Inspector's Report ABP-320912-24

Development	Proposed development of 934 no. residential units, across 9 blocks, and 4,380 sqm of non-residential uses.
Location	Central Mental Hospital, Dundrum Road, Dundrum, Dublin 14 and areas of Dundrum Road and St. Columbanus Road, Dublin 14.
Local Authority	Dun Laoghaire-Rathdown County Council (DLRCC) in partnership with the Land Development Agency (LDA).
Type of Application	Application for approval under Sections 175(3) and 177AE(3) of the Planning and Development Act 2000 (as amended).
Prescribed Bodies	Transport Infrastructure Ireland (TII). National Transport Authority (NTA). Uisce Eireann. Inland Fisheries Ireland.

	Department of Housing, Local Government and Heritage (DAU).
Observer(s)	Brian Adams and others.
	Catherine Wilkinson and Paul Tierney.
	Claire & Darach Connolly and Michael & Françoise O'Sullivan.
	Daniel Sessions.
	Eileen Finn.
	Hillary Lee.
	Jonathan Crowe.
	Laurie McGann.
	Lorraine Egan and Larry Byrne.
	Margret Glupker and John Cahill.
	Mark Leonard.
	Melissa and Brendan McCarthy.
	Miriam McGrath.
	Patrick Ganly.
	Roebuck Resident's Association.
	Rosemount Mulvey FC.
	Russell Higgs.
	Sheila McBreen.
	Sheila Reidy and Stephen O'Byrne.
	Steve Curran and Geraldine McHugh.
	Sylvie McLoughlin.
	The Egan Family.
	The Feehan Family.
Date of Site Inspection	10th February 2025
Inspector	Stephen Ward

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1.0 Introduction

1.1. This is an assessment of an application for development approval submitted under sections 175(3) and 177AE(3) of the Planning & Development Act, 2000 (as amended). Applications under section 175(3) are made by or on behalf of local authorities when it is proposed to carry out development within its functional area in respect of which an Environmental Impact Assessment Report (EIAR) has been prepared. Similarly, applications under section 177AE(3) are made by or on behalf of local authorities when it is proposed to carry out development within its functional area in respect of which a Natura Impact Statement (NIS) has been prepared.

1.2. Before making a decision on the proposed development, the Commission shall consider the EIAR, any submissions or observations, and any other information relating to (i) the likely effects on the environment of the proposed development, and (ii) the likely consequences for proper planning and sustainable development of the area. The Commission shall also consider the NIS and the likely effects on a European site/s in respect of Appropriate Assessment.

1.3. The application outlines that Dún Laoghaire-Rathdown County Council (DLRCC) and the Land Development Agency (LDA) have a remit to deliver social and affordable housing and that they have formed a partnership to jointly deliver the redevelopment of the former Central Mental Hospital (CMH) site in Dundrum.

2.0 Site Location and Description

2.1. The application site is located c. 1km north of Dundrum Town Centre and primarily comprises the former Central Mental Hospital (CMH) lands. It has a stated area of 9.7 ha, with 9.6 ha comprising CMH lands and 0.1 ha including sections of Dundrum Road and St Columbanus Road. The site is annexed from the overall CMH lands (11.3 ha), which accommodate several existing buildings (outside the application site boundary) including the Main Hospital Building, the Chapel, the Infirmary and other associated buildings and temporary structures.

2.2. The site is largely bounded by a 4 to 5-metre perimeter wall and is accessed via an entrance off Dundrum Road to the west. It includes a walled garden, an orchard, and a significant covering of mature trees. Existing buildings on the site include the Gate

Lodge near Dundrum Road; former swimming pool / sports hall and admissions unit; a two-storey redbrick building; and temporary structures including single storey portacabins, sheds, greenhouses etc. The use of the site as a mental health institution has now ceased entirely. Some of the existing buildings and a range of temporary structures were being used in connection with the International Protection Accommodation Service (IPAS) at the time of inspection.

2.3. In terms of surrounding development, the site is bounded by residential properties and associated gardens at Mulvey Park to the north; at Friarsland Road to the east; at Larchfield Road to the south; and at the Annaville / Sommerville properties to the west. These surrounding residential properties are generally one or two storeys in height, while the Annaville residential area includes a four-storey apartment block. The southern site boundary also abuts Rosemount Green (a DLRCC public open space and football pitch), while the western boundary runs along Dundrum Road and associated 1-2 storey properties comprising a mix of residential and commercial use.

2.4. The wider environs are predominantly characterised by lower-density residential development. However, notable services and facilities also include Dundrum Town Centre and Shopping Centre (c. 1km to the south); Dundrum Business Park (c. 200m to the north); Windy Arbour neighbourhood centre (to the northwest); several schools; and University College Dublin (c. 1 km to the northeast). Public transport services include the Luas Green line stop at Windy Arbour (c. 450m to the west), as well as Dublin Bus network stops at Dundrum Road (R117), Bird Avenue, Goatstown Road (R825), Churchtown Road and Taney Road (both R112).

3.0 Proposed Development

Masterplan Context

3.1. The application has been prepared in the context of a wider Masterplan for the overall site (i.e. the 11.3ha including the Main Hospital Buildings etc.). However, the application outlines that the Masterplan does not set the framework for any development consent, nor has it, or will it, be adopted by the Planning Authority. It provides for approximately 1,002 no. residential units and the adaptive reuse of the older structures on site to provide employment/enterprise and community uses.

3.2. The development strategy for the delivery of the Masterplan comprises firstly the current application. This will be followed by a future application for the remainder of the CMH lands, which is currently envisaged to comprise 68 no. residential units and 5,453 sq m of non-residential floorspace.

The Current Application

3.3. The current application is limited to the 9.7ha portion of the overall lands/masterplan. A 10-year permission is sought for the construction of 934 no. dwellings and associated services and facilities, which is summarised in the following sections.

3.4. Demolition of existing structures on site, to include:

- Single storey former swimming pool / sports hall and admissions unit (2,750m^2);
- Two storey redbrick building (305m^2);
- Single storey ancillary and temporary structures including portacabins (618 m^2);
- Removal of existing internal sub-divisions/ fencing, including removal of security fence at Dundrum Road entrance;
- Demolition of section of porch and glazed screens at Gate Lodge building (4m^2);
- Removal of walls adjacent to Main Hospital Building;
- Alterations and removal of section of wall to Walled Garden.

3.5. The development includes alterations and partial demolition of the perimeter wall:

- Alterations and removal of section of perimeter wall adjacent to Rosemount Green (south);
- Formation of a new opening in perimeter wall at Annaville Grove to provide a pedestrian and cyclist access;
- Alterations and removal of sections of wall adjacent to Dundrum Road (including removal of existing gates and entrance canopy), including reduction in height of section, widening of existing vehicular access, and provision of a new vehicle, cyclist and pedestrian access;
- Alterations and removal of section of perimeter wall adjacent to Mulvey Park to provide a pedestrian and cyclist access.

3.6. The 934 no. residential units are arranged in 9 blocks (Blocks 02-10) ranging between 2 and 8 storeys (with a lower ground floor to Blocks 02 and Block 10 and Basements in Blocks 03 and 04). The blocks comprise the following:

- 926 no. apartments (consisting of 342 no. one bedroom units; 98 no. two bedroom (3 person) units; 352 no. two bedroom (4 person) units; and 134 no. three bedroom units).
- 6 no. three-bedroom duplex apartments located at Block 02.
- 2 no. 5-bedroom assisted living units at Block 02.
- A 130m^2 internal residential amenity area at the Ground Floor Level of Block 3.

3.7. The development will also consist of 4,380m^2 of non-residential uses, comprising:

- Change of use and renovation of existing single storey Gate Lodge building (former reception/staff area) to provide a café unit (78m^2);
- 1 no. restaurant unit (266m^2) located at ground floor level at Block 03;
- 3 no. retail units (1,160m^2) located at ground floor level at Blocks 03 and 07;
- 1 no. medical unit (288m^2) located at ground floor level at Block 02;
- A new childcare facility (716m^2) and associated outdoor play area located at lower ground and ground floor level at Block 10;
- A management suite (123m^2) located at ground floor level at Block 10; and
- A new community centre facility, including a multi-purpose hall, changing rooms, meeting rooms, storage and associated facilities (1,749 m^2) located at ground and first floor level at Block 06.

3.8. Other elements of the proposed development include:

- Vehicular access via a new signalised access off Dundrum Road. The existing access off Dundrum Road will be retained for emergency vehicle, pedestrian and cyclist access only.
- Provision of public open space and related play areas, including hard and soft landscaping;

- Car parking (524 no. spaces in total, including car sharing and accessible spaces); motorcycle parking; electric vehicle charging points; bicycle parking (long and short stay spaces including stands);
- ESB substations, piped infrastructural services and connections; ducting; plant; waste management provision; SuDS measures; attenuation tanks; sustainability measures; signage; public lighting; any making good works to perimeter wall and all site development and excavation works above and below ground.

3.9. The following table sets out some of the key elements of the proposed scheme (as stated by the applicants):

Table 1 – Key Figures of the Proposed Development

Site Area	9.7 ha (gross), 9.6 ha (net)
Gross Floor Area	94,058 sq m (c. 93,980 sq m excluding retained existing buildings)
Demolition	3,677 sq m
Non-Residential	4,380 sq m (Gate Lodge café (78m^2); restaurant unit (266m^2); 3 no. retail units (1,160m^2); medical unit (288m^2); childcare facility (716m^2); management suite (123m^2); and community centre facility (1,749 m^2)).
Residential Unit Mix	934 units (342 no. 1-beds (36.6%), 450 no. 2-beds (48.2%), 140 no. 3-beds (15%), and 2 no. 5-beds (0.2%))
Tenure Mix	Social - 181 no. units (19%) will be DLRCC social housing units (including 179 no. social homes and 2 No. Assisted Living units). Affordable - 753 no. units (81%) will be delivered as affordable housing (comprising Right Size for Sale units (52 no.), Affordable for Sale (122 No.), and Cost Rental units (579 no.).
Density	Gross - 97 units p/h (based on 9.6 ha site) Net - 146 units p/h (based on a net site area of 6.4 ha as per the methodology in the Compact Settlement Guidelines 2024)
Plot Ratio	0.98 (based on a 9.6 ha area)
Site Coverage	30% (based on a 9.6 ha area)
Height	2 – 8 storeys (over Lower Ground Floors and Basement Levels)

Dual Aspect	50.2%
Open Space	2.9 ha (30% of the 9.6 ha site area)
Car Parking	524 no. spaces (466 no. residential spaces, (including 57 no. visitor spaces and 12 no. Car Share spaces) (0.5 spaces per unit), and 58 no. non-residential)
Cycle Parking	2,532 no. spaces (including 2,338 no. residential spaces (1,850 no. long stay and 488 no. short stay/ visitor), and 144 no. commercial spaces (60 no. long stay and 84 no. short stay)).
Other Parking	79 no. Motorbike Spaces (57 no. residential).

3.10. The development is arranged in 9 no. 'blocks' (Block Nos. 2-10), which are effectively grouped buildings rather than individual 'apartment blocks'. The nature and scale of the proposed blocks are summarised in the following table.

Table 2 – Key Figures for the proposed blocks

No.	Height (Storeys)	Residential Units					Non-residential
		1-bed	2-bed	3-bed	5-bed	Total	
2	2-6	35	38	29	2[1]	104	Medical centre (288 sqm)
3	6-8	52	78	26		156	Retail unit (274 sqm) Restaurant unit (266 sqm) Residential Amenity (130sqm)
4	4-6	31	49	12		92	
5	4-6	56	45	13		114	
6	1-4	17	16	4		37	Multipurpose hall, community rooms and sports changing facilities (1,749 sqm)
7	6-7	78	134	6		218	Retail (793 sq m)
8	2		2	22		24	
9	2			16		16	
10	5-6	73	88	12		173	Childcare facility (716 sqm) Management suite (123 sqm)
		342	**450**	**140**	**2**	**934**	

[1] Assisted Living units

3.11. In addition to the standard drawings and documentation requirements, the application was accompanied by a range of reports and documentation including:

- Environmental Impact Assessment Report
- Appropriate Assessment Screening Report & Natura Impact Statement
- Planning Report
- Planning Statement of Consistency
- School Demand Assessment
- Social Infrastructure Audit
- Architectural Design Report
- Dundrum Central Masterplan
- Schedule of Accommodation
- Housing Quality Assessment Report
- Building Lifecycle Report
- Condition Report – Gate Lodge
- Universal Access Statement
- Civil Engineering & Transport Infrastructure Report
- Management Strategy Report
- Landscape Architecture Design Report
- Softworks Specification
- Arboricultural Assessment
- Traffic and Transport Assessment & Mobility Management Plan
- DMURS Compatibility Statement
- Stage 1 Access and Walking Audit
- Stage 1 Road Safety Audit
- Site Specific Flood Risk Assessment
- Construction & Environmental Management Plan

- Public Lighting Report
- Energy & Sustainability Statement
- Daylight and Sunlight Assessments
- Historic Landscape Statement of Significance & Impact Assessment
- Perimeter Wall Inventory and Condition Report
- CGI Photomontages
- Water Directive Framework Screening Assessment.

4.0 Planning History

Application Site

The only recent relevant planning history for the site can be summarised as follows:

ABP Ref. 313176-22: By Order dated 25th May 2023, the Board decided to grant permission for an SHD application for 977 no. residential units (20 no. houses, 957 no. apartments), café, restaurant, retail units, medical unit, childcare facility, and community centre. The grant was subject to several amending conditions, including the reduction of permitted units to 852.

At the time of writing, this decision was subject to an ongoing Judicial Review.

Surrounding Area

Other notable applications in the immediate surrounding area can be summarised as follows:

ABP Ref. 309430-21: On the 3rd of June 2021, the Board granted permission for an SHD application comprising the construction of 698 no. student bedspace accommodation and associated site works at Our Lady's Grove (c. 150m east of the application site). This had not commenced at the time of my site inspection.

ABP Ref. 310138-21: On the 25th of August 2021, the Board granted permission for an SHD application comprising the construction of 231 no. apartments, childcare facility and associated site works at Dundrum Road (c. 800m north of the application site).

ABP Ref. 311287-21: On the 20th of December 2021, the Board granted permission for an SHD application comprising the construction of 115 no. apartments, creche and associated site works at Frankfort Castle, Old Frankfort, Dundrum (c. 350m southwest of the application site). This development had not commenced at the time of my site inspection. On the 30th September 2025, under **P.A. Ref. LRD25A/0621/WEB,** DLRCC has issued a Further Information request in relation to an LRD application for amendments to this SHD permission to include a reduced number of 101 apartment units.

ABP Ref. 312935-22: On the 26th of August 2024, the Board refused permission for an SHD application comprising demolition of all structures, construction of 111 no. apartments and associated site works at Sommerville House, Dundrum Road (c. 50m southwest of the application site).

ABP Ref. 316470-23 (P.A. Reg. Ref. D22A/0255): On the 4th of June 2025, the Board refused permission for an application for the construction of 64 no. apartment units in the form of 5-6 storey apartment block, the provision of a ground floor retail/café unit, and Public Realm upgrades, at Frankfort Centre, Dundrum Road (c. 300m southwest of the site).

ABP Ref. 313235-22: On the 2nd of January 2025, the Board refused permission for an SHD application comprising demolition of all structures, construction of 221 no. student bedspaces and associated site works at Vector Motors, Goatstown Road (c. 400m east of the application site). On the 23rd of June 2025, the Commission subsequently granted an LRD application (**ABP Ref. 321994-25**) on this site for a student accommodation development (220 student bedspaces) and all associated works.

P.A. Ref. D25A/0724/WEB: Current application at No. 24 Annaville Park for extensions and alterations to existing dwelling.

P.A. Ref. D23B/0552: On 5th of September 2024, DLRCC granted permission for extensions and alterations to No. 23 Annaville Park.

P.A. Ref. D21A/0867: On 22nd of December 2021, DLRCC granted permission for extensions and alterations to the front of No. 12 Annaville Grove.

P.A. Ref. D22A/0144: On 26th of May 2022, DLRCC granted permission for extensions and alterations to the rear of Hillbrook, Dundrum Road.

P.A. Ref. D21B/0589: On 27th of January 2022, DLRCC granted permission for extensions and alterations to the front and side of No. 3 Mulvey Park.

P.A. Ref. D23B/0494: On 1st of February 2024, DLRCC granted permission for a single storey extension to the rear of 67 Larchfield Road.

P.A. Ref. D21B/0657: On 10th of March 2022, DLRCC granted retention and permission for extensions and alterations to 69 Larchfield Road.

5.0 Legislative and Policy Context

5.1. Relevant legislative provisions

EU EIA Directive (2014/52/EU)

5.1.1. The Environmental Impact Assessment Directive (EIA Directive) means Directive 2014/52/EU of the European Parliament and of the Council of 16th April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment.

European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018

5.1.2. These Regulations transpose the requirements of the 2014 Directive into Irish legislation setting out the requirements for planning consent procedures.

EU Habitats Directive (92/43/EEC)

5.1.3. This Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Articles 6(3) and 6(4) require an appropriate assessment of the likely significant effects of a proposed development on its own and in combination with other plans and projects which may have an effect on a European Site (SAC or SPA).

European Communities (Birds and Natural Habitats) Regulations 2011

5.1.4. These Regulations consolidate the European Communities (Natural Habitats) Regulations 1997 to 2005 and the European Communities (Birds and Natural Habitats) (Control of Recreational Activities) Regulations 2010, as well as addressing

transposition failures identified in CJEU judgements. In particular, the Regulations require in Reg 42(21) that where an appropriate assessment has already been carried out by a 'first' public authority for the same project (under a separate code of legislation) then a 'second' public authority considering that project for appropriate assessment under its own code of legislation is required to take account of the appropriate assessment of the first authority.

National nature conservation designations

5.1.5. The Department of Housing, Local Government and Heritage, and the National Parks and Wildlife Service, are responsible for the designation of conservation sites throughout the country. The three main types of designation are Natural Heritage Areas (NHA), Special Areas of Conservation (SACs) and Special Protection Areas (SPAs), and the latter two form part of the European Natura 2000 Network.

5.1.6. In this case, the closest European sites are the South Dublin Bay SAC and the South Dublin Bay and River Tolka Estuary SPA, which are located c. 2.8 km to the northeast of the site.

Planning and Development Acts 2000 (as amended)

5.1.7. Part X of the Act sets out the requirements for the environmental impact assessment of developments which necessitate the preparation of an EIAR.

- Section 175 sets out the requirements for the environmental impact assessment of developments carried out by or on behalf of local authorities.
- Section 175 (1) requires a local authority to prepare, or cause to be prepared, an EIAR in respect of the proposed development.
- Section 175 (2) states that a proposed development in respect of which an EIAR is required shall not be carried out unless the Commission has approved it with or without modifications.
- Section 175 (3) states that where an EIAR has been prepared pursuant to subsection (1), the local authority shall apply to the Commission for approval of the proposed development.
- Section 175 (6) states that before making a decision in respect of a proposed development, the Commission shall consider the EIAR and any other information

furnished and relating to the likely effects on the environment; the likely consequences for proper planning and sustainable development in the area; the views of any other Member State of the EC or a state which is a party to the Transboundary Convention to which a copy of the EIAR was sent; the report and any recommendations of the person conducting an oral hearing.

- Under Section 175(9)(a), the Commission shall make its decision on the application within a reasonable period of time and may, in respect of such application:

  i. approve the proposed development,
  ii. make such modifications to the proposed development as it specifies in the approval and approve the proposed development as so modified,
  iii. approve, in part only, the proposed development (with or without specified modifications of it of the foregoing kind), or
  iv. refuse to approve the proposed development,

  and may attach to an approval under subparagraph (i), (ii) or (iii) such conditions as it considers appropriate.
- Section 175 (12) states that the Commission shall have regard to the provisions of any special amenity order relating to the area; if the area or part of the area is a European site or an area prescribed for the purposes of section 10(2)(c), that fact; where relevant, the policies of the Government, the Minister or any other Minister of the Government, and the provisions of this Act and regulations under this Act where relevant.

5.1.8. Part XAB sets out the requirements for the appropriate assessment of developments which could have an effect on a European site or its conservation objectives.

- 177(AE) sets out the requirements for the appropriate assessment of developments carried out by or on behalf of local authorities.
- Section 177(AE) (1) requires a local authority to prepare, or cause to be prepared, a Natura Impact Statement in respect of the proposed development.

- Section 177(AE) (2) states that a proposed development in respect of which an appropriate assessment is required shall not be carried out unless the Commission has approved it with or without modifications.
- Section 177(AE) (3) states that where a Natura impact assessment has been prepared pursuant to subsection (1), the local authority shall apply to the Commission for approval and the provisions of Part XAB shall apply to the carrying out of the appropriate assessment.
- Section 177(V) (3) states that a competent authority shall give consent for a proposed development only after having determined that the proposed development shall not adversely affect the integrity of a European site.
- Section 177AE (6) (a) states that before making a decision in respect of a proposed development, the Commission shall consider the NIS, any submissions or observations received, and any other information relating to:
    i. The likely effects on the environment.
    ii. The consequences for the proper planning and sustainable development of the area.
    iii. The likely significant effects on a European site.

5.2. National Policy and Guidelines

5.2.1. 'Housing For All - a New Housing Plan for Ireland (September 2021)' is the government's housing plan to 2030. It is a multi-annual, multi-billion-euro plan which aims to improve Ireland's housing system and deliver more homes of all types for people with different housing needs. The overall objective is that every citizen in the State should have access to good quality homes:

- To purchase or rent at an affordable price,
- Built to a high standard in the right place,
- Offering a high quality of life.

5.2.2. The National Planning Framework (NPF), First Revision, April 2025 is the Government's high-level strategic plan for shaping the future growth and development of the country to the year 2040. Key elements of the NPF include

commitments towards ‘compact growth’, ‘sustainable mobility’, ‘sustainable management of environmental resources’, ‘transition to a carbon neutral and climate resilient society’, and ‘enhanced amenity and heritage’. It contains several relevant policy objectives that articulate the delivery of key elements, including:

- NPO 8 - Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints and ensure compact and sequential patterns of growth.
- NPO 10 is to deliver Transport Orientated Development (TOD) at scale at suitable locations, served by high capacity public transport and located within or adjacent to the built up footprint of the five cities or a metropolitan town and ensure compact and sequential patterns of growth.
- NPO 11 outlines that planned growth at a settlement level shall be determined at development plan-making stage and addressed within the objectives of the plan. The consideration of individual development proposals on zoned and serviced development land subject of consenting processes under the Act shall have regard to a broader set of considerations beyond the targets including, in particular, the receiving capacity of the environment.
- NPO 12 - 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.
- NPO 22 - In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth.
- NPO 37: Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages.
- NPO 43 is to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale.
- NPO 45: Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development

schemes, area or site-based regeneration, increased building height and more compact forms of development.

5.2.3. The Climate Action Plan 2025 builds upon and should be read in conjunction with the Climate Action Plan 2024. It refines and updates the measures and actions required to deliver carbon budgets and sectoral emissions ceilings and provides a roadmap for taking decisive action to halve Ireland's emissions by 2030 and achieve climate neutrality by no later than 2050. All new dwellings will be designed and constructed to Nearly Zero Energy Building (NZEB) standard by 2025, and Zero Emission Building standard by 2030. In relation to transport, key targets include a 20% reduction in total vehicle kilometres travelled, a 50% reduction in fossil fuel usage, and significant increases to sustainable transport trips and modal share. The Commission is required to perform its functions in a manner consistent with the Climate & Low Carbon Development Act.

5.2.4. The National Biodiversity Action Plan 2023-2030 includes five strategic objectives aimed at addressing existing challenges and new and emerging issues associated with biodiversity loss. Section 59B(1) of the Wildlife (Amendment) Act 2000 (as amended) requires the Commission to have regard to the objectives and targets of the NBAP in the performance of its functions, to the extent that they may affect or relate to the functions of the Commission. The impact of development on biodiversity, including species and habitats, can be assessed at a European, National and Local Level and is taken into account in decision-making having regard to the Habitats and Birds Directives, EIA Directive, Water Framework Directive and Marine Strategy Framework Directive, and other relevant legislation, strategy and policy where applicable. Biodiversity is addressed in sections 9 and 10.7 of this report.

5.2.5. Having considered the nature of the proposal, the receiving environment, and the documentation on file, including the submissions received, 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), Department of Housing, Local Government and Heritage (hereafter referred to as the '*Compact Settlement Guidelines'*).

- Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, (July 2023) (hereafter referred to as the '*Apartments Guidelines'*)[2].
- The Planning System and Flood Risk Management including the associated Technical Appendices, 2009 (the '*Flood Risk Guidelines'*).
- Urban Development and Building Heights – Guidelines for Planning Authorities, 2018 (hereafter referred to as the '*Building Height Guidelines'*).
- Childcare Facilities – Guidelines for Planning Authorities (June 2001) and Circular PL3/2016 – Childcare facilities operating under the Early Childhood Care and Education Scheme (the '*Childcare Guidelines'*).
- Architectural Heritage Protection Guidelines for Planning Authorities, 2011 (hereafter referred to as the '*Architectural Heritage Guidelines'*).

5.2.6. Other relevant national Guidelines include:

- Design Manual for Urban Roads and Streets (DMURS) (2019).
- Framework and Principles for the Protection of the Archaeological Heritage Department of Arts, Heritage, Gaeltacht and the Islands 1999.
- Guidance for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, (Department of Housing, Local Government and Heritage) (August 2018).
- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities (Department of Environment, Heritage and Local Government, 2009).

5.3. **Regional Policy**

5.3.1. The primary statutory objective of the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031 (RSES) is to support implementation of Project Ireland 2040 and the economic and climate policies of the Government by providing a long-term strategic planning and economic framework for the Region. The Dublin Metropolitan Area Strategic Plan (MASP), which is part of the

[2] As per Department of Housing, Local Government and Heritage Circular Letter: NSP 04/2025, the 2025 update to the Guidelines does not apply as the application was submitted before the 9th of July 2025.

RSES, seeks to focus on several large strategic sites, based on key corridors that will deliver significant development in an integrated and sustainable fashion. The 'Metrolink – Luas Corridor' involves upgrades to the Luas Green Line and will support development in the south of the county. Dundrum is also designated as a 'Level 2 - Major Town Centres & County (Principal) Town Centres' within the Retail Hierarchy for the Region.

5.3.2. The following RPOs (as summarised) are of relevance:

RPO 4.3 supports the consolidation and re-intensification of infill/brownfield sites to provide high density and people intensive uses within Dublin City and suburbs and ensure that future development areas are co-ordinated with infrastructure.
RPO 5.5: Residential development shall follow a clear sequential approach, with a primary focus on the consolidation of Dublin and suburbs, supported by the development of Key Metropolitan Towns in a sequential manner.

5.3.3. The Greater Dublin Area Transport Strategy 2022-2042 (NTA) sets out a framework aiming to provide a sustainable, accessible, and effective transport system for the area which meets the region's climate change requirements, serves the needs of urban and rural communities, and supports the regional economy.

5.4. Dun Laoghaire-Rathdown County Development Plan 2022-2028

Core Strategy

5.4.1. The Core Strategy provides a housing target of 18,515 units for Dún Laoghaire-Rathdown for the period of 2020-2028. The CMH lands are included as one of the largest of several 'Infill / Windfall' sites within the existing built-up footprint of the County which have a cumulative 'Potential Residential Yield' of 4,571 units.

5.4.2. Section 2.6.2 outlines an active land management strategy based on Compact Growth and Regeneration. The CMH lands are identified as a residential site for compact growth as per Figure 2.11 of the Plan. They are also identified as one of five Strategic Regeneration Sites.

5.4.3. Relevant policy objectives can be summarised as follows:

CS11 - To deliver 100% of all new homes, that pertain to Dublin City and Suburbs, within or contiguous to its geographic boundary.

CS13 - To support the development and renewal of strategic regeneration sites.

Zoning & Specific / Mapped Objectives

5.4.4. In accordance with Chapter 13 'Land Use Zoning Objectives', the application site is zoned as '**Objective A**', with the objective '*To provide residential development and improve residential amenity while protecting the existing residential amenities'.*

5.4.5. The Zoning Map includes other mapped objectives as follows:

Tree Symbols – To protect and preserve Trees and Woodlands.
INST - To protect and/or provide for Institutional Use in open lands.

5.4.6. Chapter 14 outlines **'**Specific Local Objectives' relating to the site:

SLO 113 - Any integration of / or connectivity between the Central Mental Hospital lands with the adjoining residential area should include the development of enhanced sporting facilities/ infrastructure for existing and future residents.
SLO 123 - To ensure that, as Strategic Regeneration Sites, residential provision on the Central Mental Hospital Site and the Old Shopping Centre site will provide for a balanced mix of housing tenure, including affordable homes, and an acceptable mix of larger flexible units, and lifetime adaptable homes to ensure balanced, sustainable communities in Dundrum.

Climate Action

5.4.7. Chapter 3 outlines how the creation of a climate resilient County is an overarching strategic outcome of this Plan. It is a theme which permeates the entire plan and aids in the transition of the County to a climate resilient low carbon society. Chapter 3 sets out a range of supporting policies and objectives, particularly in relation to Energy Efficiency in Buildings; Renewable Energy; Decarbonising Motorised Transport; and Urban Greening.

Neighbourhood – People, Homes and Place

5.4.8. Chapter 4 aims to increase delivery of housing subject to alignment with: the NPF and RSES; the Core Strategy, Housing Strategy, and Housing Need Demand Assessments; and embedding the concept of neighbourhood and community into

spatial planning. Section 4.2 deals with 'People' and aims to facilitate a balance between additional housing units, community facilities, and quality of life. Relevant policies/objectives can be summarised as follows:

PHP3: Ensure that supporting neighbourhood infrastructure/land is provided in conjunction with, and as an integral component of, residential development.

PHP5: Supports the development, improvement and provision of a wide range of community facilities.

PHP6: Encourage childcare facilities as an integral part of new residential developments. In general, at least one facility for all new residential developments.

PHP9: Supports the HSE and other agencies in the provision and/or improvement of healthcare facilities and encourages the integration of appropriate healthcare facilities within new and existing communities.

5.4.9. Section 4.3 deals with 'Homes' and relevant policies/objectives can be summarised as follows:

PHP18: Promotes increased density on suitable sites subject to suitable design which respects the character of the surrounding area.

PHP20: Seeks to protect the residential amenity of existing properties.

5.4.10. Regarding the development of 'Institutional Land', **PHP21** is to retain the open character and/or recreational amenity of such land parcels. The Plan outlines that where no demand for an alternative institutional use is evident or foreseen, the Council may permit alternative uses subject to the zoning objectives of the area being adhered to and the open character and recreational value of the lands being retained. Where institutional lands – identified by an 'INST' objective – are proposed to be developed, the following shall apply (as summarised):

- A minimum of 25% of the entire INST land parcel, as determined by the Planning Authority, will be required to be retained as accessible public open space.
- This provision must be sufficient to maintain the open character of the site with development proposals structured around existing features and layout.

- The provision must be sufficient to maintain and/or improve the recreational value of the site particularly with regard to adding to the sustainable neighbourhood infrastructure of the area.
- The preparation and submission of a masterplan.
- Average net densities should be in the region of 35 - 50 units p/ha. In certain instances, higher densities may be permitted where it can be demonstrated that they can contribute towards the objective of retaining the open character and/or recreational amenities of the lands.

5.4.11. The Plan outlines support for a range of house types and categories, which can be summarised as follows:

PHP27: Encourages an appropriate mix of housing.
PHP30: Supports housing options for older people and persons with disabilities/mental health issues; specific purpose-built accommodation, including assisted living units and lifetime housing; and promotes 'aging in place' opportunities for 'downsizing' or 'right sizing'.
PHP31: Promotes the provision of social housing in accordance with the Council's Housing Strategy and Government policy.

5.4.12. Section 4.4 'Place' promotes quality design and healthy placemaking in accordance with national policy and guidance. It sets out policies/objectives aimed at achieving a high quality of design and layout in residential developments. Policy objective **PHP42** aims to ensure high quality design of all new development and compliance with the Building Height Strategy (CDP Appendix 5) for the County.

Transport and Mobility

5.4.13. Chapter 5 outlines a range of policies and objectives which aim to integrate land use and transport policy, thus promoting compact sustainable growth, traffic demand management, and modal change towards public transport and active travel.

Towns, Villages and Retail Development

5.4.14. Chapter 7 deals with the retail function of towns and villages. It outlines a range of policies and objectives for the assessment of retail proposals in conjunction with the

Retail Planning Guidelines. 'Policy Objective **RET8**: Local Shops' is to facilitate the provision of local convenience shops in residential areas where there is a clear deficiency of retail provision, subject to protecting residential amenity.

Green Infrastructure & Biodiversity

5.4.15. Chapter 8 identifies Green Infrastructure as a key strategic asset and includes policies for the protection, creation, and management of this resource in an integrated manner by focusing on key themes such as: landscape and the coast; access; biodiversity; and parks.

Open Space, Parks and Recreation

5.4.16. Chapter 9 outlines the importance of such resources in terms of health and well-being, social interaction, connectivity, and biodiversity. Relevant Policy Objectives can be summarised as follows:

OSR4 promotes public open space standards in accordance with the 'Sustainable Residential Development Guidelines' (2009) and the 'Apartments Guidelines' (2020).

OSR7 is to implement the objectives and policies of the Tree Policy and the forthcoming Tree Strategy for the County.

OSR9 is to promote the provision and management of high-quality sporting and recreational infrastructure.
OSR13 is to support the provision of structured and unstructured play areas with appropriate equipment and facilities.

Environmental Infrastructure and Flood Risk

5.4.17. Chapter 10 outlines policy objectives within an overall strategy to: Support Irish Water in its role in relation to water supply and wastewater treatment; Manage surface water in a sustainable manner; Minimise waste in accordance with the principles of the circular economy approach; and Provide flood protection measures and reduce flood risk as far as possible.

Heritage and Conservation

5.4.18. Chapter 11 aims to protect heritage by providing the appropriate tools and mechanisms to manage change in a positive way, so that it enhances the evolving character of the County. Several on-site structures are included on the Record of

Protected Structures, namely the 'Asylum', the 'Catholic Chapel', and the 'Hospital Building'. Relevant policy objectives can be summarised as follows:

HER1: To protect archaeological sites and National Monuments.

HER8: To protect structures included on the RPS from any works that would negatively impact their special character and appearance, including their setting.

HER20: To retain and protect Buildings of Vernacular and Heritage Interest.

Development Management

5.4.19. Chapter 12 outlines a wide range of standards for Development Management, including the following:

12.2 outlines standards related to Climate Action.

12.3 outlines guidance on criteria for residential developments and neighbourhood infrastructure.

12.4 sets out Transport guidance, including standards relating to traffic management, road safety, and parking.

12.6 deals with towns, villages, and retail development.

12.7 deals with Green Infrastructure, including biodiversity and sensitive landscapes.

12.8 deals with Open Space and Recreation, including quantitative and qualitative standards for residential developments.

12.9 outlines standards relating to Environmental Infrastructure.

12.10 outlines policies relating to Drainage, Flood Risk, and Coastal Erosion.

12.11 outlines requirements relating to archaeology and architectural heritage.

5.5. Dundrum Local Area Plan 2023

5.5.1. The Dundrum LAP came into effect on the 21st of November 2023. It sets out a framework for the future development of lands at Dundrum through a series of objectives that clearly define the development strategy. Other than general provisions which are already covered in CDP policy above, the main relevant provisions are summarised in the following paragraphs.

5.5.2. Section 2.5 outlines the main urban design principles, policies and objectives, while section 2.7 outlines policies and objectives for Street Improvements and Public Realm. Objective PR1 is to improve the public realm along Dundrum Road.

5.5.3. Section 2.8 identifies the Former Central Mental Hospital (CMH) site as a Key Development Area (KDA). Section 2.8.5.2 outlines the vision for the redevelopment of the site as a new permeable predominantly residential neighbourhood, making suitable use of the protected structures on site, retaining the open character and landscape features of the lands while providing amenities for the new and existing population and suitably integrating with the adjoining residential area, neighbourhood centre and Rosemount Green.

5.5.4. Section 2.8.5.3 sets out Design Principles and Strategic Objectives for the KDA, including the following:

CMH1 – Preparation of a Masterplan.
CMH2 – Vehicular Access
CMH3 – Cycle Pedestrian facilities
CMH4 – Public Spaces
CMH5 – Character
CMH6 – Indicative Urban Form
CMH7 & CMH8 - Heritage and Building Character
CMH9 – Plot Ratio
CMH10 – Building Height
CMH11 – Land Use
CMH12, CMH13 – Climate Adaption
CMH14 - Climate Mitigation.

5.5.5. Other relevant provisions of the LAP can be summarised as follows:

<u>Chapter 3 - People and Homes</u>

- Policy DLAP 11 is to support and facilitate the provision of healthcare facilities.
- Figure 3.2 identifies a ‘playground opportunities’ within the site and objective P2 is to provide facilities in accordance with Fig. 3.2.

- Figure 3.3 identifies the site as a 'childcare opportunity site' and objective DLAP12 is to provide at least one childcare facility at such locations.
- Objective P4 is to provide for a multi-functional community and leisure/indoor sports facility on the site with good pedestrian and cycle accessibility / links.
- Policy DLAP17 – Residential Density.
- Objective H1 – Plot ratio on Strategic Regeneration Sites.
- Policy DLAP18 – Building Height.
- Policy DLAP20 – Housing Options.
- Policy DLAP21 – Social Housing.
- Objective H2 – Housing for All.
- Objective H3 – Communal Facilities.

Chapter 4 – Transport & Movement

- Section 4.4 outlines overarching transport policies arising from an Area Based Transport Assessment (ABTA).
- Section 4.5.3 outlines ABTA recommendations for the Dundrum Road Corridor and relative Objectives, including:
    - T19 - Transition Dundrum Road to a neighbourhood street.
    - T21 - Create a new pedestrian and cycle route connecting the Dodder Greenway to Dundrum Major Town Centre via the subject site.
    - T22 - Seek the set-back of roadside boundaries at illustrated pinch points to facilitate improved pedestrian and cycle infrastructure.
    - T23 - Require the development of a high-quality pedestrian and cycle facility through the site as part of the Dodder to Dundrum cycle route.

Climate Action

- Figure 5.1 highlights notable 'wildlife corridors' including the northwest corner of the CMH site (Ticknock to River Dodder corridor).
- GI2 is to allow the Ticknock to River Dodder wildlife corridor to inform decision-making and identify opportunities to enhance and restore the corridor.
- GI4 is to protect and maintain important hedgerows/tree lines where appropriate.

- GI5 is to enhance and extend suitable woodland areas and treelines.
- GI10 is to seek the provision of new high-quality landscaped public open spaces in any redevelopment of the CMH lands.

Heritage & Conservation

- HC7 - Seek the sensitive reuse and adaptation of the main hospital building and associated historical elements to provide for residential, cultural, office, employment, civic, retail, enterprise, or community uses.
- HC8 - Seek the retention of substantial elements of the perimeter wall as part of the re-development of the CMH lands, except where their removal in part is required to facilitate permeability and connectivity.
- HC9 - Seek the retention and adaptive re-use of the gate lodge, the walled garden and substantial elements of the perimeter wall as part of the re-development of the CMH lands.
- HC10 - Ensure that the 'open' character and landscaped setting of the CMH lands informs the re-development of the lands.

6.0 Consultations

6.1. Consultees Circulated

The application was circulated to the following bodies:

- Department of Housing, Local Government and Heritage
- Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media
- The Heritage Council
- An Taisce
- The Arts Council
- Fáilte Ireland
- Inland Fisheries Ireland
- Córas Iompair Éireann
- Transport Infrastructure Ireland

- NTA
- Uisce Eireann

The responses received can be summarised as follows:

Department of Housing, Local Government and Heritage

- It is possible that hitherto previously unknown archaeological features/deposits may be disturbed. Archaeological monitoring and excavation should be required.
- Bat roosting and activity is acknowledged on the site and in adjoining buildings. No significant effects on the local populations are likely subject to the mitigation measures in accordance with the EIAR and Bat Fauna Impact Assessment.
- A badger social group appears to have established on site. The Department is satisfied with the Conservation Plan, which should be a condition of permission.

Inland Fisheries Ireland

- It is essential that infrastructural capacity (including the Ringsend WWTP and the associated foul conveyancing network) is available for the foul and storm water generated to protect the ecological integrity of any receiving aquatic environment.
- Best Construction techniques outlined in Appendix 24.1 of the EIAR and Appendix 2 of the Non-technical summary should be required to prevent and control pollutants and deleterious material to surface water.
- There is direct connectivity between the proposed development and the Slang River and Elm Park Stream via the existing and proposed drainage network. There is potential to impact directly on both watercourses in the absence of appropriate mitigation measures at construction and operational stage. A robust maintenance programme is required for drainage infrastructure at both stages to prevent unacceptable risks to the aquatic environment.

Uisce Eireann

The applicants have obtained a Confirmation of Feasibility which specifies:

- Water Connections – Feasible without infrastructure upgrade.
- Wastewater – Feasible without infrastructure upgrade subject to:
    - Discharge management to 3DWF and agreement of pump flow rate.

- Current storm water discharge to be removed from the combined network and separate storm and foul water services to be provided (details to be agreed).
- Surface water to be prevented from entering basements and wastewater from basement carparks to be pumped to ground level and discharged to UE network via a petrol interceptor.

The applicants' Infrastructure Assessment Report demonstrates how the above requirements can be met. Standard conditions are recommended in respect of connection agreements and compliance with UE standards and practices.

National Transport Authority

- Having regard to the site location and accessibility to existing and planned public transport, the NTA is supportive as the development would accord with the principles of integrated transport and land use planning that underpin the Greater Dublin Area Transport Strategy 2022-2042.
- Given the lack of connection to the east and north, the NTA is fully supportive of the delivery of the proposed non-vehicular access points.
- All four proposed non-vehicular access points should be delivered; should accommodate both walking and cycling; and should ideally be 4 metres wide.
- The NTA is supportive of vehicular access proposals relating to Dundrum Road but questions the need for two lanes for traffic leaving the site.
- The NTA is fully supportive of the proposed cycle route through the site. However, the design requires further consideration in accordance with the National Cycle Manual, in particular to provide cycle priority at road crossings.

Transport Infrastructure Ireland

Confirms that there are no observations on the application.

6.2. Public Submissions

The Commission received a total of 23 third-party submissions. The submissions raise many common issues which are cumulatively summarised below.

Principle of Development

- Many submissions support the principle of the development.

- The omission of the hospital buildings renders their future uncertain, may attract anti-social behaviour, and is contrary to the Architectural Heritage Guidelines. A condition should commit the developer to their protection and renovation, or the proposal should be rejected.
- There is no masterplan due to the omission of the hospital buildings.
- Given the predicted pressure on sports facilities/clubs, the proposed development should include more outdoor sports facilities/pitches (e.g. a floodlit astroturf pitch and additional changing rooms). The proposals do not comply with and/or would materially contravene CDP SLO113, and do not consider CDP Policy Objectives OSR9 and OSR10.
- The site would be better used as a secure site (e.g. a 2nd central mental hospital, women's prison, young offenders' facility, asylum seekers, university residences).

Building Height, Density, Visual Amenity, & Built Heritage

- The proposed height and density contravene the CDP and planning guidelines for 35-50 units per hectare on institutional land. The Commission has conceded a Judicial Review against the previous decision to grant 852 no. units and there is very little change in the current application.
- Density should be restricted to ease the burden on services such as community/social infrastructure, open space, and transport. There has been no cumulative assessment of the impacts of other developments within 1km.
- The proposed height and density are out of character with existing development.
- A further softening of the height transition from existing housing (Larchfield and Friarsland) is required, including a reduction for Blocks 2, 4, and 5.
- Integration with Rosemount Green should be carefully considered in terms of materials, landscaping etc., to achieve a cohesive transition.
- Amenities such as table tennis and chess should be included in the new recreational spaces.
- More of the perimeter wall should be retained/re-used (particularly along Dundrum Road) and the existing entrance piers should be moved.

- Block 10 should be reduced in height and should use lighter colours/materials to reflect existing character.
- More of the existing trees on site should be retained, including Category A and B trees and those around the Walled Garden.
- Building height needs to comply with the CDP and the Building Height Guidelines or otherwise should be refused.

Proposed Residential Standards

- The number of 1-bed units should be reduced in favour of more 2/3/4-bed units, which would facilitate families, down-sizers, and longer-term tenancies. There is a significant material contravention of s. 12.3.3.1 of the CDP.
- The provision of 100% social & affordable housing and the high proportion of 1-2 bed units could be viewed as restricting the socioeconomic mix.

Impacts on Existing Properties / Residential Amenity

- Inadequate separation distances at Friarsland / Larchfield Road and excessive building height will impact on residential amenity by reason of overbearing, overshadowing, and overlooking impacts, resulting in loss of property value. There is a significant material contravention of sections 12.3.5.2 & 12.8.7.1 and Policy Objective PHP20 of the CDP, and a minimum separation distance of 22m should be required.
- Block 10 will have adverse impacts (overbearing, overlooking, light, skyline) on properties in Annaville and along Dundrum Rd to the west.
- Construction and Operational liaison groups should be established.
- To offset negative impacts, the proposed community infrastructure should be provided in Phase 1 and be available for use prior to subsequent phases.
- On-site construction activity should be visible to the public via hoarding holes.
- The developer must adhere to the Construction and Environmental Management Plan and should publish a monthly report outlining compliance with conditions.
- Construction should be limited to 8am–6pm (Mon – Fri) and 9am-1pm (Sat), and measures should be agreed for any exceptions to same.

- Each phase shall be satisfactorily completed prior to starting the next phase.
- There should be no windows in the southern elevation of Block 5 buildings.
- Existing boundary walls and tress should be retained, except at access points.
- Clarification is sought on noise, traffic, and parking issues associated with the proposed extension of the active travel route through Rosemount Green.
- Drawings showing the relationship with 24 Annaville Park are inaccurate/unclear, but first-floor window separation distance appears to be less than 22 metres as required in s. 15.9.17 of the Dublin City Council (*sic*) development plan. The proposed development should not inhibit the future extension of this property. The light and overlooking (from Block 7 balconies) impacts on this property are not clearly stated / illustrated, and consideration should be given to colours/finishes to reduce the 'blocky' visual impact of the development.
- The height and proximity of Block 7 will also have overbearing, light, and overlooking impacts on No. 22 Annaville Park.
- Inadequate detail on the proposed District Heating Plant to assess impacts.
- The application lacks 3D modelling, CGI's or shadow studies to demonstrate the effects on existing properties.
- The road along the boundary with Friarsland Road properties will create noise.
- The taller buildings will cause light and noise pollution.
- Concerns about construction noise, vibration, dust, and structural damage.

Traffic And Transport

- The existing road and public transport networks do not have adequate capacity.
- Cycling/walking permeability could be enhanced through the acquisition of land to the northeast to improve connections to Bird Avenue and Dundrum Village.
- Walking and cycling routes should be separated, rather than shared.
- Vehicular access to Rosemount Green should be restricted by physical measures to address ongoing risks to public safety.

- A developer-funded parking enforcement warden and full-time on-site security should be employed during construction and in the first 5 years of operation.
- Surrounding residential areas should not be used for construction-related traffic, parking, etc., and dust/dirt on the road network shall be appropriately managed.
- The developer should pay DLRCC a €100,000 contribution towards traffic calming measures in surrounding residential areas.
- Inadequate car parking does not comply with CDP standards and will lead to pressure on public transport capacity and overspill parking in adjoining areas.
- Concerns are raised about the Traffic & Transport Assessment & Mobility Management Plan, including:
    - The conclusions regarding impacts are unclear.
    - Assumptions about 'no further growth in background traffic' do not align with population projections and planning permissions.
    - The traffic surveys (23rd November 2021) were during COVID-19 restrictions and are not valid. An arbitrary growth figure of 4% has been used to account for this but no explanation has been provided.
    - Empirical evidence has not been provided to demonstrate Luas capacity.
    - Cumulative impacts of other developments have not been considered.
- There are objections to the proposed cycle/pedestrian entrance to Annaville Park on the basis of:
    - Encouraging overspill parking, drop-off, deliveries, etc. in Annaville, which could restrict emergency and servicing access.
    - Annaville and Dundrum Rd do not have adequate facilities to accommodate the additional cycle and pedestrian traffic.
    - Destruction of the Annaville community, safety, and anti-social behaviour.
    - There are no significant benefits for existing/prospective residents, and the risks outweigh any perceived rewards.
    - Traffic safety and interference with existing movements, including those at the junction with Annaville Park and Dundrum Road.

    - No safety study has been completed.
- Access/exit movements are excessively concentrated towards Dundrum Rd.
- There is a need for two vehicular access points on Dundrum Road to distribute traffic. The existing entrance should also be open to vehicular traffic.
- The main access to Dundrum Rd should form a cross junction with Highfield Pk. The proposed signalised junction and associated pedestrian crossing facilities are welcomed and should be provided as soon as the access is created.
- Arrangements for e-charging and car-sharing should be specified and agreed.

Water Services, Drainage, & Flooding

- Attenuation tanks need to be managed and effective.
- The local authority should be required to assess the capacity of all downstream bridge and culverts associated with the River Slang to prevent flood risk.
- Compliance with the DLRCC Stormwater Management Policy (2020).

Other Issues

- The development name 'Dundrum Central' should be reconsidered as per s. 12.3.4.3 of the CDP.
- The proposed units should not be offered for sale to investment funds.
- The proposed 10-year duration is excessive. It will delay housing delivery and prolong disruption for existing residents.

6.3. **Applicants' Response to Submissions**

The applicants have responded to the submissions received. The response to the public submissions is arranged in the form of themed issues, while separate responses are provided to the prescribed body submissions. The response can be summarised under the headings below.

Masterplan and Inclusion of hospital buildings

- The sitewide Masterplan provides for the adaptive re-use of the main hospital building and development of the immediately adjoining lands, which will be a future planning application to follow the determination of this Part 10 Application.

- The development strategy is largely influenced by the importance of identifying a long-term sustainable and commercially viable secure use, and the complexities of adapting a building of the significance of the Main Hospital Building.
- The strategy is that the subsequent application must follow the current application to take into account any changes the Part 10 decision may yield.
- Proposals are in compliance with the relevant provisions of the LAP.

Density

- The proposed density is supported by LAP Policy DLAP17 as follows:
    - The provision of social/community infrastructure and open space.
    - The design response protects the setting of the main hospital building and open space; reuses the Gate Lodge; and retains existing trees, the walled garden, and large parts of the perimeter boundary wall.
    - Provides an appropriate mix of uses and house types.
    - Provides high quality public open spaces and amenities, which will be open to the public for the first time.
- Density is in line with the Development Plan and the Compact Settlement Guidelines 2024 and is wholly appropriate for the site.

Unit Mix and Future Residency

- As set out in the 'Statement of Consistency' submitted with the application, the proposed mix is in compliance with the Development Plan and aligns with the housing needs of the area.
- The development will provide 100% affordable and social housing in line with the provisions of Section 75(4) of the Land Development Agency Act 2021, and the units will be managed and retained in such tenure into the future. It is not the intention that any properties would be sold to a third-party investor, except in the situation where DLRCC chooses to enter into an agreement with an Approved Housing Body in relation to the social housing provision.

Perimeter Wall

- The removal of sections will facilitate access and improve visual connectivity. Chapter 17 of the EIAR concludes that with the implementation of mitigation measures, the impact will be 'moderately negative'.
- The proposals balance the protection of heritage assets with the need to provide a high-quality living environment for future and neighbouring residents.

Tree Removal

- The tree removal strategy ensures the retention of a lot of the more prominent trees and will be suitably mitigated by new planting.
- Proposals comply with the relevant policies of the CDP and LAP.

Separation Distances and Overlooking

- The windows of the proposed apartments all have a separation distance from windows of existing neighbouring buildings of more than 16m in accordance with SPPR1 of the Compact Settlement Guidelines 2024.
- There are limited instances where separation distances between the proposed blocks are less than 16m. However, the design provides suitable levels of privacy and prevents undue overlooking of habitable rooms and amenity spaces, as required by SPPR1.

Construction

- A 10-year permission is necessary to complete the scale of the development over a number of phases.
- The Construction and Environmental Management Plan will ensure best practice and minimise disruption.
- The LDA requires Main Contractors to be part of the 'Considerate Constructors Scheme' and all developments have a Residents Liaison Officer.
- Section 9.9 of the CEMP notes that a Liaison Manger will be available to brief neighbours on construction progress and will liaise with An Garda Síochána in relation to traffic movement and permits.

- Section 9.5.3 of the CEMP sets out the requirements of a Traffic Management Plan and notes an allowance for flagmen and banksmen to control the exit of construction vehicles from the site onto Dundrum Road.

Building Height

- The height strategy is in accordance with the objectives of the LAP, including low-rise 2-4 storeys along the perimeter.
- The Daylight and Sunlight reports show a high level of compliance with BRE Guidelines regarding impacts for existing and proposed properties.
- Blocks 4 and 5 are significantly distanced from existing properties and incorporate measures to prevent overlooking or overshadowing.
- Block 2 is adequately distanced from existing properties and strikes an appropriate balance to protect the setting of the main hospital building.
- Blocks 3 and 7 are adequately distanced from existing properties.

Block 10

- There is a separation distance of at least 28m between the proposed block and the existing properties on Dundrum Road.
- Only one property along Dundrum Road will experience slight reductions in daylight in 2 no. windows, but it will meet the BRE Guidance for provision of sunlight. The development will inevitably result in some degree of change in light conditions, but the predicted impacts are minor in nature and are in keeping with the intention and flexible application of the BRE Guidelines.
- A mixture of a light-coloured buff brick and a dark brick are proposed and considered appropriate for the site.
- The application includes photomontages and drawings which illustrate the impact of Block 10.

Car Parking and pressure on existing transport infrastructure

- It is proposed to provide an appropriate balance between the Development Plan standards, the Compact Settlement Guidelines and the Apartments Guidelines.

- The area is well served by existing public transport and further planned improvements, and the development will also provide a car club.
- To determine if overspill car parking does arise, it is proposed that a Before and After Car Parking Study be undertaken. If any parking issues are identified, the Management Company will engage with DLRCC in consultation with local residents and parking controls could then be introduced if required. The Applicant would accept a condition from the Commission in this respect.

Proposed entrances at Annaville Grove and Rosemount Green

- These proposals are supported in the LAP and NTA submission and improved permeability will benefit both existing and new development.
- The connection to Annaville Grove will be the subject of further discussion with DLRCC who have control over this and adjoining roads. It is proposed to agree signage and road markings to highlight the entrance and discourage drop-offs. The Applicant would accept a condition from the Commission in this respect.

Surface water and drainage

- The provision of extensive SuDS measures, including flow-controlled attenuation storage devices, will ensure that the impact on the River Slang is minimal.
- The proposed catchment area draining to the River Slang is close in extent and location to the current natural catchment area. The proposed surface water outflow from this catchment to the river for the 100-year storm with a 20% climate change factor is less than the calculated greenfield runoff rate.

Junction on Dundrum Road

- The proposed location was chosen after consultation with the NTA and is consistent with the LAP.

Provision of Sports and Recreation Facilities

- The multifunctional community and leisure facility will enhance and supplement existing facilities and is fully in line with the relevant policies and objectives of the Development Plan, including Specific Local Objective No.113.

- Alterations to the perimeter wall will enable the integration of Rosemount Green and an active travel route, and the provision of further amenities can be discussed with DLRCC post planning.

Department of Housing, Local Government and Heritage (DAU)

- The Applicant notes the observations, accepts any relevant conditions, and will work with the NPWS to ensure all conditions are implemented.

Inland Fisheries Ireland

- Chapter 10 of the EIAR demonstrates that there is adequate capacity in Ringsend WWTP.
- Uisce Eireann has confirmed the feasibility of water supply and wastewater connections and UE requirements will be complied with.
- All surface water drainage will be collected and discharged separately via SuDS devices to the adjacent surface water drainage systems/watercourses. The removal of surface water from the existing combined sewer was allowed for by UE in their assessment of the capacity of the wastewater system.
- The water-related measures and mitigations set out in the EIAR will be complied with and the CEMP includes extensive information on the required construction practices to minimise environmental impacts. Section 10.9.2 deals specifically with surface water drainage and ground water control measures.
- The applicant will ensure that SuDS devices will be appropriately maintained. The application includes a set of detailed drawings for the proposed SuDS devices setting out the maintenance requirements, which will be adhered to once the development is operational.

National Transport Authority

- The recommendation to reduce the access to one exit lane would require increased green time for traffic to exit, which could result in some localised congestion. The 2-lane arrangement may also reduce instances where the use of the emergency access might be required. It is recommended that further consultation on the final design take place with NTA prior to the commencement of construction to agree the optimum layout of the access.

- The cycle route will be altered to ensure that priority is given to the cycle route in accordance with the Cycle Design Manual. The Applicant is continuing discussions on the cycle route with the relevant departments in DLRCC.

Uisce Eireann

- The recommendations from Uisce Éireann will be complied with.

7.0 Further Information

7.1. Further Information Sought

On the 11th of March 2025, the Board issued a request for further information in accordance with section 175(5)(a) of the Act of 2000. The further information requested can be summarised as follows:

1. Masterplan, phasing and protected structures

(a) Submit complete copy of the Masterplan document.

(b) Submit proposals to comply with Objective CMH1 of the Dundrum Local Area Plan 2023 regarding the 'Guiding Principle' to '*require the suitable protection and reuse of the protected structures at an early phase in the redevelopment of the site'.*

(c) Submit an assessment of potential impacts on the 'Hospital Building' (RPS No. 2073 (referred to as 'The Infirmary' in the application documents)).

2. Traffic and Transport

(a) In the TTA, clarify the translation of 'Total Person Based Trip Rates' (Table 7.1) to 'Final External Vehicular Based Trip Generation' (Table 7.2), including:

(i) Difference between the 'Driver' mode share (44%) in the TTA, compared to the 40% mode share used in the EIAR.

(ii) How the 'driver' mode share was applied to the 'total trips' and the resultant total for 'vehicular trips'.

(iii) How the estimated internal and external trip rates (as per section 7.3.10) were applied to the total number of vehicular trips, and the resultant estimated number of external vehicular trips.

(b) Clarify the design rationale for the proposed two-lane vehicular exit onto Dundrum Road and submit a design proposal for a one-lane exit option along with a traffic impact assessment comparing its junction performance.

3. Pedestrian and Cycle Facilities

(a) Clarify the design of the proposed cycle route and priority arrangements for cyclists/pedestrian in accordance with the Cycle Design Manual.

(b) Clarify the design rationale for the proposed cycle/pedestrian link to Annaville Park/Grove, including:

(i) Deficiency in cycle/pedestrian facilities within Annaville Park/Grove.

(ii) The transition into Annaville Park/Grove and the available sightlines.

(iii) Whether the proposal could be more appropriately delivered as part of a future application.

4. Dual Aspect Units

Clarify the correct number of Dual Aspect units and compliance with section 12.3.5.1 of the CDP, including:

(a) HQA reference to total of 936 units (471 Dual Aspect). However, only 934 units are proposed.

(b) Block 10 (units B10-00-19 and B10-00-20) are stated to be dual aspect, whereas the floor plans show that they are single aspect units.

(c) The classification of some Block 7 units as ‘dual aspect’.

5. Proposed Residential Standards

(a) Proposals for privacy buffers for ground floor residential units as per LAP Objective CMH5.

(b) Clarify correct area of communal amenity space for Blocks 4 & 5.

(c) Clarify proposals for dedicated amenities and facilities for residents, including:

(i) Objective H3 of the LAP which encourages the provision of accessible communal rooms and/or facilities in new residential apartment developments of 50+ units.

(ii) Section 12.3.5.3 of the CDP outlines that apartment schemes should provide external storage for bulky items outside individual units.

(iii) The potential for the provision of additional amenities and facilities in place of some units referenced in Point 4 'Dual Aspect Units' above.

6. Daylight and Sunlight

Clarify the following and submit proposals accordingly:

(a) Incorrect reference to total of 2,310 rooms assessed for daylight illuminance levels, and total of 1,496 rooms that would meet/exceed the 150-lux target.

(b) Inaccurate depiction of 12 no. north-facing windows at Block 2 of Annaville Residences.

(c) Calculation of overshadowing impact on existing amenity areas as per section 3.3 of the BRE Guide (2022).

7. EIAR

Amend and update by way of an addendum, as necessary.

8. AA Screening Report and NIS

Amend and update by way of an addendum, as necessary.

9. Statement of Consistency

Amend and update by way of an addendum, as necessary.

7.2. Response to Request

The Board (now Commission) received the response to the request for further information on the 15th of May 2025. On the 20th of June 2025, the Commission informed the applicant that the response contained significant additional data and required readvertisement and renotification in accordance with section 175(5)(d) of the Act of 2000. On the 10th of July 2025, the Commission received confirmation of readvertisement and renotification, including copies of the newspaper notice and letters to prescribed bodies and the planning authority.

The applicant's response to the points raised is summarised below.

1. Masterplan, Phasing and Protected Structures

(a) Hard copies of the Masterplan are included.

(b) The response can be summarised as follows:

- *Delivery Strategy* - An agreement is in place between DLRCC and the LDA which confirms DLRCC's acceptance to develop the lands in two separate applications. The application reflects the mandates of the applicants and Government to work in the public interest through the delivery of housing at a time of urgent need. The proposal includes Cost Rental apartments, and this model requires that all site development costs, maintenance and management costs for the scheme (including ancillary elements) are built into the rent charged to future tenants. Part of the rationale for proposing that the adaptive reuse of the Protected Structures be subject to a separate future Planning Application is to ensure that the associated costs are separate from the housing units in order for the units to remain affordable. Apart from the rental housing provision, a Management Company will also need to manage the entire estate, and costs will need to be apportioned to the affordable purchase homes as well to include for sitewide costs, which creates a constraint in terms of high overall delivery costs and the objective of keeping rents and sale prices affordable.
- *Ownership* – The lands are still in the ownership of the OPW and there is an interim use on the existing lands, meaning that the transfer of ownership is not in the control of the LDA. Any planning condition that requires development of lands

or structures not in the ownership or control of the Applicant, and not within the redline boundary of the application, would not be enforceable[3].

- *Suggested Planning Condition* – The applicant is willing to accept the following condition:

  "Within 12 months of the date of this planning approval, a Planning Application seeking the long-term active use of the Protected Structures within the former CMH lands shall be submitted to the Planning Authority or An Bord Pleanála."

  The applicant contends that this condition would:

  - Acknowledge interim use and ownership issues while enabling timely delivery of housing and a clear timeline for reuse of the Protected Structures.
  - Reflect a modified version of the condition proposed in the Chief Executive's Report for the previous SHD application.
  - Ensure the current development is not delayed, as the reuse application would align with the 6-year build and likely planning permission duration.
  - Align with the intent of the LAP's guiding principles and avoid constraints on lands zoned for residential development.
  - Support urgent housing delivery in the context of a housing crisis.

- *Phasing* – The current application does not include proposals for the Protected Structures due to the following constraints:

  - Survey works could only begin after the former mental health facility vacated.
  - Adaptive reuse of the buildings is complex, with limited viable uses.
  - The LDA is working with DLRCC to determine feasible alterations.

  Delaying the current application was not considered appropriate and a separate future application (including additional residential development) will facilitate design flexibility and integration into the Masterplan.

- *Masterplan* – The Masterplan provides for the appropriate development and servicing of the entire CMH site. The current application supports the future application and does not preclude the future adaptive reuse of the Protected

[3] Reference is made to Section 3.8, OPR Practice Note P03.

Structures. The Masterplan (Section 11) sets out several phasing options, with the preferred option involving 3 phases. Phases 1 & 2 are included in the current application and allow for the further appreciation of the Protected Structures.

- *Active Preservation of Structures* – The LAP requires the 'suitable protection' of the Protected Structures at an early phase of redevelopment. The Protected Structures are secured and maintained by the OPW, including access and heating, and significant survey and research has been completed with a view to progressing their 'adaptive reuse' when the LDA becomes the legal owner.
- *Architectural Heritage Guidelines* – The Guidelines outline that existing structures 'should normally' be included with new development, which recognises that this approach is not always possible nor warranted. Section 13.5.4 notes that works can be costly and that a 'reasonable and considered' approach should be taken. This application falls outside the 'norm' as it addresses a much-needed housing demand which should not be delayed pending the adaptive reuse of the Protected Structures. Furthermore, in circumstances where the Protected Structures are not included in the redline boundary and no works to those structures are proposed, the Guidelines apply in a limited manner.
- *Conclusion* – In summary, the response concludes that:
  - The development is consistent with the objectives of the LAP and the Architectural Heritage Guidelines.
  - The applicant would not welcome a condition on any approval that postpones the commencement or occupation of parts of the proposed housing development "until the long-term adaptive reuse of the protected structures is achieved".
  - The applicant's suggested condition (see above) should be attached if necessary.

(c) Impacts on the 'Hospital Building' (RPS No. 2073 (referred to as 'The Infirmary' in the application documents)) have been assessed through addenda to the EIAR and an update to the 'Historic Landscape Statement of Significance and Impact Assessment'. The updated EIAR (Chapter 17) concludes that, subject to mitigation

measures, the effect that the development has on the Infirmary will be 'negligible' or 'slightly beneficial'.

2. Traffic and Transport

(a) The 'Traffic Response' from ILTP Consultants and an updated TTA clarifies that:

(i) The traffic data and analysis underpinning the TTA and EIAR are identical. However, due to an oversight, a section of the TTA (pp: 48-51 inclusive) included some text, tables and graphics that had not been updated to reflect the final trip rates and mode share assumptions actually used in the traffic assessments. All traffic data in Chapter 18 of the EIAR is correct, as are any other sections of the EIAR informed by traffic figures.

(ii) The opening year mode share estimated that 45% of overall person-based trips would be made by private cars. To calculate the actual number of car trips, an average car occupancy rate of 1.12 was assumed, resulting in the total number of car trips.

(iii) In order to calculate external vehicular movements, factors were applied to the results of the car trip calculations as follows:

- Residential Part 10 Application – 85% of trips to/from assumed to be external
- Non-residential Part 10 Application – 20% of trips to/from assumed to be external
- Future Application (Enterprise) – 90% of trips to/from assumed to be external.

The application of these factors provides 'Final External Vehicular Trips', which are identical to the values used in the TTA traffic modelling and in the EIAR.

(b) The response includes a single lane exit option onto Dundrum Road with traffic modelling. It concludes that a single or two-lane exit are both satisfactory in traffic capacity terms. The main benefit of the two-lane exit is that additional green time is allocated to Dundrum Road traffic. In addition, there is a likelihood that the emergency access to the north would be required less often. The single-lane option would have the benefit of reducing pedestrian crossing time and distance across the proposed access road. Both the original and revised access layouts are generally in accordance with section 4.4.3 of the Design Manual for Urban Road and Streets

(DMURS). The applicant has no objection to the proposed access being reduced to a single exit lane should ACP deem it appropriate.

3. Pedestrian and Cycle Facilities

(a) A revised 'Roads Finishes, Road Markings & Signage' drawing provides combined pedestrian and cyclist zebra crossing points in accordance with the NTA Cycle Manual as well as additional signage to clarify the priority arrangements for cyclists/pedestrians. This drawing should be relied upon in respect of the design of the proposed priority arrangements for pedestrians and cyclists, including road markings and signage.

Furthermore, the Landscape Layout Overall Plan has been updated to omit road markings on the Active Travel Route.

(b) The pedestrian and cycle permeability measures at Annaville and Rosemount Green are included as an Objective of the DLAP, are fully supported by the NTA observation, and planning permission was previously granted for this connection in 2023 through the SHD Application (ABP Ref. ABP-313176-22).

The proposed link is not considered essential to the development (although it does reduce walk/cycle distances) and it may be of greater benefit to the existing residents by providing easier access to the proposed facilities and services.

The 'Roads Finishes, Road Markings & Signage' drawing has been updated to provide additional information and a revised design of the Annaville Park/Grove connection. The redline has not been extended having regard to the nature of the works to Annaville; DLRCC's status as the Road Authority; and given that DLRCC has control of this road and adjacent public roads in Annaville.

The Applicant is willing to accept a condition from the Commission to construct this alternative version of the proposed connection. Alternatively, on the basis the link is not critical to the successful operation of the proposed development, the connection could be omitted by condition and delivered as part of a future application, or by alternative process.

4. Dual Aspect Units

The response is supported by an updated Housing Quality Assessment Report including updated dual aspect diagrams at Appendix B. The response acknowledges s. 12.3.5.1 of the CDP, including that '*There shall generally be a minimum of 50% dual aspect apartments in a single scheme',* but contends that the figure of 33% applies in this case (i.e. in central and/ urban accessible locations according to SPPR 4 of the Apartment Guidelines).

(a) Typographical errors in the HQA have been updated to confirm a total number of 934 units and that 467 (50%) of these would be 'dual aspect' in compliance with s. 12.3.5.1 of the CDP.

(b) It is acknowledged that Block 10 (units B10-00-19 and B10-00-20) were incorrectly classified as 'dual aspect'. The HQA has been updated accordingly.

(c) The Block 7 units are addressed as follows:

B07-00-05 - It is proposed to reposition the window on the east elevation further south to achieve a dual aspect unit.

B07-00-03 - Whilst it is acknowledged that the secondary aspect faces a stair core, there is a sufficient separation distance of over 2,400mm to satisfy the criteria for a dual aspect unit.

B07-01-21, B07-02-21, B07-03-21, B07-04-21, B07-05-21, B07-06-12 – These units maintain a separation distance of over 4,000 mm from the opposing wall, which supports their classification as dual aspect.

5. Proposed Residential Standards

(a) Landscaping drawings have been submitted, including 'Planting Buffer Sections', to illustrate that the interface between ground/podium level units and public/communal areas will protect privacy.

(b) The correct figures for the area of communal amenity space for Blocks 4 & 5 are those in the 'Open Space Plan' drawing submitted with the application (i.e. 9,388m^2). A discrepancy in the HQA has been updated.

(c) Proposals for dedicated amenities and facilities for residents have been clarified as follows:

(i) The proposed development will provide a high-quality environment with services and facilities that few developments would include. Objective H3 of the LAP encourages rather than requires the provision of communal rooms. The development provides the facilities referenced in the Apartments Guidelines, as well as other medical and retail facilities. The Apartment Guidelines do not identify a particular ratio of communal facilities to be provided, nor do they require the facilities to only serve the residents, and the facilities can include supporting services such as management/maintenance office. The Apartment Guidelines explicitly acknowledge the financial implications for residents arising from the management and maintenance associated with additional facilities, which is particularly relevant to this development comprising social and affordable housing. Therefore, further communal facilities for residents are not required.

(ii) Residents have been provided with storage facilities within the apartments and for bicycles. Section 12.3.5.3 of the CDP states that external storage ‘should’ rather than ‘shall’ be provided, which indicates that this is not an obligation. There is limited Lower Ground Floor ancillary space within the scheme to accommodate bulky storage, and it would have a negative impact on the interface with adjoining spaces. The applicant’s preference is for the scheme to remain unchanged.

(iii) The replacement of residential units with communal rooms and bulky storage spaces is not warranted given the overall quality of the development and the cost implications of such facilities.

6. Daylight and Sunlight

(a) Typographical errors in Section 5.2 of the ‘Internal Daylight, Sunlight and Overshadowing Report’ have been corrected, and the conclusions remain accurate. The critical point is that the reference to 91% of tested rooms meeting or exceeding the minimum daylight illuminance levels is correct, as is the reference to 96% of tested rooms considered to have good access to natural light, should the living room target be deemed acceptable.

(b) The ‘Daylight & Sunlight Impact on Neighbouring Properties Report’ has been updated to take account of the north facing windows at Block 2 of the Annaville Residences. The figures for daylight and sunlight impacts on this structure have been updated (see Sections 5.16 to 5.19). The VSC assessment is improved, whilst the ‘No Sky Line impact’ is slightly increased. The overall conclusions of the report are unchanged and support the proposed development.

(c) A Daylight & Sunlight Overshadowing Report is included to assess the overshadowing impact on neighbouring properties most likely to be affected. It concludes that the tested gardens will not be materially affected by the proposed development.

7. EIAR

Having regard to the foregoing, addenda have been prepared to Volumes 1-3 of the EIAR. These include updates to EIAR Chapter 17 and the Non-Technical Summary section in relation to Architectural Heritage, as well as Appendix 24.1 to capture the additional mitigation measures included in the Architectural Heritage Chapter 17.

8. AA Screening Report and NIS

Whilst the changes are minor in nature, updated reports have been prepared which take account of the response. The conclusions are unchanged.

9. Statement of Consistency

Whilst no significant design changes have been made, the Statement of Consistency is updated to reflect any changes to other documents enclosed in the response. The overall conclusions have not altered.

7.3. Submissions on Further Information

The Commission received 6 no. third-party submissions on the further information submitted. These submissions reiterate many of the concerns raised in the original submissions (see section 6.2 of this report), which will not be repeated here in the

interests of brevity. Any additional issues can be summarised under the following headings.

Principle

- The site is more suitable for a less dense development with more parking.

Phasing

- The issue raised by ACP about the suitable protection and reuse of the Protected Structures at an early phase is welcomed, but there are concerns about the applicant's response to same (as set out in the following points).
- DLRCC and the LDA also have a mandate to ensure protection and promote public access to Protected Structures.
- The development model cannot be the same as a greenfield site and the full costs for redevelopment need to be committed to at an early stage.
- There is no indication that lands outside the application site will remain under the control of the OPW before works commence, and therefore the reference to conditions requiring development outside the applicants' control is not applicable.
- The replacement mental health facility commenced operation in November 2022 and there is no evidence that the OPW prevented survey work progressing on the Protected Structures in the intervening period.
- Section 13.5.4 of the Architectural Heritage Guidelines does not point to the work to existing structures being excluded from the overall development.
- A requirement for the parallel development of the historic structures as amenities for the residents and wider community should be a requirement.
- The condition suggested by the applicant is completely inadequate.

Traffic & Transport

- Concerns about traffic assessments (made on 25th April 2024 and 28th August 2024) as follows:
  - 2nd assessment is outside school/college term.

- Both assessments made prior to installation of new set of traffic lights on Dundrum Road junction with Rosemount Estate and Frankfort Park, which have led to increased queues in both directions.
- Both assessments made before new housing/apartments in the Stepaside / Golden Ball area south of Dundrum and before new Glemamuck District Distributor Road open, all of which will increase numbers on the Luas Green Line and feed traffic through Dundrum Road.

- Section 18.4 of the EIAR predicts a 9% traffic increase on Dundrum Road. This is conveniently below the 10% 'significant' threshold and is inaccurate.
- Only the 44 and 44D buses pass the site on Dundrum Road, and they run infrequently. If bus services are increased to serve the development, there will be a negative traffic impact.
- Section 7.4.2.6 of the EIAR outlines that in the absence of mitigation, potential traffic impacts on human health will be negative, moderate and long term.
- Concerns about the proposed Annaville link are again highlighted, including increased traffic/movement, traffic hazard, parking congestion, emergency access, and negative impacts on community/amenity.
- The application underestimates vehicular trips generated by the development and impacts on the local road network.

Impacts on Existing Properties

- Structural damage to houses on Annaville Park is a real possibility during the construction phase.
- The full impacts of the Community Centre on Annaville Park (including light, footfall, overhanging, and overlooking) is not addressed.

Landscape / Heritage

- Section 17.4.7.4 of the EIAR outlines that the potential effect (before mitigation) on the historical landscape would be very significantly negative.
- The application acknowledges that impacts on the perimeter wall would be 'significant' (before mitigation) and 'moderately negative' (after mitigation).

8.0 The likely consequences for the proper planning and sustainable development of the area

8.1. Introduction

8.1.1. Having regard to the requirements of the Planning and Development Act, 2000 (as amended), this section considers the likely consequences for the proper planning and sustainable development of the area. It is followed by Section 9 which considers the likely significant effects on a European Site (Appropriate Assessment), and Section 10 which considers the likely effects on the environment (Environmental Impact Assessment).

8.1.2. In each assessment, where necessary, reference is made to issues raised by all parties. There is an inevitable overlap between the assessments, for example, with matters raised falling within both the planning assessment and the environmental impact assessment. In the interest of brevity, matters are not repeated but such overlaps are indicated in subsequent sections of the report.

8.1.3. Having examined the application details, further information submitted, and all other documentation on file, including all the submissions received in relation to the application, and having inspected the site and had regard to local/regional/national policies and guidance, I consider that the main issues relating to the proper planning and sustainable development of the area are as follows:

- The Principle of the Development
- Public Open Space, Recreation and Community Facilities
- Residential Standards
- Impacts on Existing Properties
- Daylight and Sunlight
- Traffic and Transport
- Built Heritage
- Building Height, Density, Design & Layout, & Visual Amenity.

8.2. The Principle of the Development

Masterplanning and the scope of the application

8.2.1. The current application relates to an area of 9.6 hectares annexed from the overall CMH lands of 11.3 hectares. However, the application is supported by a Masterplan for the overall CMH lands[4]. The portion of the Masterplan area excluded from the current application comprises mainly the Main Hospital Buildings and adjoining spaces at the northern end of the site. In response to LAP Objective CMH7 and the Commission's request for further information, the applicants propose that any approval of the current application would be followed (within 12 months) by an application seeking the long-term active reuse of the Protected Structures. The nature and phasing of the proposed Masterplan applications can be summarised in the table below.

Table 3 – Masterplan and Phasing

Phase	Residential Units	Non-Residential Floorspace
Current Application	934	4,380 sq m (Gate Lodge café (78m^2); restaurant unit (266m^2); 3 no. retail units (1,160m^2); medical unit (288m^2); childcare facility (716m^2); management suite (123m^2); and community centre facility (1,749 m^2)).
Future Application	68	Main Hospital Building to accommodate c. 5,250m^2 Enterprise & Innovation space; Chapel (112m^2); Infirmary (158m^2).
Total Masterplan	1,002	9,900m^2

8.2.2. The Masterplan outlines that public consultation has been carried out as part of its preparation. And as will be addressed in more detail throughout this report, the application includes a 'Consistency Statement' regarding the Guiding Principles and Objectives for the LAP Site Development Framework. Accordingly, I am satisfied that a Masterplan has been prepared (including public consultation) to accompany the

[4] A complete hard copy was satisfactorily submitted as Further Information.

application as required by Objective CMH1 of the Dundrum LAP. Where relevant, the suitability of the proposed development will be assessed in the context of the overall Masterplan throughout this report.

8.2.3. I acknowledge that third-party concerns have been raised about the omission of the hospital building on grounds of *inter alia*: architectural heritage protection; potential nuisance / anti-social behaviour issues associated with vacant buildings; and the need to provide additional supporting non-residential uses.

8.2.4. In this regard, I note that the Architectural Heritage Protection Guidelines for Planning Authorities (sections 6.7.2 and 13.5.4) generally support a concurrent phasing approach when new development is proposed in conjunction with the redevelopment/conservation works to a protected structure. I also note that the LAP Guiding Principles '*require the suitable protection and reuse of the protected structures at an early phase in the redevelopment of the site'*, and Objective CMH1 requires that the Masterplan '*shall accord*' with these Guiding Principles.

8.2.5. While I have acknowledged that the making of the Masterplan applications will not be concurrent, I do not consider that this necessarily precludes the redevelopment of the protected structures concurrent with the proposed development (or part thereof) over the proposed 10-year approval period. The Masterplan (section 11) acknowledges that the phasing plan will be the subject of future engagement and liaison. It outlines three phasing options (A, B, C) and Option B is presented as the '*current preferred strategy'*, which would see the protected structures redeveloped in the final phase (as is also the case for Option C). However, Option A appears to indicate that the redevelopment of the protected structures and adjoining lands (or at least part thereof)[5] would be delivered in Phase 2 of 5.

8.2.6. This question of phasing was raised in the Commission's request for Further Information, and I have outlined the applicants' response in section 7.2 of this report. In summary, the applicants set out the case for the preferred strategy (Option B) based mainly on: their mandate to deliver much-needed housing at an affordable cost; lack of control of the protected structures and adjoining lands due to ongoing

[5] The main Hospital Buildings are not coloured yellow as per the remainder of Phase 2

ownership by the OPW; and the costs and delays associated with surveying and developing feasible proposals for the reuse of existing buildings.

8.2.7. I would certainly acknowledge the urgent need to deliver affordable housing in accordance with local and national policy, and that the inclusion of the protected structures would add to the complexity, timeframe, and cost of any such project. Therefore, in these respects, I consider the applicants' approach to be entirely understandable. And while the Architectural Heritage Protection Guidelines (s. 13.5.4) would certainly support a concurrent phasing approach, I would accept that it is not a mandatory requirement and that alternative approaches can be taken.

8.2.8. I note the ownership issues raised by the applicant. However, I would submit that similar arrangements apply to the current application[6] and have not proved to be an impediment to progress. Indeed, it is a common occurrence that planning applications would be finalised and progressed prior to the transfer of ownership.

8.2.9. The applicants' further information response also outlines that the LAP requires the 'suitable protection' of the Protected Structures at an early phase of redevelopment and contends that this is assured through the existing management strategy. However, a full reading of the 'Guiding Principles' for the site makes it clear that the requirement is for 'suitable protection and reuse' (my emphasis), which is not satisfactorily addressed through a management strategy.

8.2.10. In conclusion, I consider that the redevelopment of the overall CMH lands needs to strike an appropriate balance between the urgent need to provide a significant quantum of affordable housing on this 'Strategic Regeneration Site' and the need to ensure the suitable protection and reuse of the Protected Structures.

8.2.11. I consider that the omission of the protected structures and the proposed phasing strategy in the current application fails to secure the suitable protection and reuse of the protected structures at an early phase in accordance with the LAP 'Guiding Principles', and I would again highlight that LAP Objective CMH1 requires that the Masterplan shall accord with these Guiding Principles. It is my view that the development as proposed would, therefore, materially contravene these provisions of the LAP.

[6] The subject site is stated to be in the ownership of the OPW at the time of making the application.

8.2.12. However, the proposal must also be considered in the context of wider national policy and the CDP. In this regard, the NPF First revision reflects the accelerated need to accommodate increased rates of population growth. The CDP also highlights the strategic residential importance of the site through its identification as: one of the largest of several 'Infill / Windfall' sites (Fig. 2.8 of the CDP); a residential site for compact growth (Fig. 2.11 of the CDP); and a Strategic Regeneration Site for development/renewal in accordance with CDP Objective CS13. Accordingly, I would concur with the applicants' view that this significant residential development should not be unduly delayed by a requirement to incorporate the protection and reuse of the Protected Structures.

8.2.13. The applicants' response to the Further Information Request suggests that this could be resolved through a condition requiring the submission of an application for the Protected Structures within 12 months of any approval of the current application. However, I consider that the submission of an application would not in itself provide adequate certainty of protection and reuse.

8.2.14. Accordingly, in the event of approval, I consider that a condition should apply to require the protection and reuse of the protected structures prior to the completion of the development currently proposed. I consider that this would be a reasonable and considered approach in accordance with section 13.5.4 of the Architectural Heritage Protection Guidelines. And while it would not secure these works at an early phase as envisaged in the LAP, I am satisfied that the approach would ultimately address the spirit of the LAP (i.e. the protection and reuse of the protected structures within the lifetime of this permission) in an acceptable way, and would not materially contravene the CDP in accordance with s. 178 (1) of the Planning and Development Act 2000, as amended.

8.2.15. Under the applicant's preferred strategy (Option B) the phasing arrangements are currently as follows:

Table 4 – Option B Phasing Plan

Phase	Application Stage	Blocks	Residential Units	Non-residential floorspace
1	Current	3, 7, 8, 9, 10	587	2,172 sq.m. (including retail units, restaurant, childcare facility, management suite)
2	Current	2, 4, 5, 6	347	2,037 sq.m. (including medical centre and multi-purpose hall)
3	Future	1, 11, 12	68	5,520 sq.m. (including enterprise & innovation centre, chapel, & infirmary)

8.2.16. Based on the above phasing proposal and considering that Blocks 2 and 6 include important community facilities which should not be delayed, I would recommend a condition which outlines that the development of Blocks 4 & 5 shall not commence prior to the commencement of work on the protection and reuse of the protected structures within the overall CMH lands.

8.2.17. I acknowledge the applicants' concerns about a condition affecting lands outside their control. However, the condition would not prevent the implementation of the large majority of the proposed development. Furthermore, the applicants have already outlined a clear commitment to redevelop the protected structures following agreement with the OPW, and the protected structures are included within the blue 'site ownership line' as per the 'site location map' submitted with the current application. I consider that the prospective transfer of the protected structures from the OPW to the applicants is similar to the scenario which arises in the subject application, wherein the OPW is still the stated owner of the application site. Therefore, consistent with section 3.8 of the Office of the Planning Regulator Practice Note PN03 'Planning Conditions', I am satisfied that there is a real prospect of the action (i.e. the protection and reuse of the protected structures) being performed within a reasonable timeframe. If, for whatever reason, this does not transpire, the large majority of the development can still be implemented. Accordingly, I am satisfied that such a condition would be justified in this instance.

Zoning and Land Use

8.2.18. As previously referenced, the strategic importance of the site is highlighted in the CDP Core Strategy. The lands are identified as one of the largest of several 'Infill / Windfall' sites within the existing built-up footprint of the County (Fig. 2.8 of the CDP). They are identified as a residential site for compact growth as per Figure 2.11 of the Plan, and they are also identified as one of five Strategic Regeneration Sites for development/renewal in accordance with Objective CS13.

8.2.19. The zoning objective for the site is 'Objective A', which is '*To provide residential development and improve residential amenity while protecting the existing residential amenities*'. In terms of uses, the proposed development consists predominantly of residential development (including assisted living units) which is 'permitted in principle' as per Table 13.1.2 of the CDP.

8.2.20. The suitability of the other proposed uses in the context of CDP/LAP policy can be summarised as follows:

- Medical Centre – Table 13.1.2 outlines that a 'Health Centre / Healthcare Facility' is 'permitted in principle' where the use will not have adverse effects on the 'A' zoning objective. CDP Policy Objective PHP9 and LAP policy DLAP11 support the provision / integration of health care facilities at appropriate locations.
- Retail Units - Table 13.1.2 outlines that a 'Shop Neighbourhood' is 'open to consideration', which refers to uses which may be permitted if they are compatible with the overall policies and objectives for the zone, would not have undesirable effects, and would otherwise be consistent with the proper planning and sustainable development of the area. CDP Policy Objective RET8 is also to facilitate local convenience shops in residential areas where there is a clear deficiency of retail provision, subject to protecting residential amenity.
- Restaurant – Table 13.1.2 outlines that a 'Restaurant' is 'open to consideration' and section 12.6.5 outlines criteria for the assessment of such proposals.
- Multi-purpose hall, community rooms and sports changing facilities – The multi-purpose nature of this facility is not specifically addressed in CDP/LAP policy and the CDP (section 13.1.5) outlines that such proposals will be considered on a

case-by-case basis. However, it is noted that a 'community facility' is 'permitted in principle' where the use will not have adverse effects on the 'A' zoning objective, and that a 'sports facility' is 'open to consideration'. LAP Objective P4 is also an objective to provide for a multi-functional community and leisure/indoor sports facility on the former Central Mental Hospital (CMH) site.

- Childcare – Table 13.1.2 outlines that a 'childcare service' is 'permitted in principle' where the use will not have adverse effects on the 'A' zoning objective. CDP Policy Objective PHP6 encourages such facilities as part of new development and LAP policy DLAP12 requires the provision of a childcare facility on this designated 'Childcare Opportunity Site'.
- Management Suite – This would be ancillary to the residential use and involves a limited area of 123 sq.m. Table 13.1.2 outlines that offices (less than 200 sq.m.) are 'open to consideration'.

8.2.21. In addition to the above, LAP Objective CMH11 outlines the 'land use' requirements for the redevelopment of the site. Consistent with these requirements, I am satisfied that the proposal provides residentially focused mixed uses which includes residential development and a range of other complementary uses as per the 'A' zoning Objective including a medical centre, childcare, local retail, café/restaurant and community uses. The design and nature of the proposed community facility is also consistent with CMH11, which requires it to be c. 1,600 sq. metres in a building adjoining Rosemont Green, including a multi-purpose hall, changing rooms, and meeting rooms, unless otherwise agreed with DLRCC.

8.2.22. I note that CMH11 also refers to the inclusion of office uses in accordance with SLO 122, as well as educational uses. However, SLO 122 refers to the future redevelopment of the main hospital buildings. Accordingly, I am satisfied that the inclusion of office and educational uses can be satisfactorily addressed as part of the future application for the remaining Masterplan lands.

8.2.23. The CMH lands are subject to the 'INST' objective on the CDP Zoning Map, which is '*To protect and/or provide for Institutional Use in open lands',* albeit that CDP Policy Objective PHP21 facilitates suitable alternatives to institutional use where no demand for an alternative institutional use is evident or foreseen. In this case, I am

satisfied that the application has demonstrated that the lands are no longer required for the historical institutional use given that it has relocated to Portrane. Furthermore, I would highlight that the 'INST' objective refers to the overall CMH lands. This includes the protected structures outside the application site, which could potentially accommodate alternative institutional uses. As per PHP21, this is not a mandatory requirement of either the current application or any future application. However, I consider that the potential for institutional use could be more appropriately explored in the future application for the remaining Masterplan lands.

8.2.24. Having regard to the foregoing, I consider that the nature and scale of the proposed uses would be consistent with the CDP zoning objective for the 'A' zone and would also be consistent with the other 'land use' provisions for the site as outlined in CDP and LAP policy. The non-residential uses are of an appropriate nature and scale to support the main residential use and would not adversely impact on residential amenity in accordance with the zoning objective. Accordingly, notwithstanding third-party submissions which suggest an alternative 'secure site' use of the site, I am satisfied that the nature and mix of the proposed uses is acceptable in principle in accordance with the CDP and LAP. Other uses mentioned in CDP/LAP policy, such as office, educational, and institutional, can be explored on the remaining Masterplan lands in accordance with the provisions of the CDP and LAP.

Duration of approval

8.2.25. Third-party submissions have raised concerns about the proposed 10-year approval. The concerns are based on delays in the delivery of much-needed housing, as well as the extent of construction-related disruption for existing residents.

8.2.26. Due to the length of the construction programme arising from the scale of the proposed development, the application outlines that it is prudent to apply for a 10-year approval. Based on Phasing Option B (as previously discussed) the Construction and Environmental Management Plan (CEMP) discusses the estimated / outline construction programme and phasing. The construction start date was envisaged to be mid-2025 and is envisaged to last 5-6 years.

8.2.27. Having regard to the scale of the proposed development, I consider these estimated timeframes to be reasonable, and I would acknowledge that additional time should be accommodated for unforeseen delays. Furthermore, I have already

recommended changes to the Masterplan phasing plan through the inclusion of the redevelopment of the protected structures prior to commencing Blocks 4 and 5. I would acknowledge that the protected structures will require more complicated design and construction work, and that it will take time to agree suitable uses for these buildings. This may have implications for the envisaged timeframe and, accordingly, I am satisfied that a 10-year approval would be appropriate in this case.

8.2.28. The CEMP outlines that the proposed phasing will be broken down into a more detailed programme for each phase and that some units will be completed well in advance of the overall construction period. Completion of the first residential units was anticipated in mid-2027 and I am satisfied that there will be an early and steady delivery of housing units to address third-party concerns.

8.2.29. As is the case with all urban development, I acknowledge that the construction period will result in disturbance for existing residents. This is addressed further in sections 8.5 and 10.6 of this report, and I am satisfied that there would be no unacceptable impacts.

Conclusion

8.2.30. In conclusion, I consider that the principle and nature of the proposed redevelopment of the site is acceptable in accordance with CDP and LAP policy, subject to the redevelopment of the protected structures commencing prior to commencement of Blocks 4 and 5. The detailed design and impacts of the proposed development will be considered in the following sections of this report.

8.3. Public Open Space, Recreation & Community Facilities

Public Open Space

8.3.1. Given the 'INST' objective that applies to these lands, CDP Policy Objective PHP21 requires the retention of the open character and/or recreational amenity of such lands. In relation to the quantity of public open space, it requires that a minimum of 25% of the entire INST land parcel, as determined by the Planning Authority, will be required to be retained as accessible public open space (as does s.12.8.3.1 of the Plan). In determining the area to which the "INST" objective applies, the planning authority shall have regard to the existing and historical land use and associations

between land uses, and the extent to which any lands contribute to the open character and setting of the core institutional function.

8.3.2. The application outlines that the proposed development provides c. 2.9 ha (c. 29,767 sq m) 'public open space', which equates to c. 30% of the 9.6 ha site area. The 2.9ha area is illustrated in the architectural drawings (DCD-02-SW-ZZZ-DR-RAU-AR-1004) and the accompanying Landscape Design Report. It comprises a range of spaces which can be summarised as follows:

Central Parkland – Protects and enhances its existing character defined by the mature trees and historic landscape as a setting for the hospital building. Includes improved landscaping and a range of play areas to cater for all age groups.
Entrance Plaza – The main pedestrian and cycle entrance where perimeter wall heights will be reduced to open up views of existing mature trees. The former gatehouse will be converted into a cafe, with a seating area for outdoor furniture.
Central Square – The civic heart to facilitate commercial, social, and cultural exchange and accommodate a variety of events.
Community Park - Provides an important connection to Rosemount Green and will provide a large natural play area, passive recreation space, an integrated constructed wetland, and native woodland.
Walled Garden – To provide a tranquil kitchen garden where residents can grow vegetables and the local community can be educated, including an ecological corridor along the eastern boundary.
Eco Corridor – Provide an important habitat corridor through improvements to the existing semi-mature trees, ditch and wet grassland areas, to facilitate greater education/understanding regarding the natural world. It will provide an east-west corridor to link with the corridor along the eastern site boundary.

8.3.3. Having reviewed the nature and design of the proposed public open space, I am satisfied that it retains the open character of the site. The site has not traditionally been open to the public and the proposed development will therefore significantly improve its recreational value to the local community. It would also retain important existing features such as trees, walls, and water features.

8.3.4. I acknowledge that the 25% requirement relates to the entire INST parcel and therefore it is also necessary to consider the wider Masterplan lands. However, consistent with the current application, I am satisfied that the Masterplan demonstrates that at least 25% of the overall lands will be reserved as public open space (i.e. 3.2ha out of 11.4ha (c. 28%)).

8.3.5. Therefore, with regard to the quantity and quality of public open space, I am satisfied that the proposals comply with relevant requirements of PHP21. Other provisions of PHP21, including character and density, are discussed in section 8.9 of this report.

8.3.6. CDP Policy Objective OS4 promotes public open space standards generally in accordance with overarching Government guidance documents 'Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities', (2009), the accompanying 'Urban Design Manual - A Best Practice Guide', and the 'Sustainable Urban Housing: Design Standards for new Apartments', (2020).

8.3.7. The 2009 Guidelines (s. 4.20) outline that in institutional lands and 'windfall' sites, proposals for higher density residential development must take into account the objective of retaining the "open character" of these lands, while at the same time ensuring that an efficient use is made of the land. In these cases, a minimum requirement of 20% of site area should be specified; however, this should be assessed in the context of the quality and provision of existing or proposed open space in the wider area. The current application proposes that 30% of the site would be provided as public open space, which comfortably exceeds the 20% recommendation. Furthermore, as will be outlined in section 8.9 of this report, I am satisfied that the proposal retains the 'open character' of the lands while at the same time ensuring efficient use/density. Accordingly, I am satisfied that the proposals are consistent with the requirements of CDP Policy Objective OS4.

8.3.8. The Commission will be aware that the 'Sustainable Residential Development Guidelines' (2009) and the accompanying Design Manual have since been replaced by the Compact Settlement Guidelines (2024). The 2024 Guidelines (Policy and Objective 5.1) outline that statutory development plans shall include an objective(s) for public open space provision of not less than a minimum of 10% of net site area and not more than a minimum of 15% of net site area save in exceptional circumstances. However, consistent with CDP provisions for this site, the Guidelines

clarify that a higher proportion can be required in the case of sites that contain significant heritage, landscape or recreational features and sites that have specific nature conservation requirements. As outlined throughout this section, I am satisfied that the quality and quantity of the proposed public open space meet the requirements of both local policy (CDP and LAP) and the Compact Settlement Guidelines.

8.3.9. The Apartments Guidelines (2020) referred to in Policy Objective OS4 have also been updated by the relevant 2023 version[7]. However, this document does not outline standards relating to public open space.

8.3.10. The LAP provides further detail on the nature and breakdown of public open space within the CMH lands. Consistent with Objectives CMH4 and GI10, I consider that the proposed development satisfactorily provides:

- a public open space of c. 8,000 sq. metres (8,104.9m^2) to the south of the Asylum building in the first phase of development.
- a public open space with a pedestrian and cycle connection to the Larchfield Road interface between Rosemont Green and the site.
- high quality landscaped public open spaces which accord with the site development framework and has regard to the requirements of all users.

8.3.11. Having regard to the foregoing, I am satisfied that the quantity and quality of public open space is appropriate to meet the relevant standards and criteria as outlined in local policy (CDP and LAP) and national guidelines.

Recreation and Community Facilities

8.3.12. The third-party submissions have raised concerns about the scale of the proposed development and the pressure it would place on recreation and community facilities.

8.3.13. In this regard, I note that the CDP (Policy Objectives PHP3 and PHP5) highlights the need for sustainable neighbourhood infrastructure and community facilities as an integral part of new residential communities. Section 12.3.4.4 of the CDP outlines that no large developments over 100 residential units shall be permitted unless it can be demonstrated that there are adequate provisions for specified physical and social

[7] As previously outlined, the 2025 version does not apply to this case.

infrastructural requirements, and section 12.3.2.2(ii) outlines the requirements for Sustainable Neighbourhood Infrastructure (SNI) in existing built-up areas.

8.3.14. The Dundrum LAP also considers social infrastructure requirements. It refers to the Dundrum Community, Cultural and Civic Action Plan (DCCCAP), which highlights the Central Mental Hospital as a key opportunity site for the provision of new social infrastructure. The DCCCAP proposed the provision of a new 'shared multi-functional community and leisure/indoor sports facilities', as well as the opening up of permeability between the site and Rosemount Green to the south, as is reflected in the LAP.

8.3.15. The application is accompanied by a Social Infrastructure Audit (SIA) which uses geospatial survey methods to examine the adequacy of recreational and community facilities within the study area. The demographic analysis outlined in the Audit acknowledges that:

- A higher proportion of community facilities may be required for the working population and higher education students.
- The increasing number of 'Primary School' children indicates a requirement for additional playground facilities and other recreational amenities.
- The increasing number of 'Secondary School' students highlights the importance of social infrastructure, such as sports facilities and youth clubs.

8.3.16. The Audit considers 7 categories of social infrastructure, and the findings are summarised in the following sections.

8.3.17. With regard to '*Education and Training'*, the site is located within the 'Goatstown-Stillorgan' School Planning Area, which is served by 9 no. primary schools and 4 no. post-primary schools. University College Dublin (UCD) is within 1km of the site and there are a range of other training facilities available in the area.

8.3.18. The Audit is supported by a separate 'School Demand Assessment' (SDA). It estimated that the development is likely to generate a total population of 2,559 no. persons, of which an estimated 468 no. children will be school age (i.e., 257 no. primary and 211 no. post-primary school children). The 9 no. primary schools have an enrolment of 3,259 students and are likely to experience a decreased enrolment of c. 11.9% (388 students) to the year 2028 based on recent trends and Department

of Education (DoE) projections. The 4 no. post-primary schools have an enrolment of 2,524 students and are likely to experience a decreased enrolment of c. 2.7% (68 students) to the year 2028 with respect to DoE projections.

8.3.19. The SDA outlines that the DoE has identified a requirement for 1 new primary school and 1 new post-primary school within the Goatstown Stillorgan School Planning Area. It is stated that patronage for both these schools was awarded to Educate Together by the DoE in 2019 and that both schools had opened in interim start-up accommodation by September 2020. The SDA outlines that the permanent site for both these schools is stated to be located a short walking distance from the subject site at the former Irish Glass Bottle Site, Goatstown Road, within c. 450 of the southern boundary of the subject site. I note that a temporary post-primary school has commenced operation on this site since 2024 and that there is a current appeal case with the Commission (ACP Ref. 323549-25) regarding the construction of a 16-classroom primary school (c. 4,147 sqm) and a 1000-pupil post-primary school (c.12,419 sqm).

8.3.20. The Dundrum LAP acknowledges the DoE view that any future school on the Irish Glass Bottle sites could accommodate post-primary needs. This site is identified as a 'Proposed Education Site' in the CDP. In terms of primary school requirements, the LAP acknowledges that the full build out of the plan would generate a requirement for a 24-classroom primary school. In this regard, Objective P1 is to retain and/or provide for education use on lands within the former Notre Dame school site (located c. 600m southwest of the application site).

8.3.21. The SDA concludes that the estimated school needs associated with the proposed development is likely be absorbed by the existing school network and other planned schools within the area. I consider that the estimated demand (468 school places) is reasonable, and I have had regard to the existing school capacity, projected decreases in enrolment numbers, and the planned/projected requirements for future schools as outlined by the DoE and local planning policy (CDP and LAP). I am satisfied that adequate provision has been made for future school needs and that the proposed development would have no unacceptable impacts in this regard.

8.3.22. The applicants' SIA also addresses *Childcare* provision. It identifies a total of 36 no. operational facilities within a 2km radius of the site, with an estimated total of 1,842

childcare places (287 or 14% of which are vacant). In addition to the existing available spaces, it considers childcare requirements having regard to the Childcare Guidelines (2001) and the Apartments Guidelines (2023). Based on the Apartments Guidelines, it considers that the two-bedroom (four-person), three-bedroom apartments, and three-bedroom duplexes would generate childcare requirements (a total of 492 no. units). And based on the Childcare Guidelines requirements for one childcare facility (minimum 20 no. places) per 75 No. dwellings, concludes that this equates to 132 No. childcare spaces.

8.3.23. The application includes a childcare facility (716m^2) to provide 132 no. childcare spaces. I consider that the childcare requirements have been appropriately calculated, and I am satisfied that the proposed facilities have been adequately designed to meet these needs. The proposals are acceptable in accordance with the criteria outlined in section 12.3.2.4 of the CDP and (as per section 8.2.19 of this report) would comply with CDP Policy Objective PHP6 and LAP policy DLAP12.

8.3.24. With regard to '*Open Space, Sport and Recreation',* I note that Policy Objective OSR9 promotes the provision and management of high-quality sporting and recreational infrastructure, while OSR10 outlines policy objectives for the protection of existing sports facilities and the provision of new facilities. CDP SLO 113 also outlines that any integration of / or connectivity between the Central Mental Hospital lands with the adjoining residential area should include the development of enhanced sporting facilities/ infrastructure for existing and future residents. I note that a submission on behalf of Rosemount Mulvey Football Club contends that the proposed development does not properly consider objectives OSR9 and OSR10 and would materially contravene SLO 113. The submission suggests that the proposed development should include more outdoor sports facilities/pitches.

8.3.25. In this regard, I have already outlined earlier in this section that the proposed development provides adequate public open space which caters for a range of recreational functions and user groups. And in section 8.2, I have outlined that it includes a multi-functional community/leisure facility which meets the requirements of LAP Objectives P4 and CMH11. Similarly, I consider that the proposed multi-purpose hall and changing rooms would result in enhanced sporting facilities/infrastructure for existing and future residents, which would be consistent with SLO 113 and OSR9. With regard to OSR10, I do not consider that the proposed

development would compromise the protection of existing facilities. And while I acknowledge that OSR10 supports the development of new playing fields throughout the county, I do not consider that there is a particular requirement or justification for new playing fields associated with the proposed development.

8.3.26. With regard to play facilities, CDP Objective OSR13 supports the provision of structured and unstructured play areas with appropriate equipment and facilities, incorporating and facilitating Nature-based Play, to cater for all needs and abilities. This is echoed in the LAP, whereby CMH11 requires the redevelopment of the site to include formal and informal play areas (minimum of 2 playgrounds) and Figure 3.2 identifies 2 'playground opportunity' locations on the application site (to be provided in accordance with Objective P2).

8.3.27. As discussed earlier in this section, the extensive open space network proposed provides for a broad variety of play and play spaces, both formal and informal, including a strong emphasis on nature-based play. There are two designated playgrounds located to the north of the site and in the community park in the south of the site. There are local play opportunities for residents within the communal podium spaces and there are further informal play opportunities throughout the site.

8.3.28. In addition to the above proposals, the SIA identifies a wide range of existing facilities including 'Parks, Playgrounds and Open Space', 'Sports Grounds and Golf Courses', and 'Sports Centres and Gyms'. Cumulatively, I am satisfied that the existing and proposed facilities for open space, sport and recreation will be adequate to cater for the needs of existing and future residents and that the proposal would not materially contravene the CDP in this respect.

8.3.29. Other facilities identified in the SIA can be summarised as follows:

- '*Community & Cultural Facilities'* – A wide range of facilities are identified within a 2km radius under the categories of 'community and conference centres', cultural facilities and organisations', civic services', and 'libraries'.
- '*Religious & Burial Facilities'* – A wide range of religious institutions and burial grounds were identified within the 2km radius.
- '*Healthcare Facilities*' – The site is within a 2.5km radius of St. Luke's Hospital, St. Vincent's University and Private Hospitals, and Beacon Hospital. It is served

locally by the HSE Primary Care Centres at Churchtown and Ballaly, the UCD Student Health Service and Dundrum Medical Centre. There is also a wide range of smaller health services/clinics, pharmacies, and nursing homes. In addition to this, the proposed development will provide a new medical unit (288m^2).

- *'Retail Centres & Services'* – The site is c. 1.6km by road to the north of Dundrum Town Centre, which is identified as a 'Level 2 – Major Town Centre' within the Retail Hierarchy for the Greater Dublin Area (GDA) set out in the CDP, while Nutgrove Shopping Centre is located c. 2.2km by road to the southwest and is identified as a 'Level 3 – Town and District Centre'. The SIA also identifies a wide range of other 'Shopping Centres' (including Dundrum Village Shopping Centre), 'supermarkets and greengrocers', 'convenience shops', and other retail services.

8.3.30. Having regard to the foregoing, I am satisfied that the quantity and quality of existing and proposed sports, recreation and community/social facilities are adequate to meet the requirements of existing and future residents and will comply with the relevant requirements as outlined in local policy (CDP/LAP) and national guidelines.

8.3.31. In terms of phasing, I note that third-party submissions have suggested that the proposed community infrastructure should be provided in Phase 1. As outlined in Table 4 of this report, the majority of supporting non-residential floorspace would be provided in Phase 1, including the retail units, restaurant, childcare facility, and management suite. The vast majority of public open space (c. 2 hectares) would also be provided in Phase 1, thereby making a significant contribution to community infrastructure. Furthermore, my earlier recommendations provide for the early provision of Blocks 2 & 6 (including medical centre and multi-purpose hall) in Phase 2, as well a requirement for redevelopment of the protected structures (including significant non-residential use) in tandem with the completion of Blocks 4 & 5.

8.3.32. The most significant omission from Phase 1 is the multi-purpose hall in Block 6. However, the relevant policy provisions (SLO113, P4, CMH11) do not require that this facility shall be provided in Phase 1. Chapter 9 of the LAP 'Implementation and Monitoring' simply outlines that the delivery of Objective P4 should be addressed in any application. As previously outlined, the facility would be provided in Phase 2, and I do not see any policy or practical impediment to this approach. I am satisfied that a consistent and commensurate scale of social/community infrastructure will be

provided throughout the Masterplan, thereby ensuring an appropriate balance between the delivery of much-needed housing and supporting facilities.

8.4. Residential Standards

8.4.1. This section assesses the standard of residential amenity for the proposed development having regard to the provisions of the CDP and relevant national guidelines. I note that the CDP makes several references to compliance with the standards outlined in the older 2020 version of the Apartments Guidelines. And while there are transitional provisions that apply the 2020 version of the Guidelines to 'Built To Rent' and 'Shared Accommodation/Co-living' developments, these do not arise in the current application. Accordingly, I am satisfied that the CDP references to the Apartments Guidelines should be interpreted as the relevant 2023 version[8].

Apartment sizes, dimensions, private amenity space

8.4.2. Section 12.3.5 of the CDP outlines quantitative standards for apartments, including unit sizes and dimensions, which are derived from the Apartments Guidelines standards and Specific Planning Policy Requirements (SPPRs).

8.4.3. In this regard, the application includes a 'Housing Quality Assessment' (HQA) and Appendix A outlines a schedule of areas for each unit in each residential block. This demonstrates that all proposed units exceed the minimum overall apartment floor areas as set out in SPPR 3. Furthermore, with regard to 'Safeguarding Higher Standards', the Guidelines requires that the majority of all apartments in any proposed scheme of 10 or more apartments shall exceed the minimum floor area standard for any combination of the relevant 1, 2 or 3-bedroom unit types, by a minimum of 10%. The HQA demonstrates that more than 50% of the proposed units exceed the requirements by more than 10%. Accordingly, the proposals satisfactorily address the requirements of minimum apartment sizes.

8.4.4. I have also reviewed the other requirements of Appendix 1 of the Apartment Guidelines for areas and widths in living/kitchen/dining areas, bedrooms and storage. In this regard, I have considered the HQA, including Appendix A (Apartments Schedule) and Appendix D (Unit Typologies), as well as the drawings submitted with the application. Having regard to the provisions of the Apartments

[8] As previously outlined, the 2025 version does not apply to this case

Guidelines, I am satisfied that the quantitative areas and widths are satisfactorily provided in accordance with the requirements and provisions of the Guidelines.

8.4.5. The proposed ground floor apartment ceiling heights are at least 2.7m, particularly where adjacent to non-residential uses. The upper floor residential floor to ceiling heights are at least 2.5m. Therefore, I am satisfied that the proposed ceiling heights are acceptable in relation to the requirements of the Apartments Guidelines (i.e. 2.7m at ground floor and 2.4m on upper floors), including SPPR 5.

8.4.6. All of the proposed units would also be provided with private amenity spaces which comply with or exceed the minimum area requirements as per Appendix 1 of the Guidelines. The spaces are at least 1.5m deep and in the vast majority of cases are accessed off the main living areas in accordance with the Guidelines.

8.4.7. The Guidelines outline that where ground floor apartments are to be located adjoining the back of a public footpath or some other public area, consideration should be given to the provision of a 'privacy strip' of approximately 1.5m in depth. LAP Objective CMH5 also requires the provision of privacy buffers for ground floor residential units. This has been addressed in the applicant's response to the Commission's request for Further Information. It is proposed to provide a combination of hedge and/or shrub planting as a buffer between public/communal areas and the ground/podium level apartments. I am satisfied that these proposals will appropriately protect the privacy of ground/podium level units.

Unit / Tenure Mix

8.4.8. Third-party submissions have raised concerns about the proposed mix and tenure of units, particularly the provision of 100% social & affordable housing and a lack of larger units. It has been contended that the proposed mix of units is a significant material contravention of s. 12.3.3.1 of the CDP.

8.4.9. Section 12.3.3.1 of the CDP states that apartment developments shall generally be in accordance with Table 12.1. For an 'existing built-up area', Table 12.1 outlines apartment mix requirements of: up to 80% studio, one and two bed units; no more than 30% of the overall development as a combination of one bed and studios; no more than 20% of the overall development as studios; and a minimum 20% 3+ bedroom units.

8.4.10. The application proposes to provide 342 no. 1-beds (36.6%), 450 no. 2-beds (48.2%), 140 no. 3-beds (15%), and 2 no. 5-beds (0.2%). The proposed development would not comply with the above requirements given that the combination of studio, one and two bed units (c. 84.8%) would exceed the 80% limit; the combination of studio (0) and one bed units (c. 36.6.%) would exceed the 30% limit; and the number of 3+ bed units (15.2%) would not meet the minimum requirement of 20%.

8.4.11. However, s. 12.3.3.1 of the CDP also confirms that '*Council Part 8 or Part 10 residential schemes, may propose a different mix having regard to the specific needs of the Council Housing Department*'. This is a Part 10 application, and the unit mix and tenure split are based on the requirements of the Dun Laoghaire Rathdown County Council's Housing Department for Social and Affordable Housing.

8.4.12. The application refers to the DLR Housing Delivery Action Plan 2022-2026 which identifies the area (Area 2) as having the highest '*2022-2026 target distributed by demand*'. In terms of housing typology, the Plan states: '*While more than 50% of the Council's current housing stock is made up of three and four-bedroom properties, DLR has been cognisant of changing demographics and the need for smaller homes. As a result, approximately 67% of all homes provided directly by DLR in the period from 2014 to 2021 have been 1 and 2-bed dwellings. The SHNA 2021 identifies that 61 per cent of people have a 1-bed housing need with a further 24.5 per cent with a two-bed need and the balance with a 3 or 4 bed need.'* The application also draws attention to the strong prevalence of existing lower density dwelling houses (3 bedrooms +) in the area immediately surrounding the site.

8.4.13. The proposed housing mix, which contains a greater proportion of smaller units, responds to this context and recognises the need for further variation of housing types to create an appropriate mix. The application outlines that the proposed tenure and unit mix was the subject of detailed engagement between Dún Laoghaire Rathdown County Council and the LDA and responds to a demonstrable undersupply of housing types in the area.

8.4.14. Having regard to the above, I consider that the proposed mix of unit sizes would be acceptable in accordance with the flexibility allowed for Part 10 applications in s. 12.3.3.1 of the CDP and that there would be no material contravention of the CDP in

this respect. Furthermore, it would be consistent with the provisions of SPPR1 of the Apartments Guidelines in that the combination of studios and 1-bed units would not exceed 50%; that studio units would not exceed 20-25%; and that no minimum requirement applies for 3+ bed units.

8.4.15. In addition to the mix of units in terms of 'size', the relevant policy provisions regarding house types and tenure are discussed in the following sections.

8.4.16. CDP Policy Objective PHP30 supports housing options for older people and persons with disabilities/mental health; supports the provision of specific purpose-built accommodation, including assisted living units and lifetime housing, and adaptation of existing properties; and promotes 'aging in place' opportunities for 'downsizing' or 'right sizing' within their community. This is generally supported in the LAP Policy DLAP20. LAP Objective H2 is a requirement that all new residential developments of 10+ units shall include a minimum of 25% of the total housing stock that is designed to facilitate an ageing population / people with a disability, and this is more specifically supported regarding the application site under CMH11.

8.4.17. In response to the above, the proposed development includes 2 No. 5-bed assisted living community homes in Block 2 and 52 no. 'right size for sale units' to allow households right size from larger homes to smaller units. The scheme also provides for Universal Design units (234 No. or 25%) located across the site in all Blocks allowing for a wide range of choice and catering to the different tenures. A number of the units, particularly in Blocks 2, 8 and 9 have own door access. Accordingly, I am satisfied that the proposed development appropriately addresses the aforementioned CDP/LAP housing requirements for older people and accessibility.

8.4.18. CDP Policy Objective PHP31 promotes the provision of social housing in accordance with the Council's Housing Strategy and Government policy, while more specifically LAP Policy DLAP21 supports the delivery of social housing by the LDA within the Central Mental Hospital lands. Consistent with this approach, the proposed development provides for 181 No. social housing units (19% of the total provision) based on the requirements of DLRCC.

8.4.19. In conclusion regarding the unit mix and tenure, I am satisfied that the proposed development successfully responds to the requirements of CDP Policy Objective PHP27 through a variety and choice of housing units by type and size so as to meet

the differing household need in the County. More specifically it also satisfactorily addresses CDP Objective SLO123, which requires a balanced mix of housing tenure, including affordable homes, and an acceptable mix of larger flexible units, and lifetime adaptable homes. And with respect to third-party concerns about the sale of units to investment funds, I am satisfied that this would not arise given that the social/affordable nature of the units would be controlled by DLRCC and the LDA as outlined in their response to the submissions received (see s. 6.3 of this report).

Aspect

8.4.20. SPPR 4 of the Apartments Guidelines outlines requirements for dual aspect units. As will be discussed in other sections of this report, I consider that the site is consistent with a 'central and/or accessible urban location' which would require a minimum of 33% dual aspect units as per SPPR 4(i). Notwithstanding this, section 12.3.5.1 of the DLRCDP outlines that 50% dual aspect units are required in all areas of the county as per SPPR 4(ii). Given that this application is being made by or on behalf of the local authority, I consider that the 50% requirement should apply in order to ensure consistency with the CDP in accordance with section 178(1) of the Act of 2000.

8.4.21. The applicants have addressed this matter in the response to the Commission's request for Further Information. The response rectifies incorrect figures used in the original HQA (Appendix B) to clarify that 467 (or 50%) of the 934 units would be dual aspect in compliance with s. 12.3.5.1 of the CDP. It has also now correctly classified units B10-00-19 and B10-00-20 as 'single aspect' units.

8.4.22. Section 12.3.5.1 of the CDP outlines further guidance on the definition of a dual aspect unit. It outlines that it must be designed with openable windows on two or more walls, allowing for views in more than just one direction. The windows may be opposite one another, or adjacent around a corner. The use of windows, indents or kinks on single external elevations, in apartment units which are otherwise single aspect apartments, is not considered acceptable and/or sufficient to be considered dual aspect and these units will be assessed as single aspect units.

8.4.23. In this regard, the Commission's request for Further Information requested clarification on the classification of several Block 7 units as 'dual aspect'. The applicants' response and my assessment of the relevant units can be summarised as follows:

Unit B07-00-05 – It is proposed to relocate an east-facing window further south near the corner of the unit. At this revised location I would accept that the adjoining steps would not obstruct oblique views to the southeast, including attractive views of the large open space between Blocks 5 & 6. The revised window location should be agreed as a condition of any approval.

Unit B07-00-03 – Similarly, the east-facing window is close to the northeast corner of the unit, and the adjoining steps/walls would not obstruct oblique views to the northeast, including the attractive open space adjoining the main hospital buildings.

Units B07-01-21, B07-02-21, B07-03-21, B07-04-21, B07-05-21, B07-06-12 – I acknowledge that the east-facing side windows are c. 4 metres from the adjoining wall. However, the eastern wing of Block 7 creates an obtuse angle with the front of these units, which facilitates views to the north from these east-facing side windows.

8.4.24. Having regard to the foregoing, I am satisfied that the applicants' classification of dual aspect units can be accepted, and that this would represent 50% of all units in compliance with section 12.3.5.1 of the CDP.

8.4.25. In addition to the above, the Apartments Guidelines state that, ideally, any 3-bedroom apartments should be dual aspect. All of the proposed 3-bed+ units are dual aspect in accordance with these recommendations.

8.4.26. For single aspect units, the Guidelines also state that the number of south facing units should be maximised, with west or east facing single aspect units also being acceptable. North facing single aspect apartments may be considered, where overlooking a significant amenity such as a public park, garden or formal space, or a water body or some other amenity feature. In this case the vast majority of single-aspect units would benefit from east, west, or south aspects. And in the very limited number of north-facing units, I am satisfied that the proposed units would appropriately overlook an element of the proposed open space network in accordance with the recommendations of the Guidelines.

8.4.27. In conclusion, I am satisfied tht the proposed development complies with the 'aspect' requirements as outlined in CDP policy and national Guidelines.

Lift / Stair Cores

8.4.28. In compliance with SPPR 6 of the Apartments Guidelines, I note that the proposed development would not exceed a maximum of 12 apartments per floor per core. The proposed cores and the associated corridors are appropriately located, designed, and ventilated/lit in accordance with the recommendations of the Guidelines.

Security Considerations

8.4.29. The proposed blocks and entrance points have been designed to overlook the public realm and communal spaces. This will satisfactorily provide users with a sense of safety and security in accordance with the recommendations of the Guidelines.

Accessibility

8.4.30. As previously outlined, the scheme provides for Universal Design units (234 No. or 25%) located across the site, and Block 2 accommodates Age-friendly living. The application is accompanied by a Universal Access Statement which demonstrates how the proposed development complies with the principles of Universal Design and Technical Guidance Document Part M (2022). The applicants' Architectural Design Report also outlines how public/communal spaces have been designed for users of all abilities. Accordingly, I am satisfied that this satisfactorily meets the accessibility requirements of the Apartments Guidelines and the CDP (including Policy Objective PHP36: Inclusive Design & Universal Access).

Internal Resident Amenities

8.4.31. This is not a BTR development which would require dedicated amenities and facilities specifically for residents as per SPPR 7(b) of the Apartments Guidelines. For 'standard' apartments developments, the Guidelines outline that communal rooms may be provided, particularly in some larger developments, although they should not generally be imposed as requirements. In line with these Guidelines, Objective H3 of the Dundrum LAP encourages the provision of accessible communal rooms and/or facilities for the use of future residents in new residential apartment developments of 50+ units.

8.4.32. The applicants have addressed this matter in the response to the Commission's Further Information request. In this regard, I acknowledge that the application proposes a range of communal facilities in Block 6 (1,749 sqm), which will be

available to the residents of the scheme and the public. Facilities include a series of community rooms, a multipurpose hall, changing facilities associated with the sports facilities, as well as ancillary facilities such as stores, kitchens and offices. It is confirmed that the design of Block 6 was informed by detailed consultation with the DLRCC Parks Department. Internal amenity facilities (130 sq.m.) are also proposed in Block 3 and other supporting facilities such as a childcare facility, medical centre, management suite, and retail/restaurant units are also proposed on site. I would accept that the scheme includes a high level of supporting residential uses and that the requirements of the Guidelines and LAP Objective H3 are not specific or mandatory. Accordingly, I am satisfied that additional amenities and facilities are not necessary in this case.

Waste

8.4.33. Appendix 6 of the CDP outlines guidance on waste management standards for residential/apartment developments. The application confirms that each apartment unit will have adequate storage provision to facilitate the recycling policy of DLRCC, and each building will have access to their own respective bin store. I am satisfied that the waste areas are easily accessible for residents/occupiers and refuse collectors and that storage facilities will also be adequately ventilated and lit in accordance with the recommendations of the CDP and the Apartments Guidelines. The application is accompanied by an Operational Waste Management Plan which outlines all legal requirements, waste policies and best practice guidelines and demonstrates that the required storage areas have been incorporated into the design of the development**.** I am satisfied that proposals in this regard would be acceptable.

External Storage

8.4.34. Section 12.3.5.3 of the CDP outlines that apartment schemes should provide external storage for bulky items outside individual units (i.e. at ground or basement level), in addition to the minimum apartment storage requirements. These storage units should be secure, at ground floor level, in close proximity to the entrance to the apartment block and allocated to each individual apartment unit. The Apartments Guidelines similarly state that '*Apartment schemes should provide storage for bulky items outside individual units*'.

8.4.35. The application and the applicant's response to the Further Information request outline that this is not a requirement of the Apartment Guidelines and contends that the Development Plan use of the term 'should' does not equate to a mandatory requirement. It highlights that residents have been provided with storage facilities within the apartments and for bicycles and contends that additional ground floor storage space would detract from the interface with adjoining space.

8.4.36. I would accept that there is a low proportion of larger 3+ bedroom units; that the individual units are generously sized in terms of floor areas and internal storage areas; and that, as outlined in section 8.7 of this report, the scheme provides external storage in the form of cycle parking which exceeds all relevant standards. However, consistent with the CDP and the Apartments Guidelines, I consider that some extent of external storage should be provided in this case.

8.4.37. Neither the CDP nor the Apartments Guidelines provide specific recommendations on the extent of such provision. However, having considered the nature, scale and design of the proposed development, I consider that external storage should be provided for the apartment blocks with higher numbers of larger 3-bed units, which would have more demand for such storage (i.e. Block 2 (29 units) and Block 3 (26 units). As outlined in section 8.7 of this report, the proposed cycle parking facilities exceed minimum requirements and, therefore, I am satisfied that external storage space could be facilitated within the basement bike store areas of these blocks while still meeting cycle parking requirements. Proposals in this regard could be agreed as a condition of any approval.

Communal Open Space

8.4.38. The CDP standards for the quantum of communal open space are consistent with those outlined in Appendix 1 of the Apartments Guidelines. Based on those standards, the proposed development and individual blocks would require the following:

Table 5: Communal Open Space requirements

Block	2[9]	3	4	5	6	7	8	9	10	Total
Required(m^2)	692	1014	589	710	229	1358	212	144	1074	6022
Proposed(m^2)[10]	1306.9	1017.6	866.4	1,021	230	1944.8	935	625	1440.6	9387.3

As outlined above, the proposals would significantly exceed requirements for both individual blocks and the overall scheme. I note that the applicants' HQA (as originally submitted) quotes lower figures for blocks 4 & 5 (508m^2 & 710m^2 respectively). However, the response to the Further Information request has clarified that this was an error and I am satisfied that the 'Open Space Plan' drawing accurately reflects the correct areas as per the above table.

8.4.39. Section 12.8.5.4 of the CDP also states that roof garden spaces will not normally be acceptable on a site where there is scope to provide communal open space at grade and that larger apartment schemes (50+ units) shall provide no more than 30% of the communal open space by way of a roof garden. Only 230m^2 roof garden space (Block 6) is proposed, which represents only c. 4% of the CDP requirement and c. 2.5% of the proposed space.

8.4.40. In terms of accessibility, the communal space is mainly concentrated in central ground/podium 'courtyard' areas within or directly adjoining the proposed blocks. All communal open spaces will be suitably accessible, designed, landscaped, and overlooked. Play areas are provided with the communal spaces for blocks 2, 3, 4, 5, 7 and 10. Together with the public play areas previously discussed, I am satisfied that there will be a suitable range of areas and play areas to cater for a range of ages and needs.

8.4.41. In conclusion, I consider that the proposed development significantly exceeds the quantitative requirements for communal open space. Furthermore, I am satisfied that the quality of the space is acceptable in terms of its design, layout, and functionality, and would comply with the requirements of the Apartments Guidelines and the CDP.

[9] Excluding 2 no. assisted living units and associated amenity space (569m^2)
[10] Based on Drawing no. DCD-02-SW-ZZZ-DR-RAU-AR-1004 'Open Space Plan'

Separation Distances

8.4.42. Section 12.3.5.2 of the CDP outlines that apartment developments should provide for acceptable separation distances between blocks to avoid negative effects such as excessive overlooking, overbearing and overshadowing effects. It does not specify a specific separation distance between *blocks*, but states that a minimum distance of circa 22 metres, in general, is required between opposing *windows* in apartments up to three storeys, while taller blocks may require a greater separation distance having regard to the layout, size, and design. In certain instances, depending on orientation and location in built-up areas, reduced separation distances may be acceptable. In all instances where the minimum separation distances are not met, the applicant shall submit a daylight availability analysis for the proposed development.

8.4.43. The Commission will note that, consistent with the NPF preference for performance-based standards (NPO 22), the Apartments Guidelines do not apply the 22m standard and advise against blanket restrictions on *building* separation distance. It highlights a need for greater flexibility in order to achieve significantly increased apartment development in cities and points to separate guidance to planning authorities as outlined in the Building Height Guidelines.

8.4.44. More recently, the Compact Settlement Guidelines outline that separation distances should be determined based on considerations of privacy and amenity, informed by the layout, design and site characteristics of the specific proposed development. SPPR 1 states that development plans shall not include an objective in respect of minimum distances that exceed 16 metres between opposing *windows* serving habitable rooms at the rear or side of houses, duplex units or apartment units above ground floor level. When considering a planning application for residential development, a separation distance of at least 16 metres between opposing *windows* serving habitable rooms at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained. However, it also states that separation distances below 16 metres may be considered acceptable in circumstances where there are no opposing *windows* serving habitable rooms and where suitable privacy measures have been designed into the scheme to prevent undue overlooking of habitable rooms and private amenity spaces.

8.4.45. Having regard to the foregoing, it is clear that both local and national policy allows for appropriate flexibility in separation distances. The development proposes that the separation distance between blocks/windows will generally exceed 16 metres or that the blocks will be placed at oblique angles to avoid direct opposition. I acknowledge that there are limited/localised instances where the separation distance will be less than 16m, including the following (distances below relate to opposing *blocks*, not necessarily *windows*):

- Between certain sections of Block 2 (4, 6, 7 and 9m);
- At the northern end of Block 4 (12-14m);
- Between the northern end of Block 6 and southern edge of Block 8 (14m);
- Between southern and western sections of Block 7 (8-14m); and
- Between certain sections of Block 10 (9-13m).

8.4.46. I have reviewed the detailed design of the interface between *blocks* and *windows* in these instances. In many cases, particularly where separation distances are shortest, I note that no direct overlooking will occur. In other cases, the distances are greater, and I am satisfied that appropriate design mitigation measures (particularly window location, angle, and design) have been included to ensure that there will be no unacceptable privacy/amenity impacts as a result of window/block proximity.

8.4.47. Accordingly, I am satisfied that separation distances are acceptable in accordance with the flexibility allowed in the prevailing national guidelines and s. 12.3.5.2 of the CDP. Furthermore, consistent with s. 12.3.5.2 of the CDP, I am satisfied that there would be no unacceptable daylight/sunlight impacts as will be outlined in section 8.6 of this report.

Conclusions on Residential Standards

8.4.48. Having regard to the foregoing, I am satisfied that, subject to conditions, the proposed development would comply with relevant national and local standards and would provide an acceptable standard of residential amenity for future residents. Further assessment of residential amenity/standards will be outlined separately in other sections of this report, including sections 8.6 (Daylight and Sunlight) and 8.7 (Traffic and Transport).

8.5. **Impacts on existing properties**

Separation Distances, Overlooking & Privacy

8.5.1. The third-party submissions raise concerns that surrounding properties will be overlooked by the proposed development, particularly the Friarsland/Larchfield properties to the east/south and the Annaville/Dundrum Road properties to the west. It has been contended that a minimum separation distance of 22m should be required and that there is a significant material contravention of sections 12.3.5.2 & 12.8.7.1 and Policy Objective PHP20 of the CDP.

8.5.2. In this regard, I have already outlined the provisions on s. 12.3.5.2 and the flexibility that applies to the stated 22m distance. Section 12.8.7.1 predominantly relates to private amenity space for houses (rather than apartments), but I acknowledge that it also references a 22m separation between directly opposing rear first floor windows. However, similar to s. 12.3.5.2, it is not an absolute requirement in that it is stated that it '*should usually be observed*', and s. 12.8.7.1 again outlines that reduced distances can be accepted. Ultimately, I acknowledge that CDP Policy Objective PHP20 is to ensure that the residential amenity of existing homes in the built-up area is protected where they are adjacent to proposed higher density and greater height infill developments. I also acknowledge that the vast majority of surrounding land is subject to zoning objective 'A', which includes the aim of protecting existing residential amenities.

8.5.3. In considering the surrounding properties, I note that Mulvey Park is to the north of the site. However, the northern end of the site is significantly buffered from Mulvey Park by the existing CMH buildings where no development is currently proposed. The closest development to Mulvey Park is at the northeast and northwest corners of the site where separation distances of 63-66 metres would apply.

8.5.4. The eastern side of the site bounds onto Friarsland Road properties, which includes a curved line of rear facades facing towards the proposed development. Due to this curved layout and the angled arrangement of Block 2, there are no directly opposing windows. The shortest separation distance between Block 2 and an existing property is c. 18 metres and any distance between windows would be greater and would benefit from an angled arrangement and existing screening provided by the perimeter wall and adjoining vegetation.

8.5.5. Blocks 3 & 4 also face towards the rear (western) facades of the Friarsland Land properties. However, these blocks would provide significant separation distances of 106 metres and 50 metres respectively.

8.5.6. To the south, Blocks 4 & 5 also face towards the rear (northern) facades of the Larchfield Road properties. However, these blocks would provide significant separation distances of 44 metres and 70 metres respectively.

8.5.7. In addition, there are 'backland' properties between Larchfield Road and the application site, i.e., nos. 85[11] & 87. Having inspected these houses, I note that they do not include above-ground level windows facing towards the development. In any case, separation distances would exceed 16 metres.

8.5.8. To the west, the proposed development bounds onto the Annaville/Sommerville properties. The western end of Block 6 contains ground level community service rooms, and the first-floor level is limited to high-level windows serving the proposed hall and a communal rooftop space which is suitably setback c. 22 metres from the nearest property. The residential properties/windows are restricted to the eastern side of the block, at a distance of c. 38 metres from the nearest properties.

8.5.9. Block 7 is set back a significant distance of c. 50 metres from the Annaville properties to the west and would not result in any significant privacy or overlooking impacts.

8.5.10. Block 8 predominantly backs onto blank side gables within the Annaville area and separation distances range from c. 13-18 metres. Although it is noted that there are first-floor gable windows in No. 24 Annaville Park, an adequate separation distance of c. 19 metres would be maintained at this point. I note that a current planning application[12] for No. 24 Annaville Park proposes additional first floor accommodation with office windows, although a satisfactory separation distance of c. 16 metres would still be maintained from Block 8. And while the northern end of Block 8 wraps around the rear of No. 2 Annaville Grove, a separation distance of c. 24 metres would still be maintained at first-floor level.

[11] No. 85 appears to be recorded as multiple properties according to some sources (i.e. Google Maps and Eircode Finder). After inspecting the site, it is one property with several outbuildings.
[12] P.A. Reg. Ref. D25A/0724/WEB

8.5.11. Block 9 predominantly backs onto the rear of properties in Annaville Grove and Annaville Terrace (Nos. 4 & 5). First-floor separation distances range from c. 24-28 metres in Annaville Grove and are c. 12 metres in Annaville Terrace. However, in the case of No. 4 Annaville Terrace, it is noted that the directly opposing Block 9 windows would serve bathroom/landing areas and not habitable rooms. I acknowledge that the proposed Block 9 windows to the rear of No. 5 Annaville Terrace would serve living/bedroom areas (Unit B09-01-05). However, the proposed living room window would only oppose existing sloped rooflights in No. 5, while the proposed bedroom window would have only an offset interface with an existing dormer window in No. 5. Furthermore, overlooking impacts would be mitigated through the screening provided by the existing perimeter wall.

8.5.12. Block 9 also includes a western element adjoining No. 1 Annaville Park (on the Dundrum Road). The existing and proposed development would generally have a perpendicular arrangement, with the nearest first-floor windows setback c. 8 metres to the north of the dividing boundary wall. There would be no opposing windows, and the significant height of the existing boundary wall would protect the amenity value of the existing rear garden.

8.5.13. Block 10 is set back a significant distance of at least 40 metres from the Annaville properties to the south. To the west, it is c. 28 metres from the nearest properties on Dundrum Road and this busy route provides an established public buffer between the existing and proposed properties.

8.5.14. In conclusion regarding privacy and overlooking impacts, I would again highlight the previously referenced standard for 16-metre separation distances as per the Compact Settlement Guidelines. As outlined in the foregoing, I have considered the separation distances and proposed interfaces between existing and proposed properties. The 16-metre separation distance for blocks/windows is achieved and/or significantly exceed in the vast majority of cases. And while there are limited cases where it is not, I acknowledge that the CDP and SPPR1 of the Compact Settlement Guidelines allow for flexibility and reduced distances. In any such cases, I consider that the proposed design and mitigation measures will satisfactorily protect privacy and amenity. Accordingly, I am satisfied that proposals and any associated impacts would be acceptable in accordance with national Guidelines and CDP policy. The proposed development would not materially contravene sections 12.3.5.2 & 12.8.7.1

of the CDP, and existing residential amenity would be appropriately protected in accordance with Policy Objective PHP20 and the zoning objectives of the CDP.

Overbearing Impacts

8.5.15. Related to the matter of separation distances, third-party submissions have also outlined concerns that properties will suffer overbearing impacts as a result of the height and scale of the development. In this regard, I consider that the proposed height strategy has been designed to step down from the centre of the site towards the proposed boundaries as follows:

- Block 2 comprises mainly 2 and 3-storey development to the rear of the Friarsland properties, with the 6-storey element being significantly setback c. 50 metres and facing side-on to the rear of Friarsland. The 3 & 5-storey elements at the northern end are also significantly setback at least 50 metres from any properties in Mulvey Park.
- Block 3 comprises 6 and 8-storey elements which are setback c. 106m and 140m respectively from the Friarsland properties.
- The closest elements of Block 4 are 4-storey and are setback at least c. 50m and 40m from the Friarsland and Larchfiled Road properties respectively. The 6-storey element is setback further to the north.
- The southern end of Block 5 is 4-storey and is setback at least 70 metres from the Larchfield Road properties. Block 5 gradually rises to 5 & 6-storey at greater separation distances to the north. As previously outlined, I acknowledge the presence the closer 'backland' properties (Nos. 85-87) to the rear of Larchfield Road. However, the two wings of Block 5 face side-on to these properties. No. 87 would directly adjoin the proposed courtyard open space, and the existing perimeter wall would largely screen views of the development from ground level (there are no first-floor north-facing windows). The no. 85 house faces east-west (away from the development) and has only one small north-facing opening which would not be significantly affected.
- The western end of Block 6 is limited to 1 & 2-storey, while the 4-storey residential element is setback at least 35 metres from the nearest properties to

the west (Annaville Lodge and No. 25A Annaville Park). Furthermore, these properties predominantly face north-south, away from Block 6 to the east. The rear of some Sommerville properties do face east towards Block 6, but at a significant distance of at least 57 metres from the 4-storey element.

- The western end of Block 7 is 6-storey and setback at least c. 50m from the side elevations of the nearest Annaville Park properties, which generally face north-south away from Block 7. The 7-storey element of Block 7 is setback at least 80 metres from the nearest of these properties.
- I have previously outlined the separation distances for Blocks 8 & 9 in relation to the adjoining properties to the west and south respectively. Blocks 8 & 9 are limited to 2-storey height, which is consistent with the majority of existing adjoining properties.
- The southern end of Block 10 comprises 5 & 6-storey blocks which are at least 50 metres from any existing properties to the south. The western end is 5-storey and is at least 28 metres from any existing properties along the existing busy route of the Dundrum Road. The north-eastern end is 7-storey and is at least 66 metres from the nearest properties in Mulvey Park.

8.5.16. Having regard to the above, including the scale, height and design of the proposed development; the significant separation distances; the nature and location of existing development; my inspection of site; and the photomontage images showing the relationship between existing and proposed development; I am satisfied that the height and design strategy for the site perimeter will satisfactorily ensure that there will be no unacceptable overbearing impacts for existing properties. I consider that separation distances are acceptable and would not materially contravene sections 12.3.5.2 & 12.8.7.1 of the CDP, and that existing residential amenity would be appropriately protected in accordance with Policy Objective PHP20 and the zoning objectives of the CDP.

Construction Impacts

8.5.17. The third-party submissions have raised concerns about excessive construction disruption/nuisance, including impacts relating to noise, vibration, dust, structural damage, and traffic. Suggestions have also been made in relation to the control and

management of the construction process, including requirements for community liaison; compliance/monitoring of the CEMP; construction hours; and the satisfactory completion of individual phases.

8.5.18. At the outset, I would highlight that the redevelopment of this large and significant site is firmly supported by CDP and LAP policy. The submissions also express general support for the principle of redevelopment. Accordingly, it is inevitable that there will be construction disturbance if the site is to be comprehensively redeveloped in accordance with proper planning and sustainable development.

8.5.19. The construction-related impacts are identified and assessed in detail in the EIAR and throughout section 10 of this report. In summary, the following is noted:

- The potential for 'slight' dust-related nuisance and human health impacts is acknowledged. However, dust mitigation measures will be incorporated into the CEMP to avoid any significant or unacceptable impacts. Dust-related impacts and assessment is outlined in more detail in Chapter 11 of the EIAR and in section 10.10 'Air' of this report.
- The potential for 'significant to very significant' noise impacts at the nearest Noise Sensitive Locations is acknowledged, while vibration impacts are predicted to be imperceptible. Best practice noise and vibration control measures will be included as outlined in Chapter 13 of the EIAR. And while construction noise impacts may still be significant after mitigation, I consider that this will be acceptable given the temporary and localised nature of the impact.
- The EIAR confirms that a feedback mechanism will be established to engage with residents/community, and that a monitoring plan for noise, vibration, and dust will be prepared.
- The EIAR confirms that construction waste will be appropriately managed (including a Resource Waste Management Plan (RWMP)) to ensure that any impacts will be imperceptible.

8.5.20. The applicants' response to submissions also confirms that the LDA requires Main Contractors to be part of the 'Considerate Constructors Scheme' and all

developments have a Residents Liaison Officer who will be available to brief neighbours on construction progress.

8.5.21. In accordance with the above, I consider that the construction stage impacts would not result in any unacceptable effects, and I am satisfied that appropriate measures will be in place for the monitoring and management of the construction impacts in liaison with the local community.

8.5.22. With regard to working hours, third-party submissions have requested that operations should be limited to 8am–6pm (Mon – Fri) and 9am-1pm (Sat). However, the CEMP proposes that working hours will be 7am–7pm (Mon – Fri) and 8am-2pm (Sat). I consider that the proposed hours are reasonable, and a suitable condition should apply in this regard.

8.5.23. Consistent with third-party submissions, I would agree that individual phases should be satisfactorily completed before starting the next phase. A suitable phasing condition should apply in this regard.

8.5.24. In relation to concerns about potential structural damage to surrounding properties, I have considered the nature and scale of the proposed development and its relationship with surrounding properties. The construction stage will involve the excavation of c. 78,000m^3 of soil and stone and I note that lower ground/basement levels are proposed in association with Blocks 2, 3, 4, and 10.

8.5.25. As discussed in section 10 of this report, the EIAR outlines the results of detailed site investigations and confirms that maximum excavation depths are anticipated to extend 4.5m below ground level. The impacts on the underlying bedrock geology are predicted to be minimal, with maximum excavation depths terminating c.4.0m above encountered bedrock levels. Chapter 13 of the EIAR also outlines that demolition-related vibration impacts are likely to be imperceptible and that excavation-related vibration is likely to be limited. Considering the low vibration levels at very close distances to the excavation, the EIAR concludes that vibration levels at the nearest buildings are not expected to pose any significance in terms of cosmetic or structural damage. Notwithstanding this, a range of best practice vibration control and monitoring measures will be implemented.

8.5.26. Having regard to the above, and the significant separation distances to existing properties as previously discussed, I am satisfied that there would be no

unacceptable structural risks and that any such impacts will be properly controlled and monitored. In any case, any incident of damage to third-party property would be a civil matter for resolution between the relevant parties.

8.5.27. Having regard to the foregoing, I do not consider that there would be any unacceptable construction-related impacts for existing properties. Construction-related traffic issues are considered separately in section 8.7 of this report.

Operational Noise

8.5.28. Concerns have been raised about noise from operational traffic levels, including traffic associated with the proposed road along the eastern site boundary to the rear of the Friarsland properties. More general operational noise concerns have also been raised based on the height and scale of the development.

8.5.29. Regarding operational traffic on the proposed internal roads, the EIAR considers impacts on the existing internal access road (Link 8 in the EIAR) and the proposed new access road (Link 9). For Link Road 8, no change in the existing baseline noise level is predicted. For Link Road 9, the predicted traffic noise level at the nearest residential Noise Sensitive Locations (NSLs) to the south (N4, at a distance of c. 30 metres) is 51 dB LAeq,1hr, which is below the daytime criterion of 55 dB $L_{Aeq,1hr}$ and is 0 - 2 dB above the measured ambient noise levels at this location (UN2). An increase of 3 – 4 dB(A) in the existing baseline is predicted, which is considered only a slight negative effect.

8.5.30. Although the EIAR does not examine all roads within the development, I consider that the selected Link 9 is representative of the highest vehicle movements at the entrance to the development. The distance between Link 9 and the nearest NSL (N4 @ 30 metres) is also generally reflective of distances to most NSLs surrounding the site. And while I acknowledge that closer NSLs may occur, I consider that lower traffic volumes would be generated in other parts of the site, including the roads at the eastern extremity adjoining the Friarsland properties where traffic would be significantly lower. Consistent with the EIAR, I am satisfied that the traffic movements within the development would generate only slight negative noise effects which would be typical of new residential development and would not result in any unacceptable impacts for surrounding properties.

8.5.31. The EIAR also considers operational noise from building services and plant. The specific design details have not been finalised, but the EIAR outlines that cumulative operational noise levels at the nearest on-site noise sensitive locations will be designed/attenuated to meet the relevant BS 4142 noise criteria for day and night-time periods. Given that the on-site NSLs are much closer than the off-site NSLs, I am satisfied that there will be no significant impacts for surrounding properties.

8.5.32. Otherwise, the EIAR considers operational noise associated with deliveries, car-parking, the creche playground, and external seating in commercial areas. Consistent with the EIAR, I am satisfied that no significant noise effects will occur and that the noise effects will be generally consistent with the existing residential character of surrounding development.

Other Issues

8.5.33. The third-party submissions request clarification on noise, traffic, and parking issues associated with the proposed extension of the active travel route through Rosemount Green. I note that the application proposes to bring the proposed active travel route to the southern site boundary with Rosemount Green. However, the application does not include its extension through Rosemount Green, and it is stated that this will be facilitated by DLRCC as part of the overall improvements to the interface between the application site and Rosemount Green. Therefore, these works do not form part of the current application and cannot be considered by the Commission.

8.5.34. Similarly, concerns about inadequate detail on the 'proposed District Heating Plant' are acknowledged but this is not proposed as part of the application. A feasibility study for district heating systems was carried out, including a heating strategy comparison for individual and communal district heating networks. Third-party district heating and waste heat networks outside the development's curtilage were excluded from this study, as it was found there is no current heat networks in the area and the development in not located in a SEAI district heating candidate area. The proposed development will rely on a centralised community heating network system which can future proof the development if district heating becomes available in the area in future. The system will include a centralised Air Source Heat Pump compound in each block. The nature and scale of the proposed system is consistent with modern residential development and the ASHP compounds will be enclosed, either internally

within the ground/basement level of the blocks or in separate external structures. The EIAR has considered the potential noise impacts on the ASHPs and has satisfactorily demonstrated that mitigation measures will be implemented to achieve noise design criteria at the nearest Noise Sensitive Locations. Having regard to the foregoing, I am satisfied that there will be no unacceptable impacts associated with the proposed heating system.

8.5.35. It has been submitted that the application lacks appropriate 3D modelling and computer-generated images (CGIs) to demonstrate the effects on existing properties. However, I consider that the application includes a comprehensive package of drawings and documents, including but not limited to, section drawings, an Architectural Design Report, Daylight and Sunlight Assessments, the EIAR, and CGI photomontages. As outlined throughout this report, I consider that the information is adequate for the consideration of effects on existing properties.

8.5.36. Concerns have been raised about potential light pollution impacts associated with the proposed taller buildings. The EIAR acknowledges that light spill from the development will increase from the current baseline level, but that significant security lighting was present on site during the former use of the site as the Central Mental Hospital. In response to potential biodiversity impacts, design mitigation will ensure that lighting levels are reduced, and a post-construction light spill assessment will be carried out, which will also mitigate light impacts for surrounding properties. Similarly, design measures incorporated to maximise natural daylight will reduce the need for artificial lighting. The application is accompanied by a Public Lighting Report which illustrates that any significant horizontal illuminance will be contained within the site. Accordingly, I am satisfied that the light impacts associated with the proposed buildings and all associated lighting would be adequately designed and distanced from surrounding properties. The light impacts can be accommodated within an existing built-up area and would not seriously detract from the amenities of surrounding properties.

8.5.37. Third-party submissions have suggested that liaison groups should also be established to oversee the ongoing operation of the development. The application is accompanied by a Management Strategy Report which sets out the management strategy for the development, including its community areas / facilities, public spaces, residential amenities and apartments. It outlines that a property

management agent will be appointed to oversee the management of the development on behalf of the Owners' Management Company. The Management Company's responsibilities will include stakeholder/community engagement. Together with the involvement of the LDA and DLRCC, I am satisfied that this will provide adequate opportunity for liaison.

Conclusion

8.5.38. As previously outlined, it is clear that the site should be redeveloped, and it is inevitable that this will have impacts on surrounding properties. However, I have considered the impacts associated with the development and I do not consider that this would result in any unacceptable effects. Similarly, I do not consider that the proposed development would seriously injure the amenities of the area to such an extent that would adversely affect the value of property or inhibit the potential future development of existing properties. Accordingly, I am satisfied that the amenities of existing properties would be suitably protected in accordance Objective PHP20 and zoning objective 'A' of the CDP.

8.5.39. Other impacts on surrounding properties relating to daylight/sunlight and traffic are considered in the following sections of this report (sections 8.6 and 8.7 respectively).

8.6. Daylight and Sunlight

8.6.1. This section considers the daylight and sunlight standards/impacts for both the proposed development and existing properties/spaces.

Policy & Standards

8.6.2. Section 3.2 of the Building Height Guidelines outlines that the form, massing and height of proposed developments should be carefully modulated so as to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light. The Guidelines state that '*appropriate and reasonable regard'* should be taken of quantitative performance approaches to daylight provision outlined in guides like the BRE (BR 209) 'Site Layout Planning for Daylight and Sunlight' (2nd edition, 2011) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'. Where a proposal may not be able to fully meet all the requirements of the daylight provisions above, this must be clearly identified and a rationale for any

alternative, compensatory design solutions must be set out, in respect of which the planning authority or An Bord Pleanála should apply their discretion.

8.6.3. The Sustainable Urban Housing Design Standards for New Apartments Guidelines (2023) also highlight the importance of providing acceptable levels of natural light. Planning authorities are advised to weigh up the overall quality of the design and layout of the scheme and the measures proposed to maximise daylight provision with the location of the site and the need to ensure an appropriate scale of urban residential development. Planning authorities should ensure appropriate expert advice and input where necessary and '*have regard*' to quantitative performance approaches to daylight provision outlined in guides like A New European Standard for Daylighting in Buildings EN17037 or UK National Annex BS EN17037 and the associated BRE Guide 209 2022 Edition (June 2022), or any relevant future guidance specific to the Irish context. Again, where an applicant cannot fully meet all of the requirements of the daylight provisions above, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, which planning authorities should apply their discretion in accepting.

8.6.4. More recently, the Compact Settlement Guidelines also acknowledge the importance of daylight and sunlight, both within the proposed development and in the protection of existing residential amenities. In cases where a technical assessment of daylight performance is necessary, '*regard should be had'* to quantitative performance approaches to daylight provision outlined in guides like A New European Standard for Daylighting in Buildings IS EN17037:2018, UK National Annex BS EN17037:2019 and the associated BRE Guide 209 2022 Edition (June 2022), or any relevant future standards or guidance specific to the Irish context. In drawing conclusions in relation to daylight performance, planning authorities must weigh up the overall quality of the design and layout of the scheme and the measures proposed to maximise daylight provision, against the location of the site and the general presumption in favour of increased scales of urban residential development.

8.6.5. At local policy level, the Development Plan also acknowledges the importance of good levels of sunlight and daylight in relation to communal open space (s. 12.8.5.3), house design (s. 12.3), and block separation (s. 12.3.5.1). Section 12.3.4.2 requires a daylight analysis for all proposed developments of 50+ units, which should also consider the impact on existing habitable rooms. It states that development '*shall be*

guided by the principles of' Site Layout Planning for Daylight and Sunlight, A guide to good practice (BRE Report, 2011) and/or any updated, or subsequent guidance.

Information submitted

8.6.6. The application includes an 'Internal Daylight, Sunlight and Overshadowing Report' for the proposed development. It was prepared based on the latest BRE Guide (2022) and BS EN 17037:2018 (including the UK Annex), both of which are referenced in the Compact Settlements Guidelines and the Apartments Guidelines. It also includes a 'Daylight & Sunlight Impact on Neighbouring Properties Report', which is also based on BRE Guide (2022). These reports were updated in the Further Information response, which also included an 'Overshadowing Report' (based on BRE Guide (2022)) addressing impacts on surrounding gardens.

8.6.7. I acknowledge that the Building Heights Guidelines (2018) and the CDP (2022) refer to earlier versions of the BRE Guide (2011) and BS 8206-2: 2008. However, the references are to guides '*like*' these and/or any updated or subsequent guidance. The more recent updated guidance and standards applied by the applicants are consistent with those referenced in the Apartments Guidelines (2023) and Compact Settlements Guidelines (2024). Furthermore, they are both 'like' those referenced in the Building Height Guidelines and updates on those referenced in the CDP. Accordingly, I consider it appropriate to apply the more recent standards used by the applicants in my assessment.

8.6.8. At the outset, I would also highlight that the standards described in the BRE guide allow for flexibility in terms of application. Paragraph 1.6 of the guide states that the advice given '*is not mandatory*', '*should not be seen as an instrument of planning policy*', and '*Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design'*.

8.6.9. I have considered the reports submitted by the applicants and have had regard to the BRE Guide (2022) and BS EN 17037:2018 (including the UK Annex). I have carried out a site inspection and had regard to the interface between the proposed development and its surroundings, as well as the submissions from 3rd parties.

Daylight to Proposed Dwellings

8.6.10. BS EN 17037:2018 “Daylight in buildings” is similar to the IS EN 17037 used in Ireland. Following a review of by a dedicated commission of UK experts, the British Standard Institution appended a UK National Annex which noted that the new recommendations “may not be achievable for some buildings, particularly dwellings” and specifically mentions dwellings in a dense urban area or with tall trees outside. The annex goes on to suggest lower recommended light levels for dwellings, in line with those of the previous version of the British Standard, BS8206-2:2008.

8.6.11. BS EN 17037 suggests two possible methodologies for appraising daylight: the ‘Illuminance Method’ and the ‘Daylight Factor Method’. The Illuminance Method is the preferred methodology and is used in the applicants’ report. Climate Based Daylight Modelling (CBDM) is used to predict daylight illuminance using sun and sky conditions derived from standard meteorological data. BS EN 17037 sets out minimum illuminance levels (300 lux) that should be exceeded over 50% of the space for more than half of the daylight hours in the year. It also includes recommendations for medium and high daylighting levels within a space (500 lux and 700 lux respectively). It should be noted that these targets are specified irrespective of a space’s use or design.

8.6.12. As previously outlined, the UK National Annex outlines alternative targets of 100lux for bedrooms, 150 lux for living rooms, and 200 lux for living/kitchen/diners, kitchens, and studios. The BRE Guide outlines that where a room has a shared use, the highest target should apply. However, discretion could be used, for example, by using the target for a living room for a combined living/ dining/kitchen area if the kitchens are not treated as habitable spaces.

8.6.13. The applicants’ reports outline that 2380 (91%) of the 2610 rooms meet or exceed the minimum daylight illuminance levels. This is based on using the higher 200 lux target for multiuse rooms including a kitchen (LKDs). If the alternative 150 lux target for these rooms is used (consistent with the discretion referenced in the BRE Guide), a total of 2496 (96%) rooms would meet or exceed the targets.

8.6.14. Therefore, a total of 114 rooms would fall short of the lux targets, comprising 111 LKDs and 3 bedrooms, as is summarised below:

Table 6: Performance of rooms falling short of lux targets

Type of room	Lux Target	Lux Value	No. of rooms
LKD	150	140 - 150	19
LKD	150	120 - 140	35
LKD	150	100 - 120	22
LKD	150	80 - 100	24
LKD	150	49 - 79	12
Bedroom	100	59-79	3

8.6.15. The report outlines that in most cases the kitchens have been positioned at the rear of the room to maximise levels of light within the living areas. It considers that if the living areas were considered separately then the test would report much greater levels of light to be enjoyed by occupants, which should be considered acceptable overall. As recognised by the Apartments Guidelines, the report outlines that shortfalls are an inevitable consequence of balancing other design requirements and site constraints. However, it concludes that whilst lower levels of daylight are achieved in some habitable rooms, suitable compensatory measures are included.

8.6.16. In relation to the LKD results, I would accept that the higher target (i.e. 200lx) is more appropriate in a traditional house layout. In apartment developments, it is a significant challenge for large open plan kitchen/living/dining rooms to achieve 200lx, and even more so when higher density and balconies are included. Therefore, there are often challenges in urban schemes in meeting the 200lx target in all instances. To do so may unduly compromise the design/streetscape quality and, consistent with the BRE Guide, I acknowledge that an alternate 150lx target can be considered more appropriate. Based on this alternate target, I consider that the proposed development would achieve a high rate of compliance at 96%.

8.6.17. As previously outlined, the Apartments Guidelines and Building Height Guidelines provide for alternative, compensatory design solutions and discretion based on context and wider planning objectives. Similarly, the Compact Settlement Guidelines outline the need to weigh up daylight standards against the overall quality of the scheme and the general presumption in favour of increased scales of urban residential development. In this regard, I am satisfied that the application has identified where the proposal does not meet the relevant daylight provisions of the

BRE Guide. I am satisfied that this would constitute an acceptable portion of the overall development and that this would not be untypical in this type of development.

8.6.18. For rooms that have not met the target lux values, Appendix A of the applicants' 'Statement of Consistency' outlines the proposed compensatory measures. For each unit, compensatory measures apply to include at least: an attractive view; dual aspect; universal design; own-door access; an oversized apartment; or an oversized amenity space. In the vast majority of cases, the unit would benefit from at least two of these compensatory measures.

8.6.19. In addition to the measures for individual units, I consider that the following features provide compensatory measures within the overall scheme as a whole (refer to sections 8.3 and 8.4 of this report for details):

- Provision of 2.9ha (30%) high-quality public open space, which comfortably exceeds the minimum requirement of 25%;
- Provision of a range of recreational, commercial, and community facilities;
- A high proportion of dual aspect units (50%), which would significantly exceed the requirements for 'central and/or accessible locations' as per the Apartments Guidelines (33%);
- Provision of internal resident amenities and facilities; and
- Communal open space which would significantly exceed requirements.

8.6.20. Having regard to the foregoing results; the compensatory measures within the proposed scheme; and the need to achieve wider planning objectives on this site such as regeneration and streetscape solutions; I am satisfied that the proposed daylight standards are acceptable in accordance with BRE guidance; CDP provisions; and section 28 guidance outlined in the Apartments Guidelines and the Building Height Guidelines. Furthermore, I would highlight that the Compact Settlement Guidelines do not specify a requirement for alternative compensatory measures, and these Guidelines take precedence over the Apartments Guidelines and the Building Height Guidelines.

<u>Sunlight to proposed living spaces</u>

8.6.21. The 2022 BRE guide refers to BS EN17037, which recommends minimum, medium and high recommended levels for sunlight exposure. This is measured via the

duration received to a point on the inside of a window on a selected date (21st March) and gives a minimum target of 1.5 hours, medium target of 3 hours, and high target of 4 hours. Section 3.1 of the Guide outlines that a dwelling will appear reasonably sunlit if it has at least one main window facing within 90° of due south and a habitable room, preferably a main living room, can receive at least 1.5 hours of sunlight on 21st March.

8.6.22. The applicants' results show that 789 out of the 934 tested dwellings (85%) achieve the recommended sunlight exposure during the equinox. Most of these units (739 or 79%) do so in the living room, and 605 (65%) of the tested units have at least one south-facing window. Lower levels of sunlight are seen in units facing north and those on the lower floors or facing within courtyards, where units naturally have a lower expectation for sunlight in mid-season.

8.6.23. I would acknowledge that the BRE recommendations are intended to be applied flexibly and that the Guide accepts that sunlight criteria are unlikely to be met for all apartments, particularly where rooms face significantly north of due east or west and where higher density schemes are proposed. And while s. 3.1.7 of the BRE Guide outlines the aim to minimise the number of dwellings whose living rooms face solely north, northeast, or northwest, it also allows for exceptions when there is some compensating factor such an appealing view to the north.

8.6.24. I would highlight that the requirement for compensatory measures (as per the Apartments Guidelines and Building Height Guidelines) applies to daylight standards, not sunlight. However, Table 5.1 of the CDP Building Height Strategy also refers to compensatory measures in the context of sunlight standards. In any case, Appendix A of the applicants' 'Statement of Consistency' outlines proposed compensatory measures for units that do meet the BRE sunlight criteria. The measures are consistent with those outlined for the units with daylight shortfalls, and almost all units would benefit from at least two of the proposed measures as well as the wider design measures that apply to the overall scheme.

8.6.25. Having regard to the applicants' results and compensatory measures, I am satisfied that the proposed development would provide an acceptable level of sunlight to the proposed living areas in accordance with BRE guidance.

Sunlight to the proposed open spaces

8.6.26. The BRE Guide recommends that at least half of the proposed space should receive at least two hours of sunlight on 21st March. The applicants' report tests eleven communal amenity areas at ground level and six courtyards (Blocks 2, 3, 4, 5, 7 and 10). It also tests eight areas at roof level, although I note that only one of these spaces (Block 6) is intended to be used as an amenity space.

8.6.27. I note that the main public open spaces would receive excellent levels of sunlight, with >80% in all cases receiving at least 2 hours of sunshine on 21st March. The vast majority of communal courtyard/rooftop spaces would also significantly exceed the criteria. Block 7 would achieve 63%, while Blocks 2, 4, 5, 6, and 8 would achieve greater than 75%. The report also outlines that the total hours of sunshine significantly exceed the 2-hour requirements in many cases, and that the scheme would achieve excellent levels of sunshine on the 21st of June.

8.6.28. Blocks 3 and 10 would both achieve a result of 41% for 21st of March. However, the applicants' report provides results of alternative tests which demonstrate that these spaces would comply with the 50% standard on the 11th of April and 28th of March respectively. I would concur that this represents a small shortfall which can be accepted in accordance with the flexibility of the BRE Guide.

8.6.29. I also note that only 3% of the area south of Block 9 would comply with the 2-hour standard for 21st of March. However, this is a narrow space which is bounded by the high perimeter wall to the south. Accordingly, it is to be expected that the space would receive minimal sunlight. I consider this to be a peripheral/incidental space, and I am satisfied that occupants could still avail of convenient access to the high-quality space and sunlight available in the public open space to the north of Block 9.

8.6.30. Having regard to the above, and notwithstanding the identified shortfalls, I am satisfied that the overall extent and quality of sunlight to open space is acceptable in accordance with the flexibility of the BRE Guide.

Sunlight & Daylight to existing properties

8.6.31. The BRE Guide recommends that loss of sunlight should be checked for main living rooms of dwellings and conservatories if they have a window facing within 90° of due south and any part of a new development subtends an angle of more than 25° to the

horizontal measured from the centre of the window in a vertical section perpendicular to the window. If the centre of the window can receive more than one quarter of annual probable sunlight hours (APSH), including at least 5% of APSH in the winter months between 21 September and 21 March (WPSH), then the room should still receive enough sunlight. If the window already receives less than this, a reduction to less than 0.8 times its current value and a reduction of more than 4% of annual probable sunlight hours over the year may lead to the room it serves appearing colder and less cheerful and pleasant.

8.6.32. For daylight, the BRE Guide outlines that if any part of a new building or extension, measured in a vertical section perpendicular to a main window wall of an existing building, from the centre of the lowest window, subtends an angle of more than 25° to the horizontal, then the diffuse daylighting of the existing building may be adversely affected. This will be the case if either, the Vertical Sky Component (VSC) measured at the centre of an existing main window is less than 27%, and less than 0.80 times its former value, or the area of the working plane in a room which can receive direct skylight is reduced to less than 0.80 times its former value.

8.6.33. Based on the above, the applicants' report excludes the need to assess daylight and sunlight for several properties to the north (in Mulvey Park) based on the 25º test referenced in the BRE Guide. Otherwise, the report considers the daylight and sunlight impacts on 1099 windows in 155 no. residential properties surrounding the site. A very high majority of 151 (97.4%) of the properties would comply with both the daylight and sunlight requirements. The minority of properties which would not are discussed in the following sections.

8.6.34. The property identified as 'Sorrento' on Dundrum Road contains two ground level windows facing the proposed development. The two windows assessed will experience VSC reductions of 22.2% and 20.5% respectively, which are only slightly above the BRE target value of 20%. However, the windows still retain good VSC values of 20.7% and 21% respectively and would comply with the BRE sunlight standards. And when the two rooms are assessed against the No Sky Line (NSL) daylight distribution methodology, both rooms will experience an alteration of less than 20%, which would satisfy BRE criteria.

8.6.35. Block 2 at Annaville Residences is a four-storey residential apartment complex located to the south of proposed Block 10. The applicant's Further Information response considers impacts on 12 north-facing windows serving 12 kitchens. When assessed against the VSC daylight methodology, 8 out of the 12 windows (67%) will meet the BRE criteria. The remaining four windows experience VSC reductions between 20.4% and 21.4%. When the 12 rooms are assessed against the NSL daylight methodology, 6 rooms will meet BRE criteria. The remaining 6 rooms experience NSL alterations between 25%-41% but will continue to retain good NSL values between 57%-72%.

8.6.36. No. 2-3 Annaville Lodge is located to the southwest of proposed Block 6 and 22 no. windows were assessed in the application. A high proportion of 21 windows demonstrate BRE compliance as the VSC would not be reduced by more than 20%. The single window falling short of guidance experiences a VSC change of 21.6%, which I consider to only slightly exceed the BRE target value of 20%. All windows in this property would comply with the relevant BRE sunlight standards.

8.6.37. No. 1 Annaville Grove is located to the west of proposed Blocks 7 and 8. It contains 5 windows that are relevant for sunlight standards in accordance with BRE criteria. When assessed against the sunlight methodology (APSH), 4 out of 5 windows (80%) will experience less than a 20% change, or enjoy more than 25% of APSH, meaning they will meet BRE criteria. The applicants' report outlines that the one window that falls short of BRE guidance will see annual sunlight levels reduced from 15% to 10% (against a BRE target value of 25%) and winter sunlight levels reduced from 4% to 2% (against a BRE target value of 5%). As a worst-case scenario, the report has modelled this window with a solid overhanging structure which would limit access to direct sunlight. However, consistent with the applicants' suggestion, my site inspection confirmed that the overhang is glazed and that sunlight standards are likely to be acceptable consistent with the other 4 windows.

8.6.38. I note that the applicant does not assess impacts on No. 85 Larchfield Road. However, having inspected the buildings on this property, I note that the dwelling contains only one very small north-facing window. It is within c. 7m of the existing tall perimeter wall. Accordingly, I do not consider that the proposed development would have a significant impact on daylight or sunlight to this property.

8.6.39. Having regard to the foregoing and based on BRE guidance, I am satisfied that the proposed development would not have any unacceptable impacts on daylight or sunlight levels to existing properties.

Sunlight to existing amenity areas

8.6.40. For existing outdoor amenity areas, the BRE guide recommends that at least half of the space should receive at least two hours of sunlight on 21st March. If, as a result of new development, the area which can receive 2 hours of sunshine on the 21st March is reduced to less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable.

8.6.41. The applicants' report outlines the results of a Transient Overshadowing Study (TOS) to demonstrate the overshadowing effect of the proposed schemes on the surrounding environment. Appendix 05 contains visuals of the overshadowing position at regular hourly intervals between 8:00am and 5:00pm on the 21st March (Spring Equinox) and 21st June (Summer Solstice). The plots for the 21st December (Winter Solstice) contain visuals at hourly intervals between 9:00am and 3:00pm.

8.6.42. The response to the Further Information request also includes an 'Overshadowing Report' which includes a 'Sun Hours on Ground' assessment for 21st of March. It examines the impacts on 27 garden spaces to the east and west of the site. I am satisfied that this is sufficient given that properties to the south will not be significantly affected by shadow and properties to the north are sufficiently distanced / screened to prevent any significant effects. The analysis demonstrates that 24 of these spaces will exceed the BRE standard. For the 3 spaces that will not exceed the standard, it is also demonstrated that the proposed development will not reduce existing sunlight levels in any way. Accordingly, I am satisfied that there will be no unacceptable impacts on existing amenity areas.

Cumulative Impacts

8.6.43. I note that the applicants' reports on neighbouring properties consider the cumulative impacts of both permitted neighbouring schemes and the proposed future Masterplan. Consistent with the applicants' conclusions, I am satisfied that there would be no significant cumulative effects and that the effects of the future Masterplan can be appropriately considered at the time of any such application.

Conclusions on Daylight and Sunlight

8.6.44. I would again highlight that the standards described in the BRE guidelines allow for flexibility in terms of their application. And while the Apartments Guidelines and the Building Height Guidelines state that appropriate and reasonable regard should be had to the quantitative approaches as set out in guides like those referenced in this section of my report, where it has been identified that a proposal does not fully meet the requirements of the daylight provisions and a rationale for alternative, compensatory design solutions has been set out, the Commission can apply discretion having regard to local factors including site constraints and the need to secure wider planning objectives. The overriding Compact Settlement Guidelines also highlight the need to balance the assessment against the desirability of achieving wider planning objectives, and do not specify a requirement for alternative compensatory solutions.

8.6.45. I am satisfied that the applicants have carried out a competent assessment of impacts on the proposed development and neighbouring properties in accordance with relevant guidance and methodology, and I have had regard to third-party submissions which have raised concerns in relation to impacts on properties at Friarsland Road, Larchfield Road, Annaville, and Dundrum Road.

8.6.46. I have identified the instances where the impacts would not meet BRE criteria, both for existing properties and the proposed development. However, I have highlighted that these instances are extremely limited and justified by the overall quality of the proposed scheme and the need to achieve an appropriately high-density development at this location in accordance with local and national policy.

8.6.47. Where relevant, I am satisfied that acceptable compensatory measures have been incorporated into the design and layout of the scheme, particularly in relation to daylight as required by the Apartments Guidelines and the Building Height Guidelines. Therefore, in balancing the results of this daylight/sunlight assessment, I am satisfied that the impacts are acceptable given the need to achieve wider planning objectives relating to comprehensive urban regeneration; effective urban design and streetscape solutions; and the need to achieve compact, sustainable development at accessible locations such as this.

8.7. Traffic and Transport

Public Transport

8.7.1. At its nearest (western) end, the site is located within 500 metres of the Windy Arbour Luas Stop where services between the City Centre and Cherrywood (Bride's Glen) are offered. The remaining site area is also within a 1km walk of the stop, where services run at frequencies of 3-5 mins during peak hours.

8.7.2. There are also a range of bus stops within the vicinity of the site, and at Dundrum, offering regular routes. The main services can be summarised in the following table.

Table 7: Summary of main bus services

No.	Route	Peak Frequency (~mins)
44	DCU and Enniskerry	60
11	Sandyford – Phoenix Park	15-20
74	Dundrum Luas – Eden Quay	15-30
14	Dundrum Luas - Beaumont	10-15
L25	Dun Laoghaire – Dundrum Town Centre	15
S6	Blackrock - Tallaght	15
S4	Liffey Valley - UCD	10

8.7.3. Notwithstanding the location of the site and the proximity and frequency of these services, third-party submissions have raised concerns about the capacity of services to accommodate the additional population associated with the proposed development and other developments in the wider area.

8.7.4. The applicants' Traffic and Transport Assessment (TTA) outlines that surveys of the existing Luas services were carried out over April – September 2024 which recorded the frequency of services and numbers boarding. Based on the results of the surveys in the AM peak hour, the city bound Luas theoretical capacity was 8,160 per direction per hour (pdph) (408 persons @ 20 per hour) and 6,606pdph using the assumed operational capacity (80%). Follow-up surveys confirmed that the Luas had sufficient capacity to accommodate all passenger demand over the AM peak hour.

8.7.5. The TTA estimates that 25% of trips generated by the proposed development in the opening year will be by Luas. In relation to generated demand, the TTA focuses on

the busier AM Peak period. During this period, it estimates that of those persons departing by Luas (103), 80% (c. 82 persons) will travel towards the city. And based on current frequencies of 20 trams per hour, this equates to approximately 4 to 5 additional persons per tram. Consistent with the TTA conclusion, I concur that this would represent a 'slight increase'. The additional hourly increase (82 persons) would equate to just c. 1% of the theoretical capacity (8,160) and just c. 1.25% of the estimated operational capacity (6,606).

8.7.6. The TTA also considers the frequency and capacity of existing bus services. It considers a total of 19 bus services in the AM Peak hour serving Dundrum Road, Goatstown Road, and Dundrum Village. Based on an operational capacity of 90 passengers per bus, it estimated that the total capacity would be 1,710. And based on a bus mode share of 5%, the TTA estimates that the proposed development would generate an additional 27 passengers in the AM peak hour, which equates to 1.4 persons per bus. The additional hourly increase (27 persons) would equate to just c. 1.6% of the estimated operational capacity (1,710 persons). Consistent with the TTA conclusion, I concur that this would represent a 'slight increase'.

8.7.7. In addition to the proposed development, I note that third-party submissions have raised concerns about the cumulative impact of other developments on the capacity of public transport services. In this regard, I would acknowledge that the theoretical cumulative capacity can be difficult to definitively quantify, particularly given the significant potential for fluctuations in demand and changes to service levels. However, I would highlight that relevant Section 28 guidance takes a broader approach towards the consideration of capacity. For example, the Apartments Guidelines simply classify Luas stops as being '*high capacity urban public transport stops*'.

8.7.8. Similarly, the Compact Settlement Guidelines (Table 3.8) defines a High Capacity Public Transport Node or Interchange as '*Lands within 1,000 metres (1km) walking distance of an existing or planned high capacity urban public transport node or interchange, namely an interchange or node that includes DART, high frequency Commuter Rail, light rail or MetroLink services; or locations within 500 metres walking distance of an existing or planned BusConnects 'Core Bus Corridor' stop*'. The application site is within 500-1000m of the high-frequency Luas stop and, accordingly, I am satisfied that it is classified as a '*high capacity urban public*

transport node or interchange' as defined in the Compact Settlement Guidelines. And while a Core Bus Corridor Scheme is not proposed for the area under BusConnects, the Network Redesign includes a major 'Terminus' at the northern end of Dundrum Village Centre (within c. 1km walking distance).

8.7.9. The Compact Settlement Guidelines also outline that the NTA's Public Transport Accessibility Level (PTAL) tool will provide detail of public transport accessibility at settlement level and should be used to support the preparation of statutory development plans at a settlement level and in the consideration of individual applications.

8.7.10. The PTAL analysis combines the walk or cycle journey time to a Public Transport stop with the level of service at that stop. It gives an idea of how well connected an area is to Public Transport services based on a range of factors including walk/cycle times to stops and different time periods. It also considers standard waiting times and average waiting times (incorporating a 'reliability factor'), which I consider to be reflections of service capacity. Generally, an area will have a higher PTAL if:

- It is a short walk to the nearest station or stop,
- There are short waiting times,
- Multiple services passing the stop,
- A nearby major rail station.

8.7.11. Having reviewed the PTAL tool, I note that the Dundrum Road is generally classified as a 'Medium-High Level of Service', while the Dundrum interchange area (within 1km walking distance of the site) is classified as a 'High Level of Service'.

8.7.12. The Dundrum LAP is also informed by an Area Based Transport Assessment (ABTA). It refers to a review of 2019 Luas Census data which suggests that the Dundrum Luas station is starting to operate over capacity, particularly during peak commuter travel times. It acknowledges that only c. 5% of work trips generated within the study area are undertaken by bus, with Luas representing the vast majority of public transport demand (78%).

8.7.13. However, it highlights that the bus network is set for a major overhaul with the implementation of the BusConnects network redesign. The Dundrum area will be

served by the A2 and A4 branch routes[13] (12-minute headways) connecting Dundrum with local residential areas, the city centre and Dublin Airport. The ABTA references two routes which have already been introduced, namely the Orbital Route S6 and the L25. In addition to those routes, the S4 orbital route and the 74 route have been introduced (see Table 7 above). The new bus interchange zone will also connect services to the Green Luas Line at the Dundrum Luas Stop. The ABTA SWOT analysis identifies significant planned improvements, including the Luas capacity enhancement and the BusConnects network redesign, as an 'opportunity'. The key 'threats/constraints' identified in the ABTA do not include any reference to public transport capacity.

8.7.14. Having regard to the foregoing, I would accept that public transport capacity is a strategic and evolving issue which requires ongoing examination at a wider level. Periodic pressures on public transport services are common, and the National Transport Authority (NTA) is continually working on the capacity of these services to meet changing demands. This is reflected in the Transport Strategy for the Greater Dublin Area 2022-2042, which contains measures which support and promote the upgrade of the existing Luas Green Line. Measure LRT9 seeks the delivery of significant additional capacity on the Green Line through the provision of additional fleet and necessary infrastructure to meet passenger demand. Measure LRT11 also targets enhancing tram priority in order to ensure efficient use of the available capacity on the Luas network. Regarding bus services, Measure BUS5 confirms the intent of the NTA to continually monitor the demand for services as part of the roll-out of the new service network and as part of the periodic review of the Strategy, and to enhance or amend the network as appropriate. In this regard, I note that the Green Line Capacity Enhancement project commenced in 2019 and is ongoing, while some elements of the BusConnects Network Redesign have already been implemented. And based on the site location and accessibility to existing and planned public transport, the NTA submission on this application is supportive on the basis that the development would accord with the principles of integrated transport and land use planning that underpin the Greater Dublin Area Transport Strategy 2022-2042.

[13] Set to be launched in Autumn 2026 according to https://busconnects.ie/cities/dublin/new-dublin-area-bus-network/ (accessed 2nd of October 2026).

8.7.15. In conclusion regarding public transport, I am satisfied that the site is well serviced in terms of the proximity and frequency of bus and Luas services, and that the location is deemed to be a high-capacity public transport node in accordance with national guidelines. Notwithstanding the potential pressures at peak periods, the nature of public transport planning requires ongoing monitoring and adaption to changing demands. In this regard, I am satisfied that the proposed development will benefit from a range of planned improvements and would not result in any unacceptable impacts on public transport services.

Traffic and road capacity

8.7.16. I acknowledge that third-party concerns have been raised about the timing of traffic surveys during COVID-19 restrictions (November 2021) and inadequate projections to account for this underestimation of traffic volumes. The TTA outlines that new traffic counts were in fact carried out on 25th April 2024 (10 junctions), and that additional traffic survey checks were carried out on 28th August 2024 to validate the April data. However, the third-party submissions still include concerns that the surveys do not adequately account for school/college traffic; new traffic light arrangements; or the impact of other housing developments and the opening of the Glenamuck Distributor Road.

8.7.17. I consider that the timing and extent of the traffic surveys is suitably comprehensive. And although the surveys of 28th August 2024 were potentially outside the school/college terms, I would highlight that these were 'check surveys' to simply validate that the previous surveys (25th of April 2024) were robust.

8.7.18. Section 6.5 of the TTA also outlines that the cumulative impact of other developments in the area has been considered, resulting in a 3.3% increase being applied to existing peak hour flows. Indeed, it should be noted that the assessment overestimates the cumulative impact by including two planned developments[14] (comprising a total of 175 no. units) which were subsequently refused. I am satisfied that this adequately accounts for cumulative impacts and that other more distant developments mentioned by third parties (e.g. Stepaside, Golden Ball (Kiltiernan)) need not be included.

[14] ABP Ref. 312935-22 & ABP Ref. 316470-23

8.7.19. I acknowledge that the Dundrum Road junction with Frankfort Park/Rosemount Estate has become a signalised junction and that this was not reflected at the time of the applicant's TTA. However, I consider this to be a smaller intermediate junction between the larger signalised junctions at Taney Cross and Bird Avenue, which were considered in the TTA. Accordingly, I do not consider that the alterations to the junction would significantly impact on wider traffic flows.

8.7.20. I also acknowledge that the Glenamuck Distributor Road opened in June 2025. However, this project is significantly distanced (>6km) from the application site and was brought forward for the local purposes of facilitating access to development lands and providing a bypass of Kiltiernan village. Accordingly, I do not consider that this will have any significant impact on local traffic conditions.

8.7.21. Having regard to the foregoing, I am satisfied that the applicants' surveys are reflective of current traffic conditions and permitted/planned development.

8.7.22. The applicants' TTA uses the industry standard TRICS database to predict the number of trips likely to be generated by the proposed development and the main element of the future Masterplan application (5,200m^2 Enterprise space). It considers the likely breakdown of internal and external trips and predicts modal share having regard to Irish Census data (2016) and the findings of the Dundrum LAP. Based on these criteria, the Further Information response has clarified that it is predicted that the total 'person trips' in the combined AM/PM peak would be 1830, 45% of which would be 'Car Trips' (i.e. 823). A car occupancy rate of 1.12 persons was then used to calculate the 'Actual Car Trips' (736), and factors were then applied to account for internal and external trips. This results in predicted 'Final External Vehicular Trips' of 256 no. 2-way car trips in the AM Peak and 229 no. 2-way trips in the PM Peak.

8.7.23. In terms of trip distribution, the TTA has had regard to the range of services and facilities in the area and has examined traffic movements to and from the adjacent Annaville Park. Based on these factors, it has outlined that 57% of departing vehicles are likely to turn left (south) onto Dundrum Rd, with 43% turning right (north). Similarly, 57% of vehicles are expected to arrive from the south and 43% from the north. Traffic is then shown to dissipate throughout the local road network through a number of junctions.

8.7.24. In relation to traffic modelling, the TTA assumes that the 'opening year' (2027) traffic volumes, both without and with the proposed development, would persist in the 'design year' of 2042. And while third-party submissions contend that this does not align with population projections and planning permissions, I note that the TTA Guidelines (TII, 2014) acknowledge that growth rates may not be applied subject to evidence demonstrating the robustness of the approach adopted. I consider that the TTA (s. 2.13) has outlined that this approach would be reasonable in keeping with traffic growth trends, future forecasts, and prevailing planning and transportation policy. The approach is based on evidence of reduced car use in both the city centre[15] and outer suburban areas[16]. Accordingly, I am satisfied with the robustness of the premise that the 'opening year' would represent a worst-case scenario.

8.7.25. Based on the predicted 256 no. 2-way car trips in the AM Peak and 229 in the PM Peak, the TTA estimates that traffic flows along Dundrum Road in the vicinity of the proposed access would increase by c. 9% over existing levels and have a moderate long-term effect, while flows on the wider road network are estimated to increase by less than 5% and have a slight traffic impact.

8.7.26. The TII Traffic and Transport Assessment Guidelines outline requirements for a Transport Assessment in respect of: traffic to and from the development that exceeds 10% of the traffic flow on the adjoining road; or, traffic to and from the development that exceeds 5% of the traffic flow on the adjoining road where congestion exists, or the location is sensitive. On this basis, the TTA carried out capacity assessments of several junctions on Dundrum Road, namely the junctions at Frankfort Park, Mulvey Park, Annaville Park, Highfield, Bird Avenue, and the proposed access junction. The pedestrian crossing close to the Former CMH Access Junction/St Columbanus Junction was included in the traffic model and pedestrian flows were also input.

8.7.27. The Picady software package was used to calculate RFC (ratio of flow to capacity) factors for the approaches to the priority junctions (i.e. Frankfort Park[17], Mulvey Park, Annaville Park, Highfield, and St Columbanus). This is often used to assess capacity of priority junctions and measures the observed flow of a link against the theoretical

[15] According to the NTA / DCC Canal Cordon Report 2023.
[16] According to data from the TII traffic counter on the N31 at Brewery Road.
[17] I have acknowledged that this was subsequently changed to a signalised junction

capacity of the link. RFC values of 85% or less are considered satisfactory, meaning that the junction is normally deemed to be operating within the design capacity and that no significant delays or queues arise.

8.7.28. Each junction was assessed for Scenario A - 2024 Base Year (2024 Survey Results); Scenario B - 2027 Opening Year (with Cumulative Impact of Other Permitted Developments); and Scenario C Opening Year (with Cumulative Impact and Proposed Development Traffic). The results of the PICADY assessment are summarised in the following table showing the maximum RFC values for the arms of each junction with the projected peak hour development traffic in place.

Table 8: Results of PICADY analysis of Priority Junctions

Junction	Maximum RFC value	<85% RFC
St. Columbanus	41%	Yes
Frankfort Park	54%	Yes
Mulvey Park	22%	Yes
Annaville Park	5%	Yes
Highfield	16%	Yes

8.7.29. LINSIG Traffic Modelling software analysis was also conducted to assess the capacity of the signalised junctions (i.e. the 'proposed access' and Bird Avenue). The LinSig Model is based on the 1-hour time periods for the morning and evening peak traffic hours and presents an optimised solution for the network. It considers the Degree of Saturation (DoS), which for an urban signalised junction should be below 90%. Values over 90% are typically regarded as experiencing occasional traffic congestion, with queues of vehicles beginning to form. However, it should be noted that many urban junctions exceed 100% DoS in the peak period. The extent and duration of queues are managed by specialist controller software such as SCATS.

8.7.30. In relation to the proposed access junction, I acknowledge that third-party concerns have been raised about an excessive concentration of traffic movements onto the Dundrum Road. It has been suggested that traffic should be distributed over two junctions, possibly including the existing CMH access in the northwest corner of the site. However, the TTA results for the proposed access show that there would be a maximum DoS of 69.6% on any of the junction arms in the 'opening year'. This

indicates that movements would be well below the 90% DoS standard and would not indicate excessive concentration.

8.7.31. For the Bird Avenue junction, the TTA shows that the maximum DoS on any junction arm in the 'base year' is 67.1%. This would increase to 73.8% in the 'opening year with no development', and to 78.8% in the 'opening year with development'. Again, this indicates that all arms on the junction will operate well below the 90% threshold.

8.7.32. Consistent with the applicants' TTA, and notwithstanding the third-party concerns, I am satisfied that the analysis has demonstrated that there will be no significant adverse long-term impact on the capacity or operation of the surrounding road network. I acknowledge third-party concerns regarding the need for traffic-calming in surrounding residential areas and the payment of a financial contribution towards same. However, having regard to the foregoing assessment, I do not consider that this would be warranted in this case.

Construction Traffic

8.7.33. Third-party submissions have raised concerns that surrounding residential areas should not be used for construction-related traffic and parking, and that any associated dust/dirt on the road network shall be appropriately managed.

8.7.34. The TTA also includes a Construction Stage Traffic Impact Assessment and Mobility Management Plan and confirms that a more detailed construction traffic management plan will be prepared by the contractor for agreement with DLRCC.

8.7.35. With regard to haul routes, it was decided that the route with the least impact on the adjoining residential street network would be the most prudent. The site adjoins the R117 Regional Road, which means that all HGV movement associated with the construction stage can be required to use only the regional and national road networks to the south of the proposed development.

8.7.36. The peak construction related HGV movement will occur during 2026, where between 400 to 500 HGV movements to and from the site per week are expected, which equates to an average of 10 HGV movements per hour. It is projected that the works will result in approximately 300 to 400 construction workers on site during the typical construction period, with a maximum of 800 during the period of peak construction activity. The majority of workers are expected to arrive and depart

before/after the AM/PM peak periods, with only 40% expected to arrive in the AM peak and only 70% of those expected to arrive by car/van (2.2 persons occupancy). This results in maximum additional movements in the AM peak of 102 (for 800 staff) and normal additional movements of 51 (for 400 staff).

8.7.37. Overall, the traffic movements for construction related traffic and construction workers at the peak stage is predicted to equate to approximately 2 vehicles every minute arriving or departing the site during the morning and evening peak hours. The TTA outlines that this will have no material traffic impact on Dundrum Road. In this regard I would acknowledge that construction traffic would be lower than the peak volumes projected for the operational phase of the development, which I have already assessed as being acceptable. Similarly, I would acknowledge that the cumulative construction traffic volumes would be less than cumulative operational volumes, and that there is no requirement for further assessment in this regard.

8.7.38. The TTA also outlines a range of construction traffic management measures. In response to third-party concerns, I note that these include measures to minimise dust, debris, and dirt to ensure that surrounding roads will be properly maintained. And in relation to third-party concerns about parking enforcement, a site liaison officer will be identified as a single contact point for the Planning Authority and local community to deal with any issues that may arise, which I consider to be satisfactory.

8.7.39. Designated construction car parking will be provided on site and will be allocated to particular staff members or car registration numbers. As part of the construction contract, no parking will be permitted by construction staff on the adjoining streets. It is confirmed that these proposed measures will be strictly enforced by site management. A mobility Manager will also be appointed to promote car-sharing, public transport, walking, and cycling, and this will be monitored and evaluated in accordance with an agreed Mobility Management Plan.

8.7.40. In addition to the above, section 9.5.3 of the CEMP sets out the requirements of a Traffic Management Plan and notes an allowance for flagmen and banksmen to control the exit of construction vehicles from the site onto Dundrum Road.

8.7.41. Having regard to the foregoing, I am satisfied that construction traffic volumes will not be excessive and that traffic movements will be controlled in accordance with agreed routes to avoid surrounding residential areas. Furthermore, I am satisfied that

traffic related impacts, including parking, will be appropriately managed, monitored, and enforced in accordance with the proposed mitigation measures.

Car Parking

8.7.42. I note that third-party submissions have raised concerns about inadequate parking. It has been contended that the insufficient parking will lead to excessive pressure on public transport and overspill parking in adjoining residential areas. Related to this, it has been suggested that developer-funded parking enforcement measures are required in the first 5 years of operation.

8.7.43. Section 12.4.5.1 of the CDP outlines that the propensity of people to choose non car modes is to a great extent determined by proximity to quality public transport as well as the range and accessibility, on foot or by bicycle, of services within an area. The County has therefore been divided into four Parking Zones, reflecting the varying degrees to which these criteria are generally met.

8.7.44. According to Map T2 of the CDP, the application site is located on the boundary between car-parking zones 2 & 3. The boundary divides some of the proposed blocks and, indeed, individual apartments, which effectively renders it impossible to definitively apply the parking zone standards per apartment. However, this scenario is covered in section 12.4.5.2 of the CDP ('Application of Standards'), which clarifies that '*Where a development site is located on the boundary of two or more parking zones, the level of parking provision will be decided at the discretion of the Planning Authority having regard to the criteria set out above'* (i.e., the criteria set out in s. 12.4.5.2 (i) of the CDP). I consider that the available discretion is wide-ranging as it relates simply to '*the level of parking provision*', rather than a discretion to apply one or other of the relevant parking zone standards. Therefore, there is no requirement to apply either Zone 2 or Zone 3 standards in this case.

8.7.45. Notwithstanding the above, I consider that for contextual purposes it is appropriate to establish the standards for zones 2 & 3 as a means of comparison only. Within zones 2 & 3, the CDP outlines that maximum standards shall apply for all uses except for residential, where the standard is required. A comparison of the proposed parking levels with the CDP standards for zones 2 & 3 is outlined in the table below.

Table 9 – Car Parking Standards

Unit Type	No. of Units / floorspace	Zone 2 Standard	Zone 3 Standard	Required Spaces	Proposed Spaces
Apartment (1-bed)	342	1	1 (plus 1 in 10 visitor parking)	Zone 2 – 342 Zone 3 - 376	466
Apartment (2-bed)	450	1	1 (plus 1 in 10 visitor parking)	Zone 2 – 450 Zone 3 - 495	
Apartment (3-bed+)	140	2	2 (plus 1 in 10 visitor parking)	Zone 2 – 280 Zone 3 - 308	
Sheltered Housing (3-bed+)	2	2	2 (plus 1 in 10 visitor parking)	Zone 2 – 4 Zone 3 - 4	
Total Residential				**Zone 2 - 1076** **Zone 3 - 1183**	**466**
Unit Type	**No. of Units / floorspace**	**Zone 2 Standard**	**Zone 3 Standard**	**Maximum Spaces**	**Proposed Spaces**
Retail Conv (>100sqm)	1160m^2	Max. 1 per 40m^2	Max. 1 per 30m^2	Zone 2 – 29 Zone 3 - 38	19
Café	78m^2	None	Max. 1 per 30m^2	Zone 2 – 0 Zone 3 - 2	0
Restaurant	266m^2	None	Max. 1 per 30m^2	Zone 2 – 0 Zone 3 - 9	5
Medical Unit	Up to 6 consulting rooms	Max. 2 per room	Max. 2 per room	Zone 2 – 12 Zone 3 - 12	7
Creche	716m^2	Max. 1 per 60m^2	Max. 1 per 40m^2	Zone 2 – 12 Zone 3 - 18	11
Community Centre	1,749 m^2	Max. 1 per 100m^2	Max. 1 per 50m^2	Zone 2 – 17 Zone 3 - 34	16

Total Non-Residential	**Zone 2 - 70** **Zone 3 - 113**	**58**
Total Residential and Non-Residential	**1164 to 1294**	**524**

8.7.46. As per the above table, the development proposes to provide non-residential spaces (58 no.) at a rate which would comply the maximum allowable for zones 2 and 3 (i.e. 70 and 113 respectively). It is proposed to provide 466 residential spaces, which would be significantly less than the CDP 'standard' that would be required for Zone 2 (1076) and Zone 3 (1183).

8.7.47. However, I would again emphasise that it is not a requirement of the CDP to apply the standards for Zones 2 & 3. As previously outlined, where a development site is located on the boundary of two or more parking zones, the level of parking provision will be decided at the discretion of the planning authority having regard to the criteria outlined in Section 12.4.5.2(i) of the CDP. Having regard to the foregoing, I consider that the determining CDP factor in assessing the appropriate level of car-parking in this case is the criteria outlined in s. 12.4.5.2 (i) of the CDP. The criteria and my response to same (in *italics*) are as follows:

- Proximity to public transport services and level of service and interchange available.

As previously outlined, I am satisfied that the site is within c. 500-1000m walking distance of the Luas stop and that the vast majority of the site would be within a 10-minute walk. There are also a range of bus services in the local area. As previously outlined in this section, there is a high level of frequency and capacity in public transport services, and I am satisfied with the level of service and interchange available.

- Walking and cycling accessibility/permeability and any improvement to same.

There is a good range of pedestrian facilities on the adjoining roads. Although the Dundrum Road does not have dedicated cycle provisions, the Goatstown Road to the east has dedicated cycle lanes. It is proposed to provide a new active travel route through the proposed development as a new strategic link that significantly

improves the existing and planned cycle network in the area. It links with the existing pedestrian/cycle crossing on Dundrum Road and provides access to low volume traffic routes to the north and south of the subject lands, thereby representing a significant contribution to local mobility. Furthermore, with the proposed internal infrastructure, the 15-minute walking catchment of the site would significantly increase to the east and south of the subject lands. This will further promote the use of walking and cycle modes for the new development and the existing community.

- The need to safeguard investment in sustainable transport and encourage a modal shift.

The application is accompanied by a Mobility Management Plan which proposes a range of measures to enable modal shift towards sustainable travel modes, and to deliver a low carbon development and reduced private car dependency in line with the strategic objectives of the National Planning Framework. The proposal for reduced parking provision would be consistent with this approach, would promote modal shift, and would safeguard investment in sustainable transport.

- Availability of car sharing and bike / e-bike sharing facilities.

A car-share scheme would be included to facilitate 12 no. car spaces, and I would accept the agreement of precise details of same after the proposed tendering process. There are also 4 no. existing GoCar sharing locations in Dundrum. Provision will be made for cargo bikes, and it is confirmed that provisions will be made for potential future bike-sharing schemes.

- Existing availability of parking and its potential for dual use.

I note that existing on-site parking will be discontinued, but this will not affect the wider area given its historically private nature. In relation to the proposed parking, I consider that there is potential for dual use. In the first instance, I consider that the proposed non-residential uses will primarily serve the residents of the proposed development and immediately adjoining areas and will not generate significant visitor parking needs. I would also accept that the parking strategy provides for the dual use of non-residential car parking outside of opening hours.

- Particular nature, scale and characteristics of the proposed development.

In terms of the particular nature, scale, and characteristics of the development, I note that the CDP (s. 12.4.5) makes particular reference to the potential for reduced parking in brownfield residential schemes such as this. Furthermore, the proposal includes a high proportion (c.85%) of smaller 1- & 2-bed units, which are less likely to generate parking demands compared to larger units. The application confirms that parking allocation will be prioritised for larger units.

- The range of services available within the area.

The site is located in close proximity to Neighbourhood Centres on Dundrum Road, as well as the Dundrum Major Town Centre. As outlined in section 8.3 of this report, I am satisfied that there is a satisfactory range of services and facilities to reduce needs associated with car travel/parking.

- Impact on traffic safety and the amenities of the area.

I note that concerns have been raised by third parties about traffic safety and amenity issues, and these are addressed elsewhere in this report. In addition to the TTA, the application also includes a DMURS Compatibility Statement, a Stage 1 Access and Walking Audit, and a Stage 1 Road Safety Audit. Ultimately, the proposal for reduced parking would restrict the volume of traffic generated and would therefore have positive impacts on traffic safety and amenity.

- Capacity of the surrounding road network.

As previously outlined, I am satisfied that the proposed development would not have significant adverse impacts on the capacity of the road network.

- Urban design, regeneration and civic benefits including street vibrancy.

The proposed development is assessed from an urban design perspective in section 8.9 of this report. In summary, I consider that the proposed development would regenerate a previously insular site through the provision of new connections with an emphasis on sustainable/active travel modes. This will greatly enhance the relationship between the site and the surrounding public realm. Together with the provision of additional housing, community facilities, and open space, this would provide significant civic benefits. As an important part of the design strategy, I

consider that the reduction of car parking facilitates more open space and active movement/uses at street level.

- Robustness of Mobility Management Plan to support the development.

The application includes a Mobility Management Plan (MMP) which includes a package of integrated initiatives which seek to encourage sustainable travel.

- The availability of on street parking controls in the immediate vicinity.

Parking control in the surrounding area is limited. However, having regard to the other criteria discussed in this section, I do not consider that the proposed development will generate any unacceptable overspill parking. Similarly, I do not consider that a developer-funded parking enforcement warden (as suggested by third-parties) would be warranted in this case. I note that the applicant has suggested a condition regarding a before/after car parking study, and I consider this to be acceptable as a precautionary measure.

- Any specific sustainability measures being implemented.

In terms of bespoke public transport services and mobility interventions, I consider that the proposed development will significantly improve mobility and connectivity, including improved accessibility to public transport.

8.7.48. In addition to the above criteria, I note that a minimum of 20% of all car spaces will have Electric Vehicle (EV) charge facilities as required by section 12.4.11 of the CDP, and that spaces will have ducting included to facilitate a future upgrade to include EV charge facilities. A total of 79 motorcycle spaces are proposed, which would significantly exceed the requirement for at least 4% of car-parking spaces as per s. 12.4.7 of the CDP.

8.7.49. Having regard to the foregoing, I conclude that car-parking provision is acceptable and would not materially contravene any provisions of the CDP in this respect, particularly having regard to the criteria outlined in s. 12.4.5.2(i) as it relates to the appropriate level of parking provision for development sites located on the boundary of two or more parking zones.

8.7.50. The Apartments Guidelines also addresses the issue of car-parking requirements, with sections 4.21 & 4.22 discussing central and/or accessible locations. In such cases, the default policy is for car parking provision to be minimised, substantially

reduced or wholly eliminated in certain circumstances. Amongst others, these areas are most likely to include sites within 10 minutes walking distance of Luas stops, as is the case in the current application.

8.7.51. In cases where reduced parking is sought, the Apartment Guidelines states that it is necessary to ensure, where possible, compliance with certain criteria. Many of these have already been covered by the criteria in section 12.4.5.2 (i) of the CDP. In relation to the other criteria, I would state the following:

- 4 no. flexible loading bays will be provided, at Block 2, between Blocks 4 and 5, and to the south of Blocks 3 and 7. Section 12.4.5.7 of the CDP outlines requirements for no less than 1 loading bay per 100 units in larger developments, although it states that this standard may be relaxed. Having regard to the accessible location of the site; the mixed-use nature of the development; and the proposed street design, I am satisfied that there will be adequate opportunity for loading/deliveries throughout the development.
- The internal street network includes adequate opportunity for drop-off facilities.
- Each apartment building will have its own secure facilities for post/deliveries.
- The application includes vehicle tracking drawings to demonstrate that servicing can be accommodated.
- Designated visitor parking and accessible parking (4%) will be provided.
- Where underground / under podium parking is proposed, it will be well lit and adequately ventilated. Surface parking will also be clearly accessible and appropriately overlooked.

8.7.52. In addition to the Apartments Guidelines, SPPR 3 (i) of the Compact Settlement Guidelines outlines that in urban neighbourhoods such as this, car-parking provision should be minimised, substantially reduced or wholly eliminated. The maximum rate of car parking provision for residential development at these locations, where such provision is justified to the satisfaction of the planning authority, shall be 1 no. space per dwelling. This supports reduced parking provision in comparison to CDP standards as it would result in a ‘maximum’ of 934 residential spaces, as compared to a CDP standard of 1076 – 1183 spaces. The proposed residential parking (466 spaces) would represent a ratio of 0.5 compared to the maximum of 934 spaces.

And consistent with the Compact Settlements Guidelines recommendations for such instances, I have already outlined the rationale and justification for the proposed parking standards.

8.7.53. Having regard to the foregoing, I consider that local and national policy supports reduced car-parking provision at such accessible locations, subject to compliance with relevant criteria (particularly s. 12.4.5.2(i) of the CDP). I have considered the nature and scale of the proposed development and its location/accessibility in relation to surrounding services and facilities, including public transport, and based on the relevant criteria I am satisfied that the proposed level of car parking is acceptable in this case.

Cycle Parking

8.7.54. The Apartment Guidelines state that reduced car-parking proposals should include facilities for cycle parking and storage, while the Compact Settlement Guidelines highlight the need for high quality cycle parking and cycle storage facilities for both residents and visitors in areas of high and medium accessibility. SPPR 4 (i) of the Compact Settlement Guidelines outlines that a general minimum standard of 1 cycle storage space per bedroom should be applied. A mix of parking types and visitor cycle parking should also be provided but no specific ratio is stated. Design criteria are also outlined to ensure that facilities are safe and accessible.

8.7.55. The table below outlines a comparison between the requirements of the Development Plan (i.e. 'Standards for Cycle Parking & Associated Cycling Facilities for New Developments' (2018)), the Apartments Guidelines, the Compact Settlement Guidelines, and the proposed cycle provision.

Table 10 – Cycle Parking Standards

Unit Type	Development Plan		Apartment Guidelines		Compact Settlement Guidelines		Proposed	
	Long term	Short stay	Long term	Short stay	Long term	Short Stay	Long term	Short stay
Residential	934 (1 per unit)	186 (1 per 5 units)	1672 (1 per bed room)	467 (1 per 2 apts)	1672 (1 per bed room)	Not specified	1850	488
Café & Restaurant	Unknown (@ 1 per 5 staff)	3 (1 per 100m^2)	N/A	N/A	N/A	N/A	18	14
Retail	Unknown (@ 1 per 5 staff)	11 (1 per 100m^2)	N/A	N/A	N/A	N/A	15	19

Childcare	Unknown (@ 1 per 5 staff)	13 (@ 1 per 10 children)	N/A	N/A	N/A	N/A	18	20
Medical Unit	Unknown (@ 1 per 5 staff)	3 (@ 1 per 2 rooms)	N/A	N/A	N/A	N/A	4	6
Community Centre	Unknown (@ 1 per 5 staff)	17 (@ 1 per 100m^2)	N/A	N/A	N/A	N/A	5	25
Sub Total	**934 (plus staff)**	**233**	**1672**	**467**	**1672**	**Not stated**	**1910**	**572**
Total	**1167 (plus staff)**		**2139**		**1672**		**2482**	

8.7.56. As per the above table, I am satisfied that adequate residential cycle parking has been provided which would exceed minimum requirements in all cases. I have previously recommended a condition to agree the provision of external storage space in the basement of Blocks 2 and 3, but this condition shall specify that minimum cycle standards will be retained. Regarding non-residential spaces, I also note that short-stay spaces would significantly exceed the stated requirements of the CDP. There is an understandable lack of certainty about staff numbers and long-term cycle parking requirements at that this stage. However, I am satisfied that the proposed long-term proposals are sufficient to cater for the expected staff numbers associated with the non-residential uses. In addition to the above, it is also proposed to provide a public bike share scheme as part of the proposed development.

8.7.57. In addition to the quantum of cycle spaces, the CDP, Apartments Guidelines, and the Compact Settlement Guidelines outline the need to ensure that facilities are properly designed to be safe, convenient and accessible. In this regard I note that the majority of cycle parking for each block is provided in secure basement / under-podium locations. External cycle parking will also be provided at ground / podium level throughout the site, the majority of which will be covered and will be for short stay use. The cycle parking locations will be convenient and accessible and will benefit from passive surveillance to ensure appropriate safety levels for all.

8.7.58. Having regard to the foregoing, I am satisfied that the quantity and quality of cycle parking is acceptable in accordance with local and national policy standards.

Pedestrian & Cycle Links

8.7.59. In addition to the existing entrance to Dundrum Road, it is proposed to improve pedestrian and cycling permeability by providing a new link onto Dundrum Road as

well as new links with Annaville Park, Mulvey Park, and Rosemount Green (consistent with LAP Objective CMH4). This is supported by a range of pedestrian/cycle routes throughout the site, particularly the active travel route running from the northwestern portion of the site to the southern end at Rosemount Green (consistent with LAP Objectives T21 & T23). The approach is aimed at creating a development which is the focal point of the community and is identified as being key to creating a successful new neighbourhood. It will improve connectivity to/from facilities in the wider area, including improved access to public transport. In particular, it will significantly expand the 15-min walking catchment to the south and east of the site for the benefit of both existing residents and the future occupants.

8.7.60. The design strategy aims to ensure that movement will be dominated by pedestrians and cyclists, with limited vehicular access. This is consistent with the principles of the Design Manual for Urban Roads and Street (DMURS). On vehicular routes, shared spaces are included in a home-zone style street design as outlined in DMURS. In particular, the street design between Blocks 03 and 07 aims to create an open civic/event space for pedestrians/cyclists.

8.7.61. The application is accompanied by a DMURS Compatibility Statement which outlines how the proposed design was informed by DMURS principles, particularly by placing the needs of pedestrians and cyclists at the highest order of priority amongst road users. The design approach also sought to ensure consistency with the principles as set out in the Cycle Design Manual 2023. In particular, it is stated that:

- The entire development will also be within a 30kph Slow Zone.
- Low speed and safety will be promoted with junction radii limited.
- Raised table crossings are used at junctions and other key locations.
- Separate pedestrian/cycle links will be provided at the main vehicular accesses.
- A Street Hierarchy is proposed with limited carriageway widths and street cross sections designed in accordance with DMURS.
- Raised pedestrian and cycle platforms are proposed to give greater priority.
- The pedestrian/cycle network has been designed to integrate with the GDA Cycle Network Plan and the Dundrum LAP.
- The Mobility Management Plan will support the DMURS design approach.

8.7.62. A Stage 1 Access and Walking Audit has been carried out which examines the accessibility of the proposed development and its connection to the existing road network and wider environment, with particular regard to DMURS. The Audit identifies only two issues relating to tactile paving and the control of emergency vehicle access at the existing site entrance. These issues have been accepted and addressed by the applicants, and I am satisfied that they have been appropriately incorporated into the application.

8.7.63. Consistent with the foregoing, I am satisfied that the proposed development has been designed to promote cycle and pedestrian use and to provide appropriate links to/from the surrounding area. And in response to third-party suggestions that additional land could be acquired to further improve permeability, I do not consider that this is necessary in this case.

8.7.64. The NTA is fully supportive of the four proposed non-vehicular access points and outlines that they should be delivered, including access for both pedestrians and cyclists over a 4-metre width. Based on the overall Landscape Layout Overall Plan, it questions whether pedestrians and cyclists will be accommodated in the links at the northwestern corner of the site (i.e. Dundrum Rd & Mulvey Park). However, having reviewed the more detailed drawings[18] and documents in the application, I am satisfied that these two links would accommodate both modes of travel and would be at least 4m[19] in width to adequately accommodate shared use, as would the Rosemount link. The Annaville link is also designed to accommodate pedestrians and cyclists but would be c. 2.2m in width. The suitability of the Annaville link is discussed later in this section of my report.

8.7.65. The NTA is also fully supportive of the proposed cycle route through the site. However, it contends that the design requires further consideration in accordance with the National Cycle Manual, in particular to provide cycle priority at road crossings. I have previously outlined how the DMURS Compatibility Statement confirms that raised pedestrian and cycle platforms are proposed to give greater priority. However, the Commission's request for Further Information highlighted that the '*Roads Finishes, Road Markings & Signage, Dwg. No. DCD-BMD-00-00-D-C-*

[18] E.g. Drawing 'Site Wide, Boundary Wall, Dundrum Road 01, Proposed' No. DCD-02-SW-ZZZ-DR-RAU-AR-2613
[19] The overall width, including a 1m wide mown strip, would be 5m in accordance with LAP Objective CMH3

11001, Rev P5' has been revised to provide combined pedestrian and cyclist zebra crossing points in accordance with the NTA Cycle Manual, as well as additional signage to clarify the priority arrangements for cyclists/pedestrians. It also confirms that this drawing will be relied upon in respect of the design of the proposed priority arrangements for pedestrians and cyclists, which is considered satisfactory.

8.7.66. I note that third-party concerns have been raised about vehicular access to Rosemount Green. It has been suggested that this should be restricted by physical measures to address ongoing risks to public safety. The application clearly does not propose to accommodate any such vehicular access. It includes significant removal of the existing boundary wall, the majority of which would provide an appropriate interface between existing and proposed open space. I do not consider that it would be reasonable or desirable to require physical obstacles along the entire length of this opening. However, the proposed active travel route extends to the eastern end of the opening, while the road access to Block 6 almost extends to the boundary opening. Accordingly, I consider that any concerns about vehicular access can most reasonably be addressed through the provision of bollards at these limited points. The details of same could be agreed as a condition of any approval.

8.7.67. Finally, I note that significant third-party concerns have been raised about the proposed pedestrian/cycle link to Annaville Park/Grove. In summary, there are concerns that the Annaville route has inadequate infrastructure to cater for the additional vehicular (parking, drop-off etc), pedestrian, and cycle movements likely to be generated, which will lead to excessive congestion, traffic hazard, and residential amenity concerns. Furthermore, the submissions argue that the proposed link would provide no significant benefit for existing or future residents.

8.7.68. I have previously noted that the application includes a Walking and Access Audit and a DMURS Compatibility Statement, neither of which raised issues about the proposed Annaville link. Similarly, the Stage 1 Road Safety Audit accompanying the application has not raised any concerns. The TTA outlines that the link would provide a more local connection for the existing residents and allow for access to the new facilities included as part of the proposed development. It is proposed to provide the new link at the existing 3-arm junction between Annaville Park and Annaville Grove, thereby effectively forming a fourth pedestrian/cycle arm to this junction.

8.7.69. I would acknowledge that the existing Annaville network has deficiencies in terms of road width, parking, and pedestrian/cycle facilities. Although on-site parking is included for some existing properties, there is evidence of haphazard on-street/footpath parking. There are no cycle lanes and no footpaths along the entire eastern side of the road bounding the application site boundary. The original application included no proposals to improve the existing infrastructure on the Annaville side, although the Further Information response indicates that the existing footpath would be extended (c. 5 metres) to the site boundary, signage would be erected, and double yellow lines would be re-installed.

8.7.70. On the application side of the site boundary, it is proposed to provide a footpath leading to the new link, but no dedicated cycle lane is proposed. The link would be formed by a small opening in the existing boundary wall, measuring c. 2.2m in width and 2.5m in height.

8.7.71. Having regard to the above, I would have concerns about the proposed link arrangements, particularly on the Annaville side. Visibility through the proposed link would be extremely limited. This raises valid traffic hazard concerns, particularly on the Annaville side where those exiting the proposed development would do so directly onto an existing junction. My concerns would obviously be exacerbated for cyclists travelling at higher speeds. Furthermore, the application contains no substantive proposals for the upgrade of Annaville Park and its junction with Dundrum Road.

8.7.72. In response to third-party questions about the need for the link, I would accept that there would be limited desire to exit the development in this western direction given that there are limited attractions in the form of local facilities and services to the west of Annaville. There would be three other access points at the northwest end of the site (towards public transport and services), and the proposed southern link would significantly improve connectivity to the south and east. Indeed, the application demonstrates that the proposed Annaville link would not significantly expand the 15-minute walking catchment to the west, and that the significant improvements would be to the south and east. The most significant benefits of the Annaville link would appear to be for existing residents and connectivity to the proposed new facilities, albeit that the third-party submissions outline clear opposition to this.

8.7.73. In conclusion, I would acknowledge that an Annaville link would provide improved permeability to help integrate existing and new communities. However, I do not consider it to be critical to the scheme at this stage (as is acknowledged in the applicants' Further Information response). I consider that the current proposal represents a piecemeal approach which fails to appropriately address the totality of the link between the application site and Dundrum Road. Therefore, I consider that any approval should include a condition omitting the proposed link.

8.7.74. I am conscious that LAP Objective CMH3 requires that the redevelopment of the overall CMH site shall provide additional pedestrian and cycle access points at Annaville Park. However, in light of my outstanding concerns, I am satisfied that this matter would be more appropriately revisited and addressed as part of a future application or by alternative process available to the local authority.

Proposed new vehicular access

8.7.75. It is proposed to provide a new signalised junction onto Dundrum Road, and I have already outlined my satisfaction that this would not result in any unacceptable traffic volume impacts.

8.7.76. The NTA submission is supportive of the vehicular access proposals relating to Dundrum Road but questions the need for two lanes for traffic leaving the site. It contends that it is not required in a signal-controlled junction and that a single-lane approach would better support active travel.

8.7.77. This matter was included in the Commission's Further Information Request and the applicant's response includes a single lane design option and associated traffic modelling. The modelling results show that while there would be an increase in the Degree of Saturation (maximum 73.3%) with the one-lane exit option in place, the junction continues to perform within its capacity in both the AM and PM peak hours. I acknowledge the applicants' point that the 2-lane option would limit impacts on mainline traffic along Dundrum Road. However, I consider that a 1-lane option would more appropriately facilitate active travel. Therefore, in the event of approval, I recommend that a condition should require the single-lane access option.

8.7.78. I also note other third-party suggestions for access off the Dundrum Road, including those supporting the use of the existing access and those supporting the creation of a 4-arm junction with Highfield Park. However, subject to the recommended

amendments discussed above, I am satisfied that the proposed access arrangements are acceptable. The proposals would be consistent with LAP Objective CMH2 which requires a new signal controlled vehicular entrance onto the Dundrum Road to the south of the existing entrance, and the conversion of the existing entrance into a pedestrian and cycle only entrance with provision for emergency access. They would also provide traffic calming measures and boundary setbacks on Dundrum Road in accordance with LAP Objectives T19 and T22.

Conclusion

8.7.79. In conclusion regarding traffic and transport, I am satisfied that the proposed development would be adequately serviced by public transport in terms of the proximity, frequency, and capacity of existing services, as well as their links to other modes of public transport and planned improvements for sustainable travel in the area. I do not consider that the level of traffic generated by the proposed development would unacceptably impact on the capacity of the road network and I am satisfied that adequate levels of car/cycle parking and other active travel / mobility management measures have been incorporated into the development. Furthermore, I do not consider that the traffic movements would interfere with the safety of traffic or other vulnerable users. Accordingly, subject to the conditions discussed in this section, I consider that the traffic and transport proposals are acceptable and consistent with applicable local policy and national guidance.

8.8. Built Heritage

8.8.1. This section considers the impact of the proposed development on the relevant built heritage assets of the site and surrounding area. In doing so, I have had regard to the relevant policies and objectives set out in the LAP and CDP, including Policy Objective HER8 regarding works to/adjoining protected structures, and Policy Objective HER20 regarding buildings of vernacular and heritage interest. I have also had regard to the application drawings and documents (as amended by the Further Information response), including Chapter 17 of the EIAR, the Historic Landscape Statement of Significance & Impact Assessment, and the condition reports on the Gate Lodge and Perimeter Wall.

Main Hospital Building (i.e. 'The Asylum' (RPS No. 2072)

8.8.2. The main hospital building is referred to as the 'Asylum' in the DLRCC Record of Protected Structures (No. 2072). It is recorded in the National Inventory of Architectural Heritage (NIAH) and is assessed to have 'National' importance. Its value arises from it being a rare example of the typical asylum provision of this period as adapted for criminal patients. It is among the first (if not the first) institution of its type in the world. It has a strong association with a number of eminent architects. The built form is a development of the district lunatic asylum model, with the symmetrical layout and cellular form almost completely intact. The Group Value that the Main Hospital Building and Historic Landscape have derive from their being conceived and executed as a holistic approach to the treatment and recovery of those suffering from mental illness.

8.8.3. Having regard to the above, and particularly its largely unaltered principal elevation; its long-standing primary function; and its substantial group value with the historic landscape; the EIAR states that there is a high sensitivity to change. It acknowledges that the proposed development has the potential to cause medium change, and this is considered 'very significant' due to its sensitivity. Mitigation measures are proposed to address this, to include a reduced height for Block 2 (to the east) and the historic landscape to the immediate south will be retained and enhanced. The residual effect is deemed in the EIAR to be 'moderately negative'.

8.8.4. I acknowledge that this protected structure ('Asylum' No. 2072) is outside the site boundary and no alterations are proposed, but it is still the most significant structure on the overall masterplan lands and has a strong historical, functional, and visual relationship with the historic landscape grounds. However, I note that significant separation distances have been provided to the south and west of the structure to enable the retention and enhancement of the historic landscape. And to the east of the structure, I note that Block 2 extends beyond the existing building line but the portion projecting immediately beyond the building line has been reduced to 3-storeys to respect the prominence of the main hospital building. Accordingly, I am satisfied that this will not result in any significant adverse impacts on the setting or character of the structure.

The Infirmary (i.e. 'Hospital Building' (RPS No. 2073)

8.8.5. In addition to the 'Main Hospital Building' (i.e. the Asylum (No. 2072) as per the RPS), I note that the RPS also includes a separate structure named 'Hospital Building' (No. 2073). This is acknowledged as a protected structure in the application, although it is generally referred to as 'The Infirmary'. This structure is also included on the NIAH and is rated as 'regional' importance for architectural, artistic, historical, social reasons.

8.8.6. The applicant's Further Information response includes an EIAR addendum (Chapter 17) which assesses impacts on the 'Infirmary'. It acknowledges that it is an important architectural element of the overall site. The EIAR states that there is a medium sensitivity to change; that the degree of change would be low due to separation distances; and that the potential effect (before mitigation) would be 'slightly negative'. Mitigation measures are proposed in the form of landscaping and the removal of modern adjoining structures. The residual effect is deemed in the EIAR to be 'negligible' or 'slightly beneficial'.

8.8.7. I would acknowledge that the infirmary is a small standalone building to the rear (north) of the main hospital building/asylum. I acknowledge the heritage value of this structure and its relationship with the wider site. However, it is separated from the proposed development by the chapel, the main hospital building, and by a significant intervening distance comprising mainly landscaped open space. I do not consider that there is a strong or sensitive interface between this structure and the proposed development, and I do not consider that there would be any significant adverse impacts on its heritage value.

Perimeter Wall

8.8.8. The wall is part of the first phase of development of the site and remains to the greater extent unaltered. A section at the south-east has been replaced in mass concrete and some sections have been given additional height in concrete blockwork. The wall has been surveyed and found to be in excellent structural condition, particularly the internal face.

8.8.9. The EIAR rates the wall as having a medium sensitivity to change due to its largely intact state and boundary/screening function. It acknowledges that the proposed development has the potential to cause medium change as a result of substantial

alterations along Dundrum Road, Rosemount Green, Mulvey Park and Annaville Grove. The potential effect is considered 'significant'. However, based on the proposed mitigation measures to include the avoidance of full height reduction; marking of the former wall position in landscaping; and design to indicate that the wall has been purposely interrupted; the EIAR rates the residual effect to be 'moderately negative'.

8.8.10. I acknowledge that the wall is a significant boundary feature which forms part of the wider curtilage/attendant grounds of the protected structures. Therefore, the proposed alterations to same require careful consideration.

8.8.11. A substantial section of the wall (c.100m) is to be taken down to facilitate access to the existing Rosemount Green playing fields and the proposed public amenity space within the application site. I acknowledge that this would significantly affect the continuity of the wall at this location. However, it would provide an important visual and functional connection between the existing and proposed open spaces, which would make a significant and positive contribution to permeability and the integration of the existing/new communities. This would be consistent with LAP objectives and would not unacceptably detract from the built heritage value of the wall.

8.8.12. Significant alterations are also proposed to the perimeter wall along Dundrum Road. At the southern end it is proposed to remove c. 20+m to create a new vehicular entrance, and to substantially reduce the wall over short sections either side of this (by c. 4.5 – 5.1m) to provide adequate visibility. I would accept that this type of intervention is appropriate in order to facilitate a new entrance in accordance with LAP objectives, and I do not consider that it would unacceptably detract from the built heritage value of the wall. Furthermore, there is potential to reduce the extent of wall removal through the incorporation of a single-lane vehicular exit as previously recommended.

8.8.13. For the central and majority section of the Dundrum Road boundary, it is proposed to reduce the existing wall height by 2 metres. The wall would still be retained over a significant length of c. 100m and at a significant height of 3-5 metres. I am satisfied that this will appropriately retain the built heritage character of the wall, whilst also protecting the amenities of existing/future residents and improving the interface with the public realm of Dundrum Road in accordance with LAP objectives PR1 and T19.

8.8.14. At the northern end of the Dundrum Road boundary, near the existing entrance and Gate Lodge, it is proposed to remove the existing gates, wing walls, and canopy. And in the extreme northwestern corner of the site, the boundary walls with Dundrum Road and Mulvey Park will be significantly reduced (4.7-4.9m) adjoining two proposed pedestrian/cycle openings.

8.8.15. I acknowledge that significant alterations are proposed at this northern end. However, I consider that the proposals would provide significant benefits by improving intervisibility between the site and the adjoining road; by promoting sustainable travel and permeability between the site, Dundrum Road, and Mulvey Park; by opening up views of the trees and the Gate Lodge; and by facilitating emergency access. And in the context of the wider extent of the boundary wall to be retained, I am satisfied that the built heritage character of the Dundrum Road boundary wall will be adequately maintained.

8.8.16. Finally, I note the proposed cycle/pedestrian link at Annaville Park/Grove. Having regard to the limited size of the proposed opening, I do not consider that it would detract from the built heritage value of the wall. However, as previously outlined, I am recommending that this element should be omitted at this stage.

8.8.17. I note that third-party concerns have been raised about the extent of the boundary wall to be removed/altered, particularly along Dundrum Road. However, for the reasons outlined above, I consider that the proposed development strikes a reasonable balance between the need to improve access/permeability and public realm along Dundrum Road, and the need to adequately protect the built heritage value of the perimeter wall.

8.8.18. Consistent with LAP Objectives, I am satisfied that the proposed development will retain substantial elements of the perimeter wall (Objectives HC8 & HC9), and that alterations will be in accordance with best conservation practice (Objective CMH8).

Gate Lodge

8.8.19. Construction of the Gate Lodge followed quickly after the commencement of the Main Hospital Building, and it was present by 1853. It is ornamental in character and constructed in the same material palette of dark grey calp stone with granite dressings. Its original picturesque quality has been eroded by the cumulative effect

of poor maintenance, inappropriate repairs and additions. It does however retain to a large extent its original form and construction.

8.8.20. The EIAR considers the structure to have a medium sensitivity to change and acknowledges that the proposed development has the potential to cause medium change as it will undergo a conservation-led refurbishment and re-purposing into a café. The potential effect is considered 'significant' positive, and no mitigation measures are considered necessary.

8.8.21. I acknowledge that the Gate Lodge is a significant feature which forms part of the wider curtilage/attendant grounds of the protected structures. I would agree that its quality has been eroded by poor maintenance and inappropriate alterations/extensions. It is proposed to retain and renovate this structure in accordance with best practice conservation principles. I am satisfied that this will have a significant positive effect by reversing the inappropriate modern interventions and ensuring the ongoing protection, maintenance and use of the structure. This would be consistent with LAP Objectives HC7 and HC9.

Chapel

8.8.22. The Chapel is a protected structure (No. 2071) and is recorded on the NIAH as being of 'regional' importance. The value attached to the Chapel arises from its communal and historical associations, but also from its technical interest and its architectural quality and associations. The Chapel and Main Hospital Building derive group value from their representing a holistic approach to the treatment and recovery of those suffering from mental illness. It remains substantially intact and unmodified but is currently disused and its condition is deteriorating.

8.8.23. The EIAR considers that the proposed development has the potential to cause only low change due to its location/separation outside the proposed development. The potential effect is considered 'slightly negative'. The proposed mitigation measures include the retention of the historic landscape and increased public accessibility to the chapel. The residual effect is deemed to be 'negligible' or 'slightly beneficial'.

8.8.24. I acknowledge that this protected structure (No. 2071) is outside the site boundary and no alterations are proposed, but it is still a significant structure on the overall masterplan lands and has a strong historical, functional, and visual relationship with the main hospital building. However, I note that the application and masterplan will

provide significant separation distances to the south and west of the structure to enable the protection of its setting in association with the main hospital building to the east. Accordingly, I am satisfied that there will be no significant adverse impacts on the setting or character of the structure.

Hay Barn, Pig Pens and Farmstead Buildings

8.8.25. These buildings would have served dual purposes of providing fresh food for the institution and providing a therapeutic activity for patients. The farm buildings retain much of their original form and fabric, though in various states of dilapidation.

8.8.26. The EIAR considers that the proposed development has potential for only low change due to the location of the buildings outside the site, and the potential effect is considered slightly negative. Mitigation measures ensure that the road alignment will provide views and appreciation of the building complex, and the residual effect is deemed to be 'negligible'.

8.8.27. I acknowledge that these buildings are features of the wider curtilage/attendant grounds of the protected structures. However, they are located outside the site and no alterations are proposed. The buildings are of limited architectural heritage value and the development would not significantly detract from their setting or value.

Walled Garden

8.8.28. The walled garden to the east of the site would have originally been an orchard, though it now exists primarily as an enclosed area of ornamental landscaping. The garden is enclosed by a wall with two ornamental gateways surviving. Since abandonment of the site, the gardens have grown wild, and the wall is un-maintained but in reasonable condition.

8.8.29. The EIAR considers that there is a medium sensitivity to change. It considers that the degree of change associated with the development is low given that the form and use of the wall/land will be retained, although its context will change. The potential effect is considered slightly negative. The EIAR mitigation measures involve the removal of features which detract from the overall presentation of the area and the enhancement of landscaping. The residual effect is deemed to be negligible.

8.8.30. I acknowledge that the walled garden is a feature of the wider curtilage/attendant grounds of the protected structures. The most significant change will be its

surrounding visual context formed by adjoining blocks 2-4. However, its form and use will be substantially retained and improved in accordance with LAP Objective HC9, including the removal of inappropriate features and enhanced landscaping. This will bring significant benefits, and I do not consider that the overall effects would significantly detract from this heritage feature.

Historic Landscape

8.8.31. The Historic Landscape was largely established by 1910, and subsequent modifications were generally to its detriment. As previously outlined, significant group value attaches to the Historic Landscape with the Main Hospital Building in terms of a therapeutic measure for mental illness. Since the abandonment of the site the grounds have been unmaintained.

8.8.32. The EIAR outlines that there is a high sensitivity to change, and the development has the potential to cause a high degree of change due to the loss of its undeveloped nature and therapeutic value, as well as changes to views to and from the main hospital building. The potential effect is considered very significantly negative. However, the mitigation measures include the retention of the ornamental sweeping approach road; the removal of the admissions unit and car park and replacement with enhanced landscaping; and the retention of the walled garden. The residual effect is deemed to be moderately negative.

8.8.33. I acknowledge that the historic landscape design largely remains as an important feature of the wider curtilage/attendant grounds associated with the protected structures. In particular, the grounds have a strong historical, functional, and visual relationship with the main hospital building. The proposed development will involve significant changes in terms of the loss of area, a change in function, and an altered visual relationship with the main hospital building.

8.8.34. However, I acknowledge that the ornamental sweeping approach road and the walled garden are important elements, and these will be substantially retained. The proposed development also involves the removal of several modern structures, particularly the admissions unit and car park, which will have beneficial impacts. Furthermore, the majority of development is proposed outside the defined ‘historic landscape’ and, in particular, it is proposed to retain and enhance a significant northern portion of the historic landscape adjoining the main hospital buildings.

Accordingly, I am satisfied that there will be no significant adverse impacts on the historic landscape.

Airing Yards

8.8.35. These exercise areas or 'airing yards' are a later addition to the site which are not apparent on the OS maps of 1908. Constructed in rendered brickwork, partially atop earlier masonry walls, they reflect the historic operating procedures of the hospital, though obviously disused for some considerable period of time prior to the abandonment of the complex.

8.8.36. The EIAR outlines that the sensitivity to change is low. It is proposed to remove these yards, which has a high degree of change, and the potential effect is considered moderately negative. The mitigation measures propose to thoroughly record these structures before removal and residual effects are deemed to be 'slightly negative'.

8.8.37. I acknowledge the proposal to demolish these structures within the wider curtilage / attendant grounds of the protected structures. However, they are not of significant quality, and I do not consider that removal would significantly detract from the heritage value of the site.

Demolition

8.8.38. In addition to any foregoing demolitions, I note that it is proposed to demolish a range of modern structures within the site. These include the former swimming pool / sports hall and admissions unit; a two-storey redbrick building; single storey ancillary and temporary structures including portacabins; and the removal of internal walls, fencing etc. I consider that these are modern structures, and I do not consider that their demolition would adversely impact on the built heritage value of the site or its historic features.

8.8.39. Furthermore, having considered the entire extent of proposed works, including elements of demolition to the perimeter wall, the walled garden, and the Gate Lodge, I do not consider that section 57 (10)(b) of the Planning and Development Act 2000 (as amended) applies as it is not proposed to demolish a protected structure or a proposed protected structure.

Conclusion

8.8.40. Having regard to the foregoing, I do not consider that the proposed development would result in any unacceptable impacts on the built heritage value of the site and its associated/surrounding structures. The proposal would appropriately retain and reuse relevant heritage features and, consistent with LAP Objective HC10, the design would retain the 'open' character and landscaped setting of the CMH lands and would celebrate and enhance the setting of the unique built and natural features that contribute to the character of these lands.

8.9. Building Height, Density, Design, & Visual Amenity

Proposed Height & Density

8.9.1. Section 5.4 of the applicants' Planning Report outlines how the proposed net density was calculated in accordance with Appendix B 'Measuring Residential Density' of the Compact Settlement Guidelines (2024). It is stated that the net site area has been calculated based on the exclusion of the public open space and Gate Lodge, as well as a portion of the site for the other non-residential uses.

8.9.2. Table 1 of Appendix B addresses and outlines the elements of a site that should be included or excluded from the net site area. It clarifies that larger regional or district parks should be excluded, as should other areas of land that cannot be developed due to environmental sensitivities. Having regard to the nature and scale of the proposed public open space, which will form part of a wider connected network, I am satisfied that it is consistent with the criteria for exclusion. Similarly, I consider that the gate lodge area is unsuitable for development due to heritage sensitivities.

8.9.3. Excluding the public road area, the site has an overall area of 9.6 hectares. Therefore, consistent with the applicants' calculations, I would accept that the exclusion of the public open space (2.9ha) and gate lodge area would leave a site area of c. 6.7ha.

8.9.4. However, the Guidelines also outline that the net site area for density purposes should be reduced commensurate with the residential GFA as a portion of the overall GFA. The residential GFA (89,678sqm) is c. 95.4% of the overall GFA (93,980m^2 (excluding the gate lodge)), which would translate to a reduced net site area of 6.4

ha. Accordingly, consistent with the applicants' report, it is my calculation that the proposed net residential density is 146 uph.

8.9.5. In relation to building height, the proposed development incorporates a variety of heights as outlined in Table 2 of this report. The height strategy generally ranges from lower 2-storey heights around the site perimeter to the higher blocks (7-8 storeys) in the central parts of the site.

National Policy & Guidance

8.9.6. Chapter 3 of the *Building Height Guidelines* (2018) outlines a presumption in favour of buildings of increased height in urban locations with good public transport accessibility. It outlines broad principles for the consideration of proposals which exceed prevailing building heights, including the extent to which proposals positively assist in securing National Planning Framework objectives of focusing development in key urban centres, and the extent to which the Development Plan/LAP comply with Chapter 2 of the Guidelines and the NPF. SPPR 3 outlines that, subject to compliance with the criteria outlined in section 3.2 of the Guidelines, the planning authority may approve such development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise.

8.9.7. Section 2.4 of the *Apartments Guidelines* states that 'Central and/or Accessible Urban Locations' include sites within reasonable walking distance (i.e. up to 10 minutes or 800-1,000m) to/from high-capacity urban public transport stops (such as DART or Luas). Given the close proximity of the site to the Windy Arbour Luas stop (within 500 metres), I am satisfied that the site can be categorised as a 'Central and/or Accessible Urban Location'. The Guidelines state that such locations are generally suitable for small- to large-scale (will vary subject to location) and higher density development (will also vary), that may wholly comprise apartments.

8.9.8. More recently, the *Compact Settlement Guidelines* (2024) set out policy and guidance in relation to the planning and development of urban and rural settlements, with a focus on sustainable residential development and the creation of compact settlements. It is intended that the Guidelines should be read in conjunction with other guidelines (including the Building Height Guidelines and the Apartments Guidelines) where there is overlapping policy and guidance. Where there are differences between these Guidelines and Section 28 Guidelines issued prior to

these guidelines, it is intended that the policies and objectives and specific planning policy requirements of these Guidelines will take precedence.

8.9.9. Policy and Objective 3.1 of the Guidelines is that the recommended residential density ranges set out in Section 3.3 are applied within statutory development plans and in the consideration of individual planning applications, and that these density ranges are refined further at a local level using the criteria set out in Section 3.4 where appropriate.

8.9.10. Table 3.1 of the Guidelines outlines the areas and density ranges for Dublin and Cork City and Suburbs. The 'City – Urban Neighbourhoods' category includes *'(iii) lands around existing or planned high-capacity public transport nodes or interchanges (defined in Table 3.8)'*. It should be noted this does not exclude suburban areas as it includes all relevant areas '*within the city and suburbs area*'.

8.9.11. Table 3.8 defines a High Capacity Public Transport Node or Interchange as '*Lands within 1,000 metres (1km) walking distance of an existing or planned high capacity urban public transport node or interchange, namely an interchange or node that includes DART, high frequency Commuter Rail, light rail or MetroLink services; or locations within 500 metres walking distance of an existing or planned BusConnects 'Core Bus Corridor' stop*'.

8.9.12. Accordingly, based on the foregoing definitions and the location of the site within 1km walking distance of the Windy Arbour Luas stop, I am satisfied that the site is on *'lands around existing or planned high-capacity public transport nodes or interchanges*', which comes within the 'City – Urban Neighbourhoods' category as per Table 3.1 of the Guidelines. It is a policy and objective of the Guidelines that residential densities in the range 50 dph to 250 dph (net) shall generally be applied in such areas and the proposed density (146 dph) would be within that range.

8.9.13. Section 3.4 of the Guidelines recommends that the density ranges should be further considered and refined. Step 1 in the refining process is the 'consideration of proximity and accessibility to services and public transport', which encourages densities at or above the mid-density range at the most central and accessible locations, densities closer to the mid-range at intermediate locations, and densities below the mid-density range at peripheral locations.

8.9.14. Table 3.8 outlines further guidance on accessibility and I have already outlined that the site would be within a high-capacity public transport node or interchange based on its location within 1km walking distance of the Luas stop. Table 3.8 also states that highest densities should be applied at the node or interchange and decrease with distance. In this regard, I have already outlined that the site is within c. 500m walking distance of the Windy Arbour Luas stop, which is at the mid-point of the relevant 1km distance. I have also outlined that the PTAL tool classifies the immediately adjoining Dundrum Road as a 'Medium-High Level of Service' in terms of overall public transport accessibility.

8.9.15. Ultimately, section 3.4.1 of the Guidelines confirms that the density range set out (i.e. 50-250 dph) will be acceptable. And having regard to the 500m walking distance to the Windy Arbour Luas stop (i.e. at the mid-range of the 1km distance) and the 'Medium-High Level of Service' (as per PTAL), I am satisfied that the proposed density (146 uph) would be commensurate and appropriate 'at' the mid-density point of the recommended 50-250 uph range.

8.9.16. Step 2 in the refining process is the consideration of character, amenity and the natural environment with regard to the following criteria.

(a) Local character

I acknowledge that the immediate surrounding area is predominantly characterised by lower density residential development comprising 2-storey houses. The most notable exception is a 4-storey residential block in the adjoining Annaville area. There are no protected structures or architectural conservation areas in the surrounding area (outside the overall CMH lands).

The Guidelines outline that it is not necessary to replicate the scale and mass of existing buildings as most urban areas have significant capacity to accommodate change, but that it will be necessary to respond in a positive and proportionate way to the receiving context through site responsive design.

I have previously outlined that the proposed height strategy aims to respond sensitively to surrounding development, and the proposed heights and separation distances are outlined in section 8.5 of this report. Having regard to the proposed design and layout, I am satisfied that there will be an appropriate transition between existing and proposed development. In particular, development

adjoining the existing Annaville, Friarsland and Larchfield areas will be limited to 2-4 storeys and will be appropriately setback and orientated to protect existing character. To the north, existing development and open space will provide a significant buffer from the Mulvey Park area, and to the west the Dundrum Road and boundary wall will soften the transition from existing development to the proposed 5-storey blocks. The maximum heights (6-8 storeys) are located more centrally within the site, where increased separation distances will facilitate a graduated transition from surrounding development.

In response to third-party concerns, I would accept that the proposed height and density would be significantly increased compared to surrounding development. However, I am satisfied that this is achieved through a sensitive approach and that, ultimately, it is appropriate that this significant site should define its own character rather than consolidating existing character. The proposed approach would be consistent with national and local policies which aim to regenerate this site and create a new neighbourhood.

(b) Historic environments

I have acknowledged the significance of this historic environment in section 8.8 of this report. I do not consider that there would be any unacceptable impacts on the built heritage value of the site and surrounding area.

(c) The environment and protected habitats and species

These matters are discussed in detail in sections 9 and 10.7 of this report. I do not consider that there would be any unacceptable impacts in this regard.

(d) The amenities of residential properties

As outlined in sections 8.5, 8.6, and 10.6 of this report, I am satisfied that, subject to conditions, there would be no unacceptable impacts on the amenities of residential properties.

(e) Water supply and wastewater networks

As outlined in section 10.9 of this report, I do not consider that there would be any unacceptable impacts on water supply and wastewater networks.

8.9.17. In conclusion regarding density policy/guidance in the Compact Settlement Guidelines, I consider that the proposed development would be acceptable in accordance with the recommended quantitative density ranges for the application site as per 'Step 1' of the 'refining density' process, and that it would satisfactorily address the 'Step 2' criteria in respect of impacts on local character; the historic environment; the environment and protected habitats and species; residential amenity; and water supply and wastewater networks.

LAP Policy

8.9.18. The Dundrum LAP contains several provisions relating to height, density, design and layout. I have addressed many of these provisions in the preceding sections of this report, and any other relevant provisions are discussed in the following paragraphs.

8.9.19. Objective CMH6 deals with Built Form Objectives. The proposed development would be satisfactorily in accordance with the indicative block layout shown on figure 2.18 of the LAP.

8.9.20. Objective CMH9 states that '*An overall general plot ratio of 1:1.19 shall be achieved'*, and Objective H1 is that redevelopment proposals for the site shall 'generally accord' with this Plot Ratio parameter. The proposed plot ratio (net) is stated to be 1:0.98, which I consider to be generally in accordance with these objectives. Furthermore, the objective plot ratio (1:1.19) relates to the overall CMH lands and this can only be ultimately determined in the future application for the remaining Masterplan lands.

8.9.21. Objective CMH10 outlines building height requirements, to which I would state:

- As previously outlined, the height strategy is sensitive to adjoining areas.
- The proposed heights generally range from 3-7 storeys, with 7-storey elements provided in designated locations of height as per Fig. 2.18 of the LAP.
- I note that 8-storey development is included in Block 3, but this is consistent with allowances for a 'designated location of height'.

8.9.22. Objective CMH12 requires a landscape and biodiversity strategy which protects and enhances the ecology of the site. I consider that the proposal satisfactorily addresses these requirements as follows:

- The application is accompanied by an Arboricultural Assessment which assesses a total of 307 no. trees, 2 no. tree lines, 16 hedges, 1 shrub belt, and 1 fruit orchard. The majority (178 Trees and all tree Lines, hedges, shrub belt, and fruit orchard) were rated as Category C (low quality/value), while 25 trees were rated Category U (any existing value would be lost within 10 years). Just 45 trees (c. 15%) were rated Category A (high quality/value), while 59 trees (c. 19%) were rated Category B (medium quality/value). The majority of high/medium quality trees were recorded along the existing access road, around the main hospital buildings, and along the ditch running through the site.

  It is proposed to remove 13 no. Hedges, one short young tree line, the fruit orchard and the shrub belt, all of which are rated Category C. It is also proposed to remove 169 (55%) of the 307 trees. However, 143 (c. 85%) of the trees to be removed are Category C or U. Just 14 (8%) would be Category A, and 12 (c.7%) would be Category B, although efforts will also be made to retain these trees. Detailed tree protection measures have been included for the other trees.

  I note that third-party submissions have raised concerns about the extent of tree loss, particularly Category A and B trees and those around the walled garden. However, I consider that the extent of Category A and B trees being removed is limited, and I would accept that the trees associated with the walled garden are of low quality/value. Furthermore, I would accept that tree loss has been appropriately mitigated with the retention of a lot of the more prominent trees, particularly the main groups around the front of the existing buildings and on the entrance avenue.

  Accordingly, I consider that the proposal adequately retains trees and treelines which contribute to heritage, landscape character, ecology, and climate adaptation.
- A comprehensive range of supplementary planting is being added as outlined in the landscaping layout and planting schedule. This will complement the development and its incorporation into the surrounding area. It will also help to provide good quality and sustainable long-term tree cover. And as it establishes

and grows in size, it will suitably mitigate any negative impacts associated with tree/vegetation loss.

- The drainage ditch on site is being retained to form part of a new eco-corridor.
- The eco-corridor and other open spaces and planting will satisfactorily provide new habitats and nesting and roosting opportunities for birds and mammals.
- As outlined in section 10.7 of this report, the EIAR includes an Invasive Species Management Plan as a mitigation measure.

Similarly, I consider that these proposals satisfactorily address LAP Objectives GI2, GI4 & GI5 regarding the protection / enhancement of wildlife corridors, hedgerows, and woodlands in accordance with the DLR Biodiversity Action Plan 2021-2025.

8.9.23. Objective CMH13 requires a surface water management strategy that provides a multi-level treatment train which mimics natural processes to infiltrate and reuse surface water runoff, within the site curtilage, as much as possible. In this regard, I am satisfied that the proposal includes a SuDs Management Train that collects, conveys and treats surface water through differing SuDs components. This includes green roofs, permeable paving, bioretention systems, existing drains/swales, rain gardens, integrated wetlands, and tree planting.

8.9.24. Objective CMH14 outlines Climate Mitigation requirements, and I am satisfied that the proposals are acceptable as follows:

- As outlined in section 10.12 of this report, c. 7,000m^3 of soil and stone will be retained on site, while the remainder will be removed off site for reuse, recovery and/or disposal in accordance with waste legislation. The main types of construction waste are estimated to generate 5,852.4 tonnes, c. 90% of which will be for reuse or recycle/recovery. I am satisfied that this matter will be appropriately addressed by the Resource Waste Management Plan.
- As outlined in section 8.5 of this report, the proposed development will be future proofed for district heating if it becomes available in the area in future.
- And as per the Energy & Sustainability Report, the development will be a Nearly Zero Energy Building (NZEB) in accordance with the Building Regulations and will incorporate a range of measures to reduce energy use and climate impact.

8.9.25. Policy DLAP17 relates to residential density and confirms support for CDP Policy Objective PHP18, which will be discussed later in this section. It also elaborates on the application site by stating that proposals for net densities in excess of 80 uph shall demonstrate several requirements, which are discussed as follows:

- As outlined in section 8.3 of this report, I am satisfied that the application provides adequate social and community infrastructure.
- As previously outlined, I am satisfied that the design appropriately responds to the characteristics of the site, development constraints and prevailing character.
- As outlined in sections 8.2 & 8.4 of this report, I am satisfied with the proposed mix of uses and housing typologies.
- As outlined in section 8.3, I am satisfied that the proposed development would adequately provide high quality public open space and amenities.

8.9.26. Policy DLAP18 is that building height shall generally accord with Chapter 2 (i.e. including CMH10 as outlined earlier). However, this is qualified by the proviso '*subject to Policy Objectives BHS1 and BHS2*' of the CDP, which will be discussed later in this section. In circumstances where compliance with Policy Objective BHS1 and BHS2 of the CDP can be demonstrated, additional height may be appropriate subject to complying with the safeguards outlined in the CDP; the policies and objectives of the local area plan; and the performance-based criteria as set out in Table 5.1 of the BHS.

8.9.27. In conclusion on LAP policy, I am satisfied that the proposed development satisfactorily addresses the relevant requirements relating to *inter alia* built form; landscape and biodiversity; surface water management; and climate. I am also satisfied that it is consistent with provisions relating to density and building height. However, I acknowledge that DLAP17 (density) requires further consideration of CDP Objective PHP18, while DLAP18 (building height) outlines the need for consideration of a wider range of issues and criteria. In particular, I consider that Policy DLAP18 confirms that the CDP (including the BHS) sets out the overriding policies for the assessment of building height.

CDP Policy

8.9.28. Regarding density, the CDP (including Policy PHP18) generally supports proposals to optimise density on suitable sites subject to suitable design and the protection of residential amenity and area character. It supports minimum densities of 50 units per hectare at locations such as the application site (i.e. within 1km walking/10min walking distance of the Luas and/or the Town Centre).

8.9.29. The site is also designated as 'Institutional' land and Policy Objective PHP21 is to retain the open character and/or recreational amenity of land parcels that are in institutional use (such as religious residential or other such uses) and are proposed for redevelopment. I acknowledge that the site is not currently in institutional use, but I would accept that the 'institutional' designation still remains as per the CDP.

8.9.30. The CDP outlines that where institutional lands are proposed to be developed, average net densities should be in the region of 35 - 50 units p/ha, but that '*In certain instances, higher densities may be permitted where it can be demonstrated that they can contribute towards the objective of retaining the open character and/or recreational amenities of the lands'*. I note that third-party submissions contend that the proposal would contravene the 35-50uph range.

8.9.31. By way of background, I would highlight that the CDP reference to 35-50 uph would be consistent with the recommendation for 'Institutional Lands' contained in 'Sustainable Residential Development in Urban Areas' (2009), which were the applicable Guidelines for planning authorities at the time of the adoption of the CDP (i.e. prior to replacement by the Compact Settlement Guidelines (2024)). However, while the 2009 Guidelines only allowed for '*increased densities in selected parts (say up to 70 dph)*' of such lands, the CDP does not restrict increased density to 'selected parts' and does not suggest any such maximum density of 70 dph or otherwise. Furthermore, the Compact Settlement Guidelines does not make any recommendation for density on 'institutional land', nor indeed make any reference to 'institutional land' at all. Accordingly, it is my view that the CDP provides that higher densities (i.e. >35-50 uph) may be permitted over the entire site, subject to demonstration that it would contribute towards the objective of retaining the open character and/or recreational amenities of the lands.

8.9.32. As outlined in section 8.3 of this report, the proposed development would reserve c. 30% of the site area as public open space, which would comfortably exceed the higher requirement for 25% on institutional lands. I have also outlined that there are suitable proposals for the retention of existing trees and vegetation, and that additional landscaping will ensure the creation of a high-quality open space network. And while the site has not been traditionally open to the public for recreational purposes, the proposed development will provide significantly improved recreational amenities which will be easily accessible to the public. Accordingly, I am satisfied that the proposed higher density (>35-50 uph) can be permitted as it would contribute towards the objective of retaining the open character and/or recreational amenities of the lands. I note that section 4.3.1.4 (PHP21) of the CDP contains other criteria for the development of institutional land, and I have also confirmed that these matters are satisfactorily addressed in other sections of this report (s. 8.2 (uses), s. 8.3 (public open space)).

8.9.33. In relation to building height, Appendix 5 of the CDP outlines the Building Height Strategy (BHS) for DLRCC. Policy Objective BHS 1 supports increased height / taller buildings where appropriate in suitable areas well served by public transport links (i.e. within 1000m / 10-min walk of a Luas stop, which is applicable to the application site). BHS1 is subject to further assessment of height impacts, including the criteria outlined in table 5.1 of the strategy.

8.9.34. I would conclude that CDP policy on density and building height is closely related. I acknowledge that the proposed density would exceed 50 dph, which is permitted by s. 4.3.1.4 of the CDP, and that CDP policy does not place any maximum limit on building height for this site. However, the question of height and density requires further consideration in terms of qualitative criteria as outlined in Table 5.1 of the BHS, which would also address objectives PHP18, PHP20, and PHP42 of the CDP.

8.9.35. The Development Plan BHS has been prepared having regard to the provisions of the national Building Height Guidelines and the performance criteria outlined in Table 5.1 satisfactorily incorporates the criteria associated with SPPR 3 and section 3.1 of the Guidelines. Accordingly, this assessment of the Table 5.1 criteria (see Table 11 below) adequately covers compliance with the Building Height Guidelines.

Table 11 – Assessment of CDP BHS Criteria (Table 5.1)

At County Level	
Criterion	**Assessment**
NPF Objectives	The development is proposed as a higher density scheme within 1km of a Luas Stop and Dundrum Major Town Centre, and in close proximity to a wide range of other services and facilities. It would assist in securing objectives regarding brownfield / infill development and delivering compact growth on an under-utilised site.
Public Transport	As outlined in section 8.7 of this report, I am satisfied that the site is well served by public transport (i.e. within 1000 metre/10 minute walk band of LUAS stop) with high capacity, frequent service, and good links to other modes of public transport.
Character and Public Realm	As outlined earlier in this section, I am satisfied that the proposal would successfully integrate into/enhance the character and public realm of the area. It would transform a historically inaccessible site by opening it up to the public through new physical links, open space, and community/social facilities, and by visually softening the interface along Dundrum Road. This would significantly benefit the legibility, appearance, and character of the area. This criterion includes a requirement for an Urban Design Statement and a Street Design Audit. I have had regard to the applicants' Architectural Design Statement, the Stage 1 Access and Walking Audit, and the DMURS Compatibility Statement, and I am satisfied that these documents have satisfactorily demonstrated compliance with relevant design standards/guidance and an appropriate response to the character of the area and the public realm context. There is also a requirement for a Landscape and Visual Impact Assessment (LVIA). Chapter 14 of the EIAR outlines a Landscape/Townscape and Visual impact Assessment for the proposed development and I will address this in section 10.14 of this report. I am satisfied that there would be no unacceptable impacts.
Views and Prospects	The Development Plan (Table 8.1 and Zoning Map 1) does not indicate any objectives to protect views / prospects in the vicinity of

	the site. Furthermore, as outlined above, I do not consider that there would be any unacceptable impacts on landscape/townscape.
Infrastructural Capacity	I consider that the CDP/LAP support for the redevelopment of the site is reflective of the significant infrastructural carrying capacity in the area. I have also considered the infrastructural capacity in other sections of this report as follows: Sections 8.2 & 8.3 – The proposed mix of uses and services/facilities would complement existing social and community infrastructure to ensure that there will be adequate capacity. Section 8.7 – The proposed development will be served by adequate capacity in terms of public transport, road network, parking, and walking / cycle facilities. Section 10.9 – As will be outlined, the proposed development will be adequately served by water, wastewater, and surface water services, and there is no unacceptable flood risk.
At District/Neighbourhood/Street Level	
Response to natural and built environment and contribution to neighbourhood / streetscape	Table 5.1 of the BHS outlines the need to demonstrate compliance with the 12 criteria set out in the Urban Design Manual of the Sustainable Residential Development Guidelines (2009), as well as DMURS. I have previously outlined that compliance with DMURS has been satisfactorily demonstrated, and that the 2009 Guidelines have been replaced by the Compact Settlement Guidelines (2024). However, the applicants' Architectural Design Report still addresses the 2009 criteria, and I would summarise my assessment with references to other sections of this report as follows: <u>Context</u> – As previously stated, I acknowledge that the proposal is of a different character to its surroundings, but that it achieves an appropriate transition in defining its own character. <u>Connections</u> – As per s. 8.7, I am satisfied that the proposal will be well connected to public transport and the road network and will significantly improve pedestrian / cycle connections through the provision of high-quality links.

	Inclusivity – As per s. 8.3, 8.4, & 8.7, the proposal would provide a mix of homes and other services and facilities which would be suitably accessible to a range of people / households. Variety – As per s. 8.2 – 8.4, the proposal will provide a good mix of uses and activities to serve the existing and proposed local communities. These facilities have been suitably located and designed to function as focal points within the development and to successfully integrate with surrounding development. Efficiency – The proposed density would contribute towards compact development and would make more efficient use of this underutilised site in an accessible location close to a range of services and facilities. Furthermore, the detailed design incorporates appropriate measures in relation to SuDs, daylight/sunlight, energy efficiency, and waste management. Distinctiveness - As previously stated, the proposal is of a different character to its surroundings but would successfully define its own character. It would retain natural and historic features to create memorable views and routes, and the proposed scheme would create a diverse and distinctive range of hard- and soft-landscaped focal points. It would positively transform the identity of the area to a more permeable and accessible neighbourhood. Layout – The scheme prioritises pedestrian/cycle movement which aligns with desire lines to create a legible and logical layout. There is a high level of activity at street level through the proposed building uses, access arrangements, and the network of open space and cycle / pedestrian links. Public Realm – The proposed public spaces/routes are appropriately designed, defined, accessed, and integrated, including appropriate levels of overlooking/surveillance. The proposed roads and parking areas have been suitably incorporated into the landscape scheme. The alterations along Dundrum Rd will improve visibility and activity and will positively contribute to the public realm. Adaptability – As per s. 8.4, the proposed mix of housing will offer a suitable range of smaller house types when compared to the

	predominant mix of larger units in the area. The proposed apartments have been suitably sized and can be adapted to cater for future needs if necessary. The scheme has been designed with energy efficient homes to meet the needs of a changing climate. Privacy & Amenity – As per s. 8.4, the proposed apartments will ensure a suitable standard of residential amenity. Parking – As per s. 8.7, the proposed quantity and quality of car and cycle parking will be acceptable. Detailed Design – The materials strategy mainly uses a mixture of buff and dark brick complemented by the use of red brick in the central portion of the site (Blocks 3, 4, 7), which contributes to the creation of character areas within the development. Aluminium balconies provide further detail on the elevations. The public spaces form integral and connected elements of the landscape design, and the proposed design of spaces and buildings allows for easy maintenance. Any open parking areas have been acceptably incorporated into the public realm and careful attention has been paid to the siting and design of plant and servicing requirements such as waste storage etc. Following on from the above criteria, the Compact Settlement Guidelines are to be accompanied by an updated but yet unpublished Design Manual. In advance of the updated manual, I note that the Guidelines include 'Key Indicators of Quality Design and Placemaking'. I am satisfied that the 'key indicators' are covered in the 12 criteria set out in the Urban Design Manual (2009) and that the application successfully responds to these indicators in accordance with Policy and Objective 4.2 of the Guidelines. Having regard to the foregoing, I am satisfied that the proposed development would make a positive contribution to the urban neighbourhood and streetscape.
Building Form	The design is based on a wide spread of individual 'blocks', which themselves are further separated into clearly identifiable 'sub-blocks'. Throughout the development and within individual blocks, there is a wide variety in terms of height, orientation, building lines,

	materials, and finishes. The approach avoids long, uninterrupted walls of building in the form of slab blocks and would not result in a monolithic appearance.
Materials	As outlined previously, there is a good variety of high-quality materials. The application includes a Building Life Cycle Report which adequately considers long-term running/maintenance costs and sets out measures to effectively manage and reduce costs.
Public spaces, thoroughfares, and water frontage.	The Dundrum Road and Rosemount Green are key thoroughfares / public spaces, and the proposed development would enhance the urban design context at these interfaces. The drain on site would be enhanced as an eco-corridor and the application is accompanied by a Flood Risk Assessment. As will be outlined in s. 10.9 of this report, I am satisfied that the development is acceptable from a flood risk perspective.
Legibility	The significantly enhanced visibility and permeability of the site along Dundrum Road and Rosemount Green would facilitate public connectivity. The layout uses a range of clearly identified landmark buildings, routes, and public spaces to form a high-quality circulation layout. This would significantly improve legibility through the site.
Mix of Uses / Buildings	As previously outlined, the proposal would positively contribute to the mix of uses and building/dwelling typologies in the area.
Enclosure	The layout includes a network of significant open spaces and thoroughfares. The proposed layout and height strategy is arranged around these spaces and the natural and built heritage features within the overall CMH lands. Adequate separation distances are provided to ensure that the proposed building height is appropriate to the street/space width, and that a suitable level of enclosure will be provided in terms of amenity, safety, and sunlight.
Urban Grain	Despite its significant scale, the proposed development has been appropriately designed to respect the need for meaningful human contact. The street level contains a wide range of community and commercial uses which will combine with active travel routes and open spaces to generate a high level of interaction. The proposed

	design avoids overbearing impacts and provides an intimate level of enclosure that will positively contribute to placemaking.
Character and Identity	For the reasons previously outlined, I am satisfied that the proposal would make a positive contribution to the character and identity of the neighbourhood.
Neighbouring Properties	As outlined in sections 8.5 & 8.6 of this report, I am satisfied that the proposal would respect the form of surrounding buildings/landscape and the amenity enjoyed by neighbouring properties.
At Site/Building Scale	
Daylight, ventilation, views, and sunlight	As outlined in s. 8.4 and 8.6, the proposed development would provide appropriate access to natural daylight, ventilation and views, and would not result in any unacceptable overshadowing.
BRE Guidance on Daylight and Sunlight	Section 8.6 outlines how the proposed development satisfactorily demonstrates the level of compliance with quantitative performance standards on daylight and sunlight as set out in BRE Guide guidance. It has clearly identified where it does not meet all the requirements, and the rationale for alternative, compensatory design solutions has been satisfactorily set out.
Overlooking, overbearing, overshadowing	As outlined in sections 8.5 & 8.6 of this report, I do not consider that there would be significant adverse impacts on adjoining properties by way of overlooking, overbearing, and/or overshadowing.
Built Heritage	As per s. 8.8, the proposal would not negatively impact on an Architectural Conservation Area (ACA) or the setting of a protected structure in any unacceptable way.
Carbon Emissions	The application is accompanied by a Building Lifecycle Report and Energy and Sustainability Report. Chapter 12 of the EIAR considers potential impacts on climate taking account of carbon emissions, and this is assessed in s. 10.11 of this report. Having considered these matters, I am satisfied that appropriate regard has been had to the relative energy cost of and expected embodied and operational carbon emissions over the lifetime of the development, and that proposals have incorporated appropriate energy efficiency measures to align with climate policy.

	Regarding carbon emissions related to the proposed demolitions, I acknowledge that the CDP (Policy Objective CA6 and s. 12.2.1) requires/promotes the retrofitting and reuse of existing buildings in preference to demolition/reconstruction '*where possible'*. However, section 3.4.1 of the CDP also outlines that where an existing building cannot be incorporated into a new layout and the development facilitates a significant increase in density, demolition may be considered to be acceptable. Having regard to the unsuitable nature, form and layout of the existing buildings, together with the competing needs (as outlined in local and national policy discussed throughout this report) to achieve increased density with a high-quality layout and design which positively contributes to place-making while retaining the open character of the lands and complying with requirements for *inter alia* open space, linkages, services, and supporting non-residential uses, I am satisfied that the proposed demolition is acceptable in this case. I do not consider that the proposed development would materially contravene the CDP in this respect.
County Specific Criteria	
Coastal Character	The proposed development will not impact on the character of the coastline or its architectural heritage.
Mountain Landscape	Given the significant distance from the mountain foothill landscape, I do not consider that there would be any significant effects.
Specific Requirements	The applicants have appropriately responded to the consultation carried out prior to making the application, as well as to the Commission's Further Information request. I am satisfied that the application contains sufficient information for the purposes of the Commission's decision.
Microclimatic Impacts	In addition to the sunlight/daylight assessment (section 8.6 of this report), Chapter 15 of the EIAR outlines an assessment of microclimatic wind impacts on sensitive receptors. It is based on the industry-standard Lawson Comfort Criteria. During the Construction Phase, no safety exceedances are predicted, and any wind effects are considered negligible. For the

	operational phase (winter and summer), the assessment considers the suitability of the development based on the categories 'sitting', 'standing', 'walking (leisure)', 'walking (business)', and 'uncomfortable'. Having regard to the design and layout of the development, together with the proposed mitigating landscaping proposals, I am satisfied that the wind conditions will be suitable for the intended uses/activities within various areas of the site.
Bird and Bat Flight Lines	Chapter 8 of the EIAR and the Natura Impact Statement (NIS) consider potential impacts on birds and bats. I have considered these matters in sections 9 and 10.7 of this report. Having regard to the recorded bird/bat activity, together with the proposed development height, materials, and lighting, I am satisfied that there will be no significant impacts on bird/bat flight lines.
Telecommunication Channels	The site is currently served by the EIR network, while a Virgin Media network extends around the perimeter wall. Chapter 20 of the EIAR considers impacts on telecommunications and I have addressed this in section 10.12 of this report. I am satisfied that there will be no significant impacts on telecommunications channels.
Safe air navigation	Having regard to the distance of the site from Dublin Airport and any other such facilities (e.g. Casement Aerodrome); typical flight paths in the area; and the medium-rise height of the scheme; I do not consider that there would be any significant impacts in this regard.
Environmental Assessments	As will be addressed in sections 9 and 10 of this report, the application includes an AA Screening Report, a Natura Impact Statement, and an Environmental Impact Assessment Report. These have satisfactorily addressed requirements, and I do not consider that there will be any unacceptable impacts.
Additional criteria for larger redevelopment sites with taller buildings	
Place Making	For the reasons previously outlined in this section, I am satisfied that the proposed development would incorporate new streets/spaces and use massing/height to achieve an appropriate density with a variety and scale of building form which successfully responds to adjoining development. Accordingly, it would make a positive contribution to place making.

BRE standards for daylight and sunlight on larger unconstrained redevelopment sites	Although this is a larger redevelopment site, it is effectively surrounded by existing development and contains a high level of built and natural heritage. Furthermore, there is a requirement to achieve a comprehensive range of links through the site and at least 25% of the site must be reserved as public open space. Accordingly, I do not consider it to be an unconstrained site where BRE standards must be met. As per s. 8.6 of this report, I consider that there is a high level of compliance with BRE standards and that adequate compensatory measures have been included.

8.9.36. Having regard to the above table, I consider that the proposed development satisfactorily meets the performance-based criteria for increased height in accordance with the policy objectives of the CDP Building Height Strategy.

Conclusion

8.9.37. This section of my report has considered the design and layout of the proposed development, particularly with regard to building height and density and its impact on the character and amenities of the area. Having reviewed local and national policy, I consider that the quantitative height and density standards can be permitted in principle. And having further considered the quality of the proposed design and layout, with reference to the relevant standards and criteria set out in local and national policy, I am satisfied that the proposed development would be acceptable. It would deliver a high-quality development that would appropriately integrate with its context and would positively contribute to the character and amenities of the area.

9.0 The likely significant effects on a European Site (Appropriate Assessment)

9.1. Introduction

The requirements of Article 6(3) of the Habitats Directive, as related to appropriate assessment of a project under part XAB, sections 177U and 177V of the Planning and Development Act 2000 (as amended) are considered fully in this section. The areas addressed in this section are:

- Compliance with Article 6(3) of the EU Habitats Directive.

- Screening the need for appropriate assessment.
- The Natura Impact Statement.
- Stage 2 Appropriate Assessment of implications of the proposed development.

9.2. Compliance with Article 6(3) of the EU Habitats Directive

The Habitats Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) of this Directive requires that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. The competent authority must be satisfied that the proposal will not adversely affect the integrity of the European site before consent can be given.

The proposed development is not directly connected to or necessary to the management of any European site and therefore is subject to the provisions of Article 6(3).

9.3. Screening the need for Appropriate Assessment

An AA Screening exercise has been completed (see Appendix 1 of this report for further details). 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 it is not possible to exclude that the proposed development alone will give rise to significant effects on South Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, North Dublin Bay SAC, North Bull Island SPA, and North-west Irish Sea SPA, in view of the conservation objectives. Appropriate Assessment is therefore required.

This determination is based on:

- The nature and scale of the proposed works
- The potential connectivity between the application site and the European Sites via surface water emissions

- The potential for disturbance / displacement effects on the SCI species in the designated Special Protection Areas
- The nature and extent of the proposed mitigation measures, which may not be implemented in the absence of connectivity to a European Site.

The possibility of significant effects on other European sites has been excluded on the basis of objective information. No measures intended to avoid or reduce harmful effects on European sites (including those outlined in the applicant's NIS) were taken into account in reaching this conclusion.

9.4. The Natura Impact Statement (NIS)

As outlined in Appendix 2 of this report, a Natura Impact Statement (NIS) has been submitted with the application. It describes the proposed development, the project site and the surrounding area. The NIS outlines the methodology used for assessing potential impacts on the habitats and species within several European Sites that have the potential to be affected by the proposed development. It predicts the potential impacts for these sites and their conservation objectives, suggests mitigation measures, assesses in-combination effects with other plans and projects, and it identifies any residual effects on the European sites and their conservation objectives.

The NIS was informed by a range of sources including desktop studies; relevant guidance and legislation; NPWS information on Natura 2000 sites; winter and breeding bird surveys; the EIAR; the Construction and Environmental Management Plan.

It considers the potential effects of the project on South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA, and the North-west Irish Sea SPA. It concludes that following the implementation of the mitigation measures outlined, no significant effects are likely from the proposed development, either alone or in combination with any other plans or projects on Natura 2000 sites, their features of interest or conservation objectives. It states that the proposed project will not will adversely affect the integrity of European sites.

Having reviewed the NIS and the supporting documentation, I am satisfied that it provides adequate information in respect of the baseline conditions, clearly identifies the potential impacts, and uses best scientific information and knowledge. Details of mitigation measures are provided and summarised in Table 14 of the NIS. I am satisfied that the information is sufficient to allow for appropriate assessment of the proposed development (see further analysis below).

9.5. **Stage 2 Appropriate Assessment of implications of the proposed development**

In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA, and North-west Irish Sea SPA, in view of the conservation objectives of those sites and that Appropriate Assessment was required.

Appendix 2 of this report outlines the objective scientific assessment of the implications of the project on the qualifying interest features of South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA, and North-west Irish Sea SPA**,** using the best scientific knowledge in the field.

Following an examination, analysis and evaluation of the NIS and all associated material submitted, and taking into account all submissions and observations received, from third-parties and Inland Fisheries Ireland, I consider that adverse effects on the site integrity of South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA, and North-west Irish Sea can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects

My conclusion is based on the following:

- The nature and scale of the proposed development; the location of the site at a significant distance from European Sites; and its limited hydrological connectivity with the European Sites.
- Detailed assessment of construction and operational impacts.

- The proposed development will not affect the attainment of conservation objectives for the relevant qualifying interests of South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA, and North-west Irish Sea SPA.
- Effectiveness of mitigation measures proposed in the Natura Impact Statement, the Construction & Environmental Management Plan, and the Environmental Impact Assessment Report.
- Application of planning conditions to require that all relevant mitigation and monitoring measures shall be implemented.

10.0 The likely effects on the environment (Environmental Impact Assessment)

10.1. Statutory Provisions

10.1.1. The proposed development mainly involves the demolition of existing structures (3,667m^2), alterations to the existing perimeter wall, construction of 934 no. residential units, construction of 4,380m^2 of non-residential community and commercial uses, vehicular access, open space and landscaping, and all associated siteworks and services. The site has a stated overall gross area of 9.7 hectares.

10.1.2. Item 10(b) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended and section 172(1)(a) of the Planning and Development Act 2000, as amended, provides that an Environmental Impact Assessment (EIA) is required for projects that involve:

i) Construction of more than 500 dwelling units

iv) Urban Development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

10.1.3. The proposal for 934 no. residential units would exceed the relevant 500-unit threshold and would, therefore, be a project as described at 10(b)(i) above. Accordingly, EIA is required, and an Environmental Impact Assessment Report (EIAR) has been submitted with the application.

10.1.4. I do not consider that the site is located within a 'business district'[20], but rather is part of a 'built-up area'. Accordingly, the site area (9.7ha) would not exceed the relevant 10-hectare threshold as described at 10(b)(iv) above. I note that the overall masterplan area extends to 11.3ha but the application itself is confined to the 9.7ha site. In any case, the requirement for EIA has been triggered in respect of 10(b)(i), and I am satisfied that the EIAR appropriately considers the cumulative impact of the future application envisaged for the remainder of the CMH Masterplan lands.

10.2. **EIA Structure**

10.2.1. This section of the report comprises the EIA of the proposed development in accordance with the Planning and Development Act 2000 (as amended) and the associated Regulations, which incorporate the European directives on EIA (Directive 2011/92/EU as amended by 2014/52/EU). Section 171 of the Planning and Development Act, 2000 (as amended) defines EIA as:

(a). consisting of the preparation of an EIAR by the applicant, the carrying out of consultations, the examination of the EIAR and relevant supplementary information by the Board, the reasoned conclusions of the Board and the integration of the reasoned conclusion into the decision of the Board, and
(b). includes an examination, analysis and evaluation, by the Board, that identifies, describes and assesses the likely direct and indirect significant effects of the proposed development on defined environmental parameters and the interaction of these factors, and which includes significant effects arising from the vulnerability of the project to risks of major accidents and/or disasters.

10.2.2. Article 94 of the Planning and Development Regulations, 2001 and associated Schedule 6 set out requirements on the contents of an EIAR.

10.2.3. This EIA section of the report is therefore divided into two sections. The first section assesses compliance with the requirements of Article 94 and Schedule 6 of the Regulations. The second section provides an examination, analysis and evaluation of the development and an assessment of the likely direct and indirect significant

[20] Defined in the Regulations as '*a district within a city or town in which the predominant land use is retail or commercial use*'.

effects of it on the following defined environmental parameters, having regard to the EIAR and relevant supplementary information:

- population and human health,
- biodiversity, with particular attention to species and habitats protected under the Habitats Directive and the Birds Directive,
- land, soil, water, air and climate,
- material assets, cultural heritage and the landscape,
- the interaction between the above factors, and
- the vulnerability of the proposed development to risks of major accidents and/or disasters.

10.2.4. The assessment provides a reasoned conclusion and allows for integration of the reasoned conclusions into the Commission's decision, should they agree with the recommendation made.

10.3. Issues raised in respect of EIA

10.3.1. Any issues raised in third-party submissions and prescribed body submissions are considered later in this report under each relevant environmental parameter.

10.4. Compliance with the Requirements of Article 94 and Schedule 6 of the Regulations 2001

10.4.1. Compliance with the requirements of Article 94 and Schedule 6 of the Regulations is assessed below.

Table 12 - Requirements of Article 94 and Schedule 6 of the Regulations

Article 94 (a) Information to be contained in an EIAR (Schedule 6, paragraph 1)	
Requirement	Assessment
A description of the proposed development comprising information on the site, design, size and other relevant features of the proposed development (including the	Chapter 5 of the EIAR describes the development, including a detailed description of the existing site and surrounding context; the need for the project; an overview of the construction phase, works, and associated impacts; and a detailed description of the operational phase and characteristics of the

additional information referred to under section 94(b)).	development. The description is adequate to enable a decision on EIA.
A description of the likely significant effects on the environment of the proposed development (including the additional information referred to under section 94(b).	Chapters 7-23 of the EIAR describe the likely significant direct, indirect, interactive, and cumulative effects on the environment, including the factors to be considered under Article 3 of Directive 2014/52/EU. I am satisfied that the assessment of significant effects relating to the proposed development and other interactive and cumulative effects is comprehensive and robust and enables decision making.
A description of the features, if any, of the proposed development and the measures, if any, envisaged to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment of the development (including the additional information referred to under section 94(b).	The individual chapters in the EIAR outline the proposed mitigation and monitoring measures, and these are collectively presented in Appendix 24.1 (Schedule of Proposed Environmental Commitments). They include 'designed in' measures and measures to address potential adverse effects at construction and operational stages. The mitigation measures include standard good practices as well as site-specific measures and are capable of offsetting any significant adverse effects identified in the EIAR.
A description of the reasonable alternatives studied by the person or persons who prepared the EIAR, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the proposed development on the environment (including the	Chapter 4 of the EIAR outlines the alternatives examined. A 'do-nothing scenario' was found to represent an unsustainable and inefficient use of the land, and alternative locations are not considered in detail given the suitability and support for redevelopment of the site in accordance with relevant planning policy. Given the residential nature of the project, the consideration of alternative processes was limited to the legislative planning process. The main alternatives considered relate to the evolution of the design and layout following the previous SHD application, particularly with regard to block layout, height strategy,

additional information referred to under section 94(b).	and movement strategy. The applicants indicate that the main reasons for opting for the current proposal are outlined throughout the application and EIAR. I am satisfied, therefore, that the applicants have studied reasonable alternatives and that the main reasons for opting for the current proposal have taken into account potential impacts on the environment.
Article 94(b) Additional information, relevant to the specific characteristics of the development and to the environmental features likely to be affected (Schedule 6, Paragraph 2).	
A description of the baseline environment and likely evolution in the absence of the development.	Each of the EIAR chapters includes a detailed description of the baseline environment and the 'do-nothing effects' in the absence of the development. This enables a comparison with the predicted impacts of the proposed development.
A description of the forecasting methods or evidence used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information, and the main uncertainties involved.	Each chapter of the EIAR outlines the Assessment Methodology employed, including relevant legislation/guidance; data sources; surveys; and investigations. Each chapter also outlines any difficulties encountered in compiling the information. I am satisfied that the forecasting methods are satisfactory, as will be discussed throughout this assessment.
A description of the expected significant adverse effects on the environment of the proposed development deriving from its vulnerability to risks of major accidents and/or	Chapter 21 of the EIAR assesses the impacts of the development in respect of major accidents and disasters. It considers the location of Seveso Sites and potential scenarios relating to fire; pollutant release; extreme hot/cold weather; storm events; and flooding. Having regard to the nature, scale, and location of the

disasters which are relevant to it.	project, I consider the approach to be reasonable, and the risks will be assessed in my report where relevant.
Article 94 (c) A summary of the information in non-technical language.	The EIAR includes a Non-Technical Summary (Volume 1). I am satisfied that it is concise and comprehensive and is written in a language that is easily understood by a lay member of the public.
Article 94 (d) Sources used for the description and the assessments used in the report.	The sources used to inform the description and assessment of the potential environmental impacts are set out in each chapter, including references. I consider the sources to be appropriate and sufficient.
Article 94 (e) A list of the experts who contributed to the preparation of the report.	Section 1.5.1 of the EIAR outlines the Project Team and Environmental Specialists, including details of their qualifications and experience. Further details are provided at the outset of each EIAR chapter. I am satisfied that the EIAR has been prepared by experts with competency in the technical subject areas.

Consultations

10.4.2. Chapter 6 of the EIAR outlines details of consultations carried out as part of its preparation. This includes discussions between the LDA and DLRCC, as well as prescribed bodies in the form of Uisce Eireann, the National Transport Authority, and the National Parks and Wildlife Service. In preparation for the previous SHD Application, the LDA launched an extensive Community and Stakeholder and Engagement process in September 2020. Further public information sessions were held in September 2024. The application has been submitted in accordance with legislative requirements in respect of public notices, prescribed body notification, and the availability of documentation. Submissions received from statutory bodies and third parties will be considered in this report, in advance of decision making.

10.4.3. I am satisfied, therefore, that appropriate consultations have been carried out and that third parties have had the opportunity to comment on the proposed development in advance of decision making.

Compliance

10.4.4. Having regard to the foregoing, I am satisfied that the information contained in the EIAR, and supplementary information provided by the developer is sufficient to comply with article 94 of the Planning and Development Regulations, 2001. Matters of detail are considered in the following assessment of likely significant effects.

10.5. Assessment of the likely significant direct and indirect effects

10.5.1. This section of the report sets out an assessment of the likely environmental effects of the proposed development under the environmental factors as set out in Section 171A of the Planning and Development Act 2000, as amended:

- population and human health,
- biodiversity, with particular attention to species and habitats protected under the Habitats Directive and the Birds Directive,
- land, soil, water, air and climate,
- material assets, cultural heritage and the landscape,
- the interaction between the above factors, and
- the vulnerability of the proposed development to risks of major accidents and/or disasters.

10.5.2. In accordance with section 171A of the Act, which defines EIA, this assessment includes an examination, analysis and evaluation of the application documents, including the EIAR and submissions received, and identifies, describes and assesses the likely direct and indirect significant effects (including cumulative effects) of the development on these environmental parameters and the interaction of these. Each topic section is therefore structured around the following headings:

- Issues raised in the application.
- Examination of the EIAR.
- Analysis, Evaluation and Assessment: Direct and indirect effects.
- Conclusion: Direct and indirect effects.

10.6. Population and Human Health

10.6.1. Issues Raised

Third-party submissions raise concerns about inadequate assessment and impacts relating to:

- Increased pressure on existing social, community, and transport services.
- Traffic concerns associated with congestion, parking, and safety, including restricted access for emergency and utility services.
- Adverse impacts on residential amenity related to construction activity (noise, vibration, dust, and structural damage), anti-social behaviour, noise, traffic and parking, overbearing impacts, privacy, and daylight/sunlight.
- Inadequate housing mix to meet the needs of the area.
- The need for adequate assessment of drainage proposals and downstream capacity, to prevent flood risk.

10.6.2. Examination of the EIAR

Chapter 7 of the EIAR deals with Population and Human Health and acknowledges that effects may occur in respect of several other environmental factors considered in the EIAR. It follows relevant guidance and legislation and is based on a range of data sources including CSO, Pobal, and online mapping and spatial data sources. The study area ranges from 1 – 2.5km and includes a detailed description of the baseline environment, including population and health sensitivity; community and social infrastructure; tourism and landscape amenities; natural resources; and risk of major accident hazards or disasters.

Construction Impacts

Section 7.4.1 highlights that impacts relating to air quality, noise, visual impact and traffic are addressed in other relevant chapters. It also considers impacts on Business & Residences; Land and Water Emissions; Vibration; and Major Accident Hazards / Natural Disasters; none of which were deemed to be significant.

It acknowledges that noise impacts on Noise Sensitive Locations (NSLs) will be negative and short-term, ranging from significant to very significant (at the closest NSLs of 5-15m), and ‘not significant’ at the furthest NSLs.

Construction Mitigation/Monitoring and Residual Effects

Measures proposed to minimise the potential impacts in terms of Land & Water, Air Quality, Landscape, and Traffic are discussed in other relevant sections of this report. Otherwise, the relevant mitigation measures can be summarised as follows:

- Establishing a feedback mechanism to engage with residents/community.
- Best practice noise and vibration control measures.
- Preparation and maintenance of a noise & vibration monitoring plan.

Following the implementation of these measures, the EIAR acknowledges that there is potential for temporary, negative, moderate to significant noise impacts within 50 metres of the nearest NSLs. No other significant negative impacts are predicted.

Operational Impact

Section 7.4.2 outlines the main potential effects, many of which are addressed in other sections of the EIAR (e.g. air, visual, traffic). Otherwise, no significant operational impacts are predicted.

Operational Mitigation and Residual Effects

Measures proposed to minimise the potential impacts are discussed in other relevant sections of this report. In addition, best practice noise control techniques will be implemented to ensure that noise levels are acceptable for the protection of human health. Following the implementation of mitigation measures, no significant negative effects are predicted.

Other Effects

Interactions – Interactions in respect of Land, Soils Geology and Hydrogeology; Hydrology; Air Quality & Climate; Noise and Vibration; Landscape and Visual Impact; and Material Assets are considered in relevant EIAR chapters. The noise impacts are acknowledged as having potential for moderate to significant effects, but no other significant interactive effects are predicted.

Cumulative – Construction impacts on soil, groundwater, traffic, dust, and noise will be suitably controlled by the proposed mitigation measures and conditions of respective permissions. The predicted construction noise levels represent a ‘worst case’ scenario which will not be significantly affected by other developments under

construction. The operational impacts associated with air, noise, vibration and traffic are not predicted to be significant.

'Do-nothing' – There would be no positive impacts associated with increased housing supply, increased local amenities and community spaces.

10.6.3. **Analysis, Evaluation and Assessment: Direct and Indirect Effects**

I have acknowledged the identified impacts and the associated mitigation measures, as well as the potential for interactive impacts with other factors discussed in the EIAR, which will be addressed in later sections of this report. I have already considered a range of impacts on population and human health in section 8 of this report, which can be summarised as follows:

- Sections 8.3 & 8.7 outline that there is an adequate level of existing and proposed social, community, and transport infrastructure.
- Section 8.4 outlines that the proposed residential standards and mix of housing (sizes/tenure) would suitably meet the needs of the local area.
- Sections 8.5 and 8.6 outline that there would be no unacceptable impacts on the amenities of existing properties at construction or operational stage.

I acknowledge that the construction stage has the potential to impact on the local community, particularly regarding noise impacts which are predicted to be 'moderate to significant' in limited cases. However, the impacts would be short-term in duration, and I am satisfied that the proposed mitigation measures are acceptable, including the noise measures outlined in Chapter 13 of the EIAR (i.e. selection of quiet plant; noise control at source; screening; liaison; and phasing programme).

10.6.4. **Conclusion: Direct and Indirect Effects**

Having regard to the foregoing, it is considered that the main significant direct, indirect, and cumulative effects on Population and Human Health, after the application of mitigation measures, are:

- Negative construction-related noise disturbance within 50 metres of the nearest Noise Sensitive Locations, which would be acceptable having regard to its moderate to significant extent and the temporary duration of same.

10.7. Biodiversity

10.7.1. Issues Raised

The third-party submissions have raised concerns about the extent of tree loss.

A submission from the Department of Housing, Local Government and Heritage outlines the following:

- Bat roosting and activity is acknowledged on the site and in adjoining buildings. No significant effects on the local populations of bat species are likely subject to the implementation of the proposed mitigation measures.
- A badger social group appears to have established on site and there is no objection subject to implementation of the proposed Badger Conservation Plan.

A submission from Inland Fisheries Ireland outlines the following:

- It is essential that infrastructural capacity is available to protect the ecological integrity of any receiving aquatic environment.
- Best Construction techniques outlined in Appendix 24.1 of the EIAR and Appendix 2 of the Non-technical summary should be required to prevent and control pollutants and deleterious material to surface water.
- There is direct connectivity with the Slang River and Elm Park Stream via the existing and proposed drainage network. Appropriate mitigation measures and a robust maintenance programme is required to protect the aquatic environment.

10.7.2. Examination of the EIAR

Chapter 8 of the EIAR assesses the biodiversity value of the site and the potential impacts of the development on the ecology of the surrounding area. It highlights that impacts on Natura 2000 Sites are addressed in the separate Appropriate Assessment Screening Report & Natura Impact Statement, which I have already discussed in Section 9 of this report.

A pre-survey biodiversity search was carried out using data from the NPWS, NBDC, and EPA, in addition to mapping and aerial imagery. The potential Zone of Influence (ZOI) of the development was established, extending beyond the immediate development area to include those species and habitats that are likely to be impacted by the project and associated pathways.

Field surveys were also carried out as follows:

- Habitats - 13th August 2020, 21st August 2020, 10th August 2021, 14th June 2023, and 14th May 2024.
- Flora - 13th August 2020, 15th September 2021, 10th August 2021, 12th October 2021, 14th June 2023 and 14th May 2024.
- Bats - 25th May 2023, 13th June 2023, 1st February 2024 (internal), 28th May 2024 and 8th July 2024.
- Mammal - 23rd February 2021, 3rd April 2023, 27th November 2023, 8th January 2024, 1st, 2nd, 14th and 22nd February 2024, 16th April 2024, and 22nd of July 2024.
- Breeding Bird - 7th, 14th and 30th June 2023; 23rd April, 10th May, 17th May and 7th June 2024.
- Wintering Bird - 12 surveys from September 2020 to the March 2021; 7 surveys between 24th November 2021 and 28th February 2022; 10 surveys between 14th November 2023 and 15th March 2024.

The EIAR acknowledges Natura 2000 sites, National designated sites, and Ramsar sites in the area, the closest being South Dublin Bay SAC (2.8 km), South Dublin Bay and River Tolka Estuary SPA (2.8 km), South Dublin Bay pNHA (2.8km), Booterstown Marsh pNHA (2.8km), and Sandymount Strand/Tolka Estuary Ramsar site (2.9 km). It identifies hydrological pathways to these and other conservation sites (via the Slang/Dodder Rivers and Elm Park Stream) as a result of the proposed surface water drainage strategy and the existing drain on site.

No species of conservation importance were noted on site based on NBDC records, although a range of species was recorded in a wider 2km^2 grid. According to NPWS records, there are sightings of West European Hedgehog within a 1km^2 grid that includes a southern portion of the site. The Common Frog and Otter were noted by NPWS within the area of the proposed development.

Based on available data and site surveys, the EIAR outlines the following:

- No rare or protected habitats were noted. However, treelines and mature trees would be of local importance as foraging/roosting habitat for both birds and bats.
- No rare or threatened plant species were recorded.
- Mammals - Overall, the site is of moderate importance. An active badger sett and breeding sett are located in the northeast and east of the site respectively.

- No bat activity was recorded in the surveys from 2020-2023. The 2024 surveys recorded three common pipistrelle bats emerging from the Gardener's compound (outside the site). Bats were also noted emerging from two trees and other foraging activity was noted on site.
- The 2021-22 Wintering Bird surveys concluded that only one SCI species (Black-Headed Gull) listed for the SPAs within the ZOI was recorded. Two other SCI species (Curlew and Brent Goose) recorded in a previous survey (2020-21) were not recorded. The 2023-24 surveys noted that two of the target species (Black-Headed Gull and Herring Gull) were recorded foraging and/or roosting on site. The findings would indicate that there is only limited potential for disturbance or displacement of the SCI species of the SPAs within the ZOI, and that the development would not result in significant habitat loss for any SCI species.
- The 2023 & 2024 Breeding Bird surveys recorded hotspots of activity within trees to the south of the main entrance and outside the site (to the northeast) where nests of swallow were confirmed.
- Invasive species – 'Three cornered leek' and 'Himalayan balsam' was noted.

Construction Impacts

The main potential impacts identified in the EIAR are as follows:

Dublin Bay Designated Conservation Sites - Due to the pathways via the Slang River and Elm Park Stream, there are potential negative impacts associated with site runoff that could impact on the watercourses through pollution and silt.

Aquatic Ecology - Due to the salmonid nature of the River Dodder and the presence of Atlantic salmon and European eel and the direct pathway via the Slang River, in addition to the direct pathway to the Elm Park Stream, potential negative impacts arise in relation to silt, petrochemicals, and invasive species.

Habitats, Botany and Avian Ecology – Loss of habitats (none of conservation importance) and species in the vicinity of trees, parkland, the drain, and grassland. Avian fauna associated with these habitats would also be displaced. Localised disturbance of birds due to noise on site is foreseen.

Mammals - Potential for disturbance and destruction of badger setts may have a 'negative, moderate adverse, not significant, national, short term and likely effect'.

Bats – Construction lighting could reduce foraging, and the removal of large trees will result in the loss of at least two bat roosts in addition to reducing foraging potential. However, in proximity to the existing buildings on site, lighting will be reduced from current levels, and it would be expected that bats would continue to forage on site. Potential effects are deemed to be 'negative, minor adverse, short term, not significant, international and likely'.

Construction mitigation/monitoring and residual effects

In addition to measures outlined in the Hydrology, Air Quality, and Climate Chapters of the EIAR, specific biodiversity measures can be summarised as:

- Employment of an Ecological Clerk of Works (ECoW).
- Pre-construction inspections for terrestrial mammals and bats in buildings.
- Construction lighting to be in consultation with ECoW and avoid overspill.
- Removal of deciduous trees will be timed to avoid disturbance of birds/bats; will be pre-surveyed for bats; and will be subject to a derogation licence if necessary.
- 45 bird boxes and 10 bat boxes will be placed on site.
- Measures outlined in the 'Badger Survey Assessment and Mitigation Measures' and the 'Badger Conservation Management Plan' will be carried out.
- An Invasive Species Management Plan will be followed.
- Extensive monitoring of badgers, mammal, and bats, as well as daily monitoring of the on-site drain for turbidity.

Following the implementation of these measures, the EIAR does not predict any significant biodiversity impacts associated with the development.

Operational Impacts

The main potential impacts addressed in the EIAR are as follows:

Designated Conservation Sites - Foul water will discharge to existing mains services. Runoff will comply with the DLRCC and SuDS requirements and will be attenuated and discharged at greenfield rates to the public surface water network. Potential effects are deemed to be 'negative, minor adverse, long term, not significant, international and likely'.

Aquatic Ecology – Petrochemical runoff from the site and road has potential 'negative, minor adverse, long term, not significant, local and likely' effects.

Habitats, Botany and Avian Ecology – Increased disturbance (noise and light) could impact on birds and biodiversity. Landscaping will improve with maturity and would increase the biodiversity value of the site to birds and flora.

Mammals – Potential impacts on badgers are deemed to be 'negative, moderate adverse, long term, not significant, national and likely'.

Bats – The removal of trees will result in a loss of foraging areas and two bat roosts, and lighting has the potential to impact on bat foraging. Potential impacts would be 'negative, minor adverse, long term, not significant, international and likely'.

Operational mitigation/monitoring and residual effects

In addition to measures outlined in the Hydrology, Air Quality, and Climate Chapters of the EIAR, specific biodiversity measures can be summarised as:

- A post construction bat survey will be carried out and lighting will be assessed.
- A post construction inspection of drainage connections to the onsite drain will be carried out to ensure that the petrochemical interceptor is in place and working.
- A Habitat Management Plan will be implemented and monitored involving significant measures in line with the DLRCC Development Plan 2022-2028.

Following the implementation of these measures, the EIAR does not predict any significant biodiversity impacts associated with the development.

Other Effects

Interactions – The EIAR acknowledges interactive impacts with Land, Soils, Geology and Hydrogeology, Hydrology, Air Quality and Climate, Noise and Vibration, Traffic and Transport, Waste Management and Site Services. However, following the proposed mitigation measures, the impact on biodiversity would be negligible.

Cumulative – The EIAR acknowledges a range of other proposed / permitted developments in the area, as well as the future development of the remainder of the masterplan (i.e. the hospital buildings). It highlights the largely isolated nature of the site and that limited connectivity with Natura 2000 sites will be protected by compliance with water quality standards. No fragmentation of habitats is expected and mitigation measures for bats and badgers will prevent any significant or likely in-combination effects. No projects in the vicinity of the proposed development would be seen to have a significant in-combination effect.

Do-nothing - Biodiversity would increase, but it is expected that the lands would be developed at some stage as envisaged in planning policy.

10.7.3. **Analysis, Evaluation and Assessment: Direct and Indirect Effects**

I would concur with the EIAR conclusions regarding the generally limited/local importance of the site and surrounding lands in terms of biodiversity. The most sensitive considerations in this case relate to the hydrological connectivity with the Slang River and Elm Park Stream (including downstream connectivity to Dublin Bay), as well as the potential for impacts on bats and badgers.

Chapter 10 (Hydrology) of the EIAR addresses potential impacts on surface water features such as the connections to the Slang River and the on-site drain leading to the Elm Park Stream. It includes a range of mitigation measures which I consider to be adequate to protect the water regime and water quality at construction and operational stages. It also considers the storm and foul sewer networks, and I am satisfied that there will be adequate capacity to accommodate the impacts of the proposed development (see section 10.9 of this report).

Having regard to the foregoing, I am satisfied that any emissions will not significantly impact on the aquatic environment in terms of the water regime or water quality, and that the proposed development satisfactorily addresses the issues raised in the Inland Fisheries Ireland submission. Accordingly, there will be no unacceptable impacts on the aquatic environment within and/or downstream of the application site.

I have acknowledged the potential impacts on bats in terms of roosting and foraging activity associated with the on-site trees, as well as potential lighting impacts on site and on adjoining buildings. However, I note that a Derogation Licence (Ref. DER-BAT-2025-03) has been granted in respect of the proposed works until 31st December 2025[21]. This derogation period can be extended/renewed but the Commission may wish to re-consider the matter depending on the date of its decision. I am also satisfied that appropriate mitigation measures have been proposed in respect of pre- and post-construction surveys and further derogation licences (if necessary); the timing of construction works; the protection of existing trees and additional landscaping; the installation of bat boxes; and sensitive lighting design. Consistent with the submission from the Department of Housing, Local

[21] See Appendices 1 & 2 of EIAR Volume 2 (Appendix 8.6)

Government and Heritage, I am satisfied that this will prevent any significant effects on local populations of bat species.

The EIAR has acknowledged badger presence, including an active breeding sett on site and another sett on adjoining land. However, consistent with the submission from the Department of Housing, Local Government and Heritage, I am satisfied that the 'Badger Survey Assessment and Mitigation Measures' and the 'Badger Conservation Management Plan' will prevent any unacceptable effects.
I also note that otter has been recorded on the site by NPWS but was not recorded in several recent site surveys. In any case, I am satisfied that the existing on-site drain will be retained and that hydrological conditions within and around the site will be protected to prevent any significant impacts on Otter.

I acknowledge that the construction stage has the potential for other disturbance impacts with regard to dust, waste material, habitat loss/damage, noise, and lighting. However, I am satisfied that the proposed mitigation and monitoring measures will satisfactorily address any potential for significant environmental effects, including measures outlined in the CEMP, ecological supervision, pre-construction surveys, lighting design, proposed planting, and the timing of works and vegetation removal.
At operational stage, I am satisfied that there would be no significant impact on bird/bat flight lines; that appropriate lighting designs will be installed; and that matured planting would improve the biodiversity value of the site.
As outlined in section 9 of this report, I am satisfied that there would be no adverse impacts on the integrity of any Natura 2000 sites, and this can be applied equally to nationally designated sites and Ramsar sites.

10.7.4. **Conclusion: Direct and Indirect Effects**

Having regard to the examination of environmental information as outlined above, it is considered that by virtue of the limited/local biodiversity importance of the site and surrounding lands; the distance of the from sensitive receptors; the predicted levels of disturbance; and after the application of mitigation and monitoring measures; there is no potential for significant environmental effects on biodiversity.

10.8. Land & Soil

10.8.1. Issues Raised

None.

10.8.2. Examination of the EIAR

Chapter 9 of the EIAR deals with land, soils, geology, and hydrogeology. The methodology is based on relevant guidelines and information from site inspections, GSI, OPW Flood Mapping, EPA mapping, topographical surveys, and Teagasc data. Ground investigations were carried out in 2021. The bedrock geology is Carboniferous Limestone of the Lucan Formation and bedrock was located approximately 8.5m below ground level. The near surface subsoil is predominantly comprised of made ground or firm sandy clay. The GSI soils map indicates the predominant soil type to be till derived from limestones.

Construction Impacts

The main potential impacts identified in the EIAR relate to the exposure of subsoil; earthworks and excavation; vehicle transfer of mud and dust; and contamination. However, none of these impacts were considered significant.

Construction mitigation/monitoring and residual effects

The mitigation/monitoring measures generally relate to the management of hazardous material; control of sediment run-off; vehicle wheel-washing; spillage control; and protection of exposed soil. Following implementation of these measures, residual effects are predicted to be negative, temporary, and not significant.

Operational Impacts

Buildings, roads and landscaping will negate the initial negative impact and will protect the exposed soils, resulting in neutral, imperceptible, and permanent effects.

Operational mitigation/monitoring and residual effects

Given the limited potential for impacts, no measures are proposed, and residual effects are deemed to be neutral, imperceptible, and permanent.

Other Impacts

Interactions – Land contamination has interactions with public health which will be imperceptible after mitigation is applied. Other interactions are identified with construction traffic, surface water, utilities, construction waste, air quality, archaeology, and biodiversity. The only significant interactions are predicted in relation to construction traffic, although these impacts will be temporary.
Cumulative – The EIAR outlines a comprehensive range of other planned/permitted developments. Due to the separation distances involved, no significant cumulative impacts are predicted.
Do-nothing – No change to the existing environment.

10.8.3. **Analysis, Evaluation and Assessment: Direct and Indirect Effects**

In relation to land as a resource, I have considered the principle and density of the proposed development in sections 8.2 and 8.9 of this report, and I am satisfied that the proposal would make appropriate and efficient use of the land.

I would also accept that the loss of land, soil and geology is an inevitable aspect of such planned urban development, and I am satisfied that appropriate mitigation measures have been incorporated to prevent significant impacts in respect of health & safety; air pollution; traffic; material assets; archaeology; biodiversity; and land and water contamination.

10.8.4. **Conclusion: Direct and Indirect Effects**

Having regard to the examination of environmental information as outlined above, it is considered that by virtue of the limited/local geological importance; the location of the site within a built-up area; and after the application of mitigation and monitoring measures; there is no potential for significant environmental effects on land and soil.

10.9. **Water**

10.9.1. **Issues Raised**

Third-party submissions have highlighted the need to ensure that surface water is adequately attenuated and managed in accordance with DLRCC policy, and that the capacity of all downstream bridge and culverts associated with the River Slang is adequate to prevent flood risk.

The Inland Fisheries Ireland submission can be summarised as follows:

- Infrastructural capacity should be available for the foul and storm water generated to protect the ecological integrity of any receiving aquatic environment.
- Best Construction techniques outlined in Appendix 24.1 of the EIAR and Appendix 2 of the Non-technical summary should be required to prevent and control pollutants and deleterious material to surface water.
- There is direct connectivity with the Slang River and Elm Park Stream via the existing and proposed drainage network. Appropriate mitigation measures and a robust maintenance programme is required to protect the aquatic environment.

The Uisce Eireann submission outlines that the application has demonstrated that requirements can be met in respect of water and wastewater connections, subject to connection agreements and compliance with their standards and guidance.

10.9.2. **Examination of the EIAR**

Chapter 10 of the EIAR 'Hydrology – Surface Water' assesses the potential impacts on hydrological aspects. It has regard to relevant guidance and information from a range of sources including EPA guidance/mapping on water quality; OPW guidance/mapping on flooding; the Greater Dublin Strategic Drainage Study (GDSDS); and NPWS protected sites.

In summary, the receiving environment is described in the EIAR as follows:

Hydrology - The site is within the Liffey and Dublin Bay Catchment and the Dodder River Sub-catchment for the purposes of the Water Framework Directive (WFD). The Slang River passes c. 70m west of the site and flows north to meet with the Dodder and then the Liffey Estuary before discharging to Dublin Bay. An existing drainage sewer from the site connects surface water to the Slang River. An open drainage ditch also runs to the northeast corner of the site and joins the Elm Park Stream c. 220m from the site, which ultimately discharges to Dublin Bay near Merrion Gates. The most recent WFD status (2016-2021) of the Dodder waterbody is 'Moderate' and 'At Risk of not achieving good status'. The Elm Park Stream is within the Brewery Stream waterbody and is currently classified as 'Poor' status.

Foul Drainage – The site drains to a combined system which discharges to the combined sewer on Dundrum Road, and eventually discharges to Ringsend WWTP.

Areas of Conservation - The closest European sites are the South Dublin Bay SAC and pNHA, and the South Dublin Bay and River Tolka Estuary SPA, which are located c. 2.8 Km to the northeast of the site. The Dublin Bay coastal waterbody has a WFD status of 'Good' and a WFD risk score of 'Not at risk'. The surface water quality data for the Liffey Estuary Lower and Dublin Bay (EPA, 2024) indicate that they are 'Unpolluted'.

Flooding - According to the site-specific Flood Risk Assessment, the site is not at significant risk from flooding and does not create a significant risk to adjoining areas or downstream. The site is located within Flood Zone C and there are no reported incidents of flooding from the Dodder River or the internal drainage network.
Rating - Based on TII methodology (2009), the importance of the hydrological features is rated as 'Low Importance'. The Attribute has a low value on a local scale.
Construction Impacts
The main potential impacts identified in the EIAR can be summarised as follows:

Sediment Run-off - Surface water runoff may contain increased silt levels or become polluted, which can damage surface water systems and receiving watercourses.

Contamination – Accidental pollution may arise from leaks/spills of oils or fuels or through the use of concrete and cement.

Construction mitigation/monitoring and residual effects

The mitigation/monitoring measures can be summarised as follows:

- The Outline CEMP will be developed to comply with best international practice for the prevention and control of pollution.
- Run-off will be managed through temporary drainage arrangements.
- Proper handling of fuels and chemicals.
- Assessment of excavated material for contamination.
- Regular inspection of all mitigation measures will be carried out.

Following the implementation of these measures, the residual impact will be short term-imperceptible-neutral. Following TII criteria, the magnitude of the impact is considered negligible.

Operational Impacts

The main potential impacts identified in the EIAR can be summarised as follows:

Surface Water Drainage – The network will be designed in accordance with GDSDS requirements and discharge will be restricted to the greenfield equivalent. The total hardstanding area of 9554m^2 will have a minor effect on local recharge to ground and the impact on the overall hydrological regime will be insignificant.

Wastewater - The total peak flow discharge (22.884 l/s) will be treated at Ringsend WWTP under EPA licence. The most recent Annual Environmental Report (AER 2023) states that the plant capacity is not likely to be exceeded within the next 3 years and upgrade works (to a PE of 2.4 million) are expected to be fully completed by 2025, resulting in a higher quality discharge to Dublin Bay. The average effluent discharge (5.085 l/s) for the development equates to 0.04% of the of the licensed discharge at Ringsend WWTP and would not have a measurable impact on the overall water quality within Dublin Bay and therefore would not have an impact on the current Water Body Status.

Operational mitigation/monitoring and residual effects

The mitigation/monitoring measures can be summarised as follows:

- Compliance with GDSDS drainage requirements.
- Design measures to minimise the likelihood of any spills entering the water.
- Compliance with Water Pollution Acts and post construction inspection.
- Maintenance of the surface water drainage system.

Following the implementation of these measures, the residual impact will be long term-imperceptible-neutral. Following TII criteria, the magnitude of impact is considered negligible.

Other Effects

Interactions – Interactive impacts are identified in relation to Land, Soils, Geology & Hydrogeology, and Biodiversity. These are deemed to be imperceptible and neutral.

Cumulative – The development will comply with mitigation measures and all other developments will also have to protect ground and surface water in accordance with legislative requirements. This will result in neutral and imperceptible effects.

Do-Nothing – The absence of excavation, construction or operation would have a neutral effect on the hydrological environment.

10.9.3. **Analysis, Evaluation and Assessment: Direct and Indirect Effects**

Having considered the baseline environment of the site and surrounding area, I would concur with the EIAR classification of the hydrological features as being of 'low importance'. The main issues relate to the hydrological connection to the Slang River and the Elm Park Stream and the associated downstream impacts.
I have considered the proposed surface water drainage system, and I am satisfied that it has been designed to comply with GDSDS requirements. It includes a range of SUDS measures to ensure that discharges will not exceed greenfield rates and will not, therefore, result in additional loading to the existing drainage system, including the Slang River (and associated bridges and culverts) and Elm Park Stream. A Stormwater Audit has been carried out to ensure compliance with GDSDS; the SuDS Manual (CIRIA C753); Green Roof Policy; Stormwater Management Policy; Greater Dublin Regional Code of Practice for Drainage Works; and BRE Digest 365. The proposed surface water system design has satisfactorily responded to any issues raised in the Audit.

In addition to the quantitative stormwater discharge, I am satisfied that an appropriate design and mitigation strategy has been included to ensure that the quality of discharge from the site will not adversely impact on existing water bodies. The proposed new drainage system will eliminate rainwater flows into the combined sewer and will therefore reduce the risk of overflows into rivers.

I acknowledge that the construction stage has the potential to result in temporary and unplanned discharges which could adversely impact on the water regime and water quality. However, I am satisfied that the applicants have included a comprehensive range of best-practice measures, including a CEMP, which will satisfactorily address the potential for significant adverse effects.

The applicants' response to the submissions confirms that SuDS devices will be appropriately maintained. The application includes a set of detailed drawings for the proposed SuDS devices setting out the maintenance requirements, which will be adhered to once the development is operational. The EIAR also included monitoring measures to ensure that the surface water drainage system will be appropriately maintained. The implementation of these measures will be required as a condition of any approval.

The application is accompanied by a Water Framework Directive (WFD) Screening Assessment, and I have considered the impact of the proposed development in terms of the WFD in Appendix 3 of this report. I have outlined a range of potential pathways with the relevant waterbodies and potential impacts at construction and operational stages. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project and associated mitigation measures, I am satisfied that it can be eliminated from further assessment because there is no residual risk to any surface and/or groundwater water bodies, either qualitatively or quantitatively.

The reasons for this WFD conclusion are as follows:

- The nature and scale of the proposed works;
- The distance between the proposed development and relevant bodies, and/or the limited hydrological connectivity;
- The mitigation measures included as part of the application to address surface water, wastewater, water supply, ecology, and construction activity.

I conclude 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. Accordingly, the proposed development can be excluded from further WFD assessment.

In relation to flood risk, I have considered the applicants' Site Specific Flood Risk Assessment (SSFRA). The site lies outside the predicted 0.1% AEP flood event for the Slang River as per OPW mapping and the DLRCC Development Plan and is therefore not at risk of flooding from the Slang. There is no evidence of flooding from the existing on-site drain and flow measurements recorded a maximum depth of only 140mm. I note that groundwater was recorded in site investigations but that it is not predicted to be affected by excavation depths and that the proposed basements will be waterproofed to prevent groundwater ingress. And based on the satisfactory

design of the surface water drainage system, the risk of pluvial flooding is also low. The total maximum allowable discharge for the drained areas of the proposed development is less than the natural catchment rate for the overall site. Therefore, the site is not increasing the flood risk to adjoining or downstream areas. Overland flows are contained within the site in a controlled manner without risk to the residential buildings on site. Standard flood risk mitigation measures will apply in relation to floor levels and the level of the wastewater pumping stations and in relation to the waterproofing and entrance levels of basements. I concur with the EIAR classification of the site within 'Flood Zone C', wherein the proposed development would be appropriate in accordance with the Flood Risk Management Guidelines (2009). And having regard to the proposed design and mitigation measures, I am satisfied that the development is acceptable & appropriate from a flood risk assessment perspective.

The EIAR has also outlined that the proposal will connect to existing water and wastewater services and that there is adequate capacity to accommodate the proposed development. I am satisfied that this is the case as evidenced by the Uisce Eireann submission which confirms that proposals are acceptable subject to standard conditions. Therefore, the proposed development will not have any significant impacts on the capacity or operation of existing services.

10.9.4. **Conclusion: Direct and Indirect Effects**

Having regard to the examination of environmental information as outlined above, it is considered that by virtue of the low hydrological importance of the site; the design of the surface water, water supply, and wastewater services; the capacity of existing water services infrastructure; and after the application of mitigation and monitoring measures; there is no potential for significant environmental effects on water.

10.10. **Air**

10.10.1. **Issues Raised**

Third-party concerns have been raised regarding the emission of dust at construction stage and associated impacts on air quality.

10.10.2. **Examination of the EIAR**

Chapter 11 of the EIAR considers the potential air quality impacts and is based on a range of guidance from bodies including the EPA, the Institute of Air Quality Management (IAQM), and the TII. Based on IAQM criteria for the construction stage, the overall sensitivity of the area to dust soiling impacts is considered 'high'; sensitivity to human health is considered 'low'; and it is noted that there are no high-sensitivity ecological receptors within 50m of the site. Based on TII guidance, 3 no. high sensitivity residential receptors were included in the operational phase air quality modelling assessment.

Construction Impacts

There is at most a high risk of dust soiling and at most a low risk of human health impacts. In the absence of mitigation, dust impacts are predicted to be direct, short-term, negative and slight.

In terms of construction traffic emissions, the need for detailed assessment has been scoped out based on TII criteria. It was determined that the construction stage traffic will have a direct, short-term, negative and imperceptible impact.

Construction mitigation/monitoring and residual effects

A range of best practice guidance measures will be incorporated into the CEMP to minimise dust from works, vehicles, demolition etc, and a programme of community engagement and monitoring will be followed. Once the measures are implemented, the dust and construction traffic emissions impacts are not deemed to be significant.

Operational Impacts

The potential traffic effects have been assessed by modelling emissions using the TII Road Emissions Model (TII, 2024) and using TII guidance (2022) for determining air quality impact significance. The impact of NO_2, PM_{10} and $PM_{2.5}$ emissions for the Opening Year and Design Year were predicted at the nearest sensitive receptors. Overall, the TII criteria have identified neutral impacts due to increases in NO_2, PM_{10} and $PM_{2.5}$ annual mean concentrations which are less than 5% of the annual mean ambient air quality standards (and the annual mean concentrations are less than 75% of the air quality standard). This equates to a potential effect which is considered direct, long-term, negative and not significant.

Operational mitigation/monitoring and residual effects

No measures are deemed necessary and the residual impact to air quality as a result of increased traffic is considered direct, long-term, negative and not significant.

Other Effects

Interactions – Interactive impacts are acknowledged in respect of population and human health; traffic and transportation; climate; land soils and geology; and biodiversity. However, no significant interactions are predicted.

Cumulative – Based on IAQM guidance, construction effects with other developments within 500m were considered. Two potential developments were identified but significant effects are not predicted given the proposed mitigation measures. The operational impact assessment has already considered the cumulative impact of other developments, and no significant effects are predicted.

Do-Nothing – The predicted impacts would not occur but would likely occur following the future development of the site in accordance with planning policy.

10.10.3. **Analysis, Evaluation and Assessment: Direct and Indirect Effects**

Consistent with the EIAR, I would accept that the main air impacts at construction stage will be restricted to dust emissions and that this would not be significant when the proposed mitigation measures are implemented.

At operational stage, I would acknowledge that increased traffic emissions would occur. However, I am satisfied that the EIAR has carried out a comprehensive assessment of modelled traffic emissions and that these emissions will be acceptable in accordance with relevant air quality standards.

10.10.4. **Conclusion: Direct and Indirect Effects**

Having regard to the examination of environmental information as outlined above, it is considered that by virtue of the limited air sensitivity of the area and the mitigation measures to minimise dust and traffic-related emissions, there is no potential for significant environmental effects on air.

10.11. Climate

10.11.1. Issues Raised

None.

10.11.2. Examination of the EIAR

Chapter 12 assesses potential impacts on climate taking account of relevant legislation, policy and guidance, including the Climate Action and Low Carbon Development Act 2015, the Climate Action Plan 2024, and the DLRCC Climate Action Plan 2024-2029. The assessment includes a Greenhouse Gas Assessment (GHGA) and a Climate Change Risk Assessment (CCRA).

Under the current GHGA baseline, it acknowledges EPA (2024) data outlining that Ireland exceeded (without the use of flexibilities) its 2022 annual limit set under the EU's Effort Sharing Decision. The future baseline is considered in terms of Ireland meeting its targets set out in the CAP24, and future CAPs, and binding 2030 targets.

Under the current CCRA baseline, the EIAR refers to Met Eireann data for increasing extreme weather events indicating further warming in the future. The CCRA also considers the future baseline based on EPA and Met Eireann projections for increased temperature in the eastern region of the country.

Construction Impacts

The estimated total GHG emissions, when annualised over the 50-year proposed development lifespan, are equivalent to 0.0015% of Ireland's total GHG emissions in 2022 and 0.003% of Ireland's non-ETS (Emission Trading Scheme) 2030 target. The EIAR classifies the GHG emission impact as direct, long-term, negative and slight.

Construction mitigation/monitoring and residual effects

Best practice measures (which are also included in the CEMP) shall be implemented to prevent significant GHG emissions and reduce impacts to climate. These include the appropriate management of waste; vehicle/machinery emissions; material choices; and extreme weather events.

Operational Impacts

A number of measures have been incorporated into the design to ensure the operational phase energy emissions are minimised. Regarding traffic, it is predicted that in 2027 the proposed development will increase CO_2 emissions by 0.0003% of the national emission ceiling or 0.002% of the 2030 Transport sector emissions

ceiling. Predicted increases for 2042 are 0.0002% and 0.001% respectively. The EIAR classifies the GHG emission impact as direct, long-term, negative and slight. The vulnerability of the project to climate hazards was considered low in all cases and a detailed CCRA was not deemed necessary. The significance of effects was considered direct, long-term, negative and imperceptible.

Operational mitigation/monitoring and residual effects

As per the Energy & Sustainability Report, the development will be a Nearly Zero Energy Building (NZEB) in accordance with the Building Regulations and will incorporate a range of measures to reduce energy use and climate impact. Attenuation and drainage measures have been incorporated to avoid flooding.

Residual Impacts

The impact to climate is assessed as a whole for all phases. The residual impact in relation to GHG emissions is considered direct, long-term, negative and slight. In relation to climate change vulnerability, it has been assessed that there are no significant risks and the residual effect of is considered direct, long-term, negative and imperceptible.

Other Effects

Interactions – The EIAR acknowledges interactive effects in respect of Land, Soils, Geology and Hydrology; air quality; traffic and transportation; and waste. However, no significant interactive effects are predicted.

Cumulative - By considering the potential for the proposed development to affect Ireland's ability to meet its national carbon reduction target, the assessment approach is considered to be inherently cumulative. The cumulative impact in relation to GHG emissions is considered direct, long-term, negative and slight, which is overall not significant.

Do-Nothing - The climate baseline will continue to develop in line with trends.

10.11.3. **Analysis, Evaluation and Assessment: Direct and Indirect Effects**

I acknowledge that the main potential construction impacts relate to embodied carbon in the proposed development and the associated construction activities and GHG emissions. However, consistent with the EIAR, I am satisfied that the proposed construction methods and practices have been appropriately designed to avoid significant effects.

The operational stage involves potential effects associated with energy use and traffic emissions. However, having considered the EIAR calculations and the mitigation measures, I consider that emissions will not result in significant effects. Similarly, I am satisfied that the construction and operational stages do not involve significant vulnerability to climate impacts such as flooding or otherwise, and that any such potential impacts will be satisfactorily mitigated.

10.11.4. **Conclusion: Direct and Indirect Effects**

Having regard to the examination of environmental information as outlined above, it is considered that by virtue of the nature and scale of the proposed development involving limited emissions, together with the application of the proposed mitigation measures, there is no potential for significant environmental effects on climate.

10.12. **Material Assets**

10.12.1. **Issues Raised**

Third-party submissions have raised concerns about impacts the road network and public transport, as well as impacts on the surface water drainage system.
The IFI submission has highlighted the need to ensure that there is adequate wastewater and storm water capacity.
The Uisce Eireann submission has confirmed that proposals to connect to the water and wastewater infrastructure are acceptable subject to conditions.
The TII submission does not raise any observations.
The NTA submission is generally supportive of the development but raises issues regarding the design of walking/cycling entrances and routes and questions the need for a 2-lane exit onto Dundrum Road.

10.12.2. **Examination of the EIAR**

<u>Roads and Traffic</u>

Chapter 18 of the EIAR considers the traffic impacts of the development, which has already been assessed in section 8.7 of this report.

Construction traffic impacts are classified as being only slight. A range of mitigation measures have been incorporated into the CEMP and residual impacts are predicted

to be temporary and slight. Interactive impacts with Noise, Air Quality and Human Health will be addressed in the CEMP and are not predicted to be significant.

As also outlined in section 8.7, the EIAR demonstrates that the operational traffic (including cumulative traffic) can be accommodated in terms of the capacity of existing road junctions. Based on current frequencies, the existing bus and Luas services are also predicted to satisfactorily accommodate the additional demand. The proposed pedestrian and cycle routes are predicted to have significant long-term positive effects regarding improved connectivity. Operational mitigation measures will include a Mobility Management Plan and Manager, and completion of a Stage 2 Road Safety Audit. Residual operational impacts on the road network are predicted to be moderate. Interactive impacts and mitigation in terms of noise and air quality are also outlined in the EIAR. The scheme has been designed in accordance with DMURS and a Stage 1 Road Safety Audit to address interactions with human health.

Waste Management

Chapter 19 of the EIAR considers the potential impacts on waste management. It takes account of all relevant legislation and guidance, the Resource Waste Management Plan (RWMP), and the Operational Waste Management Plan (OWMP).

The construction stage will involve the excavation of c. 78,000m^3 of soil and stone, c. 71,000m^3 of which will be removed off site for reuse, recovery and/or disposal in accordance with waste legislation. Otherwise, the main types of construction waste are estimated to generate 5,852.4 tonnes, c. 90% of which will be for reuse or recycle/recovery. It is acknowledged that there is potential for significant negative impacts in respect of waste. However, the proposed mitigation measures include the implementation and monitoring of the RWMP; identification of contaminated materials; storage of hazardous waste; and other standard best practice measures. The residual impacts are predicted to be short-term, imperceptible and neutral.

The main types of operational waste have been estimated in the OWMP and residents/tenants will be required to provide and maintain appropriately segregated waste receptacles and bring them to their allocated Waste Storage Areas (WSAs). It is acknowledged that there is potential for significant negative impacts in respect of waste. However, the proposed mitigation measures include the implementation and

monitoring of the OWMP; on-site segregation; and other standard best practice measures. Residual impacts are predicted to be imperceptible and neutral.

Interactive waste impacts are acknowledged in relation to Population and Human Health; Land, Soils, Geology and Hydrogeology; and Roads and Traffic. However, no significant interactive impacts are predicted.

The cumulative impacts with other developments in the area are also acknowledged. However, these developments will also be required to comply with national/local legislation, policies, and plans, and no significant cumulative impacts are predicted.

Built Services

Chapter 20 of the EIAR considers impacts on built services, namely the foul drainage, potable water supply, electricity, gas network and telecommunications.

The potential construction stage impacts are identified as pollution of the surface water system; pollution of the water supply network; and short-term outages during connection works. The worst-case scenario is that flooding occurs on-site and in the surrounding area. The construction mitigation measures are covered in other chapters of the EIAR.

The potential operational impacts are identified as minimal impacts on the surface water system; non-significant impacts on the wastewater infrastructure and minor risk of wastewater pollution; non-significant impacts on water supply; and negligible/neutral impacts on gas, electricity, and telecommunications networks. The operational mitigation measures include the proposed SuDS measures; dual & low flush toilets and water economy outlets to reduce flows and water demand; and metering of the water main system to detect any leakage/loss of water.

Following the implementation of mitigation measures, the residual impacts are predicted to be negligible. The EIAR acknowledges interactive impacts with public health; soils, geology, and hydrogeology; and biodiversity. The public health interactions relate to contamination of water and construction-related accidents, and are deemed to be negative, significant, and short term.

The cumulative impacts of other developments in the area have been considered. These developments are expected to comply with CEMP requirements and the

connection requirements of service providers such as Uisce Eireann. Accordingly, no significant cumulative effects are predicted.

10.12.3. **Analysis, Evaluation and Assessment: Direct and Indirect Effects**

I have considered the impact of the development on roads and transportation networks in section 8.7 of this report. Consistent with the findings of the EIAR as outlined above, I do not consider that the proposed development would result in any unacceptable impacts in this regard.

I consider that an increased demand for 'waste management' and 'built services' such as water services and other utilities is an inevitable effect of new residential/mixed-use development. As previously outlined in section 10.9 of this report, I do not consider that there would be any unacceptable impacts on water services subject to further agreement with Uisce Eireann. Similarly, I am satisfied that there would be no unacceptable impacts on other services such as waste, electricity, gas and telecommunications, subject to agreement with the relevant service providers as will be required as part of the connection process.

I acknowledge that the EIAR refers to potentially significant interactive impacts relating to water contamination and construction-related accidents. However, having considered the proposed mitigation measures, I do not consider that there would be any unacceptable risks or impacts associated with the proposed development.

10.12.4. **Conclusion: Direct and Indirect Effects**

Having regard to the examination of environmental information as outlined above, it is considered that by virtue of the nature and scale of the proposed development; the location of the site within the built-up area and the capacity of existing services and infrastructure; together with the application of the proposed mitigation measures; there is no potential for significant environmental effects on material assets.

10.13. **Cultural Heritage**

10.13.1. **Issues Raised**

Third-party submissions have raised concerns about the omission of the renovation of the hospital buildings from the application and the impact this may have regarding anti-social behaviour and dereliction. Concerns have also been raised about the

excessive height and density of the development; treatment of the perimeter wall; the loss of trees on site; and the inappropriate naming of the site as 'Dundrum Central'.

A submission from the Department of Housing, Local Government and Heritage recommends that archaeological monitoring and excavation should be carried out as mitigation for the potential disturbance of previously unknown archaeological features/deposits.

10.13.2. **Examination of the EIAR**

Chapters 16 and 17[22] of the EIAR assess impacts on cultural, archaeological, and architectural heritage. The cultural/archaeological assessment is informed by a programme of geophysical survey and two phases of archaeological testing, as well as a desk-based study of all available archaeological, historical and cartographic sources. The architectural assessment is informed by archival research, walkover surveys of the site and surrounds, and detailed survey of the hospital buildings.

The EIAR outlines a comprehensive analysis of the baseline environment. There are no recorded monuments within the site. However, it highlights that a Geophysical survey identified traces of possible features; Archaeological testing revealed 5 areas of potential archaeological significance; and there are several heritage assets including the existing buildings/structures and the historic landscape.

Construction Impacts (Cultural & Archaeological)

The EIAR highlights the potential impacts as follows:

- Moderate to very significant negative impacts as a result of ground disturbance to the 5 archaeological features (AA1-AA5) identified during the course of test trenching and/or previously unrecorded archaeological features or deposits.
- Very significant negative impacts on the designed landscape associated with the former Central Mental Asylum.

Construction mitigation/monitoring and residual effects (Cultural & Archaeological)

Areas AA1-AA5 will be preserved by record through full archaeological excavation and all topsoil stripping will be monitored for further mitigation. Following these measures, there would be no significant residual effects.

[22] As updated in the response to the Commission's Further Information request.

Mitigation measures for the original asylum designed landscape are detailed further in the context of architectural impacts (see below and section 8.8 of this report).

Operational Impacts (Cultural & Archaeological)

The EIAR highlights the potential for very significant negative impacts on the designed landscape associated with the former Central Mental Asylum due to its change of use, form, and accessibility.

Operational mitigation/monitoring and residual effects (Cultural & Archaeological)

The proposed measures are detailed further in the context of architectural impacts (see below and section 8.8 of this report).

Architectural Impacts, Mitigation, and Residual Effects

The EIAR outlines the impacts, mitigation, and residual effects on architectural heritage assets in accordance with that previously outlined in s. 8.8 of this report.

10.13.3. **Analysis, Evaluation and Assessment: Direct and Indirect Effects**

I note that there are no recorded archaeological monuments/sites on or within close proximity to the site, but that archaeological investigation has highlighted the potential for discovery of previously unknown features. However, consistent with the report from the Department of Housing, Local Government and Heritage, I am satisfied that the proposed archaeological excavation and monitoring measures would be acceptable and would not result in any unacceptable residual effects.

I note that Cultural Heritage concerns have been raised about the naming of the development as ‘Dundrum Central’. However, it would appear that this is a temporary project name rather than a proposed development name. In the event of approval, a condition should be applied regarding the agreement of the development name to address the cultural heritage requirements of s. 12.3.4.3 of the CDP.

Otherwise, the cultural and architectural heritage value is mainly comprised of the existing on-site historic landscape and its relationship with the heritage structures on site, particularly the main hospital buildings. I have already assessed the impacts on these heritage assets in section 8.8 of this report, and I do not consider that there would be any significant adverse impacts. I consider that there would be significant positive impacts associated with the refurbishment and reuse of the Gate Lodge.

10.13.4. **Conclusion: Direct and Indirect Effects**

Having regard to the foregoing, it is considered that the main significant direct, indirect, and cumulative effects on Cultural Heritage, after the application of mitigation measures, are:

- Positive built heritage effects as a result of the refurbishment and re-use of the Gate Lodge.

10.14. **Landscape**

10.14.1. **Issues Raised**

Third-party submissions have raised concerns that the height and density of the development is excessive and would detract from the character of the area.

10.14.2. **Examination of the EIAR**

Chapter 14 of the EIAR comprises a Landscape/Townscape Visual Impact Assessment of the proposed development. It considers CDP designations and fieldwork study results, and uses methodology prescribed in the Institute of Environmental Management and Assessment (IEMA) and landscape Institute (UK) 'Guidelines for Landscape and Visual Impact Assessment' to assess the significance of both 'landscape' and 'visual' impacts.

The assessment considers a 1km-radius study area and outlines the existing baseline environment, including the immediate site context; the broader townscape; and CDP/LAP designations and policies. It selects 18 Viewshed Reference Points at locations most likely to afford visibility of the development, or to highlight a particular aspect of the visual impact scenario.

<u>Landscape/Townscape Impacts</u>

The EIAR outlines that the CMH facility reads as a slightly anomalous void protected by stark and severe stone walls, although it does offer distinctive respite from the surrounding and relatively unremarkable residential housing estates.

It concludes that the overall significance of construction stage impacts will be Moderate and Negative.

For the operational phase, the EIAR outlines that the site will be transformed into a modern, outwardly bold, high density residential precinct, but that the change to

townscape character will not be as dramatic for local residents. The overall significance of operational stage impacts is predicted to be Moderate and Positive.

Visual Impacts

The EIAR considers the sensitivity of the 18 visual receptors and classifies busy transport routes views as 'low' and housing estate views as 'medium-low'. These sensitivities are then combined with the predicted magnitude of the impacts to determine a significance/quality of the visual impact. The EIAR concludes that there will be no significant negative impacts.

Mitigation / Monitoring Measures and residual effects

No mitigation/monitoring measures are deemed necessary and therefore the residual effects are predicted to be the same as above.

Other Impacts

Interactions – The EIAR identifies interactions with cultural and architectural heritage, architectural/landscape design, and population and human health.

Cumulative – The EIAR considers a wide range of permitted developments in the surrounding area, most of which are scoped out on the basis of separation distance. It does acknowledge cumulative effects in the form of general intensification and increased scale of built form of a modern and high-quality nature. It also acknowledges the potential for cumulative visual impact along Dundrum Road, Goatstown Road, and from Rosemount Green. However, no such impacts are predicted to be significant.

Do-Nothing – The site will remain for the short term as a former institutional facility becoming progressively underutilised or used for temporary accommodation, and impacts will remain unchanged from the current baseline scenario.

10.14.3. **Analysis, Evaluation and Assessment: Direct and Indirect Effects**

In s. 8.9 of this report, I have already considered the height, scale, and design of the development and its townscape/visual impact on the surrounding area. In this regard, and notwithstanding the significant natural/built heritage within the site, I would concur with the EIAR in that the outward expression of the site is one of a distinctive but enclosed/screened facility within an otherwise typically suburban neighbourhood. Accordingly, I would agree that the receiving townscape/landscape is not of a high sensitivity.

Consistent with the findings of my assessment in s. 8.9 of this report, I consider that the proposed development would transform the site, particularly by opening up the accessibility and visibility of the site along Dundrum Road and Rosemount Green. I have acknowledged that the proposed development would be of a significantly different height, scale, and character compared to the predominant character of existing development. However, I consider that it would be sensitive to surrounding development and would achieve an appropriate transition in terms of height and scale. The proposal would retain and respect the natural and built heritage of the site and would successfully integrate with surrounding development and the wider landscape/townscape.

In relation to visual impacts, I have considered the EIAR and the accompanying LVIA Photomontages in Volume 3. I am satisfied that the LVIA considers an appropriate range of visual receptors. In summary, I would assess the impacts as follows:

VPs 01, 03, 04, 04a, 06, 07, 08, 09, 12, 15 – From these viewpoints, I am satisfied that the development will be almost entirely screened by existing development and/or vegetation, and that there will be only imperceptible / slight impacts.

VP 02 – At Mount Carmel Avenue, I consider that the open view over Rosemount Green will experience a high magnitude of impact. And while the EIAR concludes that this will be of moderate/neutral significance, I consider that it would be significant, but also neutral.

VPs 05, 10, 16, 17 – From these viewpoints in immediately adjoining residential areas, I would accept that certain elements of the development are more visible to the rear of existing development. However, having regard to the design of the development and the separation distances involved, I consider that any negative impacts would be only moderate in significance.

VPs 11, 13, 14 – While the EIAR considers the alterations to the interface with Dundrum Road to be of moderate significance, I consider that there would be an impact of high magnitude which would result in significant impacts. However, consistent with the EIAR, I consider that the balanced impact quality would range from neutral to positive.

I have also considered the potential interactive and cumulative impacts, and I am satisfied that there would be no significant effects.

10.14.4. **Conclusion: Direct and Indirect Effects**

Having regard to the foregoing, it is considered that the main significant direct, indirect, and cumulative effects on Landscape, after the application of mitigation measures, are:

- Neutral to positive townscape/visual effects as a result of improvements to the interface with Dundrum Road and Rosemount Green.

10.15. **Reasoned Conclusion**

10.15.1. Having regard to the examination of environmental information contained above, and in particular to the EIAR and supplementary information provided by the applicants, as well as the submissions received from the prescribed bodies and observers in the course of the application, I consider that the main significant direct and indirect effects of the proposed development on the environment, with the implementation of the proposed migration measures, are:

- Population and Human Health: Negative construction-related noise disturbance within 50 metres of the nearest Noise Sensitive Locations, which would be acceptable having regard to its moderate to significant extent and the temporary duration of same.
- Cultural Heritage: Positive built heritage effects as a result of the refurbishment and re-use of the Gate Lodge.
- Landscape: Neutral to positive townscape/visual effects as a result of improvements to the interface with Dundrum Road and Rosemount Green.

10.15.2. Having regard to the foregoing, I am satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative effects on the environment.

11.0 Recommendation

On the basis of the above assessment, I recommend that the Commission **APPROVE** the proposed development subject to the reasons and considerations below and subject to conditions including requiring compliance with the submitted details and with the mitigation measures as set out in the EIAR and NIS.

12.0 **Reasons and Considerations**

In performing its functions in relation to the making of the decision, the Commission had regard to:

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

(b) Directive 2000/60/EC, the Water Framework Directive and the requirement to exercise its functions in a manner which is consistent with the provisions of the Directive, and which achieves or promotes compliance with the requirements of the Directive;

(c) the relevant provisions of the European Union Directive 2011/92/EU as amended by Directive 2014/52/EU (Environmental Impact Assessment Directive) on the assessment of the effects of certain public and private projects on the environment;

(d) the provisions of the EU Habitats Directive (92/43/EEC) and the conservation objectives, qualifying interests and special conservation interests for the South Dublin Bay SAC (Site Code: 000210), South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024), North Dublin Bay SAC (Site Code: 000206), North Bull Island SPA (Site Code: 004006), and North-west Irish Sea SPA (Site Code: 004236);

(e) the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the

proposed development and the likely significant effects of the proposed development on a European Site;

(f) the documentation and further information submitted as part of the application, including the Environmental Impact Assessment Report and the Natura Impact Statement;

(g) the policies and objectives of the Dún Laoghaire-Rathdown County Development Plan 2022 – 2028 and the Dundrum Local Area Plan 2023;

(h) the nature, scale and design of the proposed development;

(i) the pattern of existing and permitted development and the availability of adequate social and physical infrastructure in the area;

(j) the provisions of Housing for All – A New Housing Plan for Ireland issued by the Department of Housing, Local Government and Heritage in September 2021;

(k) the provisions of the National Planning Framework First Revision, April 2025;

(l) the provisions of the Urban Development and Building Heights Guidelines for Planning Authorities issued by the Department of Housing, Planning and Local Government in December 2018;

(m) the provisions of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage in July 2023;

(n) the provisions of Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, issued by the Department of Housing, Local Government and Heritage in January 2024;

(o) the provisions of the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of Environment, Community and Local Government in 2019;

(p) the provisions of the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031;

(q) the provisions of the Greater Dublin Area Transport Strategy 2022-2042 prepared by the National Transport Authority;

(r) the Planning System and Flood Risk Management Guidelines for Planning Authorities (including the associated Technical Appendices), issued by the Office of Public Works and Department of Environment, Heritage and Local Government, 2009;

(s) the Childcare Facilities Guidelines for Planning Authorities, issued by the Government of Ireland, 2001;

(t) the Architectural Heritage Protection Guidelines for Planning Authorities, issued by the Department of Arts, Heritage and the Gaeltacht, 2011;

(u) the submissions and observations received, and;

(v) the report of the Planning Inspector.

Environmental Impact Assessment

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

(a) the nature, scale, location, and extent of the proposed development;

(b) the Environmental Impact Assessment Report and associated documentation submitted with the application, including the further information submitted;

(c) the submissions received from observers and prescribed bodies; and

(d) the report of the Planning Inspector.

The Commission considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, adequately identifies and describes the direct, indirect, and cumulative effects of the proposed development on the environment. The Commission is satisfied that the information contained in the Environmental Impact Assessment Report complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU.

The Commission completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures proposed as set out in the Environmental Impact Assessment Report, and subject to compliance with the conditions set out below, the effects of the proposed development on the environment, by itself and in combination with

other plans and projects in the vicinity, would be acceptable. In doing so, the Commission adopted the report and conclusions of the Inspector.

Reasoned Conclusion on Significant Effects:

The Commission considered that the main significant direct and indirect effects of the proposed development on the environment would be as follows:

Population and Human Health: Negative construction-related noise disturbance within 50 metres of the nearest Noise Sensitive Locations, which would be acceptable having regard to its moderate to significant extent and the temporary duration of same.

Cultural Heritage: Positive built heritage effects as a result of the refurbishment and re-use of the Gate Lodge.

Landscape: Neutral to positive townscape/visual effects as a result of improvements to the interface with Dundrum Road and Rosemount Green.

Appropriate Assessment

The Commission agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that the South Dublin Bay SAC (Site Code: 000210), South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024), North Dublin Bay SAC (Site Code: 000206), North Bull Island SPA (Site Code: 004006), and North-west Irish Sea SPA (Site Code: 004236), are the only European Sites in respect of which the proposed development has the potential to have a significant effect.

The Commission considered the Natura Impact Statement and associated documentation submitted with the application for approval, the mitigation measures contained therein, the submissions and observations on file, and the Inspector's assessment. The Commission completed an appropriate assessment of the implications of the proposed development for the affected European Sites, namely South Dublin Bay SAC (Site Code: 000210), South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024), North Dublin Bay SAC (Site Code: 000206), North Bull Island SPA (Site Code: 004006), and North-west Irish Sea SPA (Site Code:

004236), in view of the site's conservation objectives. The Commission considered that the information before it was adequate to allow the carrying out of an appropriate assessment. In completing the appropriate assessment, the Commission considered, in particular, the following:

i. the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
ii. the mitigation measures which are included as part of the current proposal, and,
iii. the conservation objectives for the European Sites.

In completing the appropriate assessment, the Commission accepted and adopted the appropriate assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the integrity of the aforementioned European Sites, having regard to the site's conservation objectives.

In overall conclusion, the Commission was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Sites, in view of the site's conservation objectives.

Proper Planning and Sustainable Development

The Commission considered that, subject to compliance with the conditions set out below, the proposed development would provide of an acceptable quantum and mix of development at this location which would be served by an appropriate level of public transport, social and community infrastructure; would provide an acceptable form of residential amenity for future occupants; would not seriously injure the residential amenities of property in the vicinity or the visual amenities of the area; would be acceptable in terms of built heritage impacts, urban design, height and scale of development; would be acceptable in terms of traffic safety and convenience; would not be at risk of flooding or increase the risk of flooding to other lands; would not result in any unacceptable ecological or biodiversity impacts; and would be capable of being adequately served by wastewater, surface water, and water supply networks.

The Commission considered that the proposed development would materially contravene Objective CMH1 of the Dundrum Local Area Plan 2023 on the basis that the phasing of the application and the proposed masterplan for the overall Central Mental Hospital lands would not secure the suitable protection and reuse of the protected structures at an early phase in the redevelopment of the site in accordance with the 'Guiding Principles' of the Site Development Framework for the lands.

However, having regard to the urgent need for housing supply to facilitate increased population growth and compact growth in accordance with the National Planning Framework First Revision (April 2025), and the designation of the site as a Strategic Regeneration Site for development and renewal in accordance with Policy Objective CS13 of the Dún Laoghaire-Rathdown County Development Plan 2022 – 2028, the Commission considered that, subject to a condition requiring the commencement of works on the suitable protection and reuse of the protected structures in tandem with the completion of the proposed development, the proposed phasing would be acceptable and in accordance with the proper planning and sustainable development of the area. In doing so, the Commission considered that the approval of the proposed development, subject to a condition requiring the commencement of works on the suitable protection and reuse of the protected structures in tandem with the completion of the proposed development, would represent a reasonable and considered approach which ensures both that the protected structures can be successfully conserved and the proposed development satisfactorily completed, which would be in accordance with section 13.5.4 of the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in 2011.

The Commission concluded that the proposed development would comply with the provisions of the Dún Laoghaire Rathdown County Development Plan 2022-2028 and would be in accordance with the proper planning and sustainable development of the area.

13.0 **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 15th day of May 2025, except as may otherwise be required in order to comply with the following conditions. Where any conditions of approval require further details to be prepared by or on behalf of the local authority, these details shall be placed on the file and retained as part of the public record.

   Reason: In the interest of clarity and the proper planning and sustainable development of the area and to ensure the protection of the environment.

2. The mitigation measures and monitoring commitments identified in the Environmental Impact Assessment Report, and other plans and particulars submitted with the application shall be carried out in full except as may otherwise be required in order to comply with other conditions. Prior to the commencement of development, a schedule of mitigation measures and monitoring commitments identified in the Environmental Impact Assessment Report, and details of a time schedule for implementation of the mitigation measures and associated monitoring, shall be prepared by the local authority and placed on file and retained as part of the public record.

   Reason: In the interest of clarity and protection of the environment during the construction and operational phases of the proposed development.

3. The mitigation and monitoring measures identified in the Natura Impact Statement submitted with the application shall be implemented in full. Prior to the commencement of development, details of a time schedule for implementation of mitigation measures and associated monitoring shall be prepared by the local authority and placed on file and retained as part of the public record.

Reason: In the interest of protecting the environment, the protection of European Sites and in the interest of public health.

4. The proposed development shall be amended as follows:

   (a) The proposed pedestrian/cycle link to Annaville Park / Annaville Grove shall be omitted.

   (b) The proposed vehicular exit onto Dundrum Road shall be single-lane only in accordance with the plans and particulars (Drawing No. DCD-95-ZZ-XX-DR-BMD-CE-11106 Rev. P1) submitted to An Coimisiún Pleanála on the 15th day of May 2025.

   (c) Bollards shall be erected at the southern ends of the active travel route and the turning area to the southwest of Block 6, to prevent vehicular access to Rosemount Green.

   (d) The east-facing window in Unit B07-00-05 shall be relocated further south near the corner of the unit to facilitate views to the southeast.

   (e) External storage for bulky items shall be provided at the basement level of Blocks 2 and 3. Any such proposals shall ensure that minimum bicycle storage spaces are maintained for each block in accordance with the Dún Laoghaire-Rathdown County Council Municipal Services Department 'Standards for Cycle Parking and associated Cycling Facilities for New Developments' (January 2018).

   Prior to the commencement of development, revised drawings showing compliance with these requirements shall be placed on file and retained as part of the public record.

   Reason: In the interest of sustainable transport and safety, and to protect the amenities of existing properties and the proposed units.

5. (a) The construction of Blocks 4 and 5 shall not commence until such time as works have commenced on the protection and reuse of the protected structures on the overall Central Mental Hospital lands in accordance with an appropriate planning consent.

(b) The development shall otherwise be carried out on a phased basis in accordance with section 11.2 (Option B) of the Masterplan submitted with the application.
(c) Prior to the commencement of development, details of the phasing plan shall be placed on file and retained as part of the public record.
(d) Work on any subsequent phases shall not commence until such time as the previous phase is completed to the written satisfaction of the planning authority, which shall be placed on file and retained as part of the public record.

Reason: To ensure the timely protection and reuse of protected structures and the provision of services, for the benefit of the occupants of the proposed dwellings and surrounding residents.

6. Proposals for an estate/street name, house/apartment numbering scheme and associated signage shall be agreed in accordance with section 12.3.4.3 of the Dún Laoghaire Rathdown County Development Plan 2022 – 2028 and shall be placed on file and retained as part of the public record prior to commencement of development. Thereafter, all estate and street signs, and house/apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected prior to agreement of the name(s).

   Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.

7. Public lighting shall be provided in accordance with a scheme which shall be placed on file and retained as part of the public record prior to commencement of development. The scheme shall include lighting along pedestrian routes through open spaces and shall take account of the mitigation measures contained in the Environmental Impact Assessment

Report and Natura Impact Statement. Such lighting shall be provided prior to the making available for occupation of any apartment unit.

Reason: In the interests of amenity, public safety, and nature conservation.

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

   Reason: In the interests of visual and residential amenity.

9. The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths, and kerbs, shall be in accordance with the detailed construction standards and requirements of the local authority for such works, and with the relevant provisions of the Design Manual for Urban Roads and Streets (DMURS).

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

10. Prior to the opening/occupation of the development, a finalised Mobility Management Plan shall be prepared and shall be placed on file and retained as part of the public record. This shall provide for incentives to encourage the use of public transport, cycling, walking and carpooling by residents, staff and users of the development, including details of the finalised car-share scheme. The mobility strategy shall be prepared and implemented by the management company for all units within the development.

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

11. The developer shall ensure that a ‘Before’ and ‘After’ Car Parking Study is undertaken for adjoining residential areas. The ‘After’ study shall be

completed within 6 to 12 months of completion of the development. If any overspill parking issues are identified, appropriate control measures shall be implemented in consultation with Dún Laoghaire Rathdown County Council. Details of all studies, recommendations and measures taken (if any) shall be placed on file and retained as part of the public record.

Reason: In the interest of traffic convenience and safety and residential amenity.

12. Prior to the commencement of development, the developer shall enter into Connection Agreements with Uisce Éireann (Irish Water) to provide for service connections to the public water supply and wastewater collection network.

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

13. 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 prepared and shall be placed on file and retained as part of the public record. 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 materials, in the interest of protecting the environment.

14. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how

the RWMP will be measured and monitored for effectiveness. These details shall be placed on the file and retained as part of the public record. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at site offices at all times.

Reason: In the interest of sustainable waste management.

15. The construction of the development shall be managed in accordance with a Construction Environmental Management Plan, which shall be placed on file and retained as part of the public record prior to the commencement of development. This plan shall provide details of intended construction practice for the development with measures to reflect mitigation described in the submitted Environmental Impact Assessment Report and Natura Impact Statement for the application, in addition to the following:
a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
b) Location of areas for construction site offices and staff facilities;
c) Details of site security fencing and hoardings;
d) Details of on-site car parking facilities for site workers during the course of construction;
e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
f) Measures to obviate queuing of construction traffic on the adjoining road network;
g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network and for the cleaning of the same;
h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;

j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
m) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.
n) Appointment of a Residents' Liaison Officer.

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

16. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays, and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the Planning Authority.

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

17. (a) No signage, advertising structures/advertisements, security shutters, or other projecting elements, including flagpoles, shall be erected within the site and adjoining lands under the control of the applicant unless authorised by a further grant of planning permission.
(b) The windows to the proposed non-residential units shall not be obscured by adhesive material or otherwise.

Reason: In the interest of visual amenity.

18. (a) All areas not intended to be taken in charge by the local authority shall be the responsibility of a legally-constituted management company.
(b) Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be placed on file and retained as part of the public record before any of the residential units are made available for occupation.

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

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.

Stephen Ward
Senior Planning Inspector

10th of November 2025

Appendix 1

Appropriate Assessment Screening Determination

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	The proposed development mainly involves the demolition of existing structures (3,667m^2), alterations to the existing perimeter wall, construction of 934 no. residential units, construction of 4,380m^2 of non-residential community and commercial uses, vehicular access, open space and landscaping, and all associated siteworks and services.
Brief description of development site characteristics and potential impact mechanisms	The subject site has a gross area of c. 9.7 ha and is located c. 6km south of Dublin City Centre. The nearest Natura 2000 sites (South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA) are located c. 2.8km to the northeast of the site. The proposed surface water drainage system is split into three catchments which will be treated separately through a SuDs management train and attenuation. Catchment A drains to the River Slang (to the west of the site) via an existing surface water sewer. The Slang connects with the Dodder River, which drains to the Liffey Estuary and Dublin Bay (includes a number of Natura 2000 Sites). Catchments B & C drain to an existing open drainage ditch leading to Elm Park / Brewery Stream (to the northeast of site), which drains to South Dublin Bay (including SAC and SPA). Foul sewerage will connect to the existing Uisce Eireann combined sewer on Dundrum Road and will be treated at Ringsend WWTP, which ultimately discharges to the Liffey Estuary and Dublin Bay (includes a number of Natura 2000 Sites). Water supply will be provided from the Uisce Eireann public mains (Saggart – Ballymore Eustace Water Supply) via the Poulaphouca Reservoir (part of Poulaphouca Reservoir SPA).
Screening report	Yes (Prepared by Altemar Ltd)
Natura Impact Statement	Yes (Prepared by Altemar Ltd)

Relevant submissions	The submissions and observations received during the application process have been outlined in sections 6 and 7 of this report. The Department of Housing, Local Government and Heritage raises issues relating to bats and badgers, but not in the context of Natura 2000 sites or Appropriate Assessment. Inland Fisheries Ireland highlights the need to protect the aquatic environment and highlights the need for adequate capacity of storm and foul infrastructure, including Ringsend WWTP and the associated foul conveyancing network. It outlines that the proposed Best Construction techniques should be required to prevent and control pollutants and deleterious material to surface water, and that direct connectivity to the Slang River and Elm Park Stream must be adequately mitigated to protect the aquatic environment. The submission does not specifically raise issues relating to Natura 2000 sites or Appropriate Assessment. Third party submissions do not raise the issues of Natura 2000 sites or Appropriate Assessment.

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

European Site (code)	Qualifying interests Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections	Consider further in screening Y/N
South Dublin Bay SAC (000210)	www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000210.pdf	2.8	Via surface water discharges at construction and operational stages to Slang River and Elm Park Stream, and subsequent downstream connections to Dublin Bay via the River Dodder and Brewery Stream. Via wastewater discharge to Ringsend and subsequent outfall to Liffey Estuary and Dublin Bay. The applicant's AA Screening Report also outlines that, based on: Wintering Bird Surveys; potential disturbance and loss of foraging habitat; and an abundance of caution; there is potential for impacts on QI species for the SPAs.	Yes
North Dublin Bay SAC (000206)	www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000206.pdf	7.5		
South Dublin Bay and River Tolka Estuary SPA (004024)	www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004024.pdf	2.8		
North Bull Island SPA (004006)	www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004006.pdf	7.5		

North-west Irish Sea SPA (004236)	www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004236.pdf	7.7	As above	Yes
Rockabill to Dalkey Island SAC (003000)	www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO003000.pdf	9.9	As above, there are hydrological connections associated with surface water and wastewater. However, given the significant separation distance and hydrological buffer between the proposed development and these sites, I am satisfied that there are no potential impacts as a result of surface/foul water emissions. Given the significant separation distances, I am satisfied that there is no potential for significant disturbance or ex-situ impacts associated with any qualifying interest species.	No
Dalkey Islands SPA (004172)	www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004172.pdf	9.8		
Howth Head SAC (000202)	www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000202.pdf	12.1		
Howth Head Coast SPA (004113)	www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004113.pdf	14.1		
Baldoyle Bay SAC (000199)	www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000199.pdf	13		
Baldoyle Bay SPA (004016)	www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004016.pdf	12.9		
Wicklow Mountains SAC (002122)	www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002122.pdf	7.1	The application site is significantly distanced from these sites and there are no ecological connections (e.g. hydrological). Having regard to the significant separation distances; the lack of connectivity; the characteristics of the site and surrounding area; and the results of the site surveys submitted with the application; there is no potential for significant ex-situ or disturbance impacts associated with any qualifying interest species.	No
Glenasmole Valley SAC (001209)	www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO001209.pdf	9.2		
Knocksink Wood SAC (000725)	www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000725.pdf	9.7		
Ballyman Glen SAC (000713)	www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000713.pdf	11.1		
Wicklow Mountains SPA (004040)	www.npws.ie/sites/default/files/protected-sites/conservation_ob	7.4		

	jectives/CO004040.pdf			
Poulaphouca Reservoir SPA (004063)	www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004063.pdf	20	Water supply is from the Saggart Reservoir, which is supplied from Poulaphouca. For the reasons outlined above, I am satisfied that there is no potential for disturbance or ex-situ impacts associated with any SPA qualifying interest species.	Yes

I note that the Poulaphouca Reservoir SPA was not considered in the applicant's AA Screening Report. However, based on an indirect connection via the proposed water supply and the application of the precautionary principle, it has been considered further in AA Screening. Other than the sites identified for further consideration in the above table, I do consider any other sites to be within the zone of influence due to lack of connectivity and/or significant distance/dilution factors.

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

Surface Water

During the Operational Phase, surface water will be discharged to the Slang River and Elm Park Stream following on-site SuDS treatment, attenuation, and interception. These watercourses are linked to the downstream Natura 2000 sites in Dublin Bay as outlined above. The applicant's AA Screening Report outlines that mitigation measures are required to ensure that surface water drainage will not contain silt or pollutants that could significantly impact upon the qualifying interests of these proximate Natura 2000 sites.

During the Construction Phase, emissions to surface water arising during the site clearance and construction stage could contain pollutants (silt, dust, hydrocarbons and other substances). Such contaminated water could potentially discharge to the Slang River and Elm Park Stream and have downstream impacts on the Dublin Bay Natura 2000 sites as outlined above.

Wastewater

The site will also be connected to the public foul water sewer network at operational stage, which will discharge to the Liffey estuary from Ringsend WwTP. As such, there is a hydrological link to the Natura 2000 sites in Dublin Bay as outlined above. However, the potential for effects is not considered significant given that:

- There will be adequate hydraulic and organic capacity available in the WWTP.
- Uisce Eireann has confirmed that wastewater connection is feasible.
- Average effluent discharge associated with the proposed development (5.085 l/s) would not be significant when equated as a percentage (i.e. c. 0.04%) of the current licensed discharge at Ringsend WWTP.
- Evidence suggests that in the current situation, some nutrient enrichment is benefiting wintering birds for which the SPAs have been designated in Dublin Bay. The coastal waters in Dublin Bay are classed as 'unpolluted' by the EPA and enriched water entering Dublin Bay has been shown to rapidly mix and become diluted such that the plume is often indistinguishable from the rest of bay water.

Water Supply

The Dundrum area is served by the Saggart – Ballymore Eustace Water Supply, which is sourced via the Poulaphouca Reservoir (part of Poulaphouca Reservoir SPA). The potential for significant effects on this SPA would be limited to the effects of water abstraction. However, according to the EPA Abstraction Register[23], the Poulaphouca Reservoir (Ballymore Eustace WTP) has an abstraction licence for a maximum daily volume of 411,809m^3, while the proposed development has an average daily water demand of c. 500m^3 per day according to the applicants' Infrastructure Report. This equates to just c. 0.12% of the Poulaphouca supply. Accordingly, I am satisfied that there would be no significant effects on Poulaphouca Reservoir SPA.

Disturbance / Ex-situ Impacts

The applicants' Wintering & Breeding Bird surveys have recorded SCI species associated with surrounding SPAs in the vicinity of the application site. Although the survey reports have outlined that disturbance or loss of habitat would not be significant, the applicant's AA Screening Report has concluded that, out of an abundance of caution, mitigation measures will be required to prevent disturbance of SPA bird species from heightened noise levels at the construction phase.

Invasive Species

As outlined in the EIAR, Himalayan balsam was noted in a small area in the northeast corner of the site, and the Invasive Species Management Plan also refers to 'Three Cornered leek'. There are potential construction stage effects for the spread of such species via the hydrological pathways on site.

Cumulative / in-combination effects

The applicant's AA Screening Report has considered cumulative / in-combination impacts, including other proposed and permitted developments in the vicinity of the site. It concludes that no significant effects on Natura 2000 sites will occur due to the proposed development in combination with other projects.

Having regard to the likely effects outlined above, I consider that the potential for cumulative/in-combination effects is limited to surface water quality and the disturbance / displacement of SPA species. Consistent with the proposed development, I consider that other developments along the Slang River, Dodder River, and Elm Park/Brewery Stream have the potential to impact on the Dublin Bay Natura 2000 sites as a result of emissions to surface water at construction and operational stages, and also have the potential for increased disturbance and displacement of SPA species as a result of effects such as noise, loss of habitat etc.

[23] https://leap.epa.ie/abstractions/ Accessed 3rd of October 2025

AA Screening matrix		
Site name **Qualifying interests**	**Possibility of significant effects (alone) in view of the conservation objectives of the site***	
	Impacts	**Effects**
Site 1: South Dublin Bay SAC (000210) QI list Mudflats and sandflats not covered by seawater at low tide; Annual vegetation of drift lines; Salicornia and other annuals colonising mud and sand; Embryonic shifting dunes.	During construction, there is the potential for dust, silt, invasive species, and contaminated surface water runoff to enter the Slang River and Elm Park Stream. During the Operational Phase, surface water will be discharged to the Slang River and Elm Park Stream and there is potential for dust, silt, hydrocarbon, or other pollution. Wastewater will be routed to the Ringsend WWTP which discharges to the Liffey Estuary and then Dublin Bay.	In the absence of mitigation measures, the construction and operational stage emissions to the Slang River and Elm Park Stream have the potential for significant surface water quality effects for this SAC. There is adequate wastewater treatment capacity to ensure that there will be no significant effects on the water quality of the SAC.
	Likelihood of significant effects from proposed development (alone): Yes	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? N/A	
	Impacts	**Effects**
Site 2: North Dublin Bay SAC QI list Mudflats and sandflats not covered by seawater at low tide; Annual vegetation of drift lines; Salicornia and other annuals colonising mud and sand; Embryonic shifting dunes; Shifting dunes along the shoreline with Ammophila arenaria (white dunes); Fixed coastal dunes with herbaceous vegetation (grey dunes); Humid dune slacks; Atlantic salt meadows; Mediterranean salt meadows; Petalwort.	During construction, there is the potential for dust, silt, invasive species, and contaminated surface water runoff to enter the Slang River and Elm Park Stream. During the Operational Phase, surface water will be discharged to the Slang River and Elm Park Stream and there is potential for dust, silt, hydrocarbon, or other pollution. Wastewater will be routed to the Ringsend WWTP which discharges to the Liffey Estuary and then Dublin Bay.	In the absence of mitigation measures, the construction and operational stage emissions to the Slang River and Elm Park Stream have the potential for significant surface water quality effects for this SAC. There is adequate wastewater treatment capacity to ensure that there will be no significant effects on the water quality of the SAC.
	Likelihood of significant effects from proposed development (alone): Yes	

	If No, is there likelihood of significant effects occurring in combination with other plans or projects? N/A	
	Impacts	**Effects**
Site 3: South Dublin Bay & River Tolka Estuary SPA (004024) QI list Light-bellied Brent Goose, Oystercatcher, Ringed Plover, Grey Plover (proposed for removal), Knot, Sanderling, Dunlin, Bar-tailed Godwit, Redshank, Black-headed Gull, Roseate Tern, Arctic Tern, Common Tern, Wetlands.	During construction, there is the potential for dust, silt, invasive species, and contaminated surface water runoff to enter the Slang River and Elm Park Stream. During the Operational Phase, surface water will be discharged to the Slang River and Elm Park Stream and there is potential for dust, silt, hydrocarbon, or other pollution. The applicant's AA Screening report highlights remote potential for disturbance / displacement of the SCIs of this SPA during construction works and the operational phase. Wastewater will be routed to the Ringsend WWTP which discharges to the Liffey Estuary and then Dublin Bay.	In the absence of mitigation measures, the construction and operational stage emissions to the Slang River and Elm Park Stream have the potential for significant surface water quality effects for this SPA. Mitigation measures are required to address disturbance / displacement of the SCIs of this SPA. There is adequate wastewater treatment capacity to ensure that there will be no significant effects on the water quality of the SPA.
	Likelihood of significant effects from proposed development (alone): Yes	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? N/A	
	Impacts	**Effects**
Site 4: North Bull Island SPA (004006) QI list Light-bellied Brent Goose, Shelduck, Teal, Pintail, Shoveler, Oystercatcher, Golden Plover, Grey Plover, Knot, Sanderling, Dunlin, Black-tailed Godwit, Bar-tailed Godwit, Curlew, Redshank, Turnstone, Black-headed Gull, Wetlands.	During construction, there is the potential for dust, silt, invasive species, and contaminated surface water runoff to enter the Slang River and Elm Park Stream. During the Operational Phase, surface water will be discharged to the Slang River and Elm Park Stream and there is potential for dust, silt, hydrocarbon, or other pollution. The applicant's AA Screening report highlights remote potential for disturbance / displacement of the SCIs of this SPA during construction works and the operational phase. Wastewater will be routed to the Ringsend WWTP which discharges to the Liffey Estuary and then Dublin Bay.	In the absence of mitigation measures, the construction and operational stage emissions to the Slang River and Elm Park Stream have the potential for significant surface water quality effects for this SPA. Mitigation measures are required to address disturbance / displacement of the SCIs of this SPA. There is adequate wastewater treatment capacity to ensure that there will be no significant

		effects on the water quality of the SPA.
	Likelihood of significant effects from proposed development (alone): Yes	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? N/A	
	Impacts	**Effects**
Site 5: North-west Irish Sea SPA (004236) QI list Red-throated Diver; Great Northern Diver; Fulmar; Manx Shearwater; Cormorant; Shag; Common Scoter; Black-headed Gull; Common Gull; Lesser Black-backed Gull; Herring Gull; Great Black-backed Gull; Kittiwake; Roseate Tern; Common Tern; Arctic Tern; Guillemot; Razorbill; Puffin; Little Gull; Little Tern.	During construction, there is the potential for dust, silt, invasive species, and contaminated surface water runoff to enter the Slang River and Elm Park Stream. During the Operational Phase, surface water will be discharged to the Slang River and Elm Park Stream and there is potential for dust, silt, hydrocarbon, or other pollution. The applicant's AA Screening report highlights remote potential for disturbance / displacement of the SCIs of this SPA during construction works and the operational phase. Wastewater will be routed to the Ringsend WWTP which discharges to the Liffey Estuary and then Dublin Bay.	In the absence of mitigation measures, the construction and operational stage emissions to the Slang River and Elm Park Stream have the potential for significant surface water quality effects for this SPA. Mitigation measures are required to address disturbance / displacement of the SCIs of this SPA. There is adequate wastewater treatment capacity to ensure that there will be no significant effects on the water quality of the SPA.
	Likelihood of significant effects from proposed development (alone): Yes	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? N/A	
	Impacts	**Effects**
Site 6: Poulaphouca Reservoir SPA (004063) QI list Greylag Goose; Lesser Black-backed Gull	Impacts on hydrological site conditions as a result of water abstraction from the reservoir.	The effects on the reservoir would not be significant and there would be no associated effects for the SPA species.

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

It is not possible to exclude the possibility that the proposed development alone would result in significant effects on South Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, North Dublin Bay SAC, North Bull Island SPA, and North-west Irish Sea SPA from effects associated with potential pollution of surface water and SPA species disturbance / displacement at the construction stage and operational stages.

An appropriate assessment is required on the basis of the possible effects of the project 'alone'. Further assessment in-combination with other plans and projects is not required at screening stage.

Screening Determination

Significant effects cannot be excluded

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 it is not possible to exclude that the proposed development alone will give rise to significant effects on South Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, North Dublin Bay SAC, North Bull Island SPA, and North-west Irish Sea SPA, in view of the conservation objectives. Appropriate Assessment is required.

This determination is based on:

- The nature and scale of the proposed works
- The potential connectivity between the application site and the European Sites via surface water emissions
- The potential for disturbance / displacement effects on the SCI species in the designated Special Protection Areas
- The nature and extent of the proposed mitigation measures, which may not be implemented in the absence of connectivity to a European Site.

The possibility of significant effects on any other European sites has been excluded on the basis of objective information.
No measures intended to avoid or reduce harmful effects on European sites (including those included in the applicant's NIS) were taken into account in reaching this conclusion.

Appendix 2

Appropriate Assessment

Appropriate Assessment
The requirements of Article 6(3) as related to appropriate assessment of a project under part XAB, sections 177V of the Planning and Development Act 2000 (as amended) are considered fully in this section.
Taking account of the screening determination (see Appendix 1), the following is an appropriate assessment of the implications of the proposed development consisting of the demolition of existing structures (3,667m^2), alterations to the existing perimeter wall, construction of 934 no. residential units, construction of 4,380m^2 of non-residential community and commercial uses, vehicular access, open space and landscaping, and all associated siteworks and services, in view of the relevant conservation objectives of South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA, and North-west Irish Sea SPA, based on scientific information provided by the applicant and all other submissions and observations received. The information relied upon includes the following: • The Natura Impact Statement, Environmental Impact Assessment Report, and Construction and Environmental Management Plan prepared on behalf of the applicant. • The other plans and particulars submitted with the application and the response to the Commission's Further Information request. • The submissions and observations received. • Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities (Department of Environment, Heritage and Local Government, 2009). I am satisfied that the information provided is adequate to allow for Appropriate Assessment. I am satisfied that all aspects of the project which could result in significant effects are considered and assessed in the NIS and mitigation measures designed to avoid or reduce any adverse effects on site integrity are included and assessed for effectiveness.
Submissions/observations The submissions and observations received during the application process have been outlined in sections 6 and 7 of this report. The Department of Housing, Local Government and Heritage raises issues relating to bats and badgers, but not in the context of Natura 2000 sites or Appropriate Assessment. Inland Fisheries Ireland highlights the need to protect the aquatic environment and highlights the need for adequate capacity of storm and foul infrastructure, including Ringsend WWTP and the associated foul conveyancing network. It outlines that the proposed Best Construction techniques should be required to prevent and control pollutants and deleterious material to surface water, and

that direct connectivity to the Slang River and Elm Park Stream must be adequately mitigated to protect the aquatic environment. The submission does not specifically raise issues relating to Natura sites or Appropriate Assessment.

Third party submissions do not raise the issues of Natura 2000 sites or Appropriate Assessment.

Natura 2000 Sites: South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA, North-west Irish Sea SPA.

Summary of Key issues that could give rise to adverse effects (from screening stage):

- **Water quality degradation**
- **SPA species disturbance / displacement**

Qualifying Interest features likely to be affected	**Conservation Objectives (Summary of relevant Targets and Attributes)**	**Potential adverse effects**	**Mitigation measures (summary)** See NIS - Table 14
South Dublin Bay SAC			
Mudflats and sandflats not covered by seawater at low tide.	Habitat Area – Stable or increasing. Community Extent – Maintain community. Community Structure - Conserve the high-quality community. Community distribution - Conserve in a natural condition.	Without the presence of mitigation measures there is a potential for downstream effects if significant quantities of dust, pollution or silt were introduced into the River Slang or Elm Park Stream via air, surface water runoff, or the surface water drainage network. Construction works have the potential for downstream impacts on aquatic biodiversity through the introduction of pollution or silt. The storage of topsoil or works in the vicinity of the drainage ditch on site could lead to dust, soil or silt laden runoff entering	In summary, the proposed mitigation measures include, *inter alia*: **Construction Phase** <u>Storage of Hazardous Materials</u> • Use of bunded area and fuel bowsers in site compound. • Drip trays. • Inductions and regular toolbox talks. <u>Plant & Equipment</u> • Regular maintenance. • Parking in non-sensitive areas. • Exhaust silencers and compliance with noise & vibration requirements. • Re-fuelling protocol. • Toolbox talks.
Annual vegetation of drift lines. Salicornia and other annuals colonising mud and sand. Embryonic shifting dunes.			
North Dublin Bay SAC			
Mudflats and sandflats not covered by seawater at low tide.	Habitat Area – Stable or increasing. Community Extent – Maintain community. Community Structure - Conserve the high-quality community.		

	Community distribution - Conserve in a natural condition.	adjacent watercourses and drainage ditches. Contaminated surface water runoff on site during construction or operation may lead to silt or contaminated materials from site entering the onsite drainage ditch with downstream impacts on the SAC. If on-site concrete production is required or cement works are carried out in the vicinity of watercourses/drainage ditches there is potential for contamination of watercourses. The use of plant and machinery, as well as the associated temporary storage of construction materials, oils, fuels and chemicals could lead to pollution on site or in adjacent watercourses. Mitigation measures are required to remove the potential of impacts on the distribution number and range of Qualifying Interests of these Natura 2000 sites from the hydrological pathway via the Sland River and Elm Park Stream. In addition to the above, there is potential for disturbance/displacement of the SCIs of the SPAs	<u>Noise</u> • Recommendations of BS 5228. • Limits and monitoring will be in place. • Toolbox talks. • Control at source and avoidance of noise emissions. • Appointment of a Liaison Manager. <u>Dust</u> • Best practice and reference to Air Pollution Act 1987 and BS 6187. • Minimisation plan and monitoring regime. • Measures to include spraying, sweeping, chutes, loading and speed of vehicles, plant / equipment servicing, netting. • Appointment of a Liaison Manager. <u>Wildlife & Trees</u> • Noise, dust & vibration control & mitigation. • Tree inspection for bats prior to felling. • Gaps to allow movement of mammals. • Tree/vegetation clearance outside bird breeding season. • No floodlighting. • Work mainly during daylight. • Daily checks. • Waste management. <u>Pollution Control</u> • Best practice as per CIRA C649. • Methods to minimise dust / noise pollution.	
Annual vegetation of drift lines, Salicornia and other annuals colonising mud and sand, Embryonic shifting dunes, Shifting dunes along the shoreline with Ammophila arenaria (white dunes), Fixed coastal dunes with herbaceous vegetation (grey dunes), Humid dune slacks.	Habitat Area – Stable / increasing. Habitat distribution – No decline / change. Physical structure - Maintain natural circulation, structure, tidal regime. Vegetation structure - Maintain coastal habitats, structure and vegetation. Vegetation composition - Maintain the presence of species-poor communities, Negative indicator species to be limited.			
Atlantic salt meadows, Mediterranean salt meadows	Habitat Area – Stable or increasing. Habitat distribution – No decline / change. Physical structure - Maintain natural circulation, structure, tidal regime. Vegetation structure - Maintain coastal habitats, structure and vegetation. Vegetation composition - Maintain range of sub-communities.			
Petalwort	Distribution of populations – No Decline. Population size – No Decline. Area of suitable habitat – No decline. Hydrological conditions – Maintain. Vegetation structure – Maintain.			
South Dublin Bay & River Tolka Estuary SPA				

Light-bellied Brent Goose, Oystercatcher, Ringed Plover, Grey Plover (proposed for removal), Knot, Sanderling, Dunlin, Bar-tailed Godwit, Redshank, Black-headed Gull	Population trend – Stable or increasing. Distribution - No significant decrease in the range, timing or intensity of use of areas.	during construction works and the operational phase, including through movement of machinery, personnel, noise, vibration and/or noise associated with construction.	• Designated storage of sand / gravel / soil. • Sediment runoff minimised. • Surface Water Drainage & Ground Water Control method statement to be agreed in accordance with CEMP measures. • Topsoil storage and protection of exposed subsoil. <u>Reinstatement / Road Cleaning</u> • Roadways to be kept clean of muck and other debris. • Road sweeping if necessary. • Cleaning of existing sewers & watermains. • Repair & reinstatement of all areas. <u>Surface Water Run-off</u> • Measures will be implemented as per the 'Hydrology Chapter' of the EIAR. **Operational Phase** • Compliance with Water Pollution Acts will be carried out in relation to drainage on site. • Post construction inspection of drainage connections to the onsite drain will be carried out by the project ecologist to ensure that the petrochemical interceptor is in place and working.	
Roseate Tern, Arctic Tern	Passage population – No significant decline. Distribution – No significant decline. Prey biomass available – No significant decline. Barriers to connectivity – No significant increase. Disturbance at roosting site – No adverse effect.			
Common Tern	No significant decline in Breeding population abundance, Productivity rate, Passage population, Distribution, Prey biomass available. No significant increase in barriers to connectivity. Disturbance – No adverse effects.			
Wetlands	Habitat Area – Stable.			
North Bull Island SPA				
Light-bellied Brent Goose, Shelduck, Teal, Pintail, Shoveler, Oystercatcher, Golden Plover, Grey Plover, Knot, Sanderling, Dunlin, Black-tailed Godwit, Bar-tailed Godwit, Curlew, Redshank, Turnstone,	Population trend – Stable or increasing. Distribution - No significant decrease in the range, timing or intensity of use of areas.			

Black-headed Gull				
Wetlands	Habitat Area - Stable			
North-west Irish Sea SPA				
Red-throated Diver; Great Northern Diver; Fulmar; Manx Shearwater; Cormorant; Shag; Common Scoter; Black-headed Gull; Common Gull; Lesser Black-backed Gull; Herring Gull; Great Black-backed Gull; Kittiwake; Roseate Tern; Common Tern; Arctic Tern; Guillemot; Razorbill; Puffin; Little Gull; Little Tern.	Population - No significant decline (or stable / increasing where objective is to 'restore' favourable condition). Spatial distribution – Sufficient locations, area, of suitable habitat. Forage - Sufficient locations, area of habitat and biomass. Disturbance - intensity, frequency, timing and duration at non-significant levels. Connectivity barriers - number, location, shape and area of barriers do not significantly impact access.			
The above table is based on the documentation and information provided on the file and I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.				

Assessment of issues that could give rise to adverse effects in view of conservation objectives

- **Water quality degradation**

There is a significant separation distance (2.8km[24]) between the application site and the closest part of any of the Dublin Bay Natura 2000 sites, which offers potential for significant dilution of any potential pollutants. Furthermore, I consider that the size and transitional nature of the Liffey Estuary / Dublin Bay provides further significant capacity to assimilate/dilute any potential pollution.

In any case, having regard to the above and the nature and scale of the proposed development, I am satisfied that the application includes a suitably comprehensive range of mitigation measures. The measures relate to the construction and operational stages, and I am satisfied that they will ensure that any emissions to surface water will not affect the downstream water quality at Dublin

[24] As the crow flies. The hydrological distance is significantly greater.

Bay. I note tht the EIAR also contains adequate mitigation measures to address any invasive species in the form of an Invasive Species Management Plan.

Accordingly, the mitigation measures are adequate to ensure that the integrity of any of the Dublin Bay Natura 2000 sites will not be affected. The mitigation measures should be applied as a condition of any permission.

- **SPA species disturbance / displacement**

The application site is significantly distanced (2.8km) from the nearest SPA (South Dublin Bay and River Tolka Estuary SPA), while the other SPAs (North Bull Island and North-west Irish Sea) are least 7.5km away. Accordingly, there is limited potential for disturbance / displacement of SCI species. However, some SCI species were recorded in site surveys for the application, including; Black-headed Gull; Curlew; Herring gull, Lesser Black-backed gull; and Common Gull.

The NIS outlines that noise is the main potential source of disturbance, along with other disturbance associated with the movement of plant/machinery and personnel. However, the NIS outlines that a comprehensive range of noise mitigation measures will be implemented to prevent any significant adverse impacts.

Furthermore, as outlined in the bird surveys submitted with the application, while some disturbance and displacement impacts may occur to the SCI species recorded, I would concur that this would not be deemed to be of potential significance. This is due to the habituation of species to anthropogenic disturbance within the site and wider urban area and their likely habituation to any disturbance resulting from the proposed development.

Some loss of foraging habitat for species will also occur. However, this is not considered significant given the relative abundance of the habitat types within both the immediate and wider areas surrounding the site. The application also includes significant mitigation in the form of landscaping and an Invasive Species Management Plan, which will appropriately protect and enhance on-site habitat.

Accordingly, the mitigation measures are adequate to ensure that the integrity of any of the SPA sites and associated SCI species will not be significantly affected. The mitigation measures should be applied as a condition of any permission.

In-combination effects

As previously outlined, the applicant has considered cumulative / in-combination impacts, including other proposed and permitted developments in the vicinity of the site. It concludes that no significant effects on Natura 2000 sites will occur due to the proposed development in combination with other projects.

Having regard to the likely effects outlined in this report, I consider that the potential for cumulative/in-combination effects is limited to surface water quality and the disturbance / displacement of SPA species. Consistent with the proposed development, I consider that other developments along the Slang River, Dodder River, and Elm Park/Brewery Stream have the

potential to impact on the Dublin Bay Natura 2000 sites as a result of emissions to surface water at construction and operational stages, and also have the potential for increased disturbance and displacement of SPA species as a result of effects such as noise, loss of habitat, etc.

However, having regard to the foregoing, I am satisfied that the proposed development will not result in any significant residual surface water quality or disturbance / displacement effects after the application of mitigation measures. Other developments will also be required to demonstrate the absence of significant adverse effects. Therefore, there is no potential for significant adverse in-combination effects.

Findings and conclusions

The applicant's NIS concluded that, following the implementation of the mitigation measures outlined, no significant effects are likely from the proposed development, either alone or in combination with any other plans or projects on Natura 2000 sites, their features of interest or conservation objectives. It states that the proposed project will not will adversely affect the integrity of European sites.

Based on the information provided, I am satisfied that adverse effects arising from aspects of the proposed development can be excluded for the European sites considered in the Appropriate Assessment. I am satisfied that the mitigation measures proposed to prevent adverse effects have been assessed as effective and can be implemented. They will prevent any residual effects and, as such, I am satisfied that there will be no significant in-combination effects.

Reasonable scientific doubt

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

Site Integrity

The proposed development will not affect the attainment of the Conservation objectives of the South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA, and North-west Irish Sea SPA. Adverse effects on site integrity can be excluded, and no reasonable scientific doubt remains as to the absence of such effects.

Appropriate Assessment Conclusion: Integrity Test

In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA, and North-west Irish Sea SPA in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177U of the Act was required.

Following an examination, analysis and evaluation of the NIS all associated material submitted, and taking into account the submissions and observations received, I consider that adverse effects on site integrity of the South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka

Estuary SPA, North Bull Island SPA, and North-west Irish Sea SPA can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

My conclusion is based on the following:

- The nature and scale of the proposed development; the location of the site at a significant distance from European Sites; and its limited hydrological connectivity with the European Sites.
- Detailed assessment of construction and operational impacts.
- The proposed development will not affect the attainment of conservation objectives for the relevant qualifying interests of South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA, and North-west Irish Sea SPA.
- Effectiveness of mitigation measures proposed in the Natura Impact Statement, the Construction & Environmental Management Plan, and the Environmental Impact Assessment Report.
- Application of planning conditions to require that all relevant mitigation and monitoring measures shall be implemented.

Appendix 3

Water Framework Directive Screening Determination

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	320912-24	**Townland, address**	Central Mental Hospital, Dundrum Road, Dundrum, Dublin 14 and areas of Dundrum Road and St. Columbanus Road, Dublin 14
Description of project		The proposed development mainly involves the demolition of existing structures (3,667m^2), alterations to the existing perimeter wall, construction of 934 no. residential units, construction of 4,380m^2 of non-residential community and commercial uses, vehicular access, open space and landscaping, and all associated siteworks and services.	
Brief site description, relevant to WFD Screening,		The subject site has a gross area of c. 9.7 ha and is located c. 6km south of Dublin City Centre. There is an existing drain running though the site which leads to Elm Park / Brewery Stream (to the northeast of site), which drains further east to South Dublin Bay. The Slang River is located c. 70m west of the site. If flows northwards to the Dodder River, which drains to the Liffey Estuary and Dublin Bay. The site is underlain by the Dublin groundwater body.	
Proposed surface water details		The proposed surface water drainage system is split into three catchments which will be treated separately through a SuDs management train and attenuation.	

	Catchment A drains to the River Slang (to the west of the site) via an existing surface water sewer. Catchments B & C drain to the existing open drainage ditch leading to Elm Park / Brewery Stream.
Proposed water supply source & available capacity	Water supply will be provided from the Uisce Eireann public mains (Saggart – Ballymore Eustace Water Supply) via the Poulaphouca Reservoir. A review of the Uisce Eireann Capacity Register (Published December 2024) on 07/10/2025 indicated that water supply capacity status for the 'Dublin City and suburbs' area to support 2033 population targets is 'Potential Capacity Available – Level of Service improvement required'.
Proposed wastewater treatment system & available capacity, other issues	Foul sewerage will connect to the existing Uisce Eireann combined sewer on Dundrum Road and will be treated at Ringsend WWTP, which ultimately discharges to the Liffey Estuary and Dublin Bay. A review of the Uisce Eireann Capacity Register (Published December 2024) on 07/10/2025 indicated that capacity is available at the Ringsend WWTP.
Others?	The application is accompanied by a Site-Specific Flood Risk Assessment. As outlined in section 10.9 of this report, I am satisfied that the development is acceptable & appropriate from a flood risk assessment perspective. The application is also accompanied by an Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS). As outlined in sections 9 and 10.7 of this report, I acknowledge the ecological importance of surrounding water features and their connectivity to designated nature conservation sites (including Natura 2000 sites). However, I consider that the proposed development would not have any unacceptable ecological effects and would not adversely impact on the integrity of any European Sites, either alone or in combination with other plans or projects.

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 (2019 – 2024)**	**Risk of not achieving WFD Objective e.g.at risk, review, not at risk**	**Identified pressures on that water body**	**Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)**
River (Slang)	70m to west of site	Dodder_050 (IE_EA_09D010900)	Moderate	At risk	Urban Wastewater (Combined SWO), Urban runoff, Unknown	Surface water will be discharged.
River (Elm Park / Brewery)	C. 2km to the northeast	Brewery Stream_010 (IE_EA_09B130400)	Poor	Review	None Identified	Surface water discharge to on-site drain.
Transitional	5km to the north	Liffey Estuary Lower (IE_EA_090_0300)	Moderate	At risk	Urban Wastewater, Combined SWO	Surface water impacts as above via the Dodder. Wastewater discharge via Ringsend WWTP.
Coastal	3km to the northeast	Dublin Bay (IE_EA_090_0000)	Good	Not at Risk	None Identified	Surface water impacts as above via Dodder and Brewery Stream. Wastewater discharge via Ringsend WWTP and Liffey Estuary.
Lake	C. 20km to southwest	Pollaphuca (IE_EA_09_71)	Good	Not at Risk	None identified	Source of water supply.
Groundwater	Underlying site	Dublin (IE_EA_G_008)	Good	Review	None Identified	Via the overlying soil and water features.

Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	**Component**	**Water body receptor (EPA Code)**	**Pathway (existing and new)**	**Potential for impact/ what is the possible impact**	**Screening Stage Mitigation Measure***	**Residual Risk (yes/no)** **Detail**	**Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.**
1.	Surface	Brewery Stream_010 IE_EA_09B130400 Dodder_050 (IE_EA_09D010900) Liffey Estuary Lower (IE_EA_090_0300) Dublin Bay (IE_EA_090_0000)	Existing stream runs through the site and connects with Brewery Stream. Surface water connection works linked to Dodder. Downstream connections to the Liffey and Dublin Bay.	Siltation, pH (Concrete), hydrocarbon spillages. See sections 9 and 10.9 of this report for further details.	No direct run-off as outlined in the CEMP, NIS, and EIAR. See sections 9 and 10.9 of this report for further details.	No. As outlined in sections 9 and 10.9 of this report, I am satisfied that the proposed measures will prevent any significant impacts on water quality or regime.	Screened out.
2.	Ground	Dublin (IE_EA_G_008)	Via the overlying soil and water features.	As above.	As above.	As above.	Screened out.

OPERATIONAL PHASE							
No.	**Component**	**Water body receptor (EPA Code)**	**Pathway (existing and new)**	**Potential for impact/ what is the possible impact**	**Screening Stage Mitigation Measure***	**Residual Risk (yes/no)** **Detail**	**Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.**
1.	Surface	Brewery Stream_010 (IE_EA_09B130400) Dodder_050 (IE_EA_09D010900) Liffey Estuary Lower (IE_EA_090_0300) Dublin Bay (IE_EA_090_0000) Pollaphuca (IE_EA_09_71)	Surface water will be discharged to Dodder and on-site drain, with further downstream connections to the Brewery Stream, Liffey, and Dublin Bay. Wastewater discharges to Liffey Estuary and on to Dublin Bay. Water supply will be sourced from reservoir at Pollaphuca, which flows downstream via the Liffey.	Hydrocarbon spillage / pollution associated with surface water. Pollution associated with wastewater discharge. Water regime impacts associated with water supply / abstraction. See sections 9 and 10.9 of this report for further details.	SUDs features and storm water management. Compliance with Uisce Eireann (UE) wastewater requirements. Discharge licence conditions. Compliance with (UE) water connection requirements. Abstraction approval conditions. See sections 9 and 10.9 of	No. As outlined in sections 9 and 10.9 of this report, I am satisfied that the proposed measures will prevent any significant impacts on water quality or regime.	Screened out.

					this report for further details.		
2.	Ground	Dublin (IE_EA_G_008)	Via the overlying soil and water features.	Hydrocarbon spillage / pollution. See sections 9 and 10.9 of this report for further details.	SUDs features, storm water management. See sections 9 and 10.9 of this report for further details.	No. As outlined in sections 9 and 10.9 of this report, I am satisfied that the proposed measures will prevent any significant impacts on water quality or regime.	Screened out.
DECOMMISSIONING PHASE							
	N/A	N/A	N/A	N/A	N/A	N/A	N/A