



An
Bord
Pleanála

Inspector's Report

ABP-319500-24

Development	Construction of 131 residential units in the form of 119 houses and 12 apartments and all associated site works. The application is accompanied with an EIAR.
Location	Townland of Newcastle South, Athgoe Road, and Hazelhatch Road, Newcastle, Co. Dublin
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	LRD23A/0011
Applicant	Cairn Homes Properties Limited
Type of Application	Large-Scale Residential Development
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Fiona Murray
Date of Site Inspection	24 th May 2024
Inspector	Paul O'Brien

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1.0 Site Location and Description

- 1.1. The subject site, with a stated area of 10.7 hectares consists of irregular shaped lands located to the west/ south western side of Newcastle village, Co. Dublin. The residential development lands are located to the west of Graydon Road, south of Saint Finian's Way and to the east of the Athgoe Road. These lands are undeveloped, are in agricultural use and were under grass on the day of the site visit. Site boundaries primarily consist of hedgerows with trees within these rows, though sections of the boundaries have been supported with fencing of different types.
- 1.2. As part of the application, it is proposed that the surface water drainage system/ pipes along the Hazelhatch (R405) and Athgoe Roads be upgraded. These roads are located to the western side of Newcastle with the Hazelhatch Road extending northwards, and which turns north west to reach the Grand Canal and Hazelhatch and Celbridge railway station. The Hazelhatch Road is a rural road with a footpath along the initial section serving detached houses and the road serves a mix of businesses, detached houses and agricultural lands.
- 1.3. Newcastle is a village that has undergone significant development over the last twenty years, with development focused on lands to the north of Main Street but in more recent times, it is the lands to the south that have been developed, primarily for housing but also retail and supporting infrastructure. Graydon is located to the eastern side of the site and consists of a residential development of semi-detached and terraced houses. Saint Finian's Way to the north of the site also consists of semi-detached houses. Apartments are a feature of the area such as along Newcastle Boulevard and Ballynakelly which are located on the lands to the east of the subject site.
- 1.4. Newcastle is served by Dublin Bus Route 68 which operates hourly between Greenogue, Newcastle, Clondalkin and Dublin City Centre. Go-Ahead Route W62 operates every 30 minutes between St. Finian's School to the north/ west of the site and The Square, Tallaght. It is proposed under the network review as part of Bus Connects that the W62 will be merged with the W61 thereby continuing the route northwards to Hazelhatch and Celbridge station, through Celbridge and onto Maynooth.

2.0 Proposed Development

- 2.1. The proposal, as per the submitted public notices, comprises the construction of 131 residential units, private, public, and communal open space, and all associated site works.
- 2.2. The following tables set out some key elements of the proposed development on these lands:

Site Area	
Gross Area	10.7 hectares
Net Developable Area (Phase 2A and 2B)	5.37 hectares
Plot Ratio	0.35
No. of Units	131
Apartments	12
Houses	119
Building Height	2 and 3 storeys
Density:	33.33 units per hectare
Open Space Provision	1.34 hectares
Car Parking –	237
Bicycle Parking –	
Total	94

Table 2: Unit Mix – Houses

Bedrooms	Type	Total
2	Mid Terrace	10
3	Terrace/ End of Terrace	52
3	Semi-Detached	43
4	Semi-Detached	8
4	Detached	5
5	Detached	1
Total		119

Table 3: Unit Mix – Apartments

Type	2 Bed	3 Bed	Total
Duplex	6		6
Apartment		6	6
Total			12

- 2.3. The proposal also provides for an upgrade of the surface water network along the Athgoe Road and the Hazelhatch Road for a length of approximately 1.2 km. In addition, all associated site works, car parking and open space are provided in support of this development.

3.0 Planning Authority Pre-Application Opinion

- 3.1. A Section 247 pre-application consultation took place in October 2022 and a a LRD/ Section 247 Consultation Meeting took place on the 29th of March 2023, between representatives of the applicant and the Planning Authority, South Dublin County Council. The proposal was for 176 units on a site area of 8.76 hectares. The Planning Authority issued an opinion on the 27th of April 2023 and was of the opinion that the documents submitted with the request for an LRD meeting constituted a reasonable basis for an application for a Large- Scale Residential Development, subject to addressing a number of issues in any submitted application. These issues, summarised, were identified as follows:

- Provide a justification for any phasing that does not demonstrate compliance with CS9 SLO3 – provision of suitable facilities to serve residential development.
- A justification for proposed childcare provision.
- Revised layout with connections to adjoining lands. Justification for use of shared surfaces on the main link street.
- SUDs – Do not include underground attenuation and demonstrate that attenuation is adequate and in compliance with SDCC requirements.
- Demonstrate that layout requirements of Roads, Parks and Water Services are met.
- Justify the layout of open space with particular reference to the element to the western side of the site.

The following specified information required in addition to Article 23 of the Planning and Development Regulations (as per Article 16A(7)):

- A statement on phasing requirements.
- Assessment of impact on the Newcastle Architectural Conservation Area (ACA).

- Statement on childcare provision
- Housing Quality Assessment
- Schedule of Accommodation
- To include adequate information in relation to the calculation of Development Contributions.
- Architect's Design Statement detailing how 'The Plan Approach' has been followed and shall include an analysis of the proposal based on the guidance, principles and performance-based design criteria set out in South Dublin County's Height and Density Guide.
- Impacts of the proposed development on existing trees and biodiversity.
- Provide a Green Infrastructure Plan and details of the impacts of the proposed development on GI. Consideration of linear park/ GI route along the western and southern boundary of the proposed development. Details of areas that could be left to re-wild or identified as locations for mini woodlands.
- Details of proposed SUDs/ attenuation measures with underground attenuation to be omitted.
- Green Space Factor Calculations
- Street Tree Planting Plan and additional trees to be demonstrated to be DMURS compliant.
- Landscape Plans, to include a landscape masterplan and all relevant planting details.
- Details of Additional natural and free play opportunities.
- Ecological Impact Assessment.
- Traffic and Transport Assessment.
- Taking in Charge drawing and proposals to include details of any areas to be taken by an Owner's Management Company and to include any revisions to the road layout.
- Stage 2 Road Safety Audit.

- Updated Autotrack/ swept path analysis for emergency vehicles around the site.
- Rationale for the car parking provision for the duplex units, and the applicant should consider reducing the allocation of car parking spaces for these units.
- Layout Plans (no greater than 1:200) to show connections to the boundary removing the potential for ransom strips, improved connections to adjoining lands, details of footpaths/ cycle paths and crossing details.
- Provision of an updated Construction and Environmental Management Plan.
- An updated Resource Waste Management Plan.
- Public Lighting Design.
- A report providing revised surface water attenuation calculation for proposed development.
- Revised plan and cross-sectional view drawings indicating the location of all SuDS. Show on the drawing the capacity in m³ of surface water attenuation for each SuDS system.
- Details of the design, layout and landscaping for the proposed pumping station.
- Appropriate Assessment Screening Report.
- Environmental Impact Assessment Report (EIAR) or Screening Report as necessary
- A Building Lifecycle Report.
- Social Infrastructure Audit.
- Part V Proposals
- Revised phasing strategy illustrating the delivery of Public Open Space in conjunction with residential units.
- Omission of the permanent 2 metre separating wall, between the application site and the residentially zoned lands to the south west of the subject site.

3.2. The applicant has responded to each of these issues in the relevant reports submitted in support of the application.

4.0 Planning Authority Decision

4.1. Decision

The Planning Authority decided to grant permission subject to conditions, following the receipt of further information. Conditions are generally standard, though I note the following in summary:

2. Amendments to the development to include the omission of duplex/ apartments nos. 1 to 6 in the southern half of Block A and house 102, and the land revised to provide for additional open space with suitable overlooking incorporated into the revised design/ layout. Also details of the linear park including proposed SuDS measures, located on the south-western boundary of the site. Other details to demonstrate how the development will integrate with permitted development, provision of revised plans for house Type J and a revised HQA demonstrating that all units are provided with a private amenity area in accordance with SDCC Development Plan 2022 – 2028 standards.
3. Material/ design details demonstrating suitability in accordance with the Newcastle Village Architectural Conservation Area (ACA) and provision of photomontages of the proposed development.
5. Phasing details including the provision of development in conjunction with open space. Also details on the provision of a creche able to serve this development.
6. Surface water infrastructure details.
7. SUDs details and landscaping. Further details in condition 16.
9. Archaeological details.
12. Landscaping details/ plans.
14. Provision of a detailed play design plan.
19. Full implementation of mitigation measures outlined in the EIAR.
27. Use of cranes to be in accordance with Department of Defence requirements.

4.2. Planning Authority Reports

4.2.1. Planning Reports

The Planning Report reflects the decision to grant permission for this development. The South Dublin County Council Planner considered the proposal to be in the South

Dublin County Development Plan 2022 – 2028 and would not seriously injure the amenities of the area or of property in the vicinity of the proposed development.

4.2.2. **Other Technical Reports**

- Roads Department: No objection subject to recommended conditions.
- Water Services: Further information was requested in relation to surface water drainage and potential flood risk to properties downstream of the development. On receipt of this further information, it was recommended that permission be refused for this development as the proposed surface drainage system did not comply with the requirements of South Dublin County Council.
- Housing Procurement Section: No objection subject to conditions.
- Public Relam Section: Recommended conditions if permission is to be granted for this development.
- Public Lighting: No objection subject to recommended conditions.
- Delivery Planning: Request that community space be provided as part of the development.
- Conservation Officer: No report on file, though referenced in the PA report.

4.2.3. **Prescribed Bodies**

- Department of Defence: The site may be subject to high level of noise associated with aircraft operating from Casement Aerodrome.
- Irish Aviation Authority: No objection raised but require that the applicant contact the Department of Defence in relation to the use of cranes on site.
- Environmental Health Department: No objection subject to recommended conditions.
- South Dublin Childcare Committee: Consider the development is not compliant with the Childcare Guidelines.
- Department of Housing, Local Government and Heritage – DAU: The site is located within a Zone of Notification and notes the submitted Archaeological Assessment and the EIAR; it is noted that archaeological investigations have taken

place in the past. The Department recommends that archaeological excavation and monitoring should be required by way of condition.

- Uisce Éireann: No objection to the proposed development subject to condition. A similar report was received on receipt of the further information response.
- Transport Infrastructure Ireland (TII): No observations to make.

4.2.4. Third Party Observations

A total of four valid submissions were received and the issues raised include the following summarised comments, which I have grouped under appropriate headings:

Principle of development:

- Support provided for the proposed development.

Access and connections to adjoining lands:

- Request that the proposed development includes connections that would allow for access to adjoining lands.
- Reference is made to agreements already made for such provision, and a copy of a wayleave agreement is provided. Concern that the proposed connections will not allow for access to adjoining lands.
- Request that public water, foul drainage and stormwater drainage connections to enable future development of adjoining lands.

Infrastructure works:

- In relation to the works on the Hazelhatch Road it is requested that the footpath be extended by 420 m to the Whitethorn Lodge entrance. This would include the extension of public lighting.
- An improved footpath along the Hazelhatch Road would support pedestrian safety and would allow for the provision of ducting for broadband along this section of road.
- Requests that any surface water drainage works not impact on Newcastle Farm.
- Request that suitable public waste disposal facilities be provided along the Athgoe Road as it is expected that there will be increased pedestrian use of this road as a result of the proposed development.

Traffic and Transport:

- Concern that traffic surveys, which were undertaken in March 2022, are no longer relevant to the current situation. Reference is made to specific traffic issues in the area and concern about confidence in the overall traffic projections.
- No details are provided as to when a bus connection between Newcastle and Hazelhatch station will be provided.
- Request that an updated traffic survey be undertaken.
- Request that yellow box road lining be provided at access points for Newcastle Farm along the Athgoe Road.

A number of the submissions were supported with photographs, plans and other supporting documentation.

5.0 Planning History

PA Ref. SD23A/0136 refers to a February 2024 decision to grant permission for a residential development of 48 dwellings in the form of apartments/ duplexes and open space, the provision of approximately 1.74 hectares of second phase of Taobh Chnoic public park, hard and soft landscaping, communal amenity space for duplex apartments; along with single-storey bicycle/bin stores and all associated site works. The vehicular access to be from the permitted Graydon development (TA06S.305343) 'Newcastle Boulevard' to the east. This site area is included with the subject appeal site and there was no evidence of any construction having commenced on the day of the site visit.

ABP Ref. 313814-22 refers to a SHD application for 280 dwellings in the form of houses and apartments, childcare facility, open space and all associated site works on lands that include the western part of the subject site. No decision has been made to date on this application.

ABP Ref. 305343-19 refers to a December 2019 decision to grant permission for a SHD application for the demolition of 5 no. structures, construction of 406 no.

residential units (281 no. houses, 125 no. apartments) childcare facility and all associated site works. This is the development located to the east of the subject site. Amendments to this development were permitted under SD20A/0178 and SD20A/0186.

The applicants Planning Report and the PA report includes a detailed list of applications considered relevant to this proposed development.

6.0 Policy Context

6.1. National Policy

6.1.1. Project Ireland 2040 – National Planning Framework (NPF)

Chapter 4 of the National Planning Framework (NPF) is entitled 'Making Stronger Urban Places' and it sets out to enhance the experience of people who live, work and visit the urban places of Ireland.

A number of key policy objectives are noted as follows:

- National Policy Objective 4 seeks to '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 Planning Objective 11 provides that 'In meeting urban development requirements, there be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth'.
- National Planning Objective 13 provides that "In urban areas, planning and related standards, including, in particular, height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected".

Chapter 6 of the NPF is entitled 'People, Homes and Communities' and it sets out that place is intrinsic to achieving a good quality of life.

A number of key policy objectives are noted as follows:

- National Policy Objective 27 seeks to 'Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages'.
- National Policy Objective 33 seeks to 'Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location'.
- National Policy Objective 35 seeks 'To increase residential density in settlements, through a range of measures including restrictions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights'.

6.1.2. Section 28 Ministerial Guidelines

The following is a list of Section 28 - Ministerial Guidelines considered of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.

- Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities (DoHLGH, 2024)
- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (DoHLGH, 2023).
- Urban Development and Building Heights - Guidelines for Planning Authorities – (DoHPLG, 2018).
- Quality Housing for Sustainable Communities (DoEHLG, 2007).
- The Planning System and Flood Risk Management including the associated Technical Appendices (DEHLG/ OPW, 2009).
- Childcare Facilities Guidelines for Planning Authorities (2001).

Other Relevant Policy Documents include:

- Design Manual for Urban Roads and Streets (DMURS) 2019
- Permeability Best Practice Guide – National Transport Authority.

6.2. Regional Policy

6.2.1. Regional Spatial and Economic Strategy (RSES) 2019 – 2031

The Eastern & Midland Regional Assembly 'Regional Spatial & Economic Strategy 2019-2031' provides for the development of nine counties including Dublin and supports the implementation of the National Development Plan (NDP).

6.3. Local/ County Policy

6.3.1. South Dublin County Development Plan

6.3.2. The South Dublin County Development Plan 2022 - 2028 is the current statutory plan for South Dublin, including Newcastle/ the subject site. The Core Strategy is provided in Chapter 2, and this sets out population projections over the lifetime of the plan.

Table 9 provides the 'Capacity of undeveloped lands within South Dublin' and Newcastle has a potential capacity of 646 units. Table 11 provides the 'Core Strategy Table 2022 - 2028' and Newcastle has a planned population increase of 1,094 persons over the life of the plan. Newcastle is defined as one of the 'Self-Sustaining Growth Towns' in the county. Policy CS9: Newcastle states:

'Support the sustainable long-term growth of Newcastle by focusing development growth within the current settlement boundary and based on the ability of local services to cater for sustainable growth levels.' CS9 Objective 1 to 4 are relevant, and I have summarised them as follows:

Objective 1: Provision of facilities/ infrastructure be provided in conjunction with development in accordance with population growth. This objective refers to the Newcastle LAP and its extension to December 2022.

Objective 2: Support infill and brownfield development.

Objective 3: Provide for suitable services etc.

Objective 4: Residential development to be provided in a coordinated/ planned manner on a phased basis in accordance with CS9 SLO1, SLO2, SLO3 and SLO4.

SLO1 to SLO4 outline how development is to be undertaken and what services/ infrastructure is to be provided in conjunction with this.

Chapter 3 refers to 'Natural, Cultural and Built Heritage (NCBH)' and the section on Newcastle Village is noted:

'Newcastle is an historically significant village originally established as a medieval manor in the thirteenth century. Its large number of surviving archaeological monuments and well-preserved medieval land holding system of burgage plots preserved in hedgerows makes Newcastle a village of national significance. The built fabric of the village core has been classed as some of the oldest in the region. The buildings of interest within the ACA envelope are medieval structures such as tower houses constructed before 1500, the Church of Ireland, the mid-eighteenth-century Glebe House, and the Old National School and St Finian's Roman Catholic Church which date from the early to mid-nineteenth century.'

Chapter 7 refers to 'Sustainable Movement' and Newcastle is listed in Policy SM3 Objective 12 as a location for improved bus services. In Table 7.5 'Six Year Road Programme' it is proposed to develop the 'Formation of a strategic street network providing access throughout the LAP lands'.

Chapter 8 refers to 'Community and Open Space' and Policy COS4 Objective 14 seeks 'To provide a sports and recreational amenity in Newcastle, incorporating a full-size GAA, multi-use, all-weather playing pitch, two basketball courts, tennis court, dressing rooms, a walking / jogging / cycling track as well as parking areas and related additional open space.'

6.3.3. Newcastle is located on Map 7 of the South Dublin County Development Plan. The subject site is zoned as follows:

- Objective RES-N' - 'To provide for new residential communities in accordance with approved area plans'. This is the primary zoning on this site.
- Objective 'RU' - 'To protect and improve rural amenity and to provide for the development of agriculture'.
- Objective 'OS' - 'To preserve and provide for open space and recreational amenities.'

A number of lines indicating 'Road Proposal – 6 Year' are on the map and 'TA' – 'To provide for Traveller Accommodation (indicative sites) is indicated on the site.

The lands are located within the following Aviation restricted areas:

- Airport Surfaces - Casement

- Take of Climb Surfaces – Casement and Weston

The majority of the site is located within an area defined as 'Locations in which Development of up to 30m in height above ground are unlikely to have significance in relation to Aviation'.

The subject lands are located outside and to the south of the Newcastle Architectural Conservation Area.

Objective CS9 SLO3 refers to the lands in the vicinity of the subject site and states the following:

'A sequentially phased programme to be submitted alongside any planning application on the subject lands which provides for the delivery of the following in tandem with development or as described 1) No more than 200 units to be permitted before the commencement of the remaining lands of c. 1.4ha to provide for the full Taobh Chnoic Park to the south 2) Urban Park / Square c. 1ha in size (Burgage South Park) to the satisfaction of the planning authority, 3) East-West Link Street, 4) Sean Feirm Park c. 0.2ha in size, 5) a portion of Tower House Park c. 0.1ha. All applications shall demonstrate to the satisfaction of the Planning Authority how they are supporting the delivery of North South Street connections to the Main Street.

With regards delivery of a new primary school at Taobh Chnoic, the timing of this will be subject to educational needs in consultation with the Department of Education. Prior to completion of 200 units confirmation to be provided from the Department of Education on the transfer of lands to provide for the school, subject to their confirmation of need.'

6.3.4. The Environmental Reports include a Strategic Environmental Assessment (SEA), a Natura Impact Report and a Strategic Flood Risk Assessment (SFRA).

6.4. **Natural Heritage Designations**

The Grand Canal, Site Code 002104, is designated a pNHA and is located approximately 2.34 km to the north west of the subject site.

7.0 The Appeal

7.1. A single Third-Party appeal has been made, by Fiona Murray. The following issues are raised in the appeal:

- Appellant is not opposed to the proposed development of these lands, in so far as they are compatible with the terms and conditions of an agreement she has with the developer.
- States that the developer cannot provide an unconditional agreement as it may conflict with a grant of permission. She considers that the agreement takes precedence over a planning permission and that An Bord Pleanála can grant a permission that ensures that the agreement is complied with.
- Notes that the Planning Authority, on receipt of a further information response, determined that the submitted details were not significant and would not impact on third parties.
- The grant of permission included a number of conditions that require compliance submissions to be agreed prior to the commencement of development on site, and it is surprising that clarification of the further information was not sought. Third parties do not have the right to comment on these matters. Specific concerns relate to access to/ from main street that may impact on the appellant's land, the proposed scheme may impact on the development potential of her land and a proposed block wall was omitted with no details provided as to an alternative boundary treatment. Reference in the CE report to conditioning the provision of future links to ensure that ransom strips do not develop, was not included and no reason for this has been provided.
- The appellant asserts that their agreement would take precedence over a grant of planning permission and failure to comply with the agreement would mean that the planning permission could not be implemented.

7.2. Applicants' response to the appeal:

A detailed response is provided in relation to the appeal and the response is supported with documents, plans, and legal documentation. The following comments are noted:

- Notes that the appellant is not opposed to the development of this site.

- Any legal agreement is a civil matter and not a consideration for this planning application.
- Regrets the assertion that Cairn Homes did not consult with the appellant prior to the lodging of this planning application.
- Procedural issues are identified including the lack of a full address and no submission receipt from SDCC.
- It is considered that the proposed development is appropriate for this location.
- Three future street connections to the appellants lands are provided for in this application. Additional connections can be provided if required. Details of this are provided in the Technical Note by DBFL Consulting Engineers.
- The applicant is willing to provide a blockwork wall along the southern boundary of the site if required.
- Explanation is given as to why further information was sought by the Planning Authority. It is considered that correct procedures were followed.
- Comment is made on the Planning Authority decision and conditions. It is standard practice that a detailed design phase would follow on from a grant of permission, though a significant amount of detail has been included with the application.
- Willing to ensure that future connections are continued to the redline boundary to ensure the avoidance of ransom strips.

7.3. **Planning Authority Response**

No further comment to make, all issues have been covered in the CE report.

8.0 **Assessment**

8.1. The main issues that arise for consideration in relation to this appeal can be addressed under the following headings:

- Principle of Development
- Impact on the Character of the Area
- Impact on Residential Amenity

- Traffic and Car Parking
- Water Infrastructure and Flood Risk
- Other Matters
- Appropriate Assessment (AA)
- Environmental Impact Assessment (EIA)

8.2. Principle of Development

- 8.2.1. The Planning Authority had no issue in relation to residential development on this site and the appeal against the decision to grant permission was not opposed to the general development of housing on these lands. The submitted appeal is more concerned about the impact of the development on their lands/ on the ability for the future use of their lands.
- 8.2.2. The subject lands are located to the south western side of Newcastle Village and are located on mostly residentially zoned lands. The site is zoned RES-N under the South Dublin County Development Plan 2022 – 2028 and which allows for residential development in accordance with approved area plans. There was a plan for Newcastle, which expired in December 2022 and no replacement has been provided to date. I am satisfied that the applicant has demonstrated that the proposed development has been provided in a planned manner with good integration with adjoining lands and that the provision of open space etc. will benefit the wider area.
- 8.2.3. The proposed density at 33.33 units per hectare is considered to be acceptable. The applicant has provided this density on the basis of the proposed development, which is designated as Phase 2B, and the permitted development under SD23A/0136 which permitted 48 apartment/ duplex units. Newcastle can be defined as a small to medium sized town as it has a population of less than 5,000 and is within the range of 25 dph to 40 dph edge of small to medium sized towns as per the Sustainable and Compact Settlements guidelines. The scale and density of development will provide for a good integration with existing housing to the east and north.
- 8.2.4. I am therefore satisfied that the nature of the development is acceptable in terms of the South Dublin County Development Plan 2022 – 2028, and the overall density at 33.33 units per hectare is also acceptable in terms of the development plan and national guidance.

8.3. Impact on the Character of the Area

- 8.3.1. The Planning Authority raised no specific concerns about the layout of the development and the nature of the units proposed, other than Condition no. 2 which sought to remove some units and to replace them with additional open space. These units were in Block A and would require the removal of 6 apartment/ duplex units (nos. 1 to 6) and the space to provide for suitably overlooked open space. House no. 102 to also be removed. The primary reason for the removal of these units is to improve the available attenuation area here as requested by the South Dublin County Council Water Services and the Public Realm Sections.
- 8.3.2. In general, I consider that the proposed development in terms of layout and interface between residential units and open space to be acceptable. The proposed revision to Block A and house no. 102 is considered to be acceptable in terms of providing for improved attenuation to serve the development. The issue of surface water drainage etc. is considered further in this report.
- 8.3.3. I note that Development Plan Map 7 indicates a map-based objective for Traveller Accommodation on part of the subject site, approximately on the lands to the east of House no. 114 and west of the lands permitted development under SD23A/0136. The CE report notes this objective and that it is indicative in its location. The CE report considers it acceptable to not require the provision of Traveller Accommodation in this instance.
- 8.3.4. Generally, the provision of such accommodation would be undertaken by the Local Authority, and I am satisfied that the proposed development does not preclude the provision of such housing in this location. It is clearly an objective of South Dublin County Council to provide for such homes in this part of Newcastle and access roads that terminate on the southern/ redline boundary allow for the continuation of these roads and for the development of suitable accommodation on the lands to the south. There is an adequate area of land to the south of the subject site to provide for suitable Traveller Accommodation. Access can be provided from the road to the west of Unit 112 (Type B2) and from the road to the west of the car parking area to the west of Duplex Block C. Whilst both access points may not be required to access these lands, I am satisfied that a suitable connection can be provided to enable the development of these lands in accordance with the site-specific objective. I am therefore satisfied that

the proposed development does not prevent the implementation of this objective in the future.

- 8.3.5. **Impact on third party residential amenity:** The Planning Authority raised no issues of concern in relation to impact from the development on existing residential amenity. No issues were raised in the appeal in relation to impact on existing residential amenity.
- 8.3.6. Adequate separation distances are proposed between the proposed and existing residential units on adjoining lands. The proposed layout has been carefully considered to ensure that overlooking leading to a loss of privacy does not arise. Similarly overshadowing leading to a loss of daylight and sunlight does not arise considering the available separation distances between units and the orientation of the site layout/ proposed units. The taller duplex units are located to the southern part of the site, away from existing residential units, but even these units are only three storeys in height. The houses are two storey units and do not give rise to overshadowing issues.
- 8.3.7. **Proposed residential amenity:** The proposed development will provide for a mix of house types, in addition to also providing for duplex units on this site. The proposed houses are two-storey units and provide for a mix of two-, three-, four- and five-bedroom units in the form of semi-detached and terraced units. 10 of the 119 houses are two bedroom and I am satisfied that the range of unit types will provide for a suitable tenure mix here. The proposed houses are provided with adequate private amenity space in the form of gardens to their rear/ side as appropriate. The layout/ design of houses has been carefully considered in this application. For example, in the case of Units 110 to 113 and Units 114 to 119 located to their south, a separation of 17.66 m is provided but potential overlooking is addressed through the units to the north (110 to 113) having bathrooms located to their upper-level rear and fitted with obscured glazing. This allows for reduced separation but ensures that residential amenity is protected.
- 8.3.8. All housing and apartment units are provided with adequate floor areas. Each of the apartment units is provided with more than adequate storage however I note that the Type A units are provided with Utility Rooms which have a floor area in excess of 4.5 sq m, but I am satisfied that these would only have a storage/ utility function and could

not be used as habitable floor space. If the Board were concerned about the area of these rooms, they could condition that they be subdivided to form two smaller areas. Suitable private amenity space is provided in the form of terraces for ground/ lower floor units and balconies for the upper floors, and again the areas of these amenity spaces are in accordance with the requirements of the apartment guidelines. As the apartments units are in the form of duplex over single storey apartment, with access to the upper unit at first floor level, no issues arise in terms of the provision of lifts. Adequate floor to ceiling heights is provided in each of the apartment units and all units are dual if not triple aspect.

8.3.9. I am satisfied that the proposed development demonstrates compliance with the relevant SPPRs of the Apartment Guidelines.

8.3.10. **Public Open Space:** The Planning Authority noted the provision of public open space in their assessment and generally it was acceptable, though they noted that some of the land was subject to a separation application under PA Ref. SD23A/0136 and for which permission had not been granted at that time. This has since been granted, with a final grant date of the 20th of February 2024. The Planning Authority noted the phasing of open space to serve Newcastle and the concern was that the permission under SD23A/0136 would not be given and the comprehensive provision of open space would not be achieved.

8.3.11. I am satisfied that the development will provide for adequate public open space to serve the residents of the proposed development but also the wider Newcastle area. The applicant has indicated that 25% of the site area is to provide for open space, this includes the Phase 2A and 2B lands. From the submitted plans it is evident that the area of open space to the south will allow for the extension of the existing and operating Taobh Chnoic Park as well as providing for smaller pocket parks and amenity spaces throughout the overall site. Whilst some of these form attenuation areas they do also provide for a level of amenity for the future residents of this development.

8.3.12. **Childcare and Community Space Provision:** No childcare provision is proposed as part of this development, and the Planning Authority noted and accepted this subject to the provision of an approved facility in the nearby 'Graydon'

development, permitted under ABP Ref. 316066-23/ PA Ref. SD22A/0459 for a facility with a floor area of 778 sq m.

- 8.3.13. The applicant has provided a 'Social Infrastructure Audit' in support of the application and Chapter 7 refers to Childcare Facilities in the area and these are located through Figure 27. I also note Table 13 which provides an 'Overview of Childcare within a 2km radius' and the important fact is that there is no capacity within these units. The proposed development would require a total of 35 childcare spaces (131/75,*20) in accordance with the Childcare Guidelines, or 31 in terms of the 2023 Apartment Guidelines.
- 8.3.14. I am generally satisfied that this proposal will provide for suitable childcare and a large facility serving the subject lands and Graydon to the east is probably more viable than the development of a number of smaller such facilities. There is a concern that the larger facility may be excessive in size and may be car dependent having regard to the distance required to travel from the western part of this site to the childcare unit. This issue may be addressed through the conditioning of a standalone unit on this site. The Board may wish to consider these issues further.
- 8.3.15. The 'Social Infrastructure Audit' also provides details on primary and post primary school capacity in the area, and no details on vacancy are provided. St. Finian's National School is located to the south of Main Street, Newcastle and is within walking distance of the subject site. The audit provides details of other primary and secondary schools within the area. Details are provided on community, social, recreation and retail facilities available in the area. The opening of a new SuperValu supermarket within walking distance of the site has extended the range of retail available in this area. It is evident that the proposed development is to be in an area with a wide range of available services.
- 8.3.16. **Conclusion on Residential Amenity:** I am satisfied that the proposed development will provide for a suitably high-quality development to the south western side of Newcastle and will provide for extended/ improved public open space that can be used by the local community through the extension of the Taobh Chnoic Park to the south of the site. The proposed development ensures that existing residential amenity is protected, whilst also ensuring that the proposed development provides for a high standard of residential amenity.

8.4. Traffic and Car Parking

- 8.4.1. The proposed development will provide for a residential development primarily consisting of houses, but which also contains an apartment block located towards the centre of these lands. The proposed development will connect into Newcastle Boulevard which is located to the east of the site and is within the mostly completed Graydon development. This would provide for a through route from the Athgoe Road to the west and Main Street to the north, but through a road layout that discourages through traffic.
- 8.4.2. Parking: A total of 237 car parking spaces are proposed with 208 spaces for the 119 houses and 12 on-street spaces are allocated to the duplex/ apartment units. Two spaces will be available for a car share scheme. 94 bicycle parking spaces will be provided of which 30 will be available for the residents of the apartments/ duplex units and the remainder will be for short-stay use, spread throughout the site.
- 8.4.3. Layout: The internal road layout, as already described, allows for a through route between the Athgoe Road to the west and through Graydon with a number of exits onto Main Street Newcastle. The internal road layout allows for permeability through the site and also ensures that access is available to adjoining lands. As part of the further information response, confirmation was provided that a pedestrian link would be included along the southwestern boundary of the site, and this was acceptable to the South Dublin County Council Roads Department.
- 8.4.4. Access to adjoining lands: The issue of access to adjoining lands was one of the primary issues raised in the appeal. Drawing no. 210026-DBFL-RD-SP-DR-C-1154 – Road Hierarchy prepared by DBFL Consulting Engineers indicates the access points from the subject site to adjoining lands. I note from the appeal statement that the appellants lands of concern are located to the south of the subject lands. I will not comment about the ability to develop these lands as they do not form part of this application, but I am satisfied that there is adequate access available from the subject lands to them. As already reported, access can be provided from the road to the west of Unit 112 (Type B2) and from the road to the west of the car parking area to the west of Duplex Block C to enable a connection to these lands. In addition, access is possible from the western part of the site on the cul-de-sac to the west of units 01 to 04.

8.4.5. I consider that these three potential access points should be constructed to the red line boundary of the site and the boundary treatment to be such as to clearly indicate that these cul-de-sacs are temporary in nature and may become through routes in time. I do not suggest that any additional vehicular access points be provided to these lands, though it would be appropriate that additional pedestrian/ cyclist access be considered between these tracts of land. I note the map attached as part of the 'agreement' referred to in the appeal and arrows indicating at least six connection points to the south of the subject lands. If these were to be developed as roads, the development of the subject lands would be very difficult and dominated by roads/ access points on its southern boundary. The surface water drainage system proposed (and considered later in this report) would require a significant revision.

8.4.6. In addition to the specific issues relating to the lands to the south, suitable access points are available to the lands to the north of the site, and which would allow for the infilling of these adjacent lands whilst providing access from the subject site.

8.4.7. Conclusion on accesses: I am satisfied that the proposed development has allowed for the development of adjacent lands whilst enabling access from the subject site/ proposed road network. This will allow for a properly planned and integrated road network to the south of Newcastle. The issues raised in the appeal in relation to access/ connections are noted and I am satisfied that the proposed development will not prevent the future development of these adjacent lands.

8.4.8. **Conclusion on Traffic and Car Parking:** I am satisfied that the proposed road layout and access points are acceptable. In general, pedestrian and cyclist provision are good within and to/ from the subject site. The proposed layout will extend the length of available cycle track in the Newcastle area and provide for an alternative east to west route, rather than having to use Main Street.

8.5. **Water Infrastructure and Flood Risk**

8.5.1. Water supply and foul drainage: Uisce Éireann reported no objection to the proposed foul drainage and water supply systems subject to conditions requiring the developer to enter into agreements with them. I am satisfied that the development can be connected to the public foul drainage and water supply systems.

8.5.2. Surface Water Drainage: The applicant has provided full details of their proposed surface water drainage system and further details were provided in response to a

further information request. These were technical issues in relation to the design of this system and in response to the submitted information, the South Dublin County Council Water Services Department recommended that permission be refused for this development. The Planning Authority proposed alterations to the site layout including the removal of half of the apartment/ duplex block and also the omission of House no. 102 thereby increasing the available area for attenuation here. Revisions would be required for House no. 103 in terms of addressing adjacent public open space that would be generated by these revisions.

8.5.3. I note the submitted information with the application, the concerns raised by the SDCC Water Services Department, and the proposed revisions provided by the Planning Authority. I am satisfied that these revisions, dealt with by way of condition by SDCC, would be acceptable and the final details in relation to surface water drainage can be agreed between the applicant and the local authority.

8.5.4. Flood Risk: DBFL have prepared a 'Site Specific Flood Risk Assessment' for this development. This is in accordance with 'The Planning System and Flood Risk Management Guidelines, 2009' and its technical appendices. Details of a wide range of supporting information and site history is provided. Two potential flood risks were identified:

- Fluvial Flood Risk: No risk up to the 1% AEP event. As per the South Dublin County Development Plan 2022 – 2028 'Strategic Flood Risk Assessment', the site is located within Flood Zone C and is not at risk of flooding. Potential exists for a flood event from an overland flow route from a field ditch located to the south of the subject site. The surface water drainage design has included measures to address any potential risk from this and which has been designed to provide for an allowance of 20% for climate change.
- Pluvial Flood Risk: Potential risk related to future drainage networks if they are designed/ developed in accordance with the GSDSDS with an allowance for exceedance such as for storm events. Potential for risk due to human or mechanical error causing pluvial flooding due to blockages in the system.

8.5.5. The SSFRA considers these issues in full and is satisfied that the development and its surface water drainage system can accommodate any such concerns. Adjoining lands would not be adversely affected by the proposed development in terms of

flooding issues. Appropriate mitigation measures are provided in Section 5.9 of the SSFRA. Surface water runoff will be attenuated to greenfield runoff rates. Events that exceed the 1% AEP would see excess water routed towards drainage outfalls.

8.5.6. The report concludes that the site is within Flood Zone C, is appropriate for residential development, full regard is had to the flood guidelines and a justification test is not required. The proposed development would have a good level of flood protection up to the 100-year return event (1% AEP) and for pluvial floods exceeding the 100 year capacity of the drainage system then proposed flood routing mitigation measures are recommended for the surface water design.

8.5.7. **Conclusion on Water Infrastructure and Flood Risk:** From the submitted information and the available information, I am satisfied that the risk of flooding on site is low and that that the proposed development will not adversely affect adjoining lands. The subject lands are located within Flood Zone C and South Dublin County Council did not raise any issues of concern regarding flooding. The proposed development will provide for a comprehensive SUDs scheme ensuring that surface water run-off is at a greenfield rate.

8.5.8. I recommend that a similar condition to that provided by the Planning Authority in omitting 6 apartment units and house no. 102 be included in any grant of permission, with the final surface water drainage network to be agreed between the applicant and the Planning Authority. I do not foresee any adverse impacts on third parties from the inclusion of such a condition.

8.6. Other Matters

8.6.1. **Archaeology:** Chapter 13 of the EIAR considers the impact of the development on 'Cultural Heritage (Archaeology)', prepared by Faith Bailey, and I also note the report from the Department of Housing, Local Government and Heritage'. It is reported that significant areas of the site have already undergone archaeological assessment including geophysical surveys, archaeological testing and excavation. Three features have been identified within the proposed development lands and it is recommended that these be preserved by record and that an archaeologist be employed to monitor the removal/ stripping of topsoil.

- 8.6.2. The Department raised no issues of concern in relation to these recommendations and includes a condition in the event that permission is to be granted for this development.
- 8.6.3. **Conclusion on Archaeology:** I note the submitted reports and I agree with the recommendation of the Department of Housing, Local Government and Heritage in respect of the inclusion of a condition. The proposed development will not have a negative impact on archaeology which may be located within the site area. This issue is further considered on the section on EIAR.
- 8.6.4. **Impact on Newcastle Architectural Conservation Area:** I am satisfied from the submitted information and my site visit, that the proposed development will not have a negative impact on the Newcastle ACA. The site is located to the rear/ south of Main Street and the layout/ proposed heights will ensure that there is no adverse impact on the visual character of the area.
- 8.6.5. **Other Issues raised in the Appeal:** I have already commented on the major issue of access between the subject site and the appellant's land. Provision can be made for services between these lands also, so that the future development of the adjoining lands may take place in an efficient manner.
- 8.6.6. I note that Item D in the 'agreement' refers to the type of boundary treatment to be provided between the lands, referring to walls/ fences but which should be of stock proof quality. I have no issue with this, but I would suggest that the boundary at the end of the cul-de-sacs proposed as future through routes be clearly delineated to allow for such access in the future. The provision of a more permanent boundary may actually restrict access to the adjoining lands which would be contrary to the issues raised in the appeal.
- 8.6.7. **Conclusion on Other Issues raised in the Appeal:** The issues raised, the need for suitable boundary treatment and ensuring that access to adjoining lands can be provided, can all be addressed by way of condition.

9.0 Appropriate Assessment (AA)

9.1 I have considered the proposed residential development of 131 units and associated site works in light of the requirements of S177U of the Planning and Development Act 2000 as amended. A Screening report has been prepared by Altamar on behalf of the applicant and the objective information presented in this report informs this screening determination.

9.2 Overall Conclusion- Screening Determination

In accordance with Section 177U(4) of the Planning and Development Act 2000 (as amended) and on the basis of objective information,

I conclude that that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] is not required.

This conclusion is based on:

- Objective information presented in the Screening Report
- Lack of direct hydrological pathway or biodiversity corridor link between the subject site and designated European Sites.
- Distance from European Sites
- The limited zone of influence of potential impacts, weak and indirect hydrological connections to designated European sites,

Full details of my assessment are provided in Appendix 1 attached to this report.

No measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion.

10.0 Environmental Impact Assessment (EIA)

10.1 This application was submitted to the Board after the 1st of September 2018 and therefore after the commencement of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 which transpose the requirements of Directive 2014/52/EU into Irish planning law.

10.2 The application was accompanied by an Environmental Impact Assessment Report (EIAR), which is mandatory for the development in accordance with the provisions of Part X of the Planning and Development Act 2000, as amended and Schedule 5 of the Planning and Development Regulations 2001 as amended.

10.3 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 EIA is required for infrastructure developments comprising of urban development which would exceed:

- 500 dwellings
- 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.

A business district is defined as 'a district within a city or town in which the predominant land use is retail or commercial use'.

10.4 The proposed development is described and consists of 131 residential units in the form of 119 houses and 12 apartment units and an upgrade of the surface water drainage system along the Hazelhatch Road, in Newcastle, Co. Dublin. The subject site area is 10.3 hectares. The subject lands are zoned in accordance with the South Dublin County Development Plan 2022 – 2028.

10.5 The proposed development therefore requires mandatory EIA, and an EIAR has been submitted with the application. This has been prepared by John Spain Associates, Planning and Development Consultants with support from specialists. The List of Competent Experts is provided in Table 1.5 of the EIAR and is arranged in relation to the relevant chapter that they contributed.

10.6 The EIAR is set out as follows:

Volume I – EIA Non-Technical Summary

Volume II: Environmental Impact Assessment Report

The following chapters are included in the EIA

1. Introduction and Methodology
2. Description of the Project and Alternative Examined
3. Population and Human Health
4. Biodiversity
5. Lands and Soils
6. Water and Hydrology
7. Air Quality and Climate
8. Noise and Vibration
9. Landscape and Visual Impact Assessment
10. Material Assets – Traffic and Transportation
11. Material Assets – Waste Management
12. Material Assets – Utilities
13. Cultural Heritage (Archaeology)
14. Cultural Heritage (Architectural Heritage)
15. Risk Management for Major Accidents and/or Disasters
16. Interactions of the Forgoing
17. Summary of EIA Mitigation and Monitoring Measures

Volume III: Environmental Impact Assessment Report (EIA) – Appendices

- 10.7 Chapter 1 includes the purpose of EIA, the EIA Methodology with a list of relevant legislation/ guidance, possible outcomes, details on consultation/ scoping, EIA process, structure of the EIA, a list of the EIA project team and supporting information. A description of effects is provided in Section 1.13 and 1.14 with

forecasting methods used for effects provided in Section 1.15. No difficulties were encountered in the compilation of the required information in order to prepare the EIAR.

10.8 Chapter 2 provides a more detailed project description, details on the site environment/ location/ adjoining lands and details on the available services/ infrastructure on/ adjoining the site. Characteristics of the Construction Phase is provided in Section 2.17. Section 2.18 provides details on consideration of the 'Energy Statement and Climate Action Plan'.

Consideration of Alternatives

10.9 Section 2.20 provides the consideration of 'Alternatives Examined' in accordance with Annex IV (2) of the EIA Directive (2014/52/EU) and Article 94 and Schedule 6 of the Planning and Development Regulations, 2001 as amended. Section 2.20 provides the 'Alternatives Examined' and which are, summarised below:

- **Alternative Locations:** The subject lands are suitably zoned in the South Dublin County Development Plan 2022 - 2028 for the development as proposed. There are other such lands in the area, but the subject site is more appropriate in terms of sequential development. It is noted in terms of EIA guidance that it is not appropriate to consider alternative locations for development such as this with the zoning allowing for such uses. A do-nothing scenario would not be appropriate as it would not result in the development of these lands for housing as required in the development plan. There was a local area plan here, that has expired, and which was subject to Strategic Environmental Assessment (SEA) and through which alternatives were considered. Similarly, SEA was undertaken for the South Dublin County Development Plan 2022 – 2028.
- **Alternative Sequential Development:** The applicant controls approximately 34 hectares of land to the south of Main Street and alternatives layouts and sequencing were considered. The proposal was considered appropriate in terms of proper planning and sequential development of Newcastle.
- **Alternative Uses:** There are a range of supporting services in the immediate area and there would be no demand for the development of such on these lands. The site is zoned for residential and open space uses and there is demand for such units.

- Description of Alternative Processes: There is limited potential for alternative processes due to the site zoning. Buildings will provide for a high energy efficiency and construction methods will use best practices.
- Alternative Designs and Layouts: Several alternative layout designs were considered in the design process. Three options are detailed in the EIAR and consideration of their relevant issues are provided. The alternatives are considered in relation to each of the environmental factors/ EIAR chapters. The summary of this chapter details why the final design was chosen over the other outlined options for this site.

The Likely significant direct and indirect effects of the proposed development

10.10 The likely significant direct and indirect effects of the proposed development are considered in the remaining chapters, in the order provided in the EIAR, which collectively address the following headings, as set out in Article 3 of the EIA Directive 2014/52/EU:

- Population and Human Health
- Biodiversity (Flora and Fauna)
- Land, Soil, Water, Air and Climate
- Material Assets, Cultural Heritage and the Landscape
- Interactions
- Mitigation and Monitoring

10.11 I am satisfied that the EIAR has been prepared by competent experts to ensure its completeness and quality, and that the information contained in the EIAR, and supplementary information provided by the applicant, adequately identifies and describes the direct and indirect effects of the proposed development on the environment and complies with article 94 of the Planning and Development Regulations 2001, as amended; I have prepared a table to demonstrate this. Each chapter demonstrates the competency of the assessor, relevant guidance that they have considered, and the assessment criteria.

Table: Article 94 Compliance

The information specified in Paragraph 1 of Schedule 6		
	<p>Description of proposed development: Site, design, size and other relevant features</p>	<p>See Chapter 2.0. This includes details on the site, proposed design, number of units/ size and relevant features. Also includes full details of all associated site works. The description is adequately detailed to allow assessment of the likely effects on the environment.</p>
	<p>Likely significant effects on the environment</p>	<p>See Chapters 3.0 - 16.0. Each of these chapters describes the relevant significant effects on the environment. Chapter 16 provides full details on 'Interactions of the Forgoing'.</p>
	<p>Design and mitigation measures to avoid, prevent and reduce significant adverse effects</p>	<p>Mitigation measures are provided in each of the relevant chapters 3.0 – 15.0. Chapter 17.0 provides a 'Summary of EIA Mitigation and Monitoring Measures'.</p>
	<p>Reasonable alternatives and main reasons for the option chosen, taking into account effects on the environment</p>	<p>See Chapter 2.0, and particularly Section 2.20. The main alternatives would be in terms of location, sequencing, uses and design/ layout. The site is suitably zoned and the layout is determined by</p>

		geography, topography, cultural heritage and planning requirements. Alternative designs/ layout is considered in this chapter.
Any additional information specified in Paragraph 2 of Schedule 6 relevant to the specific characteristics of the development concerned and the environmental features likely to be affected and methods of assessment		
(a) Description	Description of location	See Chapter 2.0.
	Physical characteristics including where relevant demolition and land use requirements during construction and operation	See Chapter 2.0. Please note that there is no demolition involved.
	Main characteristics of the operational phase	The development of a residential scheme of 131 units in the form of houses and apartments and all associated site works. Also includes the upgrading of the surface water network along Athgoe Road and the Hazelhatch Road.
(b) Reasonable Alternatives		See Chapter 2.0. The main alternatives would be in terms of location and design/ layout. The site is suitably zoned and the layout is determined by geography, topography, cultural heritage and planning requirements.

(c) Baseline scenario and 'Do Nothing'	The baseline context is provided. The 'Do-Nothing' scenario would leave the lands in agricultural use, therefore not complying with the objectives of the South Dublin County Development Plan 2022 – 2028. Environmental factors would not change from their current situation.	
(d) Factors likely to be significantly affected	Population and human health	See Chapter 3.0
	Biodiversity	See Chapter 4.0
	Land, Soils, Geology and Hydrogeology	See Chapter 5.0
	Hydrology	See Chapter 6.0
	Air Quality & Climate	See Chapter 7.0
	Noise and Vibration	See Chapter 8.0
	Landscape and Visual Impact Assessment	See Chapter 9.0
	Traffic and Transportation	See Chapter 10.0
	Waste Management	See Chapter 11.0
	Material Assets – Utilities	See Chapter 12.0
	Cultural Heritage - Archaeology	See Chapter 13.0
Cultural Heritage – Architectural Heritage	See Chapter 14.0	
	Risk Management for Major Accidents and/ or Disasters	See Chapter 15.0

(e) Significant effects		See Chapters 3 - 15
(i) Description of:	(I) Construction and existence of proposed development and demolition	See Chapter 2.0.
	(II) Use of natural resources	See Chapter 5.0, and 6.0.
	(III) Emissions	See Chapter 7.0 and 8.0
	(IV) Risk from accidents or disasters	See Chapter 15.0.
	(V) Cumulative effects with existing or approved developments	Considered under main chapter headings
	(VI) Impact on Climate and vulnerability to Climate Change	See Chapter 7.0 and individual chapters.
	(VII) Technology and Substances used	See Chapter 1.0
(ii) Likely Significant Effects	Direct	Considered under main chapter headings
	Indirect / Secondary	Considered under interactions
	Cumulative	Considered under main chapter headings
	Transboundary	Not relevant
	Short term	Most effects are temporary or short term
	Medium Term	Not generally relevant

	Long Term	Considered under relevant chapters.
	Permanent	Permanent development of the site including.
	Temporary	Construction effects are temporary or short term, operational effects are permanent and generally positive.
	Positive	Development of new housing, and biodiversity is enhanced through the landscaping plan.
	Negative	Most effects are temporary or short term.
(f) Forecasting methods, evidence, difficulties encounters and main uncertainties		Yes
(g) Measures to avoid, prevent, reduce or offset adverse effects, monitoring during construction and operation		Yes
(h) Significant adverse effects arising from vulnerability to risks of major accidents and/or disasters, mitigation measures and preparedness and response to emergencies arising from such events		No
Non-Technical Summary		Yes – the Non-Technical Summary accurately reflects the chapters in the main volume
Reference list of sources		This is provided for each chapter

List of experts and their competence	This is provided for each chapter
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I conclude that the EIAR complies with Article 94 of the Planning and Development Regulations, 2001, as amended.

10.12 I have carried out an examination of the information presented by the applicant, including the EIAR, and the submissions made during the course of the application. A summary of the submissions made by the planning authority and prescribed bodies has been set out already in this report. This EIA has had regard to the application documentation, including the EIAR, the observations received, and the planning assessment completed above. I note that the assessment includes the subject application and the associated lands included within the site boundary but providing for 48 apartment units under SD23A/0136.

10.13 Consultations: Details of the consultations carried out by the applicant as part of the preparation of the application and EIAR are set out in the documentation submitted and these are considered to be adequate. I am satisfied that the participation of the public has been effective, and the application has been made accessible to the public by electronic and hard copy means with adequate timelines afforded for submissions.

10.14 Assessment of Likely Significant Direct and Indirect Effects: My assessment is based on the information provided by the applicant, including the EIAR, in addition to the submissions made during the course of the application, together with my site visit.

Population and Human Health

10.15 Chapter 3.0 has been prepared by John Spain Associates. The technical chapters within the EIAR have also been reviewed by the applicant when assessing the likely effects on population and human health. Relevant chapters include those relating to Air Quality and Climate (Chapter 7.0), Noise and Vibration (Chapter 8.0), Traffic (10.0) as well as Risk Management for Major Accidents and/ or Disasters (Chapter 15.0) and the

separate reports addressing Resource Waste Management, and the Construction and Environmental Management Plan.

10.16 The Methodology is provided under Section 3.2 and consideration of relevant guidelines and census data is undertaken. Section 3.3 outlines 'The Existing Receiving Environment' and is detailed in terms of its description, in terms of census data and in terms of development plan requirements. The need for housing is considered under Section 3.3.6. There are no Seveso sites in the immediate area and the site does not present risks of major accidents or disasters. In terms of the 'Do-Nothing' scenario, additional housing would not be provided, therefore failing to meet housing targets and the land would remain fallow and undeveloped. The development is described under Section 3.5 – 'Characteristics of the Proposed Development'.

10.17 Section 3.6 provides a consideration of the 'Potential Impact of the Proposed Development' and this provides a description of the specific, direct and indirect, impacts on population and human health that the proposed scheme may have during both the construction/ operational phases of the proposed development. The following are considered:

- Water – Construction Phase: Development will be in accordance with the requirements of a Construction Environmental Management Plan (CEMP) and the impact on human health and population would not be significant in this case. There is potential for surface water runoff and pollution, but preventative measures are provided in the CEMP and Resource Waste Management Plan (RWMP) and appropriate mitigation measures are provided.
- Water – Operational Phase: Foul drainage will be provided in accordance with Uisce Éireann requirements and will be fully tested before going into operational use. Surface water drainage will be provided in accordance with South Dublin County Council requirements.
- Noise and Vibration – Construction Phase: Full details are provided in Chapter 8 of the EIAR. Construction noise levels will be above threshold at a limited number of locations within 35 m of the site but will be below threshold outside of the 35 m zone. Good practice noise control measures will be provided to reduce the impact of

construction works. The impact of construction at distances of 20 – 30 m is predicted to be negative, moderate to significant and short-term. At distances of 35 m and over, the impact is predicted to be negative, slight to moderate and short-term. Construction traffic noise will be negative, not significant and short term. Vibration impacts will be neutral, imperceptible and short-term.

- Noise and Vibration – Operational Phase: The noise impact during the operational phase is predicted to be neutral, imperceptible and long-term. Traffic associated with the development will generate noise that would be neutral, imperceptible and permanent. No sources of vibration have been identified for the operational phase.
- Air Quality and Climate – Construction/ Operational Phases: Mitigation measures will be provided to control dust and other air-based pollutants including a dust management plan. The impact of construction is considered to be negative, short-term, and imperceptible with respect to human health. Impacts at operational stage are long-term, neutral and imperceptible.
- Economic Activity – Construction Phase: Positive in that it will create jobs directly and indirectly through the supply chain. The construction period is expected to be 36 – 48 months with extended works up to five years from commencement.
- Economic Activity – Operational Phase: The development will provide for 179 units (subject application – 131 units and SD23A/0136 – 48 units) with the potential to provide for accommodation for 491 persons meeting a requirement for housing in the area and with a positive, permanent, slight impact.
- Population – Construction Phase: No significant impact is forecast other than some workers may reside in the area during the construction phase. There is potential for nuisance during the construction phase, but this will be controlled by appropriate mitigation measures etc.
- Population – Operational Phase: Community will benefit from the increased population that will support existing and future community/ social infrastructure. The EIAR refers to the provision of a childcare facility, however this is not included in the application. The development will provide for additional housing stock in the area including Part V housing.

- Land-Use & Settlement Patterns – Construction Phase: The development may give rise to adverse visual impacts during this phase, though this will be short term and is considered further in Chapter 9 of the EIAR. Quarry and disposal sites, off site, are described in further detail in Chapter 11. There will be short term employment opportunities.
- Land-Use & Settlement Patterns – Operational Phase: The completed development will provide for a sustainable residential scheme in this area and as planned for.
- Housing – Construction Phase: No impact.
- Housing – Operational Phase: The development will provide for 179 units meeting some of the housing needs of the area.
- Health & Safety: Issues are discussed throughout the EIAR and in particular in Chapter 14. Without suitable mitigation, the proposed development could have a slight negative, short-term impact on the surrounding area during the construction phase due to traffic and associated nuisances, as well as generated dust and noise. A CEMP will detail relevant mitigation measures. No operational phase impacts are foreseen in terms of Health & Safety.
- Risk or Major Accidents or Disasters – Construction Phase: The site is located within Flood Zone C and no issues are foreseen.
- Risk or Major Accidents or Disasters – Operational Phase: The site is located within Flood Zone C and is not at risk of flooding.
- Avoidance, Remedial & Mitigation Measures – Construction Phase: Details, as relevant, are provided throughout this EIAR. Full mitigation measures will be provided in the CEMP.
- Avoidance, Remedial & Mitigation Measures – Operational Phase: Positive benefits in terms of additional housing, more open space and other facilities to meet the demands of the growing population in the area. The development will have full regard to DMURS and will promote sustainable forms of transport over car usage here. No additional mitigation measures are necessary for the operational phase of the development.

- Predicted Residual Impacts – Construction Phase: Some impact through nuisance associated with this phase of the development. This will be addressed through appropriate mitigation measures.
- Predicted Residual Impacts – Operational Phase: Positive impact through additional housing and facilities.

10.18 Section 3.9 considers 'Cumulative and Related Development. The lands are suitably zoned for residential development and similar development has been constructed on adjoining sites. The development is in accordance with local and national planning policies. A planning history is provided under this section of the EIAR to identify development that combined with the subject development would have a cumulative impact. Impacts include an increased population but will not impact on air quality and no impact from vibration. Section 3.10 considers the 'Worst-Case' Scenario and would only arise were the mitigation measures fail, but even so, the development would not lead to any profound, irreversible or life-threatening consequences for the residential population of the area. Suitable monitoring measures are outlined in the other chapters of the EIAR and no reinstatement measures are proposed.

10.19 Submissions and Observations: No specific comments made on this chapter, though there was a welcome for the development of these lands.

10.20 Assessment: The submitted information demonstrates that the proposed development as submitted will not negatively impact on Population and Human Health. The submitted EIAR indicates that the development will provide beneficial impacts through the provision of housing within an area with a need for housing, which in turn will give rise to an increase in population, in addition to facilities including public open space, and which promotes the use of sustainable transport throughout the site.

10.21 I am satisfied that the identified impacts would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. The mitigation measures are detailed in other chapters of the EIAR. I am therefore satisfied that the proposed development would not have any unacceptable direct/ indirect impacts on population and public health.

Biodiversity

10.22 Chapter 4.0 was prepared by Altemar Ltd. The Methodology is provided under Section 4.2. and Table 4.1 outlines the dates of site surveys and the reasons for these. These were undertaken over a period between September 2020 and August 2023, and were supported with desk studies. Designated conservation sites within 15 km of the site were examined for potential impact. Further details are provided on terrestrial/ avian ecology and bat surveys. No difficulties were identified in the preparation of this chapter nor in the undertaking of the surveys. Section 4.3 details the existing receiving environment. Table 4.2a details the Natura 2000 sites within 15 km of the site or those with a potential pathway, 10 in total are identified. Table 4.3b identifies relevant pNHA and Ramsar sites. The site location and the location of these sites is provided through Figures 4.1a to 4.5 and Figures 4.6 to 4.10 locate watercourses relative to the site/ designated sites/ conservation sites. Table 4.3a provides 'National Biodiversity Data Centre Records within the 10 km grid' and Table 4.3b provides those within 2 km² from the subject site. The common frog and badger were identified proximate to the subject site, though no frogs on site and badgers within 1 km of the site. Table 4.4 identifies 'Species found by NPWS within 10km'.

10.23 Section 4.3.3.2 details the habitats within the proposed site and includes:

- Recolonising Bare Ground (ED3)
- Hedgerows (WL1)
- Improved Agricultural Grassland (GA1)
- Built Land (BL3)

Also details flora and fauna found on these lands. Bat activity was low. Table 4.5 details the 'Bird Species noted in the vicinity of the proposed development'.

10.24 Section 4.4 provides an 'Analysis of the Potential Effects' and Table 4.6 details the 'Impact description terminology'. The following are detailed in the subsequent sections of the EIAR:

Construction Impacts: Includes works on the land, removal of hedgerows etc., potential for silt to enter watercourses and dust from construction activity. There could be a loss

of nesting/ foraging habitat and in terms of bats, a loss of commuting habitat. Works to the public road are unlikely to impact on water quality as the works are within the boundary of an existing road. The development is not within a designated conservation site. The submitted AA screening reports that no designated sites are within the zone of influence of this development, and it would have no effect on these sites.

Operational Impacts: A surface water drainage system will be provided on site and will comply with relevant SUDs requirements. Ecological impacts would be minor adverse in the long term as the majority of the site will be built land.

10.25 Section 4.5 considers Indirect Impacts and appropriate measures including mitigation measures will be put in place during the construction phase of the development. Table 4.7 outlines the 'Construction Effects on habitats' and Table 4.8 provides the 'Construction Effects on species'. Table 4.9: provides the 'Operational Effects on habitats of the combined site' and Table 4.10 provides the 'Operational Effects on species of the combined site'.

10.26 Section 4.6 details 'Mitigation Measures & Monitoring'. No specific measures are required to be put in place to protect Natura 2000 sites, though the development will be required to comply with the requirements of relevant Water Pollution legislation. Section 4.6.2 outlines measures to be taken during the construction phase and Table 4.11 outlines 'Sensitive Receptors/effects and mitigation measures' for Watercourses, Biodiversity, Birds, and Bats.

10.27 Section 4.7 details the 'Adverse Effects Likely to Occur from the Project (Post Mitigation)'. No issues of concern are forecast to occur and with particular reference to bats, the proposed development does not give rise to any concern. Section 4.8 considers 'Cumulative Impacts Arising from Other Developments' and Table 4.12 lists relevant developments in the area. Details of supporting ecological/ AA and NIS are provided as relevant. It is concluded that there are no committed developments in proximity to the site that would give rise to cumulative impacts. Section 4.10 considers the 'Worst Case' Scenario and due to distance/ lack of pathways, no additional worst case scenario impacts are foreseen with a result of unlikely, negative, slight, localised and temporary forecast.

- 10.28 Under the heading 'Monitoring' it is stated that an ecologist will be appointed to monitor works and obtain appropriate licences if required. Section 4.12 details the 'Interactions' held with the authors of other chapters of the EIAR and any inter-related environmental topics. No difficulties were encountered in the preparation of this chapter.
- 10.29 Submissions and Observations: No issues of concern were raised.
- 10.30 Assessment: The submitted details in the EIAR provide a detailed assessment of the current situation in relation to Biodiversity and the potential impact on it through the construction and operational phases of the development. I note that the species found on site are generally common in the area and nationally and they are not rare or under threat at an Irish level. House Martin was the only bird listed on the Amber list with none on the red list. The applicant has proposed a detailed range of mitigation measures, and these are considered to be acceptable. Site clearance works would be restricted to the requirements of other non-planning legislation such as the various Wildlife Acts.
- 10.31 I am satisfied that the identified impacts would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts on Biodiversity.

Lands and Soils

- 10.32 Chapter 5, 'Land and Soils' has been prepared by DBFL Consulting Engineers. Section 5.2 provides details on the Methodology used in the assessment of this chapter of the EIAR. Details of the relevant guidelines are provided, and further information was obtained by statutory bodies such as the GSI, EPA, Teagasc and the OSI. Details are also provided in this section of surveys undertaken. The receiving environment is detailed under Section 5.3 and includes topographical, land use, historical land use, soil, geology, hydrogeology (no protected areas, karst, mines), and groundwater vulnerability (low permeability but less vulnerability due to this) details with supporting information in the form of Figures 5.1 to 5.6. No evidence of contamination was identified and no made ground was encountered on the site visit.

10.33 The Characteristics of the Proposed Development are provided in Section 5.4 and the Potential Effects of the Proposed Development are outlined in Section 5.5 and summarised below:

Construction Phase:

- **Stripping of Topsoil:** The topsoil layer will be removed but half of this will be reused on site such as in landscaping. The exposure of lower layers may give rise to erosion and sediment run-off but this would be temporary and not significant. Table 5.1 provides a 'Preliminary Estimated Topsoil Volumes (Approximate)' with approximately 24,000 cubic metres to be stripped and 12,000 cubic metres to be reused.
- **Excavation of Subsoil Layers:** Will be required and will have a temporary, negative, not significant effect due to the temporary nature of this stage of the development. The construction phase of the development may give rise to erosion, sediment runoff and soil compaction. Where possible, excavated material will be reused on site; as per table 5.2, 25,800 cubic metres of material will be excavated, and 600 cubic metres will be reused on site. The remainder will be disposed in accordance with relevant requirements.
- **Construction Traffic:** Assuming a 10-hour day, 40 x two way HGV movements a day will take place on the local road network. Vehicle movements may adversely impact on the quality of the road surface; this impact will be short term and moderate. Further details on traffic movements are provided in Chapter 10 of this EIAR.
- **Accidental Spills and Leaks:** The nature of the development is such that oils, fuels and cement/ concrete will be present on site, with a potential for leaks/ spills from their storage areas. Leaks may have a potential permanent negative effect on groundwater.
- **Geological Environment:** No impact is expected as excavations will generally be above the bedrock level.
- **Human Health:** Potential short term impact during this phase of the development through dust and spillages. Such impacts would be short-term, imperceptible and negative. Further details have been provided in Chapter 3 of this EIAR.

- Surface Water Upgrade Works: No issues of concern arise, these works are within the existing road area.

Operational Phase:

- On completion of the development, no further direct/ indirect effects on soils/ geology are foreseen. Landscaping and surface water drainage systems will protect soils from erosion and exposure. The proposed SUDs network will also provide for protection. Accidental spills or leaks would have a negative slight effect, though this would be rare. Stormwater details are considered in Chapter 6.
- Do-Nothing Scenario: There would be no change from the current situation, other than the removal of an existing construction compound on site.

10.34 Section 5.6 outlines details of the proposed Mitigation Measures for this soils and geology. Section 5.6.2 outlines those for the construction phase and Section 5.6.3 for the operational phase. These are generally standard for a development of this nature.

10.35 Section 5.7 considers the 'Predicted Impact Following Mitigation (Residual Impact)' as follows:

- Topsoil: A quantity of material will be removed off-site and the effect will be permanent and not significant. Land use will change from agricultural to residential uses.
- Sub-soil: Impact from spillages would be minimal when proper procedures are followed. Mitigation measures will ensure that the proposed development will not give rise to any significant long-term adverse effects. Groundwater contamination is a minor risk and landscaping of the site will ensure the protection of soils from erosion and weathering. Effects on soils are expected to be imperceptible.

10.36 Section 5.8 considers the Worst-Case Scenario for the construction and operational phases of the development. Groundwater contamination is listed as a potential impact but this is unlikely to occur if mitigation measures are properly implemented. Section 5.9 outlines Monitoring details and again these are standard procedures for a development of this nature. No reinstatement is expected post construction. Cumulative impacts are considered under Section 5.12 with a list of relevant planning

applications provided. The conclusion on this is that the impacts would be short term and not significant.

10.37 Submissions and Observations: No issues raised.

10.38 Assessment: The proposed development is for a residential scheme on lands zoned for such development to the south of Newcastle Village. The lands are mostly in agricultural use at present and it is accepted that soil/ rock will be excavated and removed/ moved to facilitate this development. Full regard has been had to potential cumulative impacts arising from development in the area, though these schemes are mostly completed at this time.

10.39 I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of land and soils.

Water and Hydrology

10.40 Chapter 6 deals with Water and Hydrology, DBFL Consulting Engineers have prepared this chapter of the EIAR, with Study Methodology detailed in Section 6.2 of the EIAR. Guidance Documents are provided in Table 6.1 and details of the receiving environment are provided in Section 6.3. The site area is expanded through the provision of an upgraded surface water drainage system along the Hazelhatch Road. Newcastle is within the Shinkeen Stream catchment, though the eastern part of the village is within the Griffeen River catchment and both watercourses are tributaries of the River Liffey. There are a number of drainage ditches on site and which flow towards Main Street and a culvert located there. The Griffeen Lower has a status of BAD and there is an objective to restore the status to GOOD by 2027. The Liffey Lower has a MODERATE status. Section 6.3.3 provides details of the Regional Hydrogeology.

10.41 The GSI interactive mapping classifies the site's groundwater vulnerability as 'low' to the southern side of the site, as 'moderate' to the middle section of the site and as 'high' to the northern section of the site, near Newcastle Main Street, this is illustrate in figure

6.8. Underlying aquifers are classified as 'Locally important aquifer – Bedrock which is moderately productive only in local zones', illustrated in figure 6.7. The site is located within Flood Zone C and is therefore appropriate for residential development. A description of the development is provided in Section 6.4.

10.42 The proposed development will utilise existing ground profiles as appropriate, and the proposed development will incorporate SUDs which will enable groundwater recharge. The development is designed to limit surface water runoff to greenfield rates and any excess would be stored in ponds/ swales on site. The development has been designed ensure that floods associated with 100-year events would be routed along roads/ streets away from residential units and towards open space areas. Finished floor levels will be set 500 mm above 1 in 100 years storage levels as per the GDSDS. Further details are provided in the DBFL 'Infrastructure Design Report' and the 'Site Specific Flood Risk Assessment' provided in support of this application.

10.43 Section 6.5 considers the Potential Likely Significant Effects of the Proposed Development:

- Construction Phase: Removal of topsoil gives potential for weathering and erosion from rain/ run-off. Surface water runoff may also give rise to increased silt levels and/ or pollution of watercourses through spillages/ leaks. Ponding of trenches may occur during periods of heavy rainfall. The effect would be negative, temporary and moderate on watercourses.
- Operational Phase: Similar to the construction phase but less likely and generally temporary in nature with the effect ranging from adverse in terms of impact on watercourses to imperceptible in the case of leaking pipes.
- Risks to Human Health: Potential impacts to groundwater and public water supply but the risk is generally low.
- Do-Nothing Scenario: No change from the current situation.

10.44 Section 6.6 details the 'Avoidance, Remedial & Mitigation Measures' proposed, and these include those incorporated into the design, construction phase mitigation and the operational phase mitigation measures. These are generally standard for a development of this nature. Section 6.7 provides Residual Impact and during the

construction phase the impact would be short term/ imperceptible and operational phase would be imperceptible. Consideration is given to the Impact on Climate (section 6.7.1) and the Impact on Human Health (section 6.7.2). Section 6.8 considers the Worst-Case Scenario, and no impacts are foreseen subject to the implementation of the appropriate mitigation measures. The proposed development is a standard construction project, and the mitigation measures are also standard for this type of development. Section 6.9 outlines appropriate Monitoring to be undertaken during the construction/ operational phases of this development. Section 6.10 considers Cumulative Impacts and has regard to a list of relevant developments in the area. The impact on the hydrological and hydrogeological environment as a result of permitted development in the area are considered to be long-term and imperceptible, with suitable mitigation measures proposed for each scheme listed.

- 10.45 Submissions and Observations: No issues of concern were raised in the appeal.
- 10.46 Assessment: The submitted information demonstrates that the proposed development as submitted will not impact on Water and Hydrology. Suitable mitigation measures are proposed where they are deemed appropriate.
- 10.47 I am satisfied that the identified impacts would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of Water and Hydrology.

Air Quality, Climate and Climate

- 10.48 Chapter 7 deals with Air Quality and Climate, AWN Consulting have prepared this chapter of the EIAR, with Study Methodology detailed in Section 7.2 of the EIAR. Guidance Documents are provided in this section with Table 7.1 setting out the 'Air Quality Standards Regulations' and 'WHO Air Quality Guidelines 2021' are provided in Table 7.2 of the EIAR. Further details provided include Dust Deposition Guidelines (Section 7.2.1.2) and the 'Criteria for Rating of Impacts (Climate)' under Section 7.2.2. Carbon budget details are provided in Table 7.3 and Sectoral emission ceilings for 2030

in Table 7.4. Extensive details are provided on Green House Gases (GHG) with their significance criteria outlined in Table 7.5.

10.49 Section 7.2.3 provides an 'Assessment of the Construction Phase':

- Air Quality – Traffic Assessment: Expected traffic volumes do not meet the requirements for scoping. Further details on traffic/ transport are provided in Chapter 16 of this EIAR and as there are no changes to speeds and road alignments, scoping requirement criteria are not met. Traffic emissions can be scoped out and there would be no significant impacts on air quality.
- Dust Assessment: No demolition is proposed on site.
- Climate: Various tools are identified that allow for the consideration of the impact of the development on climate. As emission will not increase by over 1% above the baseline figure, no further assessment is required.

10.50 Section 7.2.4 provides an 'Assessment of the Operational Phase':

- Air Quality: Vehicular traffic may impact on air quality and four high sensitivity residential receptors were identified in the assessment. Details of traffic data used in the modelling assessment is provided in Section 7.2.4.1.1. of the EIAR.
- Climate Change and Traffic Emissions: As small sections of road will see a traffic change in excess of 10%, a detailed assessment of CO₂ emission was undertaken.

10.51 Details of the receiving environment are provided in Section 7.3 of the EIAR, including meteorological data, air quality, NO₂, PM₁₀, PM_{2.5} data, a dust sensitivity baseline, a climate baseline, details of Greenhouse Gas Emissions (section 7.3.3.1), and Climate Change Vulnerability.

10.52 Characteristics of the Proposed Development are provided in Section 7.4 and includes an assessment of the potential impacts of the development as follows:

Construction Phase:

- Dust: This has the greatest potential impact on air quality during the construction phase. Deposition is generally in the first 50 m of the works area. Four types of sources are identified and are considered further.
 - Demolition: None is proposed and this is scoped out.

- Earthworks: Works can be classified as large and results in an overall medium risk of dust impacts in the absence of suitable mitigation measures.
- Construction: Works can be classified as medium and results in an overall medium risk of dust impacts in the absence of suitable mitigation measures.
- Trackout: Works can be classified as large and results in an overall medium risk of dust impacts in the absence of suitable mitigation measures.

Table 7.21 provides a 'Summary of Dust Impact Risk used to Define Site-Specific Mitigation'.

- Traffic: Potential for increased in traffic originating emissions but these are considered to be imperceptible, neutral and short-term on impact on air quality.
- Climate: Greenhouse gas is assessed and would result in estimated emission of 18,954 tonnes embodied of CO₂eq which is equivalent to 0.009% of the 2030 Buildings (Residential) or Industrial Sector Budgets (both use the same 2030 Budget) when annualised over the project lifespan – assumed to be 50 years. Consideration is given to Climate Change Risk including flooding, temperature variations, geotechnical impacts and major storm damage. Measures will be taken during the construction phase to mitigate against these impacts.

Operational Phase

- Air Quality – Traffic: Table 7.22 provides the 'Predicted Annual Mean NO₂ Concentrations (µg/m³)' and the assessment finds that the impact of the development on NO₂ is neutral. PM₁₀ concentrations are within acceptable levels and the overall impact here is neutral. Further details are provided in Table 7.23. Table 7.24 outlines the 'Predicted Annual Mean PM_{2.5} Concentrations (µg/m³)' and the impact is again neutral. In conclusion the potential impact of the proposed development on ambient air quality during the operational stage when compared to the EU limit values is considered to be long-term, localised, neutral and non-significant.

- **Climate:** An assessment of Climate Change Risk is undertaken, and Table 7.25 provides a summary of these risks. The site is located within Flood Zone C and the development has been designed to make allowance for future climate change. The design of the units is such that extreme temperatures will not provide a significant risk.
- **Climate and Traffic Emissions:** Details are provided in Table 7.26 and emissions levels are not significant.

10.53 **Do-Nothing Impact:** In this scenario the development is not constructed and there is no change from the calculated baseline.

10.54 **Risk to Human Health:** Best practice measures will be employed during the construction phase in terms of dust/ pollutants and mitigation measures will ensure that air quality standards are met. The impact on human health is expected to be negative, short-term and imperceptible. Operational phase impacts in terms of air quality are expected to be long-term, neutral and imperceptible. Traffic impacts are also considered and these are expected to be long-term, localised, neutral and non-significant.

10.55 Section 7.5 provides 'Avoidance, Remedial and Mitigation Measures'.

Construction Phase:

- **Air Quality:** Measures to be deployed include the development of a communications plan to ensure that all stakeholders are informed with contact details provided. Site management will include best practice measures and similarly a list of measures is provided to ensure that the site is properly managed. A range of measures is provided in relation to the use of machinery, plant, and equipment. Burning of waste is to be avoided. Specific measures are listed for earthworks, construction, and trackout. Monitoring will be undertaken daily during the construction phase.
- **Climate:** It is recognized that the use of embodied carbon and various construction activities will be the primary source of climate impacts during this phase of the development. A list of suitable measures will be is provided under Section 7.5.1.2.

Operational Phase:

- Air Quality: No mitigation measures required as the impact on air quality is predicted to be neutral/ imperceptible.
- Climate: The development has been designed to include mitigation measures against any future climate change impacts. A range of these measures is provided in Section 7.5.2.2.

10.56 Section 7.6 Provides 'The Predicted Impacts of the Proposed Development' for the construction and operational phases of this development, following the full implementation of mitigation measures.

Construction Phase:

- Air Quality: Will be short-term, negative and imperceptible at identified receptors.
- Climate: Impact is short-term, neutral and imperceptible.
- Human Health: Negative, short-term and imperceptible.

Operational Phase:

- Air Quality: Long-term, localised, neutral and imperceptible.
- Climate: Long-term, negative and imperceptible.
- Human Health: Air pollution emission swill be below air quality standards and the result will be long-term, neutral and imperceptible.

10.57 Cumulative Impacts are considered under Section 7.7. for the construction and operational phases. A list of relevant planning applications/ developments provided and considered under this this section of the EIAR. With appropriate mitigation measures, construction phase impacts would be short-term, negative and imperceptible and operational phase impacts would be long-term, neutral and imperceptible.

10.58 Section 7.8 outlines proposed monitoring measures, which are primarily for air quality during the construction phase of this development. The proposed development does not give rise to reinstatement impacts.

10.59 Section 7.10 considers Interactions and I have summarised the impacts from sections 7.10.1 to 7.10.7 below. I note that the EIAR has mislabelled headings here, but these do not impact on the submitted details.

	Population & Human Health	Land, Soils & Geology	Biodiversity	Traffic and Transportation	Climate
Air Quality					
Construction	Short-term, imperceptible, negative	Long-term, imperceptible, neutral	Long-term, imperceptible, neutral	Long-term, imperceptible, neutral	Long-term, imperceptible, neutral
Operational	Long-term, imperceptible, neutral				
	Hydrology	Waste Management	Building Design		
Climate	Negative and not significant.	Negative and Slight	Negative and not significant		

10.60 Submissions and Observations: No particular issues of concern were raised in the appeal.

10.61 Assessment: The submitted information demonstrates that the proposed development as submitted will not have an adverse impact on Air Quality and Climate. As reported and as expected, there will be dust generated during the construction phase and traffic-originating emissions may impact on air quality during the operational phase of this development, however suitable mitigation measures are proposed where they are deemed appropriate.

10.62 I am satisfied that the identified impacts would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of Air Quality and Climate.

Noise and Vibration

- 10.63 Chapter 8 has been prepared by Awn Consulting. The Methodology is provided under Section 8.2 of the EIAR and covers the Construction and Operational Phases of this development. A list of relevant references/ guidance is provided in this section of the submitted EIAR and Table 8.1: provides an 'Example Threshold of Significant Effect at Dwellings' in terms of generated noise levels. Consideration is given to St Finian's National School which is located approximately 110 m to the east of the subject site, this is the nearest point between them. Construction Noise Threshold (CNT) is detailed and 65 dB(A) CNT is adopted depending on existing noise levels and for non-residential noise sensitive locations, 70 dB(A) CNT is adopted in accordance with BS 5228. Table 8.2 provides 'Construction Noise Significance Ratings' and Table 8.3 considers the 'Likely Effect Associated with Change in Traffic Noise Level – Construction Phase'.
- 10.64 Section 8.2.1.2 outlines Vibration Criteria and this section has regard to British Standard 'BS 5228-2:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites – Vibration'. It is reported that there are a number of protected structures in the area including 'Tower House' which is located approximately 20 m from a proposed construction area. Table 8.4 outlines the 'Recommended Vibration Criteria During Construction Phase' and Table 8.5 provides 'Guidance on Effects of Human Response to PPV Magnitudes' (PPV – Peak Particle Velocity measured in mm/s.). Table 8.6 provides 'Human Response Vibration Significance Ratings'. Section 8.2.2 provides 'Operational Phase Impact Assessment Criteria' including for Mechanical Plant, Additional Vehicular Traffic on Surrounding Roads and for Vibration. Table 8.7 provides a summary of 'Significance in Change of Noise Level'.
- 10.65 Details of the baseline noise environment are provided in Section 8.3 – Receiving Environment'. Figure 8.1 locates the three 'Noise Monitoring Locations and surveys were undertaken between 13.31 hours and 16.49 hours on the 27th of April 2022. Instrument details are detailed in Table 8.9. Section 8.3.2.5 outlined the survey results with additional comment provided. The characteristics of the proposed development is provided in Section 8.4 of the EIAR.

10.66 Section 8.5 outlines the 'Potential Impacts of the Proposed Development' for the construction and operational phases of this development.

Construction Impacts:

- **Noise:** Will be generated from plant/ equipment used during this stage of the development. An identified total noise level of 86 dB at 10 m is provided, though it is unlikely that such equipment will be in use at the same time. Consideration is given to noise mitigation measures, and which may reduce the level of noise by 5 dB. Table 8.13 provides 'Potential Construction Noise Levels at Varying Distances Assuming Attenuation of 10 dB from Site Hoarding'. Work will not be taking place at night. The impact of the development on the nearest residential units would be negative, moderated to significant and short term. The impact on St Finian's School would be moderated considering the separation distance. The proposed pipeline works may also impact on houses along the Athgoe and Hazelhatch Roads.
- **Construction Traffic:** The development will give rise to additional traffic, but for an increase of 1 dB in noise levels, there would have to be a 25% increase in traffic volumes and the additional traffic would not result in a significant noise impact.
- **Vibration:** Potential for vibration exists due to the use of certain equipment on site and trial measurements were undertaken of these. It is expected that equipment will be operated below the recommended vibration threshold levels indicated in Table 8.4.

Operational Impacts:

- **Mechanical Services and Ancillary Plant:** The final details of these will be selected at a later date, however they will be selected to ensure that they have no impact on sensitive receptors. A wastewater pumping station located to the north of the site will be designed to ensure that generated noise is non-tonal, non-impulsive and to be no greater than 60 dB(A) when measured at a distance of 1 m. The impact is expected to be negative, imperceptible and permanent.
- **Additional Traffic on Surrounding Roads:** There will be an increase in traffic associated with this development and Table 8.14 and Table 8.15 provides details on the increase in noise associated with the post development period in 2026 and 2041.

The impact ranges from an imperceptible decrease in noise to no change to an imperceptible increase in noise. The overall impact ranges from positive to negative, imperceptible and permanent.

- Do-Nothing Scenario: If no development takes place, there will be no change in noise/ vibration and therefore there will be a neutral impact.
- Cumulative Noise Impacts: Consideration is given to other planning applications/ developments in the area. Each development is assessed on its own and in conjunction with other development in the area. Large development in the future in the area would be subject to EIA.

10.67 Section 8.7 considers the relevant Mitigation Measures for the construction and operational phases of this development. Measures include the use of quiet plant, controlling noise at source, provision of suitable screening, liaison with the public, preparation of a suitable construction programme and limit the amount of possible vibration through the use of equipment. Operational phase considers the use of plant, additional traffic on the road network is expected though will be negligible and use of a particular pumping station that does not give rise to adverse noise/ vibration.

10.68 Section 8.8 provides 'Predicted Impacts of the Proposed Development' for the Construction and Operational phases of the development.

- Construction Phase noise: Generated from the use of plant and equipment on site, and construction generated traffic. Noise impact will be negative, slight to moderate and short-term. Those associated with the surface water upgrades will be negative, significant, and brief. Traffic from construction generated sources, will be negative, not significant, and short-term. It is noted that the impact will be variable and is location sensitive.
- Vibration: The expected impact will be neutral, imperceptible, and short-term.
- Operational Phase Noise: Limited in source and the impact would be neutral, imperceptible and long-term.
- Operational Phase Traffic impact would range from positive to negative, imperceptible and permanent.
- Operational Phase Vibration: Neutral, imperceptible and long-term.

- 10.69 Section 8.9 provides details on Monitoring for both phases of the development. No reinstatement issues arise. Section 8.11 outlines Interactions and impact on human health would be addressed through the proposed mitigation measures. The development has been designed such that construction will not adversely impact on any protected structures; further details are provided in Chapter 13 of the EIAR.
- 10.70 Submissions and Observations: No particular issues of concern were raised in the third-party submissions.
- 10.71 Assessment: The submitted information demonstrates that the proposed development will not give rise to noise and vibration that would impact on sensitive receptors. Potential issues are addressed in terms of appropriate mitigation measures.
- 10.72 I am satisfied that the identified impacts would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of noise and vibration.

Landscape and Visual Impact Assessment

10.73 Chapter 9 of the EIAR has been prepared by Murray and Associates and Section 9.2 provides the Methodology used in this chapter with specific reference to the Guidelines for Landscape and Visual Impact Assessment, Third Edition (GLVIA3) as well as European and National guidance. Table 9.1 outlines 'The Significance of the Landscape Impact'. This is supported with the following tables:

- Table 9.2 – Significance of Visual Effect
- Table 9.3 – Quality of the Landscape and Visual Impact
- Table 9.4 – The Duration of Landscape and Visual Effects
- Table 9.5 – The Extent and Context of Effects (from the EPA Guidelines 2022)
- Table 9.6 – The Probability of Effects (from the EPA Guidelines 2022)

The report makes clear that the study area refers to the site itself, and where the site can be viewed from and this is located on Figure 9.1. A methodology for the landscape and visual assessment is provided in Section 9.2.2. Details of the receiving environment

are provided in Section 9.3 of the EIAR. There are no protected views, prospects or Tree Preservation Orders (TPO) within the site; there are protected structures in the area and to the north of the site is the Newcastle Architectural Conservation Area (ACA). Much of the site is not visible due to the existing form of development in the area, the topography and presence of hedgerows. A significant proportion of Newcastle is located within an area of Archaeological Potential. Table 9.7 provides a 'Baseline Evaluation – Sensitivity of Landscape Receptors' and Table 9.8 provides a Baseline Evaluation – Sensitivity of Visual Receptors. In terms of this area, the Newcastle Lowlands have a medium sensitivity, with the overall visual and landscape sensitivity rated as medium. The Landscape Character Assessment of South Dublin (2021) rated the capacity of the area able to accommodate development as 'Low' and would be vulnerable to change. It is reported that the site is zoned for residential development and there are local variations in relation to the capacity of these lands able to accommodate change. It is considered in the EIAR that the sensitivity of visual receptors is mainly low.

10.74 Section 9.3.6 considers the Magnitude of Change, and this is detailed in Table 9.9 of the EIAR. The impact on the landscape from this development will range from medium to high and will be significant. The impact is ameliorated through the site zoning. It is considered that the proposed development will have a negative effect on the landscape, though the development will provide for some improved amenity for users. Table 9.10 provide the 'Level of Impact resulting from a combination of Sensitivity Rating & Magnitude of Change', visual sensitivity is low but may increase to medium from viewpoints to the northern side of the site. In terms of the 'Do Nothing' scenario, there would be no change to the landscape, but this would not allow for the development of the lands in accordance with the South Dublin County Development Plan 2022 – 2028.

10.75 Section 9.5 provides the 'Characteristics of the Proposed Development'. Section 9.6 considers the 'Potential Impact of the Proposed Development' ranging from temporary effects of up to one year in the construction phase to long-term effects in the operational phase of between 15 to 60 years. Details of the potential landscape and visual impacts are provided in Section 9.6.1 of the EIAR. Viewpoints locations are identified in Figure 9.5. Table 9.11 details the 'Construction Stage Visual Impacts without mitigation' and

table 9.12 details the 'Viewpoint Effects', each having a long-term duration of effect. Section 9.6.3 considers 'Potential Positive Impacts' which are primarily the opening up of lands for amenity use. Section 9.6.4 considers the 'Potential Cumulative Impacts' having regard to other permitted and proposed development in the area, which have been subject to planning.

10.76 Section 9.7 provides details on 'Avoidance, Remedial & Mitigation Measures' for the construction and operational phases. It is the operation phase that will see the greatest impact on visual amenity and suitable mitigation measures are outlined here. Hedgerows are to be retained in the scheme, landscaping provided, and native wildflowers and shrubs will be planted in buffer areas.

10.77 Section 9.8 provides the 'Predicted Landscape Impacts (Residual Impacts)'. Measures will be taken to protect trees and screening will be provided as appropriate in the construction phase. The impact of the constructed development on the landscape will reduce over time as landscaping and trees mature. Section 9.9 provides 'Predicted Visual Effects (Residual Impacts)' and table 9.13 outlines these 'Predicted Visual Effects'. Section 9.10 – Monitoring and this primarily refers to landscaping and ensuring that it develops as proposed. Section 9.10.3 and supporting tables provides for a 'Summary of Mitigation & Monitoring' for the construction and operational phases of the development. Section 9.11 provides details on Interactions and considers Population & Human Health, Biodiversity and Accidents and Disasters.

10.78 Submissions and Observations: No particular issues of concern were raised by third parties in relation to visual impact.

10.79 Assessment: The submitted information demonstrates what the impact will be on the visual amenity of the area. The site is located on lands which are currently in agricultural use, and which are zoned for residential development as proposed in this application. The lands do not contain any protected views and prospects and there are no tree protection orders applied to these lands. Full regard has been had to cumulative impacts associated with the development of adjoining lands and I agree that the overall development of these lands will integrate with the existing Newcastle village.

10.80 The submitted information is considered to be acceptable and I am therefore satisfied that the proposed development would not have any unacceptable impacts on Landscape and Visual Impact.

Material Assets – Traffic and Transportation

10.81 Chapter 10 has been prepared by DBFL Consulting Engineers and information within this chapter has also been submitted in support of this application through the Traffic and Transport Assessment (TTA). Consultation was held with the South Dublin County Council Roads Department prior to the lodging of this application. Background information is provided in Section 10.3 and details of trip generations are provided in Section 10.3.1.1. with Figure 10.1 indicating the modal split for existing residential development in the area. Table 10.1 provides the 'Predicted Residential Person Trip Generation' and Tables 10.2/ 10.3 the 'Proposed Residential Development Trip Rate's/ Proposed Residential Development Trips'. Table 10.4 provides a 'Rating of Effects based on Traffic Contribution' and this assigns a weighting to potential traffic increases.

10.82 Section 10.3.1.3. considers car and bicycle parking for this development. Car parking provision is provided in Table 10.5 and details of bicycle parking are provided in Table 10.6, though as noted the houses can store additional bicycle parking in a number of locations within the curtilage of each unit.

10.83 The assessment Methodology for this chapter of the EIAR is provided in section 10.4 and details of the Receiving Environment are provided in Section 10.5. The site is 10 km to the north west of Tallaght and 18 km to the north west of Dublin City Centre. Details of the local road network are provided in Figure 10.2, and which is further detailed in Section 10.5.2. Section 10.5.3 lists a number of proposed road improvements that are intended to be undertaken during the lifetime of the South Dublin County Development Plan 2022 – 2028. A medium/ long term proposal within the plan is for the development of the Western Dublin Orbital Route (from the N81 to the Leixlip Interchange on the N4) and this will remove much of the through traffic that passes

along Main Street, Newcastle. A detailed road/ street hierarchy was developed as part of the Newcastle Local Area Plan 2012, and which has now expired.

10.84 Figure 10.6 provides the locations of the Traffic Survey Locations utilised in this chapter of the EIAR. These surveys were undertaken on a Thursday in March 2022 over a 13-hour period (7.00 hours to 20.00 hours). Section 10.5.5 is supported with a number of photographs that identify the provision of pedestrian and cycle facilities in the area. Section 10.5.6 details public transport provision in the area and which consists of Dublin Bus route 68 which operates between Newcastle and Dublin City Centre on an almost hourly basis. Hazelhatch and Celbridge station is approximately 4 km to the north west of the site and the nearest Luas stop is at Saggart approximately 5.5 km to the east of the subject site, this stop is the terminus for the Luas Red line. Characteristics of the Proposal are provided in Section 10.6 and includes details of the proposed road, pedestrian and cycle infrastructure to be provided in support of the development.

10.85 Section 10.7 considers the 'Potential Impact of the Proposal' for the construction and operational phases of the project. Table 10.9 provides a 'Summary of Potential Construction Stage Impact'. Figure 10.15 identifies a potential haul route between the N4, Celbridge, Hazelhatch and the subject lands. Table 10.10 provides a table of the 'Proposed Developments Predicted Network Impact' for the design years of 2026 and 2041. Table 10.11 provides a 'Network Impact Categorisation 2041 AM Peak Hour' and Table 10.12 provides a 'Network Impact Categorisation 2041 PM Peak Hour'. From the assessment further considerations is required of the Athgoe/ Western Site Access and the Burgage Street/ Newcastle Boulevard/ Lyons Avenue/ Eastern Access and also further assessment is undertaken for the R120/ Newcastle Boulevard Roundabout due to predicted alterations to traffic flows. A number of tables are provided as follows:

Table 10.13 - Junction Performance Impact: 2024 Opening Year

Table 10.14 - Junction Performance Impact: 2031 Future Design Year

Table 10.15 - Junction Performance Impact: 2041 Future Design Year

Table 10.16 – Potential Two-Way Development Trips by Sustainable Modes of Travel

Section 10.7.5 provides a 'Summary of Potential operational Stage Impact on Traffic and Transport' and this includes Table 10.17 – Summary of Potential Impact which

considers the potential impact on traffic and transportation prior to the introduction of any mitigation measures. Junction capacity is within acceptable range and active travel will benefit through the provision of new and improved cycle/ pedestrian routes.

10.86 Consideration is given to 'Risks to Human Health' and benefits occur through the development of improved cycle/ pedestrian infrastructure. In the case of the Do-Nothing scenario, there would be no impact on the existing road network though it is likely that a similar type/ scale of development would be proposed due to the zoning on these lands.

10.87 Section 10.8 considers 'Remedial or Reductive Measures' and these are provided for the Construction and Operational Phases of the development. A CEMP will provide for suitable measures for traffic management during the construction phase of this project. The impact will be short-term and not significant. Full details of the expected construction traffic are provided in this section, and which includes suitable mitigation measures. Section 10.8.2 outlines the Operational Phase measures including the implementation of a Mobility Management Plan, the development of new infrastructure in the area, and the provision of a car sharing scheme for the benefit of the residents of this development.

10.88 Section 10.9 outlines the 'Predicted (Residual) Impact of the Proposal' for the Construction and Operational Phases. Table 10.18 provides a 'Summary of Predicted Impact Post-Mitigation'. 'Worst Case' Impact is considered under Section 10.10 and a summary of this is provided in Table 10.19. Monitoring details are provided in Section 10.11. No reinstatement issues arise and the Potential Cumulative Impacts are provided under Section 10.13, their locations identified in Figure 10.16. Section 10.14 provides the Interactions for both phase and considers Accidents & Disasters, Noise and Vibration, and Air Quality and Climate. Nothing unexpected is identified here.

10.89 Submissions and Observations: No issues of concern were raised other than the need for additional links between the subject land and the appellants lands. Concerns were expressed in the observations on the original application with regard to increased traffic in the area and the ability of public transport to accommodate existing/ expected demand.

10.90 Assessment: The submitted information demonstrates that the proposed development will not adversely impact on traffic in the area. The proposed development includes the provision of additional active travel measures as well as new road infrastructure that includes connections to adjoining lands both developed and undeveloped.

10.91 I am satisfied that the identified impacts would not have an adverse impact on Traffic and Transportation in the area.

Material Assets – Waste Management

10.92 Chapter 11 has been prepared by AWN Consulting Ltd, with the Study Methodology detailed under Section 11.2 including details on Legislation and Guidance, Terminology, and details on any Difficulties Encountered. On this last section, it was reported that there is potential for contaminated materials to be identified during the construction phase and there may be capacity restrictions on licensed waste facilities. The 'Existing Receiving Environment is detailed under Section 11.3 and Section 11.4 provides details on the 'Characteristics of the Proposed Development'. The 'Construction Phase' is detailed under Section 11.4.2 with Table 11.1 providing information on the 'Predicted on and off-site reuse, recycle and disposal rates for construction waste'. As explained in Section 11.4.3, an Operational Waste Management Plan (OWMP) has been prepared in support of the application and details of mitigation measures are provided in this chapter of the EIAR. In terms of the Operational Phase, Table 11.2 details the 'Estimated waste generation for the Residential Units'.

10.93 Section 11.5 outlines the 'Potential Impact of the Proposed Development' for the Construction and Operational stages of the development. The following are noted:

Construction Phase:

- Poor on-site management could lead to litter with potential for vermin on site. In the absence of mitigation measures, the effect would be long-term, significant, and negative.
- Potential for pollution if waste is not disposed of correctly. The effect would be long-term, significant, and negative.

- Waste disposal effects in the absence of mitigation would be short-term, significant, and negative.
- 45,000 cubic metres of material may have to be disposed of, off site and in the absence of mitigation measures, the effects would be short-term, significant, and negative.

Operation Phase:

- Potential for small volumes of waste unnecessarily going to landfill, the effect would be long-term, significant, and negative.
- Poor management of waste material may lead to short-term, significant, and negative effects on the local and regional environment.
- Waste management to be in accordance with regional and national legislation, if not, the effect would be long-term, significant, and negative.

The Do-Nothing Scenario is considered and in the absence of any development here, the effect would be neutral on the environment.

10.94 Section 11.6 assesses 'Potential Cumulative Impacts' for both phases of the development.

Construction Phase:

- Potential for multiple developments to take place at the same time, however these would have to comply with all relevant legislation and the effect would be short-term, not significant, and neutral.

Operational Phase

- The development of similar/ other residential schemes in the area would allow for an increased efficiency in terms of waste management/ collections in the area. The effect would be long-term. Imperceptible and neutral.

10.95 Section 11.7 outlines 'Avoidance, Remedial and Mitigation Measures' that may be employed for both phases of this development. For both of these phases a specific to that phase 'Waste Management Plan' will be developed and operated as detailed under Sections 11.7.1 and 11.7.2. Cumulative Impacts in Section 11.8 consider other similar developments in the area of the subject site/ Newcastle and Section 11.9 details

'Predicted (Residual) Impacts' for both phase of the development. The implementation of the proposed mitigation measures will ensure that the effect on the environment is imperceptible and neutral. Monitoring (Section 11.10) will be undertaken by the Resource Manager during the Construction Phase and by a facilities management company during the Operational Phase. Table 11.3 details 'Monitoring Proposals' for this development.

10.96 Submissions and Observations: No issues of concern were raised.

10.97 Assessment: The submitted information demonstrates that the proposed development will not adversely impact on waste management. The proposed development includes suitable measures for the construction and operational phases of this development, with supporting mitigation measures.

10.98 I am satisfied that the identified impacts would not have an adverse impact on Waste Management.

Material Assets – Utilities

10.99 Chapter 12 has been prepared by DBFL Consulting Engineers, with the Methodology detailed under Section 12.2 including details on relevant guidance, details of the Project Site/ Study Area and details of the Existing Receiving Environment are provided in Section 12.3. The area is served by public foul drainage with eventual treatment in Ringsend Wastewater Treatment Plant (WWTP). In addition, there is a water supply, electricity supply, broadband, and gas network in the area. Further details are provided in Appendix F of the EIAR.

10.100 Characteristics of the Proposed Development are provided in Section 12.4 detailing Surface Water Drainage including the upgrade of the system along Hazelhatch Road. This element of the development will extend for 1.2 km and will reduce the potential for flooding whilst improving the resilience of the area to adverse weather conditions. Section 12.4.2 details proposed Foul Drainage for the site, Section 12.4.3 details Water Supply, 12.4.4 Electricity and 12.4.5 under Gas explains that the units will be provided with electrically powered heat pumps, and it is not therefore proposed that a gas supply will be provided to these units. Any works to the gas network will be in

accordance with Gas Networks Ireland requirements. Telecoms are detailed in Sections 12.4.6 and 12.4.7.

10.101 Section 12.5 considers the 'Potential Effect of the Proposed Development for both phases summarised as follows:

Construction Phase:

- Surface Water: Potential for damage to existing services and/ or contamination of the existing systems including watercourses. Likely adverse effect would be temporary, regionally short term, and moderate.
- Foul Drainage: Impact on existing systems during this phase of the development and also the need for a connection to the construction compound which may result in an improper discharge to groundwater/ water courses. Likely adverse effect would be temporary, regionally short term, and moderate.
- Watermain: Potential for contamination of the local water network. Likely adverse effect would be short term, and imperceptible.
- Power, Gas and Telecoms: Loss of supply to existing networks. Likely adverse effect would be slight, adverse, temporary, residual impact.
- Do-Nothing: No impact on existing networks.

Operational Phase:

- Surface Water: System developed to attenuate and run-off at greenfield rates. Some increase in impermeable areas will reduce local ground water recharge, potential for hydrocarbon leaks. Likely effects would be adverse and slight.
- Foul Drainage: Increase in wastewater discharging to Ringsend WWTP, potential loading of 53,055 L/Day. Potential for leaks from foul drains etc. Potential impact is long term and minimal.
- Watermain: Increased demand on public water supply by approximately 0.61 l/s. Need for increased supply, additional treatment and abstraction with increased costs. The impact is long term and minimal.

10.102 Section 12.6 outlines Mitigation Measures that may be employed for both phases of this development. A CEMP will be developed and put in place for the construction phase, services will be put in place in accordance with requirements of the operator/

regulator and backup supply will be provided where possible. Section 12.7 considers 'Cumulative Impacts' having regard to other development in the area. No potential impacts are foreseen in terms of Stormwater, foul drainage and water supply; full details are provided in the relevant sections of this chapter. Impacts on electricity and telecom supply will be managed by the relevant operators. Section 12.8 considers residual impacts of the development, with no issues of concern in the construction phase but increased demand on services in the operational phase. Section 12.9 outlines relevant Monitoring, and Interactions are considered under Section 12.11.

10.103 Submissions and Observations: No issues of concern were raised.

10.104 Assessment: The submitted information demonstrates that the proposed development will not adversely impact on utilities. The proposed development includes suitable measures for the construction and operational phases of this development, with supporting mitigation measures.

10.105 I am satisfied that the identified impacts would not have an adverse impact on utilities.

Cultural Heritage (Archaeology)

10.106 Chapter 13 has been prepared by IAC Archaeology. Details of relevant Guidance and Legislation is provided in Section 13.1.4 and the 'Assessment Methodology' is outlined in Section 13.2, which includes the relevant survey sources, and available information necessary to undertake the assessment. A geophysical survey was carried out in 2018 and further details are provided in Appendix A 13.1. Archaeological testing was carried out in November 2021 and further details are provided in Appendix A 13.2. Details of Potential Impacts are outlined in Section 13.3. The Existing Receiving Environment is detailed under Section 13.4. The central part of the subject site is located within the zone of archaeological potential associated with the medieval settlement of Newcastle (RMP DU020-003008) and a further 11 archaeological sites are located within 500 m, with the nearest of these consisting of a castle tower-house (DU020-003007), located approximately 22 m to the southwest of the site. These sites are located through Figure 13.2. Details of historical periods are

outlined through Section 13.4 of the EIAR. The geophysical survey indicates that the site may contain a number of medieval burgage plots that are characteristic of Newcastle. Details of other testing undertaken in the area is provided as well as cartographical details. Table 13.1 provides a list of 'Recorded Archaeological Sites' in the area, including their RMP numbers and classification. In the absence of development, the Do-Nothing impact would be no change to the status of the archaeological and cultural heritage resource within these lands.

10.107 Section 13.6 of the EIAR outlines the 'Characteristics of the Proposed Development'. Section 13.7 identifies the 'Potential Impact (Effects) of the Proposed Development for the Construction and Operational Phases summarised as follows:

Construction Phase:

- Archaeology: Three sites were identified –
 - AA1 (medieval and post medieval remains adjacent to tower house DU020-003007).
 - AA2 (Kiln)
 - AA3 (undated linear feature)

These would be subject to direct, negative, significant effects due to ground disturbance and also due to the development of an attenuation area adjacent to AA1. Other features may be found below ground level during the construction phase. Development of the pipeline along the Hazelhatch road may result in impacts that range from moderate to significant, depending on the nature, extent and significance of the archaeological remains that may be present within this road.

- No impacts to cultural heritage are foreseen during this phase of the development.

Operational Phase:

- Archaeology: During this phase of the development there will be an indirect, significant, negative effect on the setting of the tower house, due to the location of the residential units, public open space and access road.
- No impacts to cultural heritage are foreseen during this phase of the development.

10.108 Under Section 13.8 details are provided on 'Avoidance, Remedial, and Mitigation Measures for both phases of the development.

Construction Phase:

- Archaeology: As in-situ preservation may not be possible, archaeological features will be subject to preservation by record and under licence as required. Details in relation to noise and vibration have been considered under Chapter 8. Suitable monitoring of top-soil removal will be undertaken by an archaeologist. No mitigation is required for the haul road or within the central section of the development site.
- Cultural Heritage: No mitigation measures are required.

Operational Phase:

- Archaeology: A full record of the tower house will be undertaken prior to commencement/ operation of the development.
- Cultural Heritage: No mitigation measures are required.

Worst Case Scenario: Under this, the development would negatively impact on unrecorded and unidentified archaeological remains.

10.109 The 'Predicted Impact of the Proposal' is considered under Section 13.9 as follows:

- Archaeology: Subject to the implementation of the mitigation measures, no significant negative impacts are foreseen. In terms of the Tower House, there will be a residual indirect moderate negative impact due to the affects the development will have on the setting of the structure.
- Cultural Heritage: No residual impacts are foreseen.

10.110 Potential Cumulative Impacts are considered under Section 13.12 and none are foreseen due to the nature of the development. Interactions are considered more fully under Chapter 14, with particular reference to this chapter and landscape and visual chapter.

10.111 Submissions and Observations: The Department of Housing, Local Government and Heritage have recommended that archaeological excavation and monitoring should be required by way of condition.

10.112 Assessment: The submitted information demonstrates that the proposed development as submitted will not impact on Archaeology and Cultural Heritage. I note the comments of the Department and their recommendations can be provided in the form of a suitable condition.

10.113 I am satisfied that the identified impacts would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. The subject lands and adjoining lands have undergone archaeological testing/ geo-physical surveys and there is a good understanding of what archaeological material may be found in the area and I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts on archaeology and cultural heritage.

Cultural Heritage (Architectural Heritage)

10.114 Chapter 14 has been prepared by Historic Building Consultants. Details of relevant Guidance and Legislation is provided in Sections 14.2.2 and 14.2.3 and the 'Assessment Methodology' is outlined in Section 14.2, which includes the relevant survey sources, and details of field surveys undertaken in April 2022 and October 2023. Buildings of heritage significance close to the site are included in this assessment, including St Finian's church due to it being seen from the subject site. Table 14.1 provides a 'Definition of levels of significance' and the Receiving Environment is detailed under Section 14.4 of the EIAR. This includes details of designated architectural heritage assets, listed in Table 14.2 and which were located on Figure 14.1. Figure 14.2 indicates the Architectural Conservation Area (ACA) as per the South Dublin County Development Plan; part of the western section of the site is within this. Figure 14.3 provides the 'Locations of built heritage sites (in proximity to main development site)' and descriptions/ photographs of these are provided in EIAR. Each of these is considered in terms of potential effect of the development on them. A negative effect on the Tower House may occur through development within 15 m of this structure, and in terms of a change in character through the adjacent development and landscaping of

the site. In terms of the Do-Nothing Scenario, there would be no change from the present situation.

10.115 Characteristics of the Proposed Development are provided under Section 14.6 and the 'Potential Effects of the Proposed Development' are outlined under Section 14.7 for both phases as follows.

- Construction Phase: There will be no direct effects to any significant heritage structures due to the proposed development. Table 14.4 lists the 'Indirect effects at construction phase (prior to mitigation)'. The Tower House is listed here again with impacts as already described.
- Operational Phase: No direct effects and 'Indirect effects at operational phase (prior to mitigation)' are provided in Table 14.5. There would be no additional negative impact on the Tower House and burgage plots in the rear gardens of houses may be impacted by the completed development.

10.116 Mitigation Measures and Monitoring are provided in Section 14.8 of the EIAR. Those relevant to the construction phase are provided in Section 14.8.1 and further details are provided in the noise and vibration chapter of the EIAR. The identified indirect effects on Newcastle Farm and the Tower House cannot be mitigated for the construction phase and for the operational phase in terms of the Tower House. Details of Cumulative Effects are considered under Section 14.8.3 and no issues arise here. Residual Effects are considered under 14.9 with a moderate residual indirect negative effect on the setting of Newcastle Farm and a significant, residual negative effect on the setting of the Tower House. Under Section 14.10 Monitoring, only monitoring vibrations at the Tower House is raised. Interactions are considered under Section 14.12, having regard to the Archaeology and Cultural Heritage, Landscape and Visual and the Noise and Vibration Chapters of the EIAR.

10.117 Submissions and Observations: The Department of Housing, Local Government and Heritage have recommended that archaeological excavation and monitoring should be required by way of condition, this particularly concerns the Tower House.

10.118 Assessment: The submitted information demonstrates that the proposed development as submitted will not impact on Architectural Heritage, subject to the

implementation of appropriate mitigation measures. I note the comments of the Department and their recommendations can be provided in the form of a suitable condition.

10.119 I am satisfied that the identified impacts would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts on architectural heritage.

Risk Management for Major Accidents and/ or Disasters

10.120 Chapter 15 provides an assessment of 'Risk Management for Major Accidents and Disasters'. Regard is had to the Flood Risk Assessment and Construction Management Plan. The Risk Classification is provided in Table 15.1 and details of the Methodology are provided in Section 15.2.1 with a Risk Likelihood outlined in Table 15.2. These are tested in terms of consequence and a risk matrix is provided in Table 15.3. Details of the receiving environment are provided in Section 15.3 and Characteristics of the Proposed Development in Section 15.4.

10.121 Section 15.5 considers the 'Potential Impact of the Proposed Development' for both phases of the development. Construction impacts would be short term and would be controlled by implementation of the CEMP and compliance with Health and Safety Regulations. The main risk during the Operational Phase is from fire, which would be normal for any residential development. Mitigation is covered through compliance with the relevant fire safety/ building regulations. Mitigation Measures are outlined in Section 15.6 of the EIAR, mostly standard practices for a development of this nature. Table 15.4 provides a 'Strategy for tackling potential risks'. Predicted Impacts are considered under Section 15.7 with Table 15.5 providing a Risk Evaluation. Risks would primarily be during the construction phase and be localised.

10.122 Section 15.8 considers 'Interactions', no issues arise in terms of Residual Impacts if mitigation measures are fully implemented and Cumulative Impacts are considered under Section 15.10.

10.123 Assessment: The submitted information demonstrates that the applicant has considered all relevant issues in relation to Major Accidents and Disasters. These are considered for the construction and operational phases of the proposed development.

10.124 I am therefore satisfied that the proposed development would not give rise to concern in relation to Risk Management for Major Accidents and/ or Disasters.

Interactions of the Forgoing

10.125 Chapter 16 was prepared by John Spain Associates, Planning and Development Consultants and considerations between the assessed chapters. Table 16.1 provides a 'Matrix of Summary of interactions between the environmental factors' and the following sections in the EIAR detail the potential interactions.

10.126 I am satisfied that interactions have been appropriately considered in this chapter and no issues of concern are raised. Cumulative impacts were also considered and again no significant potential for cumulative significant effects arise.

Summary of EIAR Mitigation and Monitoring Measures

10.127 This is provided in Chapter 17.0 and was prepared by John Spain Associates, Planning and Development Consultants. Full details of mitigation measures and alternatives are identified and provided here. Table 17.1: details 'Sensitive Receptors/effects and mitigation measures.' Details of recommended monitoring is also provided in this chapter as necessary.

10.128 I am satisfied that this chapter provides a full summary of the EIAR mitigation and monitoring measures outlined throughout this assessment.

10.129 **Appendices:**

- The EIAR includes Appendices in support of the EIAR.
- The EIAR is also accompanied by a Non-Technical Summary (NTS) as is required.

11.0 Reasoned Conclusion on Significant Effects:

11.1 I consider that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, provided information which is reasonable and sufficient to allow a reasoned conclusion to be reached on the significant effects of

the proposed development on the environment, having taken into account, current knowledge and methods of assessment. I note also the contents of the Addendum Report dated February 2024, submitted in response to the Further Information Request issued by South Dublin County Council.

11.2 I am satisfied that the information contained in the Environmental Impact Assessment Report is up to date and complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU. Having regard to the examination of environmental information contained above, and in particular to the EIAR, the addendum report dated February 2024, and supplementary information provided by the developer, and the submissions from the Planning Authority, prescribed bodies and observers in the course of the application, it is considered that the main significant direct and indirect effects of the proposed development on the environment are as follows:

- Population and Human Health: Impacts are likely to be positive with the provision of additional housing and an increased local population that will avail of services/ facilities in the area. The increased demand on services is likely to require the upgrading of existing services and this will benefit the wider community. No significant negative impacts from the development and no significant residual effects are identified.
- Biodiversity: Impacts to be mitigated by the provision of a suitable surface water drainage network and best practice measures to be fully operated during the construction phase of the development. Suitable bat friendly lighting will be provided on site and lighting will be controlled to ensure that there is no spillage onto adjoining lands. Other measures to be employed would be standard construction procedures for a development of this nature. No significant negative impacts from the development and no significant residual effects are identified.
- Land & Soils: The impacts to be mitigated by construction management measures including control/ management of water/ surface water runoff, management of works in the vicinity of water courses, management of material removal/ delivery, control of use of fuel/ chemicals/ plant and machinery and management processes for unanticipated discharges on site. A Construction Environment Management Plan (CEMP) will be put in place during the construction phase of this development. Mitigation measures during the operational phase include regular maintenance of

SUDs systems and emptying oil separators as required. No significant negative impacts from the development and no significant residual effects are identified, subject to appropriate mitigation measures.

- Water: The impacts to be mitigated by management of surface water run-off during construction; management/ control of materials from off-site sources, appropriate fuel/ chemical handling, and management of accidental discharges on site. Suitable monitoring measures will be put in place during the construction phase of this development. No significant negative impacts from the development are identified.
- Air Quality & Climate: The impacts will be mitigated by suitable measures taken on site during the construction phase of development. These will be detailed in the adopted Construction Environment Management Plan (CEMP). The list of measures is standard for a development of this nature. No specific measures are required at operational stage of this development.
- Noise & Vibration: Impacts will be mitigated by adherence to requirements of relevant code of practice; location of noisy plant away from noise sensitive locations and through the use of suitable noise control techniques on site such as the use of acoustic screening as detailed in the EIAR.
- Landscape & Visual Impact: Site hoarding will be provide during the construction phase to restrict views of the construction site. Operational phase measures will rely on the design and type of materials that will be used for the proposed units and a suitable landscaping proposal is included with the application.
- Cultural Heritage – Archaeology and Architectural Heritage: The nature of the development is such that identified archaeological features and deposits within AA1 – 3 will be subject to preservation by record, under licence from the National Monuments Service. Suitable measures will be taken to ensure that noise and vibration do not impact on heritage structures such as the Tower House. Monitoring will take place during the removal/ excavation of top-soil on site.
- Material Assets – Traffic: Impacts to be mitigated by implementation of a suitable construction traffic management measures during the construction phase, and the promotion of sustainable travel by residents during the operational phase of this development, through the development of a Mobility Management Plan (MMP).

- Material Assets – Waste & Utilities: Impacts will be mitigated by consultation with relevant service providers; adherence to relevant codes of practice and guidelines; service disruptions kept to a minimum.

The submitted EIAR has been considered with regard to the guidance provided in the EPA documents ‘Guidelines for Planning Authorities and An Bord Pleanála on Carrying our Environmental Impact Assessment’ (2018); ‘Guidelines on the Information to be Contained in Environmental Impact Assessment Reports’ (draft August 2017) and ‘Advice Notes for Preparing Environmental Impact Statements’ (draft September 2015).

In conclusion, the submitted details have sufficiently demonstrated that the proposed development would not adversely impact on the existing environment. The proposed development is located on lands that are suitably zoned for residential development and these zoned lands have undergone Strategic Environment Assessment (SEA) as part of the county and local plan processes.

12.0 Recommendation

12.1 Having regard to the above assessment, I recommend that permission be Granted for the Large-Scale Residential Development (LRD) on a site at within the townland of Newcastle South and also along the Athgoe Road and the Hazelhatch Road, Newcastle, Co. Dublin, for the conditions and reasons as follows.

13.0 Reasons and Considerations

Having regard to the provisions of the South Dublin County Development Plan 2022 - 2028, and the zoning for a mix of purposes including residential and open space, to the location of the site and to the nature, form, scale, and design of the proposed development, it is considered, that subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area. The proposed development also includes an upgrade of part of the local surface water drainage system.

The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area and would be in compliance with the statutory plans of the area.

14.0 Recommended Draft Order

14.1 Application:

For permission under the Planning and Development Act 2000 as amended, in accordance with plans and particulars, lodged with South Dublin County Council on the 20th of October 2023 and appealed to An Bord Pleanála on the 11th of April 2024.

Proposed Large Scale Residential Development:

- The provision of 131 residential units in the form of 119 houses, and 12 duplex apartment units. Also includes the upgrading of the surface water drainage system along a section of the Athgoe Road and the Newcastle Road, car/ bicycle parking, open space, internal road network, junctions with the public road network, and all associated site works.

- It is submitted that the proposed apartments have been designed to fully accord with the Sustainable Urban Housing: Design Standards for New Apartments 2023 and a Housing Quality Assessment is submitted which provides details on compliance with all relevant standards including private open space, room sizes, storage, and residential amenity areas.
- An Appropriate Assessment Screening Report, and an Environmental Impact Assessment Report have been included with the application.

Appeal:

Third Party appeal from Fiona Murray against the decision of South Dublin County Council who decided to grant permission for the proposed development in accordance with recommended conditions.

14.2 Decision:

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

14.3 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 observations received by it in accordance with statutory provisions.

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

- (i) the provisions and policies of the South Dublin County Development Plan 2022 - 2028,
- (ii) The zoning objective RES - N - New Residential Communities of the South Dublin County Development Plan 2022 - 2028 and which seeks 'To provide for new residential communities in accordance with approved area plans'.

- (iii) The zoning objective OS – Open Space of the South Dublin County Development Plan 2022 - 2028 and which seeks ‘To preserve and provide for open space and recreational amenities’.
- (iv) The zoning objective RU - ‘To protect and improve rural amenity and to provide for the development of agriculture’.
- (v) to Housing for All issued by the Department of Housing, Local Government and Heritage, 2021, and Rebuilding Ireland Action Plan for Housing and Homelessness 2016,
- (vi) the Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities, issued by the Department of Housing, Local Government and Heritage, January 2024,
- (vii) the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, issued by the Department of Housing and Planning and Local Government, December 2023,
- (viii) the availability in the area of a wide range of social and transport infrastructure,
- (ix) to the pattern of existing and permitted development in the area, and
- (x) Submissions received, and
- (xi) the Inspectors Report.

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

14.4 Appropriate Assessment (AA) – Stage 1:

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 an

established town centre location and adequately serviced urban site, the Appropriate Assessment Screening Report submitted with the application, the Inspector's Report, and submissions on file.

In completing the screening exercise, the Board agreed with and adopted the report of the Inspector and that, by itself or in combination with other development, plans and projects 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.

14.5 Environmental Impact Assessment (EIA):

The Board completed an environmental impact assessment of the proposed development, taking into account:

(a) The nature, scale and extent of the proposed development. The site is located on lands governed by zoning objective RES – N, OS and RU in the South Dublin County Development Plan 2022 - 2028;

(b) The environmental impact assessment report and associated documentation submitted in support of the planning application including the addendum report of the applicant;

(c) The submissions from the Planning Authority, and the prescribed bodies in the course of the application;

and

(d) The Inspector's report.

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 agreed with the 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 completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures set out in the environmental impact assessment report and subject to compliance with the conditions set out below, 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 constitute an acceptable residential density at this location, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height, and quantum of development, as well as in terms of traffic and pedestrian safety and convenience. The proposal would, subject to conditions, provide an acceptable form of residential amenity for future occupants.

The Board considered that the proposed development is, compliant with the South Dublin County Development Plan 2022 - 2028, and the proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, and revised by further information except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the Planning Authority, the developer shall agree such details in writing with the Planning Authority prior to commencement of development, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

2. The number of residential units permitted by this grant of permission is 124 residential units in the form of 118 no. houses and 6 no. apartments/ duplexes.

Reason: In the interests of clarity.

3. The proposed development shall be amended as follows:

- (a) House no. 102 shall be omitted with House no 103 revised to provide for suitable overlooking of the revised open space to the south.
- (b) Duplex Block A to be revised to omit units no. 01 to 06, i.e. the six units to the southernmost section of this block.
- (c) The area of land that remains following the omission of these units to provide for additional attenuation in accordance with the requirements of South Dublin County Council and open space. No refuse bin storage areas or bicycle parking stores shall adjoin these open spaces.

Reason: In the interests of adequate surface water drainage and in the interest of residential amenity.

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

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

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

Reason: In the interest of public health.

6. The development shall be carried out on a phased basis, which shall be agreed in writing with the Planning Authority.

Reason: To ensure that adequate public open space, road and pedestrian/ cycle infrastructure be provided in accordance with the development of housing and in accordance with the plans of the Local Authority.

7. The Mitigation and monitoring measures outlined in the plans and particulars, including the Environmental Impact Assessment Report submitted with this application shall be carried out in full, except where otherwise required by conditions attached to this permission. An Ecologist shall be appointed by the developer to oversee the site set-up and construction of the proposed development and the Ecologist shall be present on-site during construction works, ensuring that the identified mitigation measures are fully implemented.

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

8. Each residential unit shall be used as a single dwelling unit only and shall not be sub-divided in any manner or used as two or more separate habitable units.

Reason: In the interests of sustainable development and proper planning.

9. Details of the materials, colours, and textures of all the external finishes to the proposed buildings shall be as submitted with the application, unless otherwise agreed in writing with, the Planning Authority prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of visual amenity.

10. Proposals for a development name and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. Thereafter, all such names and numbering shall

be provided in accordance with the agreed scheme.

Reason: In the interest of urban legibility.

11. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through the communal open spaces, details of which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development/installation of lighting. Such lighting shall be provided prior to the making available for occupation of any apartment unit and demonstrate that it is bat friendly.

Reason: In the interests of amenity and public safety, and to ensure the protection of bats.

12. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:

- (a) notify the Planning Authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and
- (b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site 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 submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.

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

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.

13. All service cables associated with the proposed development, such as electrical, telecommunications and communal television, shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

14. a) The road network serving the proposed development, including turning bays, junction with the public road, footpaths and kerbs, shall be in accordance with the detailed construction standards of the Planning Authority for such works. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

b) Provision to be made for access from the subject site to the adjoining lands as per Drawing no. 210026-DBFL-RD-SP-DR-C-1154 – Road Hierarchy prepared by DBFL Consulting Engineers. These streets/ roads to continue to the boundary edge and the boundary treatment to be designed to clearly indicate that this road may continue to the east in the future. This may be indicated by a different type of boundary treatment to that provided for the adjacent permanent boundary. Provision to be included to enable services, such as water, drainage and utilities to be provided to the adjoining lands.

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

15. The car parking facilities hereby permitted shall be reserved solely to serve the proposed development. All car parking spaces shall be assigned permanently for the residential development and shall be reserved solely for that purpose. These residential spaces shall not be utilised for any other purpose, including for use in

association with any other uses of the development hereby permitted, unless the subject of a separate grant of planning permission.

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

16. A minimum of 10% of all car parking spaces serving the apartments shall be provided with functioning EV charging stations/ points, and ducting shall be provided for all remaining car parking spaces, including in-curtilage spaces, facilitating the installation of EV charging points/stations at a later date. Where proposals relating to the installation of EV ducting and charging stations/points has not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted and agreed in writing with the Planning Authority prior to the occupation of the development.

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

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

Reason: In the interest of residential and visual amenity.

18. (a) All areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company.

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

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

19. (a) A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities for each apartment unit shall be submitted to, and agreed in writing with, the Planning Authority not later than 6 months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.

(b) This plan shall provide for screened communal bin stores, the locations, and designs of which shall be included in the details to be submitted.

(c) This plan shall provide for screened bin stores, which shall accommodate not less than three standard sized wheeled bins within the curtilage of each house plot.

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

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

Reason: In the interest of sustainable waste management.

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

- a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
- b) Location of areas for construction site offices and staff facilities;
- c) Details of site security fencing and hoardings;
- d) Details of on-site car parking facilities for site workers during the course of construction;
- e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- f) Measures to obviate queuing of construction traffic on the adjoining road network;
- g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- m) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the Planning Authority.

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

22. 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 where prior written approval has been received from the Planning Authority.

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

23. Prior to the commencement of development, the applicant/developer shall contact the Property Management Branch of the Department of Defence to ensure that any crane operations do not impact on the safety of aircraft operations, no later than 28 days before use.

Reason: In the interest of aviation safety.

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

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.

25. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the Planning Authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning

and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the Planning Authority or any other prospective party to the agreement to An Bord Pleanála for determination.

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

26. Prior to commencement of development, the developer shall lodge with the Planning Authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the Planning Authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

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

27. The developer shall pay to the Planning Authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An

Bord Pleanála to determine the proper application of the terms of the Scheme.

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

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.

Paul O'Brien
Inspectorate
10th July 2024

Appendix 1: Screening for Appropriate Assessment

Description of the Project:

- 14.1 I have considered the proposed Large Scale Residential Development, of 119 houses and 12 apartments, including all associated site works including the phased development of public open space, in light of the requirements of S177U of the Planning and Development Act 2000 as amended. A Screening report has been prepared by Altamar on behalf of the applicant and the objective information presented in that report informs this screening determination.
- 14.2 The subject site is located at Newcastle, Co. Dublin, lands located to the south of Main Street and to the east of the Athgoe Road. The site of approximately 10.7 hectares contains predominantly rural/ agricultural lands which includes hedgerows and trees. Lands to the north and east are mostly developed for residential/ urban uses and those to the south and west are in agricultural use and are mostly under grass.
- 14.3 The nearest European Site is the Grand Canal pNHA which is approximately 2.3 km to the north west of the subject site.

Potential Impact Mechanisms from the Project

- 14.4 The following impacts could occur because of this development:

Construction Phase:

- Uncontrolled releases of silt, sediments and/ or other pollutants to water due to earthworks on site.
- Uncontrolled release of sediments etc to air
- Waste generation during the Construction Phase comprising soils and construction wastes
- Disturbance and displacement impacts due to levels of noise, vibration and visual disturbance associated with the development of this site.
- Increased human presence and activity as a result of construction activity.
- Lighting provided during the construction phase.

Operational Phase:

- Foul drainage discharge outfall to Dublin Bay – Effect A.

- Surface water drainage outfall – Effect B.
- Increased human activity.
- Disturbance and displacement impact due to levels of noise, vibration and visual disturbance associated with the operation of this site.
- Lighting of the site in the operational phase.

Having regard to the above potential impacts, the following can be excluded at this stage.

- Uncontrolled releases of silt, sediments and/ or other pollutants to water due to earthworks on site would not give rise to impacts due to separation distance to designated site.
- Uncontrolled release of sediments etc to air would not impact on designated sites due to the separation distance.
- Waste Generation during the construction phase – This will be controlled by best practice. There is no direct link that would result in an impact on designated European sites.
- Increased human activity would not impact on designated sites for the construction and operational phases due to separation distance.
- Disturbance and displacement impact due to levels of noise, vibration and visual disturbance associated with the construction and operational phases due to separation distances.
- Increased lighting (construction and operational phases) would not impact on any of the designated sites.

Two potential impacts are considered further, foul drainage and surface water drainage discharge.

Likely significant effects on European Sites –

14.5 The following table identifies European Sites that may be at risk of impact due to the proposed development, full details of the qualifying features at risk are provided in Table 2 of the applicant's report:

Table 1 – European Sites at risk of impacts of the proposed development			
Effect Mechanism	Impact Pathway/ Zone of Influence	European Site	Qualifying features at risk
Indirect Hydrological connection through surface water run-off. Indirect Hydrological connection through foul drainage outfall from Ringsend Wastewater Treatment Plant.	Linear Distance to Proposed Development: approx. 19.6 km to the east.	South Dublin Bay SAC (000210)	Mudflats, sandflats and Dunes
Indirect Hydrological connection through surface water run-off. Indirect Hydrological connection through foul drainage outfall from Ringsend Wastewater Treatment Plant.	Linear Distance to Proposed Development: approx. 22.3 km to the north east.	North Dublin Bay SAC (000206)	Mudflats, sandflats and Dunes
Indirect Hydrological connection through surface water run-off. Indirect Hydrological connection through foul drainage outfall from Ringsend Wastewater Treatment Plant.	Linear Distance to Proposed Development: approx. 19.3 km to the north east.	South Dublin Bay and River Tolka Estuary SPA (004024)	Seabirds and wetlands.
Indirect Hydrological connection through	Linear Distance to Proposed Development:	North Bull Island SPA (004006)	Seabirds and wetlands.

surface water run-off. Indirect Hydrological connection through foul drainage outfall from Ringsend Wastewater Treatment Plant.	approx. 22.3 km to the north east.		
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14.6 All other European sites can be excluded from further assessment due to distance, dilution affects, lack of hydrological connection and lack of ecological connection between the designated site and the subject lands.

Likely significant effects on the European sites ‘alone’ –

14.7 This section of the assessment considers if there are significant effects alone and whether it is possible that the conservation objects might be undermined from the effects of only this project.

14.8 The following table provides the relevant information:

Table 2 – Could the project undermine the Conservation Objectives ‘alone’			
European Site and qualifying feature	Conservation Objective	Could the Conservation Objectives be undermined?	
		Effect A	Effect B
South Dublin Bay SAC (000210)	To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in South Dublin Bay SAC, which is defined by a list of attributes and targets.	N	N
Reason:	COs will not be undermined due to the separation distance and dilution effect in the case of surface water drainage. Foul drainage will be treated ultimately at Ringsend WWTP before discharge.		
North Dublin Bay SAC (000206)	To maintain the favourable conservation condition of Mudflats and sandflats not covered by	N	N

	seawater at low tide in North Dublin Bay SAC.		
Reason:	COs will not be undermined due to the separation distance and dilution effect in the case of surface water drainage. Foul drainage will be treated ultimately at Ringsend WWTP before discharge.		
South Dublin Bay and River Tolka Estuary SPA (004024)	Objective 1: To maintain the favourable conservation condition of the non-breeding waterbird Special Conservation Interest species listed for North Bull Island SPA and South Dublin Bay and River Tolka Estuary SPA.	N	N
	Objective 2: To maintain the favourable conservation condition of the wetland habitat at North Bull Island SPA and South Dublin Bay and River Tolka Estuary SPA as a resource for the regularly-occurring migratory waterbirds that utilise these areas.	N	N
Reason:	COs will not be undermined due to the separation distance and dilution effect in the case of surface water drainage. Foul drainage will be treated ultimately at Ringsend WWTP before discharge.		
North Bull Island SPA (004006)	Objective 1: To maintain the favourable conservation condition of the non-breeding waterbird Special Conservation Interest species listed for North Bull Island SPA and South Dublin Bay and River Tolka Estuary SPA.	N	N
	Objective 2: To maintain the favourable conservation condition of the wetland habitat at North Bull Island SPA and South Dublin Bay and River Tolka Estuary SPA as a resource for the regularly-occurring	N	N

	migratory waterbirds that utilise these areas.		
Reason:	COs will not be undermined due to the separation distance and dilution effect in the case of surface water drainage. Foul drainage will be treated ultimately at Ringsend WWTP before discharge.		
North-West Irish Sea (004236) cSPA	To maintain the favourable conservation condition of identified Qis.	N	N
Reason:	COs will not be undermined due to the separation distance and dilution effect in the case of surface water drainage. Foul drainage will be treated ultimately at Ringsend WWTP before discharge.		

I conclude that the proposed development would have no likely significant effect ‘alone’ on any qualifying feature(s) of South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA. North Bull Island SPA, and North-West Irish Sea. Further AA screening in-combination with other plans and projects is required.

Likely significant effects on the European sites ‘in combination with other plans and projects’ –

14.9 Where it has been concluded that there are no likely significant effects ‘alone’, it is necessary to consider the proposal in combination with other plans and projects.

The following table provides the relevant information:

Table 3 – Plans and Projects that could act in combination with impact mechanisms of the proposed project.	
Plan/ Project	Effect Mechanism
SHD – 305343-19	Operational Phase: <ul style="list-style-type: none"> Foul water from the Proposed Development – Effect A Surface water drainage from the Site of the Proposed Development -Effect B

14.10 The proposed development is considered in combination with other plans and projects in the following table:

Table 4 – Could the project undermine the Conservation Objectives in combination with other plans and projects?			
European Site and qualifying feature	Conservation Objective	Could the Conservation Objectives be undermined?	
		Effect A	Effect B

South Dublin Bay SAC (000210)	To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in South Dublin Bay SAC, which is defined by a list of attributes and targets.	N	N
Reason:	COs will not be undermined due to the separation distance and dilution effect in the case of surface water drainage. Foul drainage will be treated ultimately at Ringsend WWTP before discharge.		
North Dublin Bay SAC (000206)	To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in North Dublin Bay SAC.	N	N
Reason:	COs will not be undermined due to the separation distance and dilution effect in the case of surface water drainage. Foul drainage will be treated ultimately at Ringsend WWTP before discharge.		
South Dublin Bay and River Tolka Estuary SPA (004024)	Objective 1: To maintain the favourable conservation condition of the non-breeding waterbird Special Conservation Interest species listed for North Bull Island SPA and South Dublin Bay and River Tolka Estuary SPA.	N	N
	Objective 2: To maintain the favourable conservation condition of the	N	N

	wetland habitat at North Bull Island SPA and South Dublin Bay and River Tolka Estuary SPA as a resource for the regularly-occurring migratory waterbirds that utilise these areas.		
Reason:	COs will not be undermined due to the separation distance and dilution effect in the case of surface water drainage. Foul drainage will be treated ultimately at Ringsend WWTP before discharge.		
North Bull Island SPA (004006)	Objective 1: To maintain the favourable conservation condition of the non-breeding waterbird Special Conservation Interest species listed for North Bull Island SPA and South Dublin Bay and River Tolka Estuary SPA.	N	N
	Objective 2: To maintain the favourable conservation condition of the wetland habitat at North Bull Island SPA and South Dublin Bay and River Tolka Estuary SPA as a resource for the regularly-occurring migratory waterbirds that utilise these areas.	N	N
Reason:	COs will not be undermined due to the separation distance and dilution effect in the case of drainage. Standard construction measures will prevent any pollution risks and surface water will be treated to an extent through the proposed SUDs measures on site.		

North-West Irish Sea cSPA (004236)	To maintain the favourable conservation condition of identified Qis.	N	N
Reason:	COs will not be undermined due to the separation distance and dilution effect in the case of surface water drainage. Foul drainage will be treated ultimately at Ringsend WWTP before discharge.		
South Dublin Bay SAC (000210)	To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in South Dublin Bay SAC, which is defined by a list of attributes and targets.	N	N
Reason:	COs will not be undermined due to the separation distance and dilution effect in the case of surface water drainage. Foul drainage will be treated ultimately at Ringsend WWTP before discharge.		

14.11 I conclude that the proposed development would have no likely significant effect in combination with other plans and projects on the qualifying features of any European site(s). No further assessment is required for the project.

Overall Conclusion- Screening Determination

14.12 In accordance with Section 177U(4) of the Planning and Development Act 2000 (as amended) and on the basis of objective information'

I conclude that that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] is not required.

This conclusion is based on:

- Objective information presented in the Screening Report

- Lack of direct hydrological pathway or biodiversity corridor link between the subject site and designated European Sites
- Distance from European Sites
- The limited zone of influence of potential impacts, weak and indirect hydrological connections to designated European sites,

No measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion.