



An
Bord
Pleanála

Inspector's Report

ABP-320519-24

Development	Construction of a mixed-use commercial and residential building, together with all associated site works.
Location	Site to the east of PTSB Bank, Main Street, Blanchardstown, Dublin 15.
Planning Authority	Fingal County Council.
Planning Authority Reg. Ref.	FW24A/0218.
Applicant(s)	Patrick Molloy.
Type of Application	Permission.
Planning Authority Decision	Refuse Permission.
Type of Appeal	First Party.
Appellant(s)	Patrick Molloy.
Observer(s)	Michael Collins, Sarah Barrett and Jeremiah Griffin and Brian Heerey.
Date of Site Inspection	11 th October 2024.
Inspector	Ciarán Daly.

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1.0 Site Location and Description

- 1.1. The subject site of area 0.0814ha. located directly off Blanchardstown Main Street consists of a flat area, mainly with a gravel surface and hard standing, previously in use as a surface car park and an area to the east of this consisting of part of the footpath in front of a two storey commercial premises which faces the street. Vehicular access to the site is directly from main street. There is a laneway adjacent to the east of the site which serves an adjacent surface car park to the rear/north (26 no. spaces) which is a one-way route to the rear car parking with an exit on to Mill Road to the west. To the north of this is the Millstead housing estate, an established estate consisting of mainly two storey semi-detached dwellings with front and rear gardens.
- 1.2. Adjacent to the west is a two storey building occupied by PTSB bank. The streetscape in the vicinity is generally characterized by two storey buildings with ground floor retail units directly fronting the street. Further north on the other side of the N3 dual carriageway road is the River Tolka.

2.0 Proposed Development

- 2.1. The proposed development is for, in summary, a mixed use commercial and residential building of four storeys in height which includes:
- 6 retail units (460.7sqm) facing Main Street and the laneway to the east for retail, medical and related uses on the ground floor,
 - 15 no. two bedroom apartments (5 each on the three upper floors),
 - Roof garden area,
 - Removal of the existing advertising sign on the site and all existing boundary walls and fences,
 - 20 no. bicycle spaces and 3 no. EV bicycle spaces and associated works.

3.0 Planning Authority Decision

3.1. Decision

Fingal County Council decided to refuse permission for the following reason:

1. Due to height, scale, design and lack of architectural interest, it would result in overdevelopment of the restricted site which would be visually dominant, overbearing and incongruous within the immediate context and would be unduly intrusive on the skyline on the approach to Blanchardstown Village. This was found to be contrary to Development Plan policies SPQHP5, Objective SPQH034 and contrary to NPO 4 of the National Planning Framework, SPPR 3 of the Sustainable Residential Development and Compact Settlement Guidelines (Compact Settlement Guidelines) with respect to car parking provision and in addition to the poor welfare facilities set a poor precedent for other similar development.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Fingal County Council Planner's Report formed the basis for the decision. The main findings of the assessment were as follows:

- The principle of development is acceptable under the 'TC' Town Centre zoning.
- A similar scale of development was refused permission by the Council and on appeal with little rationale in relation to how the development overcomes this.
- The building was found to lack sufficient architectural interest, to be incongruous with the character of the area, visually dominant in the setting given the height and scale of the building.
- The design has not overcome the previous concerns of the P.A..
- High quality designs are required where high density is sought.
- Low separation distance to Deanstown House results in an overbearing impact given height and mass.

- A financial contribution condition in lieu of public open space is recommended.
- Conditions are required in relation to the retail units to avoid excess opening hours and excess provision of certain sub-uses (e.g. takeaways).
- Lack of bathroom facilities for the retail units represents overdevelopment.
- Material contravention of the car parking standards of the Development Plan and of SPPR 3 of the Compact Settlement Guidelines.
- Issues noted in relation to the calculation of surface water drainage requirements.
- An up to date confirmation of feasibility from Uisce Eireann is required.
- Overall significant negative impacts were noted in relation to visual impact.
- Poor level of residential amenity noted for future occupiers.

3.2.2. Other Technical Reports

- Parks and Green Infrastructure Division: Further Information sought.
- Water Services Department: Additional information required.
- Housing Department: A certificate of exemption to Part V has been applied for.
- Transportation Planning Section: No objection subject to conditions. The report notes the parking maximums/standards under the CDP and the Compact Settlement Guidelines.

3.3. Prescribed Bodies

- Uisce Eireann: All confirmations of feasibility must be dated within 6 months.

3.4. Third Party Observations

- 3.4.1. 8 no. third party submissions were received by the planning authority, which are summarised in the planner's report. The themes of the submissions are reflected in the observations submitted, which are summarised in Section 6.3.

4.0 Planning History

Subject Site

FW23A/0159: Permission refused by the Planning Authority for continued temporary car park use for three years including vehicular access changes. Reason for refusal related to failure to provide an efficient and sustainable use of town centre zoned lands and would not promote compact growth.

FW22A/0039: Permission refused by the Planning Authority and refused on appeal (ABP-313621-22) for a mixed use commercial and residential building four storeys in height including 6 retail units and 18 apartments. ABP reasons for refusal related to the following:

1. Poor quality of residential amenity given the design of the apartments relating to access, egress and circulation arrangements with poor standard of facilities for these units and the commercial units noted.
2. Inadequate pedestrian and cycle safety and residential amenity noted due to the need to access refuse and bicycle store via a route through a car park outside of the site and endangerment of public safety by a traffic hazard.

FW20A/0062:- Permission and retention refused by the Planning Authority for a second advertising structure of c. 6.3m X 3.3m in size for a period of three years.

FW20A/0061: Permission granted on 29/09/2020 for retention of existing car park on a temporary basis for three years and for vehicular access changes.

FW18A/0122: Permission granted by the Planning Authority and on appeal (ABP-304431-19) for 3 storeys over basement for office and related uses on upper floors and retail unit in 4 shops on the ground floor. Permission not implemented.

FW09A/0123/E1: Extension of duration permission granted up to 15th May 2020 for mixed-use retail and office development in a two storey over basement block. Permission not implemented.

F08A/0241: Permission refused by the Planning Authority for a mixed use retail and office development of four storeys over basement. Three reasons for refusal related to incongruous and out of character with the pattern of development due to height, scale and mass, the proximity of the block to adjacent residential properties would

injure residential amenities; overdevelopment of a restricted site with adverse impact on the character of main street setting a poor precedent; and given zero parking would result in additional on-street parking and congestion endangering public safety by obstruction of road users.

5.0 Policy Context

5.1. Fingal Development Plan 2023-2029 (the CDP)

- 5.1.1. The subject site is zoned under the Development Plan under the 'TC' objective which is "*Protect and enhance the special physical and social character of town and district centres and provide and/or improve urban facilities*". Under this zoning, residential and retail (local < 150sqm nfa, convenience ≤ 500 sqm nfa, comparison ≤ 500 sqm nfa, supermarket ≤ 2,500 sqm nfa) uses are permitted in principle. There is a marking on the plan map referring to a framework plan for Blanchardstown village area which has yet to be implemented.
- 5.1.2. Blanchardstown is noted to be located in the metropolitan consolidation area in the settlement hierarchy of the CDP and to have a 150ha area of remaining zoned land with an estimated residential yield of 5,742. It is designated as a Major Town Centre in the retail hierarchy. This includes the wider suburban area around Blanchardstown. Policy CSP 12 refers to the implementation of compact growth through measures that encourage infill / brownfield development, focused growth in the strategic development areas and the promotion of increased densities along public transport corridors.
- 5.1.3. Chapter 2 deals with planning for growth, the core strategy and the settlement strategy. Chapter 3 refers to policy for sustainable placemaking and quality homes. Chapter 14 includes detailed development management standards.
- 5.1.4. Policy CSP14 (Consolidation and Re-Intensification of Infill/Brownfield Sites) refers to the consolidation and re-intensification of infill/ brownfield sites. Policy CSP18 (Promotion of Residential Development) refers to the promotion of residential development within zoned lands including on vacant and underutilised sites. Objective CSO23 (Town Centre Regeneration) refers to town centre regeneration including on unused lands for new development and mixed use. Table 14.3 lists parameters to be incorporated into brownfield opportunities and regeneration sites.

Table 14.4 refers to requirements for infill development. Section 14.5.2 refers to building density and section 14.5.3 to building heights.

- 5.1.5. Section 14.6.6.3 (Separation Distances) refers to a minimum standard of 22m between opposing windows. Section 14.7.6 refers to the private open space standards of the Apartment Guidelines. Table 14.14 refers to communal open space standards for apartments. Section 14.13 refers to a public open space standard of 12% of site area for new residential development on infill/brownfield sites and provides for a financial contribution in lieu of such space.
- 5.1.6. Per Table 14.17 bicycle parking standards are 1 space per unit plus per bedroom and 0.5 per unit for visitor spaces. The Convenience retail standard is 1 space per 60sqm for long-stay and 1 space per 60sqm for short-stay. Table 14.19 refers to a maximum car parking standard of 0.5 spaces per residential unit plus 1 visitor space per 5 units in zone 1.

5.2. National Policy

- 5.2.1. The National Planning Framework 2018 – 2040 is the strategic national level plan for the growth and development of Ireland up to 2040.
- 5.2.2. Relevant national policy objectives include:
- **National Policy Objective 4:** To ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.
 - **National Policy Objective 32:** To target the delivery of 550,000 additional households to 2040.
 - **National Policy Objective 33:** Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.
 - **National Policy Objective 57:** Enhance water quality and resource management.

5.3. Regional Spatial and Economic Strategy for the Eastern and Midland Region (RSES).

- 5.3.1. A key National Strategic Outcome (NSO 1) in the NPF and Regional Strategic Outcome (RSO 2) in the RSES is the need to achieve ambitious targets for compact growth in our urban areas. Urban regeneration and infill sites can contribute to sustainable compact growth and revitalisation of existing settlements of all scales. This will help to address National Policy Objective 3a, 3b and 3c of the NPF which targets the delivery of new homes within the footprint of existing settlements.

5.4. Section 28 Guidelines

- 5.4.1. Having considered the nature of the proposal, the receiving environment, and the documentation on file, I am of the opinion that the directly relevant Section 28 Ministerial Guidelines are:

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024) (the Compact Settlement Guidelines).
- Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2022) (the Apartment Guidelines).
- Urban Development and Building Height, Guidelines for Planning Authorities (2018) (the Building Height Guidelines).
- Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities (2009) and the associated Urban Design Manual (2009).
- Guidelines for Planning Authorities Retail Planning, 2012.

- 5.4.2. Other relevant national guidelines include:

- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, (2018).
- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities (2009).

5.5. Natural Heritage Designations

- 5.5.1. In relation to proximity to designated conservation sites, the subject site is located c0.4km to the north of the Royal Canal Proposed Natural Heritage Area (PNHA) (site

code 002103), c.2km north of Liffey Valley PNHA (site code 000128), c.8km north-east of Rye Water Valley/Carton Special Area of Conservation (SAC) and PNHA (site code 001398) and c.8.1km west of Santry Demesne PNHA (site code 000178).

5.6. Environmental Impact Assessment Screening

5.6.1. See Forms 1 and 2 in Appendices 1 and 2. The proposed residential development is located within an urban area on zoned and serviced land. Having regard to the criteria set out in Schedule 7 of the Regulations and the nature and scale of the proposed development and the absence of any connectivity to any sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination stage.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. One first party appeal was received from Stephen Molloy Architects on behalf of the applicant, Patrick Molloy. The grounds of appeal can be summarised as follows:

- Further information should have been requested and the decision is not consistent with the P.A.'s assessment which was favourable.
- The application is to be assessed under the new Development Plan and this, together with the drawings and design statement, are sufficient to enable the P.A. assess how the development addresses the previous reasons for refusal.
- Government directions are for a minimum of 4 storeys and the setbacks and elevation break up address any concerns regarding building appearance.
- There has been a redesign of the building in relation to the previous application's complex layout and excess circulation, lack of staff facilities, refuse facilities and access to refuse and bike storage areas to address the Board's previous reason for refusal.
- The roof garden can be redesigned by condition if necessary.
- The concerns in relation to proximity to Deanstown House to the east, a commercial building, were not an issue for the Inspector previously.

- A rationale for no car parking provision was put forward in the application and car parking standards have changed such that parking should be minimised. Concerns in relation to car parking come from serial objectors and the Council's Transport section had no issue.

6.2. Planning Authority Response

- 6.2.1. The Planning Authority states that the reason for refusal is not flawed, weak or based on pressure from local residents and is the result of thorough assessment.

6.3. Observations

- 6.3.1. Three no. observations were received in relation to the first party appeal. The observations come from addresses at Millstead, to the rear/north of the adjacent car park. The observations are summarised below:

Sarah Barrett and Jeremiah Griffin

- Takes issue with the critical pattern and tone of elements of the appeal including towards the objectors and asserts justification for the objections.
- Noted similarities between previous applications and overdevelopment.
- The refusal reason included 10 reasons.
- A total of 27 car parking spaces are required.
- The statements of compliance are assertions of opinion by the appellant.
- The decision was considered under the current Development Plan.
- No alternative emergency route for the residents and proximity to Deanstown House is a major design flaw in relation to fire safety.
- A safe area for children's play has not been provided.
- All required information should be supplied at application stage.
- The development is not independent of the adjacent car park site which is required for access.
- Out of keeping in terms of height and mass.

Michael Collins and separate observation from Brian Heerey

- There are 12 justified reasons for refusal and not one.

- The living accommodation would be sub-optimal.
- Location of staff facilities such as toilets is seriously deficient.
- The importance of the village setting should not be dismissed with listed considerations in relation to visual impact, social/cultural impacts and environmental considerations.
- The defence of the village, community and residents' homes are not frivolous.
- In relation to alleged nimbyism, the residents did not object to the development of the cottages or refurbishment of the bank on the main street.
- Lack of justification for appellant's comments in relation Planner's Report.
- The listed benefits of the development are misconceived.
- The emotional feelings of local residents should be considered.
- The reason for refusal has been misunderstood by the appellant.
- The design of the building retains a complex layout and poor quality residential amenity and fails to address the previous reason for refusal.
- The design of the elevations is very similar to the previous application with grounds for refusal remaining broadly the same as previously.
- The Building Height guidelines are not relevant to a village such as this.
- Overshadowing will be an issue for local Millstead residents and this would devalue their properties.
- There will be an overbearing impact on properties in the vicinity due to scale.
- Bin storage and collection issues including in relation to noise pollution.
- Parking issues already exist in the village and parking for residents and the retails units is required for such a building.
- The Inspector's Report omitted the visibility of the stair core from the residences and its conclusion in relation to shadowing is not accepted.

7.0 Assessment

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

- Principle of Development
- Addressing previous reason for refusal.
- Design and height.
- Residential amenity.
- Car and bicycle parking.
- Potential Material Contravention.
- Drainage and Water.

7.2. Principle of Development

7.2.1. The principle of development was considered acceptable by the P.A. under the 'TC' Town Centre zoning. Given that retail uses of this scale and residential are "permitted in principle" under this zoning, I consider the proposed development for retail units on the ground floor and residential units on upper floors to be acceptable in principle. The loss of the car park on the site, where permission has expired, is not considered a material consideration given the over-riding policy for compact development in such urban centres and the requirement to enclose the street from a built form perspective.

7.2.2. I note the intention to prepare a framework plan and note that the footpath would be widened in front of the site enhancing the public realm and a footpath would be provided to the eastern side of the building. In this context, the development would not prejudice the delivery of the framework plan.

7.3. Design and Height

- 7.3.1. The Planning Authority's reason for refusal is concerned with, inter alia, the design of the proposed building including its scale, lack of architectural interest, overbearing, visual dominance in the village and incongruity with the streetscape, intrusion on the skyline and overdevelopment of the site and these concerns are reflected in the observations on the appeal and submissions at application stage. The Development Plan seeks increased building height where good public transport accessibility is provided such as in the subject location.
- 7.3.2. I note that the design of the street facing elevation to the north, which elevation is broken down into distinct vertical elements by the use of three broadly differing designs types and by the use of varying external materials including selected brick finish, would include pressed metal vertical sections to windows, zinc finishes, pressed metal handrails to some balconies and render finish. I consider that there would be no excessive massing impact on the streetscape. This is in the context of the four storey building height to the front and lack of sensitive receiving environment with no protected structures located close by. The eastern side elevation would be prominent given its position and it is similarly well broken up vertically such that I have no significant concerns in relation to massing or overbearing impacts in its vicinity.
- 7.3.3. I consider that the form and design of the building, of greater scale generally than the buildings in the vicinity, c.12.5m height to the front, which are mainly two storeys in height with a mix of modern and traditional buildings including the adjacent PTSB modern building, would integrate with the streetscape to a sufficient degree. It would partially act as a landmark building in the town centre creating visual interest while not being overly visually dominant given its limited four storey height to the front.
- 7.3.4. The building would enclose the streetscape to provide a strong urban presence along the streetscape in accordance with urban design principles. It is noted that this type and form of development assists in providing compact development consistent with the Compact Settlement Guidelines in an accessible town centre location and which is also generally encouraged in the CDP. Due to the limited height there is no risk of visual intrusion on the skyline. The issue of potential overdevelopment as it

relates to residential amenity and other qualitative considerations will be examined further below.

- 7.3.5. The rear building façade, flat roof height of c.12.5m with c.16m ridge height of the c.10.9m wide sloped roof element, would be less broken up but would not be located in as prominent a position and noting the separation distances to the rear, at least c.12.7m from the rear garden boundaries of Millstead, I consider that the window lines and arrangements provide sufficient vertical break-up of this elevation so as not to result in excessive massing or overbearing impacts to the rear in the town centre location.

7.4. Residential Amenity

Internal Amenity

- 7.4.1. It has been suggested in the appeal observations and application submissions that the standard of residential amenity for future occupants would be deficient given the position of windows, open space issues, access arrangements, internal windows on the landings, play areas, storage, single lift and limited lobby areas. In relation to internal space standards, the applicant has submitted a Housing Quality Assessment, and it is noted that the minimum floor standards per Section 14.7.1 of the CDP have been met and that a majority of the apartments exceed the minimum floor standards by 10% or more and I have no significant concerns in this regard.
- 7.4.2. Per SPPR1 and SPPR2 of the Apartment Guidelines, I note no significant concerns in relation to unit mix given that 15 no. two bedroom apartments are proposed and no one bedroom or studio units are proposed.
- 7.4.3. Per Section 14.7.2 of the CDP there are no concerns regarding ground floor ceiling heights with the 2.7m minimum height exceeded. Internal storage and the lift core which would serve 15 no. apartments give rise to no concerns under Section 14.7 (Apartment Development/Standards) of the CDP. In relation to dual aspect provision, per Section 14.7.4 of the CDP, 60% of the units would be dual aspect which exceeds the standard and there would be no single aspect north facing units. The applicant has submitted a '*Daylight & Sunlight Assessments of a Residential*

Development' report prepared by Digital Dimensions with no significant concerns noted in relation to internal daylight and sunlight standards. I have no significant concerns in relation to the use of the high level window designs given that there would also, in addition, be full windows serving these rooms.

7.4.4. Section 14.7.6 of the CDP refers to private open space standards which would be met for each two bedroom apartment with over 7sqm provided for each with sufficient depth. In relation to communal open space provision the CDP requires under Table 14.14 a minimum provision of 105sqm. 178sqm of such useable space would be provided at roof level which significantly exceeds the minimum required. Objective DMSO75 (Communal Amenity Space) of the CDP states *"Require communal amenity space within apartment developments, in the form of semiprivate zones such as secluded retreats and sitting out areas, complies with or exceeds the minimum standards set out in Table 14.14"* and Objective DMSO73 specifically refers to *"roof terraces"* in relation to the standards of Table 14.14.

7.4.5. The plan drawing suggests a paved area for this function at roof level whereas the Services Report suggests the flat roof would be divided into two areas, a hard and soft-landscaped roof garden and a gravelled service area with solar panels and that the flat roof areas would be constructed as *"green roofs"* and *"will not represent a significant increase in run-off coefficient compared to the existing compacted stone car park surface"*. Based on this, in my opinion, the surface water drainage proposals are compatible with the use of the flat roof area for amenity/communal open space and in part for solar panels on the area left over above the 105sqm minimum required area. I consider that a standard surface water drainage condition for details to be agreed with the Planning Authority prior to commencement to be sufficient in relation to the drainage requirements for the footprint of the building.

7.4.6. The roof area can also cater for informal play requirements subject to safety screens being provided. There are no concerns in relation to sunlight for this space as it will achieve over 2 hours on the 21st March over more than 50% of its area as required. As I have no significant concerns in relation to overall design quality, I consider that the proposed roof garden area can serve this purpose but should permission be granted I recommend that, by condition, a two metre high glass/Perspex screen be

required to be located around the roof garden on all sides such that no safety issues arise in relation to children playing in it.

- 7.4.7. In relation to public open space, Table 12.6 of the CDP states that *“in all instances where public open space is not provided a contribution under Section 48 will be required for the shortfall. (Target minimum amount of 15% except in cases where the developer can demonstrate that this is not possible, in which case the 12% to 15% range will apply.)”* As no public open space is to be provided, and noting the type and form of development on an infill site of relatively small size where such provision would be difficult, I recommend that, consistent with the Council’s parks section report, the shortfall of 15% of net site area (noting the Compact Settlement Guidelines requirements) be dealt with via the inclusion of a special development contribution in lieu of open space should permission be granted.
- 7.4.8. I have no undue concerns in relation to security or safety with passive surveillance provided without and within the scheme, for example through the use of internal windows facing lobby areas and such lobby areas are adequate for internal circulation. It is further noted in relation to fire and building safety concerns, that such matters are regulated under separate codes and this is not a matter for planning assessment. In relation to potential noise impacts, I note that the town centre noise environment would not be excessive for residential development.

External Amenity Impacts

- 7.4.9. The applicant has submitted a Daylight & Sunlight Assessments of a Residential Development report prepared by Digital Dimensions which follows the BRE guidelines as recommended in the Development Plan. In relation to daylight in neighbouring dwellings, Vertical Sky Component (VSC) was assessed in relation to the relevant rear windows at Millstead to the north with no significant reductions noted. In relation to Annual Probable Sunlight Hours (APSH) the criteria are met for all windows and for Winter Probable Sunlight Hours (WPSH), the criteria were not met in one case. In this case, the report notes that its own existing ground floor extension is the contributing factor. Overall, I consider these results to be acceptable for such an infill scheme in a town centre location.

- 7.4.10. In relation to the rear gardens to the north, no.s 20 to 26 Millstead were examined in relation to sun on the ground impact. This showed that the percentage area receiving at least 2 hours of sunlight on 21st March was well over 50% with marginal reductions noted such that the most significant change was from 81.9% before to 77.4% after which it would remain well above the 50% standard and with no reduction of 20% or more. As such, while noting the submitted shadow diagrams, I have no significant concerns in relation to overshadowing of property in the vicinity of the development given general adherence to the BRE daylight and sunlight guidelines.
- 7.4.11. In relation to potential overlooking and privacy impacts, I note no significant concerns to the east, south or west given the non-residential land uses. To the north, I note that the separation distances between opposing windows would be in excess of c.26.5m which significantly exceeds the 22m CDP standard and the 16m new overriding standard per SPPR1 from the Compact Settlement Guidelines. The rooms facing north would generally be bedrooms other than the living rooms which would have high level windows which would mitigate perceptions of overlooking. The separation distance to the rear garden boundaries of Millstead would be on average c14.6m (and at least c.12.7m) and I am satisfied that the setback of the roof garden by a further c.4m would prevent any excessive overlooking or loss of privacy from the proposed development.
- 7.4.12. In terms of the visual impact of the development to the north, particularly in relation to Millstead, noting the separation distances and the height and width of the block which is broken down into vertical elements by the arrangement of the fenestration, including the sloping roof element above the four storey level, I do not consider that an excessive overbearing impact would result on residences in the vicinity. I have no significant concerns in relation to visual impact to the east or the west given the alignment with other town centre buildings and the limited depth of the building. Also, given the commercial type building to the east at Deanstown House and having noted no undue negative impacts in relation to overlooking, overbearing or overshadowing, I do not consider that the development potential of it or other sites in the vicinity would be unduly effected by the proposed development.

7.4.13. I also note that, subject to standard construction related conditions in line with best practice, the construction of the building would not give rise to significant negative impacts on residential amenities.

7.4.14. Given that the CDP standards have been largely met and no significant negative internal or external impacts have been noted in this report, I do not consider that issues in relation to overdevelopment arise.

7.5. Car and Bicycle Parking

7.5.1. The proposed development includes no provision for car parking although bicycle parking for residents would be provided at ground floor level accessible via the rear car park. I note the concerns raised in relation the potential for overspill parking, particularly in relation to Millstead and other residential areas in the vicinity and from the Transportation section where it is stated that some parking should be provided. I note in relation to potential overspill parking, that if this were to become a significant issue, it is open to the Council to further regulate street parking in the vicinity of the development, particularly in Millstead.

7.5.2. Nevertheless, SPPR 3 of the Compact Settlement Guidelines is directly applicable and I consider the site to be located within 1km of a high capacity public transport node, namely Castleknock railway station and the site would also be within walking distance of the Bus Connects B spine route and an existing Quality Bus Corridor. In such accessible locations, SPPR3 states that “*car parking provision should be substantially reduced*” and the maximum rate of car parking provision shall be 1.5 spaces per dwelling where justified. Noting the submitted Mobility Management Plan prepared by Stephen Molloy Architects, the accessible town centre location and proximity to high quality public transport, I have no significant concerns in relation to the substantial reduction /absence of car parking provision within the development, both for the commercial and residential elements, and I note this should encourage the use of more sustainable modes of transport as sought in the Development Plan and enables for the densification of the site.

7.5.3. In relation to bicycle parking, the number of spaces proposed within the development is two storage units per apartment at ground floor level and it is proposed to provide

two bicycle lockers per apartment (one per bedroom) in addition to 6 on-street spaces to the rear of the building. The Planning Authority has raised no significant concerns. While the Development Plan has a higher standard of 45 long stay and 7.5 short stay spaces for a development of this type, SPPR 4 of the Compact Settlement Guidelines requires 30 spaces plus visitor spaces and I have no significant concerns in relation to the proposed provision in this regard. I recommend a condition for agreement with the P.A. in relation to detailed layout and access arrangements to be provided in perpetuity should permission be granted.

7.6. Addressing Previous Reason for Refusal

- 7.6.1. Under reg. ref. FW22A/0039 (ABP-313621-22), An Bord Pleanála refused permission for a four storey retail and residential building for two no. reasons as outlined in the planning history above. By comparison with the previous refused application, the redesign includes a changed arrangement in relation to internal layout and circulation, staff facilities, refuse facilities and access to refuse and bike storage areas. This is to address the previous concerns in relation to lack of internal access through the building to these spaces with pedestrians required to use the adjacent car park.
- 7.6.2. Pedestrian users of the building would not be required to access the apartments, staff facilities and refuse store via the adjacent car park given the available internal access. Pedestrian access for residents and staff would be provided from an adjoining footpath to the east side of the building which would directly link with the footpath to the front on main street and there would also be a footpath to the rear of the building. There would be access to a staff bicycle shed from the footpath to the east. For the retail unit facilities, access would be via the side footpath which I consider to be a significant improvement and to be adequate. As a result of this layout, I have no significant concerns in relation to occupant access to the refuse and bike store with access through the building or via the side and rear footpath facilitated.
- 7.6.3. There would be 6 no. retail units ranging in size from 42sqm to 50.2sqm, as stated. These units would face and the street and provide active frontage which would enliven the street in the town centre and I note no significant issues in relation to the

retail proposal. Should permission be granted, I recommend that the hours of operation be determined by the planning authority by condition and that a change of use to take-away or betting shop be required to obtain a prior grant of permission. If the Board does not agree that the staff facilities are adequate/accessible, an internal revision to the layout of these units via amalgamation/omission of units with rear internal access could be provided for by condition.

7.6.4. There would also be rear access to a bicycle shed and refuse storage area via the adjacent rear car park area and via the rear and side footpath around the building. It remains the case that the commercial and residential waste storage area would be combined although there would now be internal access for both users to such facilities which is a noted significant improvement.

7.6.5. In relation to the requirement for waste collection bins/vehicles to pass through an adjacent private car park (in the ownership of the applicant per the blue line on the existing site plan drawing), the Council's Transportation section noted no objection and given the layout of the car park where vehicle speeds would be very limited, I have no significant concerns in relation to vehicular or cycle access to the rear of the building. A bespoke condition in relation to the maintenance and management of this access and layout adjacent to the north of the building (including footpath, yellow box and three parallel spaces), is recommended should permission be granted to ensure such collection/access is possible and remains in place.

7.7. Potential Material Contravention

7.7.1. The issue of a potential material contravention of the Development Plan in relation to car parking standards has been raised in the Planner's Report which referred to Table 14.19 of the CDP. The P.A. noted the site location within Zone 1 for this purpose and that 7.5 spaces would be required for the development. Noting Table 14.19 which refers to a "max" standard of 0.5 spaces per one to two bedroom dwelling and in relation to retail the "max" standard I consider to be most applicable relates to "retail convenience" which is one space per 60sqm. Applying these standards would give a "max" standard for the residential element of 7.5 spaces and a max standard for the retail element of 460.7sqm of 7.67 spaces. Under this table, Section 14.7.7 of the CDP in relation to car parking states, inter alia, the following:

“Max refers to maximum number of spaces allowed... A reduced car parking provision may be acceptable where the Council is satisfied that good public transport links are already available or planned and/or a Management Mobility Plan for the development demonstrates that a high percentage of modal shift in favour of the sustainable modes will be achieved through the development. These requirements do not apply to development located in town centres as identified in this Plan where the development involves the re-use/refurbishment of an existing occupied or vacant building, any change of use or where small-scale infill developments (including residential) are proposed”.

- 7.7.2. The above section confirms that a reduced standard is acceptable in certain circumstances. It further confirms that the requirements do not apply to development located in town centres where small-scale infill developments are proposed. I consider that, given the location of the site within the town centre and the nature of the infill development of 15 no. units plus 6 no. ground floor retail units of generally 4 no. storeys, the development is a small-scale infill development. Therefore, the Development Plan parking standards do not apply to the subject development. As a result, I do not consider that a material contravention of the Development Plan arises where no parking spaces have been provided and permission can be granted on this basis.
- 7.7.3. However, if the Board is of a different view, the Board can use the powers open to it under Section 37(2)(a) to grant permission where a material contravention of the Development Plan arises.

7.8. Drainage and Water

- 7.8.1. The Planning Authority raised concerns in relation to calculations for the proposed green roof system to manage surface water drainage. I note that the site is not located within a flood zone per the Strategic Flood Risk Assessment of the CDP and no issue was raised in relation to this by the P.A. I have noted previously that, on the basis of the submitted Services Report, the roof terrace use for future residents would not be incompatible with the green roof area described. I note the letter submitted with the appeal from Gordon While Consulting Engineers which notes that

“the provision of green roofs will represent an improvement over the current situation both in quality, rate and quantity of water discharged to the existing storm sewer”. I consider that this matter can be managed by the use of a standard SUDS drainage condition to ensure drainage requirements are dealt with on site for agreement with the P.A. should permission be granted.

- 7.8.2. In relation to water services, an up to date letter of feasibility is required and a condition in relation to water services provision will be required should permission be granted.

8.0 Appropriate Assessment Screening

- 8.1. See Appendix 3 for screening report. Having carried out Screening for Appropriate Assessment of the project in accordance with Section 177U of the Planning and Development Act 2000 (as amended), I conclude that that the project individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Sites within the area, namely the Rye Water Valley/Carton Special Area of Conservation (SAC) or any other European site, in view of the sites Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required.

- 8.2. This determination is based on:

- The relatively minor scale of the development and lack of impact mechanisms that could significantly affect a European Site.
- Distance from and weak indirect connections to the European sites.
- The determination of the Planning Authority.

9.0 Recommendation

Following the assessments above, I recommend that planning permission for the proposed development should be granted, subject to conditions, for the reasons and considerations set out below.

10.0 Reasons and Considerations

Having regard to the zoning objective of the subject site, the provisions of the Fingal Development Plan 2023 – 2029, the location within an existing town centre area, to the nature and scale of the proposed development and its relationship with adjacent development, its visual impact on the streetscape and on the town centre and the facilities within the building and in terms of its impacts on residential amenities, it is considered that subject to compliance with the conditions set out below, the proposed development would be acceptable and would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety, convenience and sustainable transportation. 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, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The site layout within the adjacent car park to the north and east shown within the blue line car park area controlled by the applicant shall be laid out and permanently maintained free of obstructions as shown on the 'Proposed Site Layout Plan' drawing shown on Drawing no. 01(of4) and 'Ground Floor Plan' Drawing no. 2 (of4) submitted to the Planning Authority on the 21st day of May 2024. The car park site shall be operated consistent with this layout to ensure permanent vehicular (including for waste collection trucks), bicycle and pedestrian access is maintained without let or hindrance at all times to the rear (north) and side (east) access points of the building. The layout shall

only be altered to ensure provision for waste collection services through the adjacent car park site and details of this provision, including swept path analysis, shall be submitted to and agreed in writing with the planning authority prior to the occupation of the development, and the development shall be carried out in accordance with the agreed details.

Reason: To ensure a satisfactory provision and layout for commercial vehicles, in the interest of traffic safety and residential amenity and to ensure satisfactory access for residential and commercial users within the development.

3. A two metre high clear screen shall be permanently fixed around the edges of the roof garden. A minimum of 105square metres of the roof garden area shall be reserved exclusively for use as communal open space and solar panels or other objects shall be located elsewhere on the roof area.

Reason: In the interests of the amenities and safety of future residents.

4. Details of the opening hours for the retail units shall be submitted to, and agreed in writing with, the planning authority prior to occupation of the building.

Reason: In the interest of clarity and residential amenity.

5. Use of the retail units for use as a hot food take-away or betting office shall not take place without a prior grant of planning permission.

Reason: In the interests of clarity and of the amenities of the area.

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

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

7. Prior to the commencement of development the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a

service connection(s) to the public water supply and/or wastewater collection network.

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

8. Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development. The scheme shall include provision for lighting of the car park to the rear of the building. Such lighting shall be provided prior to the making available for occupation of any residential unit.

Reason: In the interest of amenity and public safety.

9. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained and waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment and the amenities of properties in the vicinity

10. Site development and building works shall be carried out between the hours of 07.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

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

11. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of

intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

12. A detailed construction traffic management plan shall be submitted to, and agreed in writing with the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interest of traffic safety and convenience.

13. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority [in relation to the transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended], unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Bord Pleanála for determination.

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

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 commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme. Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

15. The developer shall pay to the planning authority a financial contribution as a contribution lieu of the public open space requirement in respect of public open space benefitting the development in the area of the planning authority is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the adopted 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 indexation provisions of the Scheme at the time of payment.

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

16. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads,

footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination. Reason: To ensure the satisfactory completion of the development.

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.

Ciaran Daly
Planning Inspector
26th November 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	ABP-320519-24		
Proposed Development Summary	Construction of a mixed-use commercial and residential building, together with all associated site works.		
Development Address	Site to the east of PTSB Bank, Main Street, Blanchardstown, Dublin 15		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	No further action required
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes			EIA Mandatory EIAR required
No	X		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
No		N/A	No EIAR or Preliminary Examination required
Yes	X	Class 10(b) of Schedule 5 Part 2	Proceed to Q.4

4. Has Schedule 7A information been submitted?

No	X	Preliminary Examination required
Yes		Screening Determination required

Inspector: _____

Date: _____

Form 2
EIA Preliminary Examination

An Bord Pleanála Case Reference Number	ABP-320519-24
Proposed Development Summary	Construction of a mixed-use commercial and residential building, together with all associated site works.
Development Address	Site to the east of PTSB Bank, Main Street, Blanchardstown, Dublin 15
<p>The Board carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations.</p> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>	
<p>Characteristics of proposed development (In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>The proposed development, which does not require demolition works is a standalone project. It is for 6 retail units and 15 dwelling units in a 4 to 5 storey block and associated works within an urban area and which is connected to water services and wastewater services. It does not require the use of substantial natural resources or give rise to a significant risk of pollution or nuisance.</p> <p>The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.</p>
<p>Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>The development is to be located in an urban town centre location removed from sensitive habitats and the natural landscape.</p> <p>The development is removed from sensitive natural habitats and designated sites and landscapes of identified significance in the County Development Plan.</p>
<p>Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for</p>

		significant effects on the environmental factors listed in section 171A of the Act.
Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	Yes or No
There is no real likelihood of significant effects on the environment.	EIA is not required.	No
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.	No
There is a real likelihood of significant effects on the environment.	EIAR required.	No

Inspector:

Date: _____

DP/ADP: _____
(only where Schedule 7A information or EIAR required)

Date: _____

Appendix 3

Appropriate Assessment Screening

The proposed development site is not located within or immediately adjacent to any site designated as a European Site, comprising a Special Area of Conservation (SAC) or Special Protection Area (SPA). The project is not necessary for the management of a European site.

One European site is located within a potential zone of influence of the proposed development. Qualifying interests and conservation objectives for each of the sites are listed on the National Parks and Wildlife Services (NPWS) website (www.npws.ie). In relation to the potential zone of influence of the subject site, I consider that the following site is relevant which is located:

- c.8km north-east of the subject site at Rye Water Valley/Cartron Special Area of Conservation (SAC) (site code 001398).

A description of the site is provided in section 1 and the site does not feature any substantive surface water bodies. There are no watercourses or other ecological features of note on the site that would connect it directly to European Sites in the wider area. The closest river is located c.261m to the north and which flows in a meandering easterly/south-easterly direction into the South Dublin Bay and River Tolka Estuary SPA (c.10km away) and at a point which is close to the North Dublin Bay SAC and North Bull Island SPA (c.13km away).

Likely impacts of the project (alone or in combination)

I consider that the development has no unique or challenging attributes, either at construction or operational stage. Due to the position of the development site in an urban/suburban area and the presence of a significant built up area between the subject site and the nearest river to the north with no direct hydrological links to a European site, I consider that, when completed, the proposed development would not be expected to generate impacts that could affect anything but the immediate area of the development site, thus having a very limited potential zone of influence on any ecological receptors.

During site clearance, demolition and construction of the proposed mixed use building and site works, possible impact mechanisms of a temporary nature include generation of noise, dust and construction related emissions to surface water. During the construction phase, standard pollution control measures would be put in place. These measures are

standard practices for urban sites and would be required for a development on any such site in order to protect local receiving waters, regardless of any potential hydrological connection to Natura 2000 sites. In the event that the pollution control and surface water treatment measures failed or were not implemented I am satisfied that the potential for likely significant effects on the European sites from surface water run-off can be excluded given the distant and interrupted hydrological connection within the urban area, the nature and scale of the development and the distance and volume of water separating the application site from Natura 2000 sites (dilution factor).

Noting the relatively modest scale of the development for 15 no. dwellings and 6 retail units in a four to five storey building, I consider that the foul discharge would be insignificant in the context of the overall licenced discharge available at the Ringsend Wastewater Treatment Plant. The scheme includes attenuation measures which would have a positive impact on storm water drainage from the subject site. SUDS are standard measures which are included in all projects and are not included to reduce or avoid any effect on a designated site. They are not considered to be mitigation measures in the context of Appropriate Assessment.

The contained nature of the site (serviced, with defined site boundaries, no direct ecological connections or pathways) and distance from receiving features connected to the Rye Water Valley/Carton Special Area of Conservation (SAC), make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect European Sites including via storm and foul drainage networks.

The hardstanding site is not noted to be an ex-situ site for any SPAs. Given the modest scale of the proposed development within a suburban area in terms of land take, the separation distances from European sites, the absence of relevant qualifying interests in the vicinity of the works and the absence of ecological or hydrological pathways, I do not consider it likely that any temporary noise or human disturbance that may occur during the construction phase would be a significant increase on the current baseline if works were to commence during the wintering period for birds.

The proposed development would not have direct impacts on any European site.

Likely significant effects on the European sites in view of the conservation objectives

The construction or operation of the proposed development will not result in impacts that could affect the conservation objectives of the above named SAC. Due to distance and lack of meaningful ecological connections there will be no changes in ecological functions due to any construction related emissions or disturbance.

There will be no direct or ex-situ effects from disturbance on mobile species during construction or operation of the proposed development. There will be no significant disturbance to any wintering birds (ex-situ) as they are highly unlikely to use the use given the hardstanding surface.

In combination effects

The expansion and infill of Dublin city and suburbs is catered for through land-use planning by the Planning Authority, including the Fingal Development Plan 2023-2029 which itself has been subject to AA by the Planning Authority, who concluded that the implementation would not result in significant adverse effects on the integrity of any European Sites. I am satisfied that the proposed development will not result in any effects that could contribute to an additive effect with other developments in the area. No mitigation measures are required to come to these conclusions.

Overall Conclusion

Screening Determination

Having carried out Screening for Appropriate Assessment of the project in accordance with Section 177U of the Planning and Development Act 2000 (as amended), I conclude that that the project individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Sites within the area, namely the Rye Water Valley/Carton Special Area of Conservation (SAC) or any other European site, in view of the sites Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required.

This determination is based on:

- The relatively minor scale of the development and lack of impact mechanisms that could significantly affect a European Site.

- Distance from and weak indirect connections to the European sites.
- The determination of the Planning Authority.