



An
Bord
Pleanála

Inspector's Report

ABP-317818-23

Development	32 dwellings, 2 sheltered housing units, creche and all ancillary site works
Location	Parkview, Ballymun, Dublin 11
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	5252/22
Applicant	O'Cualann Cohousing Alliance CLG
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	David and Carmel Hardiman Joe McGuirk and others
Observer(s)	None
Date of Site Inspection	2 nd February 2024
Inspector	John Duffy

1.0 Site Location and Description

- 1.1. The appeal site (1.29 ha) which is long and narrow in configuration is located south-west of Poppintree Park in Ballymun, on the southern side of Parkview Road. The site was originally part of the adjoining Poppintree Park. The Ballymun Regeneration Masterplan in 1998 proposed development of two new residential areas to the east and west of the park. These sites became the residential areas of Poppintree Crescent at the eastern edge and Parkview at the western edge.
- 1.2. The site is the largest of 3 sites which make up Site No. 25 earmarked for development, as set out in the Ballymun LAP; with the other two sites located to the north and west of the proposed development.
- 1.3. The site extends to the east as far as the boundary with Cedarwood Green, which is a residential cul-de-sac of predominantly 2 storey semi-detached housing. Along with a section of Poppintree Park, the Parkview residential development comprising residential development of 2 and 3 storey terraced housing adjoins the site to the north and west. There are 2 no. gated entrances to the park from the northern boundary of the appeal site although these are locked. To the south a band of trees separate the site from the established residential areas of Cedarwood Road Oakwood Close comprising conventional suburban type 2 storey semi-detached and terraced housing.
- 1.4. The site is generally flat in topography with the eastern section of the site fenced off from the remainder of the site. The area enclosed within the fence is very overgrown and unkempt and incorporates a section of hardstanding/road which adjoins Parkview Road. The remainder of the site is mainly under grass although there is evidence that foundations for terraced residential units were laid previously. There is gated pedestrian access to Poppintree Park from Parkview Green proximate to the appeal site and also from Cedarwood Green to the east.
- 1.5. The eastern boundary of the site which adjoins Cedarwood Green is enclosed by a c 2 metre high palisade fence.

2.0 Proposed Development

- 2.1. The proposed development as amended by further information submitted to the planning authority on 16th June 2023 comprises the following elements:

- A single storey creche (518 sqm) to cater for 40 children located at the western part of the site, with 4 no. parking spaces, a set down area and 8 no. bicycle parking spaces.

External material finishes comprise mainly brick for the external walls and predominantly concrete tiled roofing, and a green roof over the resource room.

- 2 no. semi-detached 4 bed single storey sheltered housing units adjoin the creche to the east, with parking and a bus bay / set down area.

External material finishes comprise a mix of brick and render for the external walls and concrete tiled roofs.

- Construction of 32 no. houses across 7 no. blocks, comprising 24 no. terraced units in 3 blocks (consisting of 23 no. 3 bed units and 1 no. 2 bed unit), and 8 no. 3 bed semi-detached units.

External material finishes comprise a mix of brick and render for the external walls and concrete tiled roofs.

- 32 no. in-curtilage car parking spaces serving the proposed dwellings.
- 38 on-street car parking spaces and 10 no. bicycle parking spaces on the northern side of Parkview Road. This aspect of the proposal relates to completion of the car parking for the football pitches, which was originally envisaged as part of the Part 8 redevelopment of Poppintree Park (see 'Planning History' below).
- Extension of Parkview Road to the east and provision of a gated pedestrian and bicycle link between Parkview Road and Cedarwood Green at the northern side of the road. The galvanised steel gate with an opening of 1200 mm and with a pivot hinge will swing both ways and be self-closing.
- All ancillary site works including hard and soft landscaping and individual refuse storage areas.

3.0 Planning Authority Decision

3.1. Request for Further Information

Prior to the planning authority's decision to grant permission for the proposed development, it requested Further Information.

3.1.1. Further Information was requested on the 24th January 2023 as follows:

- Item 1 – Matters relating to surface water drainage and provision of Green/Blue roofs.
- Item 2 – Concern raised regarding the design of the pedestrian and cycle entrance and to poor levels of overlooking from the sheltered housing units; request to address these issues and provide details of the gated element of the proposed pedestrian link.
- Item 3 – Concerns raised in terms of pedestrian crossings integration and road design of the new Parkview Road. The applicant was requested to address a number of issues in this regard.
- Item 4 – Submit AA Screening document.
- Item 5 – Request to address matters relating to landscaping including, inter alia, appropriate boundaries to rear gardens ensuring protection of tree belt, hard and soft landscaping measures, street tree proposals, measures to protect park entrance from car parking.

3.1.2. Further information submitted on 20th January 2022.

- Item 1 – Matters raised addressed to the satisfaction of the planning authority. All new surface water infrastructure will accord with the Greater Dublin Regional Code of Practice for Drainage Works. The proposed flat roof to the eastern side of the creche (120 sqm) will include an extensive green roof system.
- Item 2 – The design has been updated to address the issues raised. To address poor levels of overlooking from the 2 no. sheltered housing units, they have been relocated to the west of the site with the housing blocks moved further east. The cul-de-sac now incorporates 4 no. 2 storey semi-detached units, providing better passive surveillance over the street and pedestrian link. The gated element will be a self-closing steel galvanised gate swinging both ways.

The link will remain on the north side of the road (as per Part 8 application 4341/05) so that No. 26 Cedarwood Green is not adversely impacted in terms of residential amenity. It is proposed that the new pedestrian crossing between the link and existing footpath (as well as any footpath extension on Cedarwood Green) to be addressed outside of this application.

- **Item 3** – Revised proposals for traffic calming measures provided. Car parking spaces to the north of the access road have been reconfigured to comply with DMURS requirements. New pedestrian crossing locations are provided to integrate with pedestrian routes serving the existing Parkview estate. A Stage 1 and 2 Road Safety Audit has been undertaken. A Mobility Management Plan for the creche is provided. A Preliminary Construction Management Plan is submitted.
- **Item 4** – Screening for Appropriate Assessment is submitted.
- **Item 5** – A boundary treatment plan, details of hard and soft landscaping proposals, provision of street trees and a landscape masterplan is provided.

3.2. Decision

The planning authority issued a decision to grant permission on the 24th July 2023 subject to 17 no. conditions. The following conditions are of note;

C3 – Development contribution in lieu of public open space requirement

C4 – Transportation related requirements including submission of a Construction Management Plan for the agreement of the planning authority prior to commencement.

C5–Implement Mobility Management Plan and submit a Car Parking Management Strategy for the agreement of the planning authority prior to occupation.

C8 – City Archaeologist to be immediately notified if archaeological material is discovered.

C15 – Section 47 condition.

C16 – The sheltered housing units shall not be sublet, used for short term letting or sold individually without a prior grant of planning permission.

3.3. Planning Authority Reports

3.3.1. Planning Reports

The first report of the Planning Officer raises concerns in relation to the site layout, connectivity, and lack of passive surveillance at the eastern end of the site. The report considers that the proposed development would provide adequate residential amenity to future residents and notes that given the limited height of the scheme and the separation distances to neighbouring residential properties, no undue overbearing, overshadowing or overlooking impacts would arise. The report generally reflects the issues raised in the Further Information request.

3.3.2. The second report of the Planning Officer notes that the applicant has generally addressed the issues raised in the Further Information request. It notes that increased permeability for pedestrians and cyclists is an integral part of both local and national policy and that the proposed opening to Cedarwood Green from the subject site was in place prior to the development of the Parkview estate, and it was closed to facilitate its construction. The Part 8 for Poppintree Park provided for the re-opening of this connection with the proposed gate to remain in the same position on the northern side of the road.

3.3.3. Other Technical Reports

Drainage Division – The first report recommends Further Information is sought in relation to surface water drainage issues. These matters were addressed to the satisfaction of the Drainage Division in the Further Information response received and this is reflected in the second report.

Transportation Planning Division – The first report recommended Further Information is sought on a variety of matters specifically pedestrian crossings integration / design of the new Parkview Road, submission of a Mobility Management Plan, vehicular entrance widths and provision of a Preliminary Construction Management Plan in relation to construction traffic to and from the site. These matters were generally addressed to the satisfaction of the Transportation Planning Division in the Further Information response received and this is reflected in the second report.

Archaeology Section Report – The report notes the proximity of two Recorded Monuments to the site, that the site was subject to archaeology testing in 2006 with

no material discovered and recommends inclusion of a condition to notify the City Archaeologist should any archaeological be discovered during works.

Parks, Biodiversity and Landscape Services – The first report notes that revised proposals to maximise vegetation retention are required and that there is insufficient information on planting proposals, hardscape materials, boundaries and street tree planting. These issues were satisfactorily addressed in the Further Information response and this is reflected in the second report.

Environmental Health Officer – The report recommends conditions including submission of a Construction Management Plan and specifies operational hours during demolition and construction phases.

3.4. Prescribed Bodies

No submissions received.

3.5. Third Party Observations

Many third-party submissions were received in connection with the proposed development. The reports of the Planning Officer summarises the main issues raised in these submissions as follows:

- Residential development, crèche, and sheltered housing welcomed
- Development of derelict site welcomed
- Permeability important in principle, but not appropriate or beneficial here
- Sufficient permeability exists
- Pedestrian and bicycle entrance will lead to additional pedestrian traffic in a quiet neighbourhood, and to antisocial behaviour, and create a rat run for undesirables fleeing the guards
- Pedestrian and bicycle access will lead to new residents and crèche users parking their cars in Cedarwood Green
- Pedestrian and bicycle access will lead to danger to children from scooters and cyclists, and a danger to cyclists from cars reversing out of driveways

- Councillors have passed a motion that no pedestrian/cycle linkage would be permitted
- Previous experience of antisocial behaviour prior to closing of park entrance
- Boundary not agreed with houses to rear of nos. 104-148 Cedarwood Road
- Existing traffic congestion issues will be exacerbated
- Impacts on biodiversity and habitats
- Insufficient school places
- Previous part 8 parks application from 2005 irrelevant
- Chief Executive of developer is not in favour of pedestrian entrance
- Will be prone to antisocial developments like Willow Park Road entrance
- No information on access control

Following receipt of Further Information, additional third-party submissions were submitted to the planning authority. The main issues raised are captured in the second Planning Officer's report, as follows:

- Residential development (affordable), is welcomed
- Development of derelict site welcomed
- Impacts on biodiversity and habitats from hedge cutting
- Parkview Estate public realm, and wider public road network, are inadequate in their provision of pedestrian and cycle infrastructure to cater for vulnerable road users, such as sheltered housing residents and crèche going children.
- Modest set down area for crèche may lead to overspill car parking into residents' spaces.
- The developer should provide additional tree planting rather than car parking for the park, in lieu of providing open space.
- Previous submissions on pedestrian cycle link have not been taken into account
- Permeability important in principle, but not appropriate or beneficial here

- Access gate will lead to anti-social behaviour
- Sufficient permeability exists – new residents will have access to the park
- Pedestrian and bicycle entrance will lead to additional pedestrian traffic in a quiet neighbourhood, crime, antisocial behaviour, gatherings of youths and undesirables, and football games
- Pedestrian and bicycle access will lead to new residents and crèche users parking their cars in Cedarwood Green
- Pedestrian and bicycle access will lead to danger to children from scooters and cyclists, and a danger to cyclists from cars reversing out of driveways and from learner drivers
- Insufficient consultation with residents
- Councillors have passed a motion that no pedestrian/cycle linkage would be permitted
- Previous experience of antisocial behaviour prior to closing of park entrance
- Previous part 8 parks application from 2005 irrelevant
- Chief Executive of developer is not in favour of pedestrian entrance
- Will be prone to antisocial developments like Willow Park Road entrance
- Noise pollution from gate opening and closing
- No information on path proposed to Cedarwood Green
- The changes to the development to allow for passive surveillance indicate the risks of antisocial behaviour
- Sheltered housing would provide better overlooking than the two-storey housing
- The time savings for pedestrians from the access would be limited

4.0 Planning History

Appeal Site:

ABP Ref. PL29N.212071 / PA Ref.1582/05 – This is the parent permission for the Parkview estate and incorporates the appeal site. The site was formerly part of Poppintree Park. Permission was granted in 2005 for 264 no. residential units with car parking, bicycle spaces, childcare and all associated site works, subject to 21 no. conditions.

Relevant conditions:

1. The development shall be amended as follows:

(a) The T1 type unit proposed adjoining number 26 Cedarwood Green shall be replaced by a T2 type house and adequate screening proposals shall be provided between the existing dwelling at 26 Cedarwood Green and the proposed development;

(b) The block of dwellings on Jamestown Road between the Willows Club facility and number 205 Jamestown Road shall consist of four T2 type houses with standard front gardens and on-site parking;

(c) The two houses taking access from Oakwood Close cul-de-sac shall be omitted from the development. Prior to commencement of development, revised drawings showing compliance with the above requirements shall be submitted to and have received the written agreement of the planning authority.

Reason: *In the interest of the visual and residential amenity of the adjoining dwellings.*

2. Block G containing three T2 type houses and the westernmost T1 type unit in Block H shall be omitted from the development. The area thus freed up, together with the appropriate part of the former sites of the two houses proposed taking access from Oakwood Close, shall be redesigned having regard to the constraints imposed by the site configuration of this residual area and shall be the subject of a separate application for planning permission.

Reason: *Having regard to the proximity of the front walls of the southernmost two T2 type houses in Block G to the gable wall of Block H, and to the external staircase giving access to the first floor apartment in Block H, it is considered that the proposed layout in this immediate area would provide a substandard form of accommodation for the future occupants of the houses in Block G.*

Under PA Ref.1582/05 X 1 the duration of this permission was extended by 3 years to 22nd November 2013.

ABP Ref. PL29N.220919 / PA Ref. 4231/06 – Permission granted in 2007 for revisions to mixed use development granted under Reg.Ref:1582/05 (PL29N.212071) comprising an additional 15 residential units.

Relevant condition:

2. The proposed development shall be revised as follows: -

(a) The T11 unit at the western end of Block P shall be omitted from the development,

(b) the three number T2 house units at the western end of Block P shall be omitted from the development,

(c) the three number southernmost T2 house units in the approved Block J shall be retained as part of the development, and

Prior to commencement of development, a full set of revised plans showing compliance with the above modifications shall be submitted to and agreed in writing with the planning authority.

Reason: *To provide an enlivened streetscape to Jamestown Road, in the interest of visual amenity and in the interest of the proper planning and sustainable development of the area.*

PA Ref. 1770/08 – Permission granted in 2008 for revisions to Reg. Ref. 1582/05 (ABP Ref. PL29N.212071) and Reg. Ref. 4231/06 (ABP Ref. PL29N.220919) comprising alterations from southern site boundary treatment of 2m high blockwork wall to a combination of boundary treatments, in response to site specific conditions.

Site to north

PA Ref. 3069/22 – Permission granted in 2022 for a 5-storey apartment development comprising 36 no. apartment units (1 no. accessible 1-bed apartment, 5 no. 2-bed apartments and 30 no. 1-bed apartments) at Parkview, Ballymun, Dublin 11. On foot of the further information response the total number of apartments was reduced to 32 units.

Poppintree Park – Part 8 application

PA Ref. 4341/05 – Part 8 application approved in December 2005 for works at Poppintree Park, Ballymun, Dublin 11 to consist of the redevelopment of Poppintree Park, including:

- 3 soccer pitches, 1 GAA pitch, two 5-a-side pitches, 2 basketball courts, 3 tennis courts, 1 formal playground, 1 toddler playground.
- A network of pathways run through the park, and around the perimeter linking the formal areas, as described above, to meeting squares, seating spaces, playgrounds, water pond and flower gardens.
- Circa 80% of existing trees and planting will be kept and they will be enhanced and augmented with new planting.
- A pond is provided at the east of the park to provide an amenity and for surface water attenuation.
- The existing park depot will be demolished and rebuilt at the western end of the park (subject to a future planning procedure).
- 180 no. of car parking spaces are provided outside the park (including 7 disabled spaces). Bicycle racks are also provided at each entrance.
- Railings enclose the park and there are nine entrances through 'kissing gates'.
- Application also provides for CCTV and drainage infrastructure throughout the park.

5.0 Policy Context

5.1. Development Plan

5.1.1. The proposed development was considered by the Planning Authority under the Dublin City Development Plan 2022 – 2028. The vast majority of the appeal site is zoned Z1 – Sustainable Residential Neighborhoods on Map A of the Land-use zoning maps with an objective 'to protect, provide and improve residential amenities.'

'Residential, 'Childcare facility' and 'Assisted living/retirement home' use classes are listed within the permissible uses under this zoning objective.

5.1.2. There is a small area at the north-eastern boundary of the appeal site, immediately proximate to Poppintree Park which is zoned Z9 – Amenity / Open space lands / Green Network with an objective 'to preserve, provide and improve recreational amenity, open space and ecosystem services.' Chapter 14 of the Development Plan states the following in relation to development on Z9 zoned lands:

In certain specific and exceptional circumstances, where it has been demonstrated to the satisfaction of the planning authority, some limited degree of residential or commercial development may be permitted on Z9 land subject to compliance with the criteria below:

- Where it is demonstrated that such a development would be essential in order to ensure the long term retention, enhancement and consolidation of a sporting facility on the site.*
- Any such residential/commercial development must be subordinate in scale and demonstrate that the primary sporting land-use on the site is not materially eroded, reduced or fragmented.*
- In all cases, the applicant shall submit a statement, as part of a legal agreement under the Planning Acts, demonstrating how the sports facility will be retained and enhanced on site.*
- In proposals for any residential/commercial development, the applicant must demonstrate that the future anticipated needs of the existing use, including extensions or additional facilities, would not be compromised.*
- In all cases the applicant shall be the sports club owner or have a letter of consent from the owner.*

5.1.3. The appeal site is adjacent to the Zones of Archaeological Constraint for Recorded Monuments DU014-064 Jamestown House and DU014-065 Jamestown Well.

5.1.4 The provisions of the Dublin City Development Plan 2022-2028 relevant to this assessment are as follows:

Chapter 5 of the Development Plan relates to Quality Housing and Sustainable Neighbourhoods. Key policies include:

- QHSN6 – Urban Consolidation
- QHSN10: Urban Density
- QHSNO4: Densification of Suburbs
- QHSN11:15-Minute City
- QHSN22: Adaptable and Flexible Housing
- QHSN23: Independent Living
- QHSN38: Housing and Apartment Mix

Section 15.5.2 Infill Development: sets out requirements for infill development in general

Section 15.11 House Developments: sets out quantitative and qualitative standards for housing.

Section 13.4 of the Development Plan identifies the subject lands as being part of Site 25, within SDRA 2 – Ballymun. It is noted that remaining development sites will be guided by the Ballymun LAP and high-level guiding principles including urban structure, land-use and activity, height and design.

Development Plan policy relating to permeability and connectivity

Section 7.5.8 Public Realm

‘A quality public realm will deliver / provide:

Connections: The public realm should be legible, connected and permeable and designed to encourage people to walk and cycle to their destinations (schools, shops, work, playgrounds etc.) and to easily access public transport. This will encourage and enable people to be physically active in their daily lives.

Sociable Spaces: A quality public realm will provide opportunities for people to meet, congregate and socialise, as well as providing opportunities for quiet enjoyment thereby significantly enhancing the public’s experience of the urban environment. These spaces can range from large civic spaces to micro parks, pop up parks and opportunities for lingering / play.’

CCUV39: Permeable, Legible and Connected Public Realm

To deliver a permeable, legible and connected public realm that contributes to the delivery of other key objectives of this development plan namely active travel and sustainable movement, quality urban design, healthy placemaking and green infrastructure.

Chapter 8 Sustainable Movement and Transport

'Mobility Management and Travel Planning

An important part of the ensuring the effective integration of land use and planning and achieving the objectives of the 15-minute city, is through mobility management which seeks to encourage as much travel as possible by sustainable means. At a strategic level, this involves locating development in the most accessible locations while at a more detailed level, it means designing new areas and developments in a way that minimises the need to travel from the outset by providing connected and permeable walking and cycling networks, improved connectivity to public transport and easy access to facilities and amenities.'

Section 8.5.6 Sustainable Modes

'Active Travel – Walking and Cycling: To make active travel an attractive alternative choice to car-based transport, and to facilitate the 15-minute city concept of creating active, healthy communities with ease of access to amenities and services, certain critical factors are required. These include the provision of a permeable pedestrian and cycling network that allows for multiple direct connections between key destinations such as residential areas, shops, schools, employment centres and public transport links, as well as an attractive and safe pedestrian and cycling environment where high quality facilities are provided supporting their use by all ages and abilities.'

SMT18: The Pedestrian Environment

To continue to maintain and improve the pedestrian environment and strengthen permeability by promoting the development of a network of pedestrian routes including laneway connections which link residential areas with recreational, educational and employment destinations to create a pedestrian environment that is safe, accessible to all in accordance with best accessibility practice.

Chapter 10 Green Infrastructure and Recreation

10.5.8 Sport, Recreation and Play

‘The city’s extensive permeable network of public streets, footpaths and cycleways provides people with access to the city’s major recreational amenities such as the coast, the city’s rivers and to the city’s numerous parks and open spaces.’

Chapter 13 Strategic Regeneration Development Areas

Objective SDRAO1

‘Access and Permeability: Development proposals should ensure adequate permeability and connectivity to surrounding neighbourhoods and public transport infrastructure through the provision of high quality, accessible public realm and high-quality walking and cycling infrastructure. Access and layout should accord with the principles of DMURS.’

Section 15.4.1 Healthy Placemaking

Key principles include:

- Quality of proposed public, private, and communal open spaces and recreational facilities and the relationship of proposed open spaces with any existing public open space including linkages and permeability to adjacent neighbourhood, facilities and streets.
- The attractiveness of the development for various activities such as walking, cycling, sitting, dining etc.
- Inter-relationship of buildings / dwellings, roads, pedestrian ways, neighbourhood centre facilities and local parks and green areas – active frontages and passive surveillance will be encouraged.

5.2 Ballymun Local Area Plan (LAP) 2017

The Ballymun Local Area Plan was adopted at a City Council meeting on 2nd October 2017, and came into effect on the 27th October 2017. The plan provides a statutory land use framework to guide the development of vacant lands in Ballymun.

In 2022 the Local Area Plan was extended for an additional five year period, up until 26th October 2027.

Chapter 6 of the LAP identifies the site briefs for the 26 sites within the LAP area. The appeal site is one of three sub-sites which make up Site 25 'Parkview' in the LAP. The total area of Site 25 is 1.9 ha and the LAP estimates it has a capacity for 94 units and a creche. Proposed heights stated as 3 storeys.

Relevant key principles of the Ballymun LAP are set out in section 4.1 and include:

KP1: To develop the remaining vacant sites in a sustainable manner.

KP2: To develop the remaining residential sites for a mix of housing types and tenures.

KP4: To create distinctive urban places through the use of intelligent urban design and good quality materials having regard to the existing palette of materials and finishes in the area.

KP5: To complete outstanding infrastructure to enhance connectivity both within Ballymun and to the surrounding area, and to service the remaining development sites.

KP8: To consolidate existing sports and recreational facilities and open spaces to maximise their use by the whole community.

KP9: To provide and maintain landscaped parks, greens and tree-lined streets respecting the established public realm principles.

Section 5.4 relates to Movement and states the following:

Permeability and connectivity are essential in delivering sustainable communities. Prior to the regeneration Ballymun was largely isolated from its neighbourhoods with few connections and disconnected footpaths that were poorly overlooked / supervised. In the City context of promoting sustainable travel patterns and creating sustainable neighbourhoods, the needs of pedestrians and cyclists take priority. Routes should be direct, with even surfaces, good public lighting and well supervised from adjoining properties.

Relevant LAP Objectives are as follows:

- It is an objective of DCC to develop the remaining sites in Ballymun in accordance with this LAP (Objective LU1).
- Ensure all new developments are designed with permeability in mind and are cycle and pedestrian friendly (Objective MO5).
- To ensure new areas are designed with a high degree of permeability and improve connectivity within the existing area by adding new links and completing missing links. This requires the provision of vehicle links, cycle ways and safe pedestrian paths.
- To provide residential development that is street-orientated creating a sense of place, safety and enclosure.
- Explore options for and provide new senior citizen housing in the area (step down model preferable).

5.3 National Policy

5.3.1 National Planning Framework (NPF) 'Project Ireland 2040'

The NPF is the government's high level strategic plan for shaping the future growth and development of the country to 2040. Compact growth is a key strategic objective

of the plan and there is a particular focus on Dublin, with the NPF advocating an approach of consolidation and densification in the city.

- National Policy Objective 2a: A target of half (50%) of future population and employment growth will be focused in the existing five cities and their suburbs.
- National Policy Objective 3a: Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.
- National Policy Objective 3b: Deliver at least half (50%) of all new homes that are targeted in the five cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints.
- National Policy Objective 4: Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.
- National Policy Objective 35: Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

5.4 Ministerial Guidelines

5.4.1 Having regard to the nature of the proposed development and to the location of the appeal site, I consider the following Guidelines to be pertinent to the assessment of the proposal.

- Regulation of Commercial Institutional Investment in Housing, Guidelines for Planning Authorities (2021).
- Design Manual for Urban Roads and Streets (2019).
- Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024).
- Quality Housing for Sustainable Communities - Best Practice Guidelines for Delivering Homes Sustaining Communities (2007).

5.4. Natural Heritage Designations

The proposed development is not located within or immediately adjacent to any European site. The nearest European site is the South Dublin Bay and River Tolka Estuary SPA located c 5.7 km south-east of the appeal site. The appeal site is located c 5.7 km north-west of the North Dublin Bay proposed NHA.

5.5. EIA Screening

See completed Forms 1 and 2 below. Having regard to the nature of the proposed development comprising 32 no. houses, 2 no. sheltered units, a creche and associated works, in an established urban area and where infrastructural services are available, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

There are two third-party appeals against the decision to grant permission from residents of Cedarwood Green, which adjoins the appeal site to the east. Both appeals relate specifically to the pedestrian/cycle link between the appeal site and the cul-de-sac at the western boundary of Cedarwood Green. The appeals generally welcome the development of the site for the proposed housing and creche facility. The grounds of appeal may be summarised as follows;

- The proposed link was not put forward by the applicant; it was suggested by the Council. No consultation undertaken with affected residents.
- No evidence provided that a comprehensive analysis/appraisal was undertaken on whether the proposed link would provide any benefits to existing or new residents. No evidence submitted that permeability to specific locations such as Fingal Community Training Centre, Willows FC, creches, churches and schools is required during early morning / late evening, or that permeability improvements may be significant in employment terms.

- The proposed link/gate would negatively impact the character of the area or the residential amenity of residents in Cedarwood Green. The proposal would result in increased traffic (motorised / electric vehicles, scooters, scramblers, quad bikes) and generate anti-social behaviour and increase the risk of criminality. Such concerns are shared by public representatives and Gardai.
- Permeability is available through Poppintree Park which is safe, well maintained and facilitates access to services/facilities in the area.
- The proposed link would not benefit residents in terms of access to public transport and shops. Parkview residents access bus services on Jamestown Road, while residents at Cedarwood Green access the same bus services on Glasnevin Avenue and Willow Park Crescent.
- There is no justification in legislation or policy for linking existing cul-de-sacs with new road developments to facilitate pedestrian, cycle or other vehicular traffic.
- Recommended procedures and best practice guidelines relating to analysis of existing services in the area and consultation with residents was not followed.
- Objective MO5 of the Ballymun LAP appears to require permeability for new developments only rather than for established urban streets.
- Cedarwood Green lies outside of the Masterplan map of the site as depicted in Chapter 6 of the LAP.
- Section 3.1 of the NTA Permeability Guide sets out criteria to be considered when examining the issue of permeability. These criteria are already met in the area. Poppintree Park provides permeability between the areas.
- An in-depth analysis of the proposal (such as the Permeability Assessment Toolkit referenced in the NTA's guidance document) would not support implementation of the link to Cedarwood Green.
- Residents of Cedarwood Green have chosen to live on the cul de sac as it provides privacy and a safe environment.
- Up to 2008 there was an access point at the location proposed which led to significant criminality and anti-social behaviour. As such residents were forced to patrol the area. The proposed gate would only serve to increase the number

of escape routes for criminal elements. If introduced there is a risk of recurrence of criminal behaviour.

- The journey times indicated in the Planner's report are inaccurate.
- The issue of personal security was not adequately considered.

The following documentation is appended to the appeal from David and Carmel Hardiman:

- Chapter 5 of Draft Dublin City Development Plan 2022-2025
- Order setting out Further Information required from Dublin City Council dated 20th January 2023.
- NTA Permeability Best Practice Guide 2015
- Copies of Planning Officer's report relating to the proposed development
- Extract from Ballymun LAP

6.2. Applicant Response

None received.

6.3. Planning Authority Response

Requests that decision is upheld, and provides specific conditions be attached.

6.4. Observations

None received.

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including the appeal, having inspected the site, and having regard to the relevant local and national policy and guidance, I consider the main issues in relation to this appeal are as follows:

- Land-use and nature of proposed development

- Proposed link between Parkview to Cedarwood Green
- Other Issues
- Appropriate Assessment

7.2. Land-use and nature of proposed development

7.2.1. As referred to in Section 5 above, most of the appeal site is zoned Z1 (Sustainable Residential Neighbourhoods). There is however a sliver of land at the north-eastern part of the appeal site which is subject to the Z9 zoning objective (Amenity/Open Space Lands/Green Network). The proposed development within the Z9 land relates to circulation space, landscaping, bicycle parking and car parking associated with the adjoining park. The Planning Officer's report advises this issue may have arisen from a mapping discrepancy and that given the limited nature of the development proposed at this particular area of the site, the limited area of the Z9 strip of land and the precedent of application Reg. Ref. 3069/22 which involved a similar issue, the proposal would not appear to be a material contravention of the Development Plan. I agree with the planning authority's assessment of this matter, noting the probability of a mapping divergence at this area of the site.

7.2.2. Density

7.2.3. The proposal entails 34 no. units (including 2 no. sheltered housing units) and a creche on a site of 1.29 ha, equating to a density of c 26 dpha. Appendix B of the Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities notes that a net site density measure includes only those areas that will be developed for housing and directly associated uses as per Table 1 of Appendix B. Table 1 also indicates that the net site area excludes lands for primary schools, churches and other community services and facilities. In this regard I consider that the proposed creche, which in my view is not necessary to the proposed development and is a commercial element, should be excluded from the density calculation. As such, the net residential density is c 30 units per hectare. In my view it is questionable whether the area proposed to facilitate car parking for the adjoining park should be included in the density calculation.

- 7.2.4. Appendix 3 of the Dublin City Development Plan 2022-2028 relates to density and building height in the city. Table 1 therein sets out an indicative density range of 100-250 for a SDRA location within which the appeal site is situated (SDRA 2). In terms of the Ballymun LAP an overall density of 49 for Site 25 is indicated. The Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities indicate residential densities in the range of 50 dph to 250 dph generally to be applied in city-urban neighbourhoods of Dublin and Cork.
- 7.2.5. Whilst the density of the proposed development at c 30 dpha is considerably lower than that provided for in the Development Plan and the Sustainable Residential Development and Compact Guidelines, I note the infill nature of the appeal site and associated site constraints arising from both its elongated and narrow configuration and adjoining existing residential development which is predominantly of 2 storey design. As such, I consider the density proposed to be acceptable in this context and these circumstances.
- 7.2.6. In terms of the overall proposed density of c 49 dpha for Site 25 as set out in the Ballymun LAP (which includes the appeal site, a site to the north and a site to the west of the proposed development), it is note-worthy that permission was granted in 2022 for a 5 storey apartment complex on a site to the north with a density of 160 (PA Ref. 3069/22), while the site further west has yet to be developed.

7.3. Proposed link between Parkview to Cedarwood Green

- 7.3.1. While the appeal submissions welcome the provision of the mixed use development on the subject site, it is apparent that there is opposition for the provision of a pedestrian and bicycle linkage between Parkview Road and the existing cul-de-sac at Cedarwood Green which adjoins the appeal site to the east. Residents are concerned that the proposed linkage will result in a recurrence of anti-social behaviour which was prevalent in the area before the access point between both areas was removed in 2007/8.
- 7.3.2. As set out under Section 5 of this report above, there is a significant number of local policy provisions and principles which support and advocate the positive merits of

achieving high levels of permeability between new and existing developments including Objective SDRAO1 as it relates to 'Access and Permeability' and policy SMT18 'The Pedestrian Environment.' In addition, the Ballymun LAP which has been extended until 2027 contains objectives and key principles, such as KP5, MO5 and LU1, to facilitate enhanced connectivity and to ensure new developments incorporate permeability and are pedestrian and cycle friendly.

- 7.3.3. I note that The Design Manual for Urban Roads and Streets (DMURS) advocates better street design in urban areas which will encourage more people to walk and cycle by making the experience safer and more pleasant, rather than using the car. DMURS notes that at the outset street designers should have regard to the design principle of integration of street networks which promote higher levels of permeability and legibility for all users, and in particular more sustainable forms of transport. This will allow people to move from place to place in a direct manner with greater route choice. I note that one of the grounds of appeal contends that the proposed link between the residential areas would not be beneficial to existing or future residents. In my view the proposed permeable route would offer an alternative option and more choice to users, residents, pedestrians and cyclists potentially allowing them to reach their chosen destinations in a more direct manner and in a more sustainable way. It is entirely appropriate that all street networks offer route choice and maximise the number of pedestrian and cycle routes between key destinations. While I note the appellants consider there is already access between Parkview and Cedarwood Green through Poppintree Park, this route would be circuitous from the proposed development and, in any case, it cannot be accessed when the park is closed.
- 7.3.4. Sustainable and efficient movement is one of the key indicators of quality design and place making. The Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024) note that new developments should connect to the wider urban street and improve connections between communities, to public transport and also to local amenities and services. In my view the proposed link between these residential areas will contribute to a connected network and will facilitate active travel in the area. One of the appeal grounds is that the LAP Objective MO5 may not apply to established urban streets and that Cedarwood Green lies outside of the LAP area. While the objective refers to new developments, its intention is clearly to enhance permeability and provide connectivity to adjoining

areas for pedestrians and cyclists. The LAP incorporates the eastern boundary of the subject site which adjoins Cedarwood Green. In any case, the Dublin City Development Plan 2022-2028 includes several policies and objectives as set out above (Section 5) relating to provision of adequate permeability and connectivity to surrounding neighbourhoods and public transport infrastructure by way of high quality walking and cycling infrastructure.

- 7.3.5. The appellants consider that the proposed permeable link between Parkview and Cedarwood Green could potentially lead to anti-social behaviour near the proposed boundary gate at the eastern end of the appeal site. Reference is made to previous instances of anti-social behaviour which took place before the previous access route was closed in 2007/8. One of the key principles associated with designing permeable networks as set out in DMURS is that streets, paths and cycle routes should be attractive and provide for safe access by all users, thereby encouraging people to use these routes which provide connectivity to the wider area. Having regard to the layout of the proposed development I consider there is good passive surveillance from the proposed development onto the Parkview Road and the eastern part of the site where the proposed development connects to Cedarwood Green. I note the applicant has also provided a public lighting report which demonstrates continuation of public lighting along Parkview Road up to the boundary with Cedarwood Green and proximate to the proposed access gate. I observed during my site inspection that there is public lighting in place along the full length of Cedarwood Green cul-de-sac.
- 7.3.6. I acknowledge that the proposed link will lead to an increase in active travel movements along Parkview Road and Cedarwood Green, however I do not consider that the privacy or residential amenity of existing residents along these streets would be adversely impacted by the proposed development.
- 7.3.7. I note the appellants contend that no consultation took place with affected residents in respect of the proposed permeability link. I note that a relatively large number of third party submissions relating to the proposed development were received by the planning authority and that following receipt of further information revised public notices were sought giving third parties a further opportunity to make observations on the proposed development. As such it is clear that interested parties availed of

the opportunities to comment and provide their views on the proposal and from the information on the appeal file it is apparent these submissions were considered by the planning authority in its assessment of the proposal.

- 7.3.8. To conclude, the omission of permeable links between Parkview and Cedarwood Green would be contrary to local and national planning policies, which seek to maximise permeability and connectivity for new residential developments to their surrounding environment. In my view the prevention of pedestrian and bicycle movement between Parkview and Cedarwood Green would injure the amenities of the area and would set an undesirable precedent for other developments.

7.4. Other Issues

7.4.1. Parking to serve Poppintree Park

I note that the planning application includes a relatively large quantum (38 spaces as per Further Information response) of on-street car parking on the northern side of Parkview Road (to be extended to the east as part of the planning application) to serve the adjoining Poppintree Park. In this regard the Planning Officer's report notes that the application seeks to complete the car parking for the football pitches, originally envisaged as part of the Part 8 redevelopment of Poppintree Park. I note that Poppintree Park contains a number of facilities including a GAA pitch, a soccer pitch, a rugby pitch, a playground and an amphitheatre. As such I consider this aspect of the proposal and the quantum of parking to be acceptable.

7.4.2. Eastern Site Boundary

The eastern site boundary which adjoins Cedarwood Green presently comprises a c 2m high palisade fence. It is proposed to largely retain this palisade fence, other than incorporating the pedestrian gate at the northern side of the boundary. Should the Board be minded to grant permission for the proposed development I recommend, in the interest of visual amenity, that the existing palisade fence should be replaced with an alternative boundary treatment comprising a low rise wall with railings atop, along with the proposed pedestrian/cycle gate located at the northern side of the boundary.

7.5. Appropriate Assessment

- 7.5.1. An Appropriate Assessment Screening Report was submitted to the planning authority as part of the Further Information response. The proposed development is not located within any Natura 2000 site. The report notes that the closest major watercourse is Bachelor's Stream (a tributary of the River Tolka) located c 1.2 km south-west of the site, while the Santry River flows c 1.8 km north-east.
- 7.5.2. Table 1 of the report identifies 4 European Sites located within 8.4 kms of the development site, namely South Dublin Bay and River Tolka Estuary SPA (5.7 km south-east), North Dublin Bay SCA (8 km south-east), North Bull Island SPA (8 km south-east) and South Dublin Bay SAC (8.4 km south-east).
- 7.5.3. The Screening Assessment has determined that the development proposed, by virtue of its nature and location outside any European sites, and the absence of potential pathways to any European sites that there is no likelihood of significant effects on any of the Natura sites identified and therefore that Appropriate Assessment is not required.
- 7.5.4. The planning authority agreed with the conclusion of the AA Screening and that the proposal would not be likely to give rise to significant effects, either alone or in combination with other plans and projects, on any Natura site.
- 7.5.5. Having regard to the nature and scale of the development proposed, the location of the site in a serviced urban area and the absence of a hydrological or other pathway between the site and European sites, it is considered that no Appropriate Assessment issues arise and that the proposed development would not be likely to have a significant effect either individually or in combination with other plans or projects on any European site.

8.0 Recommendation

- 8.1. Having regard to the above it is recommended that permission is granted based in the following reasons and considerations and subject to the attached conditions.

9.0 Reasons and Considerations

- 9.1. The proposed development is supported by policy in the Dublin City Development Plan 2022-2028 and the Ballymun Local Area Plan 2017 as extended to 2027. It is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application submitted on the 18th of November 2022 and as amended by the further plans and particulars submitted on the 16th of June 2023, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The Landscape Masterplan shown on Drawing No.1.0 as submitted to the Planning Authority on the 16th day of June 2023 shall be carried out within the first planting season following substantial completion of external construction works.</p> <p>The developer shall comply with the following requirements:</p> <ul style="list-style-type: none">(i) The developer shall appoint the services of a qualified Landscape Architect (or qualified Landscape Designer) as a Landscape Consultant, throughout the life of the construction works and shall notify the planning authority of that appointment in writing prior to commencement of development.

	<p>(ii) Details of communal garden to serve the sheltered housing shall be submitted for the written agreement of the Planning Authority prior to commencement of development.</p> <p>(iii) Detailed design for the park entrance area.</p> <p>(iv) Rear garden boundary design to be coordinated with a tree and vegetation protection plan.</p> <p>Reason: In the interest of residential and visual amenity.</p>
3.	<p>The sheltered housing units shall not be sublet or used for short-term letting or sold individually without a prior grant of planning permission.</p> <p>Reason: In the interests of clarity and the proper planning and sustainable development of the area.</p>
4.	<p>Proposals for a development name, unit numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The proposed name shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name.</p> <p>Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.</p>
5.	<p>Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
6.	<p>Prior to commencement of development, the developer shall enter into water and waste water connection agreements with Uisce Éireann.</p> <p>Reason: In the interest of public health.</p>

7.	<p>The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths, kerbs and bicycle parking shall be in accordance with the detailed standards of the Planning Authority for such works.</p> <p>Reason: In the interest of amenity and of traffic and pedestrian safety.</p>
8.	<p>The existing palisade fence at the eastern boundary of the site shall be replaced with an alternative boundary treatment comprising a low plinth wall with round bar railings atop, along with the proposed pedestrian / cycle gate located at the northern side of the boundary. All such works shall comply with the requirements of the planning authority.</p> <p>Reason: In the interest of visual amenity.</p>
9.	<p>10% of all in-curtilage car parking spaces shall be provided with EV charging stations/points, and ducting shall be provided for all remaining car parking spaces, including the on-street parking spaces, facilitating the installation of EV charging points/stations at a later date. Details of how it is proposed to comply with these requirements, including details of design of, and signage for, the electrical charging points shall be submitted to, and agreed in writing with the Planning Authority prior to commencement of development.</p> <p>Reason: In the interest of sustainable transportation and to provide for and/or future proof the development such as would facilitate the use of Electric Vehicles.</p>
10.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:</p> <ul style="list-style-type: none"> a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse; b) Location of areas for construction site offices and staff facilities; c) Details of site security fencing and hoardings;

	<p>d) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;</p> <p>e) Measures to obviate queuing of construction traffic on the adjoining road network;</p> <p>f) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;</p> <p>g) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;</p> <p>h) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;</p> <p>i) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;</p> <p>j) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;</p> <p>k) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.</p> <p>A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the Planning Authority. The developer shall provide contact details for the public to make complaints during construction and provide a record of any such complaints and its response to them, which may also be inspected by the planning authority.</p> <p>Reason: In the interest of amenities, public health and safety.</p>
11.	<p>Construction and demolition waste shall be managed in accordance with a finalised Construction and Demolition Waste Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management</p>

	<p>Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, including contaminated materials, and details of the methods and locations to be employed for the prevention, minimisation, handling, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated. Full project waste disposal records shall be maintained and be available for inspection by the planning authority.</p> <p>Reason: In the interest of sustainable waste management.</p>
12.	<p>Proposals for naming and numbering of the proposed scheme and associated signage shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the Planning Authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the Planning Authority’s written agreement to the proposed name(s).</p> <p>Reason: In the interest of urban legibility.</p>
13.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the Planning Authority.</p> <p>Reason: In order to safeguard the amenities of property in the vicinity.</p>
14.	<p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.</p> <p>Reason: In the interests of visual and residential amenity.</p>
15.	<p>If any archaeological remains are discovered during site works, the developer shall:</p>

	<p>(a) immediately notify the National Monuments Service and the Planning Authority,</p> <p>(b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and</p> <p>(c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.</p> <p>In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.</p> <p>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.</p>
16.	<p>Prior to the commencement of any house or duplex unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, as amended, that restricts all houses and duplex units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p> <p>Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.</p>
17.	<p>The developer shall pay to the Planning Authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning</p>

	<p>authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the Planning Authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>
18.	<p>Prior to commencement of development, the developer shall lodge with the Planning Authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the Local Authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the Planning Authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.</p> <p>Reason: To ensure the satisfactory completion of the development.</p>

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.

John Duffy
Planning Inspector

15th February 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIA not submitted]

An Bord Pleanála Case Reference	ABP-317818-23
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Proposed Development Summary	Construction of 32 houses, 2 sheltered housing units, single storey creche and all associated site works.		
Development Address	Parkview, Ballymun, Dublin 11		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes		Class	EIA Mandatory EIAR required
No	X		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
No		N/A	No EIAR or Preliminary Examination required
Yes	X	Class 10 (500 DHS)	Proceed to Q.4

4. Has Schedule 7A information been submitted?		
No	X	Preliminary Examination required
Yes		Screening Determination required

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	317818-23
Proposed Development Summary	Construction of 32 houses, 2 sheltered housing units, single storey creche and all associated site works.
Development Address	Parkview, Ballymun, Dublin 11

The Board carries out a preliminary examination [Ref. Art. 109(2)(a), Planning and Development Regulations 2001 (as amended)] of, at least, the nature, size or location of the proposed development having regard to the criteria set out in Schedule 7 of the Regulations.

	Examination	Yes/No/ Uncertain
<p>Nature of the Development</p> <p>Is the nature of the proposed development exceptional in the context of the existing environment?</p> <p>Will the development result in the production of any significant waste, emissions or pollutants?</p>	<p>The proposed development is not exceptional in the context of the existing environment.</p> <p>Construction waste can be managed through standard Waste Management Planning. Localised construction impacts will be temporary.</p>	No
<p>Size of the Development</p> <p>Is the size of the proposed development exceptional in the context of the existing environment?</p> <p>Are there significant cumulative considerations having regard to other existing and/or permitted projects?</p>	<p>No. The total site area is c 1.29 ha.</p> <p>No.</p>	No
<p>Location of the Development</p> <p>Is the proposed development located on, in, adjoining or does it have the potential to significantly impact on</p>	<p>No. The nearest European sites are South Dublin Bay and River Tolka Estuary SPA (5.7 km south-east), North Dublin Bay SCA (8 km south-east), North Bull Island SPA (8 km south-east) and South Dublin Bay SAC (8.4 km south-east).</p>	No

<p>an ecologically sensitive site or location?</p> <p>Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area?</p>	<p>The appeal site is located c 5.7 km north-west of the North Dublin Bay proposed NHA.</p> <p>There are no other locally sensitive environmental sensitivities in the vicinity of relevance.</p>	
<p>Conclusion</p>		
<p>There is no real likelihood of significant effects on the environment.</p> <p>EIA not required.</p>		