

An
Coimisiún
Pleanála

Commission Order ABP- 314458-22

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, in accordance with plans and particulars, lodged with An Coimisiún Pleanála on the 26th day of August 2022 by Serendale Limited care of John Spain Associates of 39 Fitzwilliam Place, Dublin.

Proposed Development: The proposed development is for a 7-year permission that comprises the following:

The demolition of existing buildings (including two number Electricity Supply Board substations) and the construction of a mixed use residential (457 number apartments) and commercial development ranging in height from four to twelve storeys over basement in four blocks, with internal residential amenity space, childcare facility, community building and two retail, café and restaurant units.

The overall residential unit mix proposed comprises: one number studio apartment, 221 number one-bed apartments, 211 number two-bed apartments and 24 number three-bed apartments.

The residential Blocks are broken down as follows:

1. Block A: comprises 83 number units from four to eight storeys in height;
2. Block B: comprises 76 number units from four to eight storeys in height;
3. Block C: comprises 165 number units from nine to twelve storeys in height;
4. Block D: comprises 133 number units from 10 to 11 storeys in height;

The proposed development will also provide for: two number retail, café and restaurants totalling 430.9 square metres one number residential amenity space of 604.9 square metres; one number creche of 225.7 square metres (plus playground of 210 square metres); and one number community space of 195.3 square metres.

Public realm improvements and amenity facilities to include:

1. Upgrade of existing footpaths to provide two number new shared surface access routes through the existing Omni Park Shopping Centre development providing direct access for pedestrians and cyclists to the subject development from the Swords Road and Omni Park Shopping Centre.
2. Provision of a new public plaza to the northeast corner of Omni Park Shopping Centre, providing access to the Swords Road including pedestrian and cyclist access route (as substantially permitted under planning permission An Bord Pleanála Reference Number ABP-307011-20).
3. Provision of a new public plaza to the northwest corner of existing Omni Park Shopping Centre integrating the proposed development with the existing district centre lands, provision of which shall require amendments to existing carpark layout and a reduction of 104 number existing commercial car parking spaces.
4. Public and communal open spaces including two number playgrounds and internal communal residential amenity for the residential development and private residential amenity in the form of terraces and balconies to all elevations.

The development will include provision of access to a basement via a ramp to be located within the Omni Park Shopping Centre development proximate to the IMC Cinema. The provision of 768 number bicycle parking spaces (504 number at basement and 264 number at surface).

The provision of 213 number basement car parking spaces including 11 number accessible spaces and 22 number electric vehicle charging points. In addition, seven number motorcycle parking spaces are provided at basement.

The development also entails the reconfiguration of existing car parking to the northwest of Omni Park Shopping Centre with a net reduction of 104 number commercial car parking spaces to allow for the provision of a new public plaza.

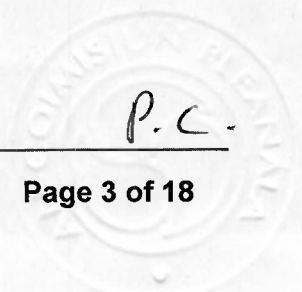
Reconfiguration shall provide for the provision of seven number creche drop-off spaces and six number carshare spaces to facilitate the proposed development. Emergency services and servicing access to the rear of existing retail premises at Omni Park Shopping Centre from the Swords Road.

Provision of five number Electricity Supply Board substations including the relocation of an existing substation.

All associated and ancillary site development, demolition and clearance works, hoarding during construction, revisions to car parking within the Omni Park Shopping Centre, soft and hard landscaping, public realm works, public lighting and signage, ancillary spaces, plant including photovoltaic panels, water infrastructure, utilities and services. The lands primarily comprise the former Molloy and Sherry Industrial and Warehouse premises and lands generally to the northwest corner of the Omni Park Shopping Centre including revisions to part of existing surface carpark to facilitate a new public plaza. The site is circa 2.5 hectares in size and located primarily to the west of Lidl and to the north and east of the IMC Cinema within the Omni Park Shopping Centre and east of Shanliss Avenue all located at this site located primarily to the northwest corner of Omni Park Shopping Centre, Santry and at Santry Hall Industrial Estate, Swords Road, Dublin 9.

Decision

Grant permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.



Reasons and Considerations

In performing its functions in relation to the making of its decision, the Commission had regard to:

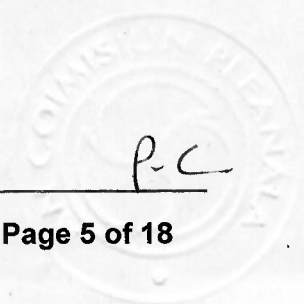
- (a) Section 15(1) of the Climate Action and Low Carbon Development Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, and the requirement to, in so far as practicable, perform its functions in a manner consistent with Climate Action Plan 2024 and 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.
- (b) Directive 2000/60/EC, the Water Framework Directive and the requirement to exercise its functions in a manner which is consistent with the provisions of the Directive and which achieves or promotes compliance with the requirements of the Directive.

The Commission also had regard to the following in coming to its decisions:

- (i) European legislation, including of particular relevance:
 - The relevant provisions of EU Directive 2011/92/EU as amended by Directive 2014/52/EU (EIA Directive) on the assessment of the effects of certain public and private projects on the environment,
- (ii) the site's location on lands with a zoning objective for neighbourhood centre including residential and commercial and the policy and objective provisions in the Dublin City Development Plan 2022-2028 in respect of residential development,
- (iii) the nature, scale and design of the proposed development which is consistent with the provisions of the Dublin City Development Plan 2022-2028 and appendices contained therein,
- (iv) the Rebuilding Ireland Action Plan for Housing and Homelessness 2016,
- (v) the Housing for All – A New Housing Plan for Ireland, issued by the Department of Housing, Local Government and Heritage in September 2021,

- (vi) the provisions of the National Biodiversity Action Plan 2023-2030, which have been considered,
- (vii) the provisions of the Sustainable Residential and Compact Settlement Guidelines for Planning Authorities (January 2024),
- (viii) the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, issued by the Department of the Housing and Planning and Local Government, July 2025,
- (ix) the Climate Action Plan, 2025, and should be read in conjunction with the Climate Action Plan 2024,
- (x) the availability in the area of a wide range of social and transport infrastructure,
- (xi) the pattern of existing and permitted development in the area,
- (xii) the Chief Executive's Report and supporting technical reports of Dublin City Council,
- (xiii) the comments made at the North Central Area Committee meeting,
- (xiv) the submissions and observations received,
- (xv) the submissions and observations made to the oral hearing on the 13th day of March 2025 including the amendments made to the application, and,
- (xvi) the Inspector's reports.

It is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of traffic and pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.



Appropriate Assessment

The Commission completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European Sites, taking into account the nature, scale and location of the proposed development within a suitably zoned and adequately serviced urban site, the Appropriate Assessment Screening Reports submitted with the application and as part of the applicant's submission to the limited agenda oral hearing, the Inspectors' reports, and submissions on file.

In completing the screening exercise, the Commission adopted the reports of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European Site in view of the conservation objectives of such sites.

Environmental Impact Assessment

The Commission completed in compliance with Section 172 of the Planning and Development Act 2000, as amended, an environmental impact assessment of the proposed development, taking into account:

- (a) the nature, scale, location and extent of the proposed development in an urban area served by foul and surface sewerage systems,
- (b) the environmental impact assessment report and associated documentation submitted with the application,
- (c) the submissions from the planning authority, the prescribed bodies and observers in the course of the application, and
- (d) the Inspector's reports.

Reasoned Conclusions on the Significant Effects

The Commission considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, provided information which is reasonable and sufficient to allow the Commission to reach a reasoned conclusion on the significant effects of the proposed development on the environment, taking into account current knowledge and methods of assessment and

the results of the examination set out in the Inspector's reports. The Commission is satisfied that the information contained in the Environmental Impact Assessment Report is up to date and complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU. The Commission considered that the main significant direct and indirect effects of the proposed development on the environment are those arising from the impacts listed below. A Construction Environmental Management Plan is the overarching general mitigation relevant to the project design and delivery for the construction stage.

The commission considers that the main significant direct and indirect effects of the proposed development on the environment are as follows:

- Significant direct positive effects with regard to population, land and material assets arising from facilitating the potential development of additional housing and other accommodation on zoned serviced land accessible to a district centre and public transport.
- Potential effects arising from noise and vibration during construction which will be mitigated by appropriate management measures.
- Potential effects on air during construction which will be mitigated by a Dust Management Plan including a monitoring programme.
- Potential indirect effects on water which will be mitigated during the occupation of the development by the proposed system for surface water management and attenuation with respect to stormwater runoff and the drainage of foul effluent to the public foul sewerage system, and which will be mitigated during construction by appropriate management measures to control the emissions of sediment to water.
- A positive effect on the streetscape because the proposed development would improve the amenity of the land through the provision of dedicated public open spaces and improved public realm.
- The likely significant environmental effects arising as a consequence of the proposed development have therefore been satisfactorily identified, described and assessed.

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 in each chapter of the Environmental Impact Assessment Report, and, subject to compliance with the conditions set out herein, the effects on the environment of the proposed development by itself and cumulatively with other development in the vicinity would be acceptable. In doing so, the Commission adopted the report and conclusions of the reporting Inspector.

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 supported by policy at all levels and would constitute an acceptable residential density at this location, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of traffic and transport proposals. The proposal would, subject to conditions, provide an acceptable form of residential amenity for future occupants. Overall, the proposed development would be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Coimisiún Pleanála on the 12th day of June 2025 as part of the applicant's submission to the limited agenda oral hearing including, omission of 19 number apartments and 2 number retail units, provision of community and cultural space at ground and first floor level of Block D and ground, first and second floor level of Block C, 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, or as otherwise stipulated by conditions

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hereunder, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:

- (a) The units in Block D featuring internal kitchens shall be amended to provide for shared living kitchen/dining areas apart from units omitted to provide community/cultural space under condition number 1.
- (b) Alterations shall be made to reduce the number of units with access to balconies from bedroom (142 units/31%) only to at most 20% of units proposed in the total development. This shall be achieved by provision of doors from main living space and extension or relocation of balconies to allow for access from the living space.

The amended plans shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of residential amenity.

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

Reason: To protect the environment.

4. The specific use of the community and cultural space provided on foot of the amended plans submitted to the limited agenda oral hearing shall be agreed with the planning authority in writing prior to the occupation of such.

Reason: In the interest of clarity.

5. The number of residential units permitted by this grant of permission is 438 number units in the form 1 number studio apartment, 213 number 1-bed apartments, 201 number 2-bed apartments and 24 number 3-bed apartments.

Reason: In the interest of clarity.

6. Details of the materials, colours and textures of all the external finishes to the proposed building shall be as submitted with the application, unless otherwise

agreed in writing with, the planning authority prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.

Reason: In the interest of visual amenity.

7. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

8. Proposals for a development name and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all such names and numbering shall be provided in accordance with the agreed scheme.

Reason: In the interest of urban legibility.

9. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through the communal open spaces, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development/installation of lighting. Such lighting shall be provided prior to the making available for occupation of any apartment unit.

Reason: In the interests of amenity and public safety.

10. 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.

11. The road network serving the proposed development, including turning bays, junction with the public road, parking areas, footpaths and kerbs, access road to service areas and the undercroft car park shall be in accordance with the detailed construction standards of the planning authority for such works. In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.

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

12. (a) The car parking facilities hereby permitted shall be reserved solely to serve the proposed development. All car parking spaces shall be assigned permanently for the residential development and shall be reserved solely for that purpose. These residential spaces shall not be utilised for any other purpose.
- (b) The car parking spaces shall be reserved solely for the use by a car sharing club. The developer shall notify the planning authority of any change in the status of this car sharing club.
- (c) Prior to the occupation of the development, a Parking Management Plan shall be prepared for the development and shall be submitted to and agreed in writing with the planning authority.

Reason: To ensure that adequate parking facilities are permanently available to serve the proposed residential units and the remaining development.

13. A minimum of 10% of all car parking spaces should be provided with functioning electric vehicles charging stations/ points, and ducting shall be provided for all remaining car parking spaces, including in-curtilage spaces, facilitating the installation of electric vehicles charging points/stations at a later date. Where proposals relating to the installation of electric vehicles ducting and charging stations/points has not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted and agreed in writing with the planning authority prior to the occupation of the development. The car parking spaces for sole use of the car

sharing club shall also be provided with functioning electric vehicles charging stations/ points.

Reason: To provide for and/or future proof the development such as would facilitate the use of electric vehicles.

14. A total of 768 number bicycle parking spaces shall be provided within the site. Details of the layout, marking demarcation and security provisions for these spaces shall be as submitted to An Coimisiún Pleanála with this application, unless otherwise agreed in writing with, the planning authority prior to commencement of development.

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

15. 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 interests of public health and surface water management

16. The developer shall enter into water and wastewater connection agreement(s) with Uisce Éireann, prior to commencement of development.

Reason: In the interest of public health.

17. The site shall be landscaped (and earthworks carried out) in accordance with the detailed comprehensive scheme of landscaping, which accompanied the application submitted, unless otherwise agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of residential and visual amenity.

18. (a) 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.

- (b) 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.

19. (a) 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 and for the ongoing operation of these facilities for each apartment unit shall be submitted to, and agreed in writing with, the planning authority not later than 6 months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.
- (b) This plan shall provide for screened communal bin stores, the locations and designs of which shall be included in the details to be submitted.

Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.

20. Construction and demolition waste shall be managed in accordance with a Construction Waste and Demolition Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the region in which the site is situated.

Reason: In the interest of sustainable waste management.

21. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:
- (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) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (j) 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;
- (k) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (l) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains;
- (m) a record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

Reason: In the interests of amenities, public health and safety.

22. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 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.

23. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall:
- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
 - (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
 - (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Coimisiún Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

24. The developer shall consult with Dublin Airport Authority and the Irish Aviation Authority to agree any proposals for crane operations (whether mobile or tower crane) prior to the commencement of development.

Reason: In the interest of orderly development.

25. Prior to commencement of development, the developer 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 provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this Order, the

matter in dispute (other than a matter to which section 96(7) applies) may 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.

25. 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 planning 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.

26. 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.

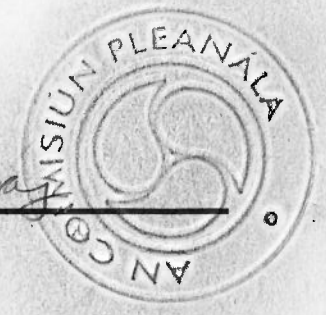
Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Patricia Calleary

Patricia Calleary

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this *24th* day of *July*

2025

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