



An
Coimisiún
Pleanála

Inspector's Report

PL-501140-DR-26

Development

Construction of a new dwelling with demolition of existing conservatory and garden shed for the subdivision of the main dwelling - Charleville house (Protected Structure RPS: 1385) - into 2 duplex units and all associated site works.

Location

Charleville, 131 Newtownpark Avenue,
Blackrock, Co. Dublin, A94H0K6
(Protected Structure)

Planning Authority

Dun Laoghaire Rathdown County Council

Planning Authority Reg. Ref.

D25A/0837/WEB

Applicant(s)

Yvonne Rosenkranz Bourke

Type of Application

Permission

Planning Authority Decision

Grant Permission + Conditions

Type of Appeal

Third Party Normal Planning Appeal

Appellant(s)

Lawrence & Jane Chmara
Alison Condron

Observer(s)

None

Date of Site Inspection

29th May 2026

Inspector

Carol Smyth

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1.0 Site Location and Description

- 1.1. The subject site at No. 131 Newtownpark Avenue is located within the residential suburb of Blackrock in the administrative boundary of Dun Laoghaire Rathdown County Council.
- 1.2. The site has a stated area of 0.068 ha and comprises a two storey 4 bay, semi-detached property, which is a protected structure (RPS Ref. 1385). The house has a render finish and a hipped roof located behind a parapet. The dwelling is set back from the street and comprises a vehicular entrance with off street carparking. There is a single storey conservatory located to the front of the property with private amenity space provided to the rear.
- 1.3. The area is characterised by detached and semi-detached properties of various architectural typologies predominately 2 storeys in height. The site is bounded by a laneway to the north which provides access to No. 129, Newtownpark Avenue, a detached 2 storey period dwelling which bounds the site to the west. The rear gardens of the single storey detached property, semi-detached and detached houses along Fairy Hill bound the laneway further to the north. Glendower House, also a protected structure, adjoins the subject site to the south.

2.0 Proposed Development

- 2.1. Planning permission is sought for:
 - a) Demolition of existing conservatory, garden shed, side stairs and landing (c. 44.6 sqm).
 - b) Subdivision of the main dwelling, Charleville house (Protected Structure RPS: 1385) into two duplex units that consist of 1 no. 2-bedroom duplex unit on the ground and first floor and 1 no. 3-bedroom duplex unit on the ground and first floor, each with their own independent entrances and their own private gardens
 - c) Construction of a new 1 no. 1 storey, 3-bedroom dwelling to be accessed via the existing site entrance.
 - d) 47.7sqm of private open space for the new dwelling in the form of a paved patio area, courtyard and garden.

- e) Communal amenity space of 206.17 sqm.
- f) 3 no. car parking spaces.
- g) 6 no. bicycle parking spaces.
- h) 1 no. bin store.
- i) All associated site development works and service provision above and below ground on a site of 0.068ha.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority issued a decision to grant permission on the 13th March 2026 subject to 14 no. conditions.

3.2. Planning Authority Reports

3.2.1. Area Planners Primary Report.

Report dated 22nd December 2025 sought further information regarding conservation issues pertaining to windows and doors, drainage issues relating to runoff from a green roof, and details relating to floor areas of the proposed units.

3.2.2. Area Planners Further Information Report

Report dated 13th March 2026 is consistent with the decision notices issued.

3.2.3. Environmental Health Officer Planning Report

Report dated 5th December 2025. No objection subject to conditions.

3.2.4. Drainage Planning Primary Report

Report dated 5th December 2025. Further information requested regarding surface water runoff and soak pits.

3.2.5. Drainage Planning Further Information Report

Report dated 27th February 2026. No objection subject to conditions.

3.2.6. Conservation Division Primary Report

Report dated 11th December 2025. Further information requested regarding windows and doors including a request for detailed drawings of a pair of windows to be retained on the northern elevation.

3.3. Prescribed Bodies

3.3.1. Uisce Eireann

3.3.2. Submission dated 22nd December 2025. Notes that a connection agreement is required.

3.3.3. Transport Infrastructure Ireland

3.3.4. Submission dated 10th November 2025. Requests that regard be had for TII policy documents in relation to development adjacent to national roads and the light rail network.

3.4. Third Party Observations

In total 5 no. third party observations were received in relation to the development. The issues raised in relation to the planning application also form third party observations and are addressed below in Sections 7 and 8.

4.0 Planning History

4.1. There is no recent relevant planning history relating to the subject site.

5.0 Policy Context

5.1. National Planning Policy and Guidance

5.1.1. Sustainable Residential Development and Compact Settlement Guidelines (2024)

Referred to hereafter as the Compact Settlement Guidelines, sets out a context to create higher density settlements to underpin sustainable development principles. This document sets out four Specific Planning Policy Requirements (SPPR) which take precedence over any contradictory standards in Development Plans.

SPPR 1 – Separation Distances. This sets out that a separation distance of at least 16 metres shall be maintained between opposing above-ground windows serving habitable rooms.

SPPR 2 – Minimum Private Open Space Standards for Houses. This sets a minimum of 40 sqm for a 3-bedroom house, and a minimum of 50 sqm for a 4 bedroom + house.

SPPR 3 – Car Parking. This sets a maximum rate of 2 spaces per dwelling in locations such as this one.

SPPR 4 – Cycle Parking and Storage. This sets minimum quantitative and qualitative standards for cycle parking.

Section 5.3.7 Daylight, of the Compact Settlement Guidelines, sets out that the provision of acceptable levels of daylight in new residential developments is an important planning consideration. It is also important to safeguard against a detrimental impact on the amenity of adjacent properties.

- a) The potential for poor daylight performance in a proposed development or for a material impact on neighbouring properties will generally arise in cases where the buildings are close together, where higher buildings are involved, or where there are other obstructions to daylight.
- b) In cases where a technical assessment of daylight performance is considered to be necessary by the planning authority, regard should be had to quantitative performance approaches to daylight provision outlined in guides like A New European Standard for Daylighting in Buildings IS EN17037:2018, UK National Annex BS EN17037:2019 and the associated BRE Guide 209 2022 Edition (June 2022), or any relevant future standards or guidance specific to the Irish context.

5.1.2. **Quality Housing for Sustainable Communities, DoEHLG 2007**

- 5.1.3. Quality Housing for Sustainable Communities is a best practice handbook for identifying good quality residential amenity to deliver homes and sustainable communities. The guidelines were not published under Section 28 of the Planning and Development Act 2000, as amended. The guidelines are intended to provide guidance and recommendations to achieve a minimum standard of residential amenity.

5.1.4. **Architectural Heritage Protection Guidelines for Planning Authorities (2011)**

The Architectural Heritage Protection Guidelines provide a framework to ensure the protection, conservation and sensitive management of architectural heritage and provides advice and guidance on alterations and extensions in historic contexts.

5.2. **Development Plan**

5.2.1. The site is governed by the policies and objectives of the Dun Laoghaire Rathdown County Development Plan 2022-2028 (referred to hereafter as the Development Plan). The site is zoned 'A' with the objective to provide residential development and improve residential amenity while protecting existing residential amenities. Residential development is permitted in principle under this zoning objective.

5.2.2. The site is a Protected Structure and listed on the Record of Protected Structures RPS Ref: 1385. Policy Objective HER 8 of the Development Plan seeks to protect the character and special interest of Protected Structures against any works that would negatively impact their distinctive character and appearance.

5.2.3. **Chapter 4: Neighbourhood - People, Homes and Place**

Policy Objective PHP19: Existing Housing Stock - Adaptation

It is a Policy Objective to:

- *Conserve and improve existing housing stock through supporting improvements and adaption of homes consistent with NPO 34 of the NPF*
- *Densify existing built-up areas in the County through small scale infill development having due regard to the amenities of existing established residential neighbourhoods.*

Policy Objective PHP20: Protection of Existing Residential Amenity.

It is a Policy Objective to 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.

5.2.4. **Chapter 11: Heritage and Conservation**

Includes specific objectives and guidance relating to the protection of the County's heritage under the headings of archaeological heritage, architectural heritage, and countywide heritage (which includes the DLR Heritage Plan).

5.2.5. Chapter 12: Development Management

Section 12.3.7 provides development management standards in relation to additional accommodation in built-up areas.

Section 12.3.7.7 Infill sets out that new infill development shall respect the height and massing of existing residential units. Infill development shall retain the physical character of the area including features such as boundary walls, pillars, gates/gateways, trees, landscaping, and fencing or railings.

Section 12.11.2.1 Works to a Protected Structure, provides guidance in relation to works to protected structures including extensions, alterations and change of use etc.

5.3. Natural Heritage Designations

The site is situated approximately 1.8 km from the South Dublin Bay and River Tolka Estuary SPA and South Dublin Bay SAC, and approximately 5.5 km from the Dalkey Islands SPA and approximately 5.8 km from Rockabill to Dalkey Island SAC

6.0 EIA Screening

- 6.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendix A 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

Two third party appeals were received against the Planning Authority's decision to grant permission for the subdivision of an existing dwelling (a protected structure)

into 2 no. duplex units and the construction of a single storey dwelling to the front of the dwelling. The grounds of appeal have been summarised as follows:

- Overlooking and loss of privacy from the first-floor windows on the north facing elevation.
- Overlooking of rear private gardens and habitable rooms.
- Intensification of overlooking.
- Failure to protect residential amenity.
- The development plan seeks to prevent overlooking and protect the privacy and residential amenity of existing dwellings.
- Refers to local planning precedent where overlooking issues have been mitigated.
- The change of a fire escape door at first floor level on the northern elevation to a window will result in continuous overlooking of adjacent property.
- No mitigation measures to prevent overlooking proposed.
- Mitigation measures could include removal, relocation reduction of window, fixed panel obscure glazing.
- The drawings submitted with the planning application inaccurately depicts the existing first floor window and the existing fire escape door on the northern elevation.

7.2. Applicant Response in the case of a 3rd Party Appeal

- Sets out that the windows at first floor level of the northern elevation comprise the retention of an existing window and the replacement of an existing fire escape door with a window which will be the same size as the window to be retained.
- The new window provides light to the passageway of the master bedroom.
- The fire escape landing and staircase will be removed thereby reducing overlooking from the external landing over neighbouring properties.

- The separation distances to No. 3 Fairy Hill is 18.97 metres and complies with SPPR 1 of the Compact Settlement Guidelines
- The separation distance to No. 2 Fairy Hill is 12.8 metres and is just below the 16 metre threshold as set out in the Compact Settlement Guidelines.
- Existing trees screen views from the window.
- While there were no conditions relating to the obscuring of the window attached to the grant of permission. The applicant accepts any future conditions to protect the residential amenity of neighbouring properties.
- The further information submission addressed the inaccuracies in drawings of the existing first floor window on the northern elevation. The drawing of the existing fire escape door are correct.
- The proposal complies with development plan policy including Policy Objective PHP: 20 Protection of Existing Residential Amenity.
- The precedent cited are not contextually relevant. Notwithstanding the applicant accepts any future conditions to opaque the window.

7.3. **Planning Authority Response**

Response received dated the 15th April 2026 outlining that the grounds of appeal do not raise any new matter which in the opinion of the Planning Authority would justify a change of attitude to the proposed development.

7.4. **Observations**

None on file.

8.0 **Assessment**

- 8.1. Having examined the applications details and all other documentation on file, including the observations received in relation to the appeal, the report/s of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issue in this appeal to be considered are as follows:

- Overlooking

- Other Matters

8.2. **Overlooking**

- 8.2.1. Third party grounds of appeal raise concerns regarding the impacts of the development on adjoining residential amenity in terms of overlooking. The grounds of appeal contends that first-floor windows on the northern elevation will overlook the rear private open space and habitable rooms of the properties on Fairy Hill to the north of the site and that the change of a fire escape door at first floor level on the northern elevation to a window intensifies overlooking issues. The grounds of appeal considers that the development fails to protect neighbouring residential amenity and is contrary to Development Plan policy which seeks to prevent overlooking and to protect the privacy and residential amenity of existing dwellings.
- 8.2.2. In response to the grounds of appeal the Applicant sets out that the windows at first floor level on the northern elevation comprises the retention of an existing window and the replacement of an existing fire escape door with a new window. The opening for the former fire escape door will be altered so that it matches the size of the retained window. It is further contended that the development proposal reduces overlooking over neighbouring properties from the external landing/staircase by their removal.
- 8.2.3. The Planning Authority considered that the design approach to the subdivision of the protected structure into two separate duplex units prioritised the protection of adjoining residential amenity by avoiding overlooking.
- 8.2.4. An existing laneway separates the northern boundary of the subject site from the rear of the third-party appellants properties on Fairy Hill. The Applicants response to the grounds of appeal sets out that the separation distances between the northern elevation of the development is 12.8 metres to No. 2 Fairy Hill and 18.95 metres to No. 3 Fairy Hill and that the separation distances comply with the Compact Settlement Guidelines 2024. In this regard I note that SPPR 1 of the Compact Settlement Guidelines requires 16 metre separation distances between opposing windows serving habitable rooms. SPPR1 also allows separation distances below 16 metres 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.

- 8.2.5. Development Plan Policy Objective PHP 20: Protection of Existing Residential Amenity seeks to protect the residential amenity of existing homes where they are adjacent to proposed higher density and greater height infill developments.
- 8.2.6. The existing northern elevation of the dwelling comprises a fire escape door and an existing window. Having visited the site and having reviewed the submitted drawings I note that the existing window serves an existing bedroom. The proposed floor plans alters the internal layout such that the existing window serves the stairwell of Duplex Unit No. 2. Given that the existing window will not serve a habitable room I am satisfied that the proposed development will not increase overlooking of neighbouring property on Fairy Hill. I am therefore satisfied that the existing window will not negatively impact upon the residential amenity of neighbouring property as a result of the proposed development and therefore complies with the provisions of Development Plan Policy Objective PHP: 20 Protection of Existing Residential Amenity.
- 8.2.7. In relation to the replacement of the existing fire escape door with a new window, having reviewed the submitted drawings I note that the opening of the fire escape door will be altered to match the head and cill height of the adjacent existing window to be retained. The proposed floor plans alters the internal layout such that the proposed window serves the master bedroom of Duplex Unit No. 2. In this regard I note that the window is a secondary window providing light to a passageway into the bedroom area and the bedroom has a larger front facing window. Having regard to the scale of the room I am satisfied that it will receive adequate daylight and sunlight and has a good level of aspect from the front facing window alone.
- 8.2.8. In response to the grounds of appeal the Applicant contends that the development proposal reduces overlooking of neighbouring properties by removing the existing fire escape staircase. The applicant further contends that the existing trees screen views to neighbouring properties.
- 8.2.9. Having visited the site I note that the existing fire escape door is located along a corridor. The door provides emergency escape access via an external staircase to the rear garden of the property. I am not satisfied that the removal of the staircase and the replacement of a door used for emergency purposes with a window that serves a habitable room, will reduce overlooking of neighbouring property. In my

view the proposed window intensifies overlooking of property to the north. Given the separation distances to neighbouring properties, and that the proposed window serves a habitable room I consider that increased overlooking of neighbouring property will occur. Furthermore, I am not satisfied that the existing trees will mitigate overlooking particularly in the autumn and winter months. I consider that the proposed window will adversely impact upon the residential amenity of neighbouring property by overlooking and therefore does not comply with the provisions of the Development Plan Policy Objective PHP: 20 Protection of Existing Residential Amenity.

8.2.10. I note that both the Third Party grounds of appeal and the Applicants response have outlined mitigation measures to prevent overlooking. I am satisfied that the obscuring of the proposed window would address overlooking concerns. Should the Commission be mindful to grant permission, I therefore recommend that a condition be attached obscuring the proposed window on the north facing elevation at first floor level.

8.3. Other Matters

8.3.1. The grounds of appeal refers to development in the vicinity of the site and contends that these set a precedent for the development. In this regard I note that the precedents outlined by the Appellant refer to planning application for domestic extensions where conditions were imposed by the Planning Authority to either remove windows or obscure the glazing. I am not satisfied that the precedents outlined are comparable to the scale and urban context of the site. I note that are different development standards for domestic extensions. I do not consider the precedents comparable to the current development and in this regard, I note that each application is assessed on its merits.

8.3.2. The grounds of appeal sets out that the drawings submitted with the planning application inaccurately depicts the existing first floor window and the existing fire escape door on the northern elevation. I note that the Planning Authority was satisfied that the drawings submitted were acceptable. I also note that revised drawings were submitted at further information stage of the existing window to be retained. Having regard to the above I am satisfied that the drawings are acceptable.

9.0 AA Screening

- 9.1. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the South Dublin Bay SAC (Site Code IE000210), South Dublin Bay and River Tolka Estuary SPA (Site Code IE004024), Rockabill to Dalkey Island SAC (Site Code IE003000) and Dalkey Island SPA (Site Code IE004172) in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- Nature of works
- Location-distance from nearest European site and lack of connections

10.0 Water Framework Directive

- 10.1. An assessment of the proposed development has been carried out in accordance with Article 4 of the Water Framework Directive and relevant EPA guidance, including best practice in sustainable drainage design.
- 10.2. The development incorporates appropriate surface water management measures, including Sustainable Drainage Systems (SuDS), designed to replicate greenfield runoff rates and provide treatment of surface water prior to discharge. These measures ensure that there will be no increase in pollutant loading, no alteration of the receiving waterbody's hydrological regime, and no risk of deterioration in water quality or ecological status. Any residual risks identified during the assessment are capable of being addressed through standard mitigation measures and best practice construction management.
- 10.3. The proposed development will not impact on the achievement of environmental objectives for any water body and is therefore considered compliant with the requirements of Article 4.

11.0 Recommendation

11.1. I recommend permission be GRANTED subject to conditions

12.0 Reasons and Considerations

12.1. Having regard to the land use zoning objective 'A' for the site, Development Plan policy, including Policy Objective PHP 20: Protection of Existing Residential Amenity and to the design, aspect, location and scale of the proposed development, I consider that subject to compliance with conditions below, that the development would not seriously injure the adjoining residential amenity of property in the vicinity and would provide a good level of residential amenity for future occupants. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area and I recommend that permission be GRANTED subject to conditions.

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 18th day of February 2026, 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.	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 Bord 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.
3.	The developer shall pay to the planning authority a financial contribution in lieu of the public open space requirement in respect of public open space benefitting the development in the area of the planning authority is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the adopted Development Contribution Scheme made under Section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any 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 Bord 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 contribution in accordance with the Development Contribution Scheme made under Section 48 of the Act be applied to the permission.
4.	The glazing to the window to the master bedroom on the first floor of the north facing elevation shall be manufactured opaque or frosted glass and

	shall be permanently maintained. The application of film to the surface of clear glass is not acceptable. Reason: In the interest of residential amenity.
5.	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 and to ensure an appropriate high standard of development.
6.	Prior to the commencement of development on [the Protected Structure] the applicant/developer shall submit for the written agreement of the planning authority confirmation that: (a) the development will be monitored by a suitably qualified architect with conservation expertise and accreditation and (b) competent site supervision, project management and crafts personnel will be engaged, suitably qualified and experienced in conservation works. Reason: In the interest of the protection of architectural heritage (in accordance with the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities).
7.	The existing ground floor timber window serving Charleville House shall be carefully removed and reused at upper floor level in lieu of the later uPVC window. All works shall be carried out in accordance with best conservation practice, with joinery profiles and finishes to match the existing historic fabric. Reason: To protect and reinstate original architectural fabric within the Protected Structure.
8.	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 noise management measures,

	traffic management measures and off-site disposal of construction/demolition waste. Reason: In the interests of public safety and residential amenity
9.	Construction hours for the proposed demolition and construction shall be in accordance with the following: No works shall take place on site outside the hours of 08.00 and 18.00 Monday to Friday, and 08.00 to 13.00 Saturday, or on Sundays or public holidays, unless otherwise agreed in writing with the planning authority. Reason: In the interest of the protection of residential amenity.
10.	All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site. Reason: In the interests of orderly development and the visual amenities of the area
11.	Prior to commencement of development, the developer shall enter into water and/or waste water connection agreement(s) with Uisce Éireann. Reason: In the interest of public health.
12.	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 disposal of surface water from the site for the written agreement of the planning authority. Reason: To prevent flooding and in the interests of sustainable drainage.

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.

Carol Smyth

Planning Inspector

14th July 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501140-DR-26
Proposed Development Summary	Construction of a new dwelling with demolition of existing conservatory and garden shed for the subdivision of the main dwelling - Charleville house (Protected Structure RPS: 1385) - into 2 duplex units and all associated site works.
Development Address	Charleville, 131 Newtownpark Avenue, Blackrock, Co. Dublin, A94H0K6
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 be requested. Discuss with ADP.	State the Class here
☒ 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	
☒ Yes, the proposed development is of a Class but is sub-threshold.	Class 10(b)(i) Construction of more than 500 dwelling units – Sub Threshold.

Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	
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-501140-DR-26
Proposed Development Summary	Construction of a new dwelling with demolition of existing conservatory and garden shed for the subdivision of the main dwelling - Charleville house (Protected Structure RPS: 1385) - into 2 duplex units and all associated site works.
Development Address	Charleville, 131 Newtownpark Avenue, Blackrock, Co. Dublin, A94H0K6
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).	Subdivision of an existing dwelling into 2 no. duplex units and the construction of a detached dwelling and all associated site works. The size of the development is not exceptional. The development would not be exceptional in the context. The development would not result in the production of significant waste, emissions, or pollutants.
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 resources, absorption capacity	The location is a suburban environment, in a built-up area. The development would not have the potential to significantly impact on an ecologically sensitive site or location.

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).	There are no real likelihood of significant effects on the environment.
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:** _____

Appendix 3: Standard AA Screening Determination Template 2

Test for likely significant effects

Screening for Appropriate Assessment Test for likely significant effects	
Case Reference Number: PL-501140	
Step 1: Description of the project and local site characteristics	
Brief description of project	Construction of a new dwelling with demolition of existing conservatory and garden shed for the subdivision of the main dwelling - Charleville house (Protected Structure RPS: 1385) - into 2 duplex units and all associated site works.
Brief description of development site characteristics and potential impact mechanisms	The 0.068 ha site is located in an urban area. The site is not located within any protected areas. The appeal site is a suburban infill site. The proposed attenuation measures would reduce variations in the runoff from the site. There is no potential, therefore, for the proposed development to alter the volume or characteristics of the flows into or from the surface water sewerage system that could conceivably have a significant effect on any Natura 2000 site. The foul effluent from the proposed development would be treated in a WWTP.
Screening report	No
Natura Impact Statement	No

Relevant submissions		None		
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
South Dublin Bay SAC Site Code IE000210	Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Salicornia and other annuals colonising mud and sand [1310] Embryonic shifting dunes [2110]	1.8 km	Yes	Yes
South Dublin Bay and River Tolka Estuary SPA Site Code IE004024	Light-bellied Brent Goose (Branta bernicla hrota) [A046] Oystercatcher (Haematopus ostralegus) [A130] Ringed Plover (Charadrius hiaticula) [A137] Grey Plover (Pluvialis squatarola) [A141] Knot (Calidris canutus) [A143] Sanderling (Calidris alba) [A144] Dunlin (Calidris alpina) [A149] Bar-tailed Godwit (Limosa lapponica) [A157]	1.8 km	Yes	Yes

	Redshank (<i>Tringa totanus</i>) [A162] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Roseate Tern (<i>Sterna dougallii</i>) [A192] Common Tern (<i>Sterna hirundo</i>) [A193] Arctic Tern (<i>Sterna paradisaea</i>) [A194] Wetland and Waterbirds [A999]			
Rockabill to Dalkey Island SAC Site Code IE003000	Reefs [1170] <i>Phocoena phocoena</i> (<i>Harbour Porpoise</i>) [1351]	5.8 km	Yes	Yes
Dalkey Island SPA Site Code IE004172	Roseate Tern (<i>Sterna dougallii</i>) [A192] Common Tern (<i>Sterna hirundo</i>) [A193] Arctic Tern (<i>Sterna paradisaea</i>) [A194]	5.5 km	Yes	Yes

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

[From the AA Screening Report or the Inspector's own assessment if no Screening Report submitted, complete the following table where European sites need further consideration taking the following into account:

- Identify potential direct or indirect impacts (if any) arising from the project alone that could have an effect on the European Site(s) taking into account the size and scale of the proposed development and all relevant stages of the project (See Appendix 9 in Advice note 1A).
- Are there any design or standard practice measures proposed that would reduce the risk of impacts to surface water, wastewater etc. that would be implemented regardless of proximity to a European Site?
- Identify possible significant effects on the European sites in view of the conservation objectives (alone or in combination with other plans and projects)

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Site 1: South Dublin Bay SAC Site Code IE000210 QI list Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Salicornia and other annuals colonising mud and sand [1310] Embryonic shifting dunes [2110]	Direct: None Indirect There is an indirect hydrological connection via surface and foul water drainage to the combined sewer network which will be treated in the WWTP prior to discharge to the Irish Sea.	Effluent will be treated to the required standard prior to outfalling to the extensive marine environment, no significant effects on this SAC are foreseen during construction or operation via surface and foul water proposals. No potential impact is foreseen. There is no direct link from this site to the SAC. The construction and operation of the proposed development will not impact on the conservation interests of the site
	Likelihood of significant effects from proposed development (alone): No No	
	If no, is there likelihood of significant effects occurring in combination with other plans or projects? No	
	Impacts	Effects
Site 2: South Dublin Bay and River Tolka Estuary SPA Site Code IE004024	Direct: No direct impacts and no risk of habitat loss, fragmentation or any other direct impact. Indirect: Potential use of the site for habitats and for disturbance from	The subject site consists largely of built land, with hardstanding areas of amenity hedgerows & trees. Given its small size, existing hardstanding nature and the availability of more suitable habitats in the wider surrounding environment. In the absence of mitigation measures, no significant impacts on this SPA are likely.

QI list Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Ringed Plover (<i>Charadrius hiaticula</i>) [A137] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Knot (<i>Calidris canutus</i>) [A143] Sanderling (<i>Calidris alba</i>) [A144] Dunlin (<i>Calidris alpina</i>) [A149] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Redshank (<i>Tringa totanus</i>) [A162] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Roseate Tern (<i>Sterna dougallii</i>) [A192] Common Tern (<i>Sterna hirundo</i>) [A193] Arctic Tern (<i>Sterna paradisaea</i>) [A194] Wetland and Waterbirds [A999]	noise and visual presence during construction phase.	No potential impact is foreseen. The construction and operation of the proposed development will not impact on the conservation interests of the site.
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects?No	

	Impacts	Effects
Site 3: Rockabill to Dalkey Island SAC Site Code IE003000 QI list Reefs [1170] <i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Direct: None Indirect There is an indirect hydrological connection via surface and foul water drainage to the combined sewer network which will be treated at the WWTP prior to discharge to the Irish Sea.	Effluent will be treated to the required standard prior to outfalling to the extensive marine environment, no significant effects on this SAC are foreseen during construction or operation via surface and foul water proposals. No potential impact is foreseen. There is no direct from this site to the SAC. The construction and operation of the proposed development will not impact on the conservation interests of the site
	Likelihood of significant effects from proposed development (alone):No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects?No	
	Impacts	Effects
Site 4: Dalkey Island SPA Site Code IE004172 QI list Roseate Tern (Sterna dougallii) [A192] Common Tern (Sterna hirundo) [A193] Arctic Tern (Sterna paradisaea) [A194]	Direct: No direct impacts and no risk of habitat loss, fragmentation or any other direct impact. Indirect: Potential use of the site for habitats and for disturbance from noise and visual presence during construction phase.	The subject site consists largely of built land, with hardstanding areas of amenity hedgerows & trees. Given its small size, existing hardstanding nature and the availability of more suitable habitats in the wider surrounding environment. In the absence of mitigation measures, no significant impacts on this SPA are likely. No potential impact is foreseen. The construction and operation of the proposed development will not impact on the conservation interests of the site.
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects?No	

Step 4: Conclude if the proposed development could result in likely significant effects on a European site

I conclude that the proposed development (alone) would not result in likely significant effects on South Dublin Bay SAC (Site Code IE000210), South Dublin Bay and River Tolka Estuary SPA (Site Code IE004024), Rockabill to Dalkey Island SAC (Site Code IE003000) and Dalkey Island SPA (Site Code IE004172). The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project. No mitigation measures are required to come to these conclusions.