



An
Bord
Pleanála

Inspector's Report

ABP-321358-24

Development	Subdivision of existing site for the construction of a house to side garden and all associated site works.
Location	74 Applewood Heights, Kindlestown Lower, Greystones, Co. Wicklow
Planning Authority	Wicklow County Council
Planning Authority Reg. Ref.	2360431
Applicant(s)	Conor Maguire
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Jane Conroy Anthony & Lorna Brady
Observer(s)	None
Date of Site Inspection	29/01/2025
Inspector	Gillian Kane

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1.0 Site Location and Description

- 1.1.1. The application site is located in a suburban housing estate c.1.3kms directly to the west of Greystones in Co. Wicklow. Applewood Heights is a suburban housing estate built around a central green space. No 74 is a corner plot and is on land that slopes upwards from the road level. The site consists of part of the rear/side garden of a 2 storey detached house at no.74 Applewood Heights. The site has a stated area of 0.05 hectares and is broadly triangular in shape with a narrow road frontage which gets wider towards the rear of the site. The site slopes upwards in a broadly east to west direction. The site is laid out with a hard-standing, raised garden area, and a single storey shed located towards the north-east corner.
- 1.1.2. The site is immediately bounded by the garden to the rear of 'Brahma' to the north; the garden to the rear of no.78 Applewood Heights to the north-east (third party); no.74 Applewood Heights to the east; and no.73 Applewood Heights to the southwest.

2.0 Proposed Development

- 2.1. On the 21st November 2024, permission was sought for the subdivision of the existing site into two, demolition of an existing shed of 27sq.m., construction of a detached house of 171sq.m., and the construction of a new driveway.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. On the 7th November 2024, the Planning Authority issued a notification of their intention to GRANT permission subject to nine standard conditions.

3.2. Planning Authority Reports

- 3.2.1. **District Engineer:** existing piped storm drain to the north that must be shown and conformation that the 2m high block wall will not adversely affect the drain or the existing trees. Proposed storm and foul outfalls should connect to existing outfalls at no. 74. Plans do not show existing public light at driveway. Planting along south-eastern boundary should be low level.
- 3.2.2. **Planning Report:** New infill dwelling is acceptable in principle. Private open space for both dwellings is acceptable. Proposed dwelling has been relocated from that

previously refused permission, to lessen impact on no. 74. Extent of excavation should be clarified. Overlooking of no. 73 to the south, no. 78 to the north-west, or no. 75 to the east will not occur. Overlooking of the site to the north can be mitigated by the use of obscure glazing in the bathroom. Further information required regarding the proposed northern boundary wall. Proposed dwelling will not adversely affect the streetscape as dwelling will be hidden. Comments from district engineer noted and recommendation to request Further Information.

3.3. **Prescribed Bodies**

- 3.3.1. None on file

3.4. **Third Party Observations**

- 3.4.1. Submission to the Planning Authority raised issues of privacy, out of keeping with character of area, parking difficulties, impact on property to north.

3.5. **Further Information**

- 3.5.1. On the 14th October 2024, the applicant responded to the request for Further Information. The submission revised the location of the dwelling on site, included an arborist assessment, provided details of the extent of excavation, revised elevational drawings, details of storm drain, proposal to connect foul and storm water drainage to existing system at no. 74 and revised boundary wall details.
- 3.5.2. **Planning Report:** Dwelling moved 1m to the south, away from sensitive northern boundary. Extent of excavation reduced due to relocation of retaining wall. Elevation revised to prevent overlooking to north. Response to Further Information request is acceptable. Recommendation to grant subject to nine standard conditions.

4.0 **Planning History**

- 4.1.1. Planning Authority reg. ref. **23/313**: Permission refused for subdivision of site and construction of dwelling for the following reason:

1 Having regard to

- (a) the height and proximity of the proposed 2 story element of the dwelling to the western side boundary of the remaining rear garden of no. 74 for a distance of circa 9 metres

- (b) the presence of a high level first floor window in the eastern elevation of the dwelling.

It is considered that the proposed development would result in perceived overlooking and have an unacceptable overbearing and overshadowing impact on the remaining private rear garden of the existing dwelling on site severely detracting from the privacy and amenity of this existing dwelling. The proposed development would therefore be contrary to the zoning objective of the site which seeks to protect provide for and improve residential amenities of adjoining properties and areas while allowing for infill residential development that reflects the established character of the area in which it is located and would therefore be contrary to the proper planning and sustainable development of the area.

A note on the managers order stated:

“Any future planning application should ensure that the ground levels of the site to the north of the application site boundary are accurately surveyed and represented. While not a reason for refusal the planning authority noted that at the location of the proposed north facing first floor windows, the ground levels of the site to the north as shown on the proposed eastern elevation do not appear to correspond with the ground levels of the site to the north as shown on the proposed site layout plan”.

- 4.1.2. **PL27.232635:** Permission refused for the erection of a new detached two-storey four bedroom dwelling, new entrance and ancillary site works, all to side garden of number 74 Applewood Heights, for the following reason:

- 1 Having regard to the backland location, narrow configuration and land levels of the site, it is considered that the proposed development, by reason of its siting, design, scale, massing and height would be visually obtrusive and out of character with the existing pattern of development in the vicinity and would result in overdevelopment of the site and would seriously injure the visual and residential amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

4.1.3. **PL27.224899:** Permission refused for house, new entrance for the following reason:

- 1 Having regard to the backland location, narrow configuration and land levels of the site, it is considered the proposed development, by reason of its scale, bulk and massing, would be overdevelopment of the site, out of character with the area and would seriously injure visual and residential amenities due to overbearing and overshadowing. The proposed development would therefore be contrary to the proper planning and sustainable development of the area

5.0 Policy Context

5.1. Sustainable Residential Development and Compact Settlement Guidelines 2024

- 5.1.1. The guidelines expand on the higher-level policies of the National Planning Framework (NPF) in relation to the creation of settlements that are compact, attractive, liveable and well designed. There is a focus on the renewal of settlements and on the interaction between residential density, housing standards and placemaking to support the sustainable and compact growth of settlement.
- 5.1.2. In accordance with the provisions of Section 34 of the Act when making a decision in relation to an application that includes a residential element or other elements covered by these guidelines, the planning authority is required to have regard to the policies and objectives of the Guidelines and to apply the specific planning policy requirements (SPPRs).

5.2. Wicklow County Development Plan 2022-2028

- 5.2.1. Greystones is designated a Level 3 Town in the County Development Plan.
- 5.2.2. Strategic County Outcome (SCO) no. 1 is the “The delivery of compact growth in all towns and villages by capitalising on the potential for infill and brownfield development, moving away from a reliance on greenfield development and creating places that encourage active lifestyles is essential for the successful delivery of the development plan strategy”.
- 5.2.3. Zoning Principle no. 1 states: “For larger towns in Levels 1-5, where more significant growth is targeted that is unlikely to be possible to accommodate wholly within the existing built up envelope, a minimum of 30% of the targeted housing growth shall be

directed into the built up area of the settlement. In cognisance that the potential of town centre regeneration / infill / brownfield sites is difficult to predict, there shall be no quantitative restriction inferred from this Core Strategy and associated tables on the number of units that may be delivered on town centre regeneration / infill / brownfield sites”.

5.2.4. Principle 3 states “In existing residential areas, infill development shall generally be at a density that respects the established character of the area in which it is located, subject to the protection of the residential amenity of adjoining properties.”

5.2.5. The settlement policy for Greystones – Delgany “The focus during the period of this development plan therefore for the settlement will be on infill development and consolidation of the built up area”.

5.2.6. **CPO 4.2** To secure compact growth through the delivery of at least 30% of all new homes within the built-up footprint of existing settlements by prioritising development on infill, brownfield and regeneration sites and redeveloping underutilised land in preference to greenfield sites.

5.3. **Greystones Delgany And Kilcoole LAP**

5.3.1. The subject site is zoned RE Existing Residential, which has the stated objective: “to protect, provide for and improve residential amenities of adjoining properties and areas while allowing for infill residential development that reflects the established character of the area in which it is located.”

5.4. **Natural Heritage Designations**

5.4.1. The appeal site is not located within or in the vicinity of any European site.

5.5. **EIA Screening**

5.5.1. See completed Forms 1 and 2 below. Having regard to the nature of the proposed development comprising one house and associated works, in an suburban area where infrastructural services are available, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal of Jane Conroy, 75 Applewood Heights

- The proposed development doesn't match the style and layout of the existing neighbouring properties, it will create a high-density housing layout.
- The proposed surface water drainage connects to the existing drainage network at the back of dwelling no. 74 which is not designed for a new dwelling of such dimensions. Appellant is concerned that the proposed drainage can cause flooding, as has happened in the past.
- The scale of the proposed development, in a back and side garden, is over-development, would cause an overbearing view on surrounding properties, would overlook no.s 73, 74, 75 and 78 and over shadow properties no. 75 and 78.
- The further information drawings are incorrect, they don't show the boundary with no. 75 as shown in section 4-4. The topography of the estate is such that the proposed dwelling will cause clear overlooking of no. 75. Photo submitted.

6.2. Grounds of Appeal of Anthony & Lorna Brady, 78 Applewood Heights

- The area of land is insufficient for the proposed development. It will have an overbearing presence on neighbouring properties.
- Housing targets have been reached, so permission should not have been granted.
- The surface water pipe on the site to the north, enters no. 74 and goes on to no. 78. The shed to be demolished provides access. Condition no. 4 refers to surface water run-off only, no specific provision for the surface water pipe.
- Previous flooding has caused damage to no. 74 and no. 78. Works have been undertaken by no. 78. Concern raised that proposed development will undermine these works. Wicklow County Council need to remedy drainage on Chapel Road to prevent further flooding.
- Site development hours set by condition no. 9 are unacceptable – 07.00-19.00 Monday to Friday and 07.30 to 14 on Saturdays.

- Permission was refused by the Board twice on the grounds of backland location, siting, design, scale and massing and once by Wicklow County Council on the grounds of being contrary to the zoning objective.
- Permission should be refused for the current development.

6.3. Applicant Response

6.3.1. The applicant responded to the two third-party appeals. The response can be summarised as follows:

- The principle of the proposed development is established by reference to the
 - NPO 25 of the National Planning Framework 2018
 - Sustainable Residential Development in Urban Areas Guidelines 2009,
 - Section 3.2 of the Urban Development and Building Height Guidelines 2018,
 - Section 3.4.2, SPPR 1 and SPPR2 of the Residential Development and Compact Settlement Guidelines 2024, and
 - Principle 1, CPO 4.2, CPO 4.3, section 5.4.2, CPO 6.2.1, appendix 1, section 2.1.6 of the Wicklow County Development Plan 2022.
- The proposed infill development is in an existing residential area and is supported by policy.
- The proposed contemporary design is of high architectural quality, nestles into the contours of the site, appearing as a single storey structure.
- Impacts from the proposed windows are negligible. Upper floor windows to the north are frosted and high level. The front elevation upper floor window overlooks parking. No. 73 did not object to the application.
- The dwelling will be set back and not visible and will have no impact on the character of the area. A recent corner extension at no. 76 provides a much greater impact.
- The Planning Authority adequately assessed the proposed development, finding the proposal acceptable, having no undue impacts on neighbouring properties. it is noted that the Planning Authority did not reference the extension at no. 76.

Response to appeal of no. 75

- The impact of the proposed development is limited. It is not high density and is in keeping with policy on infill development.
- The request to connect to the drainage of no 74 was the suggestion of the Planning Authority. The existing system is sufficient to cater for three dwellings. Should the Board consider a connection to the public system, the applicant will comply.
- Flooding issue has been resolved.
- The eastern gable of the proposed house is 16m from the nearest point of no. 75. The 5.7m height recedes away from no. 75.
- Permission was granted (PL27.237053) for four houses to the rear of no.s 71, 72, 68 and 69 Applewood Heights.
- No overlooking of no.s 73,74, 75 or 78 will occur due to separation distances and the proposed 2m high block wall.
- No overshadowing will occur due to the c.16m separation distance. A sunlight assessment is submitted. It concludes that the BRE standard is met in gardens 74,75 and 78 on the 21st of March.
- It is submitted that the appellants claim of incorrect drawings is based on a misinterpretation of the drawings. Drawing submitted with extra labelling and identifying house no.s 74,75 and 78.
- Photo enclosed demonstrating that no overbearing of no. 75 will occur. The rear of the extension granted at no. 75 will be behind the footprint of no. 74. There will be no view of the proposed dwelling.

Response to Appeal of No. 78

- A manhole in the garden of no. 74 flooded due to damage caused by tree roots in no. 78. Since this was repaired there have been no incidences of flooding. The Board can set aside this ground of appeal.
- The 580sq.m. site area is larger than that of no.s 73, 76 and 78. Government policy promotes densification of infill sites.

- There will be no overbearing impact on neighbouring properties.
- Recent extensions to the rear of no.s 75 and 76 have considerable impact on the appellants dwelling at no. 78. The capacity for the absorption of development has greatly increased.
- The relevance of the refusal of permission for 98 homes at Coolagad in Greystones regarding housing targets is not understood.
- The applicant is willing to accept different construction hours should the Board decide.
- The proposal has been modified from that refused permission in the past. The reasons for refusal no longer apply.
- The Board is requested to grant permission.

6.4. Planning Authority Response

6.4.1. None on file

6.5. Further Responses

6.5.1. Response of Anthony & Laura Brady to Applicants Response

- No evidence that flooding issue has been resolved has been submitted. The proposed development will increase flooding due to the area of hard standing.
- Good planning should seek to avoid future damage to the drain. This should be achieved by way of condition attached to a grant.
- The proposed access will cause danger to traffic and pedestrians. Two cars parking in the driveway of no. 74 will result in cars reversing out of the new driveway.
- The existing public street light will hinder the widening of the existing driveway.
- It is submitted that the required 0.55m buffer cannot be achieved along the length of the proposed driveway as required by section 3.1.6 of Appendix 1 of the County Development Plan.
- The width of the driveway serving no. 74 is not stated. The 3.7m shown on the Further Information drawings includes the shrub border to be removed.

- The proposed shared driveway will cause a traffic hazard considering that the driveway will be constrained by the existing lamp standard. This is contrary to section 6.3.7 and CPO6.16 of the County Development Plan.
- The shrub border is shown in situ in the cross section drawings submitted at Further Information stage.
- The proposed frosted glass on the northern elevation is not sufficient to prevent overlooking into no. 78 as they could be replaced with clear glass.
- Overlooking of no 78 will occur from amenity areas, which are significantly higher than no. 78. Photographic survey submitted.
- The site sections omit the ridge level of no. 78. The impact of overlooking cannot be determined.
- The proposed development is contrary to the zoning objective for the area. There is no precedent for building in the back garden.
- The proposed development is contrary to CPO6.22, CPO 6.4, section 3.16 of appendix 1 of the development plan.
- The site area of no. 74 is 330sq.m. The proposed site is not in keeping with the existing houses in the estate.
- As housing targets have been met, there is no need to grant the proposed development.
- The construction hours will impact those who work from home, negatively impact the adjoining residents.
- The amenity of future residents of no. 74 must be protected.
- The proposed development may prejudice future development options such as extensions on adjoining plots.
- The four-house development to the rear of no.s 71/72 and 68/69 are not the back garden of a dwelling, being a stand-alone development with access off Chapel Road. there is a 25m separation distance.
- The ridge level of no 73 is significantly higher than the proposed development and so overlooking would not be a concern there.

6.5.2. Response of Jane Conroy to First Party Response

- Permitting the proposed development of one dwelling will negatively impact three dwellings, contrary to the principles of the National Planning Framework.
- The proposed dwelling will not be an 'affordable' house.
- The proposed revisions have not addressed the impact on no. 73, 8m away.
- The Board previously refused permission for backland development. Those reasons for refusal still stand.
- The extension at no. 76 is not comparable to the proposed development as there never was a risk of overbearing.
- The style and layout of the proposed dwelling does not match the neighbourhood.
- The applicant states that existing infrastructure is sufficient to serve three dwellings. There are already three dwellings served by the infrastructure. Another house will cause flooding.
- There is no guarantee the costly work undertaken to remedy the existing damaged pipe will not reoccur.
- Backland development will affect the amenities of no.s 74, 75 and 78, will cause a great sense of enclosure and an overbearing environment.
- The existing dwelling at no. 74 is already overbearing as demonstrated by the existing shed.
- The development permitted under 10/2031 is not comparable as it has its own entrance, services and is not connected to Applewood Heights.
- The proposed development negatively impacts existing amenities.

7.0 Assessment

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

- Principle of development
- Impact on Residential Amenity
- Traffic
- Other

7.2. Principle of Development

7.2.1. The subject site is zoned for residential development. Subject to other planning considerations, the subdivision of the plot and the development of the site for a single-family home is appropriate and in keeping with the zoning objective for the site.

7.2.2. Regarding the planning history on the subject site, the Board will note the change in national and local policy since the previous decisions of the Board.

7.3. Impact on Residential Amenity

7.3.1. Both appellants submit that the backland location and elevated site of the proposed development will cause overlooking of their properties, that their residential amenity will be negatively impacted.

7.3.2. Section 3.1.6 of Appendix 1 of the development plan requires that an infill / backland development plot must adhere to best development standards, must complement the area and must not injure the privacy of existing and adjoining houses. The elevation of the subject site has prompted the proposal of a part two, part single storey dwelling, with excavation of a portion of the site. The result is that from the adjoining dwellings and from the street, only a single storey dwelling will be visible. The design of the proposed dwelling is not identical to the existing dwellings but this is not considered significant. I am satisfied that the housing estate is capable of absorbing a dwelling that clearly stands alone in design and site terms.

- 7.3.3. Section 3.1.6 also requires that rear / side plots must not prejudice development options of adjoining plots. The triangular nature of the subject site and its set back from the dwellings on either side are such that were either dwelling to extend to the rear, the proposed dwelling would not compromise such development, in terms of size or overlooking.
- 7.3.4. Both appellants raise a concern that the ground level changes in the area are such that overlooking of their private amenity space will occur. The ridge level of the proposed dwelling is 64.799m, 64.0m at no. 74, 64.17m at no. 73 and approx. 63m at no. 76 (measured digitally). The proposed amenity space for the new dwelling will be level with the amenity space for the existing dwelling at no. 74 and separated from no. 76 by a 1.8m high post and panel fence. Combined with the use of frosted glass at the upper level window, I am satisfied that no overlooking of the adjoining dwellings will occur. I note the submission of the appellant that this can be changed to clear glass. This would be a breach of condition no. 1 of the planning permission, and would be the subject of enforcement action.
- 7.3.5. I note the Sunlight Daylight and Shadow Assessment that concludes that the subject and surrounding plots all meet the BRE threshold for new development.

7.4. Traffic

- 7.4.1. The appellants raise a concern that the proposed development will cause a traffic hazard. The use of a shared driveway, the existing lamp standard in front of the driveway of no. 74 and the boundary wall and shrub to be removed are submitted as evidence that a traffic hazard will arise.
- 7.4.2. The creation of a shared driveway is acceptable, given the length of driveway proposed to serve the new dwelling. The layout of Applewood Heights on the steeply sloping land results in a non-standard layout around a green. Two dwellings sharing a 4m section of driveway will not be visible to the majority of the estate. It is considered that 4m is sufficient to allow visibility of both pedestrians and vehicles which will be travelling at a low speed.
- 7.4.3. The issue of the lamp standard outside the driveway has been addressed and is noted on the drawings submitted at Further Information stage.

- 7.4.4. With regard to the shrub borders on site, the appellant raises an concern that it is shown on the Further Information plans. I note that the Arboricultural Assessment states that shrub border no. 1 will be removed to realign the entrance to the front of the existing house. Drawing no. M-105-PL-105 submitted at Further Information stage shows the proposed driveways with shrub no. 1 removed and a width of 3m for the length of the proposed driveway to serve the new dwelling. An entrance of 3.7m at the narrowest point is proposed for the driveway to serve the existing dwelling at no. 74. I am satisfied that the proposed development will not cause a traffic hazard.
- 7.4.5. The appellant submits that the proposed development contravenes section 3.1.6 of Appendix 1 of the County Development Plan. The Board will note drawing no. M-105-PL-105 which shows a 3m wide driveway and a 1.1m buffer alongside the gable wall of 74, as required by section 3.1.6. Likewise, the proposed development provides for the turning of vehicles on the subject site.

7.5. Other

- 7.5.1. Drainage: The subject site is zoned and serviced. Capacity exists in the existing system to accommodate a further dwelling. The appellant has acknowledged that the previous flooding issue has been resolved. The addition of a new dwelling to the system at no. 74 should not cause flooding of the adjoining properties.
- 7.5.2. Plot Size: the subject site is greater than the surrounding dwellings and as such is of sufficient size to accommodate the proposed dwelling.
- 7.5.3. Drawings: Cross Section 5-5 and 6-6 do not show the boundary wall of no. 75 as it is behind the shown boundary wall of no. 78.
- 7.5.4. Housing Targets: the proposed development of a serviced and zoned site complies with the development plan policy for infill / backland development in existing housing areas. I note Zoning Principle 1 of the development plan which states that "In cognisance that the potential of town centre regeneration / infill / brownfield sites is difficult to predict, there shall be no quantitative restriction inferred from this Core Strategy and associated tables on the number of units that may be delivered on town centre regeneration / infill / brownfield sites".

8.0 AA Screening

- 8.1.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 8.1.2. The subject site is located in an urban area, within the town of Greystones. The Murrough SPA (004186) is 2.4km to the south-east. The Glen of the Downs SPA (000719) is 2.1km to the south-west and the Bray Head SAC (000714) is 1.6km to the north-east.
- 8.1.3. No nature conservation concerns were raised in the planning appeal. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:
- Small scale and nature of the development
 - Location-distance from nearest European site and lack of connections
 - Taking into account the determination by the Planning Authority
- 8.1.4. I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Recommendation

- 9.1.1. I recommend permission be GRANTED for the following reasons and consideration and subject to the following conditions:

10.0 Reasons and Considerations

- 10.1.1. Having regard to the location of the site on serviced urban land, the RE Existing Residential land use zoning of the site, the change in national and local planning policy since previous Board decisions on this site, the existing pattern of residential development at this location and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in keeping with the established pattern of development at this location and would not seriously injure the residential or visual

amenities of the area or of property in the vicinity. The proposed development would therefore be in accordance with the proper planning and sustainable development the area.

11.0 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 submitted on the 14th day of October 2024, 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 enter into water and wastewater connection agreements with Uisce Éireann, prior to commencement of development.

Reason: In the interests of clarity and public health.

3. Details of the materials, colours and textures of all the external finishes to the proposed dwelling and boundaries shall be as submitted with the application, unless otherwise agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

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

Reason: In the interest of public health and surface water management.

5. The site shall be landscaped (and earthworks carried out) in accordance with a detailed scheme of landscaping, which shall be submitted to and agreed in

writing with the Planning Authority prior to commencement of development. The scheme shall include provisions for hard and soft landscaping within the site, boundary treatments and includes measures for the protection of trees within and adjoining the site.

Reason: In order to ensure the satisfactory completion of the development.

6. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. The cables shall avoid roots of trees and hedgerows to be retained in the site. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

7. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

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

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

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

9. 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.

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.

Gillian Kane
Senior Planning Inspector

Form 1

EIA Pre-Screening

An Bord Pleanála	ABP-321358-24		
Case Reference			
Proposed Development Summary	Subdivision of plot, demolition of shed, House in side / rear garden of existing dwelling		
Development Address	74 Applewood Heights, Greystones.		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	Tick if relevant and proceed to Q2.
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
No			
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
No		10(b)(i) construction of more than 500 dwelling units	Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes			Preliminary examination required (Form 2)
5. Has Schedule 7A information been submitted?			
No		Pre-screening determination conclusion remains as above (Q1 to Q4)	

Inspector: _____ Date: _____

Form 2 EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP-321358-24
Proposed Development Summary	Subdivision of plot, demolition of shed, House in side / rear garden of existing dwelling
Development Address	
<p>The Board carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations.</p> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>	
<p>Characteristics of proposed development</p> <p>(In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	Part one, part two storey dwelling of 171sq.m., demolition of a shed of 27sq.m.
<p>Location of development</p> <p>(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).</p>	Greenfield site in an established residential / urban area that is zoned and serviced. More than 5km from any sites of environment interest.

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).		No impacts likely
Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	Yes or No
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)