



## Inspector's Report

**PL-500499-SD-25**

<b>Development</b>	Retention of north-eastern boundary wall (height 1.3m), including a 1.57m wide.
<b>Location</b>	Lands adjacent to 21 Elmcastle Court, Dublin 24.
<b>Planning Authority</b>	South Dublin County Council.
<b>Planning Authority Reg. Ref.</b>	SD25B/0573W.
<b>Applicant(s)</b>	Noeleen Harte.
<b>Type of Application</b>	Retention Permission.
<b>Planning Authority Decision</b>	Refuse Retention.
<b>Type of Appeal</b>	First Party Normal Planning Appeal.
<b>Appellant(s)</b>	Noeleen Harte.
<b>Observer(s)</b>	William J Roche. Margaret O' Neil. Michael McWilliams. Laura Quinn. Darren and Lisa Mitten. Chris O' Brien.
<b>Date of Site Inspection</b>	14 <sup>th</sup> March 2025.
<b>Inspector</b>	C. Daly.

## 1.0 Site Location and Description

- 1.1. The subject site within a residential area, of area c.0.08ha., consists of an open space area mainly consisting of grass with some mature trees close to the south-east boundary. The site is bounded by an exposed block wall adjacent to the footpath along Treepark Road, with a small pedestrian gap (although this was blocked by a temporary fence) and the walls of the adjacent dwellings to the south-west and north-west and by temporary fencing along the south-east boundary. The site was not accessible to the public on the date of my visit. There is some hedgerow type planting towards the north-west boundary and the flat site is mainly covered in grass.
- 1.2. The south-east boundary with Elm Court was formed by temporary fencing on the date of my site visit. The adjacent dwellings to the south-west and north-west are two storey dwellings with front and rear gardens. Directly opposite across the road from the site is a recreational facility building with all-weather pitch to the rear and some landscaped space to the front. To the north-west of this there is a grass pitch on a separate site.
- 1.3. The site within a traditional type suburban residential area which includes a number of open spaces, including one larger area adjacent to the south/south-east. The site is accessible to the Belgard Road and to Junction 10 of the M50 which is c.435m to the north-west.

## 2.0 Proposed Development

- 2.1. The proposed development, in summary, consists of the following:
  - Retention of north-eastern boundary block wall of height 1.3m including a 1.57m wide pedestrian entrance.

## 3.0 Planning Authority Decision

### 3.1. Decision

South Dublin County Council decided to refuse permission for two no. reasons related to (1) the wall being detrimental to the accessibility and safety of the open space and the recreational amenity of the area zoned “to preserve and provide for

*open space and recreational amenities*” and would set an undesirable precedent of similar developments and would be harmful to the open spaces of the area, and (2) the site provides a green infrastructure link with the existing trees and hedgerow on the site and the undesirable precedent would be harmful to the open space and recreational amenities of the area.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The Planner’s Report assessment noted the ‘OS’ zoning objective for the site which is *“to preserve and provide for open space and recreational amenities”*. It noted that while boundary walls are not noted in the use classes for the site zoning, it considered the enclosure of open space land for private use to be a direct material contravention of the zoning.

It noted Section 12.6.10 of the CDP which provides inter alia that *“continuous walls and other barriers between open spaces should be avoided”*. The report noted that the site was inaccessible to the public on the date of the site visit. It considered the wall to be detrimental to the safety and accessibility of the space and to recreational amenity and it considered that this materially contravenes the zoning. It recommended a refusal or permission accordingly.

In relation to visual amenity, it considered the long blank boundary wall to be incongruous with the streetscape and detrimental to the character of the area and noted the potential to create inactive streetscape frontages elsewhere. It considered that an undesirable precedent would be set by the enclosure of open space for private use noting also that other areas of open space. It noted that similar boundary walls are not a feature of lands zoned ‘OS’ in the county.

It noted that the Parks department recommended refusal in relation to the zoning, Policy H3 Objective 4 and in relation to green interference with this green infrastructure link. The Planners Report recommended refusal in relation to this. I note that the previously cited material contravention of the zoning did not form part of the refusal reasons in the conclusion.

#### 3.2.2. Other Technical Reports

- Roads: No objection.

- Parks Department: Material contravention of the zoning objective and undesirable precedent in relation to local green infrastructure links such that refusal recommended.

### 3.3. Prescribed Bodies

Not applicable.

### 3.4. Third Party Observations

11 no. third party observations were received which can be summarised as follows:

- The development would be out of character with the area.
- Zoning objective of the site would be materially contravened.
- Negative impacts on visual and residential amenity.
- Significant loss of green space.
- The development has no permission.
- Negative impact on the environment and ecology.
- An undesirable precedent would be set for other areas of open space.
- Negative community impact.
- Negative impact on local safety.

## 4.0 Planning History

**SD23A/0222:** Permission refused by the P.A. and refused on appeal (ABP-318517-23) for two no. four bed houses. ABP reason for refusal related to the open space zoning of the site which would be materially contravened.

**S9154:** Enforcement investigation in relation to the erection of a wall enclosing the subject site.

## 5.0 Policy Context

### 5.1. South Dublin Development Plan 2022-2028 (the CDP)

The appeal site is zoned OS: Open Space with the associated land use objective “to preserve and provide for open space and recreational amenities”.

I note a cycleway proposal on the opposite side of Treepark Road per the CDP zoning map.

The site is unaffected by variation no. 1 and proposed variation no. 2 of the CDP.

Policy QDP3: Neighbourhood Context: *Support and facilitate proposals which contribute to in a positive manner to the character and setting of an area.*

Policy QDP6: Public Realm QDP6 Objective 7: *To ensure, in so far as is practical, that all boundary walls in new residential developments are of a similar height and of a high quality where they are bordered on either side by a public footpath or an area that has been or is due to be taken-in-charge in order to leverage the opportunity to improve the quality of boundary treatments.*

Policy H3 Objective 4: *To support community led housing developments for older persons and social and Council affordable housing in established areas on lands designated with Zoning Objective “OS” (To preserve and provide for open space and recreational amenities), only where the quality and quantum of remaining public open space is deemed to be adequate and the amenities of the area are preserved.*

Policy H13 Objective 5: *To ensure that new development in established areas does not unduly impact on the amenities or character of an area.*

Policy EDE21 Objective 2: *To promote the development of outdoor leisure activities on lands that are designated with Zoning Objective Open Space ‘OS’.*

Section 12.4.2 Green Infrastructure and Development Management – This requires applications to demonstrate protection or enhancement of green infrastructure (GI).

Section 12.6.10 In relation to the quality of public open space provision, this lists policies under the following headings: access, recreation facilities; green infrastructure, biodiversity and sustainable water management; accessibility and safety.

## 5.2. **Natural Heritage Designations**

In relation to designated sites, there are none in the immediate vicinity of the subject site.

## 6.0 **The Appeal**

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

The grounds of appeal on behalf of Noeleen Harte can be summarised as follows:

- No change of use is proposed and the land remains open space with pedestrian openings retained to both Treepark Road and Elmcastle Court such that there is no conflict with the 'OS' zoning objective.
- Very significant structures are permitted under the 'OS' zoning including community centre, hotel and stadium among others.
- While 'boundary wall' is not a use class under the zoning, the wall and access are not separate uses or developments distinct from the open space but are reasonable and normal elements of such private open space.
- The walls follow established precedent with boundary walls around open space common such as at Kilnamanagh AFC and St Kevin's Knights Basketball Club.
- Comparable works were carried out and permitted under reg. ref. SD25B/0389W.
- The wall, by clarifying ownership, supports the operation of the open space, discourages anti-social behaviour and enables appropriate management of the land in line with Section 12.6.10 of the CDP and is reasonable.
- In relation to the requirement of this section for the avoidance of continuous walls, the wall is not continuous but is open to the east and west and strikes an appropriate balance enabling permeability and accessibility while demarking the land.
- The wall positively contributes to the neighbourhood in line with Policy QDP3.

- The wall improves the recreational amenity of the space by enhancing its sense of enclosure and protection and improves its useability and safety.
- The wall has no impact on existing trees or hedgerows with permeability through the site maintained such that the green infrastructure concern is unfounded.
- The refusal of permission to demarcate the private land conflicts with the owner's responsibility to manage the property and clarify liability to third party users.
- The applicant is willing to accept conditions requiring the widening of the pedestrian access for maintenance access and appropriate finishing of the wall and the refusal decision should be overturned.
- The appeal notes that the retention of the boundary openings to the private site is provided on a permissive basis with the applicant reserving all rights to restrict or exclude access to the land at all times.
- The wall was constructed in good faith and was required as a condition of the sale of the property which took place in 2023 (folio attached with appeal).
- There is no safety issue as the wall is in no way detrimental to the use of the space or to its users.
- Refusal reason no. 2 is based on a misinterpretation of the application by the Parks Department who read it as a residential development.
- The wall does not disrupt the strong local green infrastructure link with physical permeability remaining for both pedestrians and wildlife. All surrounding open spaces are mowed and maintained and all boundary hedgerows are fragmented and do not provide a strong network of green infrastructure features.
- The ecological significance of the site is overstated and there is no impact on existing trees and hedgerows.
- The boundary wall inhibits damage to and misuse of the land including in relation to fly-tipping.

- The wall provides improved visual amenity, once suitably complete, including by the physical definition of the space and this is entirely consistent with the residential character of the area as built.
- The temporary protected fencing is required in relation to the unfinished construction works and will be removed upon completion and access to the land was only restricted as construction was stopped as a result of enforcement action.
- The low height of the wall has minimal, if any, impact on traffic.

## 6.2. Observations

Four no. third party observations were received in response to the appeal from Margaret O' Neil, Michael McWilliams, William J Roche, Darren and Lisa Mitten; Chris O' Brien and Laura Quinn, which can be summarised as follows:

- Granting permission for a development undertaken without permission would set a negative precedent.
- This materially contravenes the zoning and GI network as the wall encloses, privatises and reduces the public open nature of the land.
- The wall has led to rubbish and debris being dumped in the common area with adverse impacts on amenity.
- The wall fragments the ecological network and negatively impacts on species such as hedgehogs and bats.
- Excessive lighting can negatively impact bat activity.
- The owners have requested the Council rezone the land from open space to residential which contradicts the intention of leaving this as open space.
- The comparison with the Kilnamanagh football club and the Kilnamanagh Family Recreation Centre is not accurate as it is a community based recreational development and not for residential purposes.
- There has never been any issue with anti-social behaviour or in relation to the maintenance of the space.

- The owner's statement that they intend to keep the trees is contradicted by the previous application where these were to be removed.
- The wall is a safety concern for children passing by the adjacent driveway with visibility restricted.
- Issues alleged regarding legal entitlement to carry out the development.
- The site is now entirely enclosed and inaccessible to the public and this is not consistent with the zoning (photos attached).
- All meaning permeability through the site has been removed.
- Private contractual arrangements are not relevant and do not over-ride planning law.
- The wall functions as a physical and psychological precursor to development undermining the zoning.
- The area was historically enjoyed as communal open space.
- Questions the private ownership status.
- The previous layout fostered natural surveillance and community interaction.
- Vermin breeding on the site is a concern.
- This would erode public confidence in the ability of the planning system to protect open amenity spaces and resist piecemeal development.

## 7.0 **Assessment**

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

- Principle of Development
- Open Space Policy
- Visual and Residential Amenity

- Other Matters

## 7.2. Principle of Development

- 7.2.1. I note that the appeal has noted consistency with the zoning while third party observers dispute this. Under the CDP the site is zoned 'OS' as open space which is "*to preserve and provide for open space and recreational amenities*". I note that per Table 12.15 of the CDP that boundary wall or wall is not listed as 'permitted in principle', 'open for consideration' or 'not permitted' under the zoning objective for the site. I note that a boundary wall is not a separate land use class but an ancillary development associated with a use class, for example an application for a dwelling will not normally include the associated boundaries in the public notices. I consider that a boundary wall can be a normal element of an open space site such as this.
- 7.2.2. I agree with the appellant that no change of land use has been proposed as part of the development of the boundary wall. Having visited the subject site I note that it was closed off to visitors by temporary fencing on the date of my visit. I note that the condition of the wall matches the submitted elevation and no temporary fencing is included on the drawings. I do not consider the site closure to be necessary in relation to the completion of the external finishes of the wall other than at the actual time this work is be carried out. Therefore, I note that on the date of my site visit the green area was not accessible to the public.
- 7.2.3. However, I do not consider that this was a result of the development applied for in the public notices but rather it appears to be an additional safety measure implemented on a temporary basis but one which does not form part of the application. In my opinion, this temporary closure of the site, to the extent that it changes the open space nature of the lands, has not been applied for in the application and so I am limited to considering only the application for the retention of the wall. I note that if permission is granted, it can only be for the development applied for and it would not imply permission for a change of use of the lands or for their closure to the public. Should permission be granted, I recommend a condition to expressly clarify that no permission for fencing of the boundaries is included.
- 7.2.4. Accordingly, considering the application for the wall and entrance in isolation, I note that based on the submitted public notices and drawings, it does not close the site for public access or recreation and that it also maintains permeability through the site,

and does not affect the trees or landscape in any other way. I note the reference to the proposed removal of trees by some observers in relation to the previous residential application which I note was for house building whereas no buildings or change of use are proposed in this application.

- 7.2.5. I consider the retention of the boundary wall to be consistent with the 'OS' zoning of the site and with its function as an area of public or communal open space for residences in the vicinity. Therefore, I consider the development to be acceptable in principle and I do not consider that a material contravention of the 'OS' zoning objective of the CDP arises. In this context, I do not consider that refusal reason no. 1 in relation to the site zoning is justified and I recommend that it be over-turned.

### **7.3. Open Space Policy**

- 7.3.1. I note the appellant has asserted that the wall, by clarifying ownership, supports the operation of the open space, discourages anti-social behaviour and enables appropriate management of the land in line with Section 12.6.10 of the CDP and is reasonable. I note the third party observations effectively dispute this.
- 7.3.2. I have included relevant parts of Section 12.6.10 of the CDP in Section 5.1 above. Of note, it states that there is a requirement for the avoidance of continuous walls. I note that, per the submitted drawings, the wall is open to the east with Treepark Road and that there is no wall along the south-east boundary. Therefore, I do not consider the wall to be continuous and I note that its construction and design allows for access through the site and to the site for use for recreation purposes.
- 7.3.3. Having regard to Section 12.6.10 of the CDP in relation to access, I consider that the development provides for adequate access points to the open space to minimise distances with the residential areas which it serves. I note its accessibility to walking and that the design is such that it can be used for amenity, recreation, sports and play. Having regard to Section 12.6.10 of the CDP in relation to recreation facilities I note that the open space, based on the design, can continue to offer both active, albeit limited due to the size of the space, and passive recreation which would remain accessible regardless of age or ability and that while no formal children's play area is provided that it can function as an informal children's play space. I also consider this to also be consistent with Policy EDE21 Objective 2.

- 7.3.4. Having regard to Sections 12.4.2 and 12.6.10 of the CDP in relation to green infrastructure, biodiversity and sustainable water management, I note the development does not significantly affect the current layout/arrangement of the site. For example, the trees, landscape and planting are unaffected by the wall and would not prevent additional planting on the site. In my opinion the GI assets on the site are unaffected consistent with Section 12.4.2 of the CDP. I observed no hedgehogs on my site visit and note no scientific information that suggests they or bats are present on the site. I note no lighting proposals in this suburban area with existing public lighting. In any event, I note the position and scale of the wall is such that no effects on protected species arise.
- 7.3.5. I do not consider that refusal reason no. 2 in relation to impacts on green infrastructure to be well founded given the absence of such impacts from the development. I note the Parks Department reference to Policy H3 Objective 4 relates to community led housing developments and is not relevant in this case. I note also that the site is mainly grassland with some hedgerow that is unaffected by the wall. I also note no links to other hedgerows outside the site. I note the permeable grass and planted surface of the site remains such that I have no significant concerns in relation to sustainable drainage on the site. I recommend that this refusal reason not be upheld.
- 7.3.6. Having regard to Section 12.6.10 of the CDP in relation to accessibility, I note that the gap in the wall is 1.57m at its narrowest point. I note this is sufficient to allow for wheelchair access. Having regard to Section 12.6.10 of the CDP in relation to safety, I note the limited wall height of 1.3m. This, in my opinion, ensures that passive surveillance of the space is easily available from surrounding land, that the open space is visible and accessible to the residential units in the vicinity.
- 7.3.7. I consider this is sufficient to reasonably ensure the avoidance of anti-social behaviour. Contrary to some of the observations, I do not consider the wall to be of such a scale that it increases anti-social behaviour, illegal dumping or that it necessarily results in rats entering the site.
- 7.3.8. Overall, I am satisfied that the development is consistent with the policy provisions of Section 12.6.10 (public open space). Noting this I do not consider that refusal reason

no. 1 in relation to the accessibility and safety of the open space and its recreational amenity to be justified and I recommend it not be upheld.

#### **7.4. Visual and Residential Amenity**

- 7.4.1. I note the appellant has asserted that the site wall follows established precedent around open space particularly and the examples of Kilnamanagh AFC and St Kevin's Knights basketball club grounds are named in this regard as they are along Treepark Road on the other side of the road. Some observations dispute this noting these are recreation spaces and not open space associated with residential development. I note the grant of permission cited in relation to no. 1 Cloonmore Drive (reg. ref. SD25B/0389W), however I note this was for a residential site within the dwelling curtilage.
- 7.4.2. I note the residential nature of the area to the south-west and north-west of the site with a number of sizeable greens in the vicinity within the housing estates which have no boundary walls. I note the football and basketball club sites to the north-west and east are under the same 'OS' zoning as the subject site. The basketball site consists of a sizeable building and hardstanding area with limited green area facing tree park road and the football club site consists of a large green area with football pitch. Both of these two sites are bounded by low walls and railings fronting Treepark Road.
- 7.4.3. Noting the limited scale of development, provided the boundary wall is appropriately rendered and capped to enhance its external finish consistent with Policy QDP6: Public Realm QDP6 Objective 7, I consider that it would not be significantly out of character with the site or the area in the vicinity. In my opinion, noting the substantial preservation of the green open space of the site, the wall to be retained would not unduly negatively impact on visual amenity in the vicinity. This is consistent with Policy H13 Objective 5 of the CDP.
- 7.4.4. I also note that I have previously noted the design provides for site accessibility, useability, passive surveillance and security such that I do not consider that undue negative impacts would arise in terms of residential amenity. In this context, I note that no significant changes to the land use of the site are proposed. Overall, I consider the development as designed supports and facilitates proposals which contribute in a positive manner to the character and setting of the area.

## 7.5. Other Matters

- 7.5.1. In relation to the entrance for retention, which is a gap in the wall adjacent to the footpath on Treepark Road, I note that no significant planning impacts would arise given this is a pedestrian entrance on to a footpath with no capacity issues.
- 7.5.2. I note the traffic safety issues raised by the third party observers. Given the 1.3m height of the wall and its position along Treepark Road, I note that it would not impede or effect vehicular or cyclist visibility in the vicinity and I have no road safety concerns in this regard.
- 7.5.3. I note the issues raised in relation to the ownership of the site. I note the submitted folio supports the ownership of the site asserted by the applicant. I note this and the provisions of Section 34(13) of the 2000 Act as amended where a grant of permission does not confer automatic legal authority to carry out a development such that I have no concerns in this regard.
- 7.5.4. I note the references to private contractual arrangements by the appellant and third parties, and I do not consider these to be relevant in planning terms. I also note references to the applicant's responsibilities as the legal landowner, and I do not consider that this raises planning issues.
- 7.5.5. I note the references to the intent of the applicant by reference to an apparent submission to the Council to have the land rezoned for residential use. I note their stated intent in the subject appeal and noting this and the planning history of the site, I do not consider that a grant of permission would imply anything in planning terms in relation in relation to any potential residential development on the site or undermining of the 'OS' zoning.

## 8.0 Environment Impact Assessment Screening

- 8.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

## 9.0 **Appropriate Assessment Screening**

- 9.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located outside the zone of influence of any European sites given the modest nature of the development, distance from same and the absence of ecological connections to such sites.
- 9.2. The proposed development comprises retention for the retention of the north-eastern boundary wall of height 1.3m including a 1.57m wide pedestrian entrance. 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.
- 9.3. The reason for this conclusion is as follows:
- The relatively small-scale nature of the development.
  - The distance from the nearest European site and lack of ecological connections thereto.
  - Taking into account the screening determination by the P.A..
- 9.4. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.
- 9.5. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

## 10.0 **Water Framework Directive**

- 10.1. The subject site is above the Dublin (IE\_EA\_G\_008) ground waterbody (status “good”) and is c.730m north-west of the Poddle\_010 river waterbody (IE\_EA\_09P030800) (status “poor”). The development comprises the retention of the north-eastern boundary wall of height 1.3m including a 1.57m wide pedestrian entrance.

10.2. 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 and 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.

10.3. The reason for this conclusion is as follows:

- The relatively small-scale nature of the development.
- The distance from the nearest surface water bodies.

10.4. I conclude on the basis of objective information, that the proposed development would 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 jeopardize any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

## 11.0 Recommendation

11.1. I recommend that permission be granted subject to conditions.

## 12.0 Reasons and Considerations

Having regard to the South Dublin County Development Plan 2022-2028, to the design of the boundary wall and the entrance for retention bounding an area zoned for open space and which design allows the area to continue to function as open space for the area, the development for retention is consistent with the 'OS' zoning objective for the site, protects green infrastructure, is designed to be accessible and safe, contributes appropriately towards residential amenity in the area and is not out of character with the receiving environment, with no significant traffic safety issues or environmental impacts noted, it is considered that subject to compliance with the conditions set out below, the development would be acceptable. The development would therefore not unduly negatively impact on the residential or visual amenities of

the area or of property in the vicinity and is acceptable in terms of public convenience. The development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### 13.0 Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, 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 within three months of the date of this permission and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The development permitted includes only the wall and entrance outlined in the public notices and shown on the submitted drawings and no other enclosure of the lands whether by means of a wall, fencing or otherwise whether permanent or temporary is hereby permitted.

Reason: In the interest of clarity.

3. Within three months of the date of this permission, the wall shall be suitably capped and rendered to a smooth finish.

Reason: In the interest of residential and visual amenity.

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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Ciarán Daly

Planning Inspector

18<sup>th</sup> March 2026

## Appendix 1 - Form 1

### EIA Pre-Screening

<b>An Coimisiún Pleanála Case Reference</b>	PL-500499-SD-25		
<b>Proposed Development Summary</b>	Retention of north-eastern boundary wall (height 1.3m), including a 1.57m wide.		
<b>Development Address</b>	Lands adjacent to 21 Elmcastle Court, Dublin 24.		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	X
		<b>No</b>	
<b>2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?</b>			
<b>Yes</b>			EIA Mandatory EIAR required
<b>No</b>	X		Proceed to Q.3
<b>3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?</b>			
		<b>Threshold</b>	<b>Comment (if relevant)</b>
			<b>Conclusion</b>
<b>No</b>	X		No EIAR or Preliminary Examination required
<b>Yes</b>			Proceed to Q.4

**4. Has Schedule 7A information been submitted?**

<b>No</b>	X	<b>Preliminary Examination required</b>
<b>Yes</b>		<b>Screening Determination required</b>

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