



An  
Coimisiún  
Pleanála

## Inspector's Report

**PL-500637-DN-26**

<b>Development</b>	Demolition of the existing building for the construction of two semi-detached houses and all associated site works.
<b>Location</b>	2A Ormond Road, Drumcondra, Dublin 9, D09EH60 with entrance off the existing access lane from Ormond Road.
<b>Planning Authority</b>	Dublin City Council North
<b>Planning Authority Reg. Ref.</b>	WEB2542/25
<b>Applicant(s)</b>	Sadlier Developments Ltd
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission + Conditions
<b>Type of Appeal</b>	Third Party Normal Planning Appeal
<b>Appellant(s)</b>	<ol style="list-style-type: none"><li>1. Jack McCarthy</li><li>2. John Sheehan</li><li>3. Katie McCarthy &amp; Myles Dwyer</li><li>4. Ormond Road Residents Action Group</li><li>5. Sean O'Sullivan &amp; Shona Drumgoole</li></ol>
<b>Observer(s)</b>	<ol style="list-style-type: none"><li>1. Emma English</li><li>2. Helen O'Neill</li></ol>

3. John Ferry & Catherine Quinn
4. Tom Bolger & Mary Kelly

**Date of Site Inspection**

10<sup>th</sup> April 2026

**Inspector**

Susan McHugh

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## 1.0 Site Location and Description

The appeal site is located at 2A Ormond Road, Drumcondra, Dublin 9, and lies north of Dublin City Centre.

The surrounding area is predominantly residential comprising two storey terraced houses. Dublin City University (DCU) St. Patricks Campus is located to the west of Drumcondra Road Upper. DCU All Hallows campus is located further to the east,

The existing building on site is accessed via a short laneway from Ormond Road to the south. The site is bounded to the north by the rear gardens of houses along Church Avenue, home to a number of appellants. It is bounded to the east by Clonturk House a residential community care building and to the west by the rear gardens of houses along Drumcondra Road.

The access laneway which runs along the gable of House no.2 Ormond Road is home to one of the appellants. This laneway provides access to the rear gardens and associated garages to the rear of house no.s 2-10 Ormond Road and adjoining rear gardens or houses to the west and north.

The subject site contains the existing building only and not the access laneway from Ormond Road. It is bounded for passageways to the north and south accessed from the main access laneway from Ormond Road. On street pay and display parking is provided along Ormond Road and Church Avenue.

The existing roughly 'L' shaped building on site is a low-profile single storey structure. It has a pitched roof and has been extended to include a mezzanine towards the western gable of the building which is finished in a flat roof. It is currently vacant and formerly used as a church.

The site has a stated area of 0.046 hectares.

## 2.0 Proposed Development

- 2.1. The application was lodged with the planning authority 01/07/2025 with further plans and details submitted 18/11/2025 following a further information request dated 25/08/2025.
- 2.2. As amended the proposal provides for the demolition of the existing building on site, formerly in use as a light industrial workshop and latterly used as The Church of

Jesus Christ The Redeemer, Christian Community Church. The existing structure has a stated area of 329sqm.

- 2.3. It is proposed to construct 2no. two storey plus attic level semi-detached houses. Each house accommodates 3no. bedrooms at first floor and 1no. bedroom at attic level.
- 2.4. Vehicular access is proposed via an existing laneway, with provision of 1 no. car parking space and 2 no. bicycle spaces per unit.
- 2.5. The application was accompanied by the following;
  - Planning Report
  - Engineering Report and Drawings
  - Stage1/2 Flood Risk Assessment
  - Daylight and Sunlight and Overshadowing Impact Assessment
  - Photomontages
  - Letter of Consent

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

The Planning Authority issued a decision to grant planning permission on 15/12/2025 subject to 12 no. conditions.

Conditions of note are as follows:

- Condition 2: Section 48 Development Contribution €702.00.
- Condition 3: Cash deposit or insurance Bond.
- Condition 4: Materials and finishes.
- Condition 5: Road's requirements and Construction Management Plan.
- Condition 6: Drainage requirements.
- Condition 7: Requirements in relation to standard of development.
- Condition 8: Hours of construction.
- Condition 9: Noise Control.

- Condition 10: Roads to be kept free of debris.
- Condition 11: Naming and Numbering.
- Condition 12: Section 96 of the Planning and Development Act 2000(as amended).

### 3.1.1. Conditions

Conditions no. 5 and 7 are referred to specifically in the grounds of appeal and are included in full below.

#### **Condition No. 5**

'The development shall comply with the following transportation requirements of the Planning Authority:

- (i) Prior to the commencement of development, the applicant shall contact the planning authority prior to lodgement to ascertain the requirements of Environment and Transportation sections of Dublin City Council and for all works to the public road and public realm with particular regard to the proposed alterations to the public roadway. Materials in public areas shall be in accordance with the document Construction Standards for Roads and Street Works in Dublin City Council. Any works to the public road and the public realm including provision of upgraded junctions, pedestrian crossings, road and footpath modifications, lighting, drainage and materials considered acceptable to Dublin City Council shall be carried out at the developer's expense and completed prior to the occupation of the development.
- (ii) Prior to commencement of development, and on appointment of a contractor, a Demolition Management Plan for the demolition phase of the development shall be submitted to the planning authority for written agreement. This plan shall provide details of intended demolition practice for the entire development and at each phase, including a detailed traffic management plan, hours of working, noise management measures, off-site disposal of demolition waste and access arrangements for labour, plant and materials, including location of plant and machine compound. The appointed contractor shall liaise with Dublin City Council Road Works Control Division during construction period.

- (iii) Prior to commencement of development, and on appointment of a contractor, a Construction Management Plan for the construction phase of the development shall be submitted to the planning authority for written agreement. This plan shall provide details of intended construction practice for the entire development and at each phase, including a detailed traffic management plan, hours of working, noise management measures, off-site disposal of construction waste and access arrangements for labour, plant and materials, including location of plant and machine compound. The appointed contractor shall liaise with Dublin City Council Road Works Control Division during construction period.
- (iv) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.

**Reason:** In the interests of sustainable transportation and safety.'

#### **Condition no. 7**

The developer shall comply with the requirements set out in the Codes of Practice from the Drainage Division, the Roads Streets & Traffic Department and the Noise & Air Pollution Section.

**Reason:** To ensure a satisfactory standard of development

The following **notes** are also included.

'N.B. It should be clearly understood that the granting of planning permission does not relieve the developer of the responsibility of complying with any requirements under other codes of legislation affecting the proposal and that a person shall not be entitled solely by reason of a planning permission to carry out any development.

1. A person shall not be entitled solely by reason of a grant of Planning Permission to carry out any development.

2. A grant of Planning Permission does not entitle the applicant to construct a development that would oversail, overhang or otherwise physically impinge upon an adjoining property without the permission of the adjoining property owner.

3. Any observations or submissions received by the Planning Authority in relation to this application have been noted.'

## 3.2. Planning Authority Reports

### 3.2.1. Planning Reports

The 1<sup>st</sup> Planner's report dated 22/08/2025 notes the following;

#### *Principle of proposed development*

- Acceptable in principle.
- Site is difficult to access down a narrow lane, and the buildings are in a poor state of repair and designed in an ad hoc way with no notable features of significance.
- Building and site are underutilised and the demolition of the building provides an opportunity to utilise the site for a more appropriate residential development.

#### *Layout*

- Proposed development is for a pair of semi-detached dwellings; Each dwelling would have a floor area of 165sqm over three levels. The four bedrooms would have an aggregate floor area of some 57sqm.
- *Private open space* – 80 and 65sqm is proposed for the two dwellings together with one car parking space and 2 cycle parking spaces per dwelling.

#### *Site Constraints*

- Enclosed on all sides by residential and residential care uses backing directly onto the site, this limits the scope and scale of development possible because of the likely overlooking of and loss of privacy to neighbouring properties from any new development.
- Restricted nature of the access lane and indication that rights of way exist to multiple rear access points to neighbouring properties limits the scope of any proposed development.

#### *Orientation*

- Pair of semi-detached properties – main front/rear elevations aligned in a west/east direction.

#### *Density*

- Approx. 40 dwellings per hectare, significantly less than advocated in the guidelines, but reflects the constraints imposed by the nature of the site and its surroundings.

#### *Design and Finishes*

- Proposed semi-detached dwellings would have a pitched roof, and shallow projecting two storey bay front finished in red brick. The remainder of the front elevation and all other elevations would have a render finish.

#### *Overlooking*

- Window openings to the bedrooms at attic level would be in the form of rooflights. Proposed dwellings are designed to avoid overlooking of the nearest residential properties.
- Distance between proposed rear elevation and the boundary shared with community care building to the east is 9m. The care home sits at a slightly higher level than the proposed dwellings and has a window opening and balcony area in the elevation of the care building that overlooks the application site.
- This elevation achieves only a minimal set back from its site boundary of about 1m. In the design of the Care Home little consideration seems to have been given to the provision of defensible space on that boundary. Nevertheless, this window opening overlooks the application site, rather than being overlooked by the proposed new dwellings.
- Distance between the elevations would be some 10m and the impacted windows on the new dwellings would be for the most part bedroom windows. Level of separation falls short of what would normally be acceptable it is acknowledged that the greatest impact would fall on future occupants of the new dwellings, rather than the residents of the area.
- Planning gain in being able to adapt backland site albeit with some relaxation of certain standards, to achieve the more strategic objectives of the CDP.

#### *Residential Amenity*

- Guideline standards in terms of gross floor areas, aggregate living/bedroom areas, private open space and car/bicycle parking are acceptable.

#### *Design*

- Incorporates a ridge height of some 10m, which allows for the provision of a bedroom/walk-in wardrobe/ensuite within the roof space. Visually this results in a roof that is disproportionately large when viewed against the rest of the structure. This may play some part in respect of the impact of the proposed dwellings on daylight/sunlight receipt at neighbouring properties.

#### *Daylight/sunlight*

- Proposed development generally satisfies the required standards. Assessment of sunlight on the ground on adjacent properties would indicate that a number of properties along Church Avenue to the north of the application site would experience a reduction in potential sunlight below 80% of its existing value thereby failing to meet the required standard. Analysis submitted on behalf of the applicant suggests that the amenity space in question at 13 Church Avenue is a north south orientated corridor, which is mostly self-shadowed and does not make allowance for future obstructions.
- Applicant to consider whether there are potential mitigation measures that could be employed to address potential impacts.

#### *Access Movement & Parking – Refers to Transportation Report*

#### *Right of Way –*

- Third party submissions note a right of way within the applicant's site are stated on the owners' deeds of dwelling nos. 11-17 Church Ave (northwards of the site premises).
- Reference in applicant's Planning Report to a Right of Way map prepared by Kelliher Miller Architects outlining the surrounding laneway network and existence of a right of way for their client to access the subject site and for neighbouring residents to access the rear of their properties. This map does not appear to have been submitted.

- Proposal appears to allow for a laneway to the north and south of the red line boundary to maintain access to all rear access dwellings within the boundary of the applicant's site.
- Unclear if vehicular access can be maintained in this regard. No drawings illustrating the exact right of way for all dwellings at this location have been submitted.
- Applicant should clarify the Right of Way through the existing laneway.

*Car Parking* – site is located within Zone 2 of Map J of the Dublin City DP2022-2028 where a maximum of 1 car space per residential unit is allowed. 1 no. car parking space proposed for each dwelling located within the front curtilage is in accordance with CDP requirements.

*Bicycle Parking* – two bicycle parking racks proposed for each dwelling located in rear gardens which exceed minimum requirements are acceptable.

*Refuse collection* - arrangements proposed via Ormond Road with bins placed on the footpath at the end of laneway for collection is acceptable.

A request for further information recommended.

The 2<sup>nd</sup> Planners report dated 11/12/2025 following further information notes

- **Item 1** – Access for emergency vehicles
- **Item 2** – Right of Way
- **Item 3** – Quality of development and potential impacts for neighbouring properties
  - (i) *Revised Design* – Accommodating rights of way has been addressed and is generally acceptable.
  - (ii) *Daylight and Sunlight Impacts on amenity area of 13 Church Avenue*- Full gable pitched roof has been replaced with a hipped roof design, with omission of attic level bedroom. Reduction in overall height by approx. 0.75m Revised Daylight and Sunlight Assessment demonstrates design changes complies with required standards.

*Conclusion* – Proposed development acceptable and would not materially contravene the policies and objectives of the CDP. Recommends permission is granted.

### 3.2.2. Other Technical Reports

- **Transportation Planning:** 1<sup>st</sup> Report dated 8/08/2025 recommends further information in respect of emergency access, restricted laneway access, safety concerns and right of way and ownership of adjoining passageways and laneway. 2<sup>nd</sup> Report dated 9/12/2025 recommends a grant subject to requirements.
- **Drainage:** Report dated 8/08/2025 recommends no objection subject to requirements.

### 3.3. Prescribed Bodies

- **Uisce Éireann:** None received.

### 3.4. Third Party Observations

19 no. of third-party observations were received by the PA from the following parties;

- Aidan & Jean Richardson
- Anne Townsend
- Catherine Hazlett o.b.o All Hallows Area Association
- Ellen O'Leary, Rosaleen Cassidy & Mary Mullins
- Emma English
- Helen O'Neill
- Jack McCarthy
- John Ferry & Catherine Quinn
- John Sheehan
- Katie McCarthy & Myles Dwyer
- Maura Swan
- Maureen Brady
- Mary Treacy
- Michael O'Rourke

- Ormond Road Residents' Action Group
- Sabina O'Donnell
- Shona Drumgoole & Sean O'Sullivan
- Tom Bolger & Mary Kelly
- Tom Conneely

Issues raised are similar to those raised in the grounds of appeal and observations and are summarised in section 7 of my report.

#### 4.0 Planning History

**PA Reg.Ref. 4438/24:** Application **withdrawn** 04/03/2025 for permission for the development at 2A Ormond Road, Drumcondra, Dublin 9 DO9 EH60 with entrance off the existing access lane from Ormond Road. The development will consist of the construction of two 4 bed two storey plus attic level semi-detached houses and the demolition of the existing building on site, The Church of Jesus Christ The Redeemer, Christian Community Church, provision of two parking spaces, four bicycle spaces, and all associated site works, site landscaping services and all ancillary development. A RFI was sought in relation to the following

1. Applications documentation as required under Section 15.2.3.
2. Impact on rights of way, separation distances to community care building to the east, and daylight and sunlight analysis report specifically in relation to amenity area to 13 Church Avenue.
3. Emergency access to the proposed development, restricted laneway access and safety concerns.
4. Operational waste collection.
5. Right of way of dwellings that make a rear boundary with the applicants lands specifically dwellings nos. 11-17 Church Ave.
6. Drainage matters.

## 5.0 Policy Context

### 5.1. Development City Development Plan 2022-2028

The subject site is zoned under objective Z1- Sustainable Residential Neighbourhoods. This objective seeks *'to protect and/or improve residential amenities.'*

#### **Chapter 2: Core Strategy**

**Section 2.2** stated *'Based on the population targets and calculated housing need set out within national and regional planning policy, guidelines and prescribed methodology, the development plan must accommodate between 20,120 – 31,520 additional persons up to an overall population target of between 625,750 and 640,000 by 2028. The housing demand calculated sets a requirement for the development plan to provide for approximately 40,000 housing units between 2022 and 2028.'*

#### **Chapter 4: Shape and Structure of the City**

- **Policy SC10:** Urban Density Policy
- **SC11:** Compact Growth Policy
- **SC12:** Housing Mix

#### **Chapter 5: Quality Housing and Sustainable Neighbourhoods.**

- **Policy QHSN2** National Guidelines

Seeks *'to have regard to the DEHLG Guidelines on 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007), 'Sustainable Urban Housing: Design Standards for New Apartments' (2020), 'Sustainable Residential Development in Urban Areas' and the accompanying 'Urban Design Manual: A Best Practice Guide' (2009), Housing Options for our Aging Population 2019, the Design Manual for Quality Housing (2022), the Design Manual for Urban Roads and Streets (DMURS) (2019), the Urban Development and Building Height Guidelines for Planning Authorities (2018) and the Affordable Housing Act 2021 including Part 2 Section 6 with regard to community land trusts and/or other appropriate mechanisms in the provision of dwellings.'*

- **Policy QHSN6** Urban Consolidation

Seeks 'to promote and support residential consolidation and sustainable intensification through the consideration of applications for infill development, backland development, mews development, re-use/adaption of existing housing stock and use of upper floors, subject to the provision of good quality accommodation.'

- **Policy QHSN10** Urban Density

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.'

- **Objective QHSNO4** Densification of Suburbs

Seeks 'to support the ongoing densification of the suburbs and prepare a design guide regarding innovative housing models, designs and solutions for infill development, backland development, mews development, re-use of existing housing stock and best practice for attic conversions.'

- **Policy QHSN11** 15 Minute City

Seeks 'to promote the realisation of the 15-minute city which provides for liveable, sustainable urban neighbourhoods and villages throughout the city that deliver healthy placemaking, high quality housing and well designed, intergenerational and accessible, safe and inclusive public spaces served by local services, amenities, sports facilities and sustainable modes of public and accessible transport where feasible.'

- **Policy QHSN22** Adaptable and Flexible Housing

Seeks 'to ensure that all new housing is designed in a way that is adaptable and flexible to the changing needs of the homeowner as set out in the Lifetime Homes Guidance contained in Section 5.2 of the Department of Environment, Heritage and Local Government's 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007) and the Universal Design Guidelines for Homes in Ireland 2015.'

**Chapter 15: Development Standards**

- **Section 15.2.3** relates to Planning Application Documentation - Planning applications should be supported by the necessary analysis and documentation to demonstrate the proposed design and rationale for a scheme. To assist in the planning application preparation, Table 15-1 sets out the development thresholds for some of the documentation related to specific planning applications.
- **Section 15.5.2** relates to infill development. It states 'infill development refers to lands between or to the rear of existing buildings capable of being redeveloped i.e. gap sites within existing areas of established urban form. Infill sites are an integral part of the city's development due to the historic layout of streets and buildings.'

**Section 15.13.4** relates to backland housing.

Backland development is generally defined as development of land that lies to the rear of an existing property or building line. Dublin City Council will allow for the provision of comprehensive backland development where the opportunity exists.

Backland housing can comprise of larger scale redevelopment with an overall site access; mews dwellings with access from a rear laneway or detached habitable dwellings to the rear of existing housing with and independent vehicular access.

Developments with street presence are generally governed by clear set out rules established by the urban order of an existing streetscape. Backland development, however, requires more innovation and reinterpretation to enable comprehensive development of these spaces.

Consideration of access and servicing and the interrelationship between overlooking privacy, aspect and daylight / sunlight are paramount to the success and acceptability of new development in backland conditions.

Applications for backland housing should consider the following:

- Compliance with relevant residential design standards in relation to unit size, room size, private open space etc.
- Provision of adequate separation distances to ensure privacy is maintained and overlooking is minimised.

- That safe and secure access for car parking and service and maintenance vehicles is provided.
- The scale, form and massing of the existing properties and interrelationship with the proposed backland development.
- The impacts on the either the amenity of the existing properties in terms of daylight, sunlight, visual impact etc. or on the amenity obtained with the unit itself.
- The materials and finishes proposed with regard to existing character of the area.
- A proposed backland dwelling shall be located not less than 15 metres from the rear façade of the existing dwelling, and with a minimum rear garden depth of 7 metres.
- A relaxation in rear garden length, may be acceptable, once sufficient open space provided to serve the proposed dwelling, and the applicant can demonstrate that the proposed backland dwelling will not impact negatively on adjoining residential amenity.

All applications for infill developments will be assessed on a case-by-case basis. In certain instances, Dublin City Council may permit relaxation of some standards to promote densification and urban consolidation in specific areas. The applicant must demonstrate high quality urban design and a comprehensive understanding of the site and the specific constraints to justify the proposal.

**Section 15.11** relates to House Developments

In terms of private open space, the development plan requires a minimum standard of 10 square metres of private open space per bedspace will normally be applied. Generally, up to 60 to 70 square metres of rear garden area is considered sufficient for houses in the City.

*Appendix 5 Transport and Mobility: Technical Requirements*

- Section 4.3.8: Mews Parking

*Appendix 16 Sunlight and Daylight.*

**5.2. Relevant National or Regional Policy / Ministerial Guidelines**

Delivering Homes, Building Communities: An Action Plan on Housing Supply and Targeting Homelessness, 2025-2030 (November 2025), is the government's plan to deliver 300,000 new homes by the end of 2030. It builds on the foundations of 'Housing for All', with 137,000 homes built since the beginning of 2021, and informed by the work of the Housing Commission, the new plan will empower the State, partners and the private sector to further play a critical part in delivery.

'Housing for All - a New Housing Plan for Ireland (September 2021)' is the government's housing plan to 2030. It is a multi-annual, multi-billion-euro plan which aims to improve Ireland's housing system and deliver more homes of all types for people with different housing needs. The overall objective is that every citizen in the State should have access to good quality homes:

- To purchase or rent at an affordable price
- Built to a high standard in the right place
- Offering a high quality of life

The Revised National Planning Framework (April 2025) recognises the need to plan for a population of between 6.1 to 6.3 million people by 2040, and plan for approximately 50,000 units per annum over that period, to meet additional population and employment growth over and above the original 2018 NPF projections. This reflects the latest research and modelling by the Economic and Social Research Institute (ESRI), which forecasts substantial population growth over the next decade. The Revised NPF, with the subsequent provision of updated planned housing requirements at a local authority level, aims to ensure that housing supply meets both new demand and addresses existing need, creating a sustainable future for housing in Ireland.

In order to ensure that the revised population projections and related housing requirements can be delivered on, service provision will also require co-ordination and prioritisation to ensure that the necessary infrastructure is in place, both to support and enable housing development to take place, and to ensure that housing delivery is aligned with the provision of services and facilities for communities. This includes the provision of education, childcare, healthcare and recreational facilities to support the expansion of existing settlements and the creation of new sustainable communities.

In addition to accounting for the ESRI's baseline projection of 6.1m people by 2040, the NPF also includes provision for strategic planning for up to 6.3 million people by 2040 (the ESRI high migration scenario), which is required to be aligned with strategic planning for Transport Orientated Development (TOD) in and around Ireland's five cities to support the delivery of new sustainable communities at brownfield and greenfield locations along existing or planned high capacity public transport corridors.

The implementation of the NPF will continue to align with the National Development Plan and form as one single vision for Ireland under 'Project Ireland 2040' to be fully supported by the Government's investment strategy for public capital investment and investment by the State sector in general.

Project Ireland 2040 National Planning Framework (NPF) The NPF is the Government's high-level strategic plan for shaping the future growth and development of the country to the year 2040. A key element of the NPF is a commitment towards 'compact growth', which focuses on a more efficient use of land and resources through reusing previously developed or under-utilised land and buildings. It contains several policy objectives that articulate the delivery of compact urban growth as follows:

- NPO 3 (b) aims to deliver at least 50% of all new homes targeted for the five cities within their existing built-up footprints.
- NPO 4 promotes attractive, well-designed liveable communities.
- NPO 6 aims to regenerate cities with increased housing and employment.
- NPO 11 outlines a presumption in favour of development in existing settlements, subject to appropriate planning standards.
- NPO 13 promotes a shift towards performance criteria in terms of standards for building height and car parking.
- NPO 27 seeks to integrate alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility.
- NPO 33 prioritises new homes that support sustainable development at an appropriate scale relative to location.
- NPO 35 seeks to increase densities through a range of measures including site-based regeneration and increased building heights.

Climate Action Plan 2025 (CAP25) is the third statutory annual update to Ireland's Climate Action Plan under the Climate Action and Low Carbon Development (Amendment) Act 2021.

The Plan lays out a roadmap of actions which will ultimately lead us to meeting our national climate objective of pursuing and achieving, by no later than the end of the year 2050, the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy. It aligns with the legally binding economy wide carbon budgets and sectoral emissions ceilings that were agreed by Government in July 2022.

Climate Action Plan 2025 builds upon last year's Plan by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings and it should be read in conjunction with Climate Action Plan 2024.

Having considered the nature of the proposal, the receiving environment, and the documentation on file, I am of the opinion that the directly relevant Section 28 Ministerial Guidelines are:

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024).
- Design Manual for Urban Roads and Streets (DMURS) (2019).

Other relevant national guidelines include:

- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, (Department of Housing, Local Government and Heritage) (August 2018)
- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities (Department of Environment, Heritage and Local Government, 2009).

### 5.3. **Water Framework Directive**

The European Union Water Framework Directive 2000/60/EC (WFD) was adopted in 2000 as a single piece of legislation covering rivers, lakes, groundwater and transitional (estuarine) and coastal waters and includes heavily modified and artificial waterbodies. The overarching aim of the WFD is to prevent further deterioration of and to protect, enhance and restore the status of all bodies of water with the aim of

achieving at least 'good' ecological status by 2015 (or where certain derogations have been justified to 2021 or 2027).

The site is located within the River Liffey and Dublin Bay (Catchment ID 09) Water Framework Directive catchment area, and in the Tolka\_SC\_020 (Sub-catchment id 09\_4). The nearest river waterbody to the site is the Tolka River which is located c. 300m south of the site which flows into Dublin Bay.

#### **5.4. Natural Heritage Designations**

The subject site is not located within or is not adjoining any Natura 2000 sites. The subject site is located

- c.2km to the north of the South Dublin Bay and River Tolka Estuary SPA (Site Code 004024)
- c.4.85km to the west of the North Dublin Bay SAC (Site Code 000206) and
- c. 4.85km to the west of the North Bull Island SPA (Site Code 004006).

The proposed development is located within an established residential area and comprises the construction of 2 dwelling units and all other ancillary works. There will be a connection to the public sewerage network. There are no watercourses linking the site with any such designated areas.

## **6.0 EIA Screening**

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**

Five no. third party appeals against the decision of the Planning Authority to grant permission were lodged by the following parties;

- Jack McCarthy
- John Sheehan
- Katie McCarthy & Myles Dwyer
- Ormond Road Residents Action Group
- Sean O'Sullivan & Shona Drumgoole

One appeal is accompanied by a number of photographs of the rear of the appellants dwelling at no. 6 Ormond Road showing how privacy will be affected by overlooking. Attached also are a no. of emails with correspondence with Dublin Fire Brigade and Fire Prevention Unit regarding vehicle access requirements in line with recommendations set out in Technical Guidance Document B-Fire Safety, Volume 2 (Dwellings).

Another appeal is accompanied by photographs with actual lane width dimensions, and Deeds of 11 Church Avenue indicating laneways at rear of house adjoining subject site.

A separate appeal is accompanied by a number of letters from residents in the immediate area supporting the subject appeal and copy of Deeds attached to house no.15 Church Avenue confirming Right of Way of 'At least 9 feet' in laneways at rear of house adjoining subject site.

I have summarised the issues raised in the grounds of appeals submitted below.

#### Residential Amenity

- Site has no zoning for residential use
- Excessive density
- Excessive height / overbearing
- Overshadowing
- Daylight and Shadowing Report and assessment by the PA.

- Development conflicts with Chapter 15 (Development Standards) of the DCDP 2022-2028, which requires development to protect residential amenity, including privacy and demonstrate a high standard of context-appropriate design.
- Loss of Privacy and Overlooking

#### Access and Traffic

- Proximity of development to passageways and reliance on surrounding passageways for all access
- *Obstruction of access* - Development would result in obstruction of access to rear of adjoining properties via the laneway.
- *Fire Safety Concerns* – PA sought swept path analysis by way of FI, but swept path analysis for one fire tender only and not the entire fleet was submitted. No report from PA’s Chief Fire Officer.
- *Substandard width and length of laneway to site* - RFI item 1(a) includes a topographical survey of the laneway, which outlines the widths of the laneway at spot 5m intervals with location of neighbouring properties entrances and other structures as requested.
- Highlights the narrow width of the lane with a maximum width of 4,624mm (4.62m) and a minimum width of 3,390mm (3.39m). Appendix 5, Chapter 4.3.8 of the Dublin City DP 2022-2028 stipulates that mews laneways should have a minimum carriageway width of 4.8m (or 5.5m where no verges or footpaths are provided). A vehicle and a pedestrian cannot therefore be accommodated along its length.
- RFI item 1(b) Applicant has outlined that it liaised with Dublin Fire Brigade (DFB) to discuss vehicle access requirements. The laneways are not in the ownership of the applicant. A car pedestrian and cyclist cannot use these laneways at the same time.
- No confirmation from Dublin Fire Brigade regarding the efficacy of access using this plant.

No traffic analysis has been submitted or considered as part of the planning process, not any issues as to sightlines. The laneways are substandard.

- *Commencement of Development* – Condition no. 5 requires a Demolition Management Plan and a Construction Management Plan however there is no indication as to when these reports will be made available to residents if at all. Residents rely on the laneway daily to access places of work and essential services. Lack of a Traffic Management Plan.
- *Construction Times* - Condition no. 8 allows for an excessive amount of potential disruption in such an enclosed residential area.
- *Traffic* – Increase in traffic hazards and noise across all hours of the day.
- *Traffic hazard* – Danger to existing road users and for visually impaired.

#### Parking

- *Insufficient Car Parking Provision* – will result in unauthorised parking.

#### Right of Way

- *Legal Interest in Laneway Access* – Applicant has not demonstrated that he has the legal right to access the development site either as a right of way over the lane for Ormond Road or ownership of the lane. Submit as such the site is landlocked and incapable of being developed.
- Grant of permission fails to adequately protect the legal rights of way serving the rear garage and access at 6 Ormond Road and adjoining properties.

#### Subsidence

- *Concern regarding Subsidence and Structural Integrity*
- *Inadequate Assessment* – No evidence of a geotechnical survey or a subsidence risk assessment by the Engineering section of the PA to ensure that the demolition and construction phases will not undermine the foundations of adjacent homes on Church Avenue.
- *Construction hazards* – requirement for a Demolition and CMP (Condition 5-ii and iii) does not mitigate the inherent danger of heavy machinery navigating a lane that is only 3.3m wide in parts.

## 7.2. Applicant Response

A response to issues raised in third party appeals was submitted by a planning consultant acting on behalf of the applicant.

The First Party has responded to each individual appeal separately and is accompanied by a Legal Right of Way Deed Map. In summary it is submitted that;

- Subject appeals are without substance.
- Request that decision of the PA to grant permission be upheld.
- Proposed development will result in the regeneration of a dilapidated brown field infill site for much needed housing.
- Development is in accordance with the zoning objective Z1.
- Design will enhance and improve the character of the area and provide a stronger sense of safety and security.
- Designed to avoid overlooking and mitigate impacts of overlooking and overshadowing to ensure protection of residential amenities.
- Development complies with National and Local planning policy and planning guidelines.

## 7.3. Planning Authority Response

A response was received from Dublin City Council requesting that the decision of the PA be upheld.

The PA note that if permission is granted a number of conditions are requested to be included, these include Section 48 development contribution, a social housing condition, and a naming and numbering condition.

## 7.4. Observations

Four no. observations to the appeal were received from the following parties;

- Emma English
- Helen O'Neill
- John Ferry & Catherine Quinn
- Tom Bolger & Mary Kelly

Issues raised can be summarised as follows;

*Residential Amenity*

- Scale, height, visual impact and proximity to neighbouring dwellings
- Overlooking and loss of privacy
- Overbearing
- Change of use from commercial to residential

*Traffic Safety and Parking*

- Traffic congestion, excessive traffic speeds
- Access - Inadequate laneway width, sightlines for vehicles and pedestrians contrary to DMURS
- Insufficient parking proposed already pressure on parking in the area for residents

*Fire and Emergency Access*

- Inadequate laneway width

*Right of Way and Ownership*

- Right of way and ownership not established by applicant
- Letter of consent to carry out works on lands outside the site not provided

*Validity of application*

- Planning history details incorrect
- Section 97 Certificate unsigned

*Miscellaneous*

- Subsidence
- Occupancy

## 8.0 Assessment

Having examined the application details and all other documentation on file, including the submission received in relation to the appeal, and inspected the site, and having regard to relevant local/ regional and national policies and guidance, I consider that the main issues are as follows:

- Principle of Development
- Backland Development
- Layout, Density and Design
- Impact on Residential Amenity
- Access and Parking
- Other Matters

### **Principle of Development**

The subject site is located in an area with the land use zoning Sustainable Residential Neighbourhoods -Zone 1, the objective of which is 'To protect, provide and improve residential amenities' as per the Dublin City Development Plan 2022-2028. Residential use is permissible in this zoning.

In principle the demolition of the existing building and proposed construction of 2 no. dwellings would accord with this zoning objective. The proposed residential development also provides two additional units which accords with the Core Strategy of the Dublin City Development Plan 2022-2028.

The applicant has outlined in their application that the exiting building on site was formerly used as a workshop and latterly as The Church of Jesus Christ The Redeemer, Christian Community Church, Full Gospel Church. I can confirm from my site visit that the building is currently vacant and not currently in use.

Concerns are raised by third party appellants in relation to the nature of the proposed residential use and it is asserted that the zoning objective for the subject site does not permit residential use. The appellants confirm also that that the former use of the site was light industry and more recently has been used as an occasional place of worship.

I note also that the existing building and use do not appear to benefit from planning permission but neither does it have any planning history of enforcement taken by the PA. Notwithstanding, I am satisfied that the nature of the proposed residential use is a less intensive use than the previous uses and is an appropriate use on this site.

I am therefore satisfied that the proposed residential use is acceptable in principle at this location.

### **Backland Development**

Third Party appellants argue that the proposed development contravenes City Development Plan (CDP) policy as it relates to backland development and contravenes the residential zoning objective. This primarily based on the basis of the relationship between the proposed houses and the existing residential properties which it is asserted would negatively impact on their existing residential amenity. I will consider the impacts on residential amenity in my report below.

Under the Dublin City Development Plan 2022-2028 Policy QHSN6 and QHSN10 seek to promote residential consolidation and sustainable intensification at sustainable densities 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.

Section 15.5.2 of the CDP relates to development standards for infill development, described as 'lands between or to the rear of existing buildings capable of being redeveloped i.e. gap sites within existing areas of established urban form'. It is acknowledged that infill development should complement the existing streetscape, providing for a new urban design quality to the area. It is particularly important that proposed infill development respects and enhances its context and is well integrated with its surroundings, ensuring a more coherent cityscape.'

Section 15.13.4 of the CDP sets out Council Policy specifically in relation to backland housing developments. This is defined as 'development of land that lies to the rear of an existing property or building line'. It is noted that the Planning Authority seeks to allow for the provision of backland development where the opportunity exists. The Planning Authority note that 'consideration of access and servicing and the interrelationship between overlooking, privacy, aspect and daylight / sunlight are

paramount to the success and acceptability of new development in backland conditions.'

Section 15.13.4 of the CDP states that 'all applications for infill developments will be assessed on a case-by-case basis. In certain instances, the planning authority may permit relaxation of some standards to promote densification and urban consolidation in specific areas.

It is apparent therefore that, subject to qualitative safeguards, Dublin City Council will permit infill housing on appropriate sites within the city.

By reason of the existing pattern of development in the vicinity of the site, which is surrounded on four sides by established residential development, the appeal site can therefore, reasonably be seen to constitute an infill site.

The Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024) recognise the need to 'realise opportunities for adaptation and reuse of existing buildings and for incremental back land, brownfield and infill development, and deliver sequential and sustainable urban extension at locations that are closest to the urban core and are integrated into, or can be integrated into, the existing built-up footprint of the settlement.'

The Revised National Planning Framework (April 2025) likewise emphasises the need to make the most sustainable use of serviced land within existing built-up areas which can avail of existing social and physical infrastructure. The framework seeks to promote well designed high-quality development that can encourage more people and generate more jobs and activity within existing cities.

The proposed infill development is in accordance with these general policy objectives and the most recent government plan to deliver 3000,000 new homes by the end of 2030 under Delivering Homes, Building Communities: An Action Plan on Housing Supply and Targeting Homelessness, 2025-2030 (November 2025).

Having regard to the provisions of the current Dublin City Development Plan 2022-2028, and Guidelines for Sustainable Residential Development and Compact Settlements 2024, and current national policy to increase housing supply, the acceptability or otherwise of the proposed development will be subject to the need to attain a balance between the reasonable protection of the amenities and privacy of

adjoining property and the need to provide additional residential development at this location. I propose to address such matters in the following sections.

### **Layout, Density and Design**

The development proposes 2 no. two storey semi-detached dwellings located to the rear of existing residential properties. The site is to be accessed from the existing laneway from Ormond Road.

The surrounding area is characterised by 2 storey terraced dwellings to the north along Church Avenue, to the west along Drumcondra Road Upper, and to the south along Ormond Road. The site is immediately adjoined to the east by Cottrell Lodge a detached two storey red brick building comprising ensuite bedrooms and kitchen facilities associated with Clonturk House which is in use as a community care home.

#### *Layout*

Concerns are raised by third parties in relation to the layout of the development which is considered excessive in height and proximity to site boundaries. It is also submitted that the proposed development fails to respect the established pattern of development in the area and is contrary to the principles of proper planning and sustainable development.

I have had regard to the Architects drawings prepared by Keliher Miller Architects and photomontages prepared by Digital Dimensions submitted with the application and as amended by way of further information 18<sup>th</sup> November 2025.

I have had regard to the layout/footprint and orientation of the proposed dwellings and am satisfied that the manner in which the side gables address the rear gardens to the north and south, the reduction in ridge height (of 0.75m) and hipped roof as amended in RFI reduces the visual impact of the overall design of the proposed dwellings.

Having visited the site, and surrounding area, and reviewed the Architectural drawings and photomontages, I am satisfied that the proposed layout makes optimum use of the site and that the pair of semi-detached houses can be accommodated at this location.

#### *Density*

Concern is raised in relation to the appropriateness of the development in a constrained back-lane context and it is submitted that the proposed development represents an over-intensive form of development.

It is accepted by all parties that the subject site has constraints by virtue of the back land nature of the site and restricted access issues. However, the subject site is not located within the curtilage of a protected structure or within an Architectural Conservation Area. The site is level and there no existing mature trees on site.

It is submitted by the applicant that the site coverage of the workshop is 71.5% compared with 33.7% for the proposed two two-storey dwellings and therefore results in a lesser impact in terms of site layout and alignment of residential use with surrounding residential use.

Policy QHSN10 of the Dublin City County Development Plan 2022-2028 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.' Policy QHSNO4 supports the ongoing densification of suburbs, while Policy QHSN11 promotes the realisation of the 15-minute city.

The proposed development namely 2 no. dwellings on a site of 0.0467ha equates to a density of 40uph.

The Guidelines for Sustainable Residential Development and Compact Settlements promote higher residential densities in the general range of 50-250 dph on city urban neighbourhood sites, and in the range of 40 to 80 dph on city suburban/urban extension sites.

The residential density proposed therefore, is below the density range for suburban/urban sites and could be considered to materially contravene the guidelines. I have had regard to the infill nature of the site and Section 15.5.2 of the CDP regarding infill development and am satisfied on balance the proposed development meets the development management requirements for such infill sites. I am further satisfied that the proposed density is appropriate on this infill site given the densities prevailing on adjoining residential developments.

I am satisfied that the proposed development would not therefore constitute overdevelopment of the site, is appropriate on an infill site at this location and that the proposed density is acceptable and would not materially contravene Section 15.5.2 of the CDP which relates to infill development.

### *Design*

The pair of semi-detached houses proposed to the rear of existing residential houses is two storeys in height. The four-bedroom houses with accommodation at attic level was modified in response to further information to provide for 3 no. bedrooms with no accommodation at attic level. The floor area of each house as lodged was 165sqm over three levels, which was reduced to two levels in response to further information. The floor area of the existing building to be demolished is 329sqm.

It is submitted in the grounds of appeal that the proposed ridge height will be 1.25m above the ridge height for Ormond Road and 3m above the ridge height for houses on Church Avenue. The assertion by the applicant that the increase in height is minor and will not be perceptible is disputed and submit that the ridge height should not exceed that of properties on Ormond Road and Church Avenue.

The houses have pitched roofs with a stated ridge height of 10m which was reduced by 0.75m following the response to further information. The overall width of the proposed houses is 10.45m.

I do not accept that this roof height is excessive and would argue that the hipped roof profile and gable orientation significantly reduces the visual impact of the proposed houses particularly as viewed from the rear of the terraced houses along Church Avenue which back onto the appeal site.

I also note that the existing building includes a two-storey element with a flat roof located towards the western end of the site, which is currently visible from adjoining rear gardens to the north in particular.

In terms of visual intrusion, I accept that the proposed houses will be visible from the rear elevations and gardens of adjoining houses particularly to the north along Church Avenue. However, I am satisfied that the scale, massing and height proposed can be assimilated into the subject site. I am satisfied given the length and orientation of the rear gardens to houses along Church Avenue, the separation

distances from existing rear garden boundaries and height proposed as viewed from neighbouring properties, along with the design and profile of the proposed dwellings, that they will not give rise to significant visual impact.

I can also confirm from my site visit that many of the rear gardens of adjoining houses include rear garages that open onto the adjoining laneway, particularly from the rear of houses to the south along Ormond Road and to the west along Drumcondra Road Upper. In my opinion these garages will further screen the proposed development and will further reduce the visual impact of the proposed dwellings on adjoining houses.

Therefore, I am satisfied that the proposed development in terms of scale, massing and height will not give rise to a significant visual impact.

Finishes proposed to the shallow projecting two storey bay at the front include red brick, while the remainder of the front and all other elevations would have a render finish. These are considered acceptable.

I consider that the layout, density and design of the development takes cognisance of existing residential development in the vicinity and the future occupants of the scheme and can be integrated into the existing built-up footprint.

### *Summary*

In summary, I consider that the proposed infill development would not be out of character with the immediate area, and is acceptable in terms of layout, density, design and finishes.

I consider that the proposed development is appropriate at this location on this backland site, and that the proposal is in compliance with Policy QHSN10, Policy QHSNO4 and Policy QHSN11 of the Dublin City County Development Plan 2022-2028. The proposed development is therefore, considered acceptable in principle.

### **Impact on Residential Amenity**

Concerns are raised by third parties in relation to the impact of the proposed development on existing residential amenities of adjoining residential properties along Church Avenue and Ormond Road.

The appellants submit that the proposed development due to its massing, scale, design and proximity to site boundaries would adversely impact on the residential amenities of adjacent properties by reason of overlooking and overbearing appearance.

It is also submitted that the proposed development conflicts with Chapter 15 (Development Standards) of the Dublin City Development Plan 2022-2028 which requires development to protect residential amenity.

Chapter 5 of the 2022 -2028 Dublin City Development Plan relates to quality housing and sustainable neighbourhoods. Chapter 15 sets out further details in relation to site development standards, Section 15.5.2 relates to infill development while Section 15.13.4 relates to backland housing developments.

Policy QHSN6 seeks 'to promote and support residential consolidation and sustainable intensification through the consideration of applications for infill development, backland development, mews development, re-use/adaption of existing housing stock and use of upper floors, subject to the provision of good quality accommodation.'

The Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities January 2024 set national planning policy and guidance in relation to the planning and development of urban and rural settlements, with a focus on sustainable residential development and the creation of compact settlements.

Special Planning Policy Requirement SPPR1 relates to Separation Distances and states that 'It is a specific planning policy requirement of these Guidelines that statutory development plans shall not include an objective in respect of minimum separation distances that exceed 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units or apartment units above ground floor level. When considering a planning application for residential development, a separation distance of at least 16 metres between opposing windows serving habitable rooms<sup>16</sup> at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained. Separation distances below 16 metres may be considered acceptable in circumstances where there are no opposing windows serving habitable rooms and where suitable privacy measures have been

designed into the scheme to prevent undue overlooking of habitable rooms and private amenity spaces.'

### *Overlooking*

Concern was raised in relation to overlooking from first floor windows including the clear glazed windows on the side elevations resulting in a loss of privacy particularly to the adjoining houses to the north along Church Avenue at no. 9 and 11 and to the south along Ormond Road at no. 2 and no. 6 all homes to the appellants.

Side elevations face towards the rear of dwellings fronting onto Ormond Road and Church Avenue and are provided with separation distances of 20m and 15m respectively. Window openings in the side elevations are restricted to bathroom and landing windows. The first-floor gable window is finished in clear glazing as it serves a landing, I do not consider that this window will give rise to overlooking.

The elevations of the proposed dwellings include 2 no. windows at first floor serving 2 no. bedrooms to the front west facing elevation and 2 no. serving a bedroom and bathroom to the rear east facing elevation. The first-floor windows to the rear are finished in obscure glazing. This will address potential overlooking of the existing community care building to the east.

The front elevation is located 16m from the rear boundary garden wall with houses along Drumcondra Road. The gable is located 2.75m from the rear garden wall of houses along Church Ave and 2.75m from the rear garden wall of houses along Ormond Road. I have considered the concerns of the appellants who have submitted that the design would result in direct views over the rear garden leading to a loss of privacy.

I can confirm from my site visit that there are already a number of existing windows at first floor along the northern, western and southern elevations of the existing building. I can confirm from my site visit that both windows at first floor along the northern elevation directly overlook the rear gardens of houses no. 3,5, and 7 along Church Avenue. The larger first floor window along the western elevation also overlooks the rear gardens of houses along Drumcondra Road. While I can confirm that there are views from this window into these rear gardens, there are also existing views from

the window at first floor along the southern elevation of the rear garages and gardens of houses along Ormond Road.

I can also confirm from my site visit that the existing two storey block located to the east of the appeal site already overlooks the appeal site at first floor and is located close to the eastern boundary of the appeal site.

I accept that that there will be a degree of overlooking from the first-floor bedroom windows to the front, but I am satisfied that as these windows are not directly facing the rear elevations of adjoining houses that the degree of overlooking is acceptable in an urban area.

I am therefore, satisfied that there will be no significant overlooking of the rear gardens of the adjoining house to the north and will not result in loss of privacy to the rear gardens of these adjoining properties to an unacceptable degree.

#### *Overbearing*

The set back from adjoining rear site boundaries is noted above. The setback of 2.75m from the rear boundaries of houses along Church Avenue to the north in combination with the shallow rear gardens depths of terraced house no.s 5, 7, 9, and 11 Church Avenue is noted.

A significantly greater setback from the rear elevation of house no.s 2,4,6, 8 and 10 Ormond Road is provided from the rear garden boundary wall /garages onto the laneway.

I have had regard to the photomontages submitted with the application illustrating the proposed dwellings as viewed from a no. of viewpoints surrounding the site.

I accept that the proposed dwellings with a ridge height of 10m (reduced in response to RFI) will be most visible from house no.s 5, 7, 9 and 11 Church Avenue given their shallow rear gardens. However, given the south facing orientation of these rear gardens, and setback from the boundary with the laneway of the proposed two storey hipped gable height relative to the existing two storey flat roof, I do not consider it would be overbearing.

I accept that the development will be visible above the height of the existing rear boundary walls to the laneway from adjoining properties however, I do not consider that it would be overbearing or injurious to the visual amenities of the area.

### *Overshadowing*

I have examined the site layout drawings, height, separation distances and orientation of the proposed dwellings to the rear of the adjacent terraced houses along Church Avenue. I have also had regard to the Daylight and Sunlight and Overshadowing Impact Assessment prepared by Digital Dimensions.

I have also had regard to the revised Daylight and Sunlight Assessment submitted in RFI which demonstrates design changes and I am satisfied that the proposed development complies with required standards.

It is submitted in the grounds of appeal that the existing pitched roof with a height of 4.9m does not benefit from planning permission and the Daylight and Shadowing Report relies on this as the basis for assessment of impact. Notwithstanding the development footprint and pitched roof currently give rise to a degree of overshadowing.

I can confirm on the day of my site visit mid-morning in March that the rear south facing gardens of the properties to the north along Church Avenue were not in Shadow.

As the rear gardens along Church Avenue are all south facing, I am satisfied that the proposed dwellings (which are significantly reduced in terms of footprint of development) will not result in significant overshadowing. I am also satisfied that the amended two storey hipped gable and reduction in ridge height will reduce the overshadowing of rear gardens of houses along Church Avenue particularly at no. 11 Church Avenue home to the appellants. I also concur with the applicant that given the height of the existing rear boundary wall to house no 13 the impact of the development in terms of overshadowing will be negligible.

### *Summary*

In Summary, I am satisfied that the proposed development would be in accordance with Policy QHSN6, Section 15.5.2 and Section 15.13.4 of the Dublin City Development Plan 2022-2028, would not be seriously injurious to residential amenity, and would not therefore, materially contravene the residential zoning objective for the area. On this basis the decision of the PA to grant permission should be upheld.

### **Access and Parking**

Pedestrian and vehicular access to the site is from an existing laneway off Ormond Road. This laneway provides rear access to a number of neighbouring dwellings in the vicinity of the site. The subject site contains the existing building only and not the access laneway from Ormond Road. In my opinion access to and parking within this area is the crux of the appeal.

#### *Restricted Laneway Access*

The laneway provides access to the rear gardens and associated garages to the rear of houses 2-10 Ormond Road, to the south, houses 58-72 Drumcondra Road Upper to the west and houses 1-17 Church Avenue to the north.

It is submitted by third party appellants that this laneway provides restricted access currently and is not wide enough to serve the proposed development. It is submitted that the laneway width is inadequate to accommodate vehicles pedestrians and bicycles.

In response to RFI item 1(a) a topographical survey of the laneway, outlines the widths of the laneway at spot 5m intervals with location of neighbouring properties entrances and other structures as requested. This highlights the narrow width of the lane with a maximum width of 4.62m and a minimum width of 3.39m. Appendix 5, Chapter 4.3.8 of the Dublin City DP 2022-2028 stipulates that mews laneways should have a minimum carriageway width of 4.8m (or 5.5m where no verges or footpaths are provided). It is clear therefore that a vehicle and a pedestrian cannot be accommodated along its length.

While this was acknowledged by the PA as being generally acceptable, the Transportation Section of the PA was satisfied with the access arrangements. I can also confirm on the day of my site visit that 3no. vans were already parked to the rear of houses along Ormond Road, am satisfied that the use of the laneway for access to the site is already being used by wider vehicles.

In my opinion the use of the laneway for access to serve two no. dwellings is a less intensive use than the former uses, and on the basis that car parking is limited to one space per house I am satisfied that the existing laneway is adequate in width to serve the proposed development.

#### *Fire Tender Access*

Concerns were raised by the Transportation section of the PA in relation to access and egress for emergency vehicles.

The Transportation section of the PA noted that the applicant provided a swept path analysis for a large car demonstrating access and egress from the proposed access. The proposed fire tender access denoted as a Dennis Sabre Fire Tender (LWB) requires the vehicle is to be reversed up the laneway.

The Transportation Section of the PA raised concern in terms of road safety, noting also the number of third-party concerns in relation to emergency access with submissions outlining that a number of the Dublin Fire Brigade fleet use larger vehicles in this regard and the proposed swept path analysis does not take account of these vehicles.

The Transportation section of the PA requested that the applicant liaise with Dublin Fire Brigade (DFB) to provide a swept path analysis for their larger emergency vehicle in order to ensure appropriate emergency access. The Swept Path Analysis Fire Tender Plan submitted in response to item 1(b) RFI was considered acceptable to the Transportation Section of the PA.

In response to RFI the applicant outlined that it liaised with Dublin Fire Brigade (DFB) to discuss vehicle access requirements. The laneways are not in the ownership of the applicant. A car pedestrian and cyclist cannot use these laneways at the same time.

It is submitted in the grounds of appeal that the applicants Swept path analysis relies on a Scania P270 water tender making a three-point turn at the end of the lane. This assumes a clear lane, free of parking and refuse wheelie bins that currently characterises the area. It is further submitted that for the vehicle to drive up the lane in first gear (as indicated) it must first reverse into another lane (opposite) in order to complete the manoeuvre.

I have examined the Swept Path Analysis Fire Tender Plan submitted in response to RFI, which indicates the use of a laneway opposite for a Fire Tender to turn into before reversing up the laneway, and a turning area to the front of the proposed two houses.

I accept that this arrangement relies on a smaller fire tender vehicle, to manoeuvre the access to laneway but in an urban area this is not uncommon and can be facilitated and is acceptable.

### *Traffic Safety*

Concerns are raised by third parties in relation to traffic in the area, the obstruction to sightlines at the entrance to the laneway and the condition of the private laneway which is considered substandard.

While it is submitted in the grounds of appeal that the adjoining roads are used as a rat run and for parking associated with adjoining educational and sporting facilities.

I can confirm from my site visit that there is potential for sight lines to be obstructed by parked cars. I also note the 30km p/hr speed limit and all the associated road signage and traffic speed ramp in the immediate vicinity of the site, which on the approach to T junction with Drumcondra Road and associated bus lanes requires drivers to reduce speed.

I am satisfied that the use of the proposed laneway to serve the proposed development located in an established urban area, provides adequate visibility in both directions exiting the site, and is acceptable from a traffic safety perspective.

### *Parking*

The proposal provides for 1 no. car parking space for each dwelling located within the front curtilage. The subject site is located within Zone 2 of Map J of the Dublin City Development Plan 2022-2028 where a maximum of 1 car space per residential unit is allowed.

In addition, a bicycle parking rack is proposed for each dwelling, located in the rear gardens. I am satisfied that the proposed car parking and bicycle parking provision is in accordance with CDP requirements.

Concern is raised by third party appellants that during the construction and demolition phase the existing laneway and passageways will be obstructed, and when completed will potentially be obstructed by overspill parking. I acknowledge that on street car parking in the vicinity is Pay and Display, however I am satisfied that parking arrangements during the construction phase will form part of the Construction Management Plan.

## *Summary*

I am satisfied therefore that the proposed development for two dwellings is acceptable in terms of traffic safety and will not give rise to a traffic hazard.

## **Right of Way**

Concern is raised in a number of third party appeals in relation to the proximity of the proposed development to existing passageways, given that the proposed development relies on the surrounding passageways for all access.

A letter of consent from the owner of the site was submitted with the application as lodged. As already noted, the site is effectively landlocked, and I share the concerns raised by third parties.

Essentially it is submitted in the grounds of appeal that the applicant has no right of way over these to passageways, located specifically to the rear of houses along Church Avenue for access. In support of this assertion, it is submitted that the Deeds of houses 11-17 Church Avenue indicate that access to the rear of these houses is to be maintained.

I note the applicant's response to item no. 2 of the RFI by the PA in respect of this matter, was accompanied by a map deed of assignment dated 1963, executed by PJ Robinson Architect, which accompany the title deeds of the subject site.

It is further submitted that condition nos. 5 and 7 of the notification of grant of permission by the PA fails to adequately protect the legal rights of way serving the rear garage and access of properties along Ormond Road and adjoining properties, which it is asserted constitutes an unreasonable diminution of residential amenity.

I note also the notification of grant of permission by the PA includes a number of notes set out in section 3 of my report above.

In terms of the legal interest, I am satisfied that the applicants have provided sufficient evidence of their legal intent to make an application. Any further legal dispute is considered a Civil matter and are outside the scope of the planning appeal. In any case, this is a matter to be resolved between the parties, having regard to the provisions of s.34(13) of the 2000 Planning and Development Act.

If the Commission are minded granting permission similarly worded conditions to no. 5 and 7 can be attached.

### **Other Matters**

*Subsidence* – It is submitted in the grounds of appeal that the new foundations and building structure may cause subsidence in adjoining sites given that the existing light structure (is made of wood). Reference is also made to an underground stream in the immediate area which has previously caused subsidence to nearby properties, and it is submitted that an historic wall along Church Avenue is at risk.

*Site Notices* – In terms of procedural matters and the description of the development in terms of the nature of the attic accommodation, I note the description of the development was considered acceptable by the planning authority. I am satisfied that this did not prevent the concerned party from making representations. The above assessment represents my de novo consideration of all planning issues material to the proposed development.

*Social Housing Exemption Certificate* – An application for a SHEC under Section 97 of the Planning and Development Acts 2000 (as amended) was lodged by the applicant on 16/12/2024 and issued on 21/01/2025 under PA application no.0444/24 for the development as described on the subject appeal site.

I can also confirm that the site as outlined in red on Drawing No. PL\_001 lodged by the applicant on 09/12/2024 under PA Reg.Ref.4438/24 for the development as described on the subject appeal site differs from that as outlined in the current application. However, in my opinion the discrepancies are minor.

## **9.0 Appropriate Assessment**

I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The site is situated c.2km to the north of the South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) and c.4.85km to the west of the North Dublin Bay SAC (Site Code 000206) and North Bull Island SPA (Site Code 004006).

The proposed development comprises the demolition of existing structure and construction of 2 no. dwellings and all associated site works to the rear of adjoining development.

No nature conservation concerns were raised in the planning appeal. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

The reason for this conclusion is as follows:

- The small scale and nature of the development in a serviced urban area,
- The distance from the nearest European site and lack of connections, and
- Taking into account screening report/determination by Dublin City Council.

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 (under Section 177V of the Planning and Development Act 2000) is not required.

## 10.0 **Water Framework Directive**

An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive. Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects.

In addition, the proposed development will not adversely affect the achievement of established environmental objectives, including the protection, maintenance, and improvement of water body status, as required under the Directive. Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

## 11.0 Recommendation

I recommend that the Commission uphold the decision of Dublin City Council and Grant planning permission for the reasons and considerations set out below.

## 12.0 Reasons and Considerations

Having regard to the backland and infill nature of the proposed development on land zoned 'Z1 Sustainable Residential Neighbourhoods' within the Dublin City Development Plan 2022 – 2028, to the policies and objectives of the Development Plan and in particular policies QHSN6 (Urban Consolidation) and QHSNO4 (Densification of Suburbs), which support residential consolidation, intensification and densification, to the development standards, as set out in the Development Plan, to the 'Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities' issued by the Department of Housing Local Government and Heritage in January 2024, to the design, scale and layout of the proposed two storey development, and to the pattern of development in the surrounding area, it is considered that, subject to compliance with the conditions set out below, the proposed development would provide for an appropriate form of development on this serviced land, would not seriously injure the character of the area or the residential amenities of property in the vicinity, and would be acceptable in terms of pedestrian and traffic safety. The proposed development would accord with the zoning objectives, policies and provisions of the Dublin City Development Plan 2022-2028 and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 18<sup>th</sup> day of November 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.

**Reason:** in the interest of clarity.

2. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** in the interest of visual amenity.

3. The developer shall comply with the following transportation-planning requirements of the planning authority
  - (i) Prior to the commencement of development, the applicant shall contact the planning authority prior to lodgement to ascertain the requirements of Environment and Transportation sections of Dublin City Council and for all works to the public road and public realm with particular regard to the proposed alterations to the public roadway. Materials in public areas shall be in accordance with the document Construction Standards for Roads and Street Works in Dublin City Council. Any works to the public road and the public realm including provision of upgraded junctions, pedestrian crossings, road and footpath modifications, lighting, drainage and materials considered acceptable to Dublin City Council shall be carried out at the developer's expense and completed prior to the occupation of the development.
  - (ii) Prior to commencement of development, and on appointment of a contractor, a Demolition Management Plan for the demolition phase of the development shall be submitted to the planning authority for written agreement. This plan shall provide details of intended demolition practice for the entire development and at each phase, including a detailed traffic management plan, hours of working, noise management measures, off-site disposal of demolition waste and access arrangements for labour, plant and materials, including location of plant

and machine compound. The appointed contractor shall liaise with Dublin City Council Road Works Control Division during construction period.

- (iii) Prior to commencement of development, and on appointment of a contractor, a Construction Management Plan for the construction phase of the development shall be submitted to the planning authority for written agreement. This plan shall provide details of intended construction practice for the entire development and at each phase, including a detailed traffic management plan, hours of working, noise management measures, off-site disposal of construction waste and access arrangements for labour, plant and materials, including location of plant and machine compound. The appointed contractor shall liaise with Dublin City Council Road Works Control Division during construction period.
- (iv) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.

**Reason:** In the interests of traffic and pedestrian safety and Volume 2, Appendix 5 of the Dublin City Development Plan 2022 - 2028.

- 4. All screening and solid non-glazed openings shall be permanently retained.

**Reason:** in the interest of residential amenity to prevent overlooking.

- 5. Prior to the commencement of development, the developer shall enter into a connection agreement with Uisce Éireann to provide for a service connection to the public water supply and wastewater collection network.

**Reason:** in the interest of public health and to ensure adequate water/wastewater facilities.

6. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** in the interests of public health and surface water management.

7. All service cables associated with the proposed development such as electrical, telecommunications and communal television shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

**Reason:** in the interests of visual and residential amenity.

8. A maximum of two number parking spaces only, are permitted to serve the proposed dwellings on site.

**Reason:** In the interest of public safety and the proper planning and sustainable development of the area.

9. All of the in-curtilage car parking spaces serving the residential units shall be provided with electric connections to the exterior of the houses to allow for the provision of future electric vehicle charging points.

**Reason:** in the interest of sustainable transportation.

10. The naming and numbering of the dwelling units shall be submitted to, and agreed in writing with, the planning authority, prior to the occupation of the dwelling.

**Reason:** in the interest of orderly street numbering.

11. Site development and building works shall be carried out only between the hours of 0700 and 1900 from Mondays to Fridays inclusive, between 0800 and 1400

hours on Saturdays and not at all on Sundays and public holidays. Deviations from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

**Reason:** To safeguard the amenity of property in the vicinity.

12. Prior to commencement of development, a Construction Environmental Management Plan (CEMP) relating to noise and vibration shall be submitted to and agreed in writing with the planning authority. The CEMP shall include a site location map showing the nearest noise sensitive locations, give details of the predicted noise and vibration impact in addition to proposed mitigation measures. The CEMP and noise abatement measures shall comply with the recommendations of BS 5228, 'Code of Practice for Noise and Vibration

**Reason:** in the interests of public safety and residential amenity.

13. The developer shall pay to the planning authority a financial contribution of 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. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine.

**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.

14. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

**Reason:** To ensure the satisfactory completion and maintenance of the development until taken in charge.

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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Susan McHugh  
Senio Planning Inspector

30<sup>th</sup> April 2026

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

<b>Case Reference</b>	PL-500637-DN-26
<b>Proposed Development Summary</b>	Construction of two no. dwellings and all associated site works.
<b>Development Address</b>	2A Ormond Road, Drumcondra, Dublin 9.
<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.
<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>	
<input type="checkbox"/> Yes, it is a Class specified	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<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>	
<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>	

<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.	S.5 P.2 10(b)(ii) construction of more than 500 dwelling units.
<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>	
Yes <input type="checkbox"/>	
No <input checked="" type="checkbox"/>	<b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b>

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

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

## Appendix 2: Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	PL-500637-DN-26
<b>Proposed Development Summary</b>	Construction of two no. dwellings and all associated site works.
<b>Development Address</b>	2A Ormond Road, Drumcondra, Dublin 9.
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<p><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).</p>	<p>Permission is being sought for the demolition of the existing structure on site (329sqm) and the construction of 2no. two storey dwellings which are located to the rear of existing dwellings along Church Avenue to the north, Ormond Road to the south and Drumcondra Road to the west.</p> <p>Access to the dwellings is provided from Ormond Road via a shared laneway.</p> <p>Water connection and wastewater services will be provided from existing mains within the vicinity of the subject site.</p> <p>The development would not result in the production of significant waste, emissions, or pollutants.</p>
<p><b>Location of development</b> (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,</p>	<p>The proposed site is located within an urban area; there are no significant sensitivities in the immediate area. The subject site is not located within a designated site, the nearest are as follows:</p> <ul style="list-style-type: none"> <li>• South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) is situated c.2km to the south of the site.</li> <li>• North Dublin Bay SAC (Site Code 000206) is situated c.4.85km to the east of the site.</li> <li>• North Bull Island SPA (Site Code 004006) is situated c.4.85km to the east of the site.</li> </ul>

<p>densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>My appropriate assessment screening concludes that the proposed development would not likely have a significant effect on any European Site.</p>
<p><b>Types and characteristics of potential impacts</b> (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>The site size measures c.467sqm. The size of the development is not exceptional in the context of an urban environment. There are existing dwellings adjacent to the proposed site, to the north, west and south. The proposed development is a relatively small development in the urban context.</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>	
<p><b>Likelihood of Significant Effects</b></p>	<p><b>Conclusion in respect of EIA</b></p>
<p><b>There is no real likelihood of significant effects on the environment.</b></p>	<p><b>EIA is not required.</b></p>

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

## Appendix 3

### **Appropriate Assessment: Screening Determination (Stage 1, Article 6(3) of Habitats Directive)**

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

The proposed development comprises the demolition of existing structure and construction of 2 no. dwellings and all associated site works to the rear of adjoining development.

The Planning Authority, within their assessment, undertook a screening determination of the proposed development and found that significant effects are not likely to arise, either alone or in combination with other plans and projects that will result in significant effects to any Natura 2000 area. A full Appropriate Assessment of this project is therefore not required.

#### **European Sites**

The proposed development site is not located within or immediately adjacent to any site designated as a European Site, comprising a Special Area of Conservation or Special Protection Area (SPA).

The boundary of the nearest European Site is within 15 km of 3no. of European sites are located within a potential zone of influence of the proposed development. These are:

- South Dublin Bay and River Tolka Estuary SPA (004024)
- North Dublin Bay SAC (000206)
- North Bull Island SPA (004006)

There are no direct natural hydrological connections from the subject site to Dublin Bay.

The applicant is proposing to connect to existing municipal services in terms of water supply and wastewater/drainage. Therefore, there is an indirect pathway to the European sites of Dublin Bay via the Ringsend Waste Water Treatment Plant. I therefore acknowledge that there are potential connections to the European sites within Dublin Bay via the wider drainage network and the Ringsend WWTP. However, the existence of these potential pathways does not necessarily mean that potential significant effects will arise.

#### **Likely impacts of the project (alone or in combination)**

It is proposed to separate the surface water and wastewater drainage networks, which will serve the proposed development.

With regard to surface water, it is proposed to collect rainfall runoff before the system connects to the final foul manhole prior to connecting to the Irish Water Combined network.

All wastewater generated from the new development site is to discharge to the Irish water local wastewater drainage network.

I do not consider that the increased loading from the proposed development would generate any significant demands on the existing municipal sewers for foul water. I acknowledge that there would be a marginal increase in loadings to the sewer and the WWTP.

Having regard to the distance separating the site to the nearby Natura 2000 site there is no pathway for loss or disturbance of important habitats or important species associated with the feature of interests of any of the SPA/SAC's identified above.

Furthermore, there are no plans or projects which can act in combination with the proposed development which can give rise to significant effect to Natura 2000 sites located within the zone of influence.