



An
Coimisiún
Pleanála

Direction
CD-022413-26
ACP-324275-26

The submissions on this file and the Inspector's report were considered at a meeting held on 26/08/2026.

The Commission decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Planning

Commissioner:


Paul Caprani

Date: 26/08/2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

In coming to its decision, the Commission had regard to the following:

- a) The need to plan for increased growth in accordance with the National Planning Framework, First Revision, April 2025, and the flexibility that applies to projected targets for future growth, including National Policy Objective 11.
- b) The nature, scale and design of the proposed development, which is in accordance with the policies and objectives of the Dublin City Development Plan 2022-2028;

- c) The pattern of existing and permitted development and the availability of adequate social and physical infrastructure in the area;
- d) The provisions of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage in 2025;
- e) The provisions of Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, issued by the Department of Housing, Local Government and Heritage in January 2024;
- f) Delivering Homes Building Communities, 2025
- g) The policies and objectives of the Dublin City Development Plan 2022-2028.
- h) The Planning System and Flood Risk Management Guidelines for Planning Authorities (including the associated Technical Appendices), issued by the Office of Public Works and Department of Environment, Heritage and Local Government, 2009;
- i) The Childcare Facilities Guidelines for Planning Authorities, issued by the Government of Ireland, 2001;
- j) The submissions and observations received;
- k) The reports from the Planning Authority; and
- l) The report of the Planning Inspector.

Climate Action

The Commission performed its functions in relation to the making of its decision, in a manner consistent with Section 15(1) of the Climate Action and Low Carbon Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, (consistent with Climate Action Plan 2024 and Climate Action Plan 2025 and the national long term climate action strategy, national adaptation framework and approved sectoral adaptation plans set out in those Plans and in furtherance of the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State).

Appropriate Assessment

The Commission agreed with the screening assessment and conclusion carried out in the Inspector's report 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. It is therefore determined that Appropriate Assessment (stage 2) is not required.

This conclusion is based on:

- Objective information presented in the Appropriate Assessment Screening Report.
- Nature of works
- Location and distance from nearest European sites and lack of connections.
- Qualifying interests and conservation objectives of the European sites.
- Standard pollution controls and project design features that would be employed regardless of proximity to a European site and the effectiveness of same.

Environmental Impact Assessment

The Commission completed an environmental impact assessment of the proposed development, taking into account: (a) the nature, scale, location, and extent of the proposed development; (b) the Environmental Impact Assessment Report and associated documentation submitted with the application, including the further information submitted (c) the submissions received from the applicant, the planning authority, observers and prescribed bodies in the course of the application and appeal; and (d) the report of the Planning Inspector. The Commission considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, adequately identifies and describes the direct, indirect, and cumulative effects of the proposed development on the environment. The Commission is satisfied that the information contained in the Environmental Impact Assessment Report complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU. The Commission completed an environmental

impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures proposed as set out in the Environmental Impact Assessment Report, and subject to compliance with the conditions set out below, the effects of the proposed development on the environment, by itself and in combination with other plans and projects in the vicinity, would be acceptable. In doing so, the Commission adopted the report and conclusions of the Inspector.

Reasoned Conclusion on Significant Effects:

The Commission considered that the main significant direct and indirect effects of the proposed development on the environment, after mitigation, would be as follows:

- Long-term, positive, significant impact on the population, due to the increase in the housing stock during the operational phase.
- The provision of extensive mature parkland as an additional amenity area to serve residents in the vicinity.
- Short-term negative significant effect on biodiversity due to tree loss and long-term positive significant effect on biodiversity of tree planting and creation of new habitats.
- Long-term positive townscape effects as a result of the redevelopment of the site through landmark built form and associated open spaces.
- Short-term negative, significant noise effects arising from the population in the direct vicinity of the site works during the construction phase.

Notwithstanding the foregoing and having regard to the temporary nature of the negative construction noise effects for properties immediately adjoining the site and national policy which indicates a favourable approach to compact residential growth and sequential patterns of growth, the Commission considered that these effects are not sufficient to warrant refusing permission for the development and are acceptable.

Water Framework Direction

The Commission agreed with the screening assessment (although the Commission noted the inspectors comments in the assessment in relation to the sites location in an outer suburban area notwithstanding the fact that under the WFD assessment the inspector referred to the site as being in an inner suburban area) and conclusion carried out in the Inspector's report that the proposed development would 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.

The reasons for this conclusion are as follows:

- the nature of the proposed works including the introduction of SuDS for the operational stage,
- the presence of a public foul sewer to which the development would discharge, and,
- the proposed mitigation measures contained within the submitted documentation, such as the CEMP, Hydrological and Hydrogeological Risk Assessment Report (HHRAR), the Basement Impact Assessment and the EIAR.

Conclusions on Proper Planning and Sustainable Development:

The Commission considered that, subject to compliance with the conditions set out below, the proposed development would be consistent with the zoning and other relevant development objectives of the Dublin City Development Plan 2022-2028, would provide of an acceptable quantum of development at this location which would be served by an appropriate level of public transport, social and community infrastructure, would provide an acceptable form of residential amenity for future occupants, would not seriously injure the residential amenities or commercial viability of property in the vicinity, would not seriously injure the visual amenities of the area, would be acceptable in terms of urban design, height and scale of development, would be acceptable in terms of traffic safety and convenience, would not be at risk of flooding or increase the risk of flooding to other lands, would not

result in any unacceptable ecological or biodiversity impacts, and would be capable of being adequately served by wastewater, surface water, and water supply networks. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

1.0 Conditions

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

Reason: In the interest of clarity.

2. The mitigation measures contained in the submitted Environmental Impact Assessment Report (EIAR) shall be implemented

Reason: To protect the environment.

3. The proposed development shall be amended as follows:

(a) The bicycle parking structure directly adjacent to the boundary with properties on Cherryfield Avenue, Lower, shall be omitted, and tree no.22 shall be retained.

(b) Trees Nos, 91 and 128 shall be retained, and the bicycle parking shall be relocated.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of residential and visual amenity.

4. Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

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

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

6. Public lighting shall be provided in accordance with a scheme which shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The scheme shall include lighting along pedestrian routes through open spaces and shall take account of the requirements of the Environmental Impact Assessment Report mitigation measures. Such lighting shall be provided prior to the making available for occupation of any apartment unit.

Reason: In the interests of amenity, public safety, and nature conservation.

7. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located

underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

8. Prior to the opening/occupation of the development, a finalised Mobility Management Plan shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and carpooling by residents, staff and users of the development. The mobility strategy shall be prepared and implemented by the management company for all units within the development.

Reason: In the interest of encouraging the use of sustainable modes of transport.

9. (a) A minimum of 1355 no. safe and secure bicycle parking spaces shall be provided within the site. Provision should be made for a mix of bicycle types including cargo bicycles and individual lockers. Details of the layout and marking demarcation of these spaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

(b) Electric charging points to be provided at an accessible location for charging cycles/scooters/mobility scooters. Details to be submitted to and agreed in writing with the planning authority.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

10. The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths, and kerbs and the underground car park shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS).

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

11. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the Planning Authority for such works and services.

Full details of surface water drainage proposals, including a management and maintenance plan, shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development.

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

12. 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 wastewater collection network.

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

13. No advertisement or advertisement structure (other than those shown on the drawings submitted with the application) shall be erected or displayed on the building (or within the curtilage of the site) in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

14. A plan containing details for the management of waste (and, in particular, recyclable materials) 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 the 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.

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

Reason: In the interest of sustainable waste management.

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

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

network;

- (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- (i) Provision of parking for existing properties at [specify locations] during the construction period;
- (j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (k) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- (l) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- (n) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority;

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

17. Prior to commencement of development, a finalised Construction Environmental Management Plan (CEMP) relating to noise and vibration shall be submitted to and agreed in writing with the planning authority. The CEMP shall include a site location map showing the nearest noise sensitive locations, give details of the predicted noise and vibration impact in addition to proposed mitigation measures. The CEMP and noise abatement measures shall comply with the recommendations of BS 5228, 'Code of Practice for Noise and Vibration Control on Construction and Open Sites'. The noise

sensitive locations shall be taken to be the nearest residential buildings unless otherwise agreed in writing with the planning authority.

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

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

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

19. The landscaping scheme shown on drawing number C0111L1000, as submitted to the planning authority on the 25th day of February, 2026, shall be carried out within the first planting season following substantial completion of external construction works.

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

Reason: In the interest of residential and visual amenity.

20. All trees within and on the boundaries of the site shall be retained and maintained, with the exception of the following:

- (a) Trees as specified for removal in the Arboricultural Assessment & Impact Report submitted to the planning authority on 25 February

2026. For the purposes of clarity trees No's 22, 91 and 128 shall also be retained).

- (b) Prior to commencement of development, all trees, groups of trees, hedging and shrubs which are to be retained shall be enclosed within stout fences not less than 1.5 metres in height. This protective fencing shall enclose an area covered by the crown spread of the branches, or at minimum radius of two metres from the trunk of the tree or centre of the shrub, and to a distance of two metres on each side of the hedge for its full length, and shall be maintained until the development has been completed.
- (c) No construction equipment, machinery or materials shall be brought onto the site for the purpose of the development until all the trees which are to be retained have been protected by this fencing. No work shall be carried out within the area enclosed by the fencing and, in particular, there shall be no parking of vehicles, placing of site huts, storage compounds or topsoil heaps, storage of oil, chemicals or other substances, and no lighting of fires, over the root spread of any tree to be retained.

Reason: In the interest of visual amenity and to protect trees and planting during the construction period.

- 21. The communal open spaces, including hard and soft landscaping, car parking areas and access ways, communal refuse/bin storage, and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally-constituted management company.

Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

22. Prior to occupation of the residential units on site a management plan shall be submitted to, and agreed in writing with, the planning authority which provides details of the uses and groups to avail of the site's provision of community, arts and culture spaces within the development.

Reason: In order to comply with the requirements set out in the development plan

23. The development shall be carried out and operated in accordance with the provisions of the Mobility Management Plan (MMP) submitted to the planning authority on 25th February 2025. The specific measures detailed in Chapter 6 of the MMP to achieve the objectives and modal split targets for the development shall be implemented in full upon first occupation. The developer shall undertake an annual monitoring exercise to the satisfaction of the planning authority for the first 5 years following first occupation and shall submit the results to the planning authority for consideration and placement on the public file.

Reason: To achieve a reasonable modal split in transport and travel patterns in the interest of sustainable development.

24. All mitigation measures in relation to archaeology and cultural heritage as set out in Chapter 6,7 and 20 of the EIAR included in the application documents shall be implemented in full. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any archaeological investigative work/ excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation [either in situ or by record] of places, caves, sites, features or other objects of archaeological interest

25. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Coimisiún Pleanála for determination.

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

26. (a) Prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant residential units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been

possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

27. 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 Coimisiún Pleanála for determination.

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

28. 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.