



An
Coimisiún
Pleanála

Inspector's Report

PL-501492-DS-26

Development

Alterations to a previously approved development, DCC 3861/23, to include reconfiguration of the kitchen of house 6 and the provision of additional garden space and associated alterations to elevations, alterations to House 8 and amendments to the associated site development works and landscaping

Location

The Barn, Riversdale Avenue, Bushy Park Road, Dublin 6

Planning Authority

Dublin City Council

Planning Authority Reg. Ref.

WEB2922/25

Applicant(s)

Insignia Investment Ltd.

Type of Application

Permission

Planning Authority Decision

Grant permission with conditions

Type of Appeal

Third Party

Appellant(s)

Ann Lynch and others

Observer(s)

None

Date of Site Inspection

9 August 2026

Inspector

Killian Harrington

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1.0 Site Location and Description

The subject site is located at the end of Riversdale Avenue on the southern side of Bushy Park Road, south of Terenure village. The site comprises a 0.26 hectare area situated to the south of existing two-storey houses on Riversdale Avenue, and to the north of an existing two-storey house, Riversdale House, which is a protected structure. There is a separate dwelling, referred to as Gageby House, physically attached to Riversdale House. Gageby House is not a protected structure and is located between the protected structure and the red line boundary. Riversdale House and Gageby House are not included within the red line boundary or shown as being within the applicant's ownership but the site extends close to the façade of Gageby House.

The site includes the access road leading to Riversdale House and Gageby House, which is an extension of Riversdale Avenue. Beyond the existing houses on Riversdale Avenue there are gates at the entrance to the site. The site includes a part single storey and part two-storey structure, known as the Barn, which is situated in the area to the west of the access road, backing onto existing houses at the end of a cul-de-sac at Westbourne Road. The Barn comprises a two-storey stone outbuilding with a single storey extension.

The site is in an established residential area. Planning permission was granted under Reg. Ref. 2027/21- ABP-311013-21 (the parent permission) for a development comprising partial demolition and renovation of the Barn for use as a dwelling, construction of a further five two-storey terraced houses on the eastern side of the access road and two two-storey semi-detached houses in the area to the north of the Barn and provision of eight car parking spaces to the front of the houses, with access from the existing entrance on Riversdale Avenue. Under Reg. Ref. 3861/23 permission was granted for amendments, to include an extension at ground floor level of the Barn, providing for a two-storey and part single storey two-bedroomed house, and alterations to the terrace of five houses, to include addition of a third storey in a barrel vaulted roof and reconfiguration of the ground floor layouts, resulting in the houses being part three-storey and part single storey. The permission also provided for amendments to the landscaping. Construction for any of these works has not yet commenced on the site.

2.0 Proposed Development

2.1 The proposed development consists of the following:

Alterations to the previously approved development on the site, to include the following amendments:

1. Reconfiguration of the kitchen to the rear of house 6 and the provision of additional garden space to the north and associated alterations to elevations.
2. Alterations to House 8, 'The Barn', to include additional floor area at ground floor level, the addition of a second storey to the eastern extended part of the house and reconfiguration of internal layouts and associated alterations to elevations, resulting in a part single, part two-storey three-bedroom house.
3. Amendments to the associated site development works and landscaping.

It is stated that the proposed development would have a floor area of 1,374.5 sqm with a 45 sqm area to be retained and 173 sqm to be demolished.

3.0 Planning Authority Decision

3.1 Decision

Dublin City Council granted planning permission subject to 11 standard conditions.

Of particular relevance to this appeal is Condition no. 5, which states that *'the window to the dressing area in the southern elevation of the new first floor to House No. 8 shall be obscure glazed and shall not be openable below 1.7m above finished floor level. Reason: To protect adjoining residential amenities'*

3.2. Planning Authority Reports

3.2.1. Planning Report

The planners report noted that the proposed reconfigurations to a permitted residential development are acceptable under zoning objective 'Z1'.

The planning authority concluded that the proposed amendments were acceptable and recommended a grant of permission for the following key reasons:

The principle of the development was already established. The proposal related to amendments to a residential scheme that already had planning permission and had previously been upheld by An Coimisiún Pleanála. The site is zoned Z1 (Sustainable Residential Neighbourhoods) where residential development is acceptable in principle. The proposed changes were considered relatively minor. The enlargement of the garden to House 6 had effectively been accepted under an earlier amendment permission, and the revisions to "The Barn" were considered refinements to an approved dwelling without any new material impacts.

The development following the amendments would still comply with the development standards contained in the Development Plan and the 2024 settlement guidelines. The revised houses were found to meet or exceed standards for floor area, room sizes, storage, private open space and public open space. Plot ratio and site coverage were also considered acceptable.

Impacts on neighbouring amenity were not considered significant. Although concerns were initially raised regarding the proximity of the additional storey on House 8 ("The Barn") to Gageby House, further information, photomontages and shadow studies showed that there would be no undue overbearing or overshadowing impacts. Potential overlooking was addressed through Condition no. 5 requiring the relevant window to be obscure glazed.

The proposal was not considered harmful to the protected structure (Riversdale House) or its setting. The planner accepted the Architectural Heritage Impact Assessment, which concluded no adverse on Riversdale House or its curtilage. The existing mature vegetation and separation between the sites as well as Gageby House located between the protected structure and the site were considered important mitigating factors.

Landscaping, drainage and servicing issues were considered capable of being managed by condition. Internal consultees raised no objections subject to conditions, and the planner's report concluded that the loss of some planting associated with the enlarged garden was acceptable given the overall landscaping strategy and replacement planting proposed

3.2.2. Other Technical Reports

- Drainage Division: No objection subject to conditions.
- Transportation Planning Division: No objection subject to conditions

3.3. Prescribed Bodies

No response

3.4. Third Party Observations

One observation was submitted and can be summarised as follows:

- The proposal is out of character with the surrounding area, with concerns that its height, scale, bulk and design would have an overbearing impact on the protected structure (Riversdale/Gageby House) and neighbouring properties.
- Successive amendment applications have incrementally increased the scale of development, despite previous refusals on similar planning grounds, including overdevelopment and harm to the character and setting of Riversdale House.
- There are significant privacy and overlooking concerns regarding Gageby House, including a proposed bedroom window facing habitable rooms at a distance below the recommended 16m separation standard, with conflicting drawings creating uncertainty about the actual impact.
- The submission raises technical and environmental concerns, including potential loss of screening vegetation, possible impacts on vehicle access, the need for daylight/sunlight analysis, drainage and flooding risks, and questions about whether the removal of existing trees and hedges may have breached a condition of the previous planning permission.

4.0 Planning History

4.1 Subject site

Reg. Ref. 4506/23 – Planning permission granted by DCC for alterations to previously approved development (Reg. Ref. 2027/21, ABP-311013-21) which provided for partial demolition and renovation of 'The Barn' as a two-bedroom, two-storey detached house with apex rooflight, construction of five three-bedroomed two-storey terraced houses and two bedroomed two-storey semi-detached houses with access from the existing entrance on Riversdale Avenue, provision of eight car parking spaces to the front of the houses and associated site development works, landscaping and boundary treatment works. The amendments are as follows:

1. Alterations and reconfiguration of the layout of 'The Barn' to include an extended ground floor containing living and ancillary accommodation, resulting in a two storey part single storey two-bedroom house, 2. Alterations and reconfiguration of the terrace of five part two-storey, part single storey three-bedroom houses, to include revisions to ground floor layouts to the rear, 3. Alterations, reconfiguration and extension of the two no. two-bedroomed, two storey semi-detached houses, 4. Changes to the elevations, 5. Amendment to the associated site development works and landscaping.

The decision to grant permission was upheld by An Coimisiún Pleanála following a third party appeal.

Reg. Ref. 3861/23 – Planning Permission granted by DCC for alterations to previously approved development (Reg. Ref. 2027/21, ABP-311013-21), as follows

1. Alterations and reconfiguration of the layout of 'The Barn', to include an extended ground floor containing living and ancillary accommodation, resulting in a two-storey and part single storey two-bedroomed house. 2. Alterations and reconfiguration of the terrace of five houses, to include the addition of a third storey in a barrel-vaulted roof and reconfiguration of the ground floor layouts to the rear, resulting in three-storey, part single storey three-bedroomed houses. 3. Alterations, reconfiguration

and extension of the two no. two-bedroomed, two storey semi-detached houses. 4. Changes to the elevations. 5. Increase in the quantity of car parking spaces to 11. 6. Amendments to the associated site development works and landscaping.

The decision to grant permission was upheld by An Coimisiun Pleanala following a third party appeal.

Reg. Ref. 2027/21 (Parent Permission) – Planning permission granted by DCC for partial demolition and renovation of The Barn as a two-bedroomed, two storey detached house with apex rooflight; construction of five no. three-bedroomed two-storey terraced houses, construction of two no. two-bedroomed two-storey semi-detached houses, with access from the existing entrance on Riversdale Avenue, with eight car parking spaces provided to the front of the houses and all associated site development works, landscaping and boundary treatment works.

The decision to grant permission was upheld by An Coimisiun Pleanala following a third party appeal.

Reg. Ref. 2976/20: Planning permission refused for partial demolition and renovation of 'The Barn' as a two bedroomed, two-storey detached house with apex rooflight and construction of five no. three-bedroomed, two-storey terraced houses and two no. two-bedroomed, two storey semi-detached houses. with access from the existing entrance on Riversdale Avenue, with eight car parking spaces provided to the front of the houses and associated site development works, landscaping and boundary treatment works.

5.0 Policy Context

5.1 Development Plan

Dublin City Development Plan 2022-2028

The site is subject to the Land Use Zoning Objective Z1 'To protect, provide and improve residential amenities'. Residential use is listed as a permissible use within

the land use zoning objective for the site. The following Development Plan policy objectives are relevant:

Policy QHSN6 Urban Consolidation

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

Policy QHSN10 Urban Density

To promote residential development at sustainable densities throughout the city in accordance with the core strategy, particularly on vacant and/or underutilised sites, having regard to the need for high standards of urban design and architecture and to successfully integrate with the character of the surrounding area.

Policy QHSNO4 Densification of Suburbs

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

Policy QHSN37 Houses and Apartments

To ensure that new houses and apartments provide for the needs of family accommodation with a satisfactory level of residential amenity in accordance with the standards for residential accommodation.

Section 15.11 House Developments

This section sets out a number of qualitative and quantitative standards for housing, including floor areas, aspect, daylight/sunlight and ventilation, private open space, and separation distances.

Section 15.13.4 Backland Housing

This section refers to backland housing allowing for the provision of comprehensive backland development where the opportunity exists including instances of 'detached

habitable dwellings to the rear of existing housing with an independent vehicular access subject to suitable conditions. Applications for backland housing should consider the following:

- Compliance with relevant residential design standards
- Provision of adequate separation distances
- Safe and secure access for car parking and maintenance vehicles
- Respects the existing scale and massing of surrounding properties
- Does not impact on the amenities of existing properties or the unit itself
- Proposed dwelling should 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.

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

Policy BHA2 Development of Protected Structures

There are no protected structures within the subject site but Riversdale House is a protected structure adjacent the site. This policy states that development will conserve and enhance protected structures and their curtilage and must ensure that the form and structural integrity of the protected structure is retained in any redevelopment and ensure that new development does not adversely impact the curtilage or the special character of the protected structure.

Policy BHA24 Reuse and Refurbishment of Historic Buildings

Dublin City Council will positively encourage and facilitate the careful refurbishment of the historic built environment for sustainable and economically viable uses and support the implementation of the National Policy on Architecture as it relates to historic buildings, streetscapes, towns and villages, by ensuring the delivery of high quality architecture and quality place-making, and by demonstrating best practice in the care and maintenance of historic properties in public ownership.

5.2. Relevant National or Regional Policy / Ministerial Guidelines (where relevant)

Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, (2024)

SPPR 1 – Separation Distances

It is a specific planning policy requirement of these Guidelines that statutory development plans shall not include an objective in respect of minimum separation distances that exceed 16m between opposing windows serving habitable rooms at the rear or side of houses, duplex units or apartment units above ground floor level. There shall be no specific minimum separation distance at ground floor level or to the front of houses, duplex units or apartment units in statutory development plans and planning applications shall be determined on a case by case basis to prevent undue loss of privacy

SPPR 2 - Minimum Private Open Space Standards for Houses

It is a specific planning policy requirement of these Guidelines that proposals for new houses meet the following minimum private open space standards:

- 1 bed house - 20sqm
- 2 bed house - 30sqm
- 3 bed house - 40sqm
- 4 bed + house - 50sqm

For building refurbishment schemes on sites of any size or urban infill schemes on smaller sites (e.g. sites of up to 0.25ha) the private open space standard may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality and proximity to public open space. In all cases, the obligation will be on the project proposer to demonstrate to the satisfaction of the planning authority or An Bord Pleanála that residents will enjoy a high standard of amenity.

SPPR 3 – Car Parking

It is a specific planning policy requirement of these Guidelines that:

- (i) In city centres and urban neighbourhoods of the five cities, defined in Chapter 3 (Table 3.1 and Table 3.2) car-parking provision should be minimised, substantially

reduced or wholly eliminated. The maximum rate of car parking provision for residential development at these locations, where such provision is justified to the satisfaction of the planning authority, shall be 1 no. space per dwelling.

(ii) In accessible locations, defined in Chapter 3 (Table 3.8) car- parking provision should be substantially reduced. The maximum rate of car parking provision for residential development, where such provision is justified to the satisfaction of the planning authority, shall be 1.5 no. spaces per dwelling.

(iii) In intermediate and peripheral locations, defined in Chapter 3 (Table 3.8) the maximum rate of car parking provision for residential development, where such provision is justified to the satisfaction of the planning authority, shall be 2 no. spaces per dwelling

Architectural Heritage Protection Guidelines for Planning Authorities

The 'Architectural Heritage Guidelines', sets out detailed guidance to support planning authorities in their role to protect architectural heritage when a protected structure, a proposed protected structure or the exterior of a building within an ACA is the subject of development proposals. It also guides those carrying out works that would impact on such structures.

5.3. Natural Heritage Designations

The subject site is c. 7 km from South Dublin Bay proposed NHA, Booterstown Marsh proposed NHA and European sites South Dublin Bay SAC & South Dublin Bay and River Tolka SPA

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

The third party appeal raises the following grounds:

- The proposed additional storey on House No. 8 ("The Barn") would have an overbearing impact on Gageby House, creating increased enclosure, visual dominance and loss of residential amenity due to its height, scale, massing and close proximity to neighbouring windows and amenity areas. The appellants argue that the Council underestimated these impacts.
- The appeal has concerns about overshadowing impacts on Gageby House. The appeal notes that no March or September shadow analysis was provided, the shadow study did not compare the proposal with the permitted scheme, and the visualisations did not adequately show impacts on neighbouring properties.
- The proposal would harm the historic character and integrity of "The Barn", a structure of historic interest and by extension would harm Riversdale House (protected structure). The appellants contend that the new second storey to the Barn (House 8) would no longer be a subordinate extension and would instead compete visually with the original building, reducing its prominence and heritage significance.
- The cumulative impact of successive amendments has not been properly considered. The appeal argues that, while individual changes may appear minor, repeated amendments have progressively increased the scale and intensity of development beyond what was originally assessed and accepted through previous permissions.
- The proposed extension of the garden area to House No. 6 would remove important vegetation and mature trees, reducing visual screening and privacy between properties. The appellants argue that the loss of established landscaping has not been adequately justified.

- There are concerns regarding site access and vehicle manoeuvring arrangements, as the enlarged garden may conflict with previously approved refuse truck and emergency vehicle turning movements, potentially creating operational and safety issues within the development

7.2. Applicant Response

- n/a

7.3. Planning Authority Response

- n/a

7.4. Observations

None

7.5. Further Responses

n/a

8.0 Assessment

8.1. The proposal relates to amendments to an existing amended planning permission for an infill residential development consisting of the renovation of The Barn as a two-bedroomed, two storey detached house with apex rooflight; construction of five no. three-bedroomed two-storey terraced houses and construction of two no. two-bedroomed two-storey semi-detached houses. The amendments that are the subject of this appeal consist of the following elements:

- Reconfiguration of the kitchen to the rear of house 6 and the provision of additional garden space to the north and associated alterations to elevations.
- Alterations to House 8, 'The Barn', to include additional floor area at ground floor level, the addition of a second storey to the eastern extended part of the house and reconfiguration of internal layouts and associated alterations to elevations, resulting in a part single, part two-storey three-bedroom house

8.2 The principal residential development accords with zoning objective 'Z1' in the Development Plan. I am satisfied that the internal space standards and private amenity space provision of the wider development are unaffected by the

amendments as all standards are either met or exceeded and the proposed changes are minor and do not reduce any standards for future occupants contained in the 2024 settlement guidelines or Section 15 of the Dublin City Development Plan.

Following a review of the file and assessment of the relevant planning policies, I conclude that the primary concerns in this appeal are (1) Architectural Conservation Matters (2) Neighbouring Residential Amenity (3) Cumulative Impact and (4) Other Matters

(1) Architectural Conservation Matters

- 8.3 Section 15.5.2 of the Dublin City Development Plan 2022-2028 emphasises that any proposed infill development should respect and enhance its context. In addition, the development should ensure it integrates well with its surroundings, ensuring a more coherent cityscape. In response to Dublin City Council's requirements for residential infill developments outlined in Section 15.13.3 of the Development Plan, it is noted that the proposed development has been designed to follow the prevailing building pattern on the street.
- 8.4 The development has already been granted planning permission so the height, scale and massing and density has been established for the site. The only changes being proposed are reconfigurations to dwelling already granted permission. One of the two amendments (The Barn/House 8) amounts to a substantial change to the elevations of the property. This involves additional floor area at ground floor level, the addition of a second storey to the eastern extended part of the house and reconfiguration of internal layouts and associated alterations to elevations, resulting in a part single, part two-storey three-bedroom house. I am not concerned that the reconfiguration of the kitchen in House 6 impacts on the visual amenity of the area as these works are largely internal and minor.
- 8.5 The appeal is concerned that this extension irreparably alters the appearance of the Barn, which they claim is of historic interest, and by extension impacts on the protected structure Riversdale House.
- 8.6 Riversdale House is a protected structure located south of the development site. The Barn contains an original two-storey stone outbuilding dating originally from the mid-19th century and includes a later 1970s extension of lesser quality and significance. An Architectural Heritage Impact Assessment (AHIA) was submitted with the

application and this argued that the subject site and the Barn were not part of the protected structure's original curtilage. The report cited previous conservation assessments which found that the Barn and Gageby House were now both largely 20th-century structures with little remaining of their 19th century stonework. They are both of limited heritage significance and that the original protected structure curtilage was largely confined to the immediate surroundings of Riversdale House.

- 8.7 The AHIA recorded that previous conservation assessments had concluded that: "Gageby House and the Barn were substantially 20th century structures of no special interest". The report also noted that the development would retain and refurbish the original stone barn structure, remove the poorer-quality modern additions, reuse the historic building as part of a dwelling, create a U-shaped house centred around the retained historic element.
- 8.8 The appeal is concerned that the proposed additional storey to the Barn could affect the setting of Riversdale House. I have reviewed the photomontages submitted as part of a FI Request to assess visual impacts more fully. I am satisfied that the new two-storey element would be set back behind Gageby House, screened by an existing boundary wall and vegetation, and would not create an unduly overbearing visual impact. Shadowing effects were also considered limited.
- 8.9 I note that the protected structure is already largely obscured by the existing single-storey extension and therefore I do not regard this as a significant adverse heritage impact. I am satisfied that the protected structure is not readily visible from the proposed extension to the Barn (House 8) and vice versa.
- 8.10 In summary, the Barn contains the remains of a historic nineteenth-century stone outbuilding and it could be viewed as structure of historic interest. However, I am satisfied following a review of the AHIA that its architectural value is low. I concur with the planning authority's acceptance of the AHIA's conclusion that the proposal would preserve and reuse the historic fabric, and ultimately concluded that the amendments would not adversely affect the heritage significance of The Barn or the setting of Riversdale House owing to the existing vegetation conditions, lack of historical connection and lack of visibility.
- 8.11 The proposal therefore accords with Section 15.5.2 of the Development Plan, which supports innovative design where it enhances the character of the area. Section

15.4.2 of the Development Plan states that 'imaginative, innovative and contemporary architecture is encouraged in all development proposals' and in that context, the proposed design is considered acceptable and in keeping with the character of the surrounding residential area. The proposal also complies with Policy BHA24 (Re-use of Historic Buildings) and the built heritage policies contained in the Development Plan.

(2) Neighbouring Residential Amenity

8.12 Section 15.13.4 Backland Housing states that applications for backland housing should consider, inter alia, the following criteria:

- Provision of adequate separation distances
- Respects the existing scale and massing of surrounding properties
- Does not impact on the amenities of existing properties or the unit itself
- Proposed dwelling should 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.

8.13 In terms of impacts on privacy, the appeal argues that a proposed first-floor window in House 8 (The Barn) would overlook habitable rooms in Gageby House and fell well below the 16m separation distance normally expected between opposing habitable-room windows. I note that the window would serve a dressing area rather than the main bedroom and could therefore be conditioned to be obscure-glazed and non-openable, eliminating direct overlooking concerns, if the Commission is minded to grant permission.

8.14 The appeal states that there would be an overbearing impact on the adjacent Gageby House to the south. Following review of the photomontages submitted as part of a Request for Further Information, I can see that although the extension would be higher than the adjoining rear extension of Gageby House, it would be sufficiently screened by the existing boundary wall, trees and hedging and would not result in an unduly overbearing impact.

- 8.15 In terms of the visual relationship between the proposed extension of the Barn with Gageby House and Riversdale House, the position of the property on the site, together with the angle of the access road and existing screening vegetation, would prevent any unacceptable impact on the visual amenities of neighbouring properties.
- 8.16 In terms of daylight/sunlight impacts of the Barn extension, a shadow study submitted with the further information response was assessed by the planning authority. I would agree with their conclusion that because the new structure lies to the north of Gageby House, any additional shadowing would be limited and largely confined to the applicant's own garden area. The development is therefore not considered to result in unacceptable loss of daylight or sunlight to neighbouring properties.
- 8.17 I note the appellant has concerns about how the shadow analysis was conducted. A revised shadow study was submitted as part of a Further Information Request showing shadow impacts at 10am, noon and 6pm in January and June. It is correct that the study did not include March or September assessments. However, I conclude that if these were included it would not alter the overall conclusions. The physical relationship between the buildings is sufficient to offset the worst shadow effects. Having regard to the location of the proposed structure to the north of the rear extension to Gageby House, it is considered that any shadow impact would be limited and would be largely confined to the rear garden of House 8 itself. It would not result in an unduly overbearing impact or any undue impacts in respect of overshadowing. The new two-storey element is north of Gageby House, limiting its ability to cast significant shadow over that property. The proposal is therefore considered unlikely to cause unacceptable overshadowing or loss of daylight to neighbouring residents.
- 8.18 In conclusion, after assessing the Further Information material submitted with the application, it can be concluded that the amendments would not unduly impact on the amenity afforded by the permitted development and would not have any undue adverse impact on the residential amenities of the surrounding area.

(3) Cumulative Impact

- 8.19 The appeal refers to cumulative development and notes that there was a previous refusal for the site development. The 2020 refusal in question relates to the application Reg. Ref. 2976/20, which sought permission for partial demolition and renovation of The Barn as a two-bedroom dwelling and construction of five terraced houses and two semi-detached houses on the site. The reasons for refusal stated that the proposed development of Houses 6 and 7, because of their scale, mass, bulk and siting adjacent to the Barn and their proximity to Riversdale House (a protected structure), would adversely affect the character and setting of this historic ensemble.
- 8.22 However, the applicant subsequently re-designed the proposal, which subsequently became the 2021 parent permission (2027/21) was granted and upheld by An Coimisiún Pleanála. In effect, the heritage concerns that contributed to the 2020 refusal were addressed through the redesign that led to the 2021 parent permission and subsequent amendments.
- 8.23 I note the appeal concerns. However, the proposal consists of amendments to an already-permitted scheme. The current changes are regarded as relatively minor in the context of the permitted development and no substantial harm is anticipated in relation to residential amenity, visual amenity or historic character.

(4) Other matters

- 8.24 In terms of concerns raised in the appeal over the proposed extension to House 6 removing established landscaping, no protected species of vegetation would be removed and there is sufficient open landscaped space remaining in the overall development in addition to private gardens all exceeding the minimum space required. While some planting would be lost this is considered acceptable because replacement planting was proposed and the overall landscaping strategy for the development remains the same. The proposal would still comply with the Dublin City Development Plan and the 2024 settlement guidelines in terms of provision of open space and communal amenity space.
- 8.25 There were also concerns raised regarding site access and vehicle manoeuvring arrangements. It was considered that the enlarged garden may conflict with previously approved refuse truck and emergency vehicle turning movements, potentially creating operational and safety issues within the development. The

proposed amendment to the garden does not impact on refuse truck or vehicle turning. No changes are proposed to the access arrangements under the current application. The proposed drawings still show an enlarged area of hardstanding to the west of the access road to accommodate turning for refuse and emergency vehicles. This also aligns with the proposed landscaping drawing.

Conclusion

- 8.26 Overall, the proposed design amendments are minor changes to the plans and elevations of House 6 and House 8 of the previously approved development and do not result in the construction of any new dwellings. The overall scheme responds well to the site layout using innovative design to refurbish an existing building to modern standards and to construct additional dwellings on an infill site – all in compliance with residential standards. The amended private amenity space also exceeds the minimum standards without impacting on neighbouring residential amenity. Both the Sustainable Residential Development and Compact Settlement Guidelines and the Dublin City Development Plan 2022-2028 seek to encourage infill development in inner suburban locations and there is flexibility in determining levels of amenity for such sites on a case by case basis. The extensions and alterations to House 6 and to the Barn (House 8) do not cause any harmful impacts on the protected structure, visual amenity or residential amenity.
- 8.27 On balance, I am satisfied that the proposed development has demonstrated sufficient compliance with Development Plan policy objectives and would not constitute overdevelopment or set an undesirable precedent.

9.0 AA Screening

- 9.1. I have considered the proposed dwelling in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located in an established residential area is c. 7 km from South Dublin Bay SAC & South Dublin Bay and River Tolka SPA

- 9.2. The proposed development comprises the alterations to a previously approved development, DCC 3861/23, to include reconfiguration of the kitchen of house 6 and the provision of additional garden space and associated alterations to elevations, alterations to House 8 and amendments to the associated site development works and landscaping at the Barn, Riversdale Avenue, Bushy Park Road, Dublin 6
- 9.3. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows:
- Nature of works
 - Location in an established residential area
 - Lack of connections to nearest European sites
- 9.4. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

- 10.1. The subject site is located at the Barn, Riversdale Avenue, Bushy Park Road, Dublin 6. The site is less than 100 metres north of the River Dodder. The proposed development comprises alterations to a previously approved development, DCC 3861/23, to include reconfiguration of the kitchen of house 6 and the provision of additional garden space and associated alterations to elevations, alterations to House 8 and amendments to the associated site development works and landscaping. No water deterioration concerns were raised in the planning appeal.
- 10.2 I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no

conceivable risk to any surface and/or groundwater waterbodies either qualitatively or quantitatively. The reason for this conclusion is as follows:

- Nature of works
- Location-distance from nearest water bodies and/or lack of hydrological connections

10.3 I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

11.1. I recommend a grant of permission subject to conditions

12.0 Reasons and Considerations

12.1. Having regard to residential zoning of the site, the infill nature of the development and the minor nature of the proposed amendments, it is considered that the proposed development would not be injurious to the amenities of future occupants or neighbouring residential properties in the area and would be in keeping with the residential character of the area, thereby according with the provisions of the Dublin City Development Plan 2022-2028 and 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, 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 interests of clarity

2. Apart from any departures specifically authorised by this permission, the development shall comply with the conditions of the parent permission [Register Reference 2027/21, ABP-311013-21, as amended by Register. Reference 3861/23] unless the conditions set out hereunder specify otherwise. This permission shall expire on the same date as the parent permission.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission(s).

- 3 The glazing to the window of the dressing area on the southern elevation of the new first floor to House No. 8 shall not be openable below 1.7m above finished floor level, 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.

4. A comprehensive boundary treatment and landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. This scheme shall include the following:-
 - (a) details of all proposed hard surface and/or permeable surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development;
 - (b) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings;
 - (c) details of proposed street furniture, including bollards, lighting fixtures and seating;

(d) details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes.

The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

Reason: In the interest of visual amenity.

5. 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

6. All necessary measures should be taken by the applicant and contractor to prevent the spillage or deposit of clay, rubble or other debris on the public road network, repair any damage to the public road arising from carrying out works and avoid conflict with between construction activities and pedestrian and vehicular movements on the surrounding public roads.

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

7. The developer shall ensure that the development is served by adequate water supply and/or wastewater facilities and shall enter into a connection agreement with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network prior to commencement of development.

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

8. 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.

9. 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 Bord Pleanála for determination.

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

10. Site development and building works shall be carried out between the hours of 7:00 am to 6:00pm Mondays to Fridays inclusive, between 8:00am to 2:00pm 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.

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, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Killian Harrington
Planning Inspector

16 August 2026

Appendix A: Form 1 EIA Pre-Screening

Case Reference	PL-501492-DS-26
Proposed Development Summary	Alterations to a previously approved development, DCC 3861/23, to include reconfiguration of the kitchen of house 6 and the provision of additional garden space and associated alterations to elevations, alterations to House 8 and amendments to the associated site development works and landscaping
Development Address	The Barn, Riversdale Avenue, Bushy Park Road, Dublin 6
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? (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)	☒ Yes, it is a 'Project'. Proceed to Q2. ☐ No, No further action required.
2. Is the proposed development of a CLASS specified in <u>Part 1</u>, 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.	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
1. Is the proposed development of a CLASS specified in <u>Part 2</u>, 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. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Class 10(b) of Part 2 (dwelling units) Proposed development involves alterations to a previously approved residential development, Reg. Ref 3861/23, which was for 8 dwellings and all associated works Proposed development is a substantially below the 500 dwelling unit threshold in Class 10(b)
2. 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: 16 August 2026

Appendix B: Form 2 - EIA Preliminary Examination

Case Reference	PL-501492-DS-26
Proposed Development Summary	Alterations to a previously approved development, DCC 3861/23, to include reconfiguration of the kitchen of house 6 and the provision of additional garden space and associated alterations to elevations, alterations to House 8 and amendments to the associated site development works and landscaping
Development Address	The Barn, Riversdale Avenue, Bushy Park Road, Dublin 6
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).	Briefly comment on the key characteristics of the development, having regard to the criteria listed. The development of 8 dwellings has a modest footprint, comes forward as a standalone project, requires only minor 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 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).	Briefly comment on the location of the development, having regard to the criteria listed The development is situated in an established urban area on serviced lands in Dublin city and is not in close proximity to designated sites and landscapes of identified significance in the County Development Plan.
Types and characteristics of potential impacts	Having regard to the characteristics of the development and the sensitivity of its location,

(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	consider the potential for SIGNIFICANT effects, not just effects. Having regard to the modest nature of the proposed development, its urban 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:** 16 August 2026

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

(only where Schedule 7A information or EIAR required)