



An
Coimisiún
Pleanála

Inspector's Report

ABP-320266-24

Development	Construction of 5 industrial units with all associated site works
Location	Site to the west of Stockhole Lane / Clonsaugh Road, Clonsaugh, Co. Dublin.
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F23A/0413
Applicant(s)	Genvest ULC
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Genvest ULC
Observer(s)	Gregory and Philomena Fitzsimons Gerard McLeod J.R. Gerard McLeod A.I. Phil Furlong and Yvonne Orme

Date of Site Inspection

3rd October 2025

Inspector

Elaine Power

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Appendix 1: Form 1 and Form 2: EIA Screening

Appendix 2: Appropriate Assessment Screening (Stage 1)

Appendix 3: Water Framework Directive (WFD) Screening

1.0 Site Location and Description

- 1.1. The appeal site is located on a greenfield site in Clonsaugh, Co. Dublin. The surrounding area has a mixed use urban character. The site is bound to the south by a Petrol Station (Circle K) and 10-storey hotel (Holiday Inn), to the east by Stockhole Lane / Clonsaugh Road and to the north and west by undeveloped lands. The lands to the north of the appeal site are identified as the route of an underground orbital sewer between Clonsaugh and Blanchardstown which forms part of the Greater Dublin Drainage Project, approved under ABP 312131-21. The M1 motorway is located c. 200m west of the appeal site and the M1 / M50 interchange is c. 250m south west of the appeal site, Clonsaugh Business and Technology Park is c. 800m south of the appeal site and Dublin Airport is located c. 2.2 km south east of the appeal site.
- 1.2. The appeal site is irregular in shape and has a stated area of 3.0453 ha. It is generally flat and in agricultural use. During my site visit on the 3rd October 2025 there were horses grazing on the site. There are a variety of site boundaries, including a wooden panel fence, a mesh fence and vegetation. The sites northern boundary and part of the easter boundary comprises a mature hedgerow.
- 1.3. Access to the site is from Stockhole Lane roundabout via an unnamed access road that currently provides access to the existing Holiday Inn hotel and the Circle K petrol station, to the south of the appeal site, and the Clayton Hotel which is located on the opposite side of this access road.

2.0 Proposed Development

- 2.1. The proposed development consists of the construction of a light industrial development comprising 5 no. units and staff facilities.
- 2.2. The development also includes a new entrance to the site from the Stockhole Lane Roundabout via an extended local access road; a pedestrian, cyclist and emergency vehicular entrance to the site from Stockhole Lane / Clonsaugh Road, pedestrian connection to the adjoining Petrol Station, an internal estate road footpaths, cycle paths and shared pedestrian and cycle paths, 114 no. car parking spaces, bicycle parking, loading bays / yards, level access goods doors, dock levellers, external canopies, bin stores, ESB substation and switch room, boundary treatments,

landscaping, lighting, green walls, solar panels, signage and all associated site and development works above and below ground to facilitate the proposed development.

- 2.3. The proposed number of light industrial units was reduced to four by way of further information submitted on the 4th June 2024.
- 2.4. The key characteristics of the original and revised development are summarised in the table below.

	Proposed Scheme	Revised Scheme
Site Area	3.0453 ha Gross	3.0453 ha Gross
Proposed Use	6886sqm light industrial	6,456sqm light industrial
	Unit No. 1 (1,217 sqm) comprising storage / processing (934sqm) and office and ancillary uses (283sqm).	Unit No. 1 (1,263 sqm) comprising storage / processing (946sqm) and office and ancillary uses (317sqm).
	Unit No. 2 (1,363sqm) comprising storage / processing (1,123sqm) and office and ancillary uses (240sqm).	Unit No. 2 (1,363 sqm) comprising storage / processing (1,123sqm) and office and ancillary uses (240sqm). No change
	Unit No. 3 (1,976sqm), comprising storage / processing (1,736sqm) and office and ancillary uses (240sqm).	Unit No. 3 (1,976 sqm) comprising storage / processing (1,736sqm) and office and ancillary uses (240sqm). No change
	Unit No. 4 (1,854sqm) comprising storage / processing (1,614sqm) and office and ancillary uses (240sqm).	Unit No. 4 (1,854sqm) comprising storage / processing (1,614sqm) and office and ancillary uses (240sqm). No change
	Unit No. 5 (476sqm) comprising storage / processing (334sqm) and office and ancillary uses (142sqm).	Omitted
Height	11m - 17m	13.5m – 17m
Car Parking	114 no. spaces including 9 no. accessible spaces and 12 no. EV spaces.	100 no. spaces including 8 no. accessible spaces and 12 no. EV spaces.
Bicycle Parking	166 no. spaces.	168 no. spaces

Motorcycle Parking	None	12 no. spaces
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3.0 Planning Authority Decision

3.1. Decision

Permission was REFUSED for the following reason:

1. The proposed scale of the development and traffic intensive land use at the proposed strategic location would negatively contribute to a reduction in operational efficiency of the strategic road network, including the M1 / M50 / R139 junction interchange and the R139 Stockhole Lane priority roundabout at this highly sensitive location, and as such the proposed development, by itself or by the precedent which the grant of permission for it would set for other relevant development, would adversely affect the use of a national road or other major road by traffic, and therefore would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. *Planning Reports*

The initial planners report dated 30th August 2023 raised concerns regarding the proposed development and recommended that 3 no. items of further information be sought. These items are summarised below.

1. Reconsideration of the design of Unit no. 1 to provide a landmark building with greater architectural design and to act as a focal point. The design of the building should have a reduced scale and mass that would integrate appropriately and have regard to existing residential amenity.
2. The omission of Unit 5 and its replacement with high quality open space.
3. Address concerns raised by the Transportation Planning Section:
 - (a) Revised proposal for bicycle parking.
 - (b) 10% of car parking spaces to have EV charging points; ducting for future EV connections, provision of motorcycle parking; provision of a 2.5m wide cycle

track on Road 1; reduced widths of Roads 1 and 2; access from Stockhole Lane / Clonsaugh Road shall be omitted. Road 1 shall terminate as a cul-de-sac at Unit 1. A landscaped grass verge with bollards and an emergency access point shall be considered; Entrance width to car park and service yard shall be reduced to reduce pedestrian crossing distances; reconsideration of the junction of Road 1 and the existing road network; extend the redline boundary to allow for the extension of a cycle track on Stockhole Lane; the red line boundary should be extended to include all areas where work is required.

- (c) A third party letter of consent allowing the necessary work, including the cutting back of a hedgerow on an on-going basis.
- (d) Submit a swept path analysis for HGV's.
- (e) Submit a draft Mobility Management Plan.
- (f) Submit a Traffic and Transport Assessment (TTA)

The submitted further information was considered to be significant and revised public notices were published / erected on the 7th June 2024.

The planners report dated 18th July 2024 considered that all items of further information had not been adequately addressed and recommended that permission be refused for the reason outlined above.

3.2.2. ***Other Technical Reports***

Waste Enforcement Officer: Report dated 14th July 2023 raised no objection subject to a standard condition.

Water Services Department: Report dated 1st August 2023 raised no objection subject to conditions.

Heritage Officer: Report dated 18th August 2023 considers that the potential impact to archaeological remains is low and raised no objection to the proposed development.

Environmental Health Air Officer: Report dated 22nd August 2023 raised no objection subject to conditions.

Transportation Planning Section: Report dated 18th August 2023 raised a number of concerns regarding the proposed development and recommended that further information be sought. The further information request is reflected in Item no 3(a) – (f)

of the further information request issued by the planning authority and summarised above.

Report dated 20th June 2024 raised no objection subject to conditions.

Parks and Green Infrastructure Division: Reports dated 29th August 2023, and 24th June 2024 raised no objection subject to conditions.

3.3. Prescribed Bodies

Dublin Airport Authority (DAA): Report dated 19th July 2023 had no comments other than to recommend consultation with the IAA and the IAA-ANSP (AirNav Ireland).

Irish Aviation Authority (IAA): Report dated 25th July 2023 recommended the following:

The application should engage with the DAA / Dublin Airport and the Air Navigation Service Provider AirNav Ireland to undertake a preliminary screening assessment to confirm that the proposed development and any associated cranes during the construction phase would have no negative impact on the safety of flight operations at Dublin Airport.

The Glint and Glare study and Aeronautical Assessment should be submitted to the DAA / Dublin Airport and AirNav Ireland for review and comment prior to a grant of permission.

A condition should be attached to any grant of permission that the applicant engage with the DAA / Dublin Airport prior to commencement of crane operations.

Transport Infrastructure Ireland (TII): Report dated 24th July 2024 raised concerns that the proposed development would be at variance with official policy in relation to control of development on / affecting national roads as outlined in the DoEECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012) as the proposed development by itself or the precedent it would set would adversely affect the operation and safety of the national road network.

It is considered that insufficient information was submitted to demonstrate that the proposed development would not have a detrimental impact on the capacity, safety or operational efficiency of the national road network in the vicinity of the site.

It is recommended that a Traffic and Transport Assessment (TTA) be submitted.

Uisce Eireann: The report dated 2nd August 2023 recommended that the applicant engage with respect to infrastructure and / or requirement to enter into a diversion agreement with Uisce Eireann and submit the outcome of this engagement as evidence to the Planning Authority.

Report dated 4th June 2024 raised no objection subject to a standard condition.

Development Applications Unit, Department of Housing, Local Government and Heritage: The report is dated 8th August 2025 notes that the site is located in an area of high archaeological potential and recommends that pre-development testing be carried out.

It is considered that the proposed development has the potential to disturb hedgerow surrounding the site providing important feeding, shelter and a movement corridor to protected birds. The removal of the hedgerow could potentially disturb the breeding places of nesting birds. It is recommended that the hedgerow surrounding the site be retained and protected during the construction phase.

3.4. Third Party Observations

Three submissions were received by the planning authority. The concerns raised are similar to those summarised in the appeal below.

4.0 Relevant Planning History

There are a large number of planning applications relating to the appeal site and the wider area. The most relevant planning history for the appeal site is summarised below.

Reg. Ref. F21A/0147: Permission was granted in 2021 for 3 no. light industrial buildings (3,333sqm GFA) and all associated works on a 1.94 ha site, which is within the red line boundary of the proposed development.

Reg. Ref. F23A/0006: Permission was granted in 2023 for minor modifications to a permitted Light Industrial Scheme approved under Reg. Ref. F21A/0147. The amendments did not alter the permitted total gross floor area of 3,333sqm.

ABP 322553-25, Reg. Ref. F25A/0163E: Permission was refused in September 2025 for amendments to the Light Industrial Development permitted under Reg. Ref.

F21A/0147 (as amended by Reg. Ref. F23A/0006). The amendments comprised the change of use of Unit No. 1 from light industrial to self-storage use on a 1.94 ha site which is within the red line boundary of the proposed development. The reason for refusal considered that the proposed self-storage unit would not comply with the sites High Technology zoning objective.

5.0 Policy Context

5.1. Fingal Development Plan 2023 - 2029

The appeal site is zoned HT – High Technology with the associated land use objective to *‘Provide for office, research and development and high technology/high technology manufacturing type employment in a high quality built and landscaped environment.’*

The vision states: *‘Facilitate opportunities for high technology, high technology and advanced manufacturing, major office and research and development based employment within high quality, highly accessible, campus style settings. The HT zoning is aimed at providing a location for high end, high-quality, value added businesses and corporate headquarters. An emphasis on exemplar sustainable design and aesthetic quality will be promoted to enhance corporate image and identity.’*

Industry – Light and Office Ancillary to permitted use are Permitted in Principle on lands zoned High Technology.

The appeal site is located within the Outer Public Safety Zone of Dublin Airport.

The appeal site is situated within 3 of the Airport Noise Zones. The proposed units are largely located within Zone B, with a section of Unit 4 located in Noise Zone A and Unit 1 located in Noise Zone C.

The following policies and objectives are considered relevant.

Objective EEO13 – High Technology Lands: *‘Encourage the development of corporate offices and knowledge based enterprise in the County on High Technology zoned lands and work with key stakeholders, relevant agencies and sectoral representatives to achieve such development.’*

Objective EEO35 - Range of Industrial/Manufacturing Units: Ensure that a range of industrial and/ or manufacturing units, in terms of size, scale, format and arrangements, is provided for to adequately respond to enterprise requirements in different economic sectors.

Objective EEO37 Development Standards for Industrial/Manufacturing Buildings: Ensure that proposals for industrial and/ or manufacturing buildings demonstrate regard to the relevant development standards.

Objective DMSO89 Design and Siting of Business Parks and Industrial Areas: Ensure that the design and siting of any new Business Parks and Industrial Areas, including office developments, conforms to the principles of Design Guidelines as outlined in Table 14.15.

Objective DAO11 – Requirement for Noise Insulation: Strictly control inappropriate development and require noise insulation where appropriate in accordance with Table 8.1 above within Noise Zone B and Noise Zone C and where necessary in Assessment Zone D, and actively resist new provision for residential development and other noise sensitive uses within Noise Zone A, as shown on the Development Plan maps, while recognising the housing needs of established families farming in the zone. To accept that time based operational restrictions on usage of the runways are not unreasonable to minimise the adverse impact of noise on existing housing within the inner and outer noise zone.

Objective DAO14 Aircraft Movements and Development: Restrict development which would give rise to conflicts with aircraft movements on environmental or safety grounds on lands in the vicinity of the Airport and on the main flight paths serving the Airport, and in particular restrict residential development in areas likely to be affected by levels of noise inappropriate to residential use.

Objective DAO18 – Safety: Promote appropriate land use patterns in the vicinity of the flight paths serving the Airport, having regard to the precautionary principle, based on existing and anticipated environmental and safety impacts of aircraft movements.

Table 14.15 sets out detailed design guidelines for Business Parks and Industrial Areas. The guidance's relate to site design, pedestrian and cycle connections, permeability, lighting, loading / service areas, waste / recycling, silos and ancillary

structures, storage, set backs, signage, public art, sustainability, building orientation and road frontage, massing and form, building appearance and materials and colour palate, appearance, facades and roofscape, telecommunications and antenna equipment, solar, utility, electrical and mechanical equipment, building entrances, parking and landscape and boundary treatments.

5.2. Natural Heritage Designations

5.2.1. The appeal site is not located within or adjacent to a designated site. The relevant designed site are outlined below:

- Santry Demesne pNHA (000178)
- Feltrim Hill pNHA (001208)
- Baldoyle Bay SAC (000199)
- North Dublin Bay SAC (000206)
- Baldoyle Bay SPA (004016)
- North Bull Island SPA (004006)
- North West Irish Sea SPA (004236)
- South Dublin Bay SAC (000210)
- South Dublin Bay and River Tolka Estuary SPA (004024)

5.3. EIA Screening

5.3.1. The proposed development has been subject to preliminary examination for environmental impact assessment. Please refer to Appendix 1: Form 1 and Form 2 of this report. Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

6.0 The Appeal

6.1. Grounds of Appeal

This is a first party appeal against the Planning Authority's decision to refuse permission. A Transport Submission is attached as Appendix 1 of the appeal. The grounds of the appeal are summarised below.

Principle of Development

- There is an extant permission (Reg. Ref. F21A/0147) on the appeal site for 3 no. industrial units. The proposed development as submitted by way of further information is for 4 no. industrial units.
- The appeal site is zoned for High Technology. The proposed use is permitted in principle under this zoning objective.
- The proposed development is in accordance with Objective EEO6 as it would result in the regeneration of underutilised lands within immediate proximity of the M1 and the M50 Motorways and would introduce additional enterprise opportunities for the area.
- The proposed development is in accordance with Objective EEO35 as it is of sufficient size and scale to accommodate the market demand for Light Industrial Units that can facilitate the modern operational capacities and requirements of the industry.
- Section 7.2.2 of the Development Plan recognises that Fingal is a major employer across all sectors, supported by a strong supply of zoned land.
- The site is included in the Land Capacity Analysis for Employment Lands in Fingal and forms part of the 4,574 ha zoned for Employment, industry and enterprises within the county.
- Section 7.4 of the Development Plan projects that the labour force will increase by 18,612 persons (12.4%) from 153,788 to 172,400 by 2029.

Design Approach

- The key benefit of the proposed scheme in comparison to the approved scheme on the site is the strong frontage and public realm, which allows for the scheme

to be legible and identifiable to passing public which is important for vibrancy and will assist in achieving a more attractive space to work and invest.

Reason for Refusal / Transportation

- The Transport Submission attached as Appendix 1 of the appeal indicates that the proposed use generates significantly less traffic compared to alternative land uses permitted on the site.
- The proposed development would have a negligible impact on key junctions, namely the M1 / M50 / R139 roundabout and the R139 / Stockhole Lane roundabout.
- The traffic impact in the peak period could be minimised by the appropriate setting of work shift start and end times, via a grant of permission.
- Permission has already been granted on the appeal site for a similar type of development. Therefore, the proposed development would not set a precedent for other similar development within its locality.
- The Development Plan includes proposals for the East – West Distributor Road Scheme and the Stockhole Lane Upgrade Scheme among the Councils proposals for development of the road network. These schemes are not included in the current Fingal County Council Capital Programme 2024-2026. However, their inclusion in the Development Plan indicates the intent for them to be delivered. Both of these schemes would improve transport accessibility.
- Accessibility to the site will be improved under BusConnects, which will connect the site to Blanchardstown, Clongriffin, Dublin Airport, Swords and Beaumont.

6.2. Planning Authority Response

The Planning Authority's response dated 19th August 2024 states that the Planning Authority remains of the opinion that if permitted the scale of the proposed development would negatively contribute to a reduction in operational efficiency of the strategic road network, including the M1 / M40 / R139 junction interchange and the R139 / Stockhole Lane priority roundabout at this highly sensitive location.

The proposed development, by itself or by the precedent which the grant of permission for it would set for other relevant development, would adversely affect the use of a national road or other major road by traffic, and therefore would be contrary to the proper planning and sustainable development of the area.

It is requested that the decision to refuse planning permission is upheld.

In the event of a grant of permission, a condition should be attached requiring a financial contribution in accordance with Fingal County Councils Development Contribution Scheme.

6.3. Observations

Four observations were received from (1) Gregory and Philomena Fitzsimons, (2) Gerard McLeod J.R., (3) Gerard McLeod A.I. and (4) Phil Furlong and Yvonne Orme. The concerns raised in the observations are similar and are summarised below.

- The surrounding area is residential.
- The proposed development does not complement the surrounding landscape.
- The existing ditch and hedgerow at the sites boundary with existing residential properties should be retained.
- The layout of the scheme exposes the rear gardens of existing residential properties to the general public. This has the potential to negatively impact on the safety and security of these properties. A condition should be attached to any grant of permission that a 2.4m high boundary wall be provided at the boundary with these existing dwellings.
- Concerns regarding overlooking and overshadowing of existing residential properties.
- The proposed development would be visually intrusive.
- Concerns regarding the impact from noise generated by the proposed development on existing residents.
- Traffic generated by the proposed development would negatively impact the surrounding road network which is already congested.

- The proposed development would reduce sightlines for existing residents of Cloghran Cottages / Stockhole Lane.
- There is no public transport, footpaths or cycle lanes in the surrounding area.
- Concerns that the proposed development could increase the risk of flooding at the adjacent residential properties.

6.4. Further Responses

None

7.0 Assessment

7.1. Having examined the appeal details and all other documentation on file, including all of the submissions received in relation to the appeal, the report of the local authority and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Dublin Airport
- Design Approach
- Residential Amenity
- Transportation
- Flood Risk
- Ecology
- Archaeology

7.2. In the interest of clarity this assessment relates to the revised design and layout of the proposed development, as submitted by way further information.

7.3. ***Principle of Development***

7.3.1. The appeal site is located on lands zoned HT – High Technology with the associated land use objective to *‘Provide for office, research and development and high technology / high technology manufacturing type employment in a high quality built and landscaped environment.’* Industry – Light and Office Ancillary to permitted use

are Permitted in Principle on lands zoned High Technology. I am satisfied that the proposed use is in accordance with the sites zoning objective.

7.4. Dublin Airport

- 7.4.1. The appeal site is located c. 2.2 km southeast of Dublin Airport and within the Outer Public Safety Zone of Dublin Airport. Objective DAO18 of the Development Plan aims to promote appropriate land use patterns in the vicinity of the flight paths serving the Airport. The submission from the Irish Aviation Authority (IAA) raised no objection in principle to the proposed development subject to the inclusion of a condition that the applicant engage with the DAA / Dublin Airport prior to the commencement of crane operations on the site. If permission is being contemplated it is recommended that a condition be attached in this regard.
- 7.4.2. The submission from the Irish Aviation Authority (IAA) also recommended that the Glint and Glare study and Aeronautical Assessment should be submitted to the DAA / Dublin Airport and AirNav Ireland for review and comment prior to a grant of permission. These documents were submitted with the application.
- 7.4.3. The Glint and Glare Assessment indicates that the proposed development would not result in any hazardous glint and glare at receptors within Dublin Airport and Beaumont Hospital helicopter landing / taking off point. The Planning Authority's planners report notes that the glint and glare assessment did not consider whether there would be an impact of the proposed development on the M1. The report considered that a condition should be attached to any grant of permission that would enable the structures to be modified in order to mitigate for the impact that may arise. The proposed units have a maximum height of 17m. The western elevation of Unit 4 is located c. 800m from the M1 Motorway. The information submitted indicates that the predominate external material would be cladding, which in my opinion is not a highly reflective material. However, to address this concern, it is recommended that a condition be attached to any grant of permission that the final details of all external materials be agreed with the planning authority.
- 7.4.4. The Aeronautical Assessment address public safety. It notes that the only two surfaces which lie above the appeal site are the Inner Horizontal Surface and a Transitional Surface to Runway 10R/28L. As the maximum height (17m) of the proposed buildings

are c. 45m below the airports Inner Horizontal Surface and the Transitional Surface of Runway 10R/28L no obstacle limitation surface would be infringed by the proposed development, or cranes during the construction phase. Notwithstanding this the applicant notes that it is a requirement under separate legislation (S.I. 215 of 2005 – Irish Aviation Authority (Obstacles to Aircraft in Flight) Order) that the IAA and Dublin Airport be notified at least 30 days in advance of the use of any crane(s).

7.4.5. The vast majority of the site is located within the Outer Public Safety Zone (PSZ) for Dublin Airport. To aid safe navigation of aircraft and to protect the public the Environmental Resources Management (ERM) report, 2005 sets out recommendations for limiting the type and height of buildings and structures within the zones. Table 6.1 sets out the permitted developments, which includes ‘working premises’. The occupancy rate for ‘working premises’ in the Outer PSZ is ≤ 110 persons / half hectare. The site has a stated area of 3.0453 ha which equate to a maximum permissible occupancy of 670 no. persons within the appeal site. The applicants. The applicants Aeronautical Assessment indicates that each of the proposed units would employ 30no. persons each resulting in a maximum occupancy of 150 no. persons. As units 5 was omitted by way of further information the proposed development would employ c. 120 persons (30 no. persons per unit). This is significant below the threshold set in the ERM report and, therefore, I have no concerns in this regard.

7.4.6. The appeal site is situated within 3 of the Airport Noise Zones. The proposed units are largely located within Zone B ($\geq 54\text{dB(A)} L_{\text{Aeq, 16hr}}$ and $\leq 63\text{dB(A)} L_{\text{Aeq, 16hr}}$), with a section of Unit 4 located in Noise Zone A ($\geq 63\text{dB(A)} L_{\text{Aeq, 16hr}}$) and Unit 1 located in Noise Zone C ($\leq 54\text{dB(A)} L_{\text{Aeq, 16hr}}$). The Aeronautical Assessment notes that the proposed use is not noise sensitive and states that the office areas would be provided with soundproofing appropriate to the anticipated airport / aircraft noise levels. This is considered appropriate given the sites location within the Airport Noise Zones.

7.5. ***Design Approach***

7.5.1. The appeal site is located on a greenfield site in the urban area of Clonsaugh, Co. Dublin. The surrounding area is mixed use in character. To the north and west the site is bound by undeveloped lands, c. 200m west of the appeal site is the M1 motorway.

To the east the site is bound by Stockhole Lane / Clonshaugh Road and the rear gardens of a 4 no. residential dwellings, an agricultural structure and a commercial structure. The site is irregular in shape and generally curves around an existing Petrol Station and 10-storey hotel (Holiday Inn) located to the south of the site. The appeal site is also bound to the south by the Stockhole Lane roundabout and incorporates a portion of the existing road network which provides access to the petrol station and hotel. Further south, on the opposite side of the access road, is the 9-storey Clayton Hotel and on the opposite side of the R139, c. 800m south of the appeal site, is the Clonshaugh Business and Technology Park.

- 7.5.2. Concerns are raised by the observers that the proposed development would be visually intrusive. As submitted by way of further information, the proposed development comprises 4 no. industrial units. Unit 1 is situated in a highly prominent location, in the south east portion of the site, immediately north of the Stockhole Lane roundabout. Units 2, 3 and 4 are located to the rear of the existing Petrol station and Holiday Inn hotel at the site's northern boundary and would, therefore, would be less visible from the public road. The information submitted by way of further information included 4 no. verified views, which in my opinion provide a reasonable representation of how the proposed development would appear.
- 7.5.3. Unit 1 is irregular in shape with a stated area of 1,263sqm comprising storage / processing (946sqm) and office and ancillary uses (317sqm) with 2 no. loading bays. The building has a contemporary design approach with a flat roof with a maximum height of 13.5m. The external materials include significant portions of glazing with cladding and vertical fins. I agree with the applicant that the proposed design and layout of Unit 1 provides for a distinct appearance which in my opinion would provide an appropriate high quality urban frontage onto Stockhole Lane roundabout and would aid with placemaking and legibility. While Unit 1 would be highly visible it is my view that it would not be visually intrusive.
- 7.5.4. Units 2, 3 and 4, which are located to the rear of the site, at the sites northern boundary, have a traditional industrial unit design. These units have a similar siting to the 3 no. industrial units previously permitted on the site under. Reg. Ref. F21A/0147. Units 2, 3 and 4 are all generally rectangular in shape with a flat roof with a height of c. 17m. Unit No. 2 has a stated area of 1,363 sqm comprising storage / processing

(1,123sqm) and office and ancillary uses (240sqm). Unit No. 3 has a stated area of 1,976 sqm comprising storage / processing (1,736sqm) and office and ancillary uses (240sqm) and Unit No. 4 has a stated area of 1,854sqm comprising storage / processing (1,614sqm) and office and ancillary uses (240sqm) with 2 no. loading bays. The external material is predominately cladding with elements of glazing at the office element / entrance to each of the units. The cladding comprises a mix of blue and grey coloured vertical panels with a green / living wall provided in sections on the northern elevations of Units 2, 3 and 4. Units 2, 3 and 4 are located to the rear (north) of the existing 10-storey hotel and petrol station, c. 800m east of the M1 Motorway and c. 100m west of Stockhole Lane, to the rear of the existing dwellings. Given the siting of the buildings and the separation distances to public roads they would not be highly visible and in my opinion would not be visually intrusive.

- 7.5.5. The proposed green walls on the northern elevations of Units 2, 3 and 4 would comprise climbers. Details of the planting has not been provided. While I have no objection in principle to the provision of green walls, given the northern elevation of the climbers it is recommended that a condition be attached that the final details of the species to be provided on the green walls be agreed with the Planning Authority.
- 7.5.6. The layout includes an access road that would connect to the existing private access road that is within the ownership of the applicant and currently serves the petrol station and the hotels. The proposed road runs to the front of Units 2, 3 and 4 and would terminate in a cul-de-sac at the front of Unit 1. It is also proposed to provide an emergency vehicle, pedestrian and cycle access at the site eastern boundary with Stockhole Lane. An additional pedestrian link is proposed between the petrol station at southern boundary of the site. This potential future link would connect to an existing pedestrian route within the petrol station. I have no objection to the layout of the access road and proposed pedestrian permeability.
- 7.5.7. The proposed scheme includes a totem pole sign at the entrance to the site, c. 5m in height by 3m in width and incorporating the name of the proposed development and the individual tenants. In addition, it is proposed to provide backlit signage, c. 4m by c.3m, on the southern (front) and eastern (side) elevations of Units 2 and 4 and backlit signage, c 4m by c. 3m on the on the southern (front) and eastern and western (side) elevations of Unit 3. I have no objection to the proposed signage and consider it

appropriate to the nature of the proposed development. However, if permission is being contemplated it is recommended that a condition be attached that the final details of the proposed signage be submitted for the written agreement of the Planning Authority.

- 7.5.8. The layout as submitted by way of further information includes a pocket park within the southwestern portion of the site, in lieu of the originally proposed Unit 5. This pocket park would incorporate woodland planting, a grassed area, a footpath and a seating area. An ESB substation is located to the north of this area. The provision of an area of public open space is welcome. However, to improve the usability of the space it is recommended that additional seating and lighting be provided. I am satisfied that this could be addressed by way of condition.
- 7.5.9. Overall, given the site's context and the light industrial nature of the proposed scheme, it is my view that the design and layout are well considered and would represent a high-quality light industrial scheme that would provide an appropriate urban frontage onto Stockhole Lane roundabout.

Landscape

- 7.5.10. The observers raised concerns that the surrounding areas is residential and that the proposed development would negatively impact on the surrounding landscape. The Development Plan's Landscape Character Assessment provides for classifications of landscapes. The appeal site is located within 'Low Lying Agricultural'. This landscape character type has a modest value and a low sensitivity. The proposed development would result in permanent physical effects on the landscape, as areas of grassland would be replaced with hard standing to accommodate the proposed 4 no. industrial units. However, I am satisfied that the impact to the landscape would be highly localised and similar to that of other developments within the immediate vicinity of the appeal site. Therefore, in my opinion the impact on the character of the landscape would be negligible.

7.6. **Transportation**

Capacity – Reason for Refusal

- 7.6.1. The Planning Authority's reason for refusal considered that the scale of the development and traffic intensive land use at the proposed strategic location would negatively contribute to a reduction in operational efficiency of the strategic road network, including the M1 / M50 / R139 junction interchange and the R139 Stockhole Lane priority roundabout at this highly sensitive location, and as such the proposed development, by itself or by the precedent which the grant of permission for it would set for other relevant development, would adversely affect the use of a national road or other major road by traffic, and therefore would be contrary to the proper planning and sustainable development of the area.
- 7.6.2. The observers also raised concerns that the traffic generated by the proposed development would negatively impact the surrounding road network which is already congested.
- 7.6.3. It is noted that the submission from TII dated 24th July 2024 requested that a TTA be submitted to assess the impacts of the proposed development on the capacity, safety and operational efficiency of the national road network. A TTA was submitted by way of further information. There is no subsequent submission on file from TII.
- 7.6.4. The Spatial Planning and National Roads Guidelines note that the national road network plays a key role in the country's economic, social and physical development and it is a requirement that the efficiency, capacity and safety of the national road network is maintained to ensure a satisfactory level of service for road users. Section 2.7 of the Guidelines refers to development at national road interchanges or junctions and states that *'planning authorities must exercise particular care in their assessment of development / local area plan proposals relating to the development objectives and / or zoning of locations at or close to interchanges where such development could generate significant additional traffic with potential to impact on the national road. They must make sure that such development which is consistent with planning policies can be catered for by the design assumptions underpinning such junctions and interchanges, thereby avoiding potentially compromising the capacity and efficiency of the national road/associated junctions and possibly leading to the premature and*

unacceptable reduction in the level of service available to road users'. In addition, National Strategic Outcome 2 of the National Planning Framework First Revision seeks to maintain the strategic capacity and safety of the national roads network including planning for future capacity enhancements.

- 7.6.5. To address the Planning Authority's concerns regarding the proposed development being a traffic intensive land use Table 5.2 of the Transport Submission attached as Appendix 1 of the appeal provides a comparison of trips generated per land use permitted under the sites zoning objective. These figures are based on TRICS trip generation rates. Open space and utilities are unlikely to generate vehicular trips, an Industrial Estate is likely to generate a similar volume of trips to the proposed development, and an Enterprise Centre / Business Park and Hospital would likely generate significantly more trips than the proposed development.
- 7.6.6. The first party appeal notes that there is an extant permission on the site for 3 no. light industrial units (3,333sqm GFA) and 84 no. car parking spaces and considers that, therefore, the proposed development would not set a precedent for other similar development within its locality.
- 7.6.7. The appeal considers that the proposed development would have a negligible impact on key junctions, namely the M1 / M50 /R139 roundabout and the R139 / Stockhole Lane roundabout. In support of the proposed development a Transportation Submission is attached as Appendix 1 of the appeal. This is a standalone document. However, it makes reference to the information provided in the Traffic and Transport Assessment (TTA) submitted by way of further information.
- 7.6.8. Section 3.5 of the TTA outlines that 12-hour traffic counts were carried out on Tuesday 21st March 2023 at 3 no. roundabouts. In this regard:
- Stockhole Lane / Local Access Road Roundabout.
 - R139 / Stockhole Lane Roundabout.
 - M1 / M50 / R139 interchange Roundabout.
- 7.6.9. TII's Growth Rates were applied to the baseline figures to reflect the forecast traffic volumes in the proposed developments year of opening, +5 years (2030) and +15 years (2024). Table 3.2 of the TTA provides a summary of background traffic during

the identified AM (07:00 – 07:59) and PM (17:00 – 17:59) peak periods for the 3 no. roundabouts list above and for all 3 no. scenarios identified (year of opening, +5 years (2030) and +15 years (2024)). The information indicates that R139 / Stockhole Lane Roundabout currently experiences the largest traffic volumes in both the AM peak and the PM peak and would continue to for all future scenarios modelled.

- 7.6.10. Section 5.2 of the TTA notes that trips generated by the development would primarily be employment, deliveries / collections and servicing. Deliveries / collections and servicing would likely occur outside of the AM and PM peak periods. The TRICS database was used to estimate the number of trips potentially generated by a light industrial use and a 10% of HGV was assumed for the purpose of modelling. TRICS estimated that a development would generate 62 no. trips (51 no. arriving and 11 no. departing) in the AM peak and 11 no. trips (0 no. arriving and 11 no. departing) in the PM peak. The low volume of traffic in the PM peak is attributed to the development generating 48 no. trips between 16:00 – 17:00. Throughout the day (07:00 – 19:00) TRICS indicates that the proposed development would generate 255 no. trips (129 no. arriving and 126 no. departing). Full details of the TRICS output is provided in Appendix B of the TTA.
- 7.6.11. As the appeal site incorporates only 100 no. car parking spaces the number of trips generated by the development is likely to be restricted by the car parking capacity at the proposed development, which would result in less trips than those estimated by TRICS throughout the day. Notwithstanding this, this baseline is considered as the worst case scenario and is reasonable.
- 7.6.12. All traffic generated by the proposed development would access / egress through the Stockhole Lane / Local Access Road roundabout. The modelling indicates that the impact of the proposed development on Stockhole Lane / Local Access Road roundabout would be less than 4% in the AM peak and less than 1% in the PM peak. Therefore, in accordance with TII Guidance there is no requirement to carry out an assessment of this junction.
- 7.6.13. Detailed assessments were carried out for both the R139 / Stockhole Lane Roundabout and the M1 / M50 / R139 interchange Roundabout and is summarised in Section 6 of the TTA.

- 7.6.14. The TTA assessed the impact of the proposed development against (1) Do Nothing: baseline traffic only, (2) Do Minimum: baseline traffic in addition to the development permitted under Reg. Ref. F21A/0147, as amended by Reg. Ref. F23A/0006 for 3 no. industrial units and (3) Do Something: baseline traffic in addition to the proposed development.
- 7.6.15. LinSig was used to model the singalised M1 / M50 / R139 interchange Roundabout and ARCADY was used to model the R139 / Stockhole Lane Roundabout with regard to capacity (Degree of Saturation (DoS) / Ratio of Flow to Capacity (RFC)), delay and queue length. In the interest of clarity, a DoS / RFC value below 85% indicates that a junction is operating within its design capacity. A value of 85% - 100% indicates that the junction is operating below its design capacity, however, there is potential for queuing and delays to occur, which are transient in nature. A value over 100% indicates that the junction has reached its capacity and extensive queuing and delays may occur.
- 7.6.16. The modelling results for the M1 / M50 / R139 interchange Roundabout are provided in Appendix C summarised in Table 6.3 of the TTA. The modelling indicates that the proposed development would have a negligible impact on the M1 / M50 / R139 interchange Roundabout and in all three scenarios modelled, Do Nothing, Do Minimum and Do Something all arms of the junction would remain below the design capacity (100% DoS).
- 7.6.17. The modelling results for the R139 / Stockhole Lane Roundabout are provided in Appendix D and summarised in Table 6.4 of the TTA. The modelling indicates that Arm A: Stockhole Lane (North) is currently operating close capacity and Arm D: R139 (west) is operating above its design capacity in both the AM and PM peak periods. Therefore, the forecasted increase in background traffic for all scenarios modelled would exacerbate the existing conditions. The congestion experienced at this junction is acknowledged. However, I am satisfied that the trips generated by the proposed development would be negligible and would not materially impact the operation of the R139 / Stockhole Lane Roundabout.
- 7.6.18. The impacts on the roundabouts modelled primarily related to the growth rates applied to existing background traffic. The Transport Submission submitted with the appeal

notes that that in the worst case scenario traffic generated by the proposed development would account for a maximum of 0.58% of the trips, on both roundabouts, in its opening year (2025). Having regard to the extant permission on the appeal site, the sites zoning objective to the baseline traffic volumes, which are within the norms of a busy urban area, and to the relatively limited number of vehicular movements generated by the proposed development in the AM and PM peaks I do not agree with the Planning Authority that the traffic generated by the proposed development would adversely affect a national or regional road. Therefore, it is my opinion that permission should not be refused on this basis.

7.6.19. I am also satisfied that the proposed development does not conflict with the policies to protect the capacity and safety of national roads, as set out in the Spatial Planning and National Roads Guidelines for Planning Authorities and National Strategic Outcome 2 of the NPF First Revision.

7.6.20. As noted by the applicant an East-West Distributor Road: Malahide to Stockhole Lane and an East – West Distributor Road: Stockhole Lane to Cherryhound are listed in Table 6.3 of the Development Plan, which sets out the Councils transportation schemes. Policy CMO40 seeks to implement these schemes. An indicative route for these schemes is indicated to the north of the appeal site on the Development Plan maps. Both of these schemes would improve capacity on the surrounding road network by providing alternative routes. However, I am satisfied that the proposed development is not reliant on the implementation of these transportation schemes.

Public Transport

7.6.21. The observers raised concerns that there is no public transport, footpaths or cycle lanes in the surrounding area. The site is not currently served by public transport, and it is acknowledged that staff are likely to drive to the proposed development. However, as noted above the impact of the trips generated by the proposed development would be negligible on the capacity of the surrounding road network.

7.6.22. Under BusConnects the R139 to the south of the site would be served by the N8 and Srockhole Lane to the east would be served by the L82. The N8 would provide connectivity between Blanchardstown and Clongriffin via Dublin Airport. This route

would operate every 30 minutes. The L82 would provide connectivity between Swords and Beaumont Hospital and would operate every hour.

Car Parking

7.6.23. Table 14.19 of the Development Plan sets out car parking standards for a variety of different land uses. Industry – General allows for a maximum of 1 no. car parking space per 50sqm. The proposed development comprises a total of 6,456sqm. Therefore, a maximum of 129 no. car parking spaces are permissible. Section 14.17.8 of the development requires that a minimum of 5% of spaces be accessible and Section 14.17.10 requires that 10% of spaces have functioning EV charging points.

7.6.24. Each unit would be provided with a separate car parking area as indicated in the table below.

Unit	Permitted	Proposed	Proposed Accessible	Proposed EV
Unit 1 (1,263sqm)	25 no.	17 no.	1 no.	2 no.
Unit 2 (1,363sqm)	27 no.	26 no.	2 no.	3 no.
Unit 3 (1,976sqm)	39 no.	35no.	3 no.	4 no.
Unit 4 (1,854sqm)	37 no.	22 no.	2 no.	3 no.
Total	129 no.	100 no.	8 no. (8%)	12 no. (12%)

7.6.25. I am satisfied that the quantum of car parking is appropriate for the proposed development and is in accordance with Development Plan Standards.

7.6.26. Section 14.17.9 of the Development Plan requires that 1 no. motorcycle space be provided per 10 no. car parking spaces. It is proposed to provide 12 no. motorcycle parking spaces, with a minimum of 2 no. spaces assigned to each unit. I have no objection to the quantum of motorcycle spaces, which is in accordance with Development Plan Standards

Cycle Parking

7.6.27. Table 14.17 of the Development Plan sets out minimum long-stay and short stay bicycle parking standards for a variety of uses. There is a requirement for 1 no. long stay space per 80sqm and 1 no. short stay space per 200sqm for Industry – General.

7.6.28. Therefore, the proposed development generates a requirement for a minimum of 112 no. cycle parking spaces, in this regard 80 no. short stay spaces and 32 no. long stay spaces. It is proposed to provide 168 no. cycle parking spaces. I have no objection to the quantum of cycle parking, which is in excess of Development Plan standards. It is also noted that the internal layout of the proposed units provides for locker and shower facilities to support travel by sustainable modes, which is welcomed.

Sightlines

7.6.29. Concerns are raised by the observers that the proposed development would reduce sightlines for existing residents of Cloghran Cottages / Stockhole Lane. The eastern elevation of Unit 1 is set back from the front boundary of the existing dwellings on Stockhole Lane and, therefore, would have no impact on existing sightlines.

7.7. Residential Amenity

Overlooking and Overbearing Impact

7.7.1. Concerns are raised by the observers regarding overlooking of existing residential properties. There are 3 no. single storey dwellings (1-3 Cloghran Cottages) and 1 no. one and a half storey house (The Bostonian) located to the east of the appeal site. There is an existing agricultural structure located between the cottages and The Bostonian and a commercial unit (McLeod's Fuels) located to the rear of no. 2 and 3 Cloghran Cottages.

7.7.2. The eastern (side) elevation of Unit 2 is located c. 40m from the sites eastern boundary. It directly opposes the agricultural structure and does not directly oppose any of the existing dwellings that fronting onto Stockhole Lane. Unit 2 is a similar design, layout and position to the industrial unit previously approved on the site under Reg. Ref. F21A/0147. The northeastern elevation of Unit 1 is located a minimum of c. 40m from the side elevation of no. 1 Cloghran Cottages. Given the separation distances and the location of the proposed windows in the industrial units at ground floor level I am satisfied that there would be no overlooking.

7.7.3. While the units are likely to be visible from the rear gardens of the existing dwellings given the relatively limited height (17m) and the separation distances I am satisfied

that the proposed development would not have an overbearing impact on these existing dwellings.

Daylight, Sunlight and Overshadowing

- 7.7.4. Concerns are raised by the observers that the proposed development would overshadow existing residential properties. The applicant submitted a Daylight and Sunlight Assessment in support of the proposed development.
- 7.7.5. The Assessment assessed the potential impact of the development on access to daylight for 27 no windows of existing neighbouring properties, 1-3 Cloghran Cottages and The Bostonian, to the east of the site and an additional house (House A) on the opposite side of Stockhole Lane. In general, Vertical Sky Component (VSC) is a measure of the amount of sky visible from a given point (usually the centre of a windows) within a structure. The BRE guidelines state that if the VSC, with the new development in place, is both less than 27% and less than 0.8 times its former value occupants of the existing building would notice the reduction in the amount of skylight. The modelling indicates that any reduction in available daylight would be negligible and meets the recommendations of the BRE guidelines.
- 7.7.6. The Assessment also assessed the potential impact on access to sunlight for the existing dwellings to the east. The BRE guidelines note that for a proposed development to have a noticeable impact on the Annual Probable Sunlight Hours (APSH) the value, for windows 90 degrees due south, needs to be reduced below the recommended 25% annual or 5% in the winter period from September to March. The information submitted indicates that there are 9 no. windows that fall within 90 degrees of due south and that that any reduction in available sunlight would be negligible and meets the recommendations of the BRE guidelines.
- 7.7.7. The BRE guidelines also recommend that at least half of the amenity areas should receive at least 2 hours of sunlight on 21st March. The modelling indicates that the proposed development negligible impact on the 5 no. adjacent open space areas (front and rear gardens) assessed and meets the recommendations of the BRE guidelines.
- 7.7.8. In conclusion, I am satisfied that the proposed development would be in keeping with the provisions of the BRE Guidelines and that the proposed residential units and open spaces would have sufficient daylight and sunlight to provide an acceptable standard

of residential amenity for future occupants and would not result in any undue overshadowing of existing properties.

Noise

- 7.7.9. The observers raised concerns regarding the impact from noise generated by the proposed development on existing residents. The end users of the proposed units is unknown, however, the proposed development description is for light industrial units / production space. Therefore, the proposed use is unlikely to generate significant noise. It is noted that the report of the Planning Authority's Environmental Health Officer recommended that standard conditions be attached regarding noise. Therefore to address the concerns of the observers it is recommended that a condition be attached to any grant of permission to limit noise during the operational phase of the proposed development to a maximum of 55 dB(A) rated sound level between the hours of 0700 to 1900, and 45 dB(A) 15min and 60 dB LAfmax, 15min at all other times, (corrected for a tonal or impulsive component) as measured at any point along the sites eastern boundary with existing residential dwellings.

Safety and Security

- 7.7.10. The observers also raised concerns regarding safety and security of the existing dwellings fronting onto Stokhole Lane and requested that a condition be attached to any grant of permission that a 2.4m high boundary wall be provided at the boundary with these existing dwellings. The information submitted indicates that the proposed site boundary would comprise a hedgerow. While the provision of a hedgerow is welcomed. I agree with the concerns of the observers that the proposed development has the potential to expose the rear gardens of these existing dwellings to the general public. Therefore, if permission is be contemplated it is recommended that, in addition to the proposed planting, a minimum 2m high boundary wall be provided along the sites eastern and northern boundary with these existing dwellings. I am satisfied that this could be addressed by way of condition.

7.8. Flood Risk

- 7.8.1. Concerns are raised by the observers that the proposed development would increase the risk of flooding at the adjacent residential dwellings to the east of the appeal site.

- 7.8.2. The OPW Flood maps (www.floodinfo.ie which I accessed on the 6th October 2025) indicate that the subject site is located within Flood Zone C. There is no record of historic flooding on the site. A Site-Specific Flood Risk Assessment (FRA) which was carried out in 2016 for lands within the applicants ownership and including a portion of the appeal site is attached as Appendix IV of the Engineering Services Report which indicates the appeal site is not at risk of flooding.
- 7.8.3. It is proposed that surface water from each unit would be stored within the curtilage of each unit with infiltration prioritised and attenuation. The surface water generated on the roads would be stored in a StormTech System. Surface water would discharge at a restricted rate to the sewer under the internal road network, which would ultimately drain to the public network on Stockhole Lane. The surface water proposals incorporates SuDs measures which are designed for a 1 in 100 year storm.
- 7.8.4. Having regard to the sites location in Flood Zone C and to the information submitted, which is robust, and evidence based, I am satisfied that the proposed development would not result in a potential flood risk within the site or to any adjoining sites and I am satisfied that there are no infrastructural aspects to the proposed development that present any conflicts or issues to be clarified. It is also noted that no concerns were raised by the planning authority regarding flood risk.

7.9. **Ecology**

- 7.9.1. The submission from the DAU considered that the proposed development has the potential to disturb hedgerow surrounding the site providing important feeding, shelter and a movement corridor to protected birds and that the removal of the hedgerow could potentially disturb the breeding places of nesting birds. Therefore, it is recommended that the hedgerow surrounding the site be retained and protected during the construction phase.
- 7.9.2. The Arboricultural Assessment notes that the site has c. 300m of hedgerow on the northern boundary and extending southwards, along the eastern boundary. It is further noted that the hedge has been somewhat maintained to keep it from encroaching onto the site. As part of the proposed development, it is proposed that the hedgerow would be pruned to a distance of 2m from its central point and a 3m root protection zone would be placed around the hedgerow during the construction phase. The

Arboricultural Assessment notes that pruning the hedgerow would encourage new growth and that this work would be undertaken outside of nesting season. There are 15 no. trees interspaced amongst the hedgerow. All of the trees would be retained.

7.9.3. The site is currently in agricultural use, with grazing horses. No evidence has been submitted indicating that this is an ex-situ site for protected bird species. The applicants Ecological Impact Assessment notes that no birds of conservation importance were noted on the site. However, a barn swallow, which is Amber Listed, was recorded flying over the site. It is noted that there is suitable nesting habitat within the hedgerows and trees at the sites boundaries. However, as the hedgerows and trees would be retained and enhanced, I am satisfied that the proposal would not have a significant impact on any bird species.

7.9.4. The observers also raised concerns regarding the loss of an existing hedgerow and drainage ditch at the sites eastern boundary. The landscaping plans include a new woodland planting comprising a mixture of native Irish and pollinator enhancing species along the site eastern boundary with the rear gardens of the existing dwellings. Native hedgerow planting is also proposed at the sites northern, southern and western boundaries. I am satisfied that this would provide support local biodiversity.

7.10. Archaeology

7.10.1. The submission from the DAU notes that the site is located in an area of high archaeological potential and recommends that pre-development testing be carried out. The report of the Planning Authority's Heritage Officer notes that the appeal site is located c. 450m from the nearest recorded monument and that archaeological test excavations undertaken in 2004 at the Clayton Hotel site, in close proximity to the appeal site, found no archaeological features, finds or deposits. Therefore, the archaeological potential of the site is considered to be low. While the report of the planning authority's Heritage Officer are noted, having regard to the submission of the DAU it is my recommendation that if permission is being sought that a condition be attached that archaeological monitoring of the groundworks associated with the development be carried out.

8.0 Water Framework Directive

8.1. Please refer to Appendix 3 of this report. The river body Mayne_010 (IE_EA_09M030500) is approximately 350m north of the subject site and culverted under the road network c.300m south of the site. This waterbody had a Poor water body status and is categorised as being at risk (2016-2021). The groundwater body is Dublin (IE_EA_G_008). The groundwater had a Good status and is currently under review.

8.2. No water deterioration concerns were raised in the planning appeal.

8.3. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

8.4. The reason for this conclusion is as follows:

- The relatively small scale and nature of the development
- Location-distance from nearest water bodies
- Lack of direct hydrological connections

8.4.1. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

9.0 AA Screening

9.1. An Appropriate Assessment Screening (Stage 1) is attached to this report as Appendix 3.

9.2. 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 Baldoyle Bay SAC (000199), Baldoyle Bay SPA (004016), South Dublin Bay SAC (000210), South Dublin Bay and River Tolka Estuary SPA (004024), North Dublin Bay SAC (000206) or North Bull Island SPA (004006) in view of the conservation objectives of these sites and is, therefore, excluded from further consideration. Appropriate Assessment is not required.

9.3. This determination is based on:

- The urban location,
- The distance from nearest European site,
- The lack of a direct hydrological connection and
- The nature and scale of the works.

10.0 Recommendation

It is recommended that permission be granted subject to conditions.

11.0 Reasons and Considerations

Having regard to the sites High Technology zoning objective, to the planning history of the site, to the light industrial nature and scale of the proposed development and to the likely volume of vehicular trips generated by the proposed development, it is considered that subject to compliance with the conditions set out below, that the proposed development would not adversely affect the capacity of a national road or other major road, would be acceptable in terms of traffic safety and convenience and would not seriously injure the residential or visual amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area

12.0 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 4th day of June 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. The vehicular access from Stockhole Lane shall be for emergency vehicles, pedestrians and cyclists only.

Reason: In the interest of orderly development

3. Prior to occupation of each industrial unit the applicant shall submit for the written agreement of the planning authority final details of signage to be provided on the external façade of the industrial units and on the totem pole at the entrance to the proposed development.

Reason: In the interest of visual amenity.

4. The boundary treatment between the site and the existing residential dwellings fronting onto Stockhole Lane, shall comprise a minimum 2m high boundary wall with planting within the appeal site adjacent to the boundary wall. Prior to commencement of development the applicant shall submit for the written agreement of the planning authority details of this boundary treatment.

Reason: In the interest of residential amenity.

5. Details of the materials, colours and textures of all the external finishes to the proposed industrial units and the totem pole sign shall be submitted to, and

agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

6. No additional floorspace shall be provided in any unit, either by way of subdivision of any unit, or the provision of mezzanine floorspace, or otherwise, without a prior grant of planning permission.

Reason: To control the intensity of development on the site.

7. The proposed development shall be provided with noise insulation to an appropriate standard, having regard to the location of the site within Zone B associated with Dublin Airport.

Reason: To ensure an appropriate standard of development.

8. Prior to the commencement of the development the applicant shall submit in writing to the Planning Authority agreed details with the Dublin Airport Authority relating to proposals for crane operations during the construction phase.

Reason: In the interest of aircraft safety.

9. The operating hours of the facility shall be between 07.00am and 19.00pm Monday to Friday and between 08.00 am and 02.00 pm on Saturdays only, unless otherwise agreed in writing with the Planning Authority.

Reason: In the interest of clarity and residential amenity.

10. During the operational phase of the proposed development the noise level shall not exceed 55 dB(A) rated sound level between the hours of 0700 to 1900, and 45 dB(A) 15min and 60 dB LAfmax, 15min at all other times, (corrected for a tonal or impulsive component) as measured at any point along the sites eastern boundary with existing residential dwellings.

Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to occupation of the development.

Reason: To protect the residential amenities of property in the vicinity of the site.

11. No advertisement or advertisement structure, the exhibition or erection of which would otherwise constitute exempted development under the Planning and Development Regulations 2001 (as amended), shall be displayed or erected on the building exterior or within the curtilage of the industrial units without a prior grant of planning permission.

Reason: In the interest of visual amenity.

12. Prior to the occupation of the proposed development, a Mobility Management Plan (MMP) shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of cycling and walking by staff employed in the development.

Reason: In the interest of encouraging the use of sustainable modes of transport.

13. The landscaping scheme shall be carried out within the first planting season following substantial completion of external construction works.

In addition to the proposals in the submitted scheme, prior to commencement of development the applicant shall submit the following for the written agreement of the planning authority

- a) Proposals for additional seating and lighting within the pocket back in the south west portion of the site.
- b) Details of the species to be provided green walls of the northern elevation of the industrial units.

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 or until the development is taken in charge by the local authority, whichever is the sooner, 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 biodiversity and amenity.

14. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -

- a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation, including hydrological and geotechnical investigations relating to the proposed development,
- b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
- c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.
- d) In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

15. External lighting shall be provided in accordance with a scheme which shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The scheme shall include lighting along pedestrian routes through open spaces. Such lighting shall be provided prior to the operation of the proposed development.

Reason: In the interest of amenity and public safety.

16. All service cables associated with the proposed development, such as electrical, telecommunications and communal television, shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. Details of the ducting shall be submitted to and agreed in writing by the planning authority prior to the commencement of development.

Reason: In the interests of visual amenity

17. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the relevant Section of the Council for such works and services. Prior to the commencement of development, the developer shall submit to the Planning Authority for written agreement a Stage 2 - Detailed Design Stage Storm Water Audit. Upon completion of the development a Stage 3 Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.

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

18. Prior to the commencement of development, the developer shall enter into a Connection Agreements with Uisce Éireann to provide for a service connection to the public water supply and wastewater collection network.

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

19. The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths and kerbs shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS).

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

20. A minimum of 10% of the car parking spaces shall be provided with functional electric vehicle charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of sustainable transportation.

21. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 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.

22. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of proper planning and sustainable development

23. The development shall be managed in accordance with a management scheme which shall be submitted to, and agreed in writing with, the planning authority, prior to the occupation of the industrial units. This scheme shall provide adequate measures relating to the future maintenance of the development; including landscaping, roads, paths, parking areas, lighting, waste storage

facilities and sanitary services together with management responsibilities and maintenance schedules.

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

24. 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.

Elaine Power

Senior Planning Inspector

9th October 2025

Appendix 1

Form 1: EIA Pre-Screening

Case Reference	320266-24
Proposed Development Summary	The construction of 4 no. light industrial units with associated office space.
Development Address	Lands to the west of Stockhole Lane / Clonshaugh Road, Clonshaugh, Co. Dublin.
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2. ☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☐ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2,	

Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	10 (b)(iv): Urban Development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. 15: Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development, but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ **Date:** _____

Form 2: EIA Preliminary Examination

Case Reference	ABP 320266-24
Proposed Development Summary	The construction of 4 no. light industrial units with associated office space.
Development Address	Lands to the west of Stockhole Lane / Clonshaugh Road, Clonshaugh, Co. Dublin
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The proposed development comprises the construction of 4 no. light industrial units with associated office use on a 3.0453 ha. greenfield site. The development does not include any demolition or excavation works. The site is zoned for High Technology. Permission was previously granted on the overall landholding for 3 no. light industrial units. The change to the landscape is consistent with the existing characteristics of the surrounding area and the nature and scale of the proposed development is not regarded as being significantly at odds with the surrounding pattern of development. The proposed development would connect to the public water and drainage services of Uisce Eireann and Fingal County Council. Uisce Eireann indicated that there is capacity within the public network to accommodate the proposed development. Given the nature and scale of the proposed development I am satisfied that it would not give rise to significant use of natural resources, production of waste, pollution, nuisance, or a risk of accidents. The site is not at risk of flooding. There are no Seveso / COMAH sites in the vicinity of this location.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption	The appeal site is located on a greenfield site within the urban area of north Co. Dublin. The surrounding area has a mixed use urban character. The site does not host any species of conservation interest.

capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	This site is not located on, in or adjacent to any ecologically sensitive site. There are no surface water features located within the appeal site. There are no known archaeological features within the development site. There are no protected landscapes within or immediately adjacent to the site. Having regard to the location of the site and the nature and scale of the development there is no potential to significantly affect environmental sensitives in the area, including protected structures.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	
There is a real likelihood of significant effects on the environment.	

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)

Appendix 2:

Appropriate Assessment Screening (Stage 1)

Screening for Appropriate Assessment Test for likely significant effects
<i>Brief description of project</i>
A description of the project is summarised in Section 2 of my report. In summary, the proposed development as submitted by way of further information comprises the construction of a 4 no. light industrial units with associated office use with a gross floor area of 6,456sqm, and all associated site works.
<i>Brief description of development site characteristics and potential impact mechanisms</i>
The site has a stated area of 3.0453 ha. There are no surface water features located within the appeal site. The nearest waterbody to the appeal site is the River Mayne_010. A tributary of the River Mayne is located c. 300m south of the site. Although not stated by the applicant, sections of this watercourse are culverted under the R139 and the M1 / M50 interchange. A tributary of the river Mayne is also c. 350m north of the appeal site. This northern tributary is also referred to as the Cuckoo Stream by the applicant. Both of these watercourses ultimately drain to Baldoyle Bay. During the construction phase all surface water drainage within the site would be attenuated prior to discharge to the public network under Stockhole Lane which discharges to the River Mayne and ultimately to Baldoyle Bay. Potential construction phase run-off could contribute to downstream impacts such as increased siltation, nutrient release and/or contamination. These impacts could contribute to habitat degradation and deterioration of water quality in the receiving and downstream environments. During the operational phase surface water would be attenuated on site and would be discharged to the public network under Stockhole Lane which discharges to the River Mayne and ultimately to Baldoyle Bay. Foul water from the site would enter the public network and be treated at Ringsend WWTP.
<i>Screening Report</i>
An Appropriate Assessment Screening Report was prepared by Altamar and submitted in support of the application.
<i>Relevant Submissions</i>

No submissions from a third party or a prescribed body with regard to AA.

Identification of relevant European sites using the Source-pathway-receptor model

Table 1 of the applicants AA Screening Report identified 17 no. Natura 2000 sites within 15km of the site. The proposed development is not located within or adjacent to any designated site. Therefore, the proposed development would not result in any direct effects such as habitat loss on any European Site. Having regard to the nature and scale of the development, its urban location and the lack of a directly hydrological link or pathway to any of these designated sites it is my opinion that a detailed screening of these sites is unnecessary.

The designated sites within Baldoyle Bay, Baldoyle Bay SAC and Baldoyle SPA which are down stream of the public surface water network and the designated sites within the inner section of Dublin Bay, namely South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA, which are downstream of the Baldoyle Bay and the outfall location of the Ringsend WWTP could reasonably be considered downstream of the proposed development. On this basis these sites are subject to a more detailed Screening Assessment.

Although not included in the applicants assessment I am also satisfied that the North West Irish Sea pSPA can also be excluded from any further assessment due to the distant and interrupted hydrological connection, the nature and scale of the development and the distance and volume of water (dilution factor) separating the appeal site.

Site synopsis and conservation objectives can be found on the NPWS website (www.npws.ie)

European Sites within the Zone of Influence.

European Site (code)	Summary of Qualifying Interests	Distance from proposed development	Ecological connections (source, pathway, receptor)	Consider further in screening Y/N
Baldoyle Bay SAC (000199)	Mudflats and sandflats not covered by seawater at low tide (M) Salicornia and other annuals colonising mud and sand (M) Atlantic salt meadows (M)	c. 5km to the east	Yes. Indirect hydrological connect via the public surface water network and the public foul water network.	Yes

	Mediterranean salt meadows (M)			
Baldoyle Bay SPA (004016)	Light-bellied Brent Goose (M) Shelduck (M) Ringed Plover (M) Golden Plover (M) Grey Plover (M) Bar-tailed Godwit (M) Wetland and Waterbirds (M)	c. 5km east	Yes. Indirect hydrological connect via the public surface water network and the public foul water network.	Yes
North Dublin Bay SAC (000206)	Mudflats and sandflats not covered by seawater at low tide (M) Annual vegetation of drift lines (R) Salicornia and other annuals colonising mud and sand (R) Atlantic salt meadows (M) Mediterranean salt meadows (M) Embryonic shifting dunes (R) Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) (R) Fixed coastal dunes with herbaceous vegetation (grey dunes) (R) Humid dune slacks (R) Petalwort (M)	c.5.4km south east	Yes. Indirect hydrological connect via the public surface water network and the public foul water network.	Yes

North Island (004006)	Bull SPA	Light-bellied Brent Goose (M) Shelduck (M) Teal (M) Pintail (M) Shoveler (M) Oystercatcher (M) Golden Plover (M) Grey Plover (M) Knot (M) Sanderling (M) Dunlin(M) Black-tailed Godwit (M) Bar-tailed Godwit (M) Curlew (M) Redshank (M) Turnstone (M) Black-headed Gull (M) Wetland and Waterbirds (M)	c. 5.4km south east	Yes. Indirect hydrological connect via the public surface water network and the public foul water network.	Yes
North Irish (004236)	West Sea SPA	Red-throated Diver (M) Great Northern Diver (M) Fulmar (R) Manx Shearwater (M) Cormorant (R) Shag (R) Common Scoter (M) Black-headed Gull (M) Common Gull (M) Lesser Black-backed Gull (M)	c. 6.5km east	Yes. Indirect hydrological connect via the public surface water network and the public foul water network.	Yes

	Herring Gull (R) Great Black-backed Gull (M) Kittiwake (R) Roseate Tern (M) Common Tern (M) Arctic Tern (M) Guillemot (M) Razorbill (M) Puffin (R) Little Gull (M) Little Tern (M)			
South Dublin Bay SAC (000210)	Mudflats and sandflats not covered by seawater at low tide (M) Annual vegetation of drift lines Salicornia and other annuals colonising mud and sand Embryonic shifting dunes		Yes. Indirect hydrological connect via the public surface water network and the public foul water network.	Yes
South Dublin Bay and River Tolka Estuary SPA (004024)	Light-bellied Brent Goose (M) Oystercatcher (M) Ringed Plover (M) Grey Plover Knot (M) Sanderling (M) Dunlin (M) Bar-tailed Godwit (M) Redshank (M)		Yes. Indirect hydrological connect via the public surface water network and the public foul water network.	Yes

	Black-headed Gull (M) Roseate Tern (M) Common Tern (M) Arctic Tern (M) Wetlands & Waterbirds (M)			
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Likely effects of the project, alone or in combination on European Sites

The development is not located within a designated sites and, therefore, does not result in any direct effects on the site. However, due to the indirect hydrological connection to Baldoyle Bay SAC and Baldoyle Bay SPA via the public surface water drainage network and the foul network potential impacts generated by the construction and operational phases of the development requires consideration.

Sources of impact and likely significant effects are detailed in Table 2 below.

Table 2: Screening Matrix

Site name	Possibility of significant effects (alone) in view of the conservation objectives of the site	
	Impact	Effects
Baldoyle Bay SAC (000199)	<u>Direct:</u> No direct impacts	Due to the distant and interrupted hydrological connection, the nature and scale of the development and the distance and volume of water (dilution factor) separating the application site from Natura 2000 sites in Baldoyle Bay and Dublin Bay and the Irish Sea no effects are likely. The foul discharge from the site is negligible in the context of the overall licenced discharge at Ringsend WWTP, and thus its impact on the overall discharge would be negligible.
Baldoyle Bay SPA (004016)	<u>Indirect:</u> Potential release of silt and sediment during site works and potential release of construction related compounds including hydrocarbons to surface water.	
North Dublin Bay SAC (000206)		
North Bull Island SPA (004006)		
North West Irish Sea pSPA (004236)	Indirect impacts on water quality from Ringsend WWTP.	

South Dublin Bay SAC (000210) South Dublin Bay and River Tolka Estuary SPA (004024)		
Cumulative Impact: There is no likelihood of significant effects occurring in combination with other plans or projects		
Comments: During the construction phase surface water runoff would be directed to on-site settlement ponds where measures would be implemented to capture and treat sediment laden runoff prior to discharge to the surface water network at a controlled rate. During the operational phase attenuated surface water would flow by gravity to the existing surface water drain which runs under Stockhole Lane. During both the construction and operational phases standard pollution control measures would be put in place. Pollution control measures standard practices for urban sites and would be required for a development on any urban site in order to protect local receiving waters, irrespective of any potential hydrological connection to Natura 2000 sites. In the event that the pollution control and surface water treatment measures were not implemented or failed, I remain satisfied that the potential for likely significant effects on the qualifying interests of Natura 2000 sites in Baldoyle Bay, Dublin Bay or the Irish Sea can be excluded given the distant and interrupted hydrological connection, the nature and scale of the development and the distance and volume of water separating (dilution factor) the appeal site from these designated sites. The foul discharge from the proposed development would drain, via the public network, to the Ringsend WWTP for treatment and ultimately discharge to Dublin Bay. There is potential for an interrupted and distant hydrological connection between the site and sites in Dublin Bay due to the wastewater pathway. I am satisfied that the foul discharge from the site is negligible in the context of the overall licenced discharge at Ringsend WWTP, and thus its impact on the overall discharge would be negligible.		

The site is not identified as an ex-situ site.

Screening Determination

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 Baldoyle Bay SAC (000199), Baldoyle Bay SPA (004016), South Dublin Bay SAC (000210), South Dublin Bay and River Tolka Estuary SPA (004024), North Dublin Bay SAC (000206) or North Bull Island SPA (004006) 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 urban location,
- The distance from nearest European site,
- The lack of a direct hydrological connection and
- The nature and scale of the works.

Appendix 3: WFD IMPACT ASSESSMENT STAGE 1: SCREENING

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

An Bord Pleanála ref. no.	320266-24	Townland, address	Site to the west of Stockhole Lane / Clonshaugh Road, Clonshaugh, Co. Dublin
Description of project		The construction 5 no. light industrial units and all associated works to facilitate the development. The number of industrial units was reduced to 4 no. by way of further information.	
Brief site description, relevant to WFD Screening,		Site is located on a greenfield site in the urban area of Clonshaugh, Co. Dublin. It is currently in agricultural use (grazing horses).	
Proposed surface water details		Surface water generated within the site would be discharged under restricted rates to the existing public network.	
Proposed water supply source & available capacity		It is proposed to connect to the public network. Uisce Eireann have issued a confirmation of feasibility for the proposed connection.	
Proposed wastewater treatment system & available capacity, other issues		It is proposed to connect to the public network. Uisce Eireann have issued a confirmation of feasibility for the proposed connection.	
Others?			

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	350m north of the site and culverted 300m south of the site	Mayne_010 (IE_EA_09M030500)	Poor	At Risk	Urban Pressures	No direct pathway
Groundwater Waterbody	Underlying site	Dublin (IE_EA_G_008)	Good	Under Review	-	No direct pathway

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	Waterbody 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	Mayne_010 (IE_EA_09M0 30500)	Surface water and foul drainage will be directed through the public networks.	Siltation, pH (Concrete), hydrocarbon spillages	Standard construction practices	No	Screened out
2.	Ground	Dublin (IE_EA_G_00 8)	Pathway exists but poor drainage characteristics	spillages	Standard construction practice	No	Screened out
OPERATIONAL PHASE							
3.	Surface	Mayne_010 (IE_EA_09M0 30500)	Surface water and foul drainage will be directed through the public networks.	Hydrocarbon spillage	SUDs features and attenuation on site.	No	Screened out

4.	Ground	Dublin (IE_EA_G_00 8)	Pathway exists but poor drainage characteristics	Spillages	SUDs features and attenuation on site.	No	Screened out
DECOMMISSIONING PHASE							
5.	NA						