



An
Coimisiún
Pleanála

Inspector's Report

PL-500847-DR-26

Development

Construction of two houses to the side and rear of existing house with associated works.

Location

Site to the side and rear of Saint Helier's, Stillorgan Park, Blackrock, Co. Dublin, A94A2K8

Planning Authority

Dun Laoghaire Rathdown County Council

Planning Authority Reg. Ref.

D25A/0925

Applicant(s)

Máire Callaghan

Type of Application

Permission

Planning Authority Decision

Grant Permission + Conditions

Type of Appeal

Third Party Normal Planning Appeal

Appellant(s)

David Dillon

Observer(s)

None

Date of Site Inspection

06th May 2026

Inspector

Bernadette Quinn

1.0 Site Location and Description

1.1. The site, with a stated area of 0.0745 ha, is located at the junction of Stillorgan Park and St Heliers Copse in an established residential area characterised by detached and semi-detached dwellings of varying styles. The appeal site forms part of the garden of a detached three storey Edwardian dwelling known as Saint Heliers which is in residential use. Vehicular access to the site is from St. Heliers Copse, a residential cul-de sac estate. The southern boundary adjoins Stillorgan Park and comprises a low stone wall and mature trees. The western boundary adjoins St. Heliers Copse and is defined by a brick wall and vehicular entrance to the appeal site. The northern boundary comprises a wall and mature hedgerow beyond which is a terrace of two storey dwellings at Nos 13-16 St. Hellier's Copse. The eastern boundary comprises a stone wall and mature trees beyond which is Lisnacreive, a large, detached dwelling.

2.0 Proposed Development

2.1. Permission is sought for construction of two houses to the side and rear of the existing house, St. Heliers. House A has a gross floor area of 250 sq.m. with four bedrooms over three storeys with the third floor recessed and a flat roof with an overall height of 9.65m. A rear garden measuring 61 sq.m. and a front facing roof terrace are proposed. House B has a gross floor area of 202 sq.m. with three bedrooms over two storeys with a flat roof with an overall height of 6.4m and a rear garden measuring 62 sq.m.

3.0 Planning Authority Decision

3.1. Decision

On 03rd February 2026 Dun Laoghaire Rathdown County Council issued notification of decision to grant permission subject to 10 conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Officers Report dated 03/03/3036 can be summarised as follows:

- Having regard to the site configuration the proposed density of 26.5 dph is considered appropriate.
- The proposal is acceptable with regard to internal areas, private open space, boundaries, building lines, design and material finishes, and Development Plan criteria relating to infill development in corner or side garden sites.
- No concerns arise in relation to impacts on the amenities of neighbouring dwellings including overlooking, overshadowing and overbearing.
- Both dwellings are considered to respect the setting and architectural character of the existing Victorian house without visual intrusion or negative impact on the established streetscape.
- The proposal contributes positively to the overall character of the area.
- It is considered that Uisce Eireann's request for further information to provide confirmation of feasibility can be addressed by condition.
- The proposal will result in the removal of 3 no. saplings and removal and replacement of 3 no. silver birches and the parks department have stated no objection.
- It is recommended that permission be granted subject to conditions.

3.2.2. Other Technical Reports

Drainage Planning: No objections subject to conditions.

Transportation Planning: No objections subject to conditions.

3.3. Prescribed Bodies

Uisce Eireann: Further Information required to provide a pre connection enquiry.

3.4. Third Party Observations

A number of submissions received are summarised in the Planning Officer's report.

4.0 Planning History

Appeal Site:

D22A/0530: Permission granted for change of use from office and caretakers accommodation to residential use as a single dwelling.

RL06D.304696: On 07/10/2019 ACP considered a Section 5 Declaration relating to whether the change of use of an office building to use as an embassy is or is not development or is or is not exempted development. ACP decided that it is development and is not exempted development.

5.0 Policy Context

5.1. Development Plan

5.1.1. The Dún Laoghaire Rathdown County Development Plan, 2022-2028 is the statutory development plan for the area. The site is zoned Objective 'A' residential with the objective to: 'provide residential development and improve residential amenity while protecting the existing residential amenities' under which residential development is listed within the 'Permitted in Principle' category of this zoning objective.

5.1.2. Chapter 4: Neighbourhood – People, Homes and Place

Policy Objective PHP18: Residential Density It is a Policy Objective to:

Increase housing (houses and apartments) supply and promote compact urban growth through the consolidation and re-intensification of infill/brownfield sites having regard to proximity and accessibility considerations, and development management criteria set out in Chapter 12.

Encourage higher residential densities provided that proposals provide for high quality design and ensure a balance between the protection of existing residential amenities and the established character of the surrounding area, with the need to provide for high quality sustainable residential development.

Policy Objective PHP20: Protection of Existing Residential Amenity: Ensure the residential amenity of existing homes in the Built Up Area is protected where they are adjacent to proposed higher density and greater height infill developments.

5.1.3. In Section 9.3.1.3 Policy Objective OSR7: Trees, Woodland and Forestry states that it is a Policy Objective to implement the objectives and policies of the Tree Policy and the forthcoming Tree Strategy for the County, to ensure that the tree cover in the County is

managed, and developed to optimise the environmental, climatic and educational benefits, which derive from an 'urban forest', and include a holistic 'urban forestry' approach.

5.1.4. Chapter 12 sets out Development Management criteria relating to infill and backland dwellings wherein Section 12.3.7.5 outlines standards relating to corner/side garden sites, Section 12.3.7.6 outlines standards relating to backland development and Section 12.3.7.7 outlines standards relating to infill development.

5.1.5. Section 12.8.11 Existing Trees and Hedgerows states New developments shall be designed to incorporate, as far as practicable, the amenities offered by existing trees and hedgerows. New developments shall, also have regard to objectives to protect and preserve trees and woodlands (as identified on the County Development Plan Maps). The tree symbols on the maps may represent an individual tree or a cluster of trees and are not an absolute commitment to preservation. Decisions on preservation are made subject to full Arboricultural Assessment and having regard to other objectives of the Plan. Arboricultural Assessments carried out by an independent, qualified Arborist shall be submitted as part of planning applications for sites that contain trees or other significant vegetation. The assessment shall contain a tree survey, implications assessment and method statement. The assessment of the site in question will inform the proposed layout, in relation to the retention of the maximum number of significant and good quality trees and hedgerows. Tree and hedgerow protection shall be carried out in accordance with BS 5837 (2012) 'Trees in Relation to Design, Demolition and Construction – Recommendations', or any subsequent document. All requirements for Arboricultural Assessment should be determined at pre-planning stage.

5.1.6. There is a map based objective 'To protect and preserve Trees And Woodlands' located within the site.

5.2. Section 28 Ministerial Guidelines

Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities (Compact Settlements Guidelines) outline that in city urban neighbourhoods it is a policy and objective of the Guidelines that residential densities in the range 50 dph to 250 dph (net) shall generally be applied in urban neighbourhoods of Dublin and Cork. The following Specific Planning Policy Requirements (SPPR) are relevant:

- SPPR 1 requires a separation distance of at least 16 metres between rear opposing windows above ground floor level. Separation distances below 16 metres may be

considered where suitable privacy measures have been designed into the scheme to prevent undue overlooking of habitable rooms and private amenity spaces.

- SPPR 2 sets out minimum private open space requirements for houses with a 4+bed house requiring a minimum of 50 sq.m.
- SPPR 3 requires that in city urban neighbourhoods car-parking provision should be substantially reduced.
- SPPR 4 relates to cycle parking and storage and states that a general minimum standard of 1 cycle storage space per bedroom should be applied.

5.3. Natural Heritage Designations

The subject site is not within or immediately adjacent to any designated or Natura 2000 sites. South Dublin Bay SAC (Site Code: 000210) and South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024) are located approx. 1.5km to the northeast of the site.

5.4. 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.

6.0 The Appeal

6.1. Grounds of Appeal

One no. third party appeal has been received from David Dillon and can be summarised as follows:

- The Planners report lacks explanation for the consideration that the proposal is in accordance with the proper planning and sustainable development of the area and does not reference concerns in submissions.

- The proposed house abutting the boundary wall of the appellants property at Lisnacreive is squeezed in and disproportionate, a more modest proposal should be considered.
- The proposed terraces/balconies are not required and will give rise to overlooking.
- The proposal fails to take account of the aesthetics in the area, the impact on neighbours and the development plan for the area.
- The proposal is out of character with, and will detract from, the existing house which is a distinctive feature in the area and a landmark building. There are no other three storey dwellings in the area and no terraces or balconies. The integrity of the existing dwelling should be preserved.
- The development will have a dramatic impact on Lisnacreive due to the proposal to build contiguous and against the party wall and its proximity to the existing patio and conservatory.
- There are concerns relating to noise and overlooking from the proposed terraces and balconies. Opaque glass is a poor solution.
- The applicant failed to communicate with neighbours in relation to an acceptable proposal.
- The Blackrock Local Area Plan highlights the importance of heritage and conservation.
- The proposed access is located on a continuous white line at a dangerous location. The proposed road access is incongruous and makeshift. Road access should be to the side using the existing entrance.
- Development Plan provisions relating to rear garden space and separation distances are outlined. The distance between the party wall to the existing building is 12.1m and the proposed new building will abut the property.

6.2. Applicant Response

A first party response to the appeal can be summarised as follows:

- The planner's report outlines a robust and evidence-based planning assessment.
- The referred to 'side passage' is 12.1m wide which can comfortably accommodate a new dwelling and is a typical plot width in Stillorgan Park.
- Lisnacreive is a detached dwelling and is not typical of the area.
- The low density proposed of 26.5 dph takes account of the sites characteristic and was deemed by the planner to be appropriate.
- Relevant policy in the Regional Spatial and Economic Strategy in support of the proposal is outlined.
- The proposed upper terrace will provide the dwelling with south facing private open space and such features are not unusual in the area.
- The design and position of the proposed dwellings has been carefully considered and is the most sympathetic footprint for the development.
- The entrance is designed in accordance with Development Plan standards and with appropriate sight lines and the roads department had no objections.
- The existing dwelling at St Heliers is a three storey detached dwelling 13m in height and Lisnacreive is a two storey detached dwelling 8.8m in height. Proposed house A has a maximum height of 9.65m with the third storey recessed on all sides to reduce visual impacts. Proposed house B is two storey with a height of 6.4m.
- St. Heliers is not a Protected Structure.
- The proposed houses are designed to complement the existing house.
- The proposal complies with Policy Objective PHP42 and the Building Height Strategy of the Development Plan.
- The proposal will screen Lisnacreive from existing windows on the side elevation of St. Heliers and minimise any additional shadows cast onto Lisnacreive.

- The proposal will be built in accordance with building regulations which will address noise transfer and the top terrace on house A will be screened with a 1.6m high permanent screen to prevent overlooking.
- A shared entrance with the existing house is not required.
- It is requested that the decision of the PA be upheld.

6.3. Planning Authority Response

A response from the PA can be summarised as follows:

- In its assessment the PA mistakenly considered a Parks and Landscapes report which did not relate to the file.
- The PA consider that the mistake did not materially impact on the assessment or outcome of the application.
- It is requested that the decision to grant permission is upheld by ACP in accordance with the assessment and conditions in the Planner's report.

6.4. Observations

None received.

7.0 Assessment

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

- Principle of Development
- Impacts on Residential Amenity
- Visual Impacts
- Traffic
- Trees
- Other Matters

7.2. Principle of Development

- 7.2.1. The site is zoned Objective A 'Residential'. Residential development is permitted in principle under this zoning objective in the Development Plan. I consider the principle of development of two dwellings is acceptable, subject to the detailed considerations below.
- 7.2.2. The appeal notes that the Blackrock Local Area Plan highlights the importance of heritage and conservation. In this regard I note that the appeal site is not within or adjacent to the Blackrock Local Area Plan boundary.

7.3. Impact on Residential Amenity

- 7.3.1. The appeal site comprises the side and rear garden to the existing dwelling St. Heliers. House A is proposed in the side garden to the east of St. Heliers. The appellants property, Lisnacreive, is the neighbouring property to the east. House B is proposed in the rear garden to the north of St. Heliers and Nos. 13-16 St. Heliers Copse are located to the north of the site.
- 7.3.2. The appellant raises concerns in relation to the scale of development proposed and resulting impacts on residential amenities of the area, including proximity to adjoining property, overlooking and noise. In response the applicant outlines the proposal will screen Lisnacreive from existing windows on the side elevation of St. Heliers and that the roof terrace will be screened with a 1.6m high permanent screen.
- 7.3.3. House A is three storeys in height with a flat roof and an overall height of 9.65m. A roof terrace is proposed at second floor level on the front (south) elevation. 1.6m high screens are proposed on the east and west side of the roof terrace. No windows are proposed above ground floor level on the west elevation. Windows with obscure glazing serving 2 no. bathrooms and a walk-in wardrobe are proposed at first floor on the east elevation. House A will be set back between approx. 0.25m and 1.8m from the shared boundary with Lisnacreive and approx. 13.5m from the main western façade of Lisnacreive and approx. 9m from a conservatory adjoining the western side of Lisnacreive. A separation distance of 2.1m is proposed from the eastern side elevation of St. Heliers. House B is located between 1m and 1.7m from the northern boundary with dwellings at St. Helier's Copse and its main rear façade is set back approx. 8.2m from the eastern boundary beyond which is the rear garden of Lisnacreive. The southern side elevation is setback approx. 1.1m from the proposed new rear boundary to St. Heliers and a separation distance of 11m is proposed between the side elevation of House B and the rear elevation of St. Helier's. The

first floor north elevation of House B facing the rear of dwellings on St. Heliers Copse will contain 2 obscure glass windows serving bathrooms, the first-floor south elevation facing the rear of St. Heliers will contain obscure glass windows serving a stairs and the first floor east elevation will be set back 8.2m from the east boundary with Lisnacrieve and will contain windows serving two bedrooms.

7.3.4. The PA Planning Officer's report states that no concerns arise in relation to impacts on the amenities of neighbouring dwellings including overlooking, overshadowing and overbearing.

7.3.5. I note the concerns raised in relation to the proximity of House A to the shared boundary with Lisnacrieve, with House A proposed to be located a minimum of 0.25m from the eastern boundary, however I note that no windows are proposed on the east elevation of House A. Whilst a roof terrace at second floor has the potential to give rise to overlooking, I consider the proposal to incorporate a 1.6m high permanent screen on the east and west boundary of the terrace will prevent undue overlooking of adjoining properties. I note the appellants case that the terrace is not required. Whilst a rear garden is proposed in addition to the terrace, noting that the terrace is unlikely to give rise to impacts on neighbouring properties I am satisfied that the terrace will provide additional amenity space for the occupants of House A.

7.3.6. I note the rear elevation of House B includes bedroom windows at first floor which will be setback 8.2m from the shared boundary with Lisnacrieve. There are no rear opposing windows facing the rear of House B and the boundary between the two properties comprises mature trees and hedgerow and having regard to the separation distance proposed I am satisfied that no undue overlooking will arise from the proposed dwellings to Lisnacrieve, including the rear patio and conservatory. I note Section 12.8.7.1 of the Development Plan requires a minimum separation distance of 22 meters between opposing rear first floor windows, however this section states that separation distances for new developments may be reduced where the amenities and privacy of adjacent occupiers is preserved. SPPR 1 of the Compact Settlements Guidelines requires separation distances of 16m and states that separation distances below 16 metres may be considered acceptable in circumstances where there are no opposing windows serving habitable rooms.

- 7.3.7. There are no first-floor windows directly opposing proposed House A or House B and I consider no direct overlooking of habitable rooms will arise.
- 7.3.8. In terms of overlooking on St Heliers and houses in St. Heliers Copse, I note that the design of dwellings will not give rise to overlooking to these properties with any windows facing these dwellings containing obscure glazing.
- 7.3.9. I note the concerns raised in the appeal in relation to noise generated from the proposal, however I do not consider the proposal for 2 dwellings is likely to result in unacceptable noise levels in this established residential area.
- 7.3.10. Having regard to the above I consider the proposal is unlikely to give rise to unacceptable impacts on the residential amenities of neighbouring properties and I consider the proposal is acceptable in this regard.

7.4. Visual Impacts

- 7.4.1. Visual amenity concerns raised by the appellant include concerns relating to inadequate site size, impacts as a result of proximity to the adjoining property Lisnacreive, and that the design and three storey height proposed is out of character with the existing dwelling St. Heliers and other dwellings in the area.
- 7.4.2. The Development Plan in Section 12.3.7 outlines that backland and infill development should be of an appropriate scale and that infill development shall respect the height and massing of existing residential units. The PA considered the proposal will respect the setting and architectural character of the existing house on the appeal site without visual intrusion or negative impact on the established streetscape and that the proposal contributes positively to the overall character of the area.
- 7.4.3. The proposed dwellings are of contemporary design with material finishes comprising render and glazing. The front building line of House A will be slightly forward of the front building line of St. Heliers whilst the front building line of Lisnacreive is forward of both St. Heliers and proposed House A. The front building line of House B will be setback from the side elevation of St. Heliers to the south and houses in St. Heliers Copse to the north. The ridge height of St. Heliers is approx. 13.5m. House A will be three storeys in height with the third floor recessed and will have a flat roof with an overall height of 9.65m. Lisnacreive is a dormer dwelling with a height of approx. 9m as indicated on Contextual Elevation Drawings which is below the height of proposed House A. A separation distance in excess

of 13.5m is proposed from the eastern elevation of House A to the main side elevation of Lisnacreive and 9m from the conservatory adjoining its side elevation, Proposed House B will be two storeys with a flat roof and a ridge height of 6.4m which is below the height of adjoining dwellings in St. Heliers Copse to the north. A setback in excess of 13m is proposed from the main rear elevations of dwellings in St. Heliers Copse.

- 7.4.4. Having regard to the scale and design of development proposed, including the height, massing and positioning on the site, as well as separation distances from neighbouring dwellings, I consider the proposal is unlikely to result in overbearing impacts on adjoining properties or to result in unacceptable visual impacts on the streetscape. I am satisfied that the proposal will not result in unacceptable impacts on the visual amenities of the area and will provide for an appropriate and high quality design.
- 7.4.5. I note the appellants concerns that St. Heliers is a landmark building in the area, and whilst I do consider it is a distinctive feature on the streetscape, I note that it is not a protected structure and the area is not located within an ACA. Having regard to the scale and design proposed I am satisfied that the proposal is acceptable with regard to visual impacts.
- 7.4.6. The first party response to the appeal outlines that the site for House A is 12.1m wide and that this is a typical plot width in Stillorgan Park. Whilst I note there are a number of detached houses on large sites, the prevailing pattern of development comprises semi-detached and terraced houses with similar plot widths to the proposed development. I do not consider the proposal is out of context with the pattern of development in the area.
- 7.4.7. I note the concerns of the appellant regarding the scale of development relative to the site size. The proposal is located on a site area measuring 0.0745ha with the proposal for 2 dwellings resulting in a proposed density of 27 dwellings per hectare which I consider is acceptable having regard to the size and nature of the site.
- 7.4.8. I am satisfied that the proposal complies with Development Plan policies relating to increased densities on infill sites whilst protecting existing residential amenities and I consider the proposal is acceptable with regard to visual impacts.

7.5. Traffic

- 7.5.1. Vehicular access to House A is proposed via a new entrance from Stillorgan Park and to House B via a new entrance from St. Heliers Copse. The PA Transportation Section report states no objections to the proposal. I note the appellants concerns relating to the location

of access to House A on a continuous white line. I am satisfied that adequate sightlines as indicated on the Site Layout Plan are available and I do not share the appellants concerns that the proposed access is incongruous. I am satisfied that vehicular accesses to both dwellings as proposed is acceptable.

7.6. Trees

- 7.6.1. The Planning Officer's report includes reference to a Parks & Landscape Services Department Report which states no objection. The PA response to the appeal states that in its assessment the PA mistakenly considered a Parks and Landscapes report which did not relate to the file and that the PA consider that the mistake did not materially impact on the assessment or outcome of the application.
- 7.6.2. The Site Layout Plan indicates 5 no. trees to be removed to the east of the existing dwelling on the appeal site to facilitate House A and 3 no. trees to be removed to the rear to facilitate House B. The Development Plan includes a map based objective 'To protect and preserve Trees And Woodlands' on the appeal site to the east of the existing dwelling and in the vicinity of proposed House A. Section 12.8.11 of the Development Plan relates to existing trees and hedgerows and states that *'new developments shall have regard to objectives to protect and preserve trees and woodlands (as identified on the County Development Plan Maps). The tree symbols on the maps may represent an individual tree or a cluster of trees and are not an absolute commitment to preservation. Decisions on preservation are made subject to full Arboricultural Assessment and having regard to other objectives of the Plan. Arboricultural Assessments carried out by an independent, qualified Arborist shall be submitted as part of planning applications for sites that contain trees or other significant vegetation. The assessment shall contain a tree survey, implications assessment and method statement. The assessment of the site in question will inform the proposed layout, in relation to the retention of the maximum number of significant and good quality trees and hedgerows'*.
- 7.6.3. I note that no Arboriculture Assessment has been submitted with the planning application. I also note that the PA in their assessment of the proposal did not comment on this matter. I note that it is proposed to retain a number of existing trees along the eastern boundary and as such I consider the sylvian nature and character of the area will be retained. I also note that there are no Tree Preservation Orders on or adjacent to the site. I note that Section 12.8.11 of the Development Plan states that new developments shall be designed

to incorporate, as far as practicable, the amenities offered by existing trees and hedgerows, that new developments shall have regard to objectives to protect and preserve trees and woodlands (as identified on the County Development Plan Maps), and that the tree symbols on the maps may represent an individual tree or a cluster of trees and are not an absolute commitment to preservation. Having inspected the site and reviewed the drawings submitted with the application I consider the proposal to remove trees as indicated on the Site Layout Plan is acceptable. However, I note for the Commission that Section 12.8.11 of the Development Plan states that Arboricultural Assessments carried out by an independent, qualified Arborist shall be submitted as part of planning applications for sites that contain trees or other significant vegetation and that the assessment shall contain a tree survey, implications assessment and method statement. Noting the wording of the Development Plan in this regard the Commission may consider it necessary to request an Arboricultural Assessment in relation to the proposed development. As this matter was not raised by the PA or parties to the appeal it may be considered a new issue.

7.7. Other Matters

- 7.7.1. The appeal raises concerns that no explanation has been given in the Planning Officers report to conclude that the proposal is in accordance with the proper planning and sustainable development of the area and does not reference concerns raised in submissions. Having inspected the site and reviewed the documentation on file I am satisfied that the proposal has been appropriately assessed.
- 7.7.2. In relation to the appellants concerns that adjoining owners were not consulted, I note that there is no obligation to undertake consultation beyond that which is set out in the legislation and I do not consider the appellants concerns in this regard are relevant to the assessment of the appeal.

8.0 AA Screening

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

I have considered case PL-500847-DR-26 in light of the requirements of S177U of the Planning and Development Act 2000 as amended. The proposed development is located within a residential area and comprises the construction of two dwellings and all

associated site works. The closest European Sites are South Dublin Bay SAC (Site Code 000210) and South Dublin Bay and River Tolka Estuary SPA (Site Code 004024), both located approx. 1.5km northeast of the proposed development.

Having considered the nature, scale and location of the proposed development 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 scale and nature of the development
- The location of the development in a serviced urban area, distance from European Sites and urban nature of intervening habitats, absence of ecological pathways to any European Site.
- Having regard to the screening determination of the PA.

I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Water Framework Directive

9.1. 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.

10.0 Recommendation

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

11.0 Reasons and Considerations

Having regard to the residential land use zoning objective pertaining to the site as indicated in the Dun Laoghaire Rathdown County Development Plan 2022-2028, the established residential use on the site, the nature, scale and design of the proposal, the separation distances between the proposed dwellings and existing neighbouring dwellings, the orientation of the dwellings on the site relative to existing neighbouring dwellings, it is considered that, subject to compliance with the conditions set out below, the proposed development would provide a high quality of residential accommodation and associated open space provision for prospective residents, would not adversely impact on the residential amenities of the area by way of overlooking or overbearance, would not adversely impact on the visual amenities of the receiving environment and would be acceptable in terms of traffic and pedestrian safety and convenience. The proposed development would be consistent with national, regional and local planning policies and objectives supporting compact urban growth, densification and intensification of use of existing built-up serviced, zoned lands. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority 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 buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: in the interest of visual amenity and to ensure an appropriate high standard of development.

3. All bathroom and ensuite windows shall be fitted and permanently maintained with obscure glass.

Reason: in the interest of residential amenity.

4. Footpaths shall be dished at road junctions in accordance with the requirements of the planning authority. Details of all locations and materials to be used shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of amenity and of traffic and pedestrian safety cement of development.

6. All in-curtilage car parking spaces serving 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. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of sustainable transportation.

9. Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house/duplex numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: in the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.

10. Drainage arrangements and the disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the written agreement of the planning authority.

Reason: To prevent flooding and in the interests of sustainable drainage.

11. Prior to the commencement of development, the developer shall enter into a Connection Agreement(s) with Uisce Eireann to provide for a service connection(s) to the public water supply and wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities

12. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

(a) A plan to scale of not less than [1:500] showing –

(i) Existing trees and hedgerows, specifying which are proposed for retention as features of the site landscaping

(ii) The measures to be put in place for the protection of these landscape features during the construction period

(iii) The species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder

(b) A timescale for implementation including details of phasing

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development [or until the development is taken in charge by the local authority, whichever is the sooner], shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

13. 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

14. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: in order to safeguard the amenities of property in the vicinity.

15. A finalised Construction and Environmental Management Plan (CEMP) shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

Reason: in the interests of environmental protection, residential amenities, public health and safety and environmental protection.

16. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness, these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times

Reason: in the interest of proper planning and sustainable development.

17. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

- a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
- b) Location of areas for construction site offices and staff facilities;
- c) Details of site security fencing and hoardings;
- d) Details of on-site car parking facilities for site workers during the course of construction;
- e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- f) Measures to obviate queuing of construction traffic on the adjoining road network;
- g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;

- h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- m) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the Planning Authority.

Reason: In the interest of amenities, public health and safety.

18. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials within each house plot and for each duplex/apartment unit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained and waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

19. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the transfer of a (percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and

Development Act 2000, as amended , and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate has been granted under section 97 of the Act, as amended.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

20. 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 Coimisiun Pleanála for determination.

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

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

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.

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.”

Bernadette Quinn
Planning Inspector

19th May 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500847-DR-26
Proposed Development Summary	Construction of two houses to the side and rear of existing house with associated works
Development Address	Site to the side and rear of Saint Helier's, Stillorgan Park, Blackrock, Co. Dublin, A94A2K8
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ No, No further action required.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to	State the Class here

be requested. Discuss with ADP.	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
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?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold Class 10(b)(i) (infrastructure – Dwelling Units)

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	PL-500847-DR-26
Proposed Development Summary	Construction of two houses to the side and rear of existing house with associated works
Development Address	Site to the side and rear of Saint Helier's, Stillorgan Park, Blackrock, Co. Dublin, A94A2K8
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The proposal for two dwellings and associated works has a modest footprint, comes forward as a standalone project, does not require demolition works, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural	The development is situated in a densely populated suburban area on a brownfield site and is located at a remove from sensitive natural habitats, designated sites and landscapes of significance identified in the Development Plan.

resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	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.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ **Date:** _____

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

(only where Schedule 7A information or EIAR required)