



An
Bord
Pleanála

Inspector's Report

ABP-319636-24

Development

The construction of an on-farm abattoir, enclosed yard, on-site wastewater treatment plant, revised site entrance off Kilshane Road (L3120) and all associated site works.

Location

Dunsoghly, Saint Margaret's, Co. Dublin

Planning Authority

Fingal County Council

Planning Authority Reg. Ref.

FW23A/0120

Applicant(s)

Peter Lyons

Type of Application

Permission

Planning Authority Decision

Grant subject to conditions

Type of Appeal

Third Party v. Grant

Appellant(s)

Patrick and Bridget Lynch

Observer(s)

None

Date of Site Inspection

30 April 2025

Inspector

Cáit Ryan

1.0 Site Location and Description

- 1.1. The subject site is located in the St. Margaret's area of north County Dublin, approx. 120m east of Kilshane Cross and 360m east of the N2. The western extent of Dublin airport lands is approx. 1.2km to the east.
- 1.2. It is a greenfield site located at a gradual bend on Kilshane Road (L3125), within the 60kph speed limit. Both Kilshane Road and the surrounding road network are heavily trafficked. The area is characterised by a mix of commercial uses between the subject site and Kilshane Cross. The recently developed substantial Quantum Logistics Park is on the opposite (southern) side of Kilshane Road. Road improvement works have been carried out in recent years along the roadside frontage of this premises towards Kilshane Cross, comprising signalisation at the junction, road widening incorporating a cycle lane and footpath along the logistics park's frontage, and a footpath on the opposite (northern) side of the road.
- 1.3. East of this logistics park, Kilshane Road has a rural character for approx. 150m only, due to substantial planting on both sides of this narrower stretch of road. Thereafter, the roadside boundaries are further set back and the road incorporates footpaths and grass verges to the R108/R122 roundabout.
- 1.4. The site is roughly rectangular in shape and comprises approx. 3.77ha. The site rises gradually towards the rear, and then slopes down towards the northern site boundary. It was in use for livestock grazing on date of site inspection. It is bound -
 - To the west by a steel premises (Blue Steel Stockholders Ltd.) to the front of which is a large, open hardsurfaced area. It is bounded in turn by building suppliers (TJ O'Mahony). North Road (R135) bounds this property to the west
 - To the east and north by agricultural lands. Lands to the east were occupied by horses. There is a very sparse hedgerow along the eastern site boundary.
 - To the south by its approx. 100m roadside frontage to Kilshane Road.
- 1.5. The Huntstown stream flows along the western site boundary in a northerly direction, then takes a 90° turn to flow in a west-east direction along the site's northern boundary. 110kV overhead cables traverse the site from north west to south east.
- 1.6. Newtown Cottages and nearby ribbon development are approx. 440m east of the

subject site, and are accessed via the R122/R108 roundabout. This established residential area was not visible from Kilshane Road due to mature roadside planting. Elsewhere in the vicinity, a dwelling house was located at each of the north west, south west and south east arms of the Kilshane Cross junction.

- 1.7. Dunsoghly Castle, a national monument and a protected structure, is approx. 270m north east of the site's north eastern corner, and approx. 500m northeast of the site's roadside frontage. It is partially visible from certain locations only on Kilshane Road, due to distance and heavily planted roadside boundaries and other planting. The castle is more easily visible from the narrow local road to the east and the north.
- 1.8. A motte and baily, a recorded monument, is approx. 130m to the east, and is substantially set back from the public road. There is a dwellinghouse at this location, stated to be the applicant's family home, although this is not within the landholding's blue line boundary.
- 1.9. In terms of detail, the description of development ascribes L3120 to Kilshane Road. The lodged documentation, including the Traffic Report, refers to this road as L3125, and this is also the assigned road number on www.catchments.ie. There does appear to be any road number assigned on www.tailte.ie nor on Development Plan mapping. For clarity, the road is referred to in this report as Kilshane Road or L3125.

2.0 Proposed Development

2.1. Permission is sought for -

- construction of a single storey, on-farm abattoir (c. 916 m²)
- c. 61 m² ancillary office,
- c. 132 m² enclosed yard (lairage - including pens),
- on-site Wastewater Treatment Plant (WWTP), process waste holding tank and surface water drainage,
- revised site entrance off Kilshane Road and
- new access road, landscaping and associated site development works.

Parking is proposed as follows:

Car Parking spaces	Motorcycle spaces	Cycle Spaces
22no.	2no.	16no.

2.2. Documentation lodged with the application includes

- Applicant's cover letter
- Planning Statement and separate Explanatory Note relating to ERM (Environmental Resources Management) Public Safety Zones.
- Letter from a bio-waste management company, confirming it will collect Category 1 and Category 3 animal by-products twice per week
- Site Characterisation Report
- BRE Digest Test for Stormwater Soakaway Report
- Archaeological Test Trenching Report
- Traffic Report
- Appropriate Assessment – NIS Screening

2.3. Documentation submitted as part of the Further Information (FI) response includes

- Design Statement
- Appropriate Assessment – NIS Screening Report (revised)
- EIA Screening Report
- Air Quality Management Plan
- Noise Environmental Impact Assessment
- Landscape Strategy Report

Amendments included in the FI response include revised wastewater treatment proposals for the slaughterhouse. Amendments to surface water management are additional SuDS features comprising swale systems, permeable surfacing and tree pits. A reduced number of car parking spaces are proposed as follows:

Car Parking spaces	Motorcycle spaces	Cycle Spaces
17no. (including 3no. EV spaces and 2no. accessible spaces)	2no.	16no.

3.0 Planning Authority Decision

3.1. Decision

Following a request for Further Information (FI), the planning authority made a decision to grant permission subject to conditions. Conditions of note are as follows:

Condition 1: External finishes shall accord with that submitted on 28 March 2024 unless otherwise agreed prior to commencement.

Condition 2: Development shall be carried out in accordance with lodged plans and particulars, except where superceded by additional information received on 28 March 2024 save as may be required by other conditions.

Condition 3: Use shall be as indicated, and no part sold, leased or separately used.

Condition 5: Submit odour management plan for agreement.

Condition 6: Extend the 5.5m setback along entire site boundary including that within blue line where it addresses Kilshane Road for 220m from eastern edge of red line boundary eastwards to residential access indicated on the site location map drawing no. 22025-PL-01 submitted on 3 May 2023. Submit revised drawing for approval.

Condition 8: Planting and augmentation of riparian zone shall not include instream works. Agree planting and measures to protect the waterbody during works.

Condition 9(c): Soakaway shall comply with BRE Digest 365, GDSDS, designed to accommodate 30-year critical duration storm event from all additional impermeable surfaces, include for climate change, use local rainfall data and be at least 5m from any structure and 3m from any boundary.

Condition 11: Process wastewater will be discharged to a holding tank and removed.

Condition 13: Submit site plan showing exact location of tertiary sand polishing filter.

Condition 14: (a) existing field access to east shall be closed.

(c) agree design and construction for proposed access junction, pedestrian and cycle infrastructure, internal road and separate pedestrian access from public road.

(d) Stage 1, 2 and 3 Road Safety Audit required.

(e) pedestrian and cycle infrastructure along Kilshane Road shall meet taking in

charge standards.

(f) agree Construction Management and Traffic Plan

(h) where works are required on third party property to meet visibility/access requirements, submit written evidence of necessary legal consent/rights of way, etc.

(i) Relocate all underground/overhead services/poles where necessary to a suitable location adjacent to new boundary.

Condition 16: Development contribution of €51,612.93.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Basis for planning authority's decision:

Planner's reports (26 June 2023, 18 April 2024)

First report:

- Considers additional detail is required to demonstrate compliance with Objective EEO86, and there would not be unacceptable impact on landscape, environment and character of the area. Recommends FI on 10no. items.

Second report:

- Notes 31ha farm at St. Margaret's holds approx. 350 cattle at any given time. Considers proposal accords with Objective EEO86. No odour management plan submitted. Inner Safety Zone is correctly reflected and parking is outside such. Reduced ground levels will allow abattoir to nestle into surroundings.
- Concurs with the EIA Screening report that sub-threshold EIAR not required.
- Considers the project is not likely to have a significant effect on qualifying interests of any European sites in light of their conservation objectives, either alone or in combination with other plans or projects.
- Recommends permission be granted subject to 18no. conditions.

3.2.2. Other Technical Reports

Conservation Officer (12 June 2023):

- Notes close proximity to Dunsoghly Castle, protected structure (RPS No. 623) and National Monument (RMP DU014-005001). It is the only tower house in the country to retain its medieval timber roof along with remains of associated structures and defensible courtyard. The OPW own and maintain Dunsoghly Castle, with the adjoining farmyard, lands and dwelling in separate ownership. There are a cluster of archaeological sites around the castle. A motte and bailey site (RPS No. 865 and RMP DU014-00503) has a 20th century bungalow on top of the motte.
- Potential visual impact on view from Castle not addressed.

Recommends FI on 7no. items.

Parks and Green Infrastructure (7 June 2023 and 10 April 2024):

First report recommends FI for detailed landscape masterplan.

Second report recommends condition requiring landscape proposals to be implemented no later than first planting season following substantial completion.

Water Services Department (7 June 2023 and 11 April 2024):

First report states no objection on flood risk grounds. Recommends FI with regard to foul sewer and surface water drainage.

Second report states no objection subject to conditions regarding foul sewer and surface water drainage.

Transportation Planning Section (14 June 2023 and 12 April 2024)

First report recommends FI on 7no. items.

Second report states no objection subject to conditions.

Ecologist (12 April 2024)

EIA Screening: Project is of a type listed in Schedule 5 of Part 2, 7(f) of the Planning and Development Regulations, 2001 (as amended).

(f) Installations for the slaughter of animals, where the daily capacity would exceed 1,500 units and where units have the following equivalents:

1 head of cattle = 5 units.

Accepts EIA Screening report conclusion that sub-threshold EIAR is not required.

AA: Notes nearest designated sites Malahide Estuary SAC and SPA are over 8km to north east. Huntstown Stream creates potential hydrological link via the Ward River. Significant effects to these sites' QIs are unlikely from foul water, surface water or waste arising, as stream is over 40m to west and separated by a vegetated riparian zone. There is over a 12km hydrological distance to designated sites. The project is not likely to have a significant effect on QIs of any European sites in light of their conservation objectives, either alone or in combination with other plans or projects.

No objection subject to 1no. condition.

Environmental Health Air and Noise Unit (19 June 2023): Recommends FI relating to (1) description of nature and extent of the business, (2) noise management and (3) air quality management.

3.3. Prescribed Bodies

Department of Housing, Local Government and Heritage - Development Applications Unit (DAU): In a letter dated 7 June 2023 the DAU outlines that it has examined the submitted Archaeological Test Excavation Report, and there are no further archaeological recommendations in this case.

Dublin Airport Authority (DAA): In a letter dated 29 May 2023, states

- Operation of cranes during construction may cause air safety concerns. Requests condition requiring crane operations to be agreed in advance of construction with daa and Irish Aviation Authority.
- Site is within the airport's Inner and Outer Public Safety Zone, and cites Fingal Development Plan 2023-2029's Objective DAO18 – Safety and Objective DAO19 – Review of Public Safety Zones.
- ERM Report, Public Safety Zones (2005) provides recommendations in respect of applications within PSZs. Compliance with ERM Guidelines in respect of permitted development within the Inner PSZ, where car parking is suggested, has not been demonstrated. Requests that regard be had to guidance at Section 6.2.2 Exceptions to Permitted Developments in the Inner

PSZ. The only exceptions for permitted developments in the Inner PSZs are –

- Developments where persons are not expected to be present
- Long stay car parks (more than 24 hours). Buildings associated with car parks are subject to guidance in Table 6.1.
- Roads and railways where vehicles and passenger trains/trams are not expected to be stationary.

Uisce Éireann/Irish Water (UÉ/IW):

In a letter dated 25 May 2023, UÉ states

- Part of the proposed development site is within the identified alternative corridor route (Northern Pipeline) for the Greater Dublin Drainage Project (GDD). It is a project to develop a new regional wastewater treatment facility and associated infrastructure including pipelines to serve the Greater Dublin Area and part of Kildare and Meath. It is of strategic national, regional and local importance, has been identified in the National Planning Framework (NPF) as a National Strategic Outcome of the National Development Plan and is a critical piece of infrastructure for the region.
- UÉ has no objections to the proposed development. The footprint of the proposed development falls outside the GDD alternative route corridor.

In a letter dated 15 April 2024, UÉ states no objection. Requests condition that applicant signs a connection agreement with IW prior to commencement and adhere to standards and conditions set out in that agreement. All development shall be carried out in compliance with IW Standards codes and practices.

3.4. Observations to the Planning Authority

Approx. 29no. observations were received. Two observations were received from public representatives, Cllr. Mary McCamley and Cllr. Joe Newman. The main issues raised may be summarised as noise, odour, water contamination, vermin, property devaluation, traffic, greenbelt zoning, inconsistent with tourism strategy, effect on historical and heritage site and lack of EIS.

Subsequent to the receipt of the FI response, further observations were received by

the planning authority. No revised public notices are on file.

4.0 Planning History

There is no recent planning history on the subject site. The Planner's Report outlines P.A. Ref. 09/0446, P.A. Ref. 92/1048 and P.A. Ref. FW20A/0126. Other applications outlined below have been noted on the planning authority's and Board's websites.

Subject site and adjoining lands

P.A. Ref. 09A/0446: Permission granted in 2010 for agricultural/cattle storage shed, located a short distance north east of Dunsoghly castle. The site's red line boundary includes the subject appeal site and wider agricultural lands.

P.A. Ref. 92A/1048: Retention permission granted in 1992 for an unapproved access road to approved reclamation site on low-lying fields. The southern part of the site overlaps with the northern extent of the subject appeal site.

P.A. Ref. F04A/1744: Application for 201-bedroom hotel with leisure centre and 55no. holiday homes withdrawn in 2005. The site encompasses much of the eastern extent of the overall landholding.

P.A. Ref. F11A/0317: Application for dwellinghouse and wastewater treatment unit withdrawn in 2011. This site is located on a road to west of Newtown Cottages.

Sites in the Vicinity

P.A. Ref. FW20A/0126 and ABP-309855-21: Permission granted in 2021 for 4no. warehouses on a 14.06ha site at junction of R135 and L3125, Kilshane Cross. The appeal related to development contribution only. This site is directly opposite (south of) the current appeal site. This development is occupied as Quantum Logistics Park.

P.A. Ref. FW24A/0339E and ABP-321196-24: Permission granted in 2025 to demolish two houses and develop a 1,270 storage container depot at Bloomburn Cottage and Kilmonan Lodge, Kilshane. This site is approx. 0.5km west of the subject appeal site, almost directly west of the N2.

P.A. Ref. FW22A/0204 and ABP-317480-23: Permission granted in 2024 for gas turbine power generation station with output of up to 293 megawatts at Kilshane Road. EIAR submitted and EPA licence required. This site is approx. 0.6km west of

the subject appeal site, and west of the N2.

ABP-318677-23: Development approved in 2025 for 110kV Air Insulated Switchgear (AIS) tail-fed substation compound, with 110kV underground cable connection to Finglas. The nearest part of this site to subject appeal is approx. 0.4km to north east.

P.A Ref. FW23A/0339 and ABP-319939-24: Permission is currently sought to construct a petrol station at Sandyhill, Saint Margaret's. This site is located on R122, approx. 1.4km north east of the subject appeal site.

ABP-321466-24: Current application for further development under Section 37L of the Planning and Development Act 2000 (as amended) for ongoing use of Waste Recycling and Transfer facility at Sandyhill, St. Margaret's. EIAR and NIS submitted. This site on R122 is approx. 1.7km north east of the subject appeal site.

5.0 Policy Context

5.1. Fingal Development Plan 2023-2029

Chapter 13: Land Use Zoning

The site is zoned **GB – Greenbelt**, with the objective to protect and to provide for a Greenbelt.

The vision is to 'create a rural/urban Greenbelt zone that permanently demarcates the boundary between (i) rural and urban areas, or (ii) urban and urban areas. Its role is to check unrestricted sprawl of urban areas, prevent coalescence of settlements and countryside encroachment and protect the setting of towns and/or villages. The Greenbelt is attractive and multifunctional. It will provide opportunities for countryside access and recreation, retain attractive landscapes, improve derelict land within/around towns, secure lands with a nature conservation interest, and retain land in agricultural use. It will have the consequence of achieving regeneration of undeveloped town areas by ensuring that urban development is directed towards these areas.'

Agricultural Buildings are Permitted in Principle. Agribusiness is Not Permitted.

Chapter 3: Sustainable Placemaking and Quality Homes

Policy SPQHP49 – Preservation of Greenbelts Recognise the importance of and preserve greenbelts in order to safeguard valuable countryside to ensure that existing urban areas do not coalesce enabling citizens to enjoy the County’s natural amenities and to strengthen and consolidate greenbelts around key settlements.

Objective SPQHO102 – Development within the Greenbelts Promote development within the Greenbelts which has a demonstrated need for such a location, and which protects and promotes the permanency of the Greenbelt, and the open and rural character of the area.

Much of the lands in the vicinity of the site, particularly to the north, are similarly zoned GB. The Quantum Logistic Park opposite the site is zoned WD – Warehousing and Distribution. Elsewhere in the vicinity, substantial areas further to the south east and south west of the M2 are zoned GE – General Employment.

Chapter 6: Connectivity and Movement

Policy CMP7 – Pedestrian and Cycling Network Secure development of a high-quality, connected and inclusive pedestrian and cycling network and provision of supporting infrastructure, including upgrade of existing network and support integration of walking, cycling and physical activity with placemaking including public realm improvements, in collaboration with NTA, other relevant stakeholders, local communities and adjoining Local Authorities, where appropriate. Routes within the network shall have regard to NTA and TII national standards and policies.

Chapter 7: Employment and Economy

Policy EEP28 – Agriculture Safeguard North Fingal’s agricultural identity, promote County’s rural character and support agricultural/horticultural production sectors

Objective EEO78 – Protection of Agricultural Lands Support protection of agricultural lands, ensuring new development does not irreversibly harm or compromise commercial viability of existing agricultural land.

Objective EEO86 – Farm Diversification Promote farm diversification where:

- the proposal is related directly either to the agricultural operation engaged upon on the farm or the rural nature of the area.
- the use is compatible with the existing road infrastructure in the area.

- it does not unacceptably impact on the landscape, environment and character of the area.

Policy EEP30 – Agri Food Industry Encourage and provide for industry specifically linked to food, agriculture and development of added value opportunities

Policy EEP31 – Fingal Agri-Food Strategy 2019–2021 Support objectives of Fingal Agri-food Strategy 2019-2021 and Fingal Food Policy to be developed

Objective EEO84 – Balance Economic Benefits of Agri-food Sector with Protection of the Rural Environment Ensure economic benefits associated with promoting County’s agri-food sector are balanced with protection of rural environment.

Objective EEO51 – Integrated Tourism Complexes Facilitate where appropriate (complexes listed at 7.5.2.1 including Dunsoghly Castle) conversion of former demesnes and estates and their outbuildings into integrated tourist, leisure and recreational complex type developments subject to architectural conservation best practice and proper planning and sustainable development, protecting demesne type landscape and existing natural features, and providing improved pedestrian access.

Chapter 9: Green Infrastructure and Natural Heritage

Policy GINHP21 – Protection of Trees and Hedgerows Protect existing woodlands, trees and hedgerows which are of amenity or biodiversity value and/ or contribute to landscape character and ensure that proper provision is made for their protection and management in line with the adopted Forest of Fingal-A Tree Strategy for Fingal.

Policy GINHP22 – Tree Planting Provide for appropriate protection of trees and hedgerows, recognising their value to our natural heritage, biodiversity and climate action and encourage tree planting in appropriate locations

Chapter 14: Development Management Standards

Objective DMSO101 – Design of Agricultural Buildings Appropriate roof colours are dark grey, dark reddish brown or very dark green. Where cladding is used, dark colours with matt finishes will normally be required. Grouping of agricultural buildings

is encouraged in order to reduce their overall impact in the interests of amenity.

Objective DMSO102 – Assessment of Agricultural Development Consider traffic safety, pollution control, and satisfactory treatment of effluents, smells and noise in the assessment. Proper provision for disposal of liquid and solid wastes shall be made. Size and form of buildings and extent to which they can be integrated into the landscape will be factors which will govern the acceptability of such development

Objective DMSO105 – Development within Airport Noise Zones Strictly control inappropriate development and require noise insulation where appropriate in accordance with Table 14.16 within Noise Zone B and Noise Zone C and where necessary in Assessment Zone D. Actively resist new residential development and other noise sensitive uses within Noise Zone A, while recognising the housing needs of established families farming in the zone. To accept that time based operational restrictions on usage of a second runway are not unreasonable to minimize the adverse impact of noise on existing housing within the inner and outer noise zone.

Objective DMSO138 – Protection and Enhancement of Biodiversity Ensure all development and infrastructure proposals include measures to protect and enhance biodiversity leading to an overall net biodiversity gain.

Objective DMSO125 – Management of Trees and Hedgerows Protect, preserve and ensure the effective management of trees and groups of trees and hedgerows.

Objective DMSO140 – Protection of Existing Landscape Protect existing landscape features such as scrub, woodland, large trees, hedgerows, meadows, ponds and wetlands which are of biodiversity or amenity value and/or contribute to landscape character and ensure proper provision is made for their protection and management.

Development Plan Mapping

Dublin Airport

The site is within Dublin Airport Noise Zone A.

Dublin Airport, 2020: LAP 11.A is approx.1.2km to the east.

Local Objectives

Local Objective Point 61: Support the conservation of Dunsoghly Castle and the sympathetic and appropriate development, in scale and quantum, of the surrounding lands where it is sensitive in design and extent to the nationally significant Protected Structure and National Monument and is also informed and directed by archaeological subsurface remains.

Separately, a large landbank a short distance east of the site, on the southern (opposite) side of the road is zoned GB, and is subject to Site Specific Objective Boundary: Newtown. 2no. Local Objective Points relating to this landbank are:

Local Objective Point 65: Facilitate an access to the Airport from the west.

Local Objective Point 66: Any general enterprise and employment type development of the lands identified at Newtown St. Margaret's shall be contingent on widening and upgrading of Kilshane Road to the northern site boundary, including installation of Active Travel Infrastructure, a detailed landscaping plan and subject to restrictions arising from the Inner Public Safety Zone.

The lands subject of this Local Objective Point are approx. 240m east of the subject appeal site, on the southern side of Kilshane Road.

Local Objective Point 67: Widen road from St. Margaret's By Pass at the Kilshane junction to provide an extended left turning lane.

On site inspection it was noted that a left-turning lane is in place.

Indicative road proposals:

Development Plan mapping shows indicative road proposals to include

- a route running roughly north/south, a short distance east of Newtown Cottages. This route connects to a separate indicative route running roughly east/west approx. 1km north of the subject site, linking to an existing roundabout on the R135 (North Road)/N2/M3 link road.
- a route extending from Kilshane Cross eastward towards the vehicular entrance to Dunsoghly Castle from Kilshane Road.

GDA Cycle Network Plan shows Kilshane Road as a secondary cycle route.

Landscape Character Type: The site is within Low Lying character type, described

as an open character combined with large field patterns, few tree belts and low roadside hedges, and has a modest value. It contains pockets of important value areas requiring particular attention such as important archaeological monuments.

Flood Zone: The site is within Flood Zone C.

Archaeology and Protected Structures

Within the wider landholding outlined in blue, the following apply:

- Dunsoghly Castle – protected structure RPS No. 623 and National Monument DU014-005001. The Sites and Monument Record (SMR) notes that, located with a farmyard, this late 15th-century tower house is a National Monument. Associated with the Plunkett family it rises to four storeys with four large corner towers.
- DU014-005002: This chapel is connected to southwest corner of Dunsoghly castle by a wall with entrance.
- DU014-005005: There is an inscribed limestone table with a date of 1573 above the door of the chapel (DU014-005002-).
- DU014-005006: 16th or 17th century house, attached to bawn wall that extends from the northwest of Dunsoghly Castle. The west wall and north gable with Tudor style chimney is all that survives and these have been incorporated into farm outbuildings (as viewed on www.archaeology.ie).

Separate to but surrounded by the landholding outlined in blue is a motte and bailey:

- RPS No. 865: Archaeological site of man-made mound forming part of Anglo-Norman defended residence (excl. modern house and outbuildings on motte).
- DU014-005003 Situated on a natural rise southwest of Dunsoghly Castle. It comprises a raised area, roughly oval in plan, its flat top occupied by a farm and tree cover.

Appendix 7: Technical Guidance Notes for Use Classes

Technical guidance notes include the following:

Abattoir A building or part thereof or land used as a slaughter-house. This includes facilities for meat processing and storage.

Agribusiness A business that is directly related to the agricultural or horticultural sector involving the processing of produce of which a significant portion is sourced locally. It may also include support services for the agriculture or horticulture sector.

Agricultural Buildings Use of a building(s) for the purposes of horticulture and agriculture including for the purposes of housing livestock, dairy farming, training of horses, growing of produce, storage and other uses directly related to primary food production and the rearing or breeding of livestock.

5.2. **Dublin Airport Local Area Plan 2020 (extended)**

Dublin Airport LAP relates principally to lands relating to the airport, as shown on Fig. 8.1 Dublin Airport Surface Access. It includes a number of objectives relating to Dunsoghly Castle, which it notes to be located within private farm lands.

OBJECTIVE CH04 Promote and facilitate the preservation of Dunsoghly Castle Complex and appropriate and sympathetic development of this important heritage asset as a future heritage attraction having regard to the special significance of the site, in consultation with appropriate heritage bodies and other relevant stakeholders

OBJECTIVE IL02 Promote and facilitate a connecting pedestrian link between Dunsoghly Castle Complex and St. Margaret's policy area.

In March 2025, this LAP was extended to 2030 (as viewed on the planning authority's website www.fingal.ie)

5.3. **Fingal Food and Drink Policy 2024-2029**

- 5.3.1. This Policy aims to promote and enhance various aspects of the food and drink sector in Fingal. It includes supporting businesses and economic growth, developing food tourism experiences, engaging the community on the benefits of local food provenance, and celebrating their horticultural history. It seeks to create a supportive framework that nurtures local businesses, celebrate culinary excellence and diversity, support sustainable agriculture and create a vibrant food tourism industry.
- 5.3.2. It outlines that Fingal County Council has commissioned an Economic Development Strategy aligning with the Fingal Development Plan 2023-2029. It advocates strategies promoting sustainability, economic growth and community engagement, including initiatives to reduce food waste, support farm diversification, enhance rural tourism, and stimulate employment opportunities in the agri-food sector.

5.4. National Planning Framework – First Revision

5.4.1. The NPF is a high level strategic plan to shape the future growth and development of the country to 2040. The NPF First Revision is focused on delivering 10 National Strategic Outcomes (NSOs). NSO 3 Strengthened Rural Economies and Communities includes ongoing investment in the agri-food sector to underpin the sustainable growth for the sector as set out in Food Vision 2030.

5.4.2. Relevant National Policy Objectives (NPOs) include:

National Policy Objective 33 Support the agri-food industry in promoting Ireland's continued food security in a manner that ensures economic, environmental, and social sustainability while ensuring progress in achieving targets in the National Climate Action Plan 2024 and the River Basin Management Plan

National Policy Objective 30 Facilitate the development of the rural economy, in a manner consistent with the national climate objective, through supporting a sustainable and economically efficient agricultural and food sector, together with forestry, fishing and aquaculture, energy and extractive industries, the bio-economy and diversification into alternative on-farm and off-farm activities, while at the same time noting the importance of maintaining and protecting biodiversity and the natural landscape and built heritage which are vital to rural tourism.

5.5. Regional Spatial and Economic Strategy 2019-2031 (RSES), Eastern and Midland Regional Assembly

5.5.1. A RSES is a strategic plan which identifies regional assets, opportunities and pressures and provides appropriate policy responses for the Eastern and Midland Region, including a Metropolitan Area Strategic Plan (MASP), within which the appeal site is located. At this strategic level it provides a framework for investment to better manage spatial planning and economic development throughout the Region. It identifies assets, opportunities and pressures and provides policy responses in the form of Regional Policy Objectives (RPOs).

5.5.2. It outlines (at Section 5.9) the principles of Green Infrastructure recognise the importance of semi natural and managed lands as well as wild and natural areas. Green belt and rural /agriculture land use zonings form a natural greenbelt around the built-up area of Dublin City and suburbs and some metropolitan settlements, and

provide a defined natural envelope for development. Land use zonings related to green infrastructure and rural/agricultural landuses form a baseline for the metropolitan greenbelt, including zoned Greenbelt, agricultural lands and airport lands (North and West).

- 5.5.3. RPO 6.24: Support the Departments of Agriculture, Food and the Marine, and Communications, Climate Action and Environment to enhance the agriculture sector's competitiveness with an urgent need for mitigation and adaptation mechanisms for the long-term sustainability of the agri-sector.

5.6. Climate Action Plan 2025

- 5.6.1. Under the Climate Action and Low Carbon Development (Amendment) Act 2021, Ireland's national climate objective requires the State to pursue and achieve, by no later than end of 2050, the transition to a climate-resilient, biodiversity-rich, environmentally sustainable, and climate-neutral economy. The Act also requires a reduction of 51% in GHG emissions by 2030, compared to 2018 levels.
- 5.6.2. CAP 2025 is the third Climate Action Plan to be prepared under the Climate Action and Low Carbon Development (Amendment) Act 2021, and sets out what needs to be done into 2025, in order to prepare to take on the challenges of the second carbon budget period 2026-2030.
- 5.6.3. It outlines that emissions from agriculture fell by 4.6% in 2023, largely as a result of less nitrogen fertiliser being used. Agriculture remains the highest-emitting sector with 34.3% of CO₂eq. GHG emissions and requires accelerated reductions to meet 2030 targets. CAP25 builds on existing strategies with a range of actions to support diversification and less emission-intensive cattle farming. It states the vision for transformation of the agriculture sector is set out in Food Vision 2030. Actions for 2025 (at Section 15.2.2) include developing an action plan on reducing the age of slaughter.
- 5.6.4. With regard to Transport, it sets out Actions and Updates to include (at Section 14.2.3) enhanced spatial and land-use planning, noting the revision of the NPF presents an opportunity to re-emphasise the cross-linkages between land-use and spatial planning and the transport system. It outlines the policy pathway for cutting transport emissions centres around the 'Avoid-Shift-Improve' approach and includes

Compact Growth Transport Orientated Development, improved 'Active Travel' infrastructure and EV charging infrastructure. It further states that local authorities have an integral role in decarbonising transport, through the spatial and land-use planning system, implementing sustainable parking policies, developing appropriate demand management measures, and EV charging provision.

5.7. Natural Heritage Designations

The site is not located within or adjoining a European site. The nearest European sites are:

Name	Site Code	Distance (approx.)
Malahide Estuary SAC	000205	9km to north east
Baldoyle Bay SAC	000199	12km to east
North Dublin Bay SAC	000206	12.5km to south east.
Howth Head SAC	000202	16km to south east
Rye Water Valley/Carton SAC	001398	13km to south west
Rogerstown Estuary SAC	000208	12.5km to north east
Rogerstown Estuary SPA	004015	12.5km to north east
Malahide Estuary SPA	004025	9km to north east
Baldoyle Bay SPA	004016	12km to east
North-west Irish Sea SPA	004236	13.5km to east
North Bull Island SPA	004006	12km to south east
South Dublin Bay and River Tolka Estuary SPA	004024	10km to south east

The nearest pNHA is Santry Demesne (000178), approx. 5km to south east.

5.8. EIA Screening

- 5.8.1. The applicant has submitted an EIA Screening Report with the application addressing issues included for in Schedule 7A of the Planning and Development Regulations 2001, as amended.
- 5.8.2. Based on the criteria in Schedule 7 of the Planning and Development Regulations 2001, as amended, I have carried out an EIA screening determination of the project (included in Appendix 2 of this report). I have had regard to the information provided in the applicant's EIA Screening Report and other plans and particulars on file, including the Planning Statement, Traffic Report and Report on Test Trenching lodged with the application, and the revised AA Screening, Noise Environmental Impact Assessment and Air Quality Management Plan submitted as FI.
- 5.8.3. I concur with the nature and scale of the impacts identified and note the range of mitigation measures proposed. While I consider that some elements of the submitted EIA Screening Report are limited, I am satisfied that this submitted report, in conjunction with other related assessments and reports on file, identifies and adequately describes the effects of the proposed development on the environment.
- 5.8.4. I have concluded that the proposed development would not be likely to have significant effects (in terms of extent, magnitude, complexity, probability, duration, frequency or reversibility) on the environment and that the preparation and submission of an environmental impact assessment report is not therefore required.
- 5.8.5. This conclusion is based on having regard to:
1. the criteria set out in Schedule 7, in particular
 - (a) the nature and scale of the proposed development, on lands currently in agricultural use, adjoining established commercial uses to the west and south, in an area served by public infrastructure
 - (b) the absence of any significant environmental sensitivity in the vicinity, and the location of the proposed development outside the area of archaeological potential
 - (c) the location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended)

2. the results of other relevant assessments of the effects on the environment submitted by the applicant
 - the FI Appropriate Assessment – Natura Impact Statement Screening, and the local authority’s findings that the project is not likely to have a significant effect on the QIs of any European sites in light of their Conservation Objectives, either alone or in combination with any other plans or projects, having considered the scale of the works, the distance and weak hydrological links to any designated sites. Appropriate Assessment is not required.
 - the Appropriate Assessment (Natura Impact Report) of the Fingal Development Plan 2023-2029; and
 - the EIA Screening Report, and the findings of the local authority that a sub-threshold EIAR is not required
3. the features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment as outlined in the EIA Screening report.

6.0 The Appeal

6.1. Grounds of Appeal

The third party are two residents from nearby Newtown Cottages. This established residential scheme and adjoining ribbon development is approx. 440m east of the subject site. The appellants’ residence is further distant from the subject site, at approx. 660m to the east.

An UÉ/IW document relating to Ballycoolin to Kingstown Trunk Watermain (July 2021) is attached to the grounds of appeal. The grounds of appeal may be summarised as follows:

Public Health

- Operation of abattoir in close proximity to residential areas poses significant public health risks including physical and mental health of local residents.
- Noise generated by cattle in distress due to transport, slaughter and

increased traffic, combined with olfactory pollution will have a significant impact on local residents' mental health. Noise from Dublin airport to Newtown Cottages' residents was considered well above the tenable level. The compounded impact of noise from airport and abattoir would have a detrimental effect on residents' mental health.

- Emissions from animal waste, slaughter by-products and significant increase in large diesel trucks to transport animals create further air pollution.
- No plan submitted to minimise olfactory pollution to residents. Foul odours can permeate the surrounding environment, impacting neighbouring communities, recreational areas and local businesses, lead to social unrest, decreased property values and economic losses for the region.
- Residents of Newtown Cottages and Dunsoghly have not been consulted. Residents living near abattoirs are at heightened risk of respiratory illnesses, exacerbated allergies and decreased quality of life.

Environmental impact

- Discharge of effluents and wastewater from abattoir operations can contaminate water sources, degrade soil quality and harm biodiversity. Risks of noise pollution, habitat fragmentation and disruption of wildlife patterns.
- Within the Climate Action Plan Ireland has vowed to cut green house gas emissions (GHG) by 51% by 2030 and have so far fallen short at 29%. According to government's 'Long term strategy on greenhouse gas emissions reduction', the agricultural sector is the single largest contributor to overall emissions at 33.4% in 2021. New structures that intensify GHG production such as the abattoir is not in line with local, national or global policy.

Water supply

- Impact on new North Dublin water supply from Ballycoolin Reservoir to Swords

Impact on protected structure

- Motte and Bailey (RPS Ref. 0865) and Dunsoghly Castle (RPS Ref. 0623) are structures with deep and significant historical legacies in St. Margaret's and

the nation. Castle was built in the 1400s and was home to the Plunkett family.

- Castle is owned by the people of Ireland, denied access since the mid-1990s.
- St. Margaret's residents wish to have the castle open to locals and tourists. Believes this could generate substantial income for council, and opportunity for sustainable development, heritage, tourism, culture and the arts.
- Abattoir significantly minimises chances of castle being opened to the public.
- Construction of abattoir will impose significant impact on castle's structural integrity due to extensive ground works for drainage and wastewater storage. Ongoing industrial works such as operation of large machinery and haulage trucks on a daily basis could further impact the structure of castle and motte.
- Planning application does not address any of these issues.
- Benefits of opening castle to the public outweigh any that abattoir could have.

General

- Third party urges the planning authority to reject the application.
- Preserving the health and well-being of the residents and safeguarding the integrity of the local environment and heritage must take precedence over the interests of any commercial venture.

6.2. Applicant Response

None

6.3. Planning Authority Response

The planning authority states that it has no further comment and requests the Board to uphold the planning authority's decision. In the event the decision is upheld, it requests that conditions requiring financial contributions and/or bonds in accordance with the Council's Section 48 Development Contribution Scheme are included.

6.4. Observations

None

7.0 **Assessment**

- 7.1. This assessment of the proposed development comprises 4no. separate assessments, namely the planning assessment, EIA screening determination, Appropriate Assessment screening and Water Framework Directive (WFD) screening.
- 7.2. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local, regional, national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Land Use Zoning and Compliance with Fingal Development Plan 2023-2029
- Climate
- Archaeological and Architectural Heritage
- Water Infrastructure

7.3. **Land Use Zoning and Compliance with Fingal Development Plan 2023-2029**

- 7.3.1. The proposed development is an approx. 916sqm on-farm abattoir. The site is zoned GB – Greenbelt. Abattoir is not listed as either Permitted in Principle or Not Permitted under this land use zoning. The Development Plan states that uses which are neither ‘Permitted in Principle’ nor ‘Not Permitted’ will be assessed in terms of their contribution towards the achievement of the Zoning Objective and Vision and their compliance and consistency with Development Plan policies and objectives.
- 7.3.2. The grounds of appeal include concerns that the operation of an abattoir in close proximity to residential areas poses substantial risks to public health, including physical and mental health.
- 7.3.3. I consider that one of the key issues to be assessed in this appeal is the acceptability, or otherwise, of the proposed development on GB zoned lands. Accordingly, the assessment of the merits of the proposed development vis-à-vis the GB zoning objective and vision includes an assessment of impacts on the residential amenities of the area, particularly impacts arising from noise and air pollution, operational waste management and traffic. These matters are assessed elsewhere

in this section, in addition to matters relating to compliance with Development Plan policies and objectives.

7.3.4. For completeness, Agriculture is Permitted in Principle and Agribusiness is Not Permitted under the GB land use zoning. Separately, I note the Development Plan contains Abattoir as a distinct use on a number of other zonings, whether as Permitted in Principle or as Not Permitted.

7.3.5. The vision for the GB zoning includes to create a rural/urban Greenbelt zone that permanently demarcates the boundary between rural and urban areas, to check unrestricted sprawl of urban areas, prevent countryside encroachment and retain attractive landscapes and land in agricultural use. These matters are discussed below.

Urban/rural boundary and landscape character

7.3.6. The matter of impacts on archaeological and architectural heritage is discussed in Section 7.5 of this report.

7.3.7. The subject site is contiguous to the established commercial premises (steel distributor and builders' suppliers) to the west, which extend to Kilshane Cross. I note that these adjoining developed lands are also zoned GB. On the opposite (southern) side of Kilshane Road the recently developed Quantum Logistics Park site (on Warehousing and Distribution zoned lands) extends approx. 200m further east of the subject site's eastern site boundary. The provision of the abattoir structure and its associated site layout would reduce somewhat the demarcation between the urban and rural boundary on the northern side of Kilshane Road. However, given the established commercial development to the west of the site, and particularly the scale and extent of the logistics park opposite, I consider that the proposed abattoir development would not result in undue countryside encroachment.

7.3.8. The site is within the Development Plan's Low Lying character type, described as an open character combined with large field patterns, few tree belts and low roadside hedges, has a modest value, though contains pockets of important value areas requiring particular attention such as important archaeological monuments.

7.3.9. Modifications to the roadside boundary, and in particular the extensive removal of roadside boundary (as per the planning authority's Condition 6) would significantly

alter the more rural character of the area in an easterly direction. The matter of the extent of roadside boundary removal is discussed in further detail in this section under Impacts on Residential Amenities – Traffic and Transportation. In brief, the FI proposed site plan indicates removal of approx. 85m of the roadside boundary. Condition 6 requires removal of an additional approx. 220m in an easterly direction, within the blue line boundary.

- 7.3.10. I draw the Board's attention to Local Objective Point 66, which relates to GB zoned lands to the south east of the site, on the opposite (southern) side Kilshane Road. This Local Objective Point states that any general enterprise and employment type development of the lands identified shall be contingent on widening and upgrading of Kilshane Road to the northern boundary of the site, including installation of Active Travel Infrastructure and a detailed landscaping plan.
- 7.3.11. Given that the roadside boundary Local Object Point 66 lands, east of Quantum Logistics Park, currently comprises mature planting, this would indicate that future development on these lands is anticipated to result in significant changes to the southern roadside boundary along this stretch of Kilshane Road. In this regard I consider that while the development proposed at the subject site would result in substantial removal of existing planting along the northern roadside boundary to facilitate a site entrance and sight distances (whether as per FI proposed site plan or as per Condition 6), the removal of planting on the northern side of Kilshane Road would be generally consistent with the approach outlined by Local Objective Point 66 on the southern side of the road.
- 7.3.12. Having regard to the Development Plan content regarding requirements for roadside boundary treatment on the opposite side of Kilshane Road, and the NTA designation of this road as a secondary cycle route in the GDA Cycle Network Plan, I consider that the removal of hedgerow along the roadside boundary of the subject site would be acceptable in this instance, subject to replacement planting being provided. In the event the Board was minded to grant permission, it is recommended that the matter of replacement planting could be addressed by condition.
- 7.3.13. The abattoir building is proposed to be located within the highest part of the site, in the general north east area. It is outlined (at Section 10.0 of the Planning Statement) that imported soil was introduced to the site approx. 1995 and forms a manmade

hillock. I consider that the removal of soil as shown to reduce existing ground levels at the location of the proposed abattoir building would be acceptable. Having regard to the overall design and scale of the building, its position towards the rear of the site and the extent of new landscaping proposed, I consider that the proposed development would not be in conflict with the vision of the GB zoning with regard to the retention of attractive landscapes, and would be acceptable.

Retention of land in Agricultural Use - Abattoir, Agricultural and Agribusiness Uses

- 7.3.14. With regard as to whether the provision of an abattoir at this location would allow for the retention of land in agricultural use as set out in the vision of the GB zoning, I note that the provision of the abattoir would consequently result in this 3.77ha site not being available for other agricultural uses. It is stated that the abattoir will be on land where the cattle are kept, and the farm comprises 31ha of 133ha farmed.
- 7.3.15. In terms of detail, I note that the landholding outlined in blue at Dunsoghly townland does not however show the location of the remaining 102ha farmed by the applicant.
- 7.3.16. The farm at St. Margaret's is stated to hold approx. 350no. cattle comfortably at any given time, as per FI response. However, it does not appear to be stated that 350 head of cattle are or have been held on this 31ha landholding. The applicant's separate FI letter states that up-to-date livestock number farmed for 2023 always show approx. 200 cattle in stock. However, I note that the submitted Herd Profile details indicate 234no. and 249no. animals on 2no. dates in 2023.
- 7.3.17. The Planning Statement lodged with the application outlines that approx. 40 cattle per week would be slaughtered. The applicant's niche markets are the Netherlands and Belgium for high quality artisan beef products. Currently, livestock are transported from the farm to distant, external abattoirs for slaughtering, resulting in a negative impact on the environment. Transportation causes stress for the cattle which negatively affects meat quality. The abattoir would eliminate travel time and food miles related to beef production.
- 7.3.18. The Traffic Statement lodged with the application states 6no. people are proposed to be employed in the abattoir, half of whom already work on the farm. In contrast, the FI Item 4 response (wastewater and surface water) states there will be 25 personnel working one/two days per week at the site. I note the size of the male changing area is relatively generous at 33sqm, and an 18sqm female changing area is proposed,

for a facility with 6no. staff. The applicant states the abattoir would operate daily from 7am to 7pm. It is not stated whether this relates to a 7-day week, nor is there any approximate breakdown of how many animals are proposed to be slaughtered per day. The planning authority's Condition 15 states the development shall operate only between 07:00 and 19:00 Monday to Saturday, and no operation to take place on Sundays or bank holidays.

- 7.3.19. There would appear to be an inconsistency in the information submitted on file regarding production management arrangements, staff numbers and number of operational days per week. However, I consider that in the event the Board was minded to grant permission that matters relating to operational working hours could be addressed by condition. In addition, in the particular circumstances of this case, given that approx. 40 cattle are proposed to be slaughtered per week, in the event the Board was minded to grant, it is recommended that a condition be attached limiting the number of livestock to be slaughtered per week to 40no.
- 7.3.20. Based on the information on file, and while noting the absence of some information relating to production management and the location of the remaining approx. 102ha landholding, in my opinion the proposed abattoir can be considered farm diversification in accordance with Objective EEO86.
- 7.3.21. Having regard to all information on file, and in particular the matter of cattle from the applicant's farm only being slaughtered at the proposed abattoir, I consider that subject to impacts on the residential amenities of area being acceptable, that the provision of the abattoir at this location on the GB zoned lands may be considered acceptable.
- 7.3.22. I have noted in this assessment that Agribusiness is Not Permitted on the GB zoning, which includes 'a business that is directly related to the agricultural sector involving the processing of produce of which a significant portion is sourced locally.....' (emphasis added) In this regard I consider that the operation of this abattoir would involve processing of produce, namely livestock, which would be sourced locally. I note also that the FI Noise Environmental Impact Assessment describes the proposal as an agri-industrial facility.
- 7.3.23. However, given that the cattle are sourced from within the same farm to which the proposed abattoir relates, and given that 'Abattoir' is a distinct use in the

Development Plan, I am satisfied that the proposed development should be assessed as such, separate to Agribusiness use.

7.3.24. I note that the planning authority's Condition 3 states *inter alia* that no part of the overall unit shall be sold, leased or otherwise separately used. I consider that this condition is reasonable. In the event the Board was minded to grant permission, it is recommended that a similar condition be attached. Given that Agribusiness is Not Permitted on GB zoning it is recommended that such a condition also stipulates that livestock from the applicant's farm only may be slaughtered on the premises, i.e., slaughtering of livestock from other, external farms shall not be permitted.

7.3.25. Impacts of the proposed development on the residential amenities of the area are discussed in the following section.

Impacts on Residential Amenities

7.3.26. The primary impacts on residential amenities arising from the proposed development are considered to relate to noise and air pollution. Impacts of increased traffic on residents' health and other public health concerns are also raised in the grounds of appeal. These matters are discussed further below.

Noise

7.3.27. The FI Noise Environmental Impact Assessment outlines that the nearest neighbouring residential properties are approx. 750m to north on Dunsoghly Lane and Newtown Cottages, approx. 600m to east, and the end of the older southern runway at Dublin Airport is 2.2km to east. As outlined elsewhere in this report, I estimate that the local road to the north (Dunsoghly Lane) is approx. 570m from the rear site boundary, and the nearest dwellings at and in the vicinity of Newtown Cottages are approx. 440m to the east. The submitted document does not refer to the existing dwelling house located approx. 130m to the east, stated to be the applicant's family home, in the description of site location.

7.3.28. Other residential properties in the vicinity are not referenced in the submitted documentation. There is a dwelling house at each of the north west and south east arms of Kilshane Cross junction, both of which appear to be occupied and are approx. 100m from the site. Kilshane House is set back from the south west arm of this junction, and is not easily visible from the public road due to tall roadside

boundaries.

- 7.3.29. The submitted document outlines the noise environment, stating that the site is within Noise Zone A of Dublin Airport. The submitted document discusses (at Section 5) predicted noise levels within the structure and (at Section 6) environmental noise from the development.
- 7.3.30. With regard to predicted noise levels within the structure, to achieve the required weighted sound reduction index with metal cladding requires a double skin with an insulation layer between the inner and outer sheets. It concludes that even with a 25% increase in passenger numbers to Dublin Airport (from 32million to 40million), the proposed insulation on the building would still be adequate.
- 7.3.31. With regard to noise from the development, the submitted document refers to the EPA's Guidance Note: Licence Applications, Surveys and Assessments in Relation to Scheduled Activities (NG4) which sets out the typical limit values for noise from licensed sites, such as abattoirs. These range from 45LAeq[dBA] from 23:00-07:00hours, 50LAeq[dBA] from 19:00-23:00hours and 55LAeq[dBA] from 07:00-19:00hours. It outlines that noise generated within the building during operational phase will be attenuated by the building's façades. External noise sources such as refrigerators and pumps for the wastewater treatment plant have LAeq noise levels at 10m of 44dBA and 68dBA respectively. Refrigerated trucks will transport product to and from the facility, and given the heavy traffic on Kilshane Road, this will not add significantly to traffic noise already present.
- 7.3.32. Construction noise at the nearest noise sensitive locations is expected to be 47bBA to the east and 45dBA to the west (at Section 6.1). However, as the submitted noise assessment refers (at Section 2) to the nearest residential properties being to the north (750m distance to Dunsoghly Lane) and east (600m distance to Newtown Cottages), it would appear therefore that noise impact arising from the proposed development on the apparent residential properties at Kilshane Cross, albeit very limited in number, are not referred to in the submitted Noise EIA.
- 7.3.33. Notwithstanding this, I consider that noise levels arising during construction would not give rise to adverse impacts on residential amenities. In addition, noise generated would be localised and temporary. In the event the Board was minded to grant permission, it is recommended that a condition is attached confirming

approved construction working hours. This matter can be addressed by condition.

- 7.3.34. I note that a preliminary Construction and Environmental Management Plan (CEMP) has not been submitted with the application. It is recommended that a site specific CEMP be submitted for agreement to the planning authority prior to commencement of development, in the event of a grant of permission.
- 7.3.35. Having inspected the site and in noting the surrounding commercial uses directly to the west and south of the site, the heavily trafficked nature of Kilshane Road, and the separation distance to the nearest noise sensitive locations to the west, east and north, and all information on file including the FI Noise Environmental Impact Assessment, I am satisfied that the proposed development would not give rise to adverse impacts on the residential amenities of properties in the vicinity by reason of noise at either construction or operation phases, and that the proposed development would be acceptable in terms of noise impacts.

Air Quality

- 7.3.36. The FI Air Quality Management Plan states there are medium sensitivity receptors within 100m on the western boundary of the site. The prevailing wind is from the south west and would be most likely to impact receptors to the north east. Dependent on the risk level, mitigation measures will form part of a detailed CEMP. Fig. 4.1 Proposed Site development shows the appeal site configuration which differs from that lodged with the application, although a proposed site plan adjoining the western boundary is shown on Fig. 1. The report states the applicant's residential property is located <20m east of the site's perimeter.
- 7.3.37. It outlines that the proposed development would be considered an area of low sensitivity based on human factors (outlined at Table 4.5) as it is a rural area, there is no sensitive receptor within 20m and the local PM¹⁰ data is well below that allowable under CAFE Directive (2008/50/EC Clean Air for Europe Directive). The site is classed as low risk during construction and low risk for dust emissions during other phases, and the sensitivity of the area for human health and ecological effects is low overall.
- 7.3.38. Management controls (at Section 5) outline that while the site is deemed low risk, management will avoid dust becoming airborne at source, through good design and effective control strategies, including responding to adverse weather conditions. I

consider that a number of the effective control strategies listed would appear to relate primarily to the construction phase. With regard to construction stage impacts, I consider that having regard to the site location and distance from nearest residential properties, which I estimate to be those at Kilshane Cross approx. 100m to the west, and the site context whereby the site would be accessed from the heavily trafficked Kilshane Road, I consider that the construction phase would not give rise to air pollution levels that would adversely impact on the residential amenities of the area.

- 7.3.39. With regard to operation phase, it is stated that the main air quality impact would be from odours, and this has been dealt with in the odour management plan. However, no such plan is on file. The planning authority's Condition 5 requires the submission of an odour management plan for written agreement prior to commencement.
- 7.3.40. I consider that the matter of waste management is relevant to the assessment of control of odours arising from the proposed development, as discussed below.
- 7.3.41. The submitted planning application form indicates that neither an IPC (Integrated Pollution Control) licence nor waste permit are required for the proposed development. Separately, I note that the local government website www.localgovernment.ie states that depending on their size, abattoirs must be supervised by either the local authority in which they are located, or by the Department of Agriculture, Food and the Marine. Local authorities supervise and inspect small, approved meat processing and slaughter facilities, and an abattoir licence (issued by the local authority) is required to run such a facility.
- 7.3.42. Notwithstanding any other licences or other requirements necessary to operate an abattoir, I consider that the waste management proposals outlined in the subject case are limited. The operation of the facility would include the use of the external lairage adjoining the northern end of the western elevation of the abattoir building. The EIA Screening report states (at Section 2.1) that solid waste will be produced in minimal quantities, stored and collected by licensed waste contractors. However, no details of solid waste storage areas are specified in either the EIA Screening report or the FI Air Quality Management Plan. I note that two separate, adjoining internal 'waste' areas each of 7sqm are accessible from the slaughter hall and have external access to the northern elevation. No other waste/waste storage areas are shown on

the abattoir floor plan or proposed site plan. Category 1 and Category 3 animal by-products would be collected twice per week by a licensed waste contractor.

However, having regard to the nature of the abattoir use, and the relatively limited combined 14sqm waste areas provided, I consider that the matter of operational waste management has not been adequately addressed in the proposed development.

7.3.43. In the event that the Board was minded to grant permission, it is recommended that details of operational waste management would be required, and to include the extent of waste storage areas.

7.3.44. Having regard to the nature and scale of the proposed development, particularly the largely internal nature of the overall facility, and the separation distance to residential properties to the west and east, I am satisfied that odour can be mitigated against with good management. In the event the Board was minded to grant permission, it is recommended that an odour management plan, in addition to an operational waste management plan, be submitted to the planning authority for written agreement.

Traffic and Transportation

Roadside Boundary and Condition 6

7.3.45. The proposed development would be accessed by a new vehicular entrance off Kilshane Road (L3125). There is an existing gap along the site's roadside frontage which has been informally blocked with farm gates. While the footpath has been disused at this location, there does not appear to be any existing access to the field at this point. There is a separate field access within the landholding outlined in blue east of the subject site.

7.3.46. In terms of the details shown on the plans and particulars submitted on file, the detailing of the roadside boundary on the FI existing site plan would appear to be incorrect. This drawing shows the width of the apparent grassed area along the inner side of the footpath to be of similar width to the footpath. However, on site visit, I noted that this grassed area is much narrower in places. The FI proposed site plan suggests the removal of the entire approx. 85m long roadside frontage, although this is not expressly stated. This drawing indicates proposed new native planting to match existing, although any existing trees or hedgerow are not annotated to be removed.

- 7.3.47. The FI proposed site entrance drawing (Drg. No. 22025-PL-08A) annotates a 5.5m wide combined 1.5m wide grass verge (at the outer edge), a 2m wide footpath and a 2m wide bicycle path to match existing at the site entrance. While there is currently a wide footpath along the roadside frontage at this location, there is however no existing cycle path.
- 7.3.48. I draw the Board's attention to the FI Landscape Masterplan (Drawing No.1), which shows existing boundary vegetation along northern and western site boundaries, but not along southern or eastern boundaries. This would suggest that existing planting is not proposed to be retained along the southern boundary. In terms of detail, I noted on site visit that planting along the eastern boundary is sparse.
- 7.3.49. For clarity, I have noted that the FI Landscape Strategy indicates on plan that 'existing planting to remain' near the proposed vehicular entrance. However, this area is also annotated as 'new path to match existing'. A grass margin is shown on the outer side of a new cycle path. The separate FI Green Infrastructure Plan states native hedgerows around the site's perimeter are to be retained and augmented with more native hedgerow and tree species.
- 7.3.50. Having regard to all information on file, there would appear to be discrepancies on and between the lodged plans and particulars regarding the retention, or not, of planting along the site's roadside frontage. Having visited the site, I consider that provision of the proposed 5.5m wide combined grass verge/footpath/cycle path would require removal of existing hedgerow along this roadside frontage. In this regard, I consider it appropriate in this instance to assess the proposed development in the context of hedgerow removal at this location.
- 7.3.51. For completeness, the planning authority's FI Item 3(a) requested the submission of a tree survey including Arboricultural Impact Assessment, Tree Constraints Plan, Tree Protection Plan and Arboricultural Method Statement. This information was not included in the FI response.
- 7.3.52. I draw the Board's attention to the NTA's GDA Cycle Network Plan (as outlined on Development Plan mapping), whereby Kilshane Road is identified as a secondary cycle route. I note in particular Development Plan Policy CMP7 – Pedestrian and Cycling Network, which seeks to secure the development of a high quality pedestrian and cycling network, including upgrade of existing network, in collaboration with *inter*

alia the NTA, and which states that routes within the network shall have regard to NTA and TII national standards and policies.

- 7.3.53. Having regard to this Policy CMP7 and to Development Plan mapping showing the indicative NTA secondary cycle route along Kilshane Road, to Local Objective Point 66 to the south east of the site (east of Quantum Logistics Park), I consider that the proposed removal of hedgerow at this location would be consistent with the existing pattern of development in the area and the framework for future development, and would, in my opinion, be acceptable in this context and in compliance with Policy CMP7 and Development Plan mapping. This matter is further discussed in this section under Material Contravention.
- 7.3.54. In terms of detail, the applicant was requested to show the 5.5m setback within both the red and blue line boundaries (FI Item 5(d) refers). The planning authority considered the FI response to be partially acceptable, given that the set back was shown within the red line boundary, and the set back along the blue line boundary was considered unclear.
- 7.3.55. Condition 6 requires a 5.5m setback along the entire site boundary, and including also that within the blue line boundary for a distance of 220m eastwards from the eastern edge of the red line boundary. I estimate, based on www.tailte.ie mapping, that the implementation of such a condition would result in the removal of approx. 310m of roadside planting, extending from the western boundary of the subject site eastward to the dwelling house entrance. In addition, the planning authority's Condition 14 requires (d) a Stage 1, 2 and 3 Road Safety Audit and (e) pedestrian and cycle infrastructure along Kilshane Road to meet taking in charge standards.
- 7.3.56. While noting the extensive set back depth required (5.5m) over a substantial combined approx. 310m length of road frontage, and having regard to Development Plan mapping showing the indicative secondary cycle route along Kilshane Road, and to Policy CMP7, I consider that this extent of hedgerow removal to comply with Condition 6 would not be in conflict with this Policy. Having regard therefore to improved transportation/mobility measures proposed for Kilshane Road as set out in the Development Plan, I consider that in principle, the removal of approx. 310m of roadside planting to accommodate future cycling/mobility infrastructure at this location would be acceptable and in compliance with Policy CMP7. As outlined

previously, this matter is also further discussed with regard to Material Contravention.

- 7.3.57. However, notwithstanding the assessment outlined above, I do not consider that the attachment of Condition 6 is warranted in this case. I consider that sight distances at the new entrance would be acceptable, based on the FI Proposed Entrance Sightlines (Drawing No. DUN-WMC-ZZ-XX-DR-C-P1150), which shows sight distances of 145m in each direction. I note also that the site is within the 60kph speed zone. The Second Transportation Planning Section report states the response to FI Item 5(b) is acceptable and sightlines in accordance with Design Manual for Urban Roads and Streets (DMURS) for a 60kph zone can be achieved.
- 7.3.58. Given that adequate sightlines can be achieved to facilitate the new entrance off Kilshane Road, I do not consider that the proposed development is contingent on the removal of an additional approx. 220m roadside boundary, within the blue line boundary, to the east. Accordingly, in the event the Board was minded to grant permission, it is recommended that the planning authority's Condition 6 is not attached in this instance. It is however recommended that some elements of Condition 14 be included, given the site's approx. 85m length of roadside frontage along which pedestrian and cycle infrastructure is proposed.

Material Contravention:

- 7.3.59. For completeness, I draw the Board's attention to Development Plan **Policies GINHP21 – Protection of Trees and Hedgerows** and **GINHP22 – Tree Planting**, and **Objectives DMSO125 – Management of Trees and Hedgerows**, and **DMSO140 – Protection of Existing Landscape**. These policies and objectives underlie the importance placed in the Development Plan on the protection of existing trees and hedgerows. In addition, **Objective DMSO138 – Protection and Enhancement of Biodiversity** seeks to ensure that all development proposals include measures to protect biodiversity leading to an overall net biodiversity gain.
- 7.3.60. I note that no material contravention concerns were raised by the planning authority, in its decision to grant permission subject to conditions, with regard to policies and objectives relating to protection of trees, hedgerows and biodiversity.
- 7.3.61. I consider that hedgerow removal of approx. 85m as proposed or a total of 310m as per Condition 6 would not materially contravene **Policies GINHP21** and **GINHP22**,

as discussed further below.

- 7.3.62. With regard to **Policy GINHP21**, I note the Forest of Fingal – A Tree Strategy for Fingal (accessed at www.fingal.ie) states (at Part 1 Setting the Scene) that where possible, tools such as Tree Preservation Orders (TPOs), planning control and legislation will be used to influence the protection and retention of important trees and vegetation on private lands. However, the Strategy primarily covers those trees, woodlands, and hedgerows within the public realm of the county for which the Council is solely responsible. I note that it has not been demonstrated that the hedgerow along the subject site's roadside frontage and along additional lands to the east is one for which the Council is solely responsible. Accordingly, in the event the Board was minded to grant permission, I do not consider that the proposed development would materially contravene Policy GINHP21.
- 7.3.63. With regard to **Policy GINHP22 – Tree Planting** I note that this policy refers to '...appropriate protection of trees and hedgerows....' (emphasis added). I consider that the removal of trees and hedgerow along Kilshane Road would be appropriate in the context of the proposed development and Policy CMP7, in tandem with Development Plan mapping which shows an indicative (NTA) secondary cycle route along this road. In the event the Board was minded to grant permission, I do not consider that it would materially contravene Policy GINHP22.
- 7.3.64. With regard to Objective DMSO125 and DMSO140, I consider that these are aspirational provisions of the Development Plan. The FI Landscape Masterplan (Drawing No.1) shows new planting proposed along the revised roadside boundary, and further planting along eastern, northern and western boundaries.
- 7.3.65. The planning authority Ecologist's FI report considers the landscaping proposals to be acceptable to provide adequate screening and satisfy Development Plan objectives requiring net biodiversity gain. The report states no objection subject to 1no. condition, which requires planting proposals and measures to protect the Huntstown Stream during works to be agreed prior to commencement.
- 7.3.66. Notwithstanding that the proposed development would result in hedgerow removal along its roadside boundary, having regard to the nature and scale of the proposed development and the additional native trees and other planting proposed along the site perimeter, including along the modified roadside boundary, and also within the

site, I consider that the proposed development would lead to overall biodiversity gain, would be in accordance with Objective DSMO138 and would not materially contravene Objectives DMSO125 and DMSO140.

7.3.67. However, notwithstanding this, in the event the Board considers that any of the 5no. policies or objectives outlined above would be a material contravention, I consider that there are conflicting objectives in the Development Plan, insofar as the proposed development is concerned. In this regard I highlight that Policy CMP7 – Pedestrian and Cycling Network and the NTA's indicative secondary cycle route shown on Development Plan mapping along Kilshane Road may be considered a conflicting objective. I consider that Policy CMP7, in tandem with Development Plan mapping, is more specific in nature than the cited policies and objectives relating to protection of trees, hedgerows and biodiversity.

7.3.68. Accordingly, I consider that there are conflicting objectives in the Development Plan, I note that the planning authority's decision was a grant of permission subject to conditions, and that in the event the Board was minded to grant permission, it should not, in my opinion, consider itself constrained by Section 37(2) of the Planning and Development Act 2000 (as amended).

Access and Trip Generation:

7.3.69. With regard to the planning authority's Condition 14(a) which requires the existing field access to the east of the subject site to be closed, the response to FI Item 5(c) (Consulting Engineer's response document) states this field access will be omitted and refers to site layout Drawing No. 22025-PL-0A. However, this drawing does not appear to be on file. FI Drawing No. 22025-PL-07A (Proposed Front Boundary Elevation, Entrance Gate Elevation Detail and Contiguous Elevation) indicates a field access approx. 65m west of the vehicular entrance to the dwelling house (as measured from drawing). In the event the Board was minded to grant, it is recommended that a condition similar to Condition 14(a) is attached requiring the closure of the field access.

7.3.70. Concerns are raised in the grounds of appeal relating to impacts from increased traffic. I note that the proposed development would generate additional traffic, whereby 6no. employees are anticipated to work in the premises, which would be served by 17no. car parking spaces, 2no. motorcycle spaces and 16no. cycle

spaces, as per FI response. The Traffic Report lodged with the application outlines that traffic will be generated by livestock transport trucks arriving/leaving the site, staff and suppliers. 1no. HGV per day is expected, either collecting processed cattle or the removal of Category 1 and Category 3 by-products. It outlines (at Table 5.1) total daily traffic trip generation is 22no.

- 7.3.71. In terms of the intensity of the use of the premises, as outlined previously, it is recommended that in the event the Board was minded to grant, that a condition is attached stipulating the maximum number of livestock slaughtered per week is limited to 40no. It is considered that this cap would effectively limit any increases in vehicular movements generated by the proposed development.
- 7.3.72. With regard to the additional traffic generated by the proposed development, including 1no. HGV per day, at this location, I note that the existing farm enterprise would in any event generate some traffic movements, whereby cattle are removed off-site for slaughtering. Transportation is discussed further in Section 7.4 of this report in the context of climate.
- 7.3.73. I note the concerns raised in the grounds of appeal that noise generated by cattle in distress due to transport, slaughter and increased traffic, combined with olfactory pollution, will have significant effect on local residents' mental health. Matters relating to public health are further discussed below. With regard to noise levels, as noted previously, I consider that the transfer of cattle from the farm for slaughter would in any event arise, whether to an off-farm location or to the proposed Kilshane Road location. As the proposed abattoir is accessed directly from the heavily trafficked Kilshane Road, and as much of the facility's operation is internal, I consider that noise impacts arising from the proposed development would not give rise to serious public health concerns.
- 7.3.74. Accordingly, having regard to the site location on the heavily trafficked Kilshane Road and the site's distance to Kilshane Cross and to Newtown Cottages, I consider that the relatively low additional traffic movements generated by the proposal would not give rise to adverse impacts on the residential amenities of properties at Newtown Cottages to the east, nor to those at Kilshane Cross to the west.

Public Health

- 7.3.75. The grounds of appeal raise concerns regarding significant public health risks

including on physical and mental health of local residents. I have noted in this assessment that the nearest part of the Newtown Cottages area and nearby ribbon development is approx. 440m east of the subject site, that the appellants' residence at Newtown Cottages is approx. 660m to the east, and that there would appear to be existing residential properties at Kilshane Cross, approx. 100m to the west.

7.3.76. I have considered the potential noise, air and traffic impacts of the proposed development in this report, and as previously outlined have concluded that, subject to conditions requiring the submission and agreement of an odour management plan and operational waste management plan, that the proposed development would not adversely impact on the residential amenities of property in the vicinity, including those at Newtown Cottages. I have had regard also to the UÉ letter dated 15 April 2024 (on the FI response) which states no objection, subject to conditions. In addition, I have noted that an abattoir licence (issued by the local authority) is required to run small, approved meat processing and slaughter facilities. In this regard therefore I highlight that a separate licensing process is also required to operate the facility, separate to the planning application process.

7.3.77. Having regard to the nature and scale of the proposed development, to all information on file, to the distances from the subject site to the nearest dwelling houses, and to the pattern of development in the area, I am satisfied that, subject to conditions, the proposed development would not be prejudicial to public health.

Conclusion - Land Use Zoning and Compliance with Fingal Development Plan 2023-2029

7.3.78. Having inspected the site and examined all information on file, including the submissions received, and having regard to the vision of the GB land use zoning objective and other relevant Development Plan objectives and policies, including Objective EEO86 – Farm Diversification, and the pattern of development in the area, I consider that subject to conditions relating to waste and odour management plans, the sole use of the proposed on-farm abattoir relating to the farm on which it is located, and a limit on the weekly throughput of livestock, that the proposed development would be acceptable on GB zoned lands at this location, and would not adversely impact on the residential amenities of properties in the vicinity. Accordingly, I consider that the proposed development would be in compliance with

the GB land use zoning objective.

7.4. Climate

- 7.4.1. The grounds of appeal raised by the applicant refer to the Climate Action Plan, outlining that Ireland has vowed to cut green house gas emissions (GHG) by 51% by 2030, has so far fallen short at just 29%, and new structures that will intensify GHG production such as the abattoir are not in line with local, national or global policy.
- 7.4.2. I note the content of CAP 2025 relating to agriculture, transportation and land use planning. The proposed development is described as an 'on-farm abattoir'. The plans and particulars on file state that 40no. cattle per week could be slaughtered in the facility, and this is based on approx. 200no. cattle ordinarily being held by the applicant. While the proposed development would result cattle no longer needing to be transported to external, distant abattoirs, it is not stated where such existing abattoirs are located, or what the distance to same is. Waste by-products (Category 1 and Category 3) would be collected twice per week, to be transported to Nobber, Co. Meath. No details appear to be set out relating to intended forward locations. In this regard I note applicant states that the focus of the business is on niche markets in The Netherlands and Belgium, although I note that the operation of the abattoir does not appear to be outlined, for example, as to whether any other part of the process such as packaging is carried out within the subject building or elsewhere, external to the abattoir premises. However, I note the FI Proposed Ground Floor Plan (Drawing No. 22025-PL-04A) shows a 20sqm Packaging Storage Room.
- 7.4.3. The Traffic Report lodged with the application states that the on-farm abattoir is small-scale and designed to bring the processing of livestock closer to the farm, thereby reducing transportation time and costs. As outlined previously, traffic will comprise livestock transport trucks, staff and suppliers, including an expected 1no. HGV per day. It outlines (at Section 5.3.5) that the development is not part of incremental development that will have significant transport implications.
- 7.4.4. As outlined previously, I consider that in the event the Board was minded to grant permission for the proposed development, it is recommended that a condition is attached stipulating that the proposed abattoir is an on-farm abattoir only, and shall not be used/take in cattle from other farming enterprises.

- 7.4.5. As outlined under Section 5.0, CAP25 builds on existing strategies with a range of actions to support diversification and less emission-intensive cattle farming. Based on the information on file, and while noting that the proposed development is a cattle enterprise, having regard to the reduced transportation arising with an on-farm abattoir, I consider that the proposed development would not be inconsistent with CAP 2025. Accordingly, having regard to all information on file, I do not consider that the proposed development would give rise to concerns relating to climate.

7.5. Archaeological and Architectural Heritage

Visual Impact

- 7.5.1. I consider that the one of the key issues relating to archaeological and architectural heritage in this case is the impact of the proposed development on the setting of the Dunsoghly Castle, which is both a National Monument and a protected structure.
- 7.5.2. The setting of Dunsoghly Castle is largely within an agricultural environment, namely within a farmyard setting and within agricultural lands. The castle is highly visible from the acute corner of the local road to west of Newtown Cottages, whereby it is set back approx. 140m from the entrance at this roadside boundary.
- 7.5.3. I estimate that Dunsoghly Castle is approx. 295m from Kilshane Road. The proposed abattoir would be set back 150m from this roadside boundary. The FI Proposed Front Boundary Elevation, Entrance Gate Elevation Detail and Contiguous Elevation (Drawing No. 22025-PL-07A) shows the ridge of the proposed abattoir at 88.67, and the parapet of Dunsoghly Castle at 98.93. For comparison, the barrel-roof sheds at Blue Steel Stockholders Ltd. are shown to be lower at 83.49. Based on this drawing, the separation distance between the proposed and existing structures is estimated to be approx. 460m, as viewed from Kilshane Road.
- 7.5.4. However, while this drawing is useful to gauge respective building heights, having regard to Dunsoghly Castle being positioned approx. 295m north of Kilshane Road, I consider that the overall 9.3m height of the proposed abattoir would not compete in visual terms with the castle's visual prominence. This is noting also that the proposed abattoir would be approx. 265m south west of the castle, as the crow flies.
- 7.5.5. The First Planner's report refers to a Conservation and Development Study commissioned in 2011, which notes the western fields were majorly altered in the

late 20th century though building waste deposition, and have fewer limitations for development than other parts of the landholding. It states that the lower ground of the south west corner was identified as ideal for the relocation of the working farm's yards and sheds, which are within the immediate perimeter of Dunsoghly Castle.

- 7.5.6. The FI Archaeological Impact Assessment Report Addendum states the proposed abattoir will not have any impact on the landscape setting of either the castle or the motte. It outlines the castle is over 340m from the proposed development and is largely shielded from it by trees and hedgerows on the motte. Views to the west from the castle's roof will not change as the timber yard is partly visible through the trees surrounding the motte, and the proposed landscaping will assist in shielding the proposed abattoir and the existing industrial premises beyond.
- 7.5.7. In this regard I note that the referenced Conservation and Development Study is not on file, and also that the on-farm abattoir proposed in this case would be additional to the existing farm enterprise, in contrast to any relocation of the farm, sheds, etc. from the castle location.
- 7.5.8. I noted on site inspection that while the castle was visible at certain locations from Kilshane Road, it was not visible from much of this road due to mature roadside planting, and due to substantial, mature planting at the motte, which screens the castle from most views.
- 7.5.9. Having inspected the site, and having examined the plans and particulars on file including the proposed landscaping plan, I am satisfied that the proposed development would not have an adverse visual impact on the setting of Dunsoghly Castle, as viewed from Kilshane Road.
- 7.5.10. I have also viewed the site from the local road approx. 570m to the north of the site, whereby the castle and sheds to rear of Blue Steel Stockholders Ltd. are visible. The proposed abattoir is shown to be 93m from the northern site boundary. The FI Proposed Overall Site Section and Proposed Part Site Section (Drawing No. 22025-PL-09) shows some reduction in ground levels to accommodate the proposed building, and there is a slight slope at the rear of the site downwards to the (non-annotated) stream. The FI Landscape Masterplan (Drawing No. 1) shows various proposed planting along the northern site boundary to include rowan and oak. Having regard to the overall scale of the proposed abattoir, its separation distance

from the castle, its position over 90m from its northern site boundary, and the proposed landscaping along this northern boundary, I am satisfied that the proposed development would not adversely impact on the visual amenities or setting of Dunsoghly Castle as viewed from the north, and would not be in conflict with Local Objective Point 61.

- 7.5.11. In terms of detail, I consider that the general approach in the proposed landscape scheme comprising much perimeter and other planting elsewhere on the site to be acceptable. However, some stands of native trees and various shrubs are not further described in terms of proposed species. In addition, the similarity on plan of some of the identified native tree species renders them not easily distinguishable. In the event the Board was minded to grant permission for the proposed development, it is recommended that this matter could be adequately addressed by attaching a condition requiring the submission of a revised landscape scheme for the written agreement of the planning authority prior to commencement of development.
- 7.5.12. Having regard to the mature planting at the motte, and to the existing dwelling at this feature, I do not consider that the proposed development would have an adverse visual impact on the setting of this motte.
- 7.5.13. In terms of detail, the external finishes of the proposed abattoir comprise timber cladding and stone cladding on the front (south) elevation, with the remaining elevations comprising principally of metal cladding panel of dark green finish (FI Proposed Elevations; Drawing No. 22025-PL-05A refers). The FI Design Statement includes additional details relating to external finishes and colours of same, including RAL 6007, bottle green, on the roof. Development Plan Objective DMSO101 – Design of Agricultural Buildings includes a very dark green as an appropriate roof colour, and states where cladding is used on the exterior of farm buildings, dark colours (preferably dark green, red or grey) with matt finishes will normally be required. I consider that these external finishes including RAL 6007 (bottle green) would be acceptable, subject to a matt finish.
- 7.5.14. The planning authority's Condition 1 requires external finishes to be in accordance with that submitted on 28 March 2024 unless otherwise agreed prior to commencement. In the event the Board is minded to grant, I recommended that a similar condition be attached in this case.

Archaeology

- 7.5.15. There are no monuments listed in the Record of Monuments and Places (RMP) or Sites and Monuments Record (SMR) on the subject site. The Report on Test Trenching lodged with the application states the site is located within an area of archaeological potential due to its proximity to Dunsoghly Castle (DU014-005001). It outlines that the zone of archaeological potential of the motte and bailey (DU014-005003) is approx. 60m east of the site (and which is also a protected structure; RPS Ref. 865). A cluster of 3 other monuments at or in the immediate vicinity of the Castle are also outlined in the submitted report, and are also set out at Section 5.1 of this Inspector's Report.
- 7.5.16. The Report on Test Trenching outlines that the castle and its environs were subject of a Conservation and Development Study, which included 14ha around Dunsoghly Castle being subject to a geophysical survey, carried out for the OPW.
- 7.5.17. A geophysical survey was not recommended (for the proposed development) as a large quantity of fill was introduced to the site in the 1990s, visible on 1995 aerial imagery, and forms a man-made hillock. 5no. test trenches were excavated within the footprint of the proposed development, of which only Trench 1 was excavated down to grey, creamy boulder clay natural. No features of archaeological significance were exposed. It states that the imported soil is suitable for building, natural subsoils will not be impacted and no further mitigation is required.
- 7.5.18. I note that the planning authority's decision does not include any conditions relating to archaeology. The letter on file from DAU (DHLGH) outlines that there are no further archaeological recommendations in this case.
- 7.5.19. Having viewed all plans and particulars on file, and while noting the information relating to fill deposited on the site in approx. 1995, I consider that the information set out in the submitted Report on Test Trenching is acceptable and that the proposed development is acceptable in terms of archaeology.
- 7.5.20. However, notwithstanding this, having regard to the subject site's proximity to a National Monument and other Recorded Monuments in the vicinity, in the event the Board was minded to grant permission, it is recommended that the attachment of a condition requiring archaeological notification, in the event of any archaeological finds, would be appropriate in this instance.

7.5.21. Separately, with regard to concerns raised in the grounds of appeal that the abattoir significantly minimises the chances of Dunsoghly castle being opened to the public, it would appear that the existing farmyard associated with this landholding is located within the immediate environs of the castle. I consider that the approx. 265m separation distance is sufficient such that the construction and operation of the abattoir at the Kilshane Road site would not, by itself, prevent other measures being implemented at the castle.

7.6. Water Infrastructure

- 7.6.1. The grounds of appeal raise concerns regarding the impact of the proposed development on the new North Dublin water supply from Ballycoolin Reservoir to Swords.
- 7.6.2. I note the Uisce Éireann letter dated 25 May 2023 confirmed that part of the site is within the identified alternative corridor route (Northern Pipeline) for the Greater Dublin Drainage Project (GDD). UÉ has no objections to the proposed development, and notes the footprint of the proposed development falls outside the GDD alternative route corridor.
- 7.6.3. Neither this nor the subsequent UÉ letter dated 15 April 2024 raise any concerns regarding impacts of the proposed development on the separate Ballycoolin to Kingstown Trunk Water Mains project. Kingstown is located in south Swords. The UÉ website (www.water.ie) outlines that this project has been completed (accessed on 11 June 2025). As this project has been completed, I do not consider that the proposed development would result in any impacts on the provision of strategic infrastructure at this location.

7.7. Conclusion

- 7.7.1. Having inspected the site and surrounding area, and having regard to the pattern of development in the immediate vicinity, in addition to Development Plan provisions including the vision of the GB land use zoning objective and Local Objective Points on nearby lands, I consider that the proposed development would, subject to conditions, be acceptable in terms of visual impact, traffic safety and impacts on residential amenities of the area, including with regard to noise and air quality.
- 7.7.2. I note that while the proposed development would result in significant alterations to

the existing roadside boundary, a more detailed landscape scheme would adequately screen the proposed development into the surrounding landscape, in the event the Board was minded to grant. Having regard to the scale of the proposed development combined with its site configuration and landscaping, and its distance from Dunsoghly Castle and the motte and bailey, I consider that the proposed development would not adversely impact on the setting of these features of archaeological and architectural importance. Having regard to the site's location adjacent to the established commercial developments at Kilshane Cross, and to the nature of the proposed abattoir use, I consider that the proposed development would be in compliance with Objective EEO86 – Farm Diversification of the Fingal Development Plan 2023-2029, and would be acceptable at this location.

8.0 AA Screening

8.1.1. The Appropriate Assessment Screening Determination is set out at Appendix 3. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on Malahide Estuary SAC (000205) and Malahide Estuary SPA (004025) in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

8.1.2. This determination is based on:

- The nature and scale of the proposed development,
- Distance from and indirect connections to European sites,
- Standard pollution controls that would be utilised regardless of proximity to a European site and effectiveness of same, and
- Information provided in the FI Appropriate Assessment – Natura Impact Statement Screening

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

9.0 Recommendation

I recommend that permission be GRANTED for the reasons and considerations set out below.

10.0 Reasons and Considerations

Having regard to the nature and scale of the proposed development adjoining the existing built-up area at Kilshane Cross and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the development would not seriously injure the visual amenity of the area and would be acceptable in terms of public health, traffic and environmental sustainability, and would be in compliance with Objective EEO86 – Farm Diversification of the Fingal Development Plan 2023-2029. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Board performed its functions in relation to the making of its decision, in a manner consistent with Section 15(1) of the Climate Action and Low Carbon Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, (consistent with Climate Action Plan 2024 and Climate Action Plan 2025 and the national long term climate action strategy, national adaptation framework and approved sectoral adaptation plans set out in those Plans and in furtherance of the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State).

11.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 28 day of March 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing

with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) The development hereby permitted shall be used as an on-farm abattoir, whereby livestock from the associated farm landholding only shall be slaughtered. No livestock external to the subject farm landholding shall be slaughtered on the premises.
- (b) No part of the overall unit shall be sold, leased or otherwise separately used.
- (c) The maximum number of livestock to be slaughtered per week shall be 40no.

Reason: To clarify the extent of the development hereby permitted.

3. Prior to commencement of development, an odour management plan shall be submitted to and agreed in writing by the planning authority.

Reason: In the interest of orderly development.

4. Prior to commencement of development, an operational waste management plan shall be submitted to and agreed in writing by the planning authority. The plan shall include proposals for the management of any solid wastes generated in the proposed development, and shall clearly show the location of all waste storage areas.

Reason: In the interest of orderly development.

5. Prior to commencement of development, revised drawings to a suitable scale with principal dimensions annotated thereon shall be submitted to and agreed in writing by the planning authority, which shall show the following:

- (a) The existing field access to the east of the subject site shall be closed.
- (b) The detailed design and construction of the proposed access junction, pedestrian and cycle infrastructure, the internal road and separate pedestrian access from the public road to the building, including phasing programme.
- (c) Stage 1, 2 and 3 Road Safety Audits shall be carried out as part of the proposed development at relevant stages.
- (d) The new pedestrian and cycle infrastructure along Kilshane Road shall meet the Council's standards for taking in charge and the developer shall construct and maintain to the Council's standard for taking in charge all roads, including footpaths, verges, public lighting forming part of the works, until taken in charge.

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

6. The development hereby permitted shall operate only between 07:00 hours and 19:00 hours Monday to Saturday, and not at all on Sundays and bank holidays.

Reason: In the interests of clarity.

7. (a) A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

(b) The CEMP required at (a) above shall include a Construction Traffic Management Plan.

(c) In the interests of clarity, the proposed planting and augmentation of the riparian zone along the adjacent Huntstown Stream shall not include any instream works. Planting proposals and measures to protect the waterbody from impacts during construction works shall be included in the CEMP to be submitted under (a) above.

Reason: In the interest of environmental protection and residential amenities.

8. Site development and building works shall be carried out between the hours of 08:00 to 19:00 Mondays to Friday inclusive, between 08:00 to 14:00 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

9. Prior to the commencement of development the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply.

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

10. Process wastewater generated at the abattoir shall be discharged to a holding tank on the premises and shall be removed by an approved waste permit holder to a licensed waste facility.

Reason: In the interest of public health.

11. The proposed on-site wastewater treatment system including sand polishing filter shall comply with the requirements of the planning authority. Prior to commencement of development the applicant shall submit to and agree in writing with the planning authority a suitably scaled site plan, with principal dimensions stated thereon, showing the exact location of the proposed tertiary sand polishing filter.

Reason: In the interest of public health.

12. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interests of sustainable drainage.

13. The external finishes of the proposed development, including colours, shall be in accordance with submitted to the planning authority on 28 March 2024, unless otherwise agreed in writing with the planning authority prior to commencement of development. External roof and wall cladding shall have a matt finish.

Reason: In the interests of visual amenities.

14. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

(a) A plan to scale of not less than [1:500] showing –

(i) Existing trees and hedgerows, specifying which are proposed for retention as features of the site landscaping

(ii) The measures to be put in place for the protection of these landscape

features during the construction period

(iii) The species, variety, number, size and locations of all proposed trees and shrubs [which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder]

(iv) Details of screen planting [which shall not include cupressocyparis x leylandii]

(v) Details of roadside/street planting [which shall not include prunus species]

(vi) Hard landscaping works, specifying surfacing materials and finished levels.

(b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment

(c) A timescale for implementation

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

15. If, during the course of site works any archaeological material is discovered, the Planning Authority shall be notified immediately. (The applicant/developer is further advised that in this event that under the National Monuments Act, the National Monuments Service, Dept. of Housing, Heritage and Local Government and the National Museum of Ireland require notification.)

Reason: In the interest of preserving or preserving by record archaeological material likely to be damaged or destroyed in the course of development.

16. 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.

Cáit Ryan
Senior Planning Inspector

02 July 2025

Appendix 1 - Form 1

EIA Pre-Screening

An Bord Pleanála	ABP-319636-24		
Case Reference			
Proposed Development Summary	Construction of a single storey, on-farm abattoir (c. 916sqm), c. 61sqm ancillary office, c. 132sqm enclosed yard (lairage-including pens), provision of c. 22 no. car parking spaces, 2 no. motorcycle spaces and 16 no. bicycle parking spaces, on-site Wastewater Treatment Plant (WWTP), process waste holding tank and surface water drainage, a revised site entrance off Kilshane Road (L3120) and new access road, landscaping and all associated site development works on a site of c. 3.77 hectares.		
Development Address	Dunsoghly, St. Margaret's, Co. Dublin		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	✓
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	✓	Schedule 5, Part 2 of the Planning and Development Regulations 2001 (as amended) states the following with regard to (7) Food Industry: (f) Installations for the slaughter of animals, where the daily capacity would exceed 1,500 units and where units have the following equivalents:- 1 sheep = 1 unit 1 pig = 2 units 1 head of cattle = 5 units <u>Comment:</u> The proposed number of animals to be slaughtered per week is 40 cattle. This would equate to 200 units <u>per week</u> , which is substantially below the <u>daily</u> capacity of 1,500 units.	Proceed to Q3.
No			

3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			EIA Mandatory EIAR required
No	✓	The proposed development, at approx. 200 units per week does not equal or exceed the relevant threshold.	Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	✓	The proposed development, at approx. 200 units <u>per week</u> does not equal or exceed the relevant threshold, which is a <u>daily</u> capacity (for cattle) of 1,500 units.	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No		Pre-screening determination conclusion remains as above (Q1 to Q4)
Yes	✓	Screening Determination required

Inspector: _____ Date: _____

Appendix 2 - Form 3 - EIA Screening Determination

A. CASE DETAILS		
An Bord Pleanála Case Reference	ABP-319636-24	
Development Summary	Construction of a single storey, on-farm abattoir (c. 916sqm), c. 61sqm ancillary office, c. 132sqm enclosed yard (lairage- including pens), provision of c. 22 no. car parking spaces, 2 no. motorcycle spaces and 16 no. bicycle parking spaces, on-site Wastewater Treatment Plant (WWTP), process waste holding tank and surface water drainage, a revised site entrance off Kilshane Road (L3120) and new access road, landscaping and all associated site development works on a site of c. 3.77 hectares.	
	Yes / No / N/A	Comment (if relevant)
1. Was a Screening Determination carried out by the PA?	N	The Second Planner's Report outlines the content of EIA Screening Report (FI Item 9) prescribed by Schedule 7A relating to characteristics of the proposed development and location of the proposed development, and concurs with the findings of the submitted EIA Screening Report that a sub-threshold EIAR is not required.
2. Has Schedule 7A information been submitted?	Y	Schedule 7A information submitted in response to FI Item 9.
3. Has an AA screening report or NIS been submitted?	Y	AA Screening report submitted.

4. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	N	The submitted planning application form indicates that neither an IPC (Integrated Pollution Control) licence nor waste permit are required for the proposed development.	
5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA	Y	Other assessments carried out include: <ul style="list-style-type: none"> • Appropriate Assessment (Habitats Directive) Screening Report • SEA was undertaken by Fingal County Council in respect of the Fingal Development Plan 2023-2029 	
B. EXAMINATION	Yes/ No/ Uncertain	Briefly describe the nature and extent and Mitigation Measures (where relevant) (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) Mitigation measures –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.	Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain
This screening examination should be read with, and in light of, the rest of the Inspector's Report attached herewith			
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)			
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	No	The submitted EIA Screening report states with regard to construction impacts, that the project is minor and surrounded by agricultural land. At operational phase it outlines that as the site is a minor on-farm abattoir with limited killings, it will have little or no operational impacts.	No

		<p><u>Comment</u></p> <p>The site is located in the St. Margaret's area of north County Dublin, approx. 100m east of Kilshane Cross and 400m east of the N2. It is a greenfield site located on Kilshane Road, and was in use for cattle grazing at time of site inspection. Lands to the north and east are in agricultural use. There are commercial uses (steel distributors and building suppliers) directly to the west and there is a substantial logistics park (Quantum Logistics Park) on the opposite (southern) side of Kilshane Road. There is an established residential area (albeit zoned Greenbelt) approx. 440m to the east.</p> <p>The site is roughly rectangular in shape and comprises approx. 3.77ha.</p> <p>While the site and adjoining lands are in agricultural use, other sites elsewhere in the immediate and wider vicinity contain commercial developments, some of substantial scale.</p>	
<p>1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?</p>	<p>Yes</p>	<p><u>Comment:</u></p> <p>It is a greenfield site. No demolition is proposed.</p> <p>The site comprises a field on which cattle were grazing at time of inspection.</p> <p>The site rises gradually towards the rear, and then slopes down towards the northern site boundary. It is outlined (at Section 10.0 of the Planning Statement) that imported soil was introduced to the site approx. 1995 and forms a manmade hillock.</p> <p>Given that site is currently a greenfield site, the proposed development would cause physical changes to the subject site. The proposed</p>	<p>No</p>

		development would result in some changes in topography, namely reduced ground levels, to nestle the abattoir building into the landscape. However, due to proposed reduced ground levels and new landscaping to screen the site, I do not consider that this would be likely to result in significant effects on the environment.	
1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	Yes	<p>The submitted EIA Screening report states the project will not use any natural resources, and there are no resource requirements that will impact upon any designated site at construction stage. It outlines that no out of the ordinary use of natural resources is likely during operation phase.</p> <p>It is stated (at Section 2.1) that the abattoir is solely for the farm on which it is situated, and thus will have a limited throughput of cattle.</p> <p><u>Comment:</u></p> <p>I note the standard construction methods, materials and equipment will be used for the construction of the project.</p> <p>At operational stage, water supply will be by public watermain. The use of natural resources (land, soil and water) as a result of the development are not regarded as significant in nature.</p>	No
1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	Yes	The submitted EIA Screening report states there is potential during construction for excessive dust to contaminate the air and for the nearby stream to be contaminated by surface water run-off. Construction will use the best available techniques to minimise the	No

		<p>potential for impact.</p> <p>It outlines that there will be no risks to human health in the operation of this facility.</p> <p><u>Comment:</u></p> <p>Construction activities will require the use of potentially harmful materials, such as fuels and other such substances, and use of same would be typical for construction sites.</p> <p>The FI Air Quality Management Plan states there are medium sensitivity receptors within 100m on the western boundary of the site, the prevailing wind is from the south east, and dependent on the risk level, mitigation measures will form part of a detailed CEMP (Construction and Environmental Management Plan).</p> <p>I note that the nearest established residential area to the east is approx. 440m from the site (Newtown Cottages area), save for the applicant's family home, which is approx. 130m to east. The nearest residential dwelling to the west is approx. 100m distant, at Kilshane Cross.</p> <p>Having regard in particular to the separation distances to the nearest dwelling houses, I am satisfied that any construction impacts would be local and temporary in nature and implementation of standard measures typically outlined in a (CEMP) would satisfactorily mitigate any potential impacts.</p> <p>At operation phase, with regard to odour</p>	
--	--	---	--

		management, I note that no odour management plan nor operational waste management plan have been submitted. I am satisfied that potential impacts arising from odours during operation of the facility would be addressed by good management and adherence to an odour management plan and operational waste management plan, to be submitted and agreed prior to commencement.	
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	Yes	<p>The submitted EIA Screening report states waste produced during the construction phase will be transported to a suitable waste facility, and no negative impacts are likely.</p> <p>Operational wastewater generated is directed to a holding tank until disposed of by a licensed waste contractor. All solid waste will be collected by a licenced waste collector for animal by-products. No significant effects are likely.</p> <p><u>Comment:</u></p> <p>I note that soil was previously deposited on part of the site in the mid-1990s. The FI proposed landscape masterplan (Drawing No. 1) shows 4no. areas where earth mounds would be created using displaced soil from the on-site development, which would indicate re-use of soil on site.</p> <p>Having regard to standard construction methods, I do not consider that solid waste or a release of pollutants/substances are anticipated at construction phase. Any potential impacts from dust emissions would be temporary and localised.</p>	No

		At operational phase, the proposed development would produce waste in the form of Category 1 and Category 3 animal by-products. However, this 'waste' or by-products will be collected twice per week by an authorised contractor to an approved site, in line with relevant legislation and EPA licence requirements. The waste would be collected by a contractor, whose premises is Department of Agriculture approved site R911, and under IPC licence no. P0037-03.	
1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	Yes	<p>The submitted EIA Screening report states there is potential to cause nuisance related to noise, dust and vibration impacts. At operational phase, there will be no pollution emissions. Clean surface water from the roof area will be directed to groundwater. All waste will be disposed of by a licensed waste contractor. No significant negative impacts are likely.</p> <p><u>Comment:</u></p> <p>With regard to construction phase, implementation of standard measures typically listed in a CEMP will satisfactorily mitigate emissions from spillages. Contamination risk to ground or waterbodies is mitigated and managed, and I do not consider that this aspect of the project likely to result in a significant effect on the environment.</p> <p>At operation phase, wastewater for the staff and slaughterhouse are to be kept separate. The FI response proposes that the post-slaughter washdown is to be tankered to an approved facility. The FI proposed site plan (Drawing No. 22025-PL-03A)</p>	No

		<p>annotates proposed 20,000L underground process waste holding tank to east of the abattoir building.</p> <p>I note that Uisce Éireann (in letter dated 28 March 2024) states no objection, subject to standard conditions.</p> <p>The wastewater for the staff area is an on-site wastewater treatment system. The Site Characterisation Report proposes the installation of a tertiary treatment system with a sand infiltration area, due to the slow drainage rate for soils on the site.</p> <p>Having regard to the separate staff and slaughterhouse wastewater infrastructure proposed, I do not consider that this aspect of the project likely to result in a significant effect on the environment at operation phase.</p>	
<p>1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</p>	<p>Yes</p>	<p>The submitted EIA Screening report states there is potential to cause nuisance related to vibration impacts. Construction will be subject to normal working hours conditions. It outlines that there will be no pollution at operational phase.</p> <p><u>Comment:</u></p> <p>There is potential for construction activity to give rise to noise and vibration emissions. Such emissions would be localised and temporary, and their impacts would be mitigated by the operation of standard conditions in a CEMP.</p>	<p>No</p>

		<p>At operation phase, the project would give rise to some noise emissions. However, the abattoir process would largely take place within an internal facility, save for the lairage at the northern end of the west elevation and the service yard to the north of the building.</p> <p>The FI Noise Environmental Impact Assessment outlines that noise generated from within the building during operational phase will be attenuated by the building's façades. External noise sources such as refrigerators and pumps for the wastewater treatment plan have LAeq noise levels at 10m of 44dBA and 68dBA respectively. Refrigerated trucks will transport product to and from the facility, and given the heavy traffic on Kilshane Road, this will not add significantly to traffic noise already present.</p>	
<p>1.8 Will there be any risks to human health, for example due to water contamination or air pollution?</p>	<p>Yes</p>	<p>The submitted EIA Screening report states there is potential during construction for excessive dust to contaminate the air, and for the nearby stream to be contaminated by surface water runoff. It outlines that there will be no risks to human health in the operation of this facility.</p> <p><u>Comment:</u></p> <p>I note that the FI Air Quality Management Plan outlines the site is classed as low risk during construction and low risk for dust emissions during other phases, and the sensitivity of the area for human health is low overall. It outlines that management will avoid dust becoming airborne at</p>	<p>No</p>

		<p>source, through good design and effective control strategies, including responding to adverse weather conditions.</p> <p>I consider that the construction phase is likely to give rise to dust emissions. Such impacts would be localised and temporary in nature and the application of standard measures within a CEMP, would adequately address potential risk on human health</p> <p>The matter of an odour management plan at operational phase is outlined at Item 1.4 above.</p> <p>The matter of water contamination risk is mitigated and managed, as outlined in Item 1.6 above.</p>	
<p>1.9 Will there be any risk of major accidents that could affect human health or the environment?</p>	<p>Yes</p>	<p>With regard to the risk of major accidents/disasters, the submitted EIA Screening report states no significant negative effects are likely at construction or operation phase.</p> <p><u>Comment:</u></p> <p>Development Plan mapping shows the nearest Seveso site is Huntstown Power Station approx. 1km to the south. This is listed as Gensys Power Ltd., Huntstown Power Station. It is a Lower Tier establishment with a 300m consultation distance (Table 14.27 refers).</p> <p>No significant risk is predicted having regard to the nature, scale and location of the project.</p>	<p>No</p>

<p>1.10 Will the project affect the social environment (population, employment)</p>	<p>Yes</p>	<p>The submitted EIA Screening report does not comment on this.</p> <p><u>Comment:</u></p> <p>The proposed development will result in a temporary localised increase in population and increase in employment during construction. There would be a very minimal increase in employment at operational phase.</p>	<p>No</p>
<p>1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?</p>	<p>Yes</p>	<p>The submitted EIA Screening report states, with regard to construction impacts, that the project is in a rural area with not much development nearby.</p> <p>At operational phase, no significant impacts are likely. It outlines the proposed development is limited to clean surface water runoff from the roof being discharged into groundwater, treated effluent from the wastewater treatment plant being discharged to ground, and process water being contained in a holding tank before being tankered off site.</p> <p><u>Comment:</u></p> <p>I note that no existing or permitted developments in the vicinity of the site are outlined in the submitted EIA Screening report.</p> <p>The recent planning history in the vicinity of the site is set out at Section 4.0 of the main report. The two most relevant recently permitted developments are:</p> <ul style="list-style-type: none"> • P.A.Ref. FW24A/0339E and ABP-321196-24: Permission granted in 2025 to demolish two houses and develop a 1,270 storage container 	<p>No</p>

		<p>depot at Kilshane, approx. 0.5km west of the subject site.</p> <ul style="list-style-type: none"> P.A.Ref. FW22A/0204 and ABP-317480-23: Permission granted in 2024 for gas turbine power generation station with output of up to 293 megawatts at Kilshane Road (EIAR submitted and EPA licence required), approx. 0.6km west of the subject site. <p>Having regard to the location these substantial permitted developments west of the N2, and also the recently developed Quantum Logistics Park on the opposite side of Kilshane Road, I do not consider that the project is part of a wider large scale change that could result in cumulative effects on the environment.</p>	
2. Location of proposed development			
<p>2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following:</p> <ul style="list-style-type: none"> - European site (SAC/ SPA/ pSAC/ pSPA) - NHA/ pNHA - Designated Nature Reserve - Designated refuge for flora or fauna - Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan 	Yes	<p>The submitted EIA Screening report states there are no natural environments impacted by the development during construction, the area is one of low ecological importance, the riparian zone will be augmented with native wild flora mix and native trees, and no significant negative impacts are likely.</p> <p>It outlines (at Section 2.2) that no protected species observed within the two bordering 1km squares (O1142 and O1143) of the proposed development, as examined on the National Biodiversity Data Centre website.</p> <p><u>Comment</u></p> <p>The site is not located in or adjoining any European site, any designated or proposed NHA, or any other</p>	No

		<p>listed area of ecological interest or protection. The nearest European sites are Malahide Estuary SAC (000205) and Malahide Estuary SPA (004025), both approx. 9km to north east.</p> <p>There are a number of European sites in excess of 10km from the subject appeal site, primarily along the coast, in the Irish Sea and coastal islands.</p> <p>The location of Malahide Estuary pNHA (000205) approximates to Malahide Estuary SAC, and is similarly approx. 9km to north east.</p> <p>An FI Appropriate Assessment – Natura Impact Statement Screening takes account of the revised FI wastewater treatment proposals. The FI AA Screening report outlines that characteristics of existing, proposed or other approved plans or projects, which may result in in-combination effects with the proposed development and have likely significant effects on European sites were assessed. As there are no emissions that can have any impact on a European sites, there is no significant potential for in-combination effects.</p> <p>It concludes that it is not likely that there would be any significant impacts either directly or indirectly on the identified Natura sites with respect to the activities carried out on site.</p> <p>I have carried out separate AA Screening (Appendix 3) and conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant</p>	
--	--	--	--

		<p>effects on Malahide Estuary SAC (000205) and Malahide Estuary SPA (004025) in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.</p> <p>The site is not located within a designated nature reserve, nor is it a designated refuge for flora or fauna. It is not located within or has the potential to impact on any site/feature of ecological interest.</p>	
<p>2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?</p>	No	<p>As per Item 2.1 above, the submitted screening report states the development is located in an area of low ecological importance.</p> <p><u>Comment:</u> The site is not under any wildlife or conservation designation.</p>	No
<p>2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?</p>	Yes	<p>The submitted EIA Screening report does not comment on features of historic or archaeological importance.</p> <p><u>Comment:</u> There are no monuments listed in the Record of Monuments and Places (RMP) or Sites and Monuments Record (SMR) on the subject site. The submitted Report on Test Trenching states the site is</p> <ul style="list-style-type: none"> • within an area of archaeological potential due to proximity to Dunsoghly Castle (DU014-005001), also a protected structure RPS Ref. 623. 	No

		<ul style="list-style-type: none"> within the zone of archaeological potential of the motte and bailey (DU014-005003), also protected structure RPS Ref. 865. <p>Dunsoghly Castle and the Motte and Bailey are approx. 264m north east and approx. 130m east of the subject site respectively.</p> <p>The DAU (DHLGH) letter received on this file states there are no further archaeological recommendations in this case.</p>	
2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	No	<p>The submitted EIA Screening report states the site is small and not sensitive in terms of natural resources. No significant impacts at construction or operational phase.</p> <p><u>Comment:</u> Save for the existing agricultural use of site, there are no such resources on or close to the site.</p>	No
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	Yes	<p>The submitted EIA Screening report states that construction is a significant distance from the riparian zone to the west, and at operational phase this zone will be augmented with native wild flora mix and native trees. No significant negative impacts are likely.</p> <p><u>Comment:</u> There is an existing stream (Huntstown Stream) flowing in a south-north direction along the western boundary of the site, and which turns at a 90° angle,</p>	No

		<p>continuing in a west-east direction along the northern site boundary.</p> <p>Operation of standard measures typically listed in a CEMP will satisfactorily mitigate emissions from spillages.</p> <p>At operational phase, a number of SuDS measures are proposed. Wastewater from the staff area is treated in the tertiary wastewater treatment plant, as further detailed in Section 1.6 above.</p> <p>It is not anticipated that there will be adverse effects on any water resources in the vicinity of the proposed development.</p> <p>The site is within Flood Zone C.</p>	
2.6 Is the location susceptible to subsidence, landslides or erosion?	No	<p>The submitted EIA Screening report does not comment on this.</p> <p><u>Comment:</u></p> <p>The site is located on lands in agricultural use, currently used for grazing.</p> <p>While it is outlined (at Section 10.0 of the Planning Statement) that imported soil was introduced to the site in approx. 1995 and forms a manmade hillock, the submitted EIA Screening statement does not comment on this.</p> <p>There is no evidence identified of these risks.</p>	No
2.7 Are there any key transport routes (e.g. National primary Roads) on or around the location which are susceptible to congestion or	Yes	The submitted EIA Screening report does not comment on this.	No

which cause environmental problems, which could be affected by the project?		<p><u>Comment:</u></p> <p>The site would be accessed from the L-3125 (Kilshane Road). This local road connects to the N2 approx. 1km to the south via R135 (North Road), and connects to the M2 (also via R135) approx. 2.3km to the north.</p> <p>The Traffic Report lodged with the application states traffic will be generated by livestock transport trucks arriving and leaving the site, staff and suppliers. 1no. HGV per day is expected, either collecting processed cattle or the removal of Category 1 and Category 3 by-products.</p>	
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	Yes	<p>The submitted EIA Screening report states (at Section 2.2) that the site is located in a rural area, surrounded by agricultural areas and with Blue Steel Stockholders to the west.</p> <p><u>Comment:</u></p> <p>The nearest sensitive land uses appear to be 3no. dwelling houses at the north west, south west and south east arms of the R135/L1325 junction, approx. 100m east of the subject site. These established properties adjoin heavily trafficked routes.</p> <p>The site is located in an area removed from any community facilities.</p>	No
3. Any other factors that should be considered which could lead to environmental impacts			
3.1 Cumulative Effects: Could this project together with existing and/or approved development result in	Yes	The submitted EIA Screening report states there are no significant impacts at construction stage as the development is small in scale and scope. It outlines	No

cumulative effects during the construction/ operation phase?		<p>that 'the operational phase is contained it will have cumulative effect on the environment'.</p> <p><u>Comment:</u></p> <p>While the submitted EIA Screening report refers to a cumulative effect at operational phase, no such effects are set out, and this reference would appear to be in error.</p> <p>The recent planning history in the vicinity of the site is outlined at Section 1.11 above.</p> <p>Having regard to the location of 2no. substantial permitted developments (P.A. Ref. FW24A/0339E (ABP-321196-24) and P.A. Ref. FW22A/0204 (ABP-317480-23) to the west of the N2, I do not consider that proposed development could result in cumulative effects on the environment.</p>	
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No	There are no transboundary effects associated with the proposed development.	No
3.3 Are there any other relevant considerations?	No	N/A	No
C. CONCLUSION			
No real likelihood of significant effects on the environment.	<input checked="" type="checkbox"/>	EIAR Not Required	
Real likelihood of significant effects on the environment.	<input type="checkbox"/>	EIAR Required	

D. MAIN REASONS AND CONSIDERATIONS

I have had regard in this EIA Screening determination to the EIA Screening Report submitted as Further Information (FI). While I consider that some elements of the submitted report are limited, I have taken account of plans and particulars on file in the assessment of the EIA screening, including the Planning Statement, Traffic Report and Report on Test Trenching lodged with the application, and the revised AA Screening, Noise Environmental Impact Assessment and Air Quality Management Plan submitted as FI.

Having regard to: -

1. the criteria set out in Schedule 7, in particular
 - (a) the nature and scale of the proposed development, on lands currently in agricultural use, adjoining established commercial uses to the west and south, in an area served by public infrastructure
 - (b) the absence of any significant environmental sensitivity in the vicinity, and the location of the proposed development outside the area of archaeological potential
 - (c) the location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended)
2. the results of other relevant assessments of the effects on the environment submitted by the applicant
 - the FI Appropriate Assessment – Natura Impact Statement Screening, and the local authority's findings that the project is not likely to have a significant effect on the QIs of any European sites in light of their Conservation Objectives, either alone or in combination with any other plans or projects, having considered the scale of the works, the distance and weak hydrological links to any designated sites. Appropriate Assessment is not required.
 - the Appropriate Assessment (Natura Impact Report) of the Fingal Development Plan 2023-2029; and
 - the EIA Screening Report, and the findings of the local authority that a sub-threshold EIAR is not required

3. the features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment as outlined in the EIA Screening report

The Board concluded that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is not required.

Inspector _____

Date _____

Approved (DP/ADP) _____

Date _____

Appendix 3: Screening for Appropriate Assessment

Screening for Appropriate Assessment Test for likely significant effects

Step 1: Description of the project and local site characteristics

<p>Brief description of project</p>	<p>Construction of a single storey, on-farm abattoir (c. 916sqm), c. 61sqm ancillary office, c. 132sqm enclosed yard (lairage-including pens), provision of c. 22 no. car parking spaces, 2 no. motorcycle spaces and 16 no. bicycle parking spaces, on-site Wastewater Treatment Plant (WWTP), process waste holding tank and surface water drainage.</p> <p>A revised site entrance off Kilshane Road (L3120*) and new access road, landscaping and associated site development works on a c. 3.77ha site are proposed.</p> <p>*The reference to L3120 would appear to be in error. This road is indicated as L3125 at Kilshane Cross.</p>
<p>Brief description of development site characteristics and potential impact mechanisms</p>	<p>The subject site is located in the St. Margaret's area of north County Dublin, approx. 100m east of Kilshane Cross and 400m east of the N2. It is a greenfield site located on L3125 (Kilshane Road), and was in use for cattle grazing at time of site inspection. Lands to the north and east are in agricultural use. There are commercial uses to the west and there is a substantial logistics park on the opposite (southern) side of Kilshane Road.</p> <p>The site is roughly rectangular in shape and comprises approx. 3.77ha. The site rises gradually towards the rear, and then slopes down towards the northern site boundary. It is outlined (at Section 10.0 of the Planning Statement) that imported soil was introduced to the site approx. 1995 and forms a manmade hillock.</p> <p>The Huntstown stream flows along the western site boundary in a northerly direction, then takes a 90° turn to flow in a west-east direction along the site's northern boundary.</p> <p>This stream is annotated to be 102m west of the proposed abattoir building. The proposed soakaways and proposed tertiary sand polishing filter are approx. 27m and 25m respectively east of the stream.</p> <p>Newtown Cottages and nearby ribbon development are approx. 440m east of the subject site, and are accessed via the R122/R108 roundabout.</p>

	<p>The Site Characterisation Report submitted with the application states the soil type is surface water Gleys, Ground water Gleys Derived from mainly calcareous parent materials. The report notes that the watercourse to west has 2cm of water on day of assessment. It outlines</p> <ul style="list-style-type: none"> - the trial hole encountered no bedrock or water during excavation. The soils are majority clay, with a silt/clay top horizon. - Abundant cobble and travel throughout the trial hole should assist good drainage - Soils were compact and stiff throughout the trial hole <p>Water: Water supply is by means of new connection to public watermain.</p> <p>Surface Water: The surface water from the public roof and surrounding hardstanding areas are proposed to drain to an underground soakaway. Three additional SuDS features proposed (in FI response) are swale systems, permeable surfacing and tree pits. A swale with 150mmØ perforated pipe is proposed contiguous to the hardsurfaced area within the general curtilage of the proposed abattoir building (FI Combined Landscape Plan; Drawing No. 04 refers).</p> <p>Wastewater: The applicant proposes that wastewater for the staff and slaughterhouse be kept separate, and the post-slaughter washdown be tankered to an approved facility. The FI proposed site plan (Drawing No. 22025-PL-03A) annotates proposed 20,000L underground process waste holding tank to east of proposed abattoir building.</p> <p>The wastewater for the staff area is an on-site wastewater treatment system. The Site Characterisation Report outlines that due to the slow drainage rate for soils on the site, the installation of a tertiary treatment system with a sand infiltration area is proposed.</p> <p>The subject appeal site is not located within or adjacent to any European site. The nearest European sites are (approx.)</p> <ul style="list-style-type: none"> • Malahide Estuary SAC (000205): 9km to north east. • Malahide Estuary SPA (004025): 9km to north east. <p>The FI AA Screening states the Huntstown (stream) is hydrogeologically connected to these two designated sites, which are c.12.2km downstream.</p>
Screening report	An Appropriate Assessment – Natura Impact Statement Screening report was lodged with the application. A revised screening report was submitted as Further Information.

	<p>This assessment takes account of the FI AA Screening report.</p> <p>The planning authority screened out the need for Appropriate Assessment.</p>
Natura Impact Statement	N
Relevant submissions	<p>Department of Housing, Local Government and Heritage - Development Applications Unit (DAU): A letter dated 7 June 2023 was received from the DAU. The submission relates to archaeology only (stating no further archaeological recommendations).</p> <p>No matters relating to appropriate assessment are raised in the submission.</p> <p>Uisce Éireann/Irish Water:</p> <p>In a letter dated 25 May 2023, UÉ outlines no objections to the proposed development. Part of the proposed development is within the identified alternative corridor route (Northern Pipeline) for the Greater Dublin Drainage Project (GDD), and the footprint of the proposed development is outside the alternative route corridor.</p> <p>In a letter dated 15 April 2024, UÉ states no objection, and requests standard conditions.</p>
<p>Note: The applicant's screening report refers to Broadmeadows/Swords Estuary SPA.</p> <p>I note that Malahide Estuary is also known as Broadmeadow or Swords Estuary (Malahide Estuary SPA (Site Code 4025) Conservation Objectives Supporting Document; Version 1, NPWS, August 2013 refers; www.npws.ie).</p> <p>For the purposes of this AA screening assessment, I refer to this European site as Malahide Estuary SPA.</p>	
<p>Step 2. Identification of relevant European sites using the Source-pathway-receptor model</p> <p>The site is not located within or adjacent to any European sites.</p> <p>The applicant's AA Screening report lists 11no. European sites, all of which are greater than 8km from the subject site. It outlines that all except Malahide Estuary SAC and Malahide Estuary SPA have no hydrological/geographical pathways/connections and are therefore beyond the zone of influence.</p> <p>The planning authority considers these two sites, Malahide Estuary SAC and Malahide Estuary SPA, only in their screening.</p> <p>I have viewed all other 9no. European sites listed in the applicant's AA screening report, and consider that these sites can be excluded on the basis of distance and lack of any hydrological or other pathways.</p>	

European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
Malahide Estuary SAC (000205)	ConservationObjectives.rdl	9km to north east	A stream flows along the western and northern boundaries of the subject appeal site. This stream is WARD_030 (IE_EA_08W010300) on www.catchments.ie , and its EPA name is Huntstown Stream. It flows into River Ward west of Swords, which in turn discharges in the Broadmeadow River (BROADMEADOW_040). Broadmeadow River flows in Malahide Estuary SAC east of L2141 (Lissenhall).	Y
Malahide Estuary SPA (004025)	ConservationObjectives.rdl	9km to north east	As per details above, the stream to west and north of the site discharges to River Ward, which discharges to Broadmeadow River. This river flows into the Malahide Estuary SPA at a point just west of the M1 motorway.	Y

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Site 1: Malahide Estuary SAC (000205) 1140 Mudflats and sandflats not covered	Direct: None Indirect: Localised, temporary, low magnitude impacts from noise, dust and construction related emissions to surface water during construction.	The Huntstown Stream is annotated as 102m from the abattoir building. During construction works of the proposed abattoir, possible impact mechanisms of a temporary nature include

<p>by seawater at low tide</p> <p>1310 Salicornia and other annuals colonising mud and sand</p> <p>1320 Spartina swards (Spartinion maritimae)</p> <p>1330 Atlantic salt meadows (Glaucopuccinellietalia maritimae)</p> <p>1410 Mediterranean salt meadows (Juncetalia maritimi)</p> <p>2120 Shifting dunes along the shoreline with Ammophila arenaria (white dunes)</p> <p>2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)*</p>		<p>generation of noise, dust, and construction related emissions to surface water. The nature and scale of the proposed development, the contained nature of the site and distance from receiving features, along with the use of standard best practice construction techniques make it unlikely that the proposed development could generate impacts of a magnitude that could affect European Sites. The separation distance to the water course to the west comprises a considerable buffer area to ensure that water quality will not be impacted upon during construction.</p> <p>In addition, the Council's FI Ecologist's report notes there is a hydrological distance of over 12km between the (subject) site and designated sites.</p> <p>At operational stage, there is limited potential for significant effects as SuDS measures (including swale, permeable paving and tree pits) are proposed, and proposed soakaways would be located approx. 27m east of Huntstown Stream.</p> <p>A wastewater treatment plant with tertiary sand polishing filter, located 25m east of the stream would service wastewater generated in staff areas. Separately, wastewater generated by the abattoir will be discharged into a 20,000L holding tank and will be removed by an approved waste permit holder. For clarity, I note that the carrying out of landspreading does not form part of the proposed development.</p>
--	--	--

	<p>The FI AA Screening report states (at Section 3.3.3) that the large potential for impact on the European sites is from vehicle exhausts, but this impact is minimal due to distance to designated sites and the low quantity of vehicles.</p>	<p>The Council's FI Ecologist's report states that significant effects to the QIs of either Malahide Estuary SAC or Malahide Estuary SPA are considered unlikely from foul water, surface water or waste arising during operation.</p> <p>I have noted that the applicant's FI AA Screening report's reference to potential effects from vehicle exhausts. Having regard to the slightly reduced number of car parking spaces proposed in the FI response, and the approx. 22 trips generated per day by the proposed development, on a site accessed from the heavily trafficked Kilshane Road, and the distance to the European sites, I do not consider that vehicle exhaust emissions from the proposed development would give rise to likely significant impacts on European sites.</p> <p>Having regard to the nature and scale of the proposed development, and the hydrological distance of the Huntstown Stream to west and north of the subject site to the European site, I consider that there are no likely significant impacts on the European site at operational phase.</p>
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
<p>Note: I have noted in this assessment that the conservation objective for the following 3no. QIs is to <u>restore</u> the favorable conservation status:</p> <p>1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)</p> <p>2120 Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes)</p> <p>2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)</p>		

However, while noting the conservation objective is to restore the favourable conservation status of these QIs, having regard to the nature and scale of the proposed development and the distance to the nearest European sites, I consider, as outlined above, that there are no likely significant impacts on this European site at construction or operational phase as a result of the proposed development.

	Impacts	Effects
Site 2: Malahide Estuary SPA (004025) A005 Great Crested Grebe <i>Podiceps cristatus</i> A046 Brent Goose <i>Branta bernicla hrota</i> A048 Shelduck <i>Tadorna tadorna</i> A054 Pintail <i>Anas acuta</i> A067 Goldeneye <i>Bucephala clangula</i> A069 Red-breasted Merganser <i>Mergus serrator</i> A130 Oystercatcher <i>Haematopus ostralegus</i> A140 Golden Plover <i>Pluvialis apricaria</i> A141 Grey Plover <i>Pluvialis squatarola</i> A143 Knot <i>Calidris canutus</i> A149 Dunlin <i>Calidris alpina alpina</i> A156 Black-tailed Godwit <i>Limosa limosa</i>	As above.	As above. In addition, I note the Council's FI Ecologist's report states that most nuisance dust can be expected to be deposited within 250m of where it is generated, and noise or visual related impacts are unlikely to effect birds outside of 300m from a construction site. It outlines that this site and nearby sites are not known to be utilised as ex-situ feeding grounds for QIs of any designated sites. Having regard to the nature and scale of the proposed development, and the hydrological distance of the Huntstown Stream to west and north of the subject site to the European site, I consider that there are no likely significant impacts on the European site at construction or operational phases.

A157 Bar-tailed Godwit Limosa lapponica		
A162 Redshank Tringa totanus		
A999 Wetlands		
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
Step 4 Conclude if the proposed development could result in likely significant effects on a European site		
I conclude that the proposed development (alone) would not result in likely significant effects on Malahide Estuary SAC (000205) and Malahide Estuary SPA (004025). The proposed development would have no likely significant effect in combination with other plans and projects on any European sites. No further assessment is required for the project]. No mitigation measures are required to come to these conclusions.		

Screening Determination

Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on Malahide Estuary SAC (000205) and Malahide Estuary SPA (004025) in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The nature and scale of the proposed development,
- Distance from and indirect connections to European sites,
- Standard pollution controls that would be utilised regardless of proximity to a European site and effectiveness of same, and
- Information provided in the FI Appropriate Assessment – Natura Impact Statement Screening

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

WFD IMPACT ASSESSMENT STAGE 1: SCREENING

Step 1: Nature of the Project, the Site and Locality

An Bord Pleanála ref. no.	ABP-319636-24	Townland, address	Dunsoghly, St. Margaret's, Co. Dublin
Description of project	Construction of a single storey, on-farm abattoir (c. 916sqm), c. 61sqm ancillary office, c. 132sqm enclosed yard (lairage- including pens), provision of c. 22 no. car parking spaces, 2 no. motorcycle spaces and 16 no. bicycle parking spaces, on-site Wastewater Treatment Plant (WWTP), process waste holding tank and surface water drainage, a revised site entrance off Kilshane Road (L3120) and new access road, landscaping and all associated site development works on a site of c. 3.77 hectares.		
Brief site description, relevant to WFD Screening,	<p>The subject site is located in the St. Margaret's area of north County Dublin, approx. 100m east of Kilshane Cross and 400m east of the N2. It is a greenfield site located on L3125 (Kilshane Road), and was in use for cattle grazing at time of site inspection. Lands to the north and east are in agricultural use. There are commercial uses to the west and there is a substantial logistics park on the opposite (southern) side of Kilshane Road.</p> <p>The site is roughly rectangular in shape and comprises approx. 3.77ha. The site rises gradually towards the rear, and then slopes down towards the northern site boundary. It is outlined (at Section 10.0 of the Planning Statement) that imported soil was introduced to the site approx. 1995 and forms a manmade hillock.</p> <p>The Huntstown stream flows along the western site boundary in a northerly direction, then takes a 90° turn to flow in a west-east direction along the site's northern boundary. Newtown Cottages and nearby ribbon development are approx. 440m east of the subject site, and are accessed via the R122/R108 roundabout.</p> <p>The Site Characterisation Report submitted with the application states the soil type is</p>		

	<p>surface water Gleys, Ground water Gleys Derived from mainly calcareous parent materials. The report notes that the watercourse to west has 2cm of water on day of assessment. It outlines</p> <ul style="list-style-type: none"> - the trial hole encountered no bedrock or water during excavation. The soils are majority clay, with a silt/clay top horizon. - Abundant cobble and travel throughout the trial hole should assist good drainage - Soils were compact and stiff throughout the trial hole
Proposed surface water details	<p>The surface water from the public roof and surrounding hardstanding areas drain to an underground soakaway. Three additional SuDS features proposed (in FI response) are swale systems, permeable surfacing and tree pits. A swale with 150mmØ perforated pipe is proposed contiguous to the hardsurfaced area within the general curtilage of the proposed abattoir building (FI Combined Landscape Plan; Drawing No. 04 refers).</p>
Proposed water supply source & available capacity	<p>New connection to watermain. Uisce Éireann letters dated 25 May 2023 and 28 March 2024 state no objections. Uisce Éireann letter dated 8 March 2024, submitted with FI response, states water connection is feasible subject to upgrades. It outlines the network will have to be extended by approx. 100m from the existing 4" main to the development site, and the developer will be required to fund the extension.</p>
Proposed wastewater treatment system & available capacity, other issues	<p>The FI Item 4(a) and (b) response set out the wastewater proposals. It outlines that a gravity connection to local wastewater infrastructure is not feasible due to the site's topography, and that it is required to pump the wastewater approx. 1km southwards to Coldwinters pumping station. UÉ Confirmation of Feasibility (CoF) dated 8 March 2024 (attached) raises concerns regarding septicity in the rising main. *The FI response states the option of pumping is reliant on a consistent inflow to avoid risk of septicity, and the abattoir use may be sporadic making pumping unfeasible.</p> <p>The applicant proposes that wastewater for the staff and slaughterhouse be kept separate, and the post-slaughter washdown be tankered to an approved facility. The FI proposed site plan (Drawing No. 22025-PL-03A) annotates proposed 20,000L underground process waste holding tank to east of proposed abattoir building.</p>

	<p>For clarity, the 20,000L underground holding tank was also proposed in the application originally lodged, but was originally proposed ‘to be led into’ the foul sewer in Kilshane Road.</p> <p>The wastewater for the staff area is an on-site wastewater treatment system. The Site Characterisation Report outlines that due to the slow drainage rate for soils on the site, the installation of a tertiary treatment system with a sand infiltration area is proposed.</p> <p>*For clarity, the UÉ letter dated 8 March 2024 attached to the FI response does not comment on the holding tank being tankered.</p> <p>The UÉ letter dated 15 April 2024 states no objection subject to standard conditions.</p>					
Others?	Not applicable					
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
River Waterbody	0 m The watercourse along western and northern site boundaries. This stream is annotated to be	WARD_030 River Waterbody Code: IE_EA_08W010300 EPA Name:	Moderate (SW 2016-2021) Updated Cycle 3 Catchment Report: WARD_030:	At risk (SW 2016-2021) In addition, Cycle 3 HA 08 Nanny-Delvin Catchment Report, May 2024 (based on	Significant Issues: Nutrients, Organic. Significant Pressures: Urban	Surface water run-off to watercourse to west. Surface water to be addressed by 2no. soakaways and SuDS measures. BRE

	102m west of the proposed abattoir building. The proposed soakaways and proposed tertiary sand polishing filter are approx. 27m and 25m respectively east of the stream.	HUNTSTOWN 08	Outlines Environmental Objective is 'Good'.	data up to 2021) refers to Cycle 3 Draft Catchment Assessments (published Sep 2021). This 2021 document outlines that WARD_030 has declined in status between Cycle 2 (largely based on 2010-2015 WFD data) and Cycle 3 (largely based on 2013-2018 WFD data).	Wastewater, Other, Agriculture, Urban Run-off Source: Updated Cycle 3 Catchment Report: WARD_030	Digest test for stormwater soakaway submitted with application originally lodged states due to slow drainage rate of the soil, two soakaways are recommended to increase surface area of the soakaway.
Groundwater waterbody	Underlying Site	Swords IE_EA_G_011 Description: Poorly productive bedrock	Good (GW 2016-2021)	Not at risk	None identified	No – 2no. soakaways proposed due to slow drainage rate of soil.
Note: The website www.catchments.ie includes 'WARD' as a WFD Area for Action, of which there are 4 waterbodies. It is an Area for Restoration, and the lead organisation is LAWPRO (Local Authority Waters Programme). The start year was 2022. No report is available at time of writing.						

Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	<p>WARD_030</p> <p>River Waterbody Code: IE_EA_08W010300</p> <p>EPA Name: HUNTSTOWN 08</p>	Surface water run-off from site.	Siltation, pH (concrete)	<p>Standard construction practices.</p> <p>No CEMP on file.</p> <p>FI Air Quality Management Plan states that dependent on risk level, mitigation measures will form part of a detailed CEMP. In the event Board was minded to grant, it is recommended that the matter of a site-specific CEMP could be addressed by</p>	No	Screened out

					condition.		
3.	Ground	Swords IE_EA_G_011	Drainage	Hydrocarbon Spillages	Standard Construction Measures / Conditions	No	Screened out
OPERATIONAL PHASE							
3.	Surface	WARD_030	Surface water run-off from site to watercourse	Hydrocarbon spillage	SuDS features and 2no. soakaways	No	Screened out
4.	Ground	Swords IE_EA_G_011	Pathway exists but poor drainage characteristics	Spillages Groundwater from wastewater treatment plant.	SuDS features and 2no. soakaways proposed due to slow drainage rate of soil. Tertiary treatment system comprising sand polishing filter proposed.	No	Screened out
DECOMMISSIONING PHASE							
5.	N/A						

STAGE 2: ASSESSMENT							
Details of Mitigation Required to Comply with WFD Objectives – Template							
Surface Water							
Development/Activity e.g. culvert, bridge, other crossing, diversion, outfall, etc	<u>Objective 1:Surface Water</u> Prevent deterioration of the status of all bodies of surface water	<u>Objective 2:Surface Water</u> Protect, enhance and restore all bodies of surface water with aim of achieving good status	<u>Objective 3:Surface Water</u> Protect and enhance all artificial and heavily modified bodies of water with aim of achieving good ecological potential and good surface water chemical status	<u>Objective 4: Surface Water</u> Progressively reduce pollution from priority substances and cease or phase out emission, discharges and losses of priority substances	Does this component comply with WFD Objectives 1, 2, 3 & 4? (if answer is no, a development cannot proceed without a derogation under art. 4.7)		
	Describe mitigation required to meet objective 1:	Describe mitigation required to meet objective 2:	Describe mitigation required to meet objective 3:	Describe mitigation required to meet objective 4:			
Development Activity 1							
Development Activity 2							
Development/Activity 3							

Details of Mitigation Required to Comply with WFD Objectives – Template					
Groundwater					
Development/Activity e.g. abstraction, outfall, etc.	<u>Objective 1: Groundwater</u> Prevent or limit the input of pollutants into groundwater and to prevent the deterioration of the status of all bodies of groundwater	<u>Objective 2 :</u> <u>Groundwater</u> Protect, enhance and restore all bodies of groundwater, ensure a balance between abstraction and recharge, with the aim of achieving good status*	<u>Objective 3:Groundwater</u> Reverse any significant and sustained upward trend in the concentration of any pollutant resulting from the impact of human activity	Does this component comply with WFD Objectives 1, 2, 3 & 4? (if answer is no, a development cannot proceed without a derogation under art. 4.7)	
	Describe mitigation required to meet objective 1:	Describe mitigation required to meet objective 2:	Describe mitigation required to meet objective 3:		
Development Activity 1	N/A	N/A	N/A	N/A	
Development Activity 2	N/A	N/A	N/A	N/A	