



An
Bord
Pleanála

Inspector's Report ABP-317346-23

Development	Proposed development of 217 no. residential units, consisting of 121 no. houses and 96 no. apartments, ranging from 2-4 storeys in height, in a mixed tenure development.
Location	Church Fields East, Mulhuddart, Dublin 15.
Applicant	Fingal County Council
Type of Application	Section 175(3) of the Planning and Development Act 2000 (as amended)
Prescribed Bodies	<ol style="list-style-type: none">1. Transport Infrastructure Ireland2. DAU – Department of Housing, Local Government and Heritage.
Observers	Minister Roderic O’Gorman & Councillor Pamela Conroy
Date of Site Inspection	1 st August 2023
Inspector	Stephen Ward

Contents

1.0 Introduction	3
2.0 Site Location and Description	3
3.0 Proposed Development	4
4.0 Planning History.....	7
5.0 Relevant Planning Policy	8
6.0 Third Party Submissions.....	14
7.0 Prescribed Bodies.....	14
8.0 Assessment.....	15
9.0 Environmental Impact Assessment.....	43
10.0 Appropriate Assessment Screening	59
11.0 Recommendation	68
12.0 Recommended Draft Board Order	69

1.0 Introduction

- 1.1. This is an application for development approval submitted to An Bord Pleanála (the Board) under Section 175(3) of the Planning and Development Act 2000, as amended. Applications under Section 175(3) are made by Local Authorities when the authority proposes to carry out development within its functional area, in respect of which an Environmental Impact Assessment Report (EIAR) has been prepared.

2.0 Site Location and Description

- 2.1. The subject site has a stated area of 5.52 hectares and is located on the north-western fringes of Dublin City, approximately 10km northwest of the city centre. It is located c. 1km north of Mulhuddart village centre and the N3 National Primary Road. The surrounding area includes a mix of uses, mainly including industrial/business parks and residential estates.
- 2.2. The site is bound to the north by Damastown Avenue, as well two schools and a church on the opposite side of the road. To the east of the site is Church Road and Mulhuddart Cemetery. The lands to the west are the subject of a previously approved (Part 8) Fingal County Council housing scheme which is currently under construction (see section 4 of this report for details). To the south of the site is Wellview Park which adjoins the Wellview residential estate to the west.
- 2.3. The site itself consists of three separate portions. The main portion of the site adjoins the Damastown Avenue / Church Road junction. The northern part of this main portion is currently in construction use associated with adjoining footpath/cycleway improvements. Otherwise, it is undeveloped and generally consists of grassland / playing fields bounded by hedgerows and ditches. There is a line of mature Beech trees along Church Road to the east. The two smaller site portions are located to the west. They overlap the site of the previously permitted FCC housing scheme and generally consist of scrub vegetation.

3.0 Proposed Development

3.1. The development involves the construction of 217 no. residential units in a development which can be summarised as follows:

1. The construction of:
 - 121 no. two and three storey houses (34 no. 2 beds, 76 no. 3 beds, & 11 no. 4 beds);
 - 3 no. four-storey apartment blocks with balconies on all elevations, green roofs, and external amenity courtyards, providing a total of 96 no. units (36 no. 1 beds, 56 no. 2 beds, & 4 no. 3 beds)
2. Landscape works including:
 - (a) provision of Class 2 open space of 7,600 sqm, private communal open space of 725 sqm, playgrounds and kick about areas;
 - (b) new pedestrian and cycle connections to Damastown Avenue to the north; to the new Church Fields footpath cycleway to the east; and to the linear park to the south; and
 - (c) a new pedestrian connection to Church Road and to Mulhuddart Cemetery on Church Road
3. 306 no. car parking spaces (263 no. residential and 43 no. visitor spaces), including 15 accessible spaces; and 897 no. bicycle parking long term and short-term spaces, including 6 no. external bike stores providing 300 bicycle spaces for the apartments, and 16 no. free-standing bike bunkers accommodating 96 no. bicycle spaces for mid-terrace houses;
4. A temporary construction access to the site from Damastown Avenue;
5. Associated site and infrastructural works include provision for water services, foul and surface water drainage and associated connections to the permitted Church Fields Housing and Eastern Linear Park scheme (as permitted under Plan Reg. Ref.: PARTXI/012/21); and Sustainable Drainage Systems, including permeable paving, green roofs and swales. The proposed development includes for proposed surface water drainage which is amended

from that permitted under Church Fields Housing and Eastern Linear Park development.

6. The proposed application includes all site enabling and development works, landscaping works, PV panels, bins stores, plant, storage, boundary treatments, ESB substations, lighting, servicing, signage, and all site development works above and below ground.

3.2. The dwelling mix is proposed as follows:

Apartment Type	No. of Units	Percentage of Units
1 bed	36	16.5
2 bed	90	41.5
3 bed	80	37
4 bed	11	5
Total	217	100

3.3. The application site forms part of a strategic landholding in the ownership of Fingal County Council (FCC) and is intended to play a significant role in the delivery of social and affordable housing. FCC are committed to delivering a sustainable community on these lands and have made a number of applications within recent years. In addition to the recently granted residential development to the west of the site, lands further west are also within the ownership of FCC and will be subject to future applications.

3.4. The key figures relating to the proposed development are summarised in the table below.

Key Figures for the Proposed Development

Site Area	5.52 ha
No. of dwellings	217 units (121 houses, 96 apartments)
Density	39.3 units per ha (gross). 41.2 uph (net) i.e. excluding the 2 attenuation sites.

Height	2-4 storeys
Dual Aspect	83% of apartment units
Car Parking	306 spaces (263 for residents and 43 for visitors).
Bicycle parking	897 spaces
Communal Amenity Space	725m ² for Apartment Blocks
Public Open Space	Class 2 open space of 7,600m ²

3.5. In addition to the standard plans and particulars, the application is accompanied by the following documents and reports:

- Planning Report
- Architectural Design Statement
- Housing Quality Assessment
- Schedule of Accommodation & Areas Summary
- Building Life Cycle Report
- Appropriate Assessment Screening Report
- Environmental Impact Assessment Report (EIAR)
- Preliminary Construction Environmental and Waste Management Plan
- Social Infrastructure and Childcare Demand Report
- Landscape Design Statement and Landscape Drawing Pack
- Photomontages
- Engineering Assessment Report and Engineering Services Drawing Pack
- Site Specific Flood Risk Assessment
- Surface Water Management Plan
- Traffic and Transport Assessment
- DMURS Statement of Consistency

- Travel Plan
- Stage 1 Road Safety Audit
- Ground Investigation Report
- Waste Classification Report
- Daylight/ Sunlight Assessment
- Climate Action Energy Statement
- Operational Waste Management Plan
- Resource & Waste Management Plan
- Tree Survey & Planning Report.

4.0 Planning History

- 4.1. Apart from the overlap with the permitted Part 8 housing scheme to the west, there would not appear to be any recent planning history relating to the site itself. The applicant's Planning Report outlines a range of Part 8 FCC applications in the surrounding area which can be summarised as follows:

FCC Reg. Ref. PARTXI/001/22: Permission for development to the south of the site comprising of rejuvenation and upgrade of Wellview Park and two existing areas of public realm in Wellview Green and Wellview Terrace. Works included pedestrian access points, footpath upgrades, paving and associated drainage works and planning permission. Approved on 10th October 2022.

FCC Reg. Ref. PARTXI/012/21: Permission for development to the west of the site comprising 300 no. dwellings, 1 no. creche facility, 1 no. communal facility, 2 no. retail units and an Eastern Linear Park and all associated site development works on a total site of 9.47ha. Approved on 14th March 2022 and currently under construction.

FCC Reg. Ref. PARTXI/010/19: Permission for development comprising 70 no. dwellings, a total of 136 no. car parking spaces and all associated site development works to the west of Avondale (to the southwest of the subject application area). Approved on 10th February 2020 and at an advanced stage of construction.

FCC Reg. Ref. PARTXI/011/19: Permission for development consisting of a new link road from the existing roundabout on Damastown Avenue connecting to Wellview Avenue, a new combined cycle track and footway along Damastown Avenue and through the future parkland area adjacent to Church Road, and a new cycle route from Damastown Avenue/ Church Road to Powerstown Educate Together National School, located on Powerstown Road. Approved and currently under construction. Vehicular access to the site subject of this application will be provided via this development.

FCC Reg. Ref. PARTXI/006/18: Permission for development on site to the southwest of the application site consisting of 20 no. 2-storey 2, 3 and 4 no. bedroom houses and a total of 44 no. car parking spaces. Approved on 8th April 2019 and is almost complete.

5.0 Relevant Planning Policy

5.1. National Policy

5.1.1. Having considered the nature of the proposal, the receiving environment, and the documentation on file, I am of the opinion that the directly relevant Section 28 Ministerial Guidelines are:

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, including the associated Urban Design Manual (2009) (the 'Sustainable Residential Development Guidelines').
- Design Manual for Urban Roads and Streets (DMURS) (2019).
- The Planning System and Flood Risk Management (including the associated Technical Appendices) (2009).
- Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2023) (the 'Apartment Guidelines')
- Urban Development and Building Height, Guidelines for Planning Authorities (2018) (the 'Building Height Guidelines')
- Delivering Homes, Sustaining Communities (2007) and the accompanying Best Practice Guidelines - Quality Housing for Sustainable Communities.

Other relevant national guidelines include:

- Framework and Principles for the Protection of the Archaeological Heritage, Department of Arts, Heritage, Gaeltacht and the Islands 1999.
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, (Department of Housing, Local Government and Heritage) (August 2018).
- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities (Department of Environment, Heritage and Local Government, 2009).

5.1.2. 'Housing for All - a New Housing Plan for Ireland (September 2021)' is the government's housing plan to 2030. It is a multi-annual, multi-billion-euro plan which aims to improve Ireland's housing system and deliver more homes of all types for people with different housing needs. The overall objective is that every citizen in the State should have access to good quality homes:

- To purchase or rent at an affordable price
- Built to a high standard in the right place
- Offering a high quality of life.

5.1.3. 'Project Ireland 2040 – The National Planning Framework (NPF)' is the Government's high-level strategic plan for shaping the future growth and development of the country to the year 2040. A key element of the NPF is a commitment towards 'compact growth', which focuses on a more efficient use of land and resources through reusing previously developed or under-utilised land and buildings. It contains several policy objectives that articulate the delivery of compact urban growth as follows:

- NPO 3 (b) aims to deliver at least 50% of all new homes targeted for the five cities within their existing built-up footprints.
- NPO 4 promotes attractive, well-designed liveable communities.
- NPO 6 aims to regenerate cities with increased housing and employment.
- NPO 11 outlines a presumption in favour of development in existing settlements, subject to appropriate planning standards.

- NPO 13 promotes a shift towards performance criteria in terms of standards for building height and car parking.
- NPO 27 seeks to integrate alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility.
- NPO 33 prioritises new homes that support sustainable development at an appropriate scale relative to location.
- NPO 35 seeks to increase densities through a range of measures including site-based regeneration and increased building heights.

5.1.4. The Climate Action Plan 2023 implements carbon budgets and sectoral emissions ceilings and sets a roadmap for taking decisive action to halve our emissions by 2030 and reach net zero no later than 2050. By 2030, the plan calls for a 40% reduction in emissions from residential buildings and a 50% reduction in transport emissions. The reduction in transport emissions includes a 20% reduction in total vehicle kilometres, a reduction in fuel usage, significant increases in sustainable transport trips, and improved modal share.

5.2. Regional Policy

5.2.1. The primary statutory objective of the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031 (RSES) is to support implementation of Project Ireland 2040 and the economic and climate policies of the Government by providing a long-term strategic planning and economic framework for the Region.

5.2.2. The site is located within the 'Dublin City and Suburbs' area. Regional Policy Objective (RPO) 4.3 supports the consolidation and re-intensification of infill/brownfield sites to provide high density and people intensive uses within the area and aims to ensure that the development of future development areas is co-ordinated with the delivery of key water infrastructure and public transport projects.

5.2.3. A Metropolitan Strategic Area Plan (MASP) has also been prepared for Dublin and guiding principles for the area include compact sustainable growth and accelerated housing delivery; Integrated Transport and Land use; and the alignment of growth with enabling infrastructure. The MASP seeks to focus on several strategic development areas/corridors that will deliver significant development in an integrated

and sustainable fashion. The North West Corridor runs along the N3 to the south of the site from Dublin City Centre towards the Maynooth / Dunboyne line and DART expansion plans.

- 5.2.4. The Greater Dublin Area Transport Strategy 2022-2042 (NTA) sets out a framework aiming to provide a sustainable, accessible and effective transport system for the area which meets the region's climate change requirements, serves the needs of urban and rural communities, and supports the regional economy.

5.3. **Local Policy**

Fingal County Development Plan 2023-2029

- 5.3.1. The Core Strategy reflects national and regional objectives to promote compact growth, regeneration of underutilised lands, and sustainable development. It identifies Blanchardstown – Mulhuddart LEA as being within the 'Dublin City and Suburbs Consolidation Area', with a projected housing demand of 1,761 units; a total available zoned residential land of 90ha; and total units/potential yield of 4,495 units.

- 5.3.2. Chapter 3 sets out the strategy to guide successful healthy placemaking and ensure quality housing. It includes a range of policies and objectives which accord with the NPF and RSES, the Housing Strategy and HNDA prepared in support of the Development Plan, and national planning guidance. Relevant policies can be summarised as follows:

Policy SPQHP29 - Support the initiatives under 'Housing for All' in providing for Fingal's requirements for social affordable and cost-rental housing, including a focus on the development of publicly owned sites.

Objective SPQHO22 - Aims to make 30% of social housing fully accessible and built with a universal design approach.

Objective DMSO37 - Requires new residential developments in excess of 100 units to provide 10% of the units as age friendly accommodation.

- 5.3.3. Chapter 4 outlines the importance of community infrastructure and open space to healthy place making. Relevant policies and objectives include the following:

Policy CIOSP2 – Promotes the preparation of community and social infrastructure audits for large-scale developments.

Objective CIOSO5 – Ensure proposals for large scale residential developments include a community facility, unless needs are already adequately served.

Objective CIOSO44 – Facilitate the provision of appropriately scaled children’s playground facilities within new and existing residential development in line with the Council’s Play Policy.

5.3.4. Chapter 5 outlines the role of the plan in helping Fingal realise its potential to be a low carbon society and mitigating the impacts of climate change. It encourages the form, design, and layout of new development to positively address climate change and Policy CAP12 states that all new developments involving 15 residential units and/or more than 1,000 sq. m. of commercial floor space will be required to submit a Climate Action Energy Statement.

5.3.5. Chapter 6 ‘Connectivity and Movement’ recognises and supports a collaborative approach that needs to be taken by all stakeholders to ensure the delivery of a sustainable transport network including key transport projects, new walking and cycling infrastructure, behavioural change initiatives and improved roads access. Relevant policies and objectives include the following:

Policy CMP2 – Concentrate compact growth around existing and planned transport services ensuring that travel demand and car-based travel is reduced.

Objective CMO3 – Supports high-density, mixed-use development and trip intensive uses along public transport corridors.

Objective CMO23 – Supports the delivery of key sustainable transport projects including MetroLink, BusConnects, DART+ and LUAS expansion programme.

Policy CMP25 – Implement a balanced approach to car parking, using parking as a demand management measure to promote a transition towards more sustainable forms of transportation, while meeting the needs of businesses and communities.

5.3.6. Chapter 9 deals with ‘Green Infrastructure and Natural Heritage’ and aims to develop and protect a network of interconnected natural areas, biodiversity, and natural heritage.

5.3.7. Chapter 11 deals with ‘Infrastructure and Utilities’. It outlines a range of policies and objectives to develop and protect water and waste infrastructure, and to protect air, noise, and light conditions.

- 5.3.8. Chapter 13 aims to implement the zoning objectives for each area while avoiding abrupt transitions at the boundaries between zones. The site is part of the larger 'RS - Residential' zone. The objective for this zone is to *'provide for residential development and protect and improve residential amenity'* and the vision is to *'Ensure that any new development in existing areas would have a minimal impact on and enhance existing residential amenity'*. There is also an objective to *'Protect & Preserve Trees, Woodlands and Hedgerows'* along the eastern margin of the site.
- 5.3.9. Chapter 14 outlines 'Development Management Standards' in an aim to ensure that development occurs in an orderly and efficient manner which contributes to the Core Strategy and related policies and objectives. Relevant aspects include the following:
- Section 14.5.2 and 14.5.3 promote building density and height in accordance with national and regional policy and guidance.
- Section 14.6 outlines a range of design criteria and standards for various types of residential development, which is based on national guidance documents including the Apartments Guidelines.
- 5.3.10. Section 14.13 deals with Open Space based on the principles of 'Hierarchy and accessibility', 'Quantity', and 'Quality'. The following elements are noted:
- Objective DMSO51** – Requires a minimum public open space provision of 2.5 hectares per 1000 population.
- Section 14.13.2.** - It is the intention of the Council to ensure, except under exceptional circumstances, that public open space provision exceeds 12% of a development site area.
- Objectives DMSO52 and DMSO53** – Require that public open space shall be provided in accordance with Table 14.12 and other provisions.
- Objective DMSO56** – Ensure every home within a new residential scheme is located within 150 metres walking distance of a park.
- Objective DMSO68** – Provide appropriately scaled children's playground facilities within residential development (4 sq m per residential unit).
- Objective DMSO69** – Ensure that equipped playgrounds shall occupy an area of no less than 0.02 hectares and include a minimum of one piece of play equipment for every 50 sq. m.

5.3.11. Section 14.17 'Connectivity & Movement' outlines a range of transport standards and objectives, including bicycle and car parking standards.

6.0 **Third Party Submissions**

6.1. One submission has been received on behalf of Minister Roderic O'Gorman & Pamela Conroy. The submission fully supports the application and the points raised can be summarised as follows:

- The proposal will deliver much needed social and affordable housing.
- The mixed tenure nature of the development is very welcome.
- The designation of 11 or 28 units as accessible may not comply with Objective SPQHO22 of the Development Plan, which aims to make 30% of social housing fully accessible and built with a universal design approach, or Objective DMSO37, which requires new residential development in excess of 100 units includes 10% of the units as age-friendly accommodation. It is suggested that clarity is sought on these matters.
- The design of the public open spaces is supported but it is suggested that additional seating should be provided.
- The proposed cycling infrastructure and storage facilities are welcomed. However, cycle storage facilities should be provided for cargo bikes and adapted bicycles for those with disabilities.
- The inclusion of a childcare facility is welcomed and should be retained as such.

7.0 **Prescribed Bodies**

7.1. **Transport Infrastructure Ireland**

TII states that it has no observations to make on the application.

7.2. **DAU – Department of Housing, Local Government, and Heritage**

The submission outlines that there are no objections subject to archaeological conditions.

8.0 Assessment

8.1. I have considered all of the documentation and drawings on file, the submissions from prescribed bodies, the statutory Development Plan, as well as relevant national policy, regional policy, and section 28 guidelines. Having regard to the foregoing, I consider that the main planning issues arising from the proposed development can be addressed under the following headings:

- Principle of Development
- Building Height and Quantum of Development
- The Standard of Residential Amenity Proposed
- Impacts on Surrounding Properties
- Daylight and Sunlight
- Design, Layout and Visual Amenity
- Social/Community Facilities and Public Open Space
- Traffic and Transport.

8.2. Principle of Development

8.2.1. The application site is zoned 'RS - Residential' under the Fingal Development Plan 2023-2029. The objective of RS zoned lands is to *'provide for residential development and protect and improve residential amenity'*, and the vision is to *'Ensure that any new development in existing areas would have a minimal impact on and enhance existing residential amenity'*. Residential use is 'permitted in principle' in the RS zone in accordance with section 13.5 of the Development Plan.

8.2.2. The proposed development would contribute towards the Core Strategy which outlines a potential yield of 4,495 units for the Blanchardstown – Mulhuddart LEA. More particularly, the CDP Housing Strategy outlines the need to deliver 690 no. social homes during the period 2023-2026 and the proposed development would make a significant contribution by providing 31% of that overall target.

8.2.3. Having regard to the foregoing, I am satisfied that the proposed development would positively contribute towards the Core Strategy and Housing Strategy targets for the area and would comply with the 'RS' land use objective for the site as detailed in the

County Development Plan. It is my view that the principle of residential development at this location is acceptable subject to the further assessment of normal parameters as outlined in the following sections of this report.

8.3. Building Height and Quantum of Development

- 8.3.1. The development has a height of up to 4 storeys and contains 217 no. units on a stated site area of 5.52ha. This results in a gross density of 39 uph. When the two smaller site portions are excluded (i.e. the attenuation sites overlapping the permitted scheme to the west, estimated at 0.26ha) the net site area of 5.26ha would accommodate a slightly higher density of 41 uph.
- 8.3.2. In terms of national policy and guidance, I note that the 2009 Guidelines on 'Sustainable Residential Development in Urban Areas' recommend that the greatest efficiency in land usage on 'outer suburban / greenfield sites' will be achieved by providing net residential densities in the general range of 35-50 dwellings per hectare.
- 8.3.3. Following on from the above, Chapter 3 of the *Building Height Guidelines* outlines that development in 'suburban/edge locations' should include an effective mix of 2, 3 and 4-storey development, with 4 storeys or more alongside existing larger buildings, trees and parkland, river/sea frontage or along wider streets. SPPR 4 outlines that such development must secure the minimum densities outlined in the 'Sustainable Residential Development Guidelines', as well as a greater mix of building height and typologies.
- 8.3.4. Section 2.4 of the Apartments Guidelines states that 'Intermediate Urban Locations' are generally suitable for smaller-scale (will vary subject to location), higher density development that may wholly comprise apartments, or alternatively, medium-high density residential development of any scale that includes apartments to some extent (will also vary, but broadly >45 dwellings per hectare net).
- 8.3.5. At local level, the Development Plan supports the principle of increased height and density at suitable locations in accordance with the criteria outlined in the aforementioned national guidance documents. It does not contain any absolute maximum or minimum limits on what can be permitted, subject to further assessment and compliance with national policy and guidance.

8.3.6. Having regard to the proposal for building height of 4 storeys and a net density of c. 41 units per hectare, I consider that the proposal is broadly consistent with the national guidance on height and density for intermediate/suburban greenfield sites. Accordingly, the proposal is also consistent with Development Plan standards, and I would have no objection in this regard. Of course, the proposed height and density requires further assessment of its suitability, with particular regard to design and layout and its impact on the surrounding environment, infrastructural capacity, and neighbouring properties. These issues will be addressed in the following sections of my report.

8.4. **The Standard of Residential Amenity Proposed**

8.4.1. The standard of residential development is considered in this section, particularly with regard to the quantitative and qualitative standards outlined in the Development Plan, the 2023 Apartments Guidelines, and the 2007 Guidelines on Quality Housing for Sustainable Communities.

Housing Mix

8.4.2. The development proposes a mix of houses and apartments including a proportion of 1-beds (16.5%), 2-beds (41.5%), 3-beds (37%), and 4-bed (5%). The Development Plan does not include any specific requirements for the mix of housing units, but rather generally requires an appropriate/balanced mix of units to meet the needs of residents.

8.4.3. The Apartments Guidelines highlight the need for greater flexibility, including removing restrictions in relation to apartment mix. SPPR 1 outlines that developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios), and that there shall be no minimum requirement for apartments with three or more bedrooms. It allows for statutory plans to specify an apartment mix, but only further to an evidence-based Housing Need and Demand Assessment (HNDA). The proposed total of 36 no. 1-bed apartments would account for just 37.5% of the total apartments (96) or 16.5% of the overall units (217) which would not exceed the 50% limit as per SPPR 1. Accordingly, I would have no objections to the proposed housing mix.

8.4.4. I note the observation received regarding the provision of accessible / age-friendly units and compliance with objectives SPQHO22 and DMSO37 of the Development

Plan. I am satisfied that these matters can be satisfactorily addressed at detailed design stage subject to clarification as a condition of any approval. Any subsequent amendments would not significantly affect the design and layout of the scheme and I am satisfied that this would not constitute a material contravention of the Development Plan.

Floor Areas and Dimensions

- 8.4.5. For apartments, the Development Plan requirements are consistent with the standards outlined in the Apartment Guidelines. The application includes a Housing Quality Assessment (HQA) for each apartment block. It outlines that all proposed units exceed the minimum overall apartment floor areas as set out in SPPR 3 of the Apartment Guidelines. Furthermore, with regard to 'Safeguarding Higher Standards', the Guidelines requires that the majority of all apartments in any proposed scheme of 10 or more apartments shall exceed the minimum floor area standard for any combination of the relevant 1-, 2- or 3-bedroom unit types, by a minimum of 10%. The HQA outlines substantial compliance with this provision.
- 8.4.6. I have also considered the other requirements of Appendix 1 of the Apartment Guidelines, including the areas/dimensions for living/kitchen/dining areas, bedrooms and storage. Having reviewed the applicant's HQA and the floor plans submitted, I am satisfied that the room widths and areas are satisfactorily provided in accordance with the flexibility allowable under the Guidelines.
- 8.4.7. For houses, the Development Plan states that the minimum size of habitable rooms for houses shall conform with dimensions as set out in 'Quality Housing for Sustainable Communities' (2007) or the appropriate National Guidelines standards in operation at the date of lodging the application. I have reviewed the target/minimum areas for dwellings as set out in Table 5.1 of the Guidelines and I note that gross floor areas for each of the proposed houses exceeds the stated requirements. The proposals are also consistent with the individual and cumulative requirements for living rooms/areas, bedrooms, and storage space as set out in Table 5.1.

Aspect

- 8.4.8. For apartments, the Development Plan requirements (s. 14.7.4) outline the need to comply with SPPR 4 of the Apartment Guidelines, which requires a minimum of 50% dual aspect units in suburban or intermediate locations. The applicant's HQA

outlines that the proposed development includes 80 no. dual-aspect units or 83% of the total apartments. All of the 2-bed and 3-bed units are dual-aspect and no single-aspect units face to the north. Accordingly, I consider that the dual aspect requirements of the Guidelines would be satisfactorily addressed.

- 8.4.9. All of the proposed houses are dual aspect as would be expected. This means that a total of 201 units (or 92% of all units) are dual aspect.

Ceiling Heights

- 8.4.10. The proposed apartment ceiling heights are 3m at ground floor levels and 2.7m on upper floors. This exceeds the requirements of the Apartments Guidelines (i.e. at least 2.7m at ground floor (as per SPPR 5) and 2.4m at upper floor levels). This is also consistent with Development Plan requirements.

Lift and Stair Cores

- 8.4.11. The Development Plan standards are consistent with SPPR 6 of the Apartments Guidelines which allows a maximum of 12 apartments per floor per core. The proposed development would have a maximum of 8 apartments per stair/lift core and would comply with this standard.

Private Amenity Space

- 8.4.12. Appendix 1 of the Apartments Guidelines sets out minimum requirements for the provision of private open space, which are also adopted in the Development Plan standards. The Guidelines state that such space should be provided in the form of gardens or patios/terraces for ground floor apartments (with appropriate privacy and security) and balconies at upper levels. Private amenity space should be located to optimise solar orientation and designed to minimise overshadowing and overlooking. Balconies should adjoin and have a functional relationship with the main living areas of the apartment and have a minimum depth of 1.5 metres.
- 8.4.13. Having reviewed the applicant's HQA and the submitted floor plans, I note that all apartment private amenity spaces exceed the width/area standards and in most cases significantly so. The spaces would be suitably accessed off the main living areas and privacy/security treatment is proposed around the ground level patio spaces.

8.4.14. For houses, the Development Plan (s. 14.8.3) states that private open space shall be 60m² (3-bed or less) or 75m² (4-bed or more). A reduced standard for one- and two-bedroom townhouses may be allowed in circumstances where a particular design solution is required such as to develop small infill/ corner sites. In no instance will the provision of less than 48m² of private open space be accepted per house. Having regard to the nature of the site, the design of the scheme, and the pattern of surrounding development, I consider that a reduced standard of 48m² is acceptable for the proposed 2-bed units (the vast majority of which are mid-terrace 'townhouse' type units). The HQA outlines that the proposed gardens comply with the aforementioned space standards, and I have no objection in this regard. The rear gardens are generally accessible for the purposes of bin/bike storage etc. However, where mid-terrace rear gardens are not directly accessible, front garden areas provide adequate facilities for bin/bike storage. Accordingly, I consider that the private amenity space for the proposed houses is acceptable.

Security

8.4.15. The proposed units generally overlook the public realm to provide for natural/passive surveillance of streets, open spaces, play areas and any surface parking areas. Entrance points would be clearly distinguished and overlooked, including the ground floor apartments and access to external communal areas. The ground floor entrances are also adequately setback from the surrounding public realm so as to maintain a sense of privacy and security.

Communal Facilities

- 8.4.16. I am satisfied that the access and services within the proposed development have been appropriately designed to ensure universal access for people of all ages and abilities. The hallways and shared circulation areas in the apartment blocks are appropriate in scale, width, and length, and they will be well lit and ventilated.
- 8.4.17. The Guidelines also state that notwithstanding the Planning Guidelines for Childcare Facilities (2001), the threshold for provision of any such facilities should be established having regard to the scale and unit mix of the proposed development; the existing geographical distribution of childcare facilities; and the emerging demographic profile of the area. The 'Social Infrastructure & Childcare Demand Report' accompanying the application sets out that the childcare requirements for the

development will be met by the recently permitted Church Fields Part 8 development which incorporates a creche with capacity for c. 95 - 140 no. children. (Reg. Ref. PARTXI/012/21). I consider this conclusion to be acceptable as outlined in section 8.8 of this report.

- 8.4.18. The application includes an Operational Waste Management Plan which estimates the waste volumes generated by the proposed development. It outlines that waste storage areas have been provided at ground level for each apartment block, while each house will have bin storage areas to the rear/front gardens. The application confirms that storage receptacles for the apartments will be provided in accordance with estimated volumes by the facilities management company, while individual house occupiers will be responsible for making arrangements through waste contractors. I am satisfied that the waste strategy is in accordance with the relevant waste policy and legislation, and that it will provide a suitable service for the residential amenity of the occupants.

Communal Open Space

- 8.4.19. The Development Plan standards for apartments are also consistent with those outlined in Appendix 1 of the Apartments Guidelines. Based on those standards, the proposed development requires 608m² of communal open space. The proposed development includes a total of 725m² of dedicated communal space distributed evenly around the 3 no. apartment blocks. The spaces are accessible to residents and are usable and secure. The Landscape Masterplan and associated drawings outlines a planting strategy which will ensure a high quality of communal open space.

Play Facilities

- 8.4.20. Objective DMSO68 of the Development Plan aims to ensure the provision of playground facilities at a rate of 4m² per residential unit, while Objective DMSO69 outlines that playgrounds shall occupy an area no less than 0.02 hectares and shall include at least one piece of play equipment for every 50 sq. m of playground.
- 8.4.21. The Apartment Guidelines also acknowledge the need for developments such as this to cater for communal children's play as follows:

- within small play spaces (about 85 – 100 sq. metres) for the specific needs of toddlers and children up to the age of six, with suitable play equipment, seating for parents/guardians, and within sight of the apartment building,
- within play areas (200–400 sq. metres) for older children and young teenagers.

8.4.22. The proposed development includes small ‘natural play’ areas within each of the communal spaces serving the apartment blocks. The proposed public open space areas also include a range of amenities including ‘kickabout areas’ and ‘natural play areas’. Having considered the size, range, and design of the proposed areas, I consider that they provide adequate play facilities to serve the proposed development.

8.4.23. However, the application has not clarified compliance with Objectives DMSO68 and DMSO69. I am satisfied that this can be easily achieved within the scheme and that the matter can be suitably addressed as a condition of any approval. Any subsequent amendments would not require significant revisions to the design and layout of the scheme. Accordingly, I am satisfied that this would not constitute a material contravention of the Development Plan.

Separation Distances

8.4.24. The Development Plan (including Objective DMSO23) outlines that a minimum distance of 22 metres between directly opposing rear first floor windows shall generally be observed unless alternative provision has been designed to ensure privacy. In residential developments over three-storeys in height, minimum separation distances shall be increased in instances where overlooking or overshadowing occurs. For Housing Developments, s. 14.8.2 of the Plan also outlines that the 22m requirement may be reduced where sufficient alternative private open space (e.g. to the side) is available. Objective DMSO26 also generally requires a separation distance of 2.3m between the side walls of houses.

8.4.25. In recognition of the NPF preference for performance-based standards appropriate to location, the Apartments Guidelines advise against blanket restrictions on building separation distance. The Guidelines highlight a need for greater flexibility in order to achieve significantly increased apartment development in Ireland’s cities and points to separate guidance to planning authorities as outlined in the Building Height

Guidelines. The Sustainable Residential Development Guidelines also recommend that the traditional 22m rule should be interpreted flexibly.

- 8.4.26. The proposed development is generally consistent with the requirement for 22m between directly opposing windows. Where minor shortfalls exist (e.g. c. 20 metres), I am satisfied that the distances are acceptable in accordance with the flexibility allowed in local and national policy. I acknowledge that there are instances where there are significant shortfalls on the 22m distance (e.g. at the corners of blocks). However, in such instances the units have been designed with blank gables to avoid direct overlooking. I do not consider that these instances would materially contravene the Development Plan. I am also satisfied that the 2.3m distance between the sides of dwellings has been satisfactorily addressed.

Conclusion on Residential Standards

- 8.4.27. As outlined in the foregoing, I have considered the nature, scale, design and layout of the proposed development. I have reviewed the applicant's Housing Quality Assessment and the associated plans and particulars, and I am satisfied that the information provided regarding floor areas, dimensions, and aspect is accurate. I am satisfied that the proposed development would provide a suitable mix and typology of units that would provide an acceptable level of residential amenity for the prospective occupants. The development would also be supported by an appropriate level of communal services and facilities. Accordingly, I would have no objections in this regard. Residential amenity impacts in relation to daylight/sunlight and traffic/transport will be dealt with separately in later sections of this report.

8.5. Impacts on Surrounding Properties

- 8.5.1. The proposed development would bound onto Church Road and Mulhuddart Cemetery to the east. The proposed units would be significantly setback from the road and would be screened by the existing trees along the eastern side of the site. To the south of the site is public open space and to the north Damastown Avenue and adjoining lands provide a separation distance of c. 90 metres between existing and proposed development. Having regard to these conditions, the significant separation distances from any sensitive uses, and the limited height and scale of the proposed development, I do not consider that there would be any significant

overlooking or overbearing impacts on the surrounding properties to the east, south, and north of the site.

8.5.2. Otherwise, the proposed development would bound onto the permitted FCC housing scheme to the west. Along the western site boundary, the proposed development consists of 2- & 3-storey houses of similar character and scale to the adjoining permitted houses. The proposed development would maintain a separation distance of at least 20 metres between opposing houses. I consider this to be an acceptable arrangement which is in keeping with the permitted development and the flexibility allowed under local and national policy/guidance, and which would not result in any unacceptable overlooking or overbearing impacts on the permitted dwellings.

8.5.3. I would accept that the construction stage would result in some level of disturbance and disruption for surrounding properties as a result of traffic and parking, noise & vibration management, excavation, and dust & dirt impacts. However, these are inevitable and common features of urban development projects, and they are clearly temporary in nature. The application includes an Environmental Impact Assessment Report, a Preliminary Construction Environmental and Waste Management Plan, and a Resource & Waste Management Plan. I am satisfied that the application appropriately addresses the relevant matters in order to avoid any unacceptable construction impacts on surrounding properties. The final details of same should be agreed by condition with the planning authority.

8.5.4. Having regard to the foregoing, I consider that, subject to conditions, there would not be any unacceptable impacts on surrounding properties at the construction or operational stage. Other potential impacts on surrounding residents/properties, including those relating to daylight/sunlight and traffic, will be addressed in later sections of this report.

8.6. **Daylight and Sunlight**

8.6.1. As previously outlined in sections 8.4 and 8.5 of this report, this section now assesses the impact of daylight and sunlight, both within the proposed development and for surrounding property.

Policy

- 8.6.2. Section 3.2 of the Building Height Guidelines outlines that the form, massing and height of proposed developments should be carefully modulated so as to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light. The Guidelines state that '*appropriate and reasonable regard*' should be taken of quantitative performance approaches to daylight provision outlined in guides like the BRE (BR 209) 'Site Layout Planning for Daylight and Sunlight' (2nd edition, 2011) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'. Where a proposal may not be able to fully meet all the requirements of the daylight provisions above, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, in respect of which the planning authority or An Bord Pleanála should apply their discretion, having regard to local factors including specific site constraints and the balancing of that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and / or an effective urban design and streetscape solution.
- 8.6.3. The Sustainable Urban Housing Design Standards for New Apartments Guidelines (2023) also highlight the importance of provision of acceptable levels of natural light in new apartment developments, which should be weighed up in the context of the overall quality of the design and layout of the scheme and the need to ensure an appropriate scale of urban residential development. It states that planning authorities '*should have regard*' to approaches to daylight provision outlined in guides like A New European Standard for Daylighting in Buildings EN17037 or UK National Annex BS EN17037 and the associated BRE Guide 209 2022 Edition (June 2022), or any relevant future guidance specific to the Irish context. Again, where an applicant cannot fully meet these daylight provisions, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, which planning authorities should apply their discretion in accepting.
- 8.6.4. The Development Plan also acknowledges the importance of good levels of sunlight and daylight for both existing and proposed developments. It states that development shall be guided by the principles of the BRE Guide (2011) and/or any updated guidance. Objective DMSO22 requires daylight and sunlight analysis for all proposed developments of 50+ units or as required by the Planning Authority.

Information & Assessment

- 8.6.5. The application is accompanied by a 'Daylight / Sunlight Assessment' prepared by Waterman Moylan Consulting Engineers. The results are compared to the guidelines in the BRE Guide 209 (Third Edition, June 2022) and states that this aligns with the methodology set out in EN-17037. I also note that the updated British Standard (BS EN 17037:2018 'Daylight in Buildings) replaced the 2008 BS in May 2019 (in the UK) and that the UK National Annex brings recommended light levels for dwellings more in line with the former 2008 BS. Accordingly, I acknowledge that the standards and guidance are going through a transition period.
- 8.6.6. However, the assessment has been carried out in accordance with the updated standards which are referenced in the latest Apartments Guidelines (2023). The Development Plan allows for flexibility by stating that development shall be guided by the principles of the BRE Guide (2011) 'and/or' any updated guidance. Similarly, the Building Height Guidelines allow for flexibility in methodology by stating that regard should be taken of guidance/standards 'like' the BRE Guide (2011)) or BS (8206-2 (2008)). Therefore, I am satisfied that the applicant's assessment is based on guidance/standards 'like' those referenced in national and local policy. The methodology employed for the assessment of daylight and sunlight is suitably robust and is based on documents that are considered authoritative on the issues of daylight and sunlight. Therefore, I consider it appropriate to apply these standards in my assessment.
- 8.6.7. At the outset, I would also highlight that the standards described in the BRE guidelines allow for flexibility in terms of their application. Paragraph 1.6 of the guide states that the advice given '*is not mandatory*', '*should not be seen as an instrument of planning policy*', and '*Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design*'. The guide notes that other factors that influence layout include considerations of views, privacy, security, access, enclosure, and microclimate etc.
- 8.6.8. In this assessment I have considered the report submitted by the applicant and have had regard to the BRE Guide (2022), EN17037, and BS EN17037:2018 (including the UK National Annex). I have carried out a site inspection and had regard to the interface between the proposed development and its surroundings.

Daylight to existing dwellings

- 8.6.9. The proposed development is not of a scale, height, or proximity that would have any significant impact on the nearest existing dwellings. However, the application considers the potential impacts on the permitted Part 8 housing scheme to the west of the site.
- 8.6.10. The applicant's report assesses the daylight impact for these dwellings by calculating Vertical Sky Component (VSC), which is the ratio of the direct sky illuminance falling on the outside of a window, to the simultaneous horizontal illuminance under an unobstructed sky. The BRE guide outlines that a VSC of 27% should achieve enough sky light, but that occupants of existing buildings will notice reduced daylight if VSC is both less than 27% and less than 0.8 times its former value.
- 8.6.11. The assessment considers 11 windows on the nearest properties to the west, which I consider to be representative of worst-case impacts. None of the 11 windows assessed would experience a reduction to less than 0.8 times their former value. Accordingly, I consider that the impacts would be acceptable in accordance with BRE standards.

Sunlight to existing dwellings

- 8.6.12. The BRE Guide recommends that loss of sunlight should be checked for main living rooms of dwellings, and conservatories, if they have a window facing within 90° of due south. If the centre of the window can receive more than one quarter of annual probable sunlight hours (APSH), including at least 5% of APSH in the winter months between 21 September and 21 March, then the room should still receive enough sunlight. If the window already receives less than this, a reduction to less than 0.8 times its current value and a reduction of more than 4% of annual probable sunlight hours over the year may lead to the room it serves appearing colder and less cheerful and pleasant.
- 8.6.13. Again, the assessment considers the 11 windows to the west of the development, which I consider to be an acceptable approach. All the windows would achieve more than 25% of APSH and more than 5% of winter APSH. Accordingly, I consider that the impacts would be acceptable in accordance with BRE standards.

Loss of sunlight to existing gardens and open spaces

- 8.6.14. For existing outdoor amenity areas, the BRE Report recommends that at least half of the space should receive at least two hours of sunlight on 21st March. If, as a result of new development, the area which can receive 2 hours of sunshine on the 21st March is reduced to less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable.
- 8.6.15. The applicant's report does not specifically quantify the impact in this regard. However, it does include overshadowing images generated for various times of the day on 21st of March. Having reviewed these images, I am satisfied that the proposed development will not significantly impact on any existing/permitted gardens or open spaces and that the impacts would be acceptable in accordance with BRE standards.

Daylight to proposed apartments

- 8.6.16. The applicant's report outlines that a combination of methods was used in accordance with the recommendations of the BRE Guide. An 'Angle of Visible Sky' assessment was carried out which concluded that the majority of apartments have a favourable 'Angle of Visible Sky'. Illuminance levels were also assessed against the levels provided in the BRE Guide, which correspond to the values identified in EN 17037. The assessment also acknowledges that the UK National Annex provides UK specific targets which are lower than the EN standard. However, it applies the higher EN 17037 standards which identify two target values for illuminance:
- E_T – A minimum of 300 lx to be achieved across at least half of the reference plane for at least half the daylight hours, and
 - E_{TM} – A minimum of 100 lx to be achieved across at least 95% of the reference plane for at least half the daylight hours.
- 8.6.17. An IES Model was built of the proposed development and the permitted Part 8 development to the west. Assumptions were made for weather data and material properties in accordance with the BRE guide. The results outline that all the proposed habitable rooms would comply with the target illuminance values as outlined in EN 17037. I acknowledge that the recommendations of EN17037 were intended for internal areas of all types and the target values are generally very

difficult to achieve for domestic rooms in an urban environment. The UK National Annex recognises this and sets alternative targets to be achieved over half the reference plane, i.e. 100 lux in bedrooms, 150 lux in living rooms and 200 lux in kitchens, which are commonly used in residential applications, particularly higher density developments in more central areas. Notwithstanding this, the proposed development would meet the higher target illuminance values as outlined in EN 17037 and I am satisfied that this is acceptable. Therefore, there is no requirement for alternative compensatory measures.

Sunlight to proposed dwellings

- 8.6.18. Minimum, medium and high recommended levels for sunlight exposure are given in EN17037 and the BRE Guide. This is measured via the duration received to a point on the inside of a window on a selected date (21st March) and gives a minimum target of 1.5 hours, medium target of 3 hours, and high target of 4 hours. The application does not include a detailed assessment in this regard. However, it should be noted that any specific local/national policy requirements to address the BRE Guide standards relates to daylight, not sunlight.
- 8.6.19. Having considered the design and layout of the proposed development, including a high proportion of dual aspect units and no north-facing single-aspect units, I am satisfied that the proposed units will benefit from a suitable level of sunlight in accordance with BRE recommendations.

Sunlight to proposed open spaces

- 8.6.20. The BRE Guide recommends that at least half of the proposed space should receive at least two hours of sunlight on 21st March. All proposed communal and public open spaces have been assessed using this methodology. Although some minor areas to the northeast of Blocks D and E appear to be marginal in relation to the 2-hour standard, I note that almost 100% of the overall areas would comfortably exceed the 2-hour standard. Accordingly, I am satisfied that proposals would be acceptable in accordance with BRE standards.

Conclusions on Daylight and Sunlight

- 8.6.21. In conclusion, I would again highlight that the standards described in the BRE guidelines allow for flexibility in terms of their application. However, where the

applicant has carried out assessments in accordance with the guidelines, I am satisfied that the proposed development would comply with the relevant standards. I have acknowledged that assessments have not been carried out in respect of sunlight to existing/permitted spaces and the proposed dwellings, but I am satisfied that the standards would be acceptable having regard to the information available and the design and layout of the proposed development. Furthermore, I do not consider that any alternative compensatory measures are required as outlined in the Apartments Guidelines and the Building Height Guidelines, and I have no objections in relation to the daylight/sunlight impacts on the existing, permitted, or proposed dwellings.

8.7. Design, Layout and Visual Amenity

- 8.7.1. The site is located within a built-up area including 2-3 storey housing and larger scale industrial development. The proposed development mainly comprises 2-3 storey housing which would be consistent with existing housing and the emerging scale of development as permitted on the adjoining site to the west. I acknowledge that the proposed development also includes buildings of 4-storey height. However, this would not be inconsistent with Development Plan policy and would not be significantly higher than the prevailing building height in the area. Accordingly, I do not consider that the proposed development requires justification in accordance with the policies and criteria outlined in the Building Height Guidelines (2018).
- 8.7.2. The application includes an Architectural Design Statement (ADS) and Planning Report which outline how the proposed development responds to the criteria set out in the 'Urban Design Manual – A Best Practice Guide 2009'. The criteria are discussed under the following heading in this section of my report.

Context

- 8.7.3. Section 2 of the ADS considers the site context in detail, including an analysis of existing and planned developments and the historical context of the wider surrounding area. It considers the Development Plan objectives for the area including zoning and specific objectives. Based on this, a Design Concept Plan was prepared for the site and surrounding FCC lands which establishes a series of

organising principles for future coordinated development. Features include the following:

- Variety of house types and tenures in a vibrant network of new streets, open spaces, and character areas.
- A Linear Park to the south of the lands.
- Extension of Wellview Avenue as the main distributor route, to be supported by a range of secondary routes, pedestrian, and cycle routes.
- Neighbourhood focal point with public functions along Wellview Avenue with increased building height.
- Quality open spaces of varying size and nature across the site.

8.7.4. In response to this context, the proposed development provides a suitable mix of house types within an 'urban grid' street pattern with a variety of character areas and open spaces. Higher density is strategically located to front onto open space areas while respecting the height and scale of the existing and planned context. The design responds to boundary treatments including the frontage onto Church Road where the permitted new Cycle Path will be overlooked, and the Linear Park to the south will receive a new building line, providing an appropriate sense of enclosure and definition.

Connections

8.7.5. The proposed development improves connectivity with the new pedestrian/cycling routes surrounding the site and the wider existing and emerging active movement network. Pedestrian and cycle links are proposed to Damastown Avenue and the adjoining community facilities/schools to the north. Similar connections are proposed to Church Road (east) and the linear park (south), which includes connections to new pedestrian and cycle infrastructure. The vehicular access is via the permitted development to the west and Wellview Avenue, which will provide suitable connections to the wider area. All roads/streets are designed to the standards set out in DMURS. This provides good access to existing local services, schools, employment, and public transport, and would appropriately reduce the need to use private vehicles.

Inclusivity

- 8.7.6. The proposed development has been designed to enable easy access for all in accordance with universal design principles and standards. Houses and apartments are sized for life-long living and can be readily adapted for future needs. Public spaces consider the different needs of users in the public space which complies with universal access design and building regulation standards (Part M). Eleven units (6 apts, 5 houses) have been designated Accessible Units which have been designed in accordance with the NDA's Universal Design Guidelines. This involves highly adaptable homes with a flexible layout including a bedroom and enlarged bathroom at entry level. Furthermore, 22 (or 10%) of the units have been designed as 'Age Friendly Accommodation in accordance with Development Plan Objective DMSO37.

Variety

- 8.7.7. The mix of units has been agreed based on the FCC assessment of housing needs and the objective to achieve a balanced mix of dwelling types and sizes for the location and nature of the development. As outlined in section 8.4 of this report, I have no objection to the proposed housing mix. An appropriate mix of open spaces and play facilities has also been provided to serve the proposed units. I acknowledge that the proposal does not include other supporting commercial/community facilities. However, I am satisfied that this has been appropriately planned for in the other parts of the Design Concept Plan for the FCC lands.

Efficiency

- 8.7.8. As outlined in section 8.3 of this report, I am satisfied that the proposed development provides an appropriate density and quantum of development at this location to make an efficient use of the land in accordance with the recommendations outlined in the Sustainable Residential Development Guidelines. Higher density elements have been located towards the eastern end of the site where they will appropriately integrate with the planned open space/landscape features to the east and south of the site. The application confirms that the requirement for nearly zero energy buildings (NZEB) and renewable sources of energy will be addressed in the detailed design and construction stages.

Distinctiveness

- 8.7.9. The application acknowledges that surrounding historic sites including St. Mary's Church and mature landscape along Church Road create a sense of place within the wider context of the area. The proposed development respects and responds to landscape elements, referencing them as recognisable features and providing people with a link to the area's history. The design maintains the unique architectural and environmental features of the site while adding contemporary design for the residents and neighbours and enhancing the sense of place. It responds to the overall Design Concept Plan which divides the site into 3 character areas with a distinctive material treatment and subtle differences in landscape character. The site includes elements of all 3 character areas and will integrate with the permitted FCC development to the west. The proposed development will include a selection of three material palettes which will create a sense of variety and distinctiveness, while maintaining a unified composition across the wider FCC lands.

Layout

- 8.7.10. The proposed routes within the development are designed primarily as 'places for people' and active movement with gentle gradients and attractive paving. Houses are orientated to the main routes and pocket parks throughout, creating active streetscapes and providing overlooking into communal open space. Trails and other amenities within the proposed development are proposed around the buildings providing active, attractive, legible people-friendly places in a high-quality landscaped setting.

Public Realm

- 8.7.11. All areas of open space are directly overlooked and easily accessible creating a strong relationship between the dwellings and public realm. A user-centred approach in terms of layout, landscape design, materials and details that are inviting for residents to use, will generate high levels of activity and natural surveillance. Private and semi-private areas around buildings are well delineated in terms of planting, paving and boundary treatment. The corners of blocks include prominent marker buildings which minimise blank gables and avoids spaces which are isolated or inactive. Terraced housing provides front doors to the streets and a familiar domestic scale, while window arrangements provide passive surveillance of all open space

and access routes. Vehicular access areas are minimised, and the layout has been designed to allow priority to pedestrian and cyclists in accordance with DMURS.

Adaptability

- 8.7.12. The floor levels are designed to allow for future change and adaptability over time. As previously outlined, the houses and apartments have been designed in accordance with age-friendly principles. The internal walls of the apartments will be designed to be non- structural, allowing the option for reconfiguration of the space depending on the resident's requirements (office, playroom, etc.), while the party walls will be designed with 'soft zones' to allow smaller apartments to be combined without affecting structural integrity.

Privacy & Amenity

- 8.7.13. As previously outlined in sections 8.4 and 8.6 of this report, I am satisfied that the proposed units have been designed to provide a suitable standard of amenity.

Parking

- 8.7.14. Parking proposals for cars and bicycle are discussed in section 8.9 of this report and I have no objections in this regard.

Detailed Design

- 8.7.15. Section 4 of the ADS outlines a comprehensive approach to the detailed design of the development. The application is also accompanied by a Landscape Design Statement and associated drawings which outline landscape strategy and detailed planting schedules. The landscape elements have been designed for residents to enjoy, with spaces for people to come together. The building detail design, materials and finishes have all been selected to facilitate safe, easy and regular maintenance. The accessible car parking spaces, bicycle parking enclosures and bin storage areas have also been designed as an integral part of the landscape. Having considered these proposals, I am satisfied that the materials and external design of the buildings and landscape are designed to make a positive contribution to the locality as a high quality, attractive place for people to live.

Conclusions

- 8.7.16. In addition to the above, I note that the application is accompanied by photomontages and an EIAR which considers 'landscape and visual' impacts. I

consider that the scale and character of the development strikes an appropriate balance between the existing and emerging pattern of development at this location. The proposed approach to height and scale is appropriate given the need to encourage efficient densities on sites such as this. I have considered the relevant local and national policy in relation to design criteria and guidance, and I am satisfied that the proposed design and layout is an acceptable approach which would satisfactorily integrate with the surrounding landscape and public realm and would positively contribute to the emerging character of the area. Accordingly, I would have no objection in relation to the design, layout and visual impacts of the proposed development.

8.8. Social/Community Facilities and Public Open Space

Social/Community Facilities

- 8.8.1. The application is accompanied by a 'Social Infrastructure & Childcare Demand Report' which provides an overview of existing community and social infrastructure, childcare services and the demand for childcare services within the existing area. It uses a 2km catchment area for childcare services and primary schools, while a 5km catchment is used for secondary school provision. The report considers information from TUSLA's register of early years (December 2022), enrolment data from the Department of Education and Skills 2022/2023 statistics, and population data from the Central Statistics Office (CSO, 2016).
- 8.8.2. In relation to childcare, the report outlines that there are 23 existing no. childcare facilities within the 2km catchment area with capacity for up to 762 no. children. There are 4 other permitted facilities with a capacity of 380 no. children. This includes the permitted childcare facility to the immediate west of the subject site permitted under FCC Reg. Ref. PARTXI/012/21, which has capacity for c.114 no. children. The report highlights an increasing number of vacant childcare places in Fingal (1,176 in 2022).
- 8.8.3. In accordance with the Childcare Guidelines and Apartment Guidelines for Planning Authorities, the report estimates that the proposal would generate demand for 48 no. childcare spaces. However, based on CSO data, it estimates a lower demand of 22 no. children. Therefore, it concludes that the estimated demand (22-48 spaces) would equate to 1.8% - 4% of the total existing and proposed capacity (1,142

spaces). The permitted Part 8 development to the west has an estimated demand for just 73 spaces and a capacity within the permitted creche of 95-140 spaces. This spare capacity of 22-67 spaces can satisfactorily accommodate the proposed development demand (22-48 spaces).

- 8.8.4. Regarding school provision, the report outlines that there are 9 no. primary schools within the 2km catchment area with a total enrolment of 4,418 no. pupils. There are 9 no. secondary schools within the 5km catchment area, with a total enrolment of 5,985 no. pupils. Permission has also been granted for a temporary 'decant accommodation' 24-classroom school which will be used as a primary or secondary school in the long term.
- 8.8.5. Based on CSO and other education-related information and guidance, the report estimates a maximum primary school demand of 88 spaces. It concludes that this would be significantly less than the estimated primary school places available per year within the catchment area (552 spaces), and that this would be easily absorbed within the catchment capacity. Similarly, it estimates a maximum secondary school demand of 54 spaces and concludes that this would be significantly less than the estimated secondary school places available per year within the catchment area (997 spaces).
- 8.8.6. The report also includes an analysis of other community facilities within 2km of the site. This includes 9 no. community facilities such as community centres and other local services/facilities. There are 10 healthcare facilities providing a range of consultancies and pharmacies. There are 2 larger public parks (Tolka Valley and Tyrellstown) as well as 12 other sports clubs and leisure facilities. There are 7 religious facilities within the catchment area.
- 8.8.7. In conclusion and having regard to the nature of the proposed development and the extent of existing/planned social and community facilities in the catchment area, I do not consider that the proposed development would create an excessive or unacceptable demand for facilities which would be contrary to the proper planning and sustainable development of the area. Accordingly, I do not consider that refusal of permission would be warranted on these grounds.

Public Open Space

- 8.8.8. In accordance with Development Plan Objectives DMSO51 and CIOSO38, a minimum provision of 2.5 hectares per 1000 population is required, based on an occupancy rate of 3.5 persons for dwellings with three or more bedrooms and 1.5 persons in the case of dwellings with two or fewer bedrooms. Section 14.13.2 outlines that the Council will employ a flexible approach to the delivery of public open space and more intensive recreational/amenity facilities. However, it is the intention of the Council to ensure, except under exceptional circumstances, that public open space exceeds 12% of a development site area. Objective DMSO52 requires that public open space shall be provided in accordance with Table 14.12 (i.e. a minimum 12-15% of site area for 'New residential development on greenfield sites/LAP lands').
- 8.8.9. Based on Objective DMSO51, I calculate that the proposed population (507 persons) would equate to an open space requirement of c. 1.25ha. The proposed development includes 7,600m² (0.76ha) of Class 2 public open space, which would be 13.7% of the gross site area or 14.4% of the net site area and would exceed the minimum requirement of 12% as per section 14.13.2 and Objective DMSO52. When that 0.76ha is deducted from the overall requirement of 1.25ha as per Objective DMSO51, there is a balance of 0.49ha public open space required.
- 8.8.10. The application outlines that additional open space would be provided with the permitted 2.2 hectares of Class 1 open space to the south of the subject site within the Eastern Linear Park (FCC Reg. Ref. PARTXI/01/21). This would clearly meet the overall public open space requirements as per Objective DMSO51. However, in the interest of clarity, I recommend that the precise nature and extent of this space should be documented to ensure that it does not coincide with the open space requirements of any other developments. I am satisfied that the local authority's approach would not materially contravene the Development Plan and that the matter can be suitably addressed as a condition of any approval.
- 8.8.11. Having regard to the foregoing, I consider that the proposal includes sufficient public open space to satisfy the Development Plan standards. Furthermore, I am satisfied that it will be suitably designed, accessed, overlooked, and landscaped to make a positive contribution to the amenities of the proposed scheme and the wider surrounding area. I note the observation received suggesting the provision of

additional seating and I consider that this minor issue should be addressed as part of the detailed design stage. Accordingly, I have no objections in this regard.

8.9. Traffic and Transport

- 8.9.1. The application is accompanied by a Traffic and Transport Assessment (TTA), a Stage 1 Road Safety Audit (RSA), a Travel Plan, and a Statement of Consistency with the Design Manual for Urban for Urban Roads and Streets (DMURS). The environmental impacts of traffic and transportation are also considered in the EIAR.
- 8.9.2. The TTA outlines the existing transport infrastructure in the area. Traffic flow surveys were carried out on 21st March 2023 on 4 existing main junctions as follows:
- 1 - Church Fields Link Road / Damastown Avenue
 - 2 - Damastown Avenue / Church Road / Powerstown Road / R121
 - 3 - Church Road / Castlecurragh / Ladyswell Road
 - 4 - Damastown Road / Parnell Drive / Wellview Avenue.
- 8.9.3. The TTA also outlines the closest bus stops (c. 900m from the site) and the frequencies for various routes (maximum of 9 services during the 0700-0900 a.m. period and 8 services during the 1700-1900 p.m. period). There are secondary cycle routes along the adjoining roads (Damastown Avenue and Church Road), as well as a reasonable standard of pedestrian facilities.
- 8.9.4. With regard to planned transportation improvements, the TTA highlights the following:
- Planned BusConnects routes to serve the site including the B-Spine & Branch Route B3, Local Routes L62 and L63, and Peak-only Route P63, which will provide improved frequency of services.
 - Planned cycle improvements under the GDA Cycle Network Plan (NTA, 2022) and the Fingal Development Plan.
 - Permitted network improvements under the 'Church Fields Link Road and Cycle Network'.

Traffic Impact

- 8.9.5. The TTA estimates that the proposed development would generate 32 arrivals and 86 departures in the AM peak hour, and 77 arrivals and 45 departures in the PM peak hour. Other permitted and planned development were then also considered to estimate a total of 227 arrivals and 472 departures in the AM peak hour, and 453 arrivals and 308 departures in the PM peak hour. The trips associated with the proposed development and other permitted / planned developments were distributed and assigned to the local road network.
- 8.9.6. The TTA considers three assessment years, namely 2026 (opening year), 2031 (opening year + 5), and 2041 (opening year + 15). Based on planned transportation improvements a low traffic growth scenario was applied to the baseline traffic flow surveys. The impacts on the 4 existing junctions were then assessed, as well as an additional Junction 5 (i.e. the Church Fields Link Road / Access Road to Proposed Development (under construction)).
- 8.9.7. ARCADY modelling software was used to analyse the junctions and determine Ratio of Flow to Capacity (RFC), delays and queue length for each link on the junction. Typically, a roundabout is said to be working satisfactorily when the RFC of each link does not exceed 0.85. Acceptable RFC values are considered to be in the range of 0.85 to 1.0 with higher values indicating restrained movements. However, consideration should be given to recorded queue length and delay. The assessment was carried out under several scenarios including a 'do nothing' and 'do something' scenario for each year, as well as 'stress test' scenarios for 2031 and 2041.
- 8.9.8. The results generally demonstrate that an RFC of 0.85 will not be exceeded and no significant vehicular queuing or delay will occur. The 'do something' scenarios for Junction 2 show that an RFC of 0.85 would be exceeded and the operation of some arms would exceed capacity (>1 RFC). However, I would accept that these are only minimal exceedances for short periods and there would be no significant queuing or delays as a result. Furthermore, these exceedances would also occur in the 'do nothing' scenario even without the development. There are also 'stress test' scenarios where significant impacts would occur at Junction 2. However, I am satisfied that this would be satisfactorily assessed as part of future applications and intervening alterations to the existing baseline situation.

8.9.9. Having regard to the foregoing, I am satisfied that the proposed development will not have any unacceptable impacts on the existing network in the short term, and that long-term cumulative impacts will be satisfactorily addressed through further assessment and improvement of the surrounding road network and associated improvements to public transport and active travel modes.

Construction Traffic

8.9.10. The TTA estimated that daily construction traffic will consist of 80-120 workforce car trips per day (two way) and 60 HGV trips per day (two way). Efforts will be made to reduce/eliminate the use of private cars and a construction car park will be created. Pedestrian and cycling routes will be suitably maintained/diverted. All construction traffic and transport will be managed strictly according to the proposed management plan. It is intended that all HGV deliveries and workforce trips to/from the site will be made from north via a left-in left-out temporary access point off Damastown Avenue. The TTA is accompanied by a dedicated Construction Management Plan (CMP) and I have no objection to the proposal subject to compliance with such measures.

Bicycle Parking

8.9.11. Based on Development Plan standards (Table 14.17), the proposed development would require the following bicycle parking for the proposed houses:

Category	No. of Units	Long-stay requirement	Short-stay requirement	Total
1-2 bed unit	34	1, plus 1 per bedroom = 102	0	102
3+ bed unit	87	2, plus 1 per bedroom = 446	0	446
Total		548	0	548

8.9.12. All houses are provided with secure bicycle storage in the front of the house, while those with rear access to gardens will be capable of storing bicycles to the rear. Additional bicycle storage space is provided to houses through the provision of 16 Standalone On-street Bike Bunkers. Each bunker is capable of accommodating 6 no. bikes in a dry and secure environment. I am satisfied that these proposals

satisfactorily address the Development Plan cycle parking requirements for the houses.

8.9.13. Based on the Development Plan requirements for apartments, the proposed development would require the following:

Category	No. of Units	Long-stay requirement	Short-stay requirement	Total
1-2 bed unit	92	240	46	286
3+ bed unit	4	20	2	22
Total		260	48	308

8.9.14. I note that the Apartments Guidelines also outline cycle parking standards consisting of 1 space per bedroom and 1 visitor space for every 2 apartments. This would result in a requirement for 206 spaces (i.e. 160 resident spaces and 46 visitor spaces). This is significantly less than the more onerous Development Plan standards. The proposed development includes 6 no. external bike stores with a capacity for 300 bikes for residents. External cycle parking is also provided to accommodate 48 no. visitor spaces. I note the observation received regarding the provision of storage for cargo bikes and adapted bicycles for those with disabilities. I am satisfied that this could be dealt with through a condition of any approval and that this would appropriately address the cycle parking requirements of the development.

Car Parking

8.9.15. The site is located within 'Zone 2' for parking standards in accordance with the Development Plan. According to Table 14.19 of the Plan, the following standards would apply to the proposed development.

Category	No. of Units	Standard	Total
1-2 bed unit	126	1 plus 1 visitor space per 5 units	151
3+ bed unit	91	2 plus 1 visitor space per 5 units	200
Total			351

- 8.9.16. In Zone 2, the Development Plan refers to 'Norm' standards which will generally be permitted unless specific changes are considered necessary. The Plan also states that a reduced car parking provision may be acceptable where the Council is satisfied that good public transport links are already available or planned and/or a Management Mobility Plan for the development demonstrates that a high percentage of modal shift in favour of the sustainable modes will be achieved through the development.
- 8.9.17. The proposed development proposes a total of 306 car parking spaces, consisting of 263 resident spaces and 43 visitor spaces. The application acknowledges that this is less than the 'norm' standard. However, it highlights that the Apartments Guidelines and the GDA Transport Strategy recommend reduced requirements at locations like this, as well as the planned transportation improvements such as Bus Connects. I also note that the application includes a Travel Plan which has the triple objectives of promoting sustainability, enhancing the use of public transport, and reducing dependency on the use of private car.
- 8.9.18. In conclusion, I consider that the Development Plan only 'generally' applies the 'norm' standard, which allows for some level of flexibility as also outlined in the Development Plan and supported by relevant regional/national level policy and guidance. Having regard to the planned transportation improvements in the area and the Travel Plan commitment to reducing reliance on the private car, I consider that a reduced level of 306 spaces is acceptable in this instance and would not materially contravene the Development Plan.

Traffic Safety

- 8.9.19. The application includes a DMURS Statement of Consistency which outlines how the proposed scheme achieves the objectives of better street design to encourage people to choose to walk, cycle, or use public transport, as opposed to overuse of the private car. It demonstrates that the proposal is consistent with the characteristics and principles of DMURS, and I have no objections in this regard.
- 8.9.20. A Stage 1 Road Safety Audit has been completed which identified 5 'problems' with the proposed layout. All of the 'problems' have been accepted by the applicant. The layout has been revised and, where applicable, commitments have been made to satisfactorily address the issues identified.

- 8.9.21. In addition to the above, the application drawings show vehicular 'autotracking' and swept path analysis details, along with visibility splays of 23m at junctions in accordance with DMURS recommendations. In addition to the DMURS Statement and Road Safety Audit, I am satisfied that this demonstrates that there would be no unacceptable traffic safety issues associated with the development.

Traffic & Transport Conclusion

- 8.9.22. Having regard to the foregoing, I consider that the proposed development would provide a residential development which would be appropriately designed to accommodate vehicular traffic, while also promoting a shift towards sustainable transport modes. This would be consistent with local and national transportation planning policy which aims to reduce reliance on the private car and would not unacceptably impact on the safety or capacity of the surrounding road network. Accordingly, I would have no objections in this regard.

9.0 Environmental Impact Assessment (EIA)

9.1. Introduction

- 9.1.1. This section sets out an Environmental Impact Assessment (EIA) of the proposed project and should be read in conjunction with the planning assessment above. The development provides for 217 no. residential units and associated works/services on a stated site area of 5.52 ha. A number of the topics and issues addressed in the planning assessment (above) concern environmental matters. Where relevant, I have cross-referenced between sections to avoid unnecessary repetition.

- 9.1.2. Item 10(b) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended and section 172(1)(a) of the Planning and Development Act 2000, as amended provides that an Environmental Impact Assessment (EIA) is required for infrastructure projects that involve:

i) Construction of more than 500 dwelling units

iv) Urban Development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

- 9.1.3. The proposal (217 units) does not exceed 500 units and would not be a class of development described at 10(b)(i). It is an urban development project that would be in the built-up area of a city but not in a business district. Therefore, the site area of 5.52 ha does not exceed the 10ha threshold outlined in sub-section (iv) above. Accordingly, the development itself would not require an EIAR.
- 9.1.4. However, the application considers the cumulative total of the proposed development and the permitted development to the west (FCC Ref. Part XI/012/21). It concludes that the cumulative total of dwellings (517) and site area (14.99 ha) would exceed the thresholds outlined under 10(b)(i) and 10(b)(iv) and has prepared an EIAR. Under Article 102 of the Planning and Development Regulations 2001, as amended, where a planning application for a sub-threshold development is accompanied by an EIAR, the application shall be dealt with as if the EIAR had been submitted in accordance with section 172(1) of the Act.
- 9.1.5. The EIAR contains a Non-Technical Summary (Vol. 1), the EIAR (Vol. 2), and supporting appendices (Vol. 3). Chapters 1-3 inclusive set out an introduction and outline of the planning and development context. Chapter 4 considers the issue of 'Alternatives', while Chapters 5 and 6 outline a description of the development and consultation undertaken. Chapters 7 to 21 describe and assess the likely significant direct, indirect and cumulative effects of the proposed development in accordance with the relevant headings listed in Article 3(1) of the 2014 EIA Directive, including the interactions between relevant effects. The proposed mitigation measures are outlined in Chapter 22.
- 9.1.6. This section of my report evaluates the information in the EIAR and carries out an independent and objective environmental impact assessment (EIA) of the proposed project in accordance with the requirements of relevant legislation. In carrying out an independent assessment, I have examined the information submitted by the applicant, including the EIAR, as well as the written submissions made to the Board as set out in Sections 6 & 7 of this report.
- 9.1.7. I am satisfied that the information contained in the EIAR has been prepared by competent experts (as outlined in Section 1.5.2. of the EIAR) to ensure its completeness and quality; that the information contained in the EIAR and supplementary information adequately identifies and describes the direct, indirect

and cumulative effects of the proposed development on the environment; and that it complies with article 94 of the Planning and Development Regulations 2001 (as amended) and the provisions of Article 5 of the EIA Directive 2014.

- 9.1.8. I am satisfied that opportunity for participation of the public has been appropriately afforded, and that the application has been made accessible to the public by electronic and hard copy means with adequate timelines afforded for submissions.

9.2. **Consideration of Alternatives**

- 9.2.1. Article 5(1)(d) of the 2014 EIA Directive requires the following:

“a description of the reasonable alternatives studied by the developer, which are relevant to the development and its specific characteristics, and an indication of the main reasons for selecting the chosen option, taking into account the effects of the development on the environment.”

- 9.2.2. Annex (IV) (Information for the EIAR) provides more detail on ‘reasonable alternatives’:

2. A description of the reasonable alternatives (for example in terms of project design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.

- 9.2.3. Chapter 4 of the EIAR deals with ‘Alternatives’. The reasonable alternatives examined can be summarised as follows:

- **Do Nothing**: These zoned lands would not be developed in accordance with the Development Plan and would be contrary to the Councils objective to promote residential land use at this site. Therefore a ‘do-nothing alternative’ is not considered further in this assessment.
- **Alternative locations**: Based on EPA Guidelines, the EIAR concludes that the site is entirely suitable for the nature of the proposed development, and it is not necessary to consider alternative locations or sites.

- Alternative layout and design: The EIAR outlines how the proposed layout and design has evolved through a range of alternative options. The proposal (i.e. Alternative 2B) has been amended and refined to meet the requirements of the Development Plan.
- Alternative processes: This is not considered relevant to the nature of the development. However, the residential units will be designed to comply with THE building regulations framework and the requirement to achieve Nearly Zero Energy Building (NZEB) standard.
- Alternative Mitigation: Where appropriate, alternative mitigation measures will be considered by the relevant specialist contributors to the EIAR.

9.2.4. The EIAR states that all alternatives are generally neutral in terms of their comparative environmental assessment. However, it concludes that Alternative 2B is preferable in terms of landscape effects and detailed considerations such as open space, bike parking etc. Overall, I am satisfied that, the EIA Directive requirements in relation to the consideration of alternatives have been satisfied.

9.3. **Consideration of risks associated with major accidents and/or disasters**

9.3.1. Article 3(2) of the 2014 EIA Directive includes a requirement that the expected effects derived from the vulnerability of the project to major accidents and/or disasters that are relevant to the project concerned are considered.

9.3.2. Section 2.5.1 of the EIAR considers 'Major Accidents & Disasters' (MADs). It outlines that the site is 920m from the nearest SEVESO III site at Damastown Industrial Park, which is within the 'consultation distance'. Considering the nature of the proposed development and its receiving environment, it concludes that there is no source-pathway-receptor linkage of a hazard that could trigger an event constituting a MAD. As such, an assessment of impacts specifically in relation to MADs has been scoped out. However, the risks of feasible accidents and natural events are addressed, where relevant, in the various specialist chapters. Flood risk, for instance, is addressed in Chapter 10 (Hydrology) and geohazards are addressed in Chapter 9 (Land, Soils, Geology & Hydrogeology). I consider this to be a reasonable approach to risks associated with MADs.

9.4. **Assessment of the likely significant direct and indirect effects**

9.4.1. The likely significant effects of the development are considered below in accordance with the factors set out in Article 3 of the EIA Directive 2014/52/EU.

9.5. **Population & Human Health**

- 9.5.1. Chapter 7 deals with these matters and outlines a detailed analysis of the baseline environment, including population, land use and settlement patterns, economic activity and employment, community infrastructure, and health.
- 9.5.2. For the construction phase, the EIAR acknowledges that in the absence of good construction practice and mitigation measures, there is potential for a range of nuisance / disturbance impacts relating to noise, dust, traffic, landscape and visual amenity, waste, safety, services, and light. It also acknowledges the positive impacts regarding construction employment and increased demand for goods/services. The potential nuisance and disturbance effects are addressed in various chapters of the EIAR, which set out a range of mitigation measures. Construction activity will also be managed through a Construction and Environmental Management Plan (CEMP) and the appointment of a Community Liaison Officer (CLO).
- 9.5.3. For the operational phase, the EIAR also identifies the potential for similar nuisance / disturbance effects as a result of increased activity, as well as the positive effects of enhanced permeability and significant additional housing. Again, it highlights that the scheme design and the various EIAR chapters outline a range of mitigation measures to address these potential impacts.
- 9.5.4. Following the implementation of the proposed mitigation measures, the EIAR concludes that there will be no likely significant effects related to population and human health.
- 9.5.5. Having regard to the foregoing, I am satisfied that impacts predicted to arise in relation to population and human health would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, proposed mitigation measures, and through suitable conditions. I am, therefore, satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative impacts in terms of population and human health.

9.6. Biodiversity

- 9.6.1. Chapter 8 considers the likely impacts on Biodiversity, while the potential for any impacts on European (Natura 2000) sites are presented in a separate report (Appropriate Assessment (AA) Screening Report). It is based on a comprehensive desk study as well as walkover ecological studies in 2021, 2022, and 2023. The surveys comprised habitat, invasive species, rare and/or protected species, large mammals (including otters), bird survey and day-time bat survey. An assessment of habitat suitability for species with links to European sites was undertaken, in order to appraise the potential for ex-situ effects on European sites. A specialist bat ecologist carried out dusk and dawn bat surveys on various dates between August 2020 and September 2022. A tree survey was undertaken during May 2023 by an experienced arborist and an arboricultural impact assessment is included with the application.
- 9.6.2. The EIAR sets out a detailed ecological evaluation of the site. It outlines that the site or the immediate vicinity is not under any wildlife or conservation designation, and that no rare, threatened or legally protected plant species or habitats are known to occur within the site. All of the bird species recorded are very common, and no red-listed species were noted. The site does have value for commuting and foraging bats, and for breeding birds. The site is not utilised by any wintering bird species, including those species listed as SCI species in any European sites. No evidence of badger, otter, amphibian, or reptile activity was recorded during the surveys. The hedgerow/treeline loss will be addressed by additional planting along the eastern site boundary. Overall, the site is evaluated as no more than Local Importance (Lower Value) as defined by the NRA/TII Guidelines for Assessment of Ecological Impacts of National Road Schemes (2009 (Rev. 2)).
- 9.6.3. The predicted construction phase impacts do not envisage any significant impacts in terms of designated conservation areas, habitat loss/disturbance, or emissions to water, air, etc. Design mitigation measures include a comprehensive landscaping scheme to enhance the biodiversity resource. Tree felling works will be carried out in accordance with *BS3998 (2010) Tree Work – Recommendations* and the removal of other vegetation will be suitably timed and managed, including pre-clearance inspections for bats and other fauna and the installation of bird and bat boxes.

Lighting will be designed to minimise impacts on bats and surface water mitigation measures will be applied.

- 9.6.4. The predicted operational impacts do not envisage lighting impacts on bats subject to mitigation measures. Surface water and flood potential will be suitably managed in accordance with the principles of SuDS as embodied in the recommendations of the GDSDS, and the wastewater emissions will be insignificant in the context of the capacity of the Ringsend WWTP.
- 9.6.5. Following the implementation of the proposed mitigation measures, the EIAR concludes that there will be no long-term negative residual impacts on biodiversity, habitats, or fauna.
- 9.6.6. Having regard to the forgoing, I am satisfied that impacts predicted to arise in relation to biodiversity would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, proposed mitigation measures, and through suitable conditions. I am, therefore, satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative impacts in terms of biodiversity.

9.7. **Land, Soils, Geology, & Hydrogeology**

- 9.7.1. Chapter 9 addresses these factors and comprehensively examines the baseline environment. Based on the regional and site-specific information available, the type of Geological / Hydrogeological Environment is classified as per the Institute of Geologists of Ireland Guidelines as '*Type A – Passive geological/hydrogeological environment*'. This information is used to develop a conceptual site model (CSM).
- 9.7.2. The primary impacts during construction are identified as soil excavation, soil run-off to waterbodies, construction-related contamination of water, and accidental discharges/spillages. A range of construction-related mitigation measures are included to address these risks.
- 9.7.3. There will be no direct discharges to the ground or abstractions from the bedrock aquifer during the operational stage. The potential impacts are limited to minor accidental emissions from vehicles and reduced recharge to groundwater as a result of increased hardstanding. However, the EIAR states that the surface water management mitigation measures will address these risks.

9.7.4. Following the implementation of the proposed mitigation measures, the EIAR concludes that there will be no significant residual impacts. It also states that it is unlikely that the proposed development will cause any significant deterioration or change on groundwater body status or prevent attainment, or potential to achieve the WFD objectives or to meet the requirements and/or objectives in the draft third RBMP 2022-2027.

9.7.5. Having regard to the foregoing, I am satisfied that impacts predicted to arise in relation to land, soils, geology, and hydrogeology would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, proposed mitigation measures, and through suitable conditions. I am, therefore, satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative impacts in terms of land, soils, geology, and hydrogeology.

9.8. **Water**

9.8.1. Chapter 10 'Hydrology' assesses and evaluates the likely significant effects of the development on the hydrological aspects of the site and surrounding area. It outlines the baseline environment, including that the drainage system in the vicinity is the River Tolka and its adjoining tributaries, the 'poor status of surface water quality in the area, and the existing and proposed utilities and drainage infrastructure. It also considers flood risk and designated conservation sites in the vicinity. Based on the TII methodology (2009) the importance of the hydrological features at this site is rated as 'medium importance' based on the assessment that the attribute has a medium quality significance or value on a local scale, due to the Biotic Index which determines the quality class for the subject site, provides a Class C / Poor (Q3) classification.

9.8.2. The construction stage has the potential to impact on surface water through run-off and accidental discharges/spillage, which has associated potential impacts for population and human health. A range of construction-related mitigation measures are included to address these risks.

9.8.3. At operational stage, a sustainable drainage system will be integrated with landscaping features and comprises a combination of multiple measures in relation to flow control, interception storage, attenuation storage and catchment conveyance features. In addition, interceptors are included within the network to treat any

localised spill prior to discharge off site. The discharge rates are to be restricted to a greenfield runoff equivalent of the Qbar runoff rate of 3.70 l/s. A Flood Risk Assessment for the site has outlined that the proposed building would be located within Flood Zone C, which is the lowest risk of flooding. There are no surface water abstractions proposed, therefore no potential impacts on the quantity of surface water.

9.8.4. In terms of foul wastewater operational impacts, the EIAR outlines that the proposed development ultimately discharges to the Ringsend WWTP. It states that ongoing upgrade works will result in treatment of sewage to a higher quality than current, thereby ensuring effluent discharge to Dublin Bay will comply with the Urban Wastewater Treatment Directive for a population equivalent of 2.1 million by Q4 2023. Even without treatment at the Ringsend WWTP, the EIAR outlines that the peak effluent discharge would not have a measurable impact on the overall water quality within Dublin Bay or the Natura 2000 sites located therein, and therefore would not have an impact on the current Water Body Status (as defined within the Water Framework Directive).

9.8.5. Following the implementation of mitigation measures, the EIAR concludes that construction phase impacts would be neutral, imperceptible, and short-term. Similarly, the operational impacts are deemed to be neutral, imperceptible, and long-term.

9.8.6. Having regard to the foregoing, I am satisfied that impacts predicted to arise in relation to water would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, proposed mitigation measures, and through suitable conditions. I am, therefore, satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative impacts in terms of water.

9.9. **Air Quality and Climate**

9.9.1. Chapter 11 assesses air quality impacts. Based on EPA survey information, it outlines that air quality in the suburban Dublin area is generally good. However, the EPA highlights that road transport emissions have potential for breaches in the annual NO₂ limit value in future years and that exceedances in the particulate matter (PM₁₀ and PM_{2.5}) limit values are likely in future years if burning of solid fuels for residential heating continues. Based on the UK Institute of Air Quality Management

(IAQM) guidance, the worst-case sensitivity of the area to dust soiling is considered high, while the worst-case sensitivity of the area to human health is considered low.

- 9.9.2. The EIAR acknowledges the potential construction stage impacts relating to dust from earthworks, construction works, and vehicle movement, which is deemed to be short-term, localised, negative and slight. The potential for traffic emissions and human health impacts is deemed to be imperceptible. Construction mitigation will include the implementation of a Dust Management Plan.
- 9.9.3. The potential operational traffic impact has been assessed by modelling emissions from the traffic generated by the development. The traffic data includes the 'Do Nothing' and 'Do Something' scenarios. The impact of NO₂, PM₁₀ and PM_{2.5} emissions for the Opening and Design Years was predicted at the nearest sensitive receptors to the development. Overall, the potential impact of the development on ambient air quality when compared to EU limit values is considered long-term, localised, neutral, imperceptible and non-significant. Therefore, it was concluded that the impact to human health during the operational stage is long-term, neutral and imperceptible.
- 9.9.4. Following the implementation of mitigation measures, the EIAR concludes that the air quality impacts would not be significant at construction or operational stages.
- 9.9.5. Chapter 12 assesses the likely 'Climate' impacts associated with the development with particular reference to Greenhouse Gas (GHG) emissions and climate change vulnerability. It outlines that the construction and operational phases have the potential for significant GHG emissions in the absence of mitigation. However, construction mitigation will reduce the embodied carbon of construction works and the operational stage will include measures to reduce the impact on climate from energy usage. The operational stage will also include embedded design mitigation to mitigate vulnerability to the impacts of climate change such as flooding. Subject to these mitigation measures, the EIAR does not predict any significant impacts relating to emissions or climate change vulnerability.
- 9.9.6. Having regard to the foregoing, I am satisfied that impacts predicted to arise regarding air quality and climate would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, proposed mitigation measures, and suitable conditions. I am, therefore, satisfied that the proposed development

would not have any unacceptable direct, indirect, or cumulative impacts in terms of air quality and climate.

9.10. **Landscape & Visual**

- 9.10.1. Chapter 14 assesses the landscape and visual effects of the proposed development. It outlines the existing baseline characteristics of this 'peri-urban' area and the planning context which provides for residential development on the site. It contends that the receiving environment is of 'Low to Medium' sensitivity and the degree of change associated with the development is 'Medium'. Therefore, it predicts that the landscape and visual impact of the construction phase would be Moderate, Negative and Short-term, while the operational impacts would be Moderate, Neutral and Long-term.
- 9.10.2. Construction mitigation will be managed by a CEMP and includes measures to ensure the protection of existing trees/hedgerows. The proposal also includes a range of embedded design measures to mitigate operational impacts, including the architectural design and the incorporation of several open spaces and landscaping. The EIAR concludes that the development will have an overall positive impact on local character and will not adversely impact any sensitive landscape characteristics. The landscape impact of the Operation Stage is assessed as being of Moderate, Positive and Medium to Long-term significance. Photomontages are included which illustrate the impact of the development from 6 surrounding viewpoints, including the cumulative impact of the permitted development to the west. I refer the Board to section 8.7 of this report where I have outlined that I have no objections in relation to the landscape or visual impacts of the development.
- 9.10.3. Having regard to the foregoing, I am satisfied that impacts predicted to arise regarding landscape and visual would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, proposed mitigation measures, and suitable conditions. I am, therefore, satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative impacts in terms of landscape or visual.

9.11. Cultural Heritage

- 9.11.1. Chapter 15 assesses the impact of the development on the receiving cultural, architectural, and archaeological heritage environments. There are no designated heritage assets within the site and the closest archaeological monument and protected structure is Mulhuddart church and graveyard (DU013- 010001-003, RPS 670), which lies on the other side of Church Road, c. 22m to the south-east. A path led from the church to Tyrrelstown House (DU013-006, RPS 673), traversing through the site, and a surviving gap in the treeline is potentially the remnants of the end of this laneway. The mature trees along Church Road formed an important element of the former demesne landscape of Tyrrelstown House and provide a reminder of the historical character of the area. Investigations would indicate that significant groundwork disturbances have taken place on the site.
- 9.11.2. At construction stage, there is the potential that previously unknown archaeological deposits, features or finds may survive subsurface within the proposed development site, particularly in the central / south part of the site which is closest to the church and graveyard. Archaeological testing will be carried out in the central / south part of the site while archaeological monitoring will be carried out in the northern and south-western site portions. Subject to these archaeological measures, the EIAR does not identify any residual impacts. I note the submission from DAU (Department of Housing, Local Government, and Heritage) outlines that there are no objections subject to archaeological conditions and I consider that archaeological conditions should be applied to any grant of permission.
- 9.11.3. At operational stage, the setting of Mulhuddart Church and Graveyard (DU013-010001-003, RPS 670) will be largely screened by the existing tree-lined boundary along Church Road. The creation of a linear park along the south side of the proposed development would represent a positive, moderate and long-term impact to the setting of the church and graveyard. This will be enhanced by the retention of the existing mature tree line (including the historic gap) on Church Road, which adds to the historic character of the area. As such the EIAR does not consider any mitigation measures necessary.
- 9.11.4. Having regard to the foregoing, I am satisfied that impacts predicted to arise regarding cultural heritage would be avoided, managed, and mitigated by the

measures which form part of the proposed scheme, proposed mitigation measures, and suitable conditions. I am, therefore, satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative impacts in terms of cultural heritage.

9.12. **Material Assets**

- 9.12.1. Chapter 18 of the EIAR acknowledges that the construction and operational phases of the development have the potential for significant negative waste effects in the absence of mitigation. However, the waste generated will be suitably managed by a Resource and Waste Management Plan and an Operational Waste Management Plan to ensure that the residual impacts will be imperceptible and neutral.
- 9.12.2. Chapter 19 examines the impact on material assets serving the subject lands relating to water supply, wastewater, surface water drainage, gas, electricity, and telecommunications. Irish Water has confirmed that the water and wastewater demand arising from the development can be accommodated. There is a risk to all services during the construction and operational phases of the project and the EIAR sets out appropriate mitigation measures such as scanning for all services during excavation. The risks are generally deemed to have a negative or neutral, imperceptible or slight, short-term effect. During the operational stage, there will be an increased demand for all the services which can be accommodated by the service providers. The impacts are deemed neutral, imperceptible, and long-term. Any further risks will be mitigated using good practice mitigation.
- 9.12.3. Having regard to the foregoing, I am satisfied that impacts predicted to arise regarding Material Assets would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, proposed mitigation measures, and suitable conditions. I am, therefore, satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative impacts in terms of Material Assets.

9.13. **Interactions**

- 9.13.1. Although each EIAR chapter has considered the potential for interactive impacts and the mitigation of same, Chapter 20 provides an overview of the key interactions

identified and addressed. The most notable potential interactions of factors can be summarised as follows:

- Populations and Human Health – Interaction with nuisance impacts relating to air quality, noise and vibration, and traffic. There will also be interactive impacts relating to landscape & visual, traffic and transportation, changes to daylight/sunlight availability, and material assets.
- Biodiversity – Interactions with the effects and impacts in relation to the geological and hydrogeological environment, surface water, and air quality have the potential to negatively affect biodiversity. The landscape design also has the potential to benefit biodiversity.
- Land, Soils, Geology, and Hydrogeology – Interactions with biodiversity as a result of temporary negative impacts at site level. There will be impacts on air quality as a result of dust emissions and on traffic as a result of the volume of excavated soil to be transported off site.
- Hydrology - Interactions with biodiversity as a result of temporary negative impacts at site level. Drainage measures will mitigate impacts on climate and groundwater, while air quality (dust deposition) will also require mitigation.
- Air Quality – Potential interactive impacts with population and human health, traffic, land and soils as a result of dust emissions, and with climate as a result of burning fossil fuels.
- Climate – Interactions with biodiversity and hydrology as a result of climate change occurring, and with waste and traffic/transportation as a result of GHG emissions. Flood risk, waste emissions and carbon emissions will be appropriately mitigated.
- Landscape and Visual – Removal of soil and vegetation may interact with biodiversity and soils but will be suitably mitigated by the landscaping and planting proposals.
- Cultural Heritage – Interactive archaeological impacts with land and soils will be suitably mitigated by archaeological testing and monitoring.

- Traffic & transportation – Interactions with population and human health as a result of noise and air-related effects; with air quality and climate as a result of emissions; with water as a result run-off associated with road construction; with waste (material assets) as a result of material transportation.

9.13.2. As previously outlined, the detailed characterisation of these impacts and any mitigation measures that have been prescribed in relation to them have been addressed under the corresponding EIAR chapters. I am satisfied that the relevant interactions have been suitably identified and that the mitigation measures for same are acceptable.

9.13.3. Having regard to the foregoing, I am satisfied that impacts relating to interactions would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, proposed mitigation measures and through suitable conditions. I am, therefore, satisfied that the proposed development would not have any unacceptable direct, indirect, combined, or cumulative interactions.

9.14. **Cumulative Impacts**

9.14.1. Chapter 21 discusses the potential for cumulative impacts to arise as a result of the proposed development in combination with other projects. Each of the specialist chapters of the EIAR have considered the potential for cumulative impacts to arise, with particular reference to existing or commenced projects, approved projects, and proposed projects. Table 21.1 of the EIAR provides a list of relevant permitted and proposed developments.

9.14.2. Consistent with the EIAR findings, I am satisfied that subject to full and proper implementation of the mitigation measures set out in the EIAR, no significant negative cumulative impacts are likely to arise during the construction or operational phases of the proposed development.

9.15. **Mitigation and Monitoring Measures**

9.15.1. Chapter 22 of the EIAR outlines a collective list of all general mitigation measures as well as specific mitigation and monitoring measures that apply to each individual chapter. I am satisfied that this accurately and adequately represents the mitigation and monitoring measures associated with the proposed development.

9.16. Reasoned Conclusion

9.16.1. Having regard to the examination of environmental information contained above, and in particular to the EIAR and supplementary information provided by the applicant, as well as the submissions received in the course of the application, I am satisfied that the potential effects of the proposed development have been adequately identified, described and assessed, and I am satisfied that there will be no other likely significant environmental effects arising from the proposed development. I consider that the main significant direct and indirect effects of the proposed development on the environment, including mitigation and monitoring measures, are as follows:

- Positive socioeconomic effects on population and human health associated with increased employment and demand for services during the construction phase, and the availability of additional housing when complete. The potential for significant negative human health effects associated with nuisance/disturbance during the construction phase will be addressed through construction management mitigation measures and will not result in any unacceptable residual effects.
- Potential significant climate effects related to greenhouse gas emissions and climate change vulnerability. Mitigation measures including energy efficiencies, landscaping, and sustainable drainage design have been incorporated into the design of the development to ensure that there will be no unacceptable residual climate effects.
- Potential significant noise effects at construction stage which will be mitigated through construction management measures to ensure that there will be no unacceptable residual effects.
- Potential significant waste-related effects at construction and operational stage. These effects will be suitably addressed through construction waste management measures and an operational waste management plan, and there will be no unacceptable residual effects relating to waste.

10.0 **Appropriate Assessment**

The requirements of Article 6(3) of the Habitats Directive, as related to screening the need for Appropriate Assessment of a project under Part XAB (section 177U) of the Planning and Development Act 2000 (as amended), are considered fully in this assessment.

10.1. **Background to the application**

10.1.1. As part of the application, an Appropriate Assessment Screening Report was compiled by Brady Shipman Martin. In summary, the report's assessment of the potential effects on Natura 2000 sites is as follows:

- There will be no loss of any habitat or species listed as a QI or SCI of any designated site as a consequence of the proposed development. There is, therefore, no potential for the effects of habitat loss or fragmentation to occur.
- There will be no significant effects as a result of habitat loss and/or fragmentation, land-take, resource requirements such as water abstraction, habitat structure, mortality to species (such as roadkill), noise pollution / vibration impacts, light pollution, emissions to air (including dust), or emissions to water.
- No invasive plant species (i.e. those species listed on Schedule 3 of the Birds and Habitats Regulations, 2011(as amended)), were identified on site.

10.1.2. The applicant's AA Screening report concludes that, in view of best scientific knowledge, the proposed development, individually or in combination with another plan or project, will not have a significant effect on any European sites. This conclusion was reached without considering or taking into account mitigation measures or measures intended to avoid or reduce any impact on European sites.

10.1.3. Having reviewed the documents, drawings and submissions included in the application file, I am satisfied that the information allows for a complete examination and identification of any potential significant effects of the development, alone, or in combination with other plans and projects on European Sites.

10.1.4. The project is not directly connected with or necessary to the management of a European Site and therefore it needs to be determined if the development would

have any possible interaction that would be likely to have significant effects on a European Site(s).

10.2. Description of the development

10.2.1. A detailed description of the development is outlined in section 3 of this report. In summary, it includes the construction of 217 no. residential units and all associated siteworks and services.

10.2.2. The site has a total area of 5.52 ha and is located on the north-western fringes of Dublin City. The surrounding area includes a mix of uses, mainly including industrial/business parks and residential estates. Apart from the temporary construction use of the northern part of the main site, the overall site is currently undeveloped and generally consists of scrub/grassland and playing fields interspersed with hedgerows and ditches. There is a line of mature Beech trees along Church Road to the east.

10.3. Submissions and Observations

10.3.1. The submissions and observations received during the application and application process have been outlined in sections 6 and 7 of this report. The submissions have not raised any issues in relation to European Sites.

10.4. European Sites

10.4.1. The applicant's AA Screening Report initially considers a 15km radius and other potential pathways to carry out a source-pathway-receptor assessment for relevant European Sites as outlined in the following table.

European Site (Code)	Distance (km)	Presence of Impact Pathway	Assessed Further
Rye Water Valley/ Carton SAC (001398)	8.2 (south- west)	None.	No
South Dublin Bay SAC (000210)	14.5 (south- east)	Hydrological connectivity via River Tolka.	Yes
North Dublin Bay SAC (000206)	15 (South- east)	Hydrological connectivity via River Tolka.	Yes

Malahide Estuary SAC (000205)	13.5 (north-east)	None.	No
South Dublin Bay and River Tolka Estuary SPA (004024)	14.5 (South-east)	Hydrological connectivity via River Tolka.	Yes
North Bull Island SPA (004006)	12.2 (South-east)	Hydrological connectivity via River Tolka.	Yes
Malahide Estuary SPA (004025)	13.5 (north-east)	None.	No
Rogerstown Estuary SAC (000208)	16.5 (North-east)	None.	No
Rogerstown Estuary SPA (004015)	16.5 (North-east)	None.	No
Baldoyle Bay SPA (004016)	16.7 (East)	None.	No
Baldoyle Bay SAC (000199)	16.7 (East)	None.	No
Rockabill to Dalkey Island SAC (003000)	21.2 (East)	Hydrological connectivity via River Tolka.	Yes
Ireland's Eye SAC (002193)	21.3 (East)	None.	No.
Ireland's Eye SPA (004117)	21.1 (East)	None.	No.
Howth Head SAC (000202)	20.2 (South-east)	Hydrological connectivity via River Tolka.	Yes
Howth Head Coast SPA (004113)	23 (South-east)	Hydrological connectivity via River Tolka.	Yes
Dalkey Islands SPA (004172)	24.6 (South-east)	Hydrological connectivity via River Tolka.	Yes

Lambay Island SAC (000204)	25.2 (North- east)	None.	No
Lambay Island SPA (004069)	25.2 (North- east)	None.	No

10.4.2. As per the above table, I acknowledge that the applicant's AA Screening has considered further the potential impacts on distant sites in the outer Dublin Bay area such as Rockabill to Dalkey Island SAC, Howth Head SAC, Howth Head Coast SPA, and Dalkey Islands SPA. All of these sites are at least 20kms from the application site and are separated by a large hydrological buffer with very significant assimilative capacity. Accordingly, I do not consider that further assessment is warranted in relation to these sites.

10.4.3. I acknowledge the potential for surface/ground water hydrological links between the application site and Dublin Bay via the Tolka River. However, having regard to the significant distance, barriers, and lack of connectivity between the application site and the European Sites within the outer Dublin Bay area, I am satisfied that the sites which require further screening consideration are limited to the North Dublin Bay SAC, South Dublin Bay SAC, the South Dublin Bay and River Tolka Estuary SPA, and the North Bull Island SPA. The potential for surface/ground water effects on the other sites can be excluded at this preliminary examination stage.

10.4.4. I also note the potential for hydrological connections via wastewater emissions to the Ringsend WWTP which discharges to the inner area of Dublin Bay. In this respect, I consider that there is limited potential for effects on the inner Dublin Bay sites consisting of South Dublin Bay and River Tolka Estuary SPA, South Dublin Bay SAC, North Dublin Bay SAC, and North Bull Island SPA. These sites would be the most likely to be affected by any wastewater emissions from Ringsend WWTP and should be assessed further on a precautionary basis. The other Natura 2000 sites within the wider Dublin Bay area would be at a significantly greater separation distance and would benefit from a large hydrological buffer with significant assimilative capacity, and I am satisfied that there is no potential for significant wastewater effects on those outer sites.

10.4.5. Having regard to the foregoing, my screening assessment will focus on the impact of the proposal on the conservation objectives of Natura 2000 sites around inner Dublin Bay and their qualifying interests (as set out in the table below). I am satisfied that no other European Sites fall within the possible zone of influence.

European Site	Conservation Objectives and Qualifying Interests (QI's)
South Dublin Bay SAC	To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide.
South Dublin Bay and River Tolka Estuary SPA	To maintain the favourable conservation condition of the following QI's (excluding 'Grey Plover' which is proposed for removal): Light-bellied Brent Goose, Oystercatcher, Ringed Plover, Grey Plover, Knot, Sanderling, Dunlin, Bar-tailed Godwit, Redshank, Black-headed Gull, Roseate Tern, Common Tern, Arctic Tern, Wetlands.
North Bull Island SPA	To maintain the favourable conservation condition of the following QI's: Light-bellied Brent Goose, Shelduck, Teal, Pintail, Shoveler, Oystercatcher, Golden Plover, Grey Plover, Knot, Sanderling, Dunlin, Black-tailed Godwit, Bar-tailed Godwit, Curlew, Redshank, Turnstone, Black-headed Gull, Wetlands.
North Dublin Bay SAC	<p>To maintain the favourable conservation condition of the following QI's: Mudflats and sandflats not covered by seawater at low tide, Atlantic salt meadows, Mediterranean salt meadows, Petalophyllum ralfsii (Petalwort).</p> <p>To restore the favourable conservation condition of the following QI's: Annual vegetation of drift lines, Salicornia and other annuals colonising mud and sand, Embryonic shifting dunes, Shifting dunes along the shoreline with Ammophila arenaria (white dunes), Fixed coastal dunes with herbaceous vegetation (grey dunes), Humid dune slacks.</p>

10.5. Potential Effects on European Sites

10.5.1. The application site is not located within or adjoining any of the relevant European Sites. The nearest relevant site is c. 12km away and is significantly separated by

existing development. No evidence of any protected species such as otter or roosting bats (protected under Article 12 of the Habitats Directive) was recorded during the desk study or on site. Furthermore, the subject site does not contain any suitable ex-situ habitat for any qualifying interests. Accordingly, I am satisfied that there is no potential for habitat loss/alteration or for habitat/species fragmentation.

10.5.2. Given the existing urban context for the site and given that all relevant European Sites are distanced at least 12 km from the application site, it is unlikely that any disturbance impacts would occur during the construction or operational stage. In this regard I have considered all potential disturbance effects, including heightened noise/lighting levels and the obstruction of flight paths / bird strike, as well as the potential for significant in-combination or cumulative effects in this regard.

10.5.3. In accordance with section 10.4 (above), I am satisfied that the potential effects on the relevant European Sites are limited to the hydrological connections associated with surface/groundwater and wastewater emissions.

Surface / Ground water

10.5.4. I acknowledge that surface/ground water arising during the site clearance, construction and operation of the proposed development could contain pollutants (foul water, silt, dust, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the ground or the local surface water drainage network and from there, eventually, to Dublin Bay via the Pinkeen River (Powerstown) and the River Tolka.

10.5.5. However, having regard to the nature, size and location of the proposed development, I do not consider that there will be significant effects on the conservation objectives of the relevant European sites. Even in the event of a pollution incident (such as a fuel or cement spill) significant enough to impact upon surface/ground water quality locally, this would not be perceptible in the relevant European Sites of inner Dublin Bay.

10.5.6. This is due to the significant separation distance between the proposed development site and the European sites (at least 12km straight line distance). Any pollution entering any watercourse during construction or operation would be so diluted as to be undetectable by the time the water enters the Bay. In addition, significant dilution and mixing of surface and sea water would occur. Upon reaching the Bay any

pollutants would be even further diluted and dissipated by the receiving waters. Furthermore, the construction of the proposed development will take place over a comparatively short period and there is no possibility of long-term impacts arising as a result of the construction elements of the proposed development. At operational stage, the surface/ground water pollution risks will be suitably addressed by the proposed drainage system which includes attenuation and interception as standard practice drainage measures.

Wastewater

- 10.5.7. I note that the Irish Water discussions indicate that there is adequate capacity to facilitate the proposed development. The Irish Water Wastewater Treatment Capacity Register (June 2023) also confirms that there is available capacity in the Ringsend WWTP. The development will result in an increased P.E. loading to the Ringsend WWTP, but I note that permitted upgrade works will bring the capacity of the plant to 2.1 million PE in the second half of 2023 and to 2.4 million PE by 2025, while meeting the required Water Framework Directive standards. Evidence also suggests that in the current situation, some nutrient enrichment is benefiting wintering birds for which the SPAs have been designated in Dublin Bay.
- 10.5.8. The peak wastewater outflow associated with the proposed development (6.713 l/s) would not be significant when equated as a percentage (i.e. <0.1%) of the current licensed discharge at Ringsend WWTP. Overall, I am satisfied that no significant impacts to the Natura 2000 sites can arise from additional loading on the Ringsend WWTP as a result of the proposed development, for the following reasons:
- The coastal waters in Dublin Bay are classed as ‘unpolluted’ by the EPA and there is no evidence that pollution through nutrient input is affecting the conservation objectives of sites within Dublin Bay;
 - The Ringsend WWTP extension is likely to be completed in the short term (with a PE of 2.1 million in 2023 and 2.4 million in 2025) to ensure statutory compliance with the WFD. This is likely to maintain the ‘Unpolluted’ water quality status of coastal waters despite potential pressures from future development;
 - The proposed development involves an estimated peak foul flow discharge of 6.713 l/s, which will not be significant in the context of existing and proposed wastewater capacity; and

- Enriched water entering Dublin Bay has been shown to rapidly mix and become diluted such that the plume is often indistinguishable from the rest of bay water.

10.6. In combination or Cumulative Effects

- 10.6.1. The applicant's assessment considers in-combination effects of the proposed development and concludes that there are no developments proposed within the immediate vicinity of the site that would, in combination with the proposed development, give rise to significant effects on European Sites. This includes projects that are currently under construction, have recently been granted planning permission or are in the pipeline.
- 10.6.2. It considers the cumulative impacts on Ringsend WWTP and accepts that in-combination effects inherently arise as a result of the foul water loading of all developments within its catchment. However, as discussed above, permitted upgrade works to secure additional capacity are ongoing; and EPA monitoring data indicate that current over capacity issues at the WwTP are not having a significant water quality impact in the Bay, which is classed as 'unpolluted'. It concludes that significant effects on European sites can, therefore, be excluded.
- 10.6.3. The applicant's report also highlights that the Fingal County Development Plan 2023–2029 has a series of objectives intended to protect and enhance the natural environment, including those related to flood protection and surface water management. These objectives have themselves been subject to Appropriate Assessments, which have concluded that their implementation would not adversely affect the integrity of European sites.
- 10.6.4. Having regard to the above and the AA screening for other plans/projects in the area, I am satisfied that there is no possibility of significant effects on any European site arising from surface and foul water discharges during the construction and / or operation of the proposed development in combination with other plans or projects. Similar to that outlined in Section 10.5 above, I have reached this conclusion on the basis of the 'unpolluted' classification and dilution capacity of coastal waters in Dublin Bay; proposals to upgrade the Ringsend WWTP in the short-term; and the incorporation of best-practice SUDS and construction management measures.

10.7. **Mitigation Measures**

10.7.1. I confirm that no measures designed or intended to avoid or reduce any harmful effects of the project on a European Site have been relied upon in this screening exercise. I am satisfied that the construction stage management measures and the operational stage surface water and foul water management measures should be considered standard best practice measures and/or measures which have not been designed or intended to avoid or reduce any harmful effects of the project on a European Site. Therefore, these measures can be considered in the AA Screening determination.

10.8. **AA Screening Determination**

10.8.1. The proposed development was considered in light of the requirements of section 177U of the Planning and Development Act 2000 (as amended). Having carried out Screening for Appropriate Assessment of the project, it has been concluded that the project, individually, or in combination with other plans or projects, would not be likely to give rise to significant effects on South Dublin Bay SAC (000210), North Dublin Bay SAC (000206), South Dublin Bay and River Tolka Estuary SPA (004024), North Bull Island SPA (004006), or any European Sites, in view of the sites' conservation objectives, and Appropriate Assessment (Stage 2), including the submission of Natura Impact Statement is not, therefore, required.

10.8.2. This determination is based on the following:

- The nature and scale of the proposed development and the location of the site on serviced lands;
- The distance of the proposed development from European Sites and the limited potential for pathways;
- The incorporation of best-practice construction management and surface water management;
- The dilution capacity within the existing drainage network and the receiving water environment in Dublin Bay;

- Proposals to upgrade the capacity of the Ringsend WWTP in the short-term to facilitate future development in compliance with the provisions of the Water Framework Directive.

11.0 Recommendation

- 11.1. I consider that, subject to compliance with conditions, the proposed development would comply with the policies and objectives of the Fingal County Development Plan 2023-2029. I have identified several aspects of the application which require clarification, particularly proposals relating to age-friendly and accessible units; the provision of play facilities; and the provision of public open space. However, I am satisfied that these matters can be satisfactorily addressed as a condition of any approval; that any subsequent amendments as a result of such conditions would not significantly affect the nature, design and layout of the proposed development; and that the relevant matters would not constitute a material contravention of the Development Plan.
- 11.2. In the event that the Board disagrees with this approach and considers that there is a material contravention of the Development Plan, I would highlight the provisions of section 178 of the Planning and Development Act 2000, as amended. This outlines that a local authority shall not effect any development in its functional area which contravenes materially the development plan.
- 11.3. I recommend that the proposed development should be **APPROVED**, subject to conditions, and for the reasons and considerations set out in the Draft Order below.

12.0 Recommended Draft Board Order

Planning and Development Acts 2000 to 2021

Planning Authority: Fingal County Council

Application by Fingal County Council for approval under section 175 of the Planning and Development Act 2000, as amended, in accordance with plans and particulars, including an Environmental Impact Assessment Report, lodged with An Bord Pleanála on the 7th day of June 2023 by Brady Shipman Martin of Mountpleasant Business Centre, Ranelagh, Dublin.

Proposed Development:

The proposed development seeks the construction of 217 no. residential units, consisting of 121 no. houses and 96 no. apartments, ranging from 2 – 4 storeys in height, in a mixed tenure development. The development is set out as follows:

1. The construction of:
 - 121 no. two and three storey houses (34 no. 2 beds, 76 no. 3 beds, & 11 no. 4 beds);
 - 3 no. four-storey apartment blocks with balconies on all elevations, green roofs, and external amenity courtyards, providing a total of 96 no. units (36 no. 1 beds, 56 no. 2 beds, & 4 no. 3 beds)
2. Landscape works including:
 - (a) provision of Class 2 open space of 7,600 sqm, private communal open space of 725 sqm, playgrounds and kick about areas;
 - (b) new pedestrian and cycle connections to Damastown Avenue to the north; to the new Church Fields footpath cycleway to the east; and to the linear park to the south; and
 - (c) a new pedestrian connection to Church Road and to Mulhuddart Cemetery on Church Road

3. 306 no. car parking spaces (263 no. residential and 43 no. visitor spaces), including 15 accessible spaces; and 897 no. bicycle parking long term and short-term spaces, including 6 no. external bike stores providing 300 bicycle spaces for the apartments, and 16 no. free-standing bike bunkers accommodating 96 no. bicycle spaces for mid-terrace houses;
4. A temporary construction access to the site from Damastown Avenue;
5. Associated site and infrastructural works include provision for water services, foul and surface water drainage and associated connections to the permitted Church Fields Housing and Eastern Linear Park scheme (as permitted under Plan Reg. Ref.: PARTXI/012/21); and Sustainable Drainage Systems, including permeable paving, green roofs and swales. The proposed development includes for proposed surface water drainage which is amended from that permitted under Church Fields Housing and Eastern Linear Park development.
6. The proposed application includes all site enabling and development works, landscaping works, PV panels, bins stores, plant, storage, boundary treatments, ESB substations, lighting, servicing, signage, and all site development works above and below ground.

Decision

APPROVE 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.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

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

(a) the location of the site in an established urban area and the zoning of the site for residential uses;

(b) the policies and objectives of the Fingal County Development Plan 2023-2029;

(c) 'Housing for All – A New Housing Plan for Ireland' issued by the Department of Housing, Local Government and Heritage in September 2021;

(d) the National Planning Framework which identifies the importance of compact growth;

(e) the Climate Action Plan 2023 prepared by the Government of Ireland;

(f) the provisions of the Dublin Metropolitan Area Strategic Plan (MASP), part of the Eastern & Midland Regional Assembly RSES 2019-2031;

(g) The Greater Dublin Area Transport Strategy 2022-2042 prepared by the National Transport Authority

(h) The Guidelines for Sustainable Residential Developments in Urban Areas and the accompanying Urban Design Manual – a Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May 2009;

(i) Urban Development and Building Heights Guidelines for Planning Authorities, prepared by the Department of Housing, Planning and Local Government in December 2018;

(j) The Sustainable Urban Housing: Design Standards for New Apartments issued by the Department of Housing, Local Government and Heritage, in July 2023;

(k) Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities, issued by the Department of the Environment, Heritage and Local Government (2007);

(l) The Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in 2019;

- (m) The Planning System and Flood Risk Management Guidelines for Planning Authorities (including the associated Technical Appendices), 2009;
- (n) The nature, scale and design of the proposed development and the availability in the area of a wide range of social, transport and water services infrastructure;
- (o) The pattern of existing and permitted development in the area;
- (p) The submissions and observations received; and
- (q) The report and recommendation of the inspector including the examination, analysis and evaluation undertaken in relation to appropriate assessment and environmental impact assessment.

Appropriate Assessment Screening

The Board 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 zoned and serviced urban area, the nature of the receiving environment, the distances to the nearest European Sites and pathway considerations, the Appropriate Assessment Screening document submitted with the application, the Inspector's report, and submissions on file. In completing the screening exercise, the Board adopted the report 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, and that a Stage 2 Appropriate Assessment is not, therefore, required.

Environmental Impact Assessment

The Board 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 in support of the application,

- (c) The submissions from prescribed bodies in the course of the application, and
- (d) The report of the Planning Inspector.

Reasoned Conclusion on Significant Environmental Effects

The Board considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, adequately identifies and describes the direct, indirect, secondary and cumulative effects of the proposed development on the environment. The Board 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 Board agreed with the summary and examination, set out in the Inspector's report, of the information contained in the Environmental Impact Assessment Report and associated documentation submitted by the applicant and submissions made in the course of the planning application. The Board is satisfied that the Inspector's report sets out how these were addressed in the assessment and recommendation, including environmental conditions, and these are incorporated into the Board's decision.

The Board considered and agreed with the Inspector's reasoned conclusions, that the main significant direct and indirect effects of the proposed development on the environment are, and would be mitigated, as follows:

- Positive socioeconomic effects on population and human health associated with increased employment and demand for services during the construction phase, and the availability of additional housing when complete. The potential for significant negative human health effects associated with nuisance/disturbance during the construction phase will be addressed through construction management mitigation measures and will not result in any unacceptable residual effects.
- Potential significant climate effects related to greenhouse gas emissions and climate change vulnerability. Mitigation measures including energy efficiencies,

landscaping, and sustainable drainage design have been incorporated into the design of the development to ensure that there will be no unacceptable residual climate effects.

- Potential significant noise effects at construction stage which will be mitigated through construction management measures to ensure that there will be no unacceptable residual effects.
- Potential significant waste-related effects at construction and operational stage. These effects will be suitably addressed through construction waste management measures and an operational waste management plan, and there will be no unacceptable residual effects relating to waste.

The Board completed an Environmental Impact Assessment in relation to the proposed development and concluded that, subject to the implementation of the proposed mitigation measures set out in 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 in combination with other development in the vicinity, would be acceptable. In doing so, the Board adopted the report and conclusions of the Inspector.

Conclusions on Proper Planning and Sustainable Development

The Board considered that, subject to compliance with the conditions set out below, the proposed development would comply with the policies and objectives of the Fingal County Development Plan 2023-2029, including the 'RS – Residential' zoning for the site, would constitute an acceptable quantum of development on this greenfield site in a suburban / intermediate location which would be served by an appropriate level of public transport and social / community infrastructure, would provide an acceptable form of residential amenity for future occupants, would not seriously injure the visual amenities of the area or of property in the vicinity, 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, and would be capable of being adequately served by wastewater, surface water, and water supply infrastructure.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application to An Bord Pleanála, except as may otherwise be required in order to comply with the following conditions. Where any such conditions require details to be prepared by or on behalf of the local authority, prior to commencement of development, these details shall be placed on the file and retained as part of the public record.

Reason: In the interest of clarity.

2. The mitigation and monitoring measures outlined in the plans and particulars, including the Environmental Impact Assessment Report (EIAR) submitted with this application as set out in Chapter 22 of the EIAR 'Mitigation Measures and Monitoring', shall be carried out in full, except where otherwise required by conditions attached to this permission.

Reason: In the interest of clarity and the protection of the environment during the construction and operational phases of the development.

3. Prior to the commencement of development, the local authority or any agent acting on its behalf shall demonstrate proposals for the following, which shall be placed on file and retained as part of the public record:

- a) The provision of accessible and age-friendly units to comply with Objectives SPQHO22 and DMSO37 of the Fingal County Development Plan 2023-2029,
- b) Proposals to provide storage facilities to cater for cargo bikes and adaptable bicycles to cater for those with disabilities,
- c) The provision of playground facilities and equipment to comply with Objectives DMSO68 and DMSO69 of the Fingal County Development Plan 2023-2029,
- d) The provision of public open space to comply with Objective DMSO51 of the Fingal County Development Plan 2023-2029. Proposals in this regard shall demonstrate that any additional space to be provided outside the site boundaries is solely attributable to the proposed development and is not required as public open space for any other development.

Reason: To ensure a satisfactory standard of development including open space and play facilities, and to ensure that the development is accessible to all users.

- 4. Details of the materials, colours and textures of all the external finishes to the proposed development shall be prepared by the local authority prior to commencement of development and shall be placed on file and retained as part of the public record.

Reason: In the interest of visual amenity.

- 5. Prior to the commencement of development, the developer or any agent acting on its behalf shall prepare a Construction and Environmental Management Plan (CEMP) including demonstration of proposals to adhere to best practice and protocols. The CEMP shall include specific proposals as to how the CEMP will be measured and monitored for effectiveness.

Reason: In the interest of protecting the environment and public health.

6. Proposals for a development name and numbering scheme and associated signage shall be prepared by the local 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.

7. The proposed public lighting scheme shall be provided prior to the making available for occupation of any residential unit.

Reason: In the interests of amenity and public safety.

8. 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 local authority, or any agent acting on its behalf, to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

9. The local authority, or any agent acting on its behalf, shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site in accordance with the mitigation measures outlined in Chapter 15 of the EIAR submitted with the application. These details shall be placed on file and retained as part of the public record. The local authority, or any agent acting on its behalf, shall also employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site, carry out pre-development archaeological

testing, and monitor all site development works.

The assessment shall address the following issues:

- (i) the nature and location of archaeological material on the site, and
- (ii) the impact of the proposed development on such archaeological material.

A report, containing the results of the assessment shall be prepared and, arising from this assessment, the local authority shall outline details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.

Reason: In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

10. Prior to the commencement of development, the local authority, or any agent acting on its behalf, shall enter into water and waste water connection agreement(s) with Irish Water.

Reason: In the interest of public health.

11. 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 and for the ongoing operation of these facilities for each unit shall be placed on file and retained as part of the public record prior to commencement of development. Thereafter, the waste shall be managed in accordance with the plan.

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

12. 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.

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

13. The developer or any agent acting on its behalf, shall retain the professional services of a qualified Landscape Architect as Landscape Consultant throughout the life of the site development works. The Landscape Consultant shall be engaged to procure, oversee and supervise the landscape contract for the implementation of the permitted landscape proposals. When all landscape works are inspected and completed to the satisfaction of the Landscape Consultant, he/she shall submit a Practical Completion Certificate (PCC) to the local authority to be placed on the public file, as verification that the approved landscape plan and specification have been fully implemented.

Reason: To ensure full and verifiable implementation of the approved landscape design proposals for the approved development, to the approved standards and specification.

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.

Stephen Ward
Senior Planning Inspector
21st August 2023