



An
Bord
Pleanála

Inspector's Report

ABP-320513-24

Development

Crematorium (485m²) within the grounds of Esker Lawn Cemetery and all associated site development works.

Location

Esker Lawn Cemetery, Newlands Road, Lucan, Dublin 22.

Planning Authority

South Dublin County Council

Planning Authority Reg. Ref.

SD23A/0292

Applicant(s)

Esker Lawn Cemetery Ltd.

Type of Application

Permission

Planning Authority Decision

Grant

Type of Appeal

Third Party

1. Catherine O' Donnell

Date of Site Inspection

28/06/2025

Inspector

Paula Hanlon

Contents

1.0 Site Location and Description	4
2.0 Proposed Development	5
3.0 Planning Authority Decision	6
3.1. Further Information	6
3.2. Decision	6
3.3. Planning Authority Reports	6
4.0 Planning History	8
5.0 Policy Context	10
5.1. Development Plan	10
5.2. Natural Heritage Designations	11
5.3. EIA Screening	11
6.0 The Appeal (Third Party)	14
6.1. Grounds of Appeal	14
6.2. Applicant Response	14
6.3. Planning Authority (PA) Response	16
6.4. Observations	16
7.0 Assessment	17
7.1. Principle of Development	17
7.2. Issues on Roads, Traffic and Car Parking	21
7.3. Impact on Residential Amenity	26
7.4. Impact on Amenity and Heritage	26
7.5. Environmental Management	27
7.6. Procedural Matters	32

7.7. Material Contravention.....	33
8.0 AA Screening.....	34
9.0 Recommendation.....	35
10.0 Reasons and Considerations.....	35
11.0 Conditions	35

Appendices

1.0 Site Location and Description

- 1.1. The site (stated area 0.556ha) which is the subject matter of this appeal, hereafter referred to as 'the site' is located within the southern part of the grounds of an established lawn cemetery, namely Esker Lawn Cemetery, in Lucan, Co. Dublin. It is located within an area to the north of the N4 Lucan bypass, approximately 700m SE of Lucan village.
- 1.2. The wider cemetery grounds incorporate land which offers traditional burial plots, ash burial plots and a columbarium wall, with ancillary on-site development including a maintenance and services building and on-site car park (39(no) spaces).
- 1.3. The site itself encompasses grassed areas, planting, footpath, a temporary grounds maintenance yard and a portion of the existing cemetery car park.
- 1.4. It is bound by a local road (Lucan-Newlands Rd) and Cherbury Park residential estate (east), Griffeen Valley Vesey Park (west), the grounds of Esker Lawn cemetery (north) and the N4 (Lucan Bypass) road (south). Esker graveyard (referred to in some documents submitted as Lucan Old cemetery) is located within close proximity, to the northeast of the site.
- 1.5. The lowlying topography of the overall grounds within Esker Lawn Cemetery comprise a gentle rise in a predominantly southerly direction. Level changes also exist across the site due to existing grassed areas which are mounded in parts.
- 1.6. The Griffeen River traverses' lands approximately 30m west of the site's western boundary. The Moat Stream flows through the cemetery grounds, c.90m (at its closest point), to the northwest of the site.
- 1.7. The site is served by an established single vehicular access onto the adjoining local road (L5216) Lucan-Newlands Rd. (east). This road will form part of the Grand Canal to Lucan Urban Greenway in the near future.

2.0 Proposed Development

2.1. The proposed construction of a new crematorium (485 m²) within the grounds of Esker Lawn Cemetery. It would consist of the following:

1. A congregation space, 1(no.) electric cremator and associated plant and services spaces, visitor toilets and an ESB substation
2. Minor adjustments to existing parking area within the cemetery grounds, resulting in a net additional increase of 2(no) car parking spaces
3. Amendments to existing site landscaping including the removal and reduction of existing hard surfaces and roadway surfaces and all associated works
4. New landscaping works including a contemplation pond, water feature, planted landscape berms and swale drains at the building perimeter and at the adjacent area designated for grave spaces under SD10A/0331 as part of a combined SuDs drainage and biodiverse planting strategy
5. Temporary construction access at the site's eastern boundary, with the existing boundary to be reinstated post construction.

2.2. The application was accompanied by the following documentation of note:

- Design Statement
- Planning Statement
- Air Quality Screening Assessment
- Habitats Directive Screening Statement
- Environmental Impact Assessment Screening Report
- Construction Environmental Management Plan [Incl. Construction Resource Waste Management Plan]
- Landscape Architects Design Report & Landscape Masterplan
- Civil/Structural Engineers Report [Drainage and Traffic & Car Parking Strategy]
- Mechanical & Electrical Engineers Environmental Strategy Report.

3.0 Planning Authority Decision

3.1. Further Information

The Planning Authority (PA) requested further information on 11 January 2024 which is summarised as follows:

- (1) Clarity to be given on the intended use of a part of the crematorium, noting that funeral home use (as defined) is not permitted on the site's zoning.
- (2) Additional Traffic and Parking details sought, including a Traffic & Transport Assessment (TTA) with the incorporation of proposed active travel route (Canal to Lucan Urban Greenway).
- (3) Provide an Ecological Survey.
- (4) Additional details sought on surface water and SuDs.

3.2. Decision

By Order dated 15 July 2024, South Dublin County Council (SDCC) issued a Notification of decision to grant planning permission subject to 11(no) conditions. The conditions attached are discussed within Section 3.3.3 and Section 7 of this assessment (as below).

3.3. Planning Authority Reports

3.3.1. Planning Reports

Two Planning Reports are attached to the file.

The first planning report (dated 10/01/2024) sought that further information be provided on 4(no) raised matters, which are reflected in the request of further information that issued by the PA (as summarised in Section 3.1 above).

A second Planning Report (dated 15/07/2024) on consideration of the further information received recommended that permission be granted subject to conditions.

3.3.2. Other Technical Reports

- Water Services: Further Information sought.
- Roads Department: Further Information sought.
- Public Realm Section: No objection subject to conditions.
- Heritage Officer: None attached to the documentation which accompanied this planning appeal. The Planning Officer in their report makes reference to a verbal report from the Heritage Officer on 10/01/2024.

3.3.3. Conditions

I am generally satisfied that all conditions attached by the PA in its decision to grant permission are standard conditions insofar as they relate to the proposed development. The following conditions are of note:

- Clarity given on use of congregation space sought and restriction on the number of committal services per day within the crematorium (Condition 2)
- Traffic & Transport Assessment to be submitted (Condition 3)
- Archaeological Impact Assessment to be submitted (Condition 4)
- Additional Drainage Details to be submitted (Condition 5)
- Environmental Health required details (Condition 7)
- Restrictions on signage (Condition 9)
- Mitigation Measures (including mitigation within EclA) (Condition 10).

Consideration will be given to the attachment of these conditions within my assessment below, where relevant [Refer Section 7].

3.3.4. Prescribed Bodies

DHLGH: Recommended that an Archaeological Impact Assessment be submitted by way of Further Information to the PA.

Uisce Éireann: No objection subject to conditions.

HSE (EHO Officer): No objection subject to conditions.

3.3.5. **Third Party Observations**

The PA received a large number of third party submissions and representations at application stage (i.e. 53 number). The issues and concerns raised by third parties at application stage are summarised as follows:

the lack of justification/need for the proposed crematorium, concerns on a number of planning matters including siting, residential amenity, property values, health & wellbeing, visual impact (historical area) & impact on Liffey Valley Special Amenity Area Order, air quality, traffic/congestion/parking, ecology & biodiversity, energy consumption, lack of specific legislation and regulatory oversight, lack of consultation, sufficiency of submitted details and procedural concerns.

4.0 **Planning History**

Subject site:

PI. Ref. SD10A/0331 (ABP Ref. PL06S.239778):

The PA's decision to grant permission was upheld following a third-party appeal for a lawn cemetery, management building, toilet building, storage building and other associated works. It included 461(no) plots (which was reduced by 372 plots by condition), columbarium wall, car parking, vehicular entrance off the Lucan - Newlands Road and all associated works. An Extension of Duration of Permission was subsequently granted up to February 2023.

Conditions of note:

Condition 9 Details relating to the green link to south of site to be submitted for the PA's agreement prior to commencement in accordance with the required condition.

Adjacent to site:

SD228/0009 Part 8 Application Grand Canal to Lucan Urban Greenway

- Construction of 4.2 km shared pathways pedestrian and cycle facilities within parklands and quiet streets and traffic calming measures on vehicle carriageway from Grand Canal to Lucan Village.
- Construction of 4.29 km school connections with improved footpaths, cycle facilities, and school zones, junction amendments to provide safer movement of pedestrians and cyclists, Associated services, Landscaping and Public Realm works.

5.0 Policy Context

5.1. Development Plan

5.1.1. The South Dublin County Development Plan 2022-2028 (CDP) which came into effect 03 August 2022 is the operative plan and of relevance in this case.

5.1.2. The site is within Level 1 - Dublin City & Suburbs of the settlement hierarchy of South Dublin County Council (SDCC). The CDP outlines that Lucan forms a larger centre that is critical for delivering services, retail and economic activity interconnected with existing and planned transportation. A key component of the plan is to support the consolidation of key urban areas as the plan strives towards a 10-minute settlement concept in line with the provisions of the RSES.

5.1.3. The site is within lands zoned Open Space - 'OS' (Map 1, CDP) with the landuse zoning objective 'To preserve and provide for open space and recreational amenities'.

5.1.4. The land use zoning tables within the CDP's written statement provide guidance in relation to the general appropriateness of particular development types or land uses in each land use zone. 'Crematorium' as a use is 'Open for Consideration' on the 'OS' zoning attached to this site.

5.1.5. The following Chapters are relevant in the consideration of this appeal:

5.1.6. Chapter 3 (Natural, Cultural and Built Heritage); Chapter 8 (Community & Open Space) and Chapter 11 (Infrastructure & Environmental Services).

5.1.7. Policy, objectives and standards of particular relevance include:

- Policy COS13: Facilitate the sustainable development of cemeteries and crematoria to cater for the County's needs.
- COS13 Objective 1: Facilitate new or extended burial grounds, incl. crematoria, at suitable locations, subject to appropriate safeguards with regard to environmental considerations, noise, & traffic impacts.

- Section 12.8.8 sets out standards and criteria for crematoria.

It states that crematoria will be considered in suitable locations with compatible land use zoning objectives.

It also states that the applicant will be required to demonstrate a need for the development and that the proposal will not adversely impact on the amenity of adjacent existing residents or businesses, or disproportionately cause inconvenience by way of significant traffic congestion or car parking issues.

All proposals should demonstrate compliance with appropriate legislative guidelines and provide details in relation to landscaping, storage, waste and groundwater.

Other provisions of particular relevance include:

Policy NCBH1: (Protect, conserve and enhance the County's natural, cultural and built heritage, supporting its sensitive integration into the development of the County); Policies GI1 & GI2 (Strengthen GI network & enhance biodiversity); Policies GI3 & GI14 and GI4 Objective 1 (Sustainable Water Management); policy IE3 (Surface Water & Groundwater); IE8 (Environmental Quality) and SM7 (Car Parking & EV Charging).

5.2. Natural Heritage Designations

There are no natural heritage designations within, or, in the immediate vicinity of the site. The nearest Natura 2000 site(s) are Rye Water Valley/Carton SAC (001398), c.3.2km SW and Glenasmole Valley SAC (001209) c.11.5km SE of the site.

Liffey Valley pNHA (000128), being the nearest pNHA/NHA is located approximately 900m north of the site.

5.3. EIA Screening

I refer the Commission to completed Form 1 and Form 3 which are appended to this report (Appendix 1&2). Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations, I have

concluded that there is no real likelihood of significant effects on the environment arising from the proposed development. The preparation and submission of an Environmental Impact Assessment report (EIA) therefore is not required.

5.4. WFD Screening

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 proposed crematorium, and the distance and location from nearest water bodies (Griffen River /Moat Stream) and hydrological connections, 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. I refer the Commission to Appendix 4 of this report.

Accordingly, 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.

5.5. The Climate Action Plan 2025

The Climate Action Plan 2025 (CAP25) which was approved by Government sets out the roadmap to deliver on Ireland's climate ambition. It aligns with the legally binding economy-wide carbon budgets and sectoral ceilings that were agreed by Government. CAP25 builds upon CAP24 by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings and should be read in conjunction with Climate Action Plan 2024.

It reaffirms the previous commitment to halve Ireland's emissions by 2030 and reach net zero by no later than 2050, as committed to in the Climate Action & Low Carbon Act 2015 (as amended) (The Climate Act).

5.6. **Climate Action & Low Carbon 2015 (as amended) (The Climate Act)**

The Climate Act commits Ireland to the objective of becoming a carbon-neutral economy by 2050, reducing its greenhouse gas emissions by 51% by 2030, relative to 2018 levels and achieving climate neutrality by signing into the Climate Action & Low Carbon development (Amendment) Act 2021.

Section 15 of the Climate Act sets out that;

- (1) A relevant body shall, in so far as practicable, perform its functions in a manner consistent with—
 - (a) the most recent approved climate action plan,
 - (b) the most recent approved national long term climate action strategy,
 - (c) the most recent approved national adaptation framework and approved sectoral adaptation plans,
 - (d) the furtherance of the national climate objective, and
 - (e) the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State.

An Coimisiún Pleanála is a relevant body for the purposes of the Climate Act. As a result, the obligation of the Commission is to make all decisions in a manner that is consistent with the Climate Act.

6.0 The Appeal (Third Party)

A third-party appeal, made by Mary & Alec Birnie was received on 08 August 2024.

A summary of the grounds of appeal is set out within Section 6.1 below.

6.1. Grounds of Appeal

- The proposal does not satisfy CDP requirements on crematoria.
 - The need/demand for the development has not been demonstrated.
 - There would be adverse impacts on amenities and on adjacent existing residents and significant traffic congestion & car parking issues.
 - Concerns raised on the health & quality of life of the appellants and residents in the area.
 - An EIAR did not accompany the application.
- The proposal (with Committal Room) contravenes the site's zoning objective.
- There is a lack of clarity given on the operation of the cremation plant.
- There is a lack of clarity within the permission granted in relation to 3 committal services being allowed daily and traffic reports cannot be relied on.
- The sufficiency of the submitted Traffic Reports and the operation of the traffic and parking could result in serious health and safety issues.
- Concern is raised on the issuing of permission in advance of consideration of a required Traffic Report, which was a condition of the grant of permission.
- The appellant is unable to fulfil their right to appeal given that the required Traffic Report is unavailable for inspection.

6.2. Applicant Response

A summary of the applicant's response to the grounds of appeal, received on the 16 September 2024 is as follows:

- The applicant confirms that they will operate the crematorium on the site of their existing cemetery and puts forward that it makes sense both commercially & operationally to conduct both burials and cremations on site, with adequate safeguards in place.
- Crematoria are not regulated in Ireland, nor should they be given that there is significant environmental legislation in place to protect amenity, the environment and ecology. Sufficient environmental guardrails are in place to ensure no significant environmental impact.
- Outdated UK Guidance on crematoria should not be used against this proposal.
- There are several crematoria operating in Dublin and fewer in the rest of the country, with a need for more in Dublin to meet increasing demand.
- Crematoria minimise the use of land, offer a viable alternative to burials and are more sustainable in planning terms than burials.
- The Environmental Health Officer's report recommended a firm approval subject to conditions.
- The proposal is not contrary to the CDP zoning/adopted policy and would not seriously injure residential amenities and the amenities of the area.
- The Planning officer accepted that a crematorium and committal area operate entirely different, have different operational hours to a funeral home and is accepting of a condition in respect of the use (committal services).
- There are no ecological concerns expressed by the relevant Section(s) of the LA.
- There are no outstanding concerns on water services and SuDS by the relevant Section of the LA.
- The proposal satisfies CDP provisions.
- A Transport Document (including Traffic & Transport Assessment & an Event Management Plan) is submitted.
- A definition on funeral home is given. It is confirmed that there will be no preparation of the dead for burial or cremation as part of the proposed development.

- The operational hours of the cremator plant are given along with a statement in respect of clarity associated with Condition 2 of the PA's decision to grant permission.

6.3. Planning Authority (PA) Response

A response from the PA dated 03/09/24 was received. It confirms the PA's decision to grant permission. The PA states that the issues raised in the appeal have been addressed in the Chief Executive Order.

6.4. Observations

3(no) observations, made by a public representative, Residents Association and concerned residents were received. The matters raised are similar to those raised within submissions made to the PA at application stage, including the following:

- The site location is unsuitable for the proposed development for a number of stated reasons.
- Sufficiency of submitted details (incl. details on traffic congestion, EIA, CDP compliance and WFD).
- Impact on residential amenities in the site's vicinity.
- Roads, Traffic & Car parking matters.
- Compliance with CDP provisions.
- Environmental impact & lack of regulatory oversight.
- Procedural matter in relation to the attachment of a condition on roads and traffic matters.
- The proposal would constitute a material contravention of CDP policy (COS13) and objective (COS13 Obj 1)
- Concerns raised in respect of emissions from proposed crematorium.
- A number of procedural issues are raised.
- Concerns expressed on dangers to health.

- Non-compliance with UK legislation on required separation distances between crematoria and residences.
- Impact on the ancient historical area of Esker.
- Impact on an area of outstanding natural beauty 1km from site, the river linked Liffey Valley SAAOL).

7.0 Assessment

Having examined the application details and all other documentation on file, including the third-party appellant's submission (the subject matter of this appeal), observations received, undertaking a site inspection and having regard to the relevant policies, objectives, and guidance, I am satisfied that the main issues to be considered are those raised in the grounds of appeal and within the observations received, and I am satisfied that no other substantive issues arise.

The main issues in determining this appeal are as follows:

- Principle of Development
- Issues on Roads, Traffic & Car Parking
- Impacts on Residential Amenity
- Impacts on Public Health
- Impacts on Visual Amenities
- Other/Procedural Matters
- Material Contravention.

7.1. Principle of Development

There is supporting policy within the operative CDP to facilitate the sustainable development of crematoria (and cemeteries) to cater for the needs of the County (policy COS13). The plan seeks that such use(s) be at suitable locations and subject to appropriate safeguards with regard to environmental considerations, noise and

traffic impacts (COS13 Objective 1). In this context, I am satisfied that the principle of the proposed development is open for consideration and that its permissibility is subject to a detailed planning assessment and compliance with the provisions of the CDP.

7.1.1 Proposed Use and Number of Committal Services

Proposed Use

The development description makes clear that permission is sought for a crematorium on the site. The details furnished within the applicant's response to the PA on the 18 June 2024 and as reiterated within the applicant's appeal response makes clear that there is a difference between a 'committal room' which forms an integral part of a crematorium and a 'funeral home', which is an entirely separate use, the later of which is not sought in this case.

I am mindful that a funeral home generally provides a range of services including a meeting space for making funeral arrangements, the preparation of a deceased person for burial or cremation, the laying out of the body of the deceased for viewings and the hosting of a funeral or memorial service in some cases.

I see no reason to dispute the applicant's proposal with respect to the use of the committal room as outlined within the applicant's appeal response. It states that the committal room/space would be utilised at the end of the funeral process (similar to what would occur at a cemetery burial) and not at the beginning of the funeral process, the later of which would be undertaken in a funeral home.

It is not unreasonable or unusual for a committal room to be provided within crematoria and, in my view, it would be incorrect to make reference to a committal room as a funeral home.

I am satisfied that the plans and particulars submitted, including the layout of the proposed building is synonymous with a crematorium.

Furthermore, the applicant provides no uncertainty as to the use sought, which is solely for a crematorium and is satisfied that a condition be attached to any grant of permission which gives further certainty as to the use of the crematorium building.

In light of the details provided and in the absence of any third-party evidence to support its contention made on the use, I see no reason to assume or conclude that the development sought would afford permission for its use (in part or otherwise) as a funeral home. Notwithstanding, and solely for the purposes of clarity, I suggest that a similarly worded condition to that provided by the PA in condition 2 of its decision to grant permission be attached to any grant of permission.

Accordingly, in my opinion, any outstanding concerns or misconstrued details in regard to the use of the proposed crematorium building can be appropriately addressed by condition. I therefore do not consider it relevant to consider the matter of use beyond crematorium any further in this case.

Number of Committal Services

I wish to note at this point that I do not share the appellant's view in relation to the lack of clarity concerning "3 committal services being allowed daily". There is no ambiguity within the wording set out in Condition No. 2 of the PA's decision to grant permission in that it makes clear that there shall be no more than 3 Committal Services that can take place in any given day along with restricted hours within which such services can take place (i.e. the hours of 10am to 4pm). I am therefore satisfied that the matter can also be suitably addressed by condition, in the event that the Commission were minded to grant permission. In the event of non-compliance, the matter can be pursued by way of planning enforcement.

7.1.2 Zoning

There is no ambiguity insofar as the CDP makes clear that 'crematoria' is an "open for consideration use" on Open Space (OS) zoned lands, subject to detailed assessment. Accordingly, and in acknowledging that a funeral home is not sought in this case, I am satisfied that the principle of the proposed crematorium is open for consideration on the subject site and that therefore, it would not constitute a material contravention to the site's zoning objective, if permitted.

I am also cognisant that the proposed use being listed as 'open for consideration' is not sufficient on its own to conclude that the proposed development is permissible. I submit that the Commission must also consider the proposal on its merit in accordance with other relevant policies, objectives, standards and requirements of the Development Plan and the principles of proper planning and sustainable development before such a conclusion may be reached.

In this context, I note in particular that Section 12.8.8 of the CDP which sets out requirements for crematoria and associated site suitability is relevant in this case. I propose to examine the proposed development's compliance with all requirements and relevant provisions of the plan under the respective sub-headings below in my report.

Separately, I acknowledge that it could be argued that the subject site is located within a 'Transitional Area' as per the CDP (Section 12.2.1 Land Use Zoning Tables), given that the site which is zoned 'open space' adjoins 'residential' zoned lands to the east. Notwithstanding, I submit that the CDP takes somewhat of a flexible approach in that it seeks that abrupt transitions in scale and use should be avoided adjacent to the boundary of land use zones. Also, in affording due cognisance to the established cemetery use of the open space lands of which this site forms part, the fact that the development would be physically separated from adjoining residences by virtue of the adjoining road and established car park along the site's frontage within Esker Lawn Cemetery, coupled with the scale and design of the building and its siting, setback a distance in excess of 100m from the nearest residence (east), and with significant screen planting along its eastern boundary, I am of the view that the proposal would not constitute an abrupt transition in scale or use such that it would warrant a refusal of permission on these grounds. I refer the Commission to Section 7.3 & Section 7.4 of my report below, both of which are relevant in this regard, and in informing a decision on the likely impact(s) to the amenities of adjoining residences and lands.

7.1.3 Justification on need for crematorium at this location

While I accept that the submission of death rate/death rate projections within a given area would assist in demonstrating need in this case, I am mindful that the operative

CDP and most notably Section 12.8.8 of this plan is not prescriptive on the required details to be submitted in respect of demonstrating such need.

The applicant in justifying the need for the proposed development at this location makes reference from a planning perspective to Dublin's population (c.1.5 million), the separation distance between the site and the nearest established crematorium to the site (i.e. c.12km to Newlands Crematorium) and the number of existing crematoria (4no) in Dublin whereby demand within this urban centre may be higher due to a number of factors including limited space for burial and changing societal preferences, with a more diverse population and a greater proportion of the population seeking alternatives to traditional burials. The applicant also refers to the more sustainable use sought for the subject lands in the context of its existing use as part of Esker Lawn cemetery. There are no legislative or policy provisions which are restrictive on the number of crematoria permissible in Dublin vis-à-vis the number of crematoria within the remainder of the Country.

In this context and on balance, I am satisfied and concur with the PA that the information submitted is sufficient in respect of satisfactorily demonstrating need for the purposes of this planning application as required under Section 12.8.8 of the plan.

7.2. Issues on Roads, Traffic and Car Parking

7.2.1 Roads & Traffic

Having reviewed the internal report of the Roads Department dated 04/07/2024 which informed the PA's decision in respect of the submitted Traffic and Transport Assessment (TTA) which was received at further information stage, I am not convinced that its findings are wholly reflective of the details submitted within the TTA.

The nature, use and extent of the development sought in this case with associated modest traffic levels, all of which would be generated outside of peak traffic times, is not referenced within the assessment of the Roads Department.

I further note that the references made to congestion in the area do not coincide with the potential traffic generated during the proposed operational hours for the services

sought in this case being 10am to 4pm Monday to Saturday, outside of peak traffic times.

The adjoining local road referenced by a third party as a residential cul-de-sac is in my opinion somewhat misleading. Whilst it does indeed serve many residences, it also provides direct access into Esker Lawn Cemetery (west roadside) and Esker Graveyard (east of roadside). Furthermore, Part 8 approval is already in place for the Grand Canal to Lucan Urban Greenway, of which the adjoining local road forms part. The approved Part 8 greenway provides for the continuance of two-way traffic flow in conjunction with enhanced pedestrian and cycle infrastructure at this location.

Therefore, in essence, it is important to note that the existing site access junction serving Esker Lawn Cemetery onto the adjoining Lucan-Newlands road and which will be utilised in accommodating the proposed development is already approved to be incorporated into the forthcoming urban greenway scheme.

In light of the above and given the nature and scale of the development sought, I consider that any shortfalls in the TTA submitted would not warrant refusal on their own.

In further scrutinising this matter, I note that a revised TTA with an accompanying Event Management Plan undertaken by Transport Insights accompanied the applicant's response to this appeal case.

The methodology employed within the revised TTA including its assessment of the local road network, traffic modelling of the L5216/R835 Lucan Rd. junction, impacts of the proposal in the context of the forthcoming adjoining urban greenway and Event Management Plan with mitigation for any residual impacts arising from the proposed development further assists the Commission in informing its full assessment of the traffic and transport matters which are pertinent to this case.

I specifically refer the Commission to Sections 3.4 & 5.3 of the TTA undertaken by Transport Insights which clearly sets out the relevant details in respect of the forthcoming adjoining urban greenway and the integration of the proposed development with same. It is my view that the reference made by a third party to the forthcoming delivery of the urban greenway as a "very complex route from a road safety perspective" is erroneous and unsupported by documented evidence.

On completion of the urban greenway, the adjoining two-way local road (Lucan-Newlands Rd.) will continue to accommodate traffic movements generated from the surrounding residences within Cherbury Park, Esker Hill and Esker Rd. and visitors to Esker Lawn Cemetery.

In noting that a c.6m wide carriageway currently exists along this serving road, closer to Lucan village, I am of the view that a future reduction in existing carriageway width along the eastern (front) boundary of the site from c.9m to c.6m as part of the new urban greenway development will in itself provide as a measure for traffic calming and lower speed, which in turn would improve road safety for all road users, including vulnerable road users (children/pedestrians/cyclists) at this location.

In this regard and so as to address the concerns raised within an observation received on road safety, I wish to highlight that the application submitted does not propose any change to the already permitted and established access that serves the subject lands, nor to the already permitted Part 8 urban greenway.

In addressing the matter of the site's entrance, being closer to Cherbury Park Road, I am satisfied that sufficient visibility is available and note the wide splayed access arrangement in place, within this 30kph speed limit area. I am also satisfied that improvements to pedestrian and cycle infrastructure as part of the urban greenway will enhance the safety of more vulnerable road users. I therefore see no reason to support the contention made that the proposal would present a traffic hazard.

In relation to traffic levels, I submit that there is no supporting evidence given to support the observer's contention that the potential traffic generated by the proposed development along the Lucan-Newlands road would result in an increased risk to road safety. The revised TTA makes clear that the adjoining road network, including road junctions and its vertical and horizontal alignment has the carrying capacity to accommodate the modest traffic growth projected in this case.

I see no reason to dispute the findings of traffic survey and traffic growth projection figures in respect of the proposed development (Section 7.2 & 7.3, Revised TTA). I concur with the applicant that the modest traffic levels likely to be generated from the proposed development and which would not coincide with the network peak periods

would not result in any material traffic impacts on the operation of the local road network.

I refer also to DMURS guidelines whereby the minimising of vehicular queuing and delay so as to lessen traffic congestion is no longer a priority, with the focus on promoting a modal shift from the private car to more sustainable transport modes (Section 1 (Figure 1.1), DMURS). Accordingly, I consider that the applicant has satisfactorily demonstrated that the proposal not would not disproportionately cause inconvenience by way of significant traffic congestion, as set out within Section 12.8.8 of the CDP.

Overall, on balance, having undertaken a site visit and in reviewing the submitted documentation including the findings of the TTA which accompanied the applicant's appeal response, I am satisfied that the applicant has satisfactorily demonstrated that the proposed crematorium would have a negligible impact on the operation of the road network both currently and following the undertaking of the new Grand Canal to Lucan urban greenway, in the even that permission was to be granted in this case. I am also satisfied that given the scale and extent of the development, within an urban area that the proposal if permitted would not give rise to any significant health and safety concern or cause significant pollution as a result of modest traffic generated in this urban area, as contended by the appellant. The focus in this case should be on promoting more sustainable transport modes, where possible, as opposed to accommodating the private car.

In the event that the Commission was minded to grant permission, and for the purposes of clarity, I suggest that a condition be attached which requires that prior to commencement of development, the applicant shall submit the Event Management Plan which forms part of the revised TTA for the written agreement of the PA and that the permission thereafter shall be carried out strictly in accordance with the approved details.

7.2.2 Car Parking

In regard to the quantum of car parking sought to accommodate the proposed development, I note that crematorium use is not explicitly stated within Table 12.25 – Maximum Parking Rates (Non-residential) within the CDP.

In such instances, the plan is somewhat flexible, requiring that the default parking rate be calculated based on those of a comparable use and / or determined as part of a TTA.

The proposed development will utilise the existing dedicated car parking area within Esker Lawn Cemetery in a shared arrangement and provide for an additional 2(no) car spaces, with an overall total 41 on-site spaces shown on the submitted drawings. The applicant justifies parking demand in terms of undertaking surveys on previous services at Esker Lawn cemetery and operational hours.

In this context, the applicant has argued within the revised TTA which accompanies this application that an average of 18(no) vehicles per event is likely to occur, which equates to 44% occupancy level for the proposed capacity in this case.

I refer to Section 7.10 of the CDP and policy SM7 which provides that a balanced approach to the provision of car parking be implemented with the aim of using parking as a demand management measure to promote a transition towards more sustainable forms of transportation, while meeting the needs of businesses and communities. In regard to the potential for parking to impact on the health and safety of adjoining residents and others, I note that in-curtilage car parking is in place for all adjoining established residential development within the site's immediate vicinity (including Cherbury Park (Rd & Avenue) and Esker Lawns and that there is no on-street car parking/controlled parking regime in the form of pay and display on adjoining cul-de-sac estates. The proposed narrowing of the width of the adjoining local road as part of the new urban greenway will act as a deterrent for uncontrolled roadside parking along the roadside. Also, the proposed enhancements in pedestrian and cycle infrastructure, coupled with the public bus services in this area will allow for a modal shift in promoting more sustainable transport modes as opposed to the private car. In light of the above, I am satisfied that the proposal which provides for the shared use of the wider site's car parking within the grounds of Esker Lawn Cemetery would not disproportionately cause inconvenience by way of car parking issues or give rise to significant health and safety concerns, if permitted and that the shared provision of 41(no) car spaces within the grounds of Esker Lawn Cemetery is appropriate and consistent with adopted policy and standards on parking as set out within the CDP.

7.3. Impact on Residential Amenity

- 7.3.1 The proposed development is setback within the subject lands and has a separation distance of approximately 104m from the nearest residence to the footprint of the crematorium. Given same, no impact on any residence(s) would arise due to overlooking or overshadowing if permission was to be granted.
- 7.3.2 In regard to privacy, given the siting of the proposed crematorium as referenced in paragraph 7.3.1 above, coupled with the fact that the site is bisected from adjoining residences within its immediate vicinity by way of public road infrastructure, and given the site's established front boundary treatment along its eastern boundary (roadside), any impact on the privacy of residents in this established urban area is unlikely to be significant.
- 7.3.3 There are no standard requirements for crematoria setback distances and no minimum separation distances between crematoria and residences in Ireland. I refer the Commission to Section 7.5.1 of my report below in regard to my considerations on emissions. Based on same, I do not consider that the proposal would result in any adverse effects on the amenities of dwellings and the local area as a consequence of emissions to air (including noise and odour) such that a refusal of permission would be warranted.

7.4. Impact on Amenity and Heritage

I do not share the views of third parties that the proposal would result in adverse impacts on amenities in the area. The proposed development is setback within the established cemetery grounds in an urban area. There are no scenic/protected views emanating from the subject site at this location.

Having inspected the site and surrounding area and having reviewed the photomontages and submitted Landscape Design Report undertaken by Cunnane Stratton Reynolds, it is my view that the visual impact of the proposed development will be limited due to the site topography and established boundary treatment with further significant planting proposed as part of the subject development works.

The proposed planting includes the continuation of additional lime trees along internal access road, native tree planting on mounded areas (east & west of Central Burial area) and formal yew hedging so as to define & enclose the subject area. Its existing southern boundary with mature trees affords significant screening to fleeting views emanating from the adjoining N4 roadway, with similar planting also established along the site's western boundary. In the event that permission were to be granted, the proposed building would be nestled within a proposed woodland setting (north and south), all of which forms part of the proposed development.

I also note that the applicant has integrated a Landscape Maintenance Programme as part of the proposed development and I submit that its implementation would form part of the permission, if granted. Given the 1km spatial separation distance between the site and the Liffey Valley Special Amenity Area Order Lands (SAAO) and the extent of urban development which exists between this site and the SAAO and nature of the proposal with connection into the public network, I am of the view that the proposal would not have any significant negative impact on the built, cultural and natural heritage of the Liffey Valley Special Amenity Area.

Furthermore, given the nature and scale of the development, setback within the grounds of Esker Lawn Cemetery and in noting that the subject lands were previously associated with builders' rubble, domestic and commercial waste material, I do not consider that the proposal would be incongruous and unsympathetic to the historical area of Esker.

7.5. Environmental Management

7.5.1 Emissions and Environmental Management

An Air Quality Screening Assessment (AQSA) which accompanied the application sets out the source of information in characterising the proposed crematorium emissions and estimated gross emissions for the proposed development.

In addressing concerns raised on air quality in terms of the potential effects of airborne gases, chemicals, smells or particles arising from the development, I wish to firstly note that there is no supporting evidence provided by any Third Party to contradict the findings of the submitted AQSA.

The AQSA was undertaken by appointed consultants, notably by a Senior Environmental Consultant and approved by a Chartered Environmentalist and Operations Director within Verde Environmental Consultants Ltd.

The Technical Specification for the proposed cremator, as provided by the supplier DFW Europe (Appendix A, AQSA) is utilised in the AQSA. I see no reason to dispute the technical specification proposed.

I am satisfied that the methodology employed (Air Screening Methodology – AERSCREEN dispersion model) and approach taken by the applicant in evaluating the impact of air emissions from the proposed development on public health and on European sites is reasonable and sufficient for making a determination on this case.

The assessment is clear in outlining the site's location and its surrounding environment and sensitive receptors, including residences within its vicinity (refer Table 3.1, AQSA). It also clearly provides details in respect of the proposed cremator and confirms that air monitoring data utilised in the assessment is based on an identical cremator which is in operation in Doncaster South, UK (refer Table 3.3, AQSA).

The proposed cremator which would be powered by electricity (and which can also be powered by solar panels) has significantly lower CO₂ and NOx emissions in comparison to the emissions of gas or oil fuelled cremators. I note that the assessment utilises site-specific stack impact parameters in informing the AERSCREEN Modelling that was carried out.

The extent of analysis and examination undertaken shows that emission limit values from the proposed 9m high flue are consistent with the recommended limit values with emission abatement systems fitted as referenced within DEFRA Guidance for Crematoria within the UK.

AERSCREEN Modelling undertaken for Hydrogen Chloride and Mercury showed results on maximum concentrations for Hydrogen Chloride at 100m were at 2.4% of the 1-hr EAL and 0.52% of the annual EAL. Maximum concentrations from Mercury at 100m were at 1.3% of the 1-hr EAL and 0.4% of the annual EAL. These results indicate that maximum predicted Ground level concentrations of Hydrogen, Chloride and Mercury are below the 5% threshold for "significant impact" stated in the 2020

EPA Air Dispersion Guidance Note AG4 for criteria requiring a cumulative assessment. The calculations provided are based on the assumption that the emissions from the stack will be at concentrations equivalent to standard emission limits and are also based on a worst case (AIRSCREEN) dispersion modelling scenario, with concentrations in reality expected to be considerably lower than the values presented.

By way of reference, I note that in previous decided cases by An Bord Pleanála, it was identified that predicted emission limits from crematoria are typically well within emission limit values and air quality standards (e.g. Shanganagh Crematorium Study, PL37.242683).

Taking the submitted calculations into account, and the potential for the movement and dilution of air pollutants towards Cherbury Park due to prevailing winds, I am of the view that the proposed development, subject to its operation in accordance with the UK Standard as proposed, is unlikely to give rise to substantial air pollution, including airborne gases, chemicals and odours such that it would breach air quality standards or have a significant negative effect on the public health or amenity of adjoining residences.

I further note that an Internal Report signed off by both a Senior Environmental Health Officer and Principal Environmental Health Officer from SDCC's Environmental Health Service Department (EHS) raised no outstanding matters in respect of air pollution and public health, subject to compliance verification through air monitoring during the development's operational phase, which ensures that compliance with levels outlined within the EPA Air Dispersion Guidance Note AG4 and DEFRA Guidance Note PG 5/2 (12) are achieved.

Overall, I see no reason to dispute the details provided within the AQSA which determined that ground level concentrations (GLCs) resulting from atmospheric emissions from the proposed development complied with the EPA's Environmental Assessment Limits (EAL) and Specific Air Quality Standards (AQS).

I would therefore argue that further rigorous scientific analysis on emissions in the context of prevailing winds and the proximity of the proposed development to Cherbury Park, as contended by an observer, is not warranted.

Accordingly, in the event that the Commission was minded to grant permission, and in noting the condition which was attached by the PA in regard to environmental health, I put forward that the matter would be appropriately addressed by way of a revised condition requiring that a full emissions monitoring plan be provided for the PA's written agreement prior to commencement of development and thereafter, that an annual Environmental Report be provided.

In light of the above, I am satisfied that subject to ongoing compliance with attached conditions, that the proposed crematorium, notwithstanding its proximity to adjoining residents would not give rise to a significant negative impact on the health and quality of lives of the appellant and residents located in the site's vicinity.

7.5.2 Noise

There are no national mandatory noise limits relating to development projects. Most environmental noise guidance documents issued across Europe derive limits from guidance issued by the World Health Organisation (WHO). The time, place, nature of the sound and people affected by noise generated, requires consideration in determining likely impacts as a result of environmental noise. In this context and in assessing the development proposed, it is relevant to note that the local noise environment in this case is urban in character with the predominant noise source being road traffic on the surrounding road network.

The matter of noise generated as a result of the proposed development will occur due to works during the construction phase of the development by plant and machinery and HGV movements within and around the site. The Construction Environmental Management Plan (CEMP) which accompanies the application sets out clear measures to address the matter of noise at construction stage (Section 4.1, CEMP). Given this and that the noise generated at construction stage is short-term & temporary, I am satisfied that the matter of noise can be managed through the implementation of a CEMP in the normal manner.

I am of the opinion that no significant noise impacts will arise at operational stage on the amenities of the adjoining area given the separation distance and nature of the

development sought setback within the cemetery grounds, in excess of 100m from the nearest adjoining residence. In any event, I am satisfied that any activity likely to give rise to noise and cause nuisance in the event that permission were to be granted, would be regulated outside of the planning process. I recommend that a condition be attached which makes clear that sound pressure levels arising from the proposed development shall not exceed the thresholds of 55 dB LAeq, 15min (daytime) and 45 dB LAeq, 15min (night time).

7.5.3 Ecology & Biodiversity

An Ecological Impact Assessment (EclA) prepared by a suitably qualified ecologists in respect of the proposed development was submitted to the PA at further information stage. The EclA adopted a methodology based on zone of influence for ecological features, which in my view is reasonable and acceptable (refer Section 2.36, EclA).

A desk-based assessment along with consideration of the findings of field survey work which was previously given as part of the parent permission on the site of Esker Lawn Cemetery and further ecologist site walkover in August 2023 area were utilised in informing the EclA. Its conclusions were put forward by an experienced ecologist which followed CIEEM (2022) guidance. The findings of this EclA are robust and there is no evidence to contradict these findings.

Having visited the site and in reviewing the EclA, I am of the view that there will be no significant loss of local biodiversity or ecological devaluation in this case. The site is not located within a designated European Site or Natural Heritage Area. Whilst the River Griffeen flows within the immediate vicinity of the proposed development, I accept that the implementation of standard best practice pollution prevention measures at construction stage and implementation of the proposed measures detailed within the site's Drainage Plan will prevent any significant negative impacts on the river's water quality and ecology. I note that the proposal will incorporate significant additional planning which will increase biodiversity within the site.

In light of the above, and subject to the appropriate implementation of mitigation measures as stated within the EclA and implementation of planting (as proposed), it is my view that the proposed development would not have a negative impact on nature

and there is no likelihood of significant effects on the environment. Accordingly, I am satisfied that the proposed development would not result in any loss of local biodiversity or ecological devaluation which may arise and that it would positively contribute to the efficacy of the wider ecological network at this urban location.

7.6. Procedural Matters

7.6.1 Legislation & Regulation

There is no specific national technical guidance on crematoria in Ireland. I am supportive of the PA's approach in which it makes clear within its report that whilst UK publications on crematoria provide useful guidance [for all parties], they do not constitute a statutory basis in Ireland.

The proposed development is required to comply with existing planning and environmental regulations and standards which are enforce in Ireland.

7.6.2 Validity of Application

In accepting that an inaccuracy occurred within the location address details provided within the public notice(s), I note that the PA raised no validity issues on this matter at application stage. I am satisfied that this matter, and that the further information received without being deemed to be "significant further information" by the PA, did not prevent concerned parties from making representations.

While consultation with the public is encouraged, there is no statutory requirement outside of the legislative requirements in the erection of public notices which places an onus on the applicant to undertake additional consultation with residents in the site's vicinity.

7.6.3 Sufficiency of Details

I am satisfied that a number of raised matters concerning the sufficiency of details provided within this application along with the PA's requirement for the submission of a TTA by way of a condition of its decision to grant permission, did not prevent

concerned parties from making representations and the gaps referenced are not material in this case. Sufficient details have been provided to allow the Commission to undertake its full assessment of the proposed development in accordance with the provisions of the CDP and legislative requirements.

In regard to a raised issue on the need for an EIAR to accompany this application, I refer to case law which makes clear that whilst a significant effect may arise for an individual environmental topic or topics, this does not of itself trigger a requirement for EIA. The Commission is the competent authority in making a determination on EIA and sufficient information is available within the submitted documentation to accommodate same. I refer the Commission to Appendix 1&2 attached.

In regard to the Commission's obligations under the WFD, I refer the Commission to Appendix 4 attached and I am satisfied that sufficient information is available to allow the Commission to discharge its obligations under the WFD insofar as it is pertinent to this case.

7.7. Material Contravention

The matter of material contravention is raised in respect of a specific policy, notably '*facilitate the sustainable development of cemeteries and crematoria to cater for the needs of the County*' (policy COS13) and an objective '*to facilitate the development of new or extended burial grounds, including green cemeteries, eco-burial grounds, and crematoria, having consideration for the burial preferences of multi-faith and non-religious communities, at suitable locations in the County, subject to appropriate safeguards with regard to environmental considerations, noise and traffic impacts*' (COS13 Obj 1) with the later in regard to the sufficiency of information provided on traffic and environmental considerations.

So as to avoid repetition, as previously discussed within my assessment, having examined the environmental considerations, noise and traffic impacts, I am of the view that the proposed crematorium in this case constitutes a sustainable development at a suitable location which would cater for the needs of the County. It is therefore my opinion that the proposal would not constitute a material contravention to the operative Development Plan.

8.0 AA Screening

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 any European Site and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- Nature of works - Crematorium (485m2) with connection to the public wastewater network.
- Location - Distance from nearest European site and lack of connections. [The site is within the established grounds of Esker Lawns cemetery located in an urban area, in excess of 3.2km from the nearest European site.
- Taking into account the Screening for AA report that accompanies the application
- Taking into account the screening determination by the PA.

[Refer: Appendix 3 - Screening the need for Appropriate Assessment Finding of no likely significant effects report form attached to this assessment].

9.0 Recommendation

It is recommended that permission be granted subject to conditions.

10.0 Reasons and Considerations

Having regard to the detailed design and location of the proposed development, within the established grounds of Esker Lawn Cemetery and to the provisions of the South Dublin County Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out that the proposed development would be in accordance with the zoning of the site, would not seriously injure the amenities of the area or properties in the vicinity, would not have any significant effects on the environment, would not be prejudicial to public health and would be acceptable in terms of traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 18 June 2024, and by further plans and particulars received by An Bord Pleanála (now An Coimisiún Pleanála) on the 16 September 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) The congregation space within the crematorium building hereby permitted shall be used for committal services which form part of the cremation services carried out within this structure only. The crematorium building, including its congregation space shall not under any circumstances be used for any other purpose.

(b) The committal service(s) shall take place between the hours of 10am to 4pm Monday to Saturday only.

(c) Unless otherwise agreed in writing with the Planning Authority, no more than three committal services shall take place in the crematorium on any one day as per the particulars submitted within the application.

Reason: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.

3. Prior to commencement of development on the site, a full emissions monitoring plan shall be submitted to the planning authority for written agreement. This plan shall include provisions for independent monitoring and sampling to be carried out prior to commencement of development and thereafter, an annual Environmental Report shall be submitted within 12 months of the commencement of operation of the crematorium detailing the performance of the facility during the previous calendar year.

The report shall include:

- (a) details of the baseline emissions;
- (b) a record of the number of cremations carried out;
- (c) records of maintenance/servicing of the crematorium;
- (d) records of all monitoring carried out for both process control and air emissions. Any non-compliance with the required emission limits and control parameters shall be highlighted;
- (e) records of all waste management;
- (f) a programme for any proposed measures including staff training necessary to ensure ongoing compliance of the crematorium with planning conditions.

Reason: In the interest of clarity, environmental protection and public health.

4. The Event Management Plan contained within the Traffic and Transport Assessment undertaken by Transport Insights Consultant shall be submitted to the

Planning Authority for its written approval, prior to the commencement of development. The applicant shall strictly implement the permission in accordance with the agreed details contained within the Event Management Plan thereafter.

Reason: In the interest of clarity and the proper planning and development of the area.

5. Full details of the materials, colours and textures of all external finishes of the proposed crematorium building and ESB substation shall be submitted to, and agreed in writing with the planning authority, prior to commencement of development.

Reason: In the interest of visual amenity.

6. A plan containing details for the management of waste and, in particular, recyclable and/or hazardous materials within the development, including the provision of facilities for the storage, separation and collection, of the waste and, in particular, hazardous and recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

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

7. Prior to the commencement of development the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Uisce Eireann.

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

8. Construction waste shall be managed in accordance with a construction waste and demolition management plan which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. This plan shall be

prepared in accordance with "Best Practice Guidelines on the Preparation of Waste Management Plans for the Construction and Demolition Projects" published by the Department of the Environment, Heritage and Local Government in July, 2006.

The plan shall include:

- details of waste to be generated during site clearance and construction phases and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provisions of the Waste Management Plan for the region of which the site is situated.
- details of intended construction practice for the development, including hours of working, noise management measures and means to protect the public road.

Reason: In the interest of public safety, sustainable waste management and the protection of amenities.

9. The hours of operation of the crematorium facility shall be between the hours of 10.00 and 16.00 Monday to Saturday. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In the interest of clarity and that effective control be maintained.

10. The proposed Landscaping Scheme, as submitted to the planning authority shall be carried out to the written satisfaction of the planning authority, within the first planting season following substantial completion of external construction work. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity and to promote biodiversity.

11. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and the proper planning and development of the area.

12. Prior to the commencement of Development, the developer shall undertake an Archaeological Impact Assessment (AIA). The Archaeological Impact Assessment shall be carried out as follows:

- (a) The developer shall engage the services of a suitably qualified Archaeologist to carry out an Archaeological Impact Assessment (AIA) which should include a programme of Archaeological Test Excavation. No subsurface work shall be undertaken in the absence of the archaeologist without his/her express consent.
- (b) The archaeologist shall inspect the proposed development site (PDS) and detail the historical and archaeological background of the site (consulting appropriate documentary sources), and review all cartographic sources and aerial photographs for the area.
- (c) The Archaeological Test Excavation shall be carried out under licence from NMS and in accordance with an approved method statement; note a period of 5-6 weeks should be allowed to facilitate processing and approval of the licence application and method statement.
- (d) Test trenches shall be excavated at locations chosen by the archaeologist having consulted the site drawings. Excavation is to take place to the uppermost archaeological horizons only, where they survive. Where archaeological material is shown to be present, the archaeologist shall have works suspended pending further advice from National Monuments Service. Please note that all features/archaeological surfaces within the test trenches are to be hand-cleaned and clearly visible for photographic purposes.
- (e) Having completed the work, the archaeologist shall submit a written report to National Monuments Service and South Dublin County Council describing the findings

of the AIA including the results of the test excavations. The report shall comment on the degree to which the extent, location and levels of all proposed foundations, service trenches and other sub-surface works required for the development will affect the archaeological remains. This should be illustrated with appropriate plans, sections and any other required particulars.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

13. The developer shall ensure that all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

Reason: In the interest of road safety.

14. 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 the 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 the Commission to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 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.

Paula Hanlon
Planning Inspector

05 September 2025

Appendix 1

Form 1 - EIA Pre-Screening

Case Reference	ABP-320513-24
Proposed Development Summary	Crematorium (485m ²) within the grounds of Esker Lawn Cemetery and all associated site development works.
Development Address	Esker Lawn Cemetery, Newlands Road, Lucan.
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)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> 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)?	
<input checked="" type="checkbox"/> No, it is not of a Class specified in Part 1, Schedule 5 of the Regulations	
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?	
<input type="checkbox"/> 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	

<p>of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>Schedule 5, Part 2</p> <p>Class 10 (b) (iv)</p>

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 <input checked="" type="checkbox"/>	Screening Determination required
No <input type="checkbox"/>	

Inspector: _____ Date: _____

Form 3 - EIA Screening Determination

A. CASE DETAILS				
An Bord Pleanála Case Reference	320513-24			
Development Summary				
	Yes / No / Comment (if relevant)			
N/A				
1. Was a Screening Determination carried out by the PA?	Yes	The Planner's report determined that EIA is not required.		
2. Has Schedule 7A information been submitted?	Yes	An EIA Screening report, undertaken by Verde Environmental Consultants accompanied the submitted application.		
3. Has an AA screening report or NIS been submitted?	Yes	A Screening for Appropriate Assessment Report undertaken by Neo Environmental accompanied the application.		
4. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No			
5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA		Noted that a SEA and AA (NIS Report) were undertaken in respect of the South Dublin County Development Plan 2022-2028.		
B. EXAMINATION		Yes/ No/ Uncertain	Briefly describe the nature and extent and Mitigation Measures (where relevant)	Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain
This screening examination should be read with, and in light of, the rest of the Inspector's Report attached herewith				
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)				
1.1 Is the project significantly different in character or scale to the existing surrounding environment?	No	The proposed development encompasses an area of 0.56ha within the wider grounds of Esker Lawn Cemetery. The siting and		No

		<p>modest scale of the crematorium, setback from the roadside (Newlands - Lucan Rd.) and neighbouring residences is consistent with the established character of the site in terms of its buildings and use and allows for its integration into the surrounding area. A separation distance in excess of 100m separates the site from the nearest adjoining residences in Cherbury Park. Substantial landscaping proposed as part of the proposed development will further assist in the integration of this development within the wider cemetery grounds and its surrounding context.</p>	
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	No	<p>The implementation of the stated measures within the CEMP at construction stage, in accordance with compliance with the particulars submitted with this application will ensure that there are no significant physical changes which would give rise to negative impacts on the locality and receiving environment.</p> <p>Any likely impact on soils, geology and groundwater at both construction and operational stage will be minimised by applying sound design principles and by following best practices as set out in within the application documentation.</p> <p>The proposed use is sought within an urban area. Foul water will discharge to the public network at operational stage and the proposed Drainage Plan ensures that there</p>	No

		would be no pollution to the nearest waterbodies (Griffen River/Moat Stream). There is no significant change sought to the site's levels such that it would cause significant changes to the locality. There are no decommissioning works or demolition works sought as part of this application.	
1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	No	The use of the site within an existing cemetery will assist in reducing the need for land, being a natural resource required in accommodating physical/green burial plots within this urban area. Construction materials will be typical for a development of this nature and scale. The design of the building incorporates passive design features, low energy systems and renewable technologies in compliance with NZEB – Part L 2022 regulatory requirements. At operational stage, the cremator will be powered by electricity.	No
1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	No	Construction activities will require the use of potentially harmful materials, such as fuels and other such substances. Use of such materials would be typical for construction sites. Any impacts would be local and temporary in nature. The implementation of standard construction practice measures outlined in the CEMP, including the provision of specified filling points, spill kit provision and stated measures to be implemented to address machinery/holes where a oil/fuel	No

		leak exist would satisfactorily mitigate any potential impacts. No significant impacts at operational stage in this regard are anticipated.	
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	No	<p>Construction activities will require the use of potentially harmful materials, such as fuels and other similar substances and give rise to waste for disposal. The use of these materials would be typical for construction sites. Some noise emissions and vibration during construction is likely. Such construction impacts would be local and temporary in nature, and with the implementation of the standard measures outlined in the CEMP, the project would satisfactorily mitigate the potential impacts. Approximately 61 tonnes of construction waste is anticipated, the majority of which will be reused/recycled. It is established that 5 tonnes will be sent for disposal.</p> <p>The CEMP details appropriate waste management measures to be implemented as part of the Proposed Development.</p> <p>Waste will also be generated at operational stage. Subject to compliance with the details submitted and in noting that a Waste Manager will be appointed, significant effects on the environment in this regard are unlikely.</p>	No
1.6 Will the project lead to risks of contamination of land or water from releases of	No	No, subject to implementation of measures detailed within the CEMP at construction	No

pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?		stage and strict compliance with the plans and particulars submitted, including the proposed Drainage Plan provided as part of the proposed development.	
1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	No	There is potential for construction activity to give rise to noise and vibration emissions. Such emissions will be localised and short term in nature, and their impacts would be suitably mitigated by the operation of standard measures listed in the CEMP. In noting the separation distance between this site and nearest residences (in excess of 100m) and the level and extent of noise generated by traffic and at operation stage, it is anticipated that the proposed development will not have a significant impact on the environment in this urban area.	No
1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	No	Construction activity may give rise to dust emissions and noise. Such construction impacts would be temporary and localised in nature and the application of standard measures set out within the CEMP would satisfactorily address potential risks on human health. The proposed cremator would be powered by electricity. Predicted emission limits from the proposed crematorium are well within emission limit values and air quality standards for Ireland. No significant operational impacts are anticipated.	No

1.9 Will there be any risk of major accidents that could affect human health or the environment?	No	No significant risk is predicted having regard to the nature and scale of the development. Any risk arising from construction works will be localised and temporary in nature. The development is not regulated and is not located near any site that is regulated under the Control of Major Accident Hazards Involving Dangerous Substances Regulations (COMAH) (Seveso sites).	
1.10 Will the project affect the social environment (population, employment)	No	The use of the site is established as part of a wider site of Esker Lawn Cemetery.	No
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	No	There would be no cumulative effect (including visual, human health and ecological) arising from the proposed development.	No
2. Location of proposed development			
2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: <ul style="list-style-type: none"> • European site (SAC/ SPA/ pSAC/ pSPA) • NHA/ pNHA • Designated Nature Reserve • Designated refuge for flora or fauna • Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan 	No	There are no natural heritage designations within, or, in the immediate vicinity of the site. The nearest Natura 2000 site(s) are in excess of 3.2km from the site. Liffey Valley pNHA (000128), being the nearest pNHA/NHA is located approximately 900m north of the site. Given the nature and scale of the proposed development, it would not result in significant impacts to any protected site(s) or site's of ecological interest of which it is an objective of the CDP to preserve/conserve and/or protect.	No
2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or	No	The proposed development would not result in significant impacts to protected, important	No

around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?		or sensitive species [refer Appendix 3 of report].	
2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	No	<p>There are no national monuments or world heritage sites within the 100m buffer around the site. The attachment of a condition on archaeological requirements as put forward by the DHLGH in its submission will sufficiently address this matter.</p> <p>Given the 1km spatial separation distance between the site and the Liffey Valley Special Amenity Area Order Lands (SAAO) and the extent of urban development which exists between this site and the SAAO and nature of the proposal with connection into the public network, the proposed development would not have any significant negative impact on the built, cultural and natural heritage of the SAAO.</p>	No
2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	No	No the proposed development is within the established grounds of Esker Lawn Cemetery, in an urban area.	No
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	No	<p>The development would not increase risk of flooding to downstream areas. The nature and scale of the works sought would not give rise to significant levels of SW.</p> <p>The Drainage Plan which forms part of the development proposed will mitigate any SW pollution to the adjacent watercourses at operational stage and</p>	No

		the implementation of the CEMP will mitigate any potential pollution at construction stage.	
2.6 Is the location susceptible to subsidence, landslides or erosion?	No	-	No
2.7 Are there any key transport routes(e.g. National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	No	Any traffic generated will enter/exit onto the adjoining Newlands-Lucan Road. The methodology employed within the revised TTA including its assessment of the local road network, traffic modelling of the L5216/R835 Lucan Rd. junction, impacts of the proposal in the context of the forthcoming adjoining urban greenway and Event Management Plan with mitigation for any residual impacts arising from the proposed development demonstrates that the proposed development in the context of traffic congestion will not result in negative impacts on the environment.	
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	No	-	No
3. Any other factors that should be considered which could lead to environmental impacts			
3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	No	There are no existing or permitted developments identified in the immediate vicinity that would give rise to significant cumulative environmental effects with the subject project at either construction or operation stage.	No
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No	-	No
3.3 Are there any other relevant considerations?	No	-	No

C. CONCLUSION		
No real likelihood of significant effects on the environment.	Agreed	EIAR Not Required
Real likelihood of significant effects on the environment.	-	-
D. MAIN REASONS AND CONSIDERATIONS		
<p><i>EG - EIAR not Required</i></p> <p>Having regard to: -</p> <p>the criteria set out in Schedule 7, in particular</p> <ul style="list-style-type: none"> (a) the nature and extent of the proposed development (b) the absence of any significant environmental sensitivity in the vicinity, and the location of the proposed development outside of any designated archaeological protection zone (c) the location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended) (d) the results of other relevant assessments of the effects on the environment submitted by the applicant including the submitted Air Quality Screening Assessment, Habitats Directive Screening Statement and Environmental Impact Assessment Screening Report (e) the Construction Environmental Management Plan [Incl. Construction Resource Waste Management Plan] <p>The Commission concluded that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is not required.</p>		

Inspector _____

Approved (DP/ADP) _____

Date _____

Date _____

Screening for AA

Finding of likely significant effects

Screening for Appropriate Assessment Test for likely significant effects

1: Description of the project and local site characteristics

Case file: ABP 320513-24

Brief description of project	<p>Crematorium (485m²) within the grounds of Esker Lawn Cemetery and all associated site development works</p> <p>Third party appeal</p> <p>A detailed description of the proposed development is provided in Section 2 of the Inspector's report and detailed specifications of the proposal are provided in the AA screening report and other planning documents provided by the applicant.</p> <p>These works sought are located outside of any European site. The nearest European sites are Rye Water Valley/Carton SAC (001398), located approximately c.3.2km SW of the site and Glenasmole Valley SAC (001209) located approximately 11.4km SE of the site.</p> <p>Site access would be undertaken by way of using the adjoining Lucan-Newlands public road.</p>
Brief description of development site characteristics and potential impact mechanisms	<p>The site is located in an urban location. The existing landuse attached to the wider site is as a cemetery. A watercourse, namely the Moat Stream flows through the cemetery grounds.</p> <p>In applying Fossitt's classification on Irish habitats, the site area comprises amenity grassland and buildings and artificial surfaces (notably hardstand -tarmac).</p> <p>The site area is not subject to an identified flood risk. Lands which lie adjacent to the Griffeen River, which is to the west of the site are identified as being at flood risk.</p>

Screening report	Yes (Prepared by Neo Environmental)
Natura Impact Statement	No
Relevant submissions	No third-party submission made at application stage raised the matter of appropriate assessment in respect of the proposed development.
[Additional information]: *where relevant and appropriate	A Construction Environmental Management Plan accompanies the proposed development.

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

Two European sites were identified as being located within a potential zone of influence of the proposed development as detailed in Table 1 below.

I note that the applicant included both European sites in its screening consideration. I further note that additional European sites were also included within the applicants' Screening for Appropriate Assessment including the Wicklow Mountains SAC (002122) and South Dublin Bay & River Tolka Estuary SPA (004024).

Given the separation distance, in excess of 13km and 14km respectively and that there is no hydrological or ecological connectivity between the site and the Wicklow Mountains SAC, and no ornithological connectivity between the site and the South Dublin Bay & River Tolka Estuary SPA, it is determined that these site's are screened out from further assessment.

European Site (code)	Qualifying interests ¹ (summary) Link to conservation objectives (NPWS, date)	Distance from proposed development	Ecological connections ²	Consider further in screening ³ Y/N
001398	<p>Rye Water Valley/Carton SAC</p> <ul style="list-style-type: none"> Petrifying springs with tufa formation (Cratoneurion) [7220] Vertigo angustior (Narrow-mouthed Whorl Snail) [1014] Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016] <p>Rye Water Valley/Carton SAC National Parks & Wildlife Service</p>	c.3.2km	Possible hydrological connection	Y
001209	Glenasmole Valley SAC	c.11.5km	None	N

	<ul style="list-style-type: none"> • Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210] • Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410] • Petrifying springs with tufa formation (Cratoneurion) [7220] <p>Glenasmole Valley SAC National Parks & Wildlife Service</p>			
--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	--

I have attached the link to site details which outlines the Conservation Objectives and qualifying interests of the above two listed European sites of relevance in this case, as provided by NPWS.

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

Glenasmole Valley SAC (001209)

Given the nature and extent of works sought and the spatial separation distance, c.11.4km, with no feasible hydrological connection, I conclude that the proposed development will not result in any direct or indirect effects on Glenasmole Valley SAC, in view of its qualifying interests (refer table above) and its conservation objective - to restore the favourable conservation condition of semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) and on Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) and on Petrifying springs with tufa formation in Glenasmole Valley SAC, which are defined by a list of attributes and targets.

Therefore, there is no likelihood of effects occurring on Glenasmole Valley SAC, either alone or in-combination with other projects.

Rye Water Valley/Carton SAC (001398)

There is no direct pathway to this European site, given that the works are spatially separated a distance in excess of 3.2km from this SAC. The Moat Stream and an associated water feature traverses the grounds of Esker Lawn Cemetery and the Griffen River flows to the southwest of the site in a south-east to north-west direction, prior to eventually flowing into the River Liffey, c.1km downstream from the site. The Moat Stream joins the Griffen River at a point, c.400m NW of the site. The confluence of the Griffen River with the River Liffey is approximately 800m to the NW of the site.

The proposed drainage plan incorporates a 43m³ offline swale which will act as a buffer, storing excess rainwater and will subsequently mitigate any surface water pollution to the adjacent watercourses. The submitted CEMP details a number of best practice measures that are to be put in place at construction stage.

The River Liffey is connected to the Rockabill to Dalkey Island SAC, approximately 22km downstream. It is connected upstream of the Rye Water Valley/Carton SAC (001398).

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

Screening matrix

Site name	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Glenasmole Valley SAC	<ul style="list-style-type: none">None - There are no direct and/or indirect adverse effects anticipated during the construction or operational phase of the Proposed Development.	None
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
Site name	Impacts	Effects
	None	None as there are no feasible ecological pathways and this SAC is upstream of the development site.
	Likelihood of significant effects from proposed development (alone): No	

	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No
--	-------------------------------------------------------------------------------------------------------------

4: Conclude if the proposed development could result in likely significant effects on a European site

Based on the information provided within the applicant's Stage 1 Screening Report, and in reviewing the conservation objectives and supporting documents of the relevant European Sites, I submit that the proposed development does not have any potential to result in significant effects on the conservation objectives of Rye Water Valley/Carton SAC (001398), or on Glenasmole Valley SAC (001209).

This determination is based on the potential for impacts on the qualifying interests of these SAC's, when considered as a project on its own and in-combination with other projects and plans.

Screening Determination

Finding of likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of objective information provided by the applicant, I conclude that the proposed development would not result in significant effects on Rye Water Valley/Carton SAC and Glenasmole Valley SAC in view of their conservation objectives on a number of qualifying interest features of these European sites.

It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] of the proposed development is not required.

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	ABP-320513-24	Townland, address	Esker Lawn Cemetery, Newlands Road, Lucan, Dublin 22.
Description of project		Crematorium (485m ²) within the grounds of Esker Lawn Cemetery and all associated site development works.	
Brief site description, relevant to WFD Screening		<p>The site is located in an urban area, within WFD Catchment 09 – Liffey and Dublin Bay and WFD SubCatchment Liffey_SC_090.</p> <p>The ground levels across the site are generally level, with landscaping mounds also within the site. It is within an area overlain on visean limestone and calcareous shale from the Palaeozoic, Carboniferous, Mississippian geological age as listed on GIS available mapdata. The bedrock aquifer below the site is classified as a locally important aquifer – bedrock which is moderately productive only in local zones. It has an extreme vulnerability rating. An existing watercourse (Moat stream) lies within the wider site of Esker Lawn cemetery, c.90m (at its closest point), to the northwest of the site. The Griffeen River flows across adjoining lands to the SW of the site in a south-east to north-west direction, 30m west of the site's western boundary. Both of these watercourses eventually flow into the River Liffey, c.1km downstream from the site. The site is not located within Flood Zones A or B.</p>	
Proposed surface water details		The proposed drainage plan incorporates an attenuation pond to the west of the crematorium building and a 43m ³ offline swale which will act as a buffer, storing excess rainwater and will subsequently mitigate any surface water pollution to	

	the adjacent watercourses. It will be connected to a manhole which will accommodate a hydrobrake which will limit the outflow to a rate of 16.37L/sec/Ha. Two profiled swales are also sought as part of the proposed development.
Proposed water supply source & available capacity	Public water supply with capacity to serve the development proposed – connection to the mains supply along the Lucan-Newlands Rd. that serves the existing wider cemetery lands.
Proposed wastewater treatment system & available capacity, other issues	Public connection to the wastewater network with capacity to serve the proposed development– connection to the foul network via existing connection that serves Esker Lawn cemetery.
Others Matters	The content of CEMP which accompanies the submitted application is noted and has informed this assessment.
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
Moat Stream	c.90m (at its closest point),	LIFFEY_170 [Code:	Moderate	At risk		

	to the NW of proposed development.	IE_EA_09L012100]	Poor – Ecological Status	The Dublin Groundwater Body (IE_EA_G_008) is “under review” according to WFD status. Groundwater status (2016-2021) – WFD status was overall good.	Urban Wastewater Urban Run-Off	Clean Surface water run-off, drainage Proposed development is downstream. A proposed 43m ³ offline swale as part of the proposed development will act as a buffer, storing excess rainwater and will subsequently mitigate any surface water pollution to the site’s adjacent watercourses.
Griffeen River	c.30m west of the site’s western boundary.	LIFFEY_170 [Code: IE_EA_09L012100]	Moderate Poor - Ecological Status	At risk The Dublin Groundwater Body (IE_EA_G_008) is “under review” according to WFD status.	Urban Wastewater Urban Run-Off	Clean Surface water run-off, drainage
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.						

CONSTRUCTION PHASE							
No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.)
1.		LIFFEY_170 [Code:IE_EA_09L012100]	Potential for hydrological pathway / indirect impact	Surface water pollution / silt deposits / spillages.	None	No – Details provided within accompanying CEMP indicate intention to re-use as much excavated material within the development with no significant export of soil anticipated to be exported. A secure site compound is sought, and a refuelling area and spill kits will be provided. All fuel tanks will be located on appropriate bunds with capacity to	Screened out.

						retain 100% of stored volume, to control spillages.	
OPERATIONAL PHASE							
3.		SLATE_070 [Code: IE_SE_14S010300]	Potential for hydrological pathway / indirect impact	Surface water pollution	None	A proposed 43m ³ offline swale as part of the proposed development will act as a buffer, storing excess rainwater and will subsequently mitigate any surface water pollution to the site's adjacent watercourses.	Screened out [Refer determination within Section 5.4 of the above report.]
DECOMMISSIONING PHASE							
5.	N/A						