



An
Coimisiún
Pleanála

Inspector's Report PL-501352-DR-26

Development	Sub-division of site, construction of house at rear of existing house with associated site works.
Location	37, Churchtown Road Lower, Churchtown, Dublin 14, D14W8X3
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D26A/0145/WEB
Applicant(s)	Monarch Contracts and Property Services Ltd.
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	Monarch Contracts and Property Services Ltd.
Observer(s)	Ronan Fleetwood Jonn McGann Elizabeth Sides Brona Whitehead
Date of Site Inspection	17 August 2026
Inspector	Natalie de Róiste

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1.0 Site Location and Description

- 1.1. The site of 37 Churchtown Road Lower measures c. 0.090 hectares, and contains an end-of-terrace two-storey house, extended to rear (c. 140 sqm, max ridge height 7.4 metres) with front and rear gardens and driveway entrance. It is attached to no 38 Churchtown Road Lower to the south, and borders no 36 Churchtown Road Lower to the north. It is located on the east side of the road, and backs onto the LUAS line. Milltown Golf Club is located across the road. It is located in a mature residential area in Dublin 14, c. 3 minutes' walk from Windy Arbour LUAS station, c. 6 km south of Dublin city centre.

2.0 Proposed Development

- 2.1.1. The development as proposed comprised of the following:
- Subdivision of the site with 2-metre high fencing, with a rear garden of 56 sqm retained to the existing house, and a five-metre wide wayleave providing access to the rear site.
 - Construction of a four-bedroom two-storey flat-roofed detached house of c. 233 sqm to the rear site (151 sqm ground floor and 82 sqm first floor), with a maximum height of c. 5.95 metres, with a rear garden of c. 81 sqm, and a front garden/car parking/turning area of c. 133 sqm.
 - Alterations to site entrance, boundaries, provision of parking (one car space, two bike spaces), and bin store to new house.
- 2.1.2. The proposed new house is to be connected to the existing water main and sewer.
- 2.1.3. The applicant included a number of documents with the application, including a planning report; an architectural design statement with 3D images and a housing quality assessment; a traffic impact report; and an overshadowing assessment.
- 2.1.4. As part of the appeal, the applicant has submitted a revised design, with a floor area of 195 sqm (137 sqm ground floor and 58 sqm first floor), and a reduction in effective height of 500 mm (partly by dropping the finished floor level).

3.0 Planning Authority Decision

3.1. Decision

Permission refused for the following reason: *1. Having regard to the proposed layout of the site and the two storey dwelling in its backland location, its overall large size/scale, and its height, bulk and massing; the proposal would represent overdevelopment of the site, would appear overly prominent and overbearing on the neighbouring properties to the south and north in particular. It is considered therefore, that the proposed development would not accord with Section 12.3.7.6 Backland Development of the 2022-2028 County Development Plan, would help set a poor precedent for similar type development in the area, and would be contrary to the proper planning and sustainable development of the area.*

3.2. Planning Authority Reports

3.2.1. Planning Reports

One report, summarised as follows:

- Site context, planning history, third party submissions and technical reports noted. Proposal not compliant with Development Plan policy on backlands development, constituting overdevelopment, and having overlooking impacts.

3.2.2. Other Technical Reports

- Drainage Planning – no objection subject to conditions, including French drain and compliance with SuDS measures.
- Transport Planning – no objection subject to standard conditions.
- Environmental Enforcement/Waste Management – standard conditions recommended

3.3. Prescribed Bodies

Irish Water – conditions recommended, including condition regarding connection agreement.

3.4. Third Party Observations

Seven on file, raising issues as per the observations on the appeal.

4.0 Planning History

- D25A/0721/WEB – permission granted for front and rear extensions, elevation changes, widening of vehicular entrance to 3.5 metres, and associated works.
- D25A/0020/WEB – permission refused for two-storey side and rear extensions, widening of vehicular entrance, and associated works, considered visually dominant and overbearing, and injurious to visual amenity. Appeal ABP-322180-25 withdrawn.
- REF11925 – Section 5 referral – rear ground floor extension deemed exempt.

4.1.1. The appellant refers to the following as precedent:

- 27 Churchtown Road Lower (ABP-314962-22 DLRCC ref D22A/0464)

Permission granted for detached two-storey house (145 sqm) to rear garden.

- 5 Churchtown Avenue (D21A/0498, amended by D23A/0060)

Permission granted for 2 detached part-single- part-two-storey houses (160 sqm and 247 sqm)

5.0 Policy Context

5.1 Dún Laoghaire Rathdown Development Plan 2022-28

5.1.1. The zoning objective for the subject development site is “A”: *To provide residential development and improve residential amenity while protecting the existing residential amenities.* Residential is permitted in principle as a land use in this zoning.

5.1.2. Chapter 4: Neighbourhood – People, Homes and Place sets out policies and objectives on housing in Section 4.3: Homes.

5.1.3. 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.*

5.1.4. 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.*

5.1.5. 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.

5.1.6. Policy Objective PHP42: Building Design & Height

It is a Policy Objective to:

- *Encourage high quality design of all new development.*
- *Ensure new development complies with the Building Height Strategy for the County as set out in Appendix 5 (consistent with NPO 13 of the NPF)*

5.1.7. Chapter 12 gives detailed guidance on Development Management.

Section 12.3.4.2 refers to standards set out in Quality Housing for Sustainable Communities: Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007), and Site Layout Planning for Daylight and Sunlight, A guide to good practice (Building Research Establishment Report, 2011).

Section 12.3.7 deals with additional accommodation in built-up areas. Section 12.3.7.6 Backland Development sets out detailed standards for backland development as follows:

- *Generally, be single storey in height to avoid overlooking.*
- *Appropriate scale relative to the existing dwelling and of high quality of design.*
- *Adequate vehicular access of a lane width of 3.7 metres must be provided to the proposed dwelling (3.1 metres at pinch points) to allow easy passage of large vehicles such as fire tenders or refuse collection vehicles.*
- *A wider entrance may be required to a backland development to or from a narrow laneway. Existing dwelling and proposed dwellings shall have minimum individual private open spaces - exclusive of parking - of 48 sq.m. each for one/ two bedroom units, or 60 sq.m. plus for three/ four or more bedroom units.*
- *Proposed single storey backland dwelling shall be located not less than 15 metres from the rear façade of the existing dwelling, and with a minimum rear garden depth of 7 metres.*
- *Proposed two storey backland dwellings shall be located not less than 22 metres from the rear façade of the existing dwelling where windows of habitable first floor rooms directly face each other. Proposed two-storey backland dwellings should have a minimum rear garden depth for the proposed dwelling of 11 metres.*
- *A relaxation in rear garden length, may be acceptable, once sufficient open space provided to serve the proposed dwelling and the applicant can demonstrate that the proposed backland dwelling will not impact negatively on adjoining residential amenity.*

5.1.8. Section 12.4 Transport sets standards for car and cycle parking and access.

5.1.9. Section 12.8 Open Space and Recreation sets standards for private open space and separation distances.

5.2 National Plans and Guidance

5.1.10. Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (January 2024).

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 or larger.

SPPR 3 – Car Parking. This sets a maximum rate of 1.5 spaces per dwelling in accessible locations such as this one.

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

5.1.11. Quality Housing for Sustainable Communities (2007)

This sets out in *Section 5.3.2 Space Requirements and Room Sizes* the target gross floor area required for houses of various types, and the room areas and widths required to accommodate appropriate furniture and circulation space.

5.4 Natural Heritage Designations

None of relevance.

6.0 EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

7.0 The Appeal

7.1. Grounds of Appeal

One appeal was received, from the applicant against refusal. Issues raised are summarised below.

- The only issue the Local Authority had with the development was the scale, which (while larger than the existing house) is appropriate to the site, which is a substantial area, comprising a 50-metre long rear garden.
- The new house is designed with setbacks to front, rear, and side, to break up the volume and reduce any perceived bulk and visual impact, ensuring the house does not appear overly dominant on any neighbouring property.
- The height is lower than the existing house on the site, and the separation distance between first-floor windows is 22 metres (far exceeding the 16 metre guidance set out in the Compact Settlement Guidelines).
- The surrounding area is characterised by a varied pattern of 2-storey properties, including large houses such as the extended 36 Churchtown Road Lower (188 sqm) and a number of backlands developments (at 5 Churchtown Avenue; at 9-12 Churchtown Avenue; and at 27 Churchtown Road Lower). Photographs are appended.
- While many houses in the area have long rear gardens, this is one of the few with adequate access to redevelop the rear garden.
- The development complies in full with the guidance set out at *Section 12.3.7.6 Backland Development*. While the house is two-storey, it minimises overlooking and visual impact. The principal bulk of the house is towards the rear, towards the LUAS tracks, and its scale is appropriate to the site. The vehicular access is provided to the satisfaction of the Transport Department. Adequate private open space, separation distances, and garden lengths/sizes are provided.
- Notwithstanding the above justifications, the following design amendments might be incorporated to address Local Authority concerns:

- A revised first floor layout, reducing floorspace from 82 sqm to 58 sqm, by introducing additional setbacks on all sides.
- A reduction in height by 500 mm, from 6.4 metres to 5.9 metres, by lowering the finished floor level
- A revised ground floor layout to reduce perceived massing (reduced from 151 sqm to 137 sqm)
- This is an appropriate and sustainable development, designed to fit the site, in line with Development Plan standards, maintaining appropriate separation distances and residential amenity standards.
- Evidence from the Dundrum Local Area Plan, from Property Market Reports, and from a review of local planning permissions shows a demand for larger family homes in the Churchtown/Dundrum area.
- The Commission is requested to grant permission.

7.2. Planning Authority Response

- 7.3. Response received dated 5 June. The Planning Authority did not consider that the grounds of appeal raised any new matter which would justify a change of their attitude, and referred the Commission to their previous report.

7.4. Observations

Four valid observations were received, all from residents of neighbouring houses in Churchtown Road Lower and Churchtown Avenue (a cul-de-sac off Churchtown Road Lower, some 90 metres north of the site). Issues raised are summarised below:

- The height and floor area of the house are excessive, it will block light and views, and overlook neighbouring property. Two-storey development is inappropriate.
- The proposal constitutes overdevelopment, and is disproportionate to the existing terraced houses.
- The development is very close to the rear gardens of 9-12 Churchtown Avenue.

- A large single-storey extension has recently been constructed at no 39. This proposal would create cumulative impacts on no 38.
- Part of the boundary between no 37 and no 38 has been removed with no replacement.
- It will exacerbate existing flooding, and the successful implementation of SuDS will be challenging due to the quantum of development on the site.
- The provision of 5 bathrooms will put pressure on the shared waste water drainage system.
- The photomontages are deceptive, as the area has been cleared of vegetation, which will exacerbate overlooking.
- It fails to comply with the guidance set out in Section 12.3.7.6 of the County Development Plan.
- Construction impacts and access constraints have not been addressed.
- The site notice was not adequately displayed.

7.5. Further Responses

None on file.

8.0 Assessment

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

- Compliance with Section 12.3.7.6 Backland Development
- Impact on Neighbouring Residential Amenity

8.2. Compliance with Section 12.3.7.6 Backland Development

8.2.1. The Planning Authority refused the application in part due to non-compliance with Section 12.3.7.6 of the Development Plan. Each section is considered in turn below.

- *Generally, be single storey in height to avoid overlooking.*

The proposed development is two-storey. I note the above guidance is not an outright prohibition on two-storey development, but a recommendation for single-storey development to prevent overlooking. In the initial plans, there is one first floor window to a habitable room (a bedroom) facing the terrace at Churchtown Road Lower. There is 22 metres between the first floor windows of the proposed new house and the first floor windows of the existing house on the site. The distance between the windows of the new house and the first floor windows of no. 36 is slightly shorter, due to the extension to that house; however, the windows are not directly opposing, but at an angle. The distance is greater to no 38, and at a greater angle. Regarding overlooking of the neighbouring gardens, there are no first floor windows to the side elevations. There is a certain amount of mature planting to both neighbouring gardens, which further softens impacts. I consider the impacts acceptable. Regarding impacts on the houses on St. Columbanus' Road to the east, first floor windows of the new house would be c. 9 metres from the rear boundary, c. 18 metres from the rear gardens, across the intervening LUAS tracks, and over 35 metres to opposing first floor windows. Again, I consider the impacts acceptable.

I would have some concerns regarding the proposed first floor terrace, notwithstanding the privacy screening, due to the potential for noise nuisance. I note that this feature was omitted in the revised designs submitted to the Commission, discussed further below.

- *Appropriate scale relative to the existing dwelling and of high quality of design.*

8.2.2. The proposed dwelling is larger than the existing dwelling. However, I note the planning history cited by the applicant, where larger dwellings have been constructed to the rear of smaller dwellings. I consider that a dwelling might be larger than the existing dwelling, and might still be of 'appropriate scale', depending on the site, the height, the massing and the design. In this instance, given the size of the rear garden (some 11 metres wide by 50 metres long) and the adjoining rear gardens, a

house of larger scale than the existing house can be accommodated. Having regard to the design of the house, it is a contemporary design, with brick facades to the flanking walls. The north elevation has an expanse of largely unrelieved wall (c. 12 metres long by 6 metres tall). Notwithstanding the mature planting to the neighbouring garden at no 36, which would soften the visual impacts in summer, the building as viewed from the neighbouring garden at no 36 would appear imposing from certain angles due to this elevation.

- *Adequate vehicular access of a lane width of 3.7 metres must be provided to the proposed dwelling (3.1 metres at pinch points) to allow easy passage of large vehicles such as fire tenders or refuse collection vehicles.*

8.2.3. The front gate is 3.5 metres wide. The side entrance is 5 metres in width. The gate to the new house is 3.7 metres wide.

- *A wider entrance may be required to a backland development to or from a narrow laneway.*

8.2.4. This is not of relevance, given the width of Churchtown Road Lower.

- *Existing dwelling and proposed dwellings shall have minimum individual private open spaces - exclusive of parking - of 48 sq.m. each for one/ two bedroom units, or 60 sq.m. plus for three/ four or more bedroom units.*

8.2.5. The existing house (three-bedrooms) has a retained rear garden of c. 68 sqm, while the proposed new house (four-bedrooms) has a rear garden of c. 81 sqm.

- *Proposed single storey backland dwelling shall be located not less than 15 metres from the rear façade of the existing dwelling, and with a minimum rear garden depth of 7 metres.*

8.2.6. The proposed house is two-storey; however, there is c. 16 metres between the ground floor windows of the new house and the ground floor rear extension of the existing house. The rear garden retained to the existing house has a minimum rear garden length of c. 9 metres. The rear garden to the new house is relatively shallow, at c. 6-8 metres.

- *Proposed two storey backland dwellings shall be located not less than 22 metres from the rear façade of the existing dwelling where windows of habitable first floor*

rooms directly face each other. Proposed two-storey backland dwellings should have a minimum rear garden depth for the proposed dwelling of 11 metres.

8.2.7. Neither garden has a rear garden depth of 11 metres.

- *A relaxation in rear garden length, may be acceptable, once sufficient open space provided to serve the proposed dwelling and the applicant can demonstrate that the proposed backland dwelling will not impact negatively on adjoining residential amenity.*

8.2.8. Given the distance between ground floor windows and first floor windows; the depth of the front garden/parking area to the new house, which increases separation distances between the new house and the existing house, and the location of the new house adjacent to the LUAS lines, creating adequate distance from the existing houses and gardens to the east at St. Columbanus's Road, the relaxation in garden length is acceptable.

As noted above, revised drawings have been submitted as part of the appeal. These drawings include ground floor and first floor plans, front elevation and north elevation. No revised south elevation or rear elevation has been provided, although the alterations to these elevations can be inferred from the plans. The Commission may wish to request a full set of drawings.

Regarding the revised design submitted, the north elevation shows two narrow windows to the first floor; one to a bathroom, and one to a dressing room. Only the bathroom window is shown in plan. Subject to being permanently obscured, there would be no undue overlooking of neighbouring properties, including properties in Churchtown Avenue to the north.

I note the revised plans, submitted as part of the appeal, have rearranged the first-floor layout and fenestration. There are now two bedroom windows, both serving the same bedroom, facing the existing terrace, at a distance of 24 metres. Again, given the distances involved, I have no concerns regarding undue impacts on privacy in this suburban area.

8.2.9. The revised north elevation provides for a greater setback of the first floor from the shared boundary with no 36. It also provides three distinct volumes, a reduced

height, and less unrelieved wall, which addresses the issue of the long flank wall originally proposed.

8.3. Impact on neighbouring residential amenity

- 8.3.1. A number of neighbours have concerns regarding impacts on their residential amenity. Impacts on the existing house also need to be considered, notwithstanding that the applicant is the owner.
- 8.3.2. Regarding overlooking, as noted above, there are no first floor windows to habitable rooms within 22 metres of any directly opposing first floor windows. I do not have any concerns regarding overlooking of neighbouring houses or gardens.
- 8.3.3. Regarding overbearing impacts and impacts on visual amenity, as noted above, I consider the revised north elevation to be a significant improvement on that originally proposed, in terms of visual interest, scale, and design. On the whole, I consider the revised design submitted to the Commission to be acceptable. I note minimal details regarding materials were submitted with these drawings. This could be addressed by condition.
- 8.3.4. Regarding overshadowing of gardens, no 36 is more vulnerable to overshadowing than no 38, due to its location due north of the appeal site. This is evident in the shadow path diagrams submitted with the application. However, any additional overshadowing will be transient, and all neighbouring gardens will continue to enjoy good sunlight. Regarding impacts on daylight and sunlight to windows, due to the distance from neighbouring houses, I have no concerns regarding any perceptible impacts.

8.4. Other Issues

I note the concerns of the neighbour at no 38 regarding the removal of part of the railings separating the two properties, resulting in an unsecured boundary, which I observed on my site visit. I note the plan drawings indicate a two-metre fence to the side boundaries. This is satisfactory to secure the site.

Regarding impacts on the sewerage infrastructure from the new development, I note Irish Water made a submission and have no concerns regarding capacity.

Regarding flooding concerns, I note the drainage section of the local authority have no objection subject to appropriate SuDS measures.

Regarding concerns regarding construction impacts, these can be addressed by the attachment of standard conditions.

Regarding concerns regarding the site notice, I note the council planner found the site notice to be in order on the date of their site visit. Additionally, the development was advertised in an approved newspaper, published in the council weekly planning list, and the contents of the application were available on the council website. I am satisfied that the concerned parties were not prevented from making representations.

9.0 AA Screening

- 9.1. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. I conclude that the proposed development (alone) would not result in likely significant effects on any European site. 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.

10.0 Water Framework Directive

- 10.1. 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.
- 10.2. 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.
- 10.3. 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.

10.4. Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

11.0 Recommendation

11.1. I recommend a grant of permission.

12.0 Reasons and Considerations

Having regard to the provisions of the Dun Laoghaire Rathdown Development Plan 2022-28, the guidance set out in Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024), the size, nature, character, and location of the site, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the residential amenity of properties in the vicinity, and would be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Coimisiún Pleanála on the 18th day of May 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. A full set of elevation drawings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of clarity.

3. Details of the materials, colours and textures of all the external finishes to the proposed dwelling, and details of the boundary treatments and gate(s) 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.

4. No flat roof shall be used as a terrace or balcony.

Reason: in the interest of neighbouring residential amenity, and to clarify the extent of the permission.

5. The glazing to all bathroom and en-suite windows 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.

6. Prior to the commencement of development the developer shall enter into Connection Agreements with Uisce Éireann (Irish Water) to provide for service connections to the public water supply and/or wastewater collection network.

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

7. 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 Coimisiún 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.

8. 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.

9. Site development and building works shall be carried out between the hours of 7.00 and 19.00 Mondays to Fridays inclusive, between 08.00 and 14.00 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

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

10. All necessary measures shall be taken by the Applicant and Contractor to:

- a) prevent any mud, dirt, debris or building material being carried onto or placed on the public road or adjoining properties as a result of the site construction works,
- b) repair any damage to the public road arising from carrying out the works,
- c) avoid conflict between construction activities and pedestrian/vehicular movements on the surrounding public roads during construction works.

Reason: To protect the amenities of the area and in the interests of road safety.

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.

Natalie de Róiste
Planning Inspector

26 August 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501352-DR-26
Proposed Development Summary	House and associated works
Development Address	37 Churchtown Road Lower, Churchtown Dublin 14
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	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
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-501352-DR-26
Proposed Development Summary	House and associated works
Development Address	37 Churchtown Road Lower, Churchtown Dublin 14
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	Construction of a house, and all associated site works. The size 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 location is a suburban environment, a built up area. The development would not have the potential to significantly impact on an ecologically sensitive site or location.
Types and characteristics of potential impacts	There are no likely 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:** _____

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

(only where Schedule 7A information or EIAR required)