

An
Coimisiún
Pleanála

**Commission Order
ABP-321966-25**

Planning and Development Act 2000, as amended

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD24A/0268W

Appeal by Gregory O'Toole against the decision made on the 10th day of February, 2025 by South Dublin County Council to grant, subject to conditions, a permission to 1 Celbridge West Land Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: Permission for development on this site of circa 0.8112 hectares. The development will consist of road and water services upgrade works on Fortfield Road and College Drive. The proposed upgrade works are to facilitate a concurrent Large-Scale Residential Development (LRD) planning application proposed by the applicant on adjoining lands within the functional administrative area of Dublin City Council (DCC) at College Drive and Fortfield Road, Terenure, Dublin.

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

Having regard to the nature and scale of the proposed development for upgrade works to an existing T-junction on the public road and for works within the public realm, it is considered that the proposed development would be in accordance with the provisions of the South Dublin County Development Plan 2022-2028, would not endanger public safety by reason of traffic hazard, would not injure the residential or visual amenity of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment: Stage 1:

The Commission considered the documents submitted by the Applicant, and all the other relevant submissions on file, and carried out an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites. The Commission agreed with the screening assessment and conclusion carried out in the Inspector's Report that Dublin Bay Special Area of Conservation (Site Code 000210), North Dublin Bay Special Area of Conservation (Site Code 000206), South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code 004024), North Bull Island Special Protection Area (Site Code 004006) and North-West Irish Sea Special Protection Area (Site Code 004236) are the only European Sites in respect of which the proposed development has the potential to have a significant effect in view of the Conservation Objectives for the sites and that Stage 2 Appropriate Assessment is, therefore, required.

Appropriate Assessment: Stage 2:

The Commission considered the Natura Impact Statement and all other relevant submissions including expert submissions received and carried out an Appropriate Assessment of the implications of the proposed development on Dublin Bay Special Area of Conservation (Site Code 000210), North Dublin Bay Special Area of Conservation (Site Code 000206), South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code 004024), North Bull Island Special Protection Area (Site Code 004006) and North-West Irish Sea Special Protection Area (Site Code 004236), in view of the sites' conservation objectives. The Commission considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the conservation objectives of the sites using the best available scientific knowledge in the field.

In completing the assessment, the Commission considered, in particular, the following:

- (a) the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- (b) the mitigation measures which are included as part of the current proposal, and
- (c) the conservation objectives for the European Sites.

In completing the Appropriate Assessment, the Commission accepted and adopted the Appropriate Assessment carried out in the Inspectorate Ecologists report in respect of the potential effects of the proposed development on the aforementioned European Sites, having regard to the sites' conservation objectives.

In overall conclusion, the Commission was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Sites in view of their conservation objectives. This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable scientific doubt as to the absence of adverse effects.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, and the documents received by An Coimisiún Pleanála on the 28th day of August 2025 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 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 how the construction of the proposed water service pipe would be managed and constructed on site.

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

3. The mitigation measures, contained in the Natura Impact Statement (NIS), shall be implemented fully.

Reason: To protect the integrity of European Sites.

4. The developer shall comply with the following requirements of the Roads Department of the planning authority.
 - (a) All items and areas for taking in charge shall be undertaken to a taking in charge standard. Prior to development the developer shall submit construction details of all items to be taken in charge. No development shall take place until these items have been agreed in writing with the planning authority.
 - (b) Any road marking proposed and or to be installed shall comply with most up to date version of the Traffic Signs Manual.
 - (c) No vehicle shall be allowed to park, intrude or obstruct public footpaths/cycle line during the construction and operational stage unless agreed through the construction and traffic management plan.
 - (d) The applicant, owner or developer shall submit a method statement outlining how the location of underground services will be managed.

Reason: In the interests of traffic, pedestrian and public safety.

5. Prior to commencement of development, the developer shall submit an Arborists Report, completed by a suitably qualified arborist and for the written agreement of the planning authority, detailing the impact on any trees this application may have and proposals for mitigating the loss of any trees due to the works required, The developer shall ensure the protection of the existing street tree to be retained through the installation of suitable tree protection fencing for the duration of the construction works. Commencement of development should not be permitted without adequate protective fencing being in place in line with BS 5837. This must be installed prior to any plant, vehicle, or machinery access on site. Fencing must be clearly signed 'Tree Protection Area – No Construction Access'. No Excavation, plant vehicle movement, materials or soil storage is to be permitted within the fenced tree protection areas indicated on plan.

Reason: In the interests of tree protection and the retention of green infrastructure.

6. 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 where prior written approval has been received from the planning authority.

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

7. Prior to the commencement of development, the developer shall enter into a connection agreement with Uisce Éireann (Irish Water) to provide for a service connection to the public water supply and/or wastewater collection network. All works shall be carried out in accordance with the requirements of Uisce Éireann.

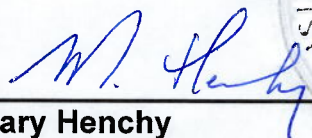
Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

8. (a) All works undertaken shall ensure the protection of the existing 225 millimetres surface water sewer along College Drive and ensure that required separation distance of proposed watermain to same are maintained.
- (b) All works shall comply with the Greater Dublin Regional Code of Practice for Drainage Works.

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

9. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the reinstatement of public roads which may be damaged by the transport of materials to the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory reinstatement of the public road. 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 that the public road is satisfactorily reinstated, if necessary.



M. Henchy



Mary Henchy

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 31st day of March 2026