposed dwelling. The developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: To provide for compliance with the parking standards contained in Table 12.5 of the Dun Laoghaire-Rathdown County Development Plan, 2022-2028, and in recognition of the parking capacity serving the existing dwelling.</p>
3.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including: details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels.</p> <p>A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.</p> <p>Reason: In the interest of amenities, public health and safety.</p>
4.	<p>Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.</p> <p>Reason: In the interest of sustainable waste management.</p>
5.	<p>Surface water arrangements and the materials to be used for any parking and hardstanding areas shall comply with the requirements of the planning authority for such services and works.</p> <p>Reason: In the interests of public health.</p>

6.	<p>Site development and building works shall be carried out between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.</p> <p>Reason: To safeguard the residential amenities of property in the vicinity.</p>
7.	<p>The footpath, including any grass verge, in front of the proposed vehicular entrance shall be dished and strengthened at the Applicant's own expense including any moving / adjustment of any water cocks /chamber covers and all to the satisfaction of the appropriate utility company and Planning Authority. The developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interests of traffic safety.</p>
8.	<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 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 <p>Reason: To cater for orderly development.</p>
9.	<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 Coimisiuin Pleanála to determine the proper application of the terms of the Scheme.</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.
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I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

P.Christy

Paul Christy
Planning Inspector

26th March 2026

Appendix A: Form 1 EIA Pre-Screening

Case Reference	PL-500441-DR-25
Proposed Development Summary	Demolition of house and construction of 5-bedroom dwelling with landscaping and all associated site works.
Development Address	54 Woodbine Road, Booterstown, Dublin
IN ALL CASES CHECK BOX /OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
<p>(For the purposes of the Directive, "Project" means:</p> <ul style="list-style-type: none"> - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources) 	
2. Is the proposed development of a CLASS specified in <u>Part 1</u>, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in <u>Part 2</u>, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does	

it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold Part 2/10(b)(i) Construction of more than 500 dwelling units.
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)?	
No ✓	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: Paul Christy

Date: 26th March, 2026

P.Christy

Appendix B: Form 2 - EIA Preliminary Examination

Case Reference	PL-500441-DR-25
Proposed Development Summary	Demolition of house and construction of 5-bedroom dwelling with landscaping and all associated site works.
Development Address	54 Woodbine Road, Booterstown, 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>Briefly comment on the key characteristics of the development, having regard to the criteria listed.</p> <p>The development has a modest footprint and comes forward as a standalone project. The development does require demolition works, but such works are considered to be modest in scale. The development 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.</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>Briefly comment on the location of the development, having regard to the criteria listed</p> <p>The development is situated on an existing brownfield plot in a long-established urban area. The development is removed from sensitive natural habitats and designated sites, and landscapes of identified significance in the County Development Plan. The site is within a heavily-populated area.</p>
Types and characteristics of	Having regard to the characteristics of the

<p>potential impacts</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>development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.</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>Conclusion</p>	
<p>Likelihood of Significant Effects</p>	<p>Conclusion in respect of EIA</p>
<p>There is no real likelihood of significant effects on the environment.</p>	<p>EIA is not required.</p>

Inspector: Paul Christy **Date:** 26th March, 2026

P.Christy