



An
Coimisiún
Pleanála

Inspector's Report

ABP-322523-25

Development

Demolition of dwelling and
Construction of five-storey apartment
building with 55 apartments and all
associated site works.

Location

Woodhurst, Coolock Lane, Santry,
Dublin 9, D09 E0K7

Planning Authority

Fingal County Council

Planning Authority Reg. Ref.

F25A/0129E

Applicant(s)

PGC Realty Ltd

Type of Application

Permission

Planning Authority Decision

Refuse

Type of Appeal

First

Appellant(s)

PGC Realty Ltd

Observer(s)

1. Dave & Sabrina Cosgrave
2. Louise Houghton
3. Royal Oak Residents Association
4. Leonie Mahon & Others
5. Eimear Phelan & Others

6. Mary Kelly Talyor & Others
7. Maria Meagher & Others
8. Elaine Loughlin & Others

Date of Site Inspection

08/08/2025.

Inspector

Darragh Ryan

1.0 Site Location and Description

- 1.1. The proposed site is located on Coolock Lane, Woodhurst Santry, Inchicore, Co Dublin. There is an existing detached vacant dwelling on site. The site is located in a residential area with Knightswood housing estate to the east of the site, a small residential development of terraced red brick dwellings and a single large residential dwelling. To the west of the site is a single residential property on its own large plot.
- 1.2. The site is accessed off a private passage off Oak Drive, prior to access to the Knightswood estate. To the south of the site is the R104 which connects the Swords Road to the M50. Santry Park is located further west of the site.
- 1.3. The area is generally categorised by low density residential development. There are extensive mature boundaries on site and the existing dwelling is not visible from the public road. The site area is stated at .36ha.

2.0 Proposed Development

- The demolition of existing house and outbuildings and removal of existing boundary walls along all boundaries.
- The construction of five storey residential building consisting of 55 No. apartments, (24 Noone-bedroom units, 26 No. two-bedroom units & 5 No. three-bedroom units) Balconies or terraces are to be provided for all apartments, (with roof mounted solar collector panels and rooftop plant, which is setback and screened).
- Creation of a new 5m wide access road from the front slip road off Coolock Lane is proposed providing vehicular & separated pedestrian access
- Provision is made for refuse and recycling storage, 80 No. cycle parking spaces, hard and soft landscaping areas including communal open space (c600m²), to include pocket children's play area, newly located entrance piers, railings boundary treatments and all ancillary site development works.

Table 1 – Key features

Total Site Area	0.36 Ha
Net Developable Site Area	2.599 Ha

Total Gross Floor Area	2.599 sq m
Density	153 units per hectare (dph) (revised down to 141 units per hectare)
Maximum Height	5 No. storeys (17.34 metres)
Car Parking	28 No. spaces
Bicycle Parking	164 No. spaces
Public Open Space	None Provided
Communal Open Space	700sqm – long bands along north, east and southern boundaries
Dual Aspect	56%

3.0 Planning Authority Decision

The Planning Authority issued a Decision to refuse permission for three reasons as follows:

1. The proposed development by reason of density and restricted layout, scale , height and massing would constitute overdevelopment and would be unduly obtrusive, overbearing and out of character with the pattern of development in the area. Taking together with the information submitted, this infill site results from the inappropriate over development of the site, this the development fails to comply with Table 14.4 Infill Development of the Fingal Development Plan 2023 – 2029, which seeks to ensure new infill development provides a high quality design response to the context of the infill site, taking cognisance of architectural form, site coverage, building heights, building line, grain, and plot width and respect and compliment the character of the surrounding area having due regard to the prevailing scale, mass, and architectural form of buildings in the immediate vicinity of the site. The development as proposed would fail to accord with objective SPQH042 of the Fingal Development Plan 2023 to 2029 which seeks

to encourage and promote the development of underutilised infill, corner and back land sites in existing residential areas subject to the character of the area and environment being protected and also Objective SPQ H043 of the Fingal Development Plan 2023 – 2029 which seeks to Promote the use of contemporary and innovative design solutions subject to the design respecting the character and architectural heritage of the area. The proposed development would seriously injure the amenities of the area and property in the vicinity and would be contrary to the proper planning and sustainable development of the area.

2. Due to the lack of information submitted, the applicant has failed to demonstrate that the proposed development individually, or in combination, with other plans or projects would not adversely affect the integrity of nearby European Sites. The proposed development would be contrary to Objective DMS 01 and DMS 0145 of the Fingal Development Plan 2023 to 2029 which seeks to ensure that sufficient information is provided as part of development proposals to enable Screening for Appropriate Assessment to be undertaken and to enable a fully informed assessment of impacts on biodiversity to be made. The development would therefore, be contrary to the proper planning and sustainable development of the area.
3. The development is located within an area of the County with the zoning objective “RS” – Provide for residential development and protect and improve residential amenity. The proposed development in an established residential area is considered ad hoc and out of character. The proposed development by way of its restricted nature would not create a sense of visual harmony and would significantly detract from existing residential amenity. In addition the proposal would have a negative visual impact on the area and set an undesirable precedent for similar development at this location. The proposed development would therefore be contrary to the aims and objectives of the Fingal Development Plan 2023 – 2029 and contrary to the proper planning and sustainable development for the area.

3.1. Planning Authority Reports

3.1.1. There is a single Planning Report on file. The planning authority report noted the following:

- The applicant has not submitted a number of documents which would be imperative for a development of this size. The following documents not submitted; a drainage strategy, sightline drawing, road safety audit, Irish Water Confirmation of Feasibility, construction management plan or construction environment management plan, resource waste management plan, public lighting layout, site clearance tree removal overall demolition drawing, Climate Action energy statement, Site Investigation Report, Landscape Plan
- The applicant has failed to provide dimensions for floor plans for the apartment buildings to confirm compliance with space standards or separation distances from neighbouring properties.
- A number of concerns are raised in relation to internal layouts of apartments, details of storage is unclear, some bedrooms open directly onto footpaths,. There is a question mark regarding quality of light to bedrooms on the 2nd, 3rd and 4th floors.
- Density of 153 units would exceed the threshold normally applicable for this type of site. Density cannot be justified given the infill nature of the site and surrounding low density housing.
- The layout of the site represents an overdevelopment of the site, no open space is provided. The site is adjacent to 2 storey houses and it is considered the proposed 5 storey nature of this development with its block layout will be overbearing and unacceptable on the site. The visual impact assessment cannot be relied upon as it shows existing boundaries. The documentation is unclear on what boundaries are to be retained on site.
- The daylight and overshadowing report is inadequate and does not provide an assessment of neighbouring properties – it is unclear what standards are applied in the assessment.

- Given proximity to the M50 a noise assessment is required. No noise assessment is provided.
- Concerns regarding the location of the proposed bin store in close proximity to the open space of Knightswood to the east of the site. An operational waste management should be sought way of additional information.
- Concerns regarding the loss of trees on site. The applicant refers to tree report however none has been provided with the application. NO landscape plan has been provided for the site. A street tree plan is required due to the development containing 50+ units.
- In terms of access no sightline drawings have been provided. A road safety audit should be submitted.
- Car parking and cycle parking provision are considered acceptable.
- The AA screening as provided is considered inaccurate with incorrect information provided. The applicant has not demonstrated that the proposed development would not have a negative impact on any European Site.
- The proposed 55 apartments across a single block is not considered acceptable. The density, scale and massing is excessive for the local area. The proposal would adversely affect the visual amenities of the area and be contrary to objectives SPQH039, SPQ H042 and SPQH 043 of the Fingal Development Plan.

3.1.2. Other Technical Reports

- Transportation Planning Section

The applicant has not demonstrated sightlines however from a site inspection sightlines in compliance with DMURS are achievable.

Car Parking and Cycle parking standards are considered acceptable.

The applicant has not provided a road safety audit, and this should be addressed.

Condition recommended with regard to the proposed development.

- Water Services Department

No objection conditions recommended. water drainage proposal, inclusive of calculations, complying with the principles of the GDSDS (Greater Dublin Strategic Drainage Study, 2005) and best practice SuDS design as per the CIRIA SuDS Manual C753. The maximum allowable site discharge shall be Qbar or 2 litres per second per hectare, whichever is the greatest.

- Air & Noise Unit

As the Strategic Noise Maps of the Fingal Noise Action Plan 2024-2028 indicate that the proposed site may potentially be affected by road noise, a noise assessment is required. This has not been submitted with the application and should be requested under additional information.

- Environment Department

Recommends conditions with regard to construction and demolition waste management plan and operational waste management plan.

- Architects Department

There are significant shortcomings in this application which cannot be adequately assessed in its current format, which is unacceptable for a project of this scale.

As a result we have not reviewed the architectural proposal in detail. The department outlines a list of all documents that were not provided with the application. A number of concerns regarding the design of the proposal have been provided.

- Housing Department

Part V Housing Proposal deemed to be acceptable

- Parks & Green Infrastructure

Reference is made within the application to a tree survey, however none has been provided. Public open space provision is 2312.50 sqm. As this development consists of 50+ units, play provision is required on site. 4sqm of play provision is required per unit which totals a requirement of 220sqm on

site. Playgrounds must be located 25-metres away from residential units.

Further Information recommended

- Public Lighting

No public lighting provided for the development

3.2. Prescribed Bodies

3.2.1. Dublin Airport Authority

The proximity of the proposal to the airport means the operation of cranes during construction may cause concerns in relation to air safety, and at a minimum, requires further detailed assessment in relation to flight procedures at Dublin Airport. daa requests that a condition is attached to any grant of permission, requiring the developer to agree any proposals for crane operations (whether mobile or tower crane), 90 days in advance of construction with daa and AirNav Ireland.

3.2.2. Uisce Eireann

The applicant shall engage with Uisce Éireann by submitting a pre-Connection Enquiry (PCE) to assess feasibility of connection to the public water and wastewater infrastructure. The outcome of the PCE shall be submitted to the Planning Authority as a response to Further Information Request.

3.3. Third Party Observations

There are a number of third party observations on file, The issues raised are similar to the issues raised within the Observations submitted to the Board. The issues can be summarised as follows:

- Proposal is inconsistent with Objective DMS 04- Key principles to consider in the achievement of Healthy Placemaking
- Objective DMS 0118 – Road Safety Measures
- Policy CMP32 – Sustainable Road Infrastructure
- Policy CMP34 – Road and Street Design

- Proposal does not align with the Fingal Development Plan 2023-2029 which states Fingal will embrace healthy placemaking and economic prosperity through building cohesive and sustainable communities where our cultural natural and built environment is protected.
- The proposed development is in the excess of the maximum standards for Zone 1 set out in Table 14.19 of the Fingal Development Plan 2023-2029,
- A comprehensive local area plan for Santry is vital to address the lack of infrastructure.

4.0 Planning History

There is no planning history for the current site.

Adjacent Sites –

- Planning Ref NO F23A/0712 at Mulhalls and Dun Mhuire, Coolock Lane, (100 meters to the west) has approved 33 no residential apartments for Older Persons in four storey clock on site area of 0.25ha.
- Planning Ref No F20A/0004 at Lilmar Industrial Estate, Oak Avenue (100 meters east) has approved 35 no residential apartments in 2 No 3-5 Storey high block on a site area of 0.41 ha.

5.0 Policy Context

5.1. National

5.1.1. Project Ireland 2040: National Planning Framework, 2018:

The National Planning Framework (NPF) is a long-term strategic planning framework intended to shape the future growth and development of Ireland out to the year 2040, a key objective of which is the move away from unsustainable “business as usual” development patterns and towards a more compact and sustainable model of urban development. It provides for a major new policy emphasis on renewing and developing existing settlements, rather than the continual expansion and sprawl of cities and towns out into the countryside at the expense of town centres and smaller

villages. In this regard, it seeks to achieve compact urban growth by setting a target for at least 40% of all new housing to be delivered within the existing built-up areas of cities, towns and villages on infill and/or brownfield sites.

A number of key 'National Policy Objectives' are as follows

- NPO 1(b): Eastern and Midland Region: 490,000 - 540,000 additional people, i.e. a population of around 2.85 million.
- NPO 3(a): Deliver at least 40% of all new homes nationally within the built-up footprint of existing settlements.
- NPO 3(b): 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.
- NPO 4: 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 13: 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. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.
- NPO 27: 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 33: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.
- NPO 35: Increase residential density in settlements, through a range of measures including reductions in vacancy, reuse of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

5.1.2. **Housing for All - A New Housing Plan for Ireland, 2021:**

This a multi-annual, multi-billion euro plan to 2030 which aims to improve Ireland's housing system and deliver more homes of all types for people with different housing needs (with Ireland needing an average of 33,000 No. homes to be constructed per annum until 2030 to meet the targets set out for additional households outlined in the NPF). The Plan itself is underpinned by four pathways:

1. Pathway to supporting homeownership and increasing affordability;
2. Pathway to eradicating homelessness, increasing social housing delivery and supporting inclusion;
3. Pathway to increasing new housing supply; and
4. Pathway to addressing vacancy and efficient use of existing stock.

5.1.3. Climate Action Plan 2024

Outlines measures and actions by which the national climate objective of transitioning to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy by 2050 is to be achieved. These include the delivery of carbon budgets and reduction of emissions across sectors of the economy. Of relevance to the proposed development, is that of the built environment sector. The Board must be consistent with the Plan in its decision making.

5.1.4. National Biodiversity Plan 2023-2030

Includes five objectives by which the current national biodiversity agenda is to be set and the transformative changes required to ensure nature is valued and protected is delivered. Of relevance to the proposed development, are the targets and actions associated with Objective 2 on achieving the conservation and restoration needs of environmental designations. Section 59B(1) of the Wildlife (Amendment) Act 2000, as amended, requires the Board to have regard to the objectives and targets of the Plan in the performance of its functions.

5.1.5. Section 28 Ministerial Guidelines:

The following list of Section 28 Ministerial Guidelines are of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.

- Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities, 2024, (Compact Settlement Guidelines). Applicable policy for the proposed development includes:
 - Section 3.3: contains Table 3.1 which defines categories of urban areas within Dublin City and suburbs (which the appeal site is located within). City – Urban Neighbourhoods are described as town centres designated in a statutory development plan, and lands around existing or planned high capacity public transport nodes or interchanges. For such locations, the guidelines state that densities in the range of 50dph-250dph should be applied.
 - Section 3.4: outlines a two-step density refining process, based firstly on a determination of accessibility (in accordance with definitions in Table 3.8) and secondly on site-specific criteria (impacts on character, historic environment, protected habitats and species, daylight/ sunlight of residential properties, and water services capacity).
 - Section 3.4: contains Policy and Objective 3.1 which requires that the recommended density ranges set out in Section 3.3 are applied in the consideration of individual planning applications, and that these density ranges are refined further, where appropriate, using the criteria set out in Section 3.4.
 - Section 4.4: contains Policy and Objective 4.1 which requires the implementation of principles, approaches and standards in the Design Manual for Urban Roads and Streets, 2013, including updates (DMURS).
 - Section 5.3: includes achievement of residential standards as follows:
 - SPPR 1 – Separation Distances which requires a minimum of 16m between opposing windows serving habitable rooms at the rear or side of apartment units above ground floor level.
 - SPPR 2 – Minimum Private Open Space for apartments remains in accordance with the Apartment Guidelines.
 - Policy and Objective 5.1 which recommends a public open space provision of between 10%-15% of net site area, exceptions to this range are outlined.
 - SPPR 3 – indicates that for urban neighbourhoods, car-parking provision should be minimised, substantially reduced or wholly

eliminated. The maximum rate of car parking provision for residential development at these locations shall be 1 no. space per dwelling.

- SPPR 4 – Cycle Parking and Storage which requires a general minimum standard of 1 no. cycle storage space per bedroom (plus visitor spaces), a mix of cycle parking types, and cycle storage facilities in a dedicated facility of permanent construction (within or adjoining the residences).
 - Section 5.3.7 – Daylight indicates that a detailed technical assessment is not required in all cases, regard should be had to standards in the BRE 209 2022, a balance is required between poor performance and wider planning gains, and compensatory design solutions are not required.
- Sustainable Urban Housing, Design Standards for New Apartments, Guidelines for Planning Authorities (2023). Applicable policy for the proposed development includes:
 - Standards and requirements of SPPR 3 (minimum floor areas, and by reference to Appendix 1, minimum storage, private open space areas for 1–3-bedroom units).
 - SPPR 4 (50% to be dual aspect units in intermediate/ suburban areas).
 - SPPR 5 (minimum 2.7m requirement for ground level floor to ceiling height).
 - SPPR 6 (maximum of 12 apartments per floor level per core).
- Urban Development and Building Height, Guidelines for Planning Authorities (2018).
 - Section 1.8 outlines that maximum building heights in city and town centre areas have tended towards the range of six to eight storeys.
 - Section 2.5 highlights taller buildings can bring much needed additional housing and economic development to well-located urban areas and assist in reinforcing and contributing to a sense of place within a city or town centre.

- Section 3.1 states there shall be a presumption in favour of buildings of increased height in our town/ city cores.
- SPPR 3 requires a development management criteria test be undertaken for schemes with buildings taller than the prevailing height of those buildings in the receiving area.
- Design Manual for Urban Roads and Streets (December, 2013) (as updated) (including Interim Advice note Covid-19 May, 2020)
- Childcare Facilities – Guidelines for Planning Authorities 2001 and Circular PL3/2016 – Childcare facilities operating under the Early Childhood Care and Education (ECCE) Scheme.
- The Planning System and Flood Risk Management (including the associated Technical Appendices) (2009).
- Appropriate Assessment of Plans and Projects in Ireland – Guidelines for Planning Authorities (2009).
- The Architectural Heritage Protection, Guidelines for Planning Authorities (2011).
- Regulation of Commercial Institutional Investment in Housing, Guidelines for Planning Authorities, 2021, updated 2023 (Commercial Institutional Investment Guidelines).
 - Section 3 requires restrictions on the first occupation of houses and duplexes to individual purchasers or persons eligible for social and/ or affordable housing, excludes corporate entities.
- Development Management, Guidelines for Planning Authorities, 2007 (Development Management Guidelines).
 - Section 7.3 outlines the criteria for conditions

5.2.Regional Policy

- 5.2.1. Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031 (RSES)
- 5.2.2. The RSES provides a development framework for the region, including a specific Metropolitan Area Strategic Plan (MASP) covering Dublin City and suburbs (which the appeal site is located within).

- 5.2.3. Accordingly, certain regional policy objectives are applicable to the proposed development, including RPOs 5.3, 5.4, and 5.5 which require future residential development in the MASP to plan led, facilitate sustainable travel patterns provide for higher densities and qualitative standards, focus on the consolidation of Dublin and suburbs.

5.3.Fingal Development Plan 2023 – 2029

- 5.3.1. The applicable statutory development plan for the assessment of the appeal case is the Fingal Development Plan 2023-2029 (CDP). The CDP contains map-based designations and policy in several chapters which establish the context for the proposed development (a predominantly residential scheme comprised of apartments and houses with a childcare facility, on an infill site in a town centre location).

The site is zoned as 'RS' Residential with the stated objective to 'Provide for residential development and protect and improve residential amenity.'

The site is located within the boundaries of FP 13.C – Framework Plan for Clonsilla. Framework plans are described as non-statutory plans providing design guidance for applicable lands. The current framework plan is at draft stage.

- 5.3.2. Key CDP policy, objectives, requirements, and/ or standards that are relevant to the appeal case are outlined as follows. These policies shall be relied on during the course of my assessment to reach any conclusion:

5.3.3. Chapter 2: Planning for Growth, Core Strategy, Settlement Strategy

- Policy CSP12 – NPF and RSES
- Policy CSP14 – Consolidation and Re-Intensification of Infill/ Brownfield Sites
- Policy CSP18 – Promotion of Residential Development

Chapter 3: Sustainable Placemaking and Quality Homes

- Policy in 3.5.11 Quality in Residential Development
- Policy SPQHP35 – Quality of Residential Development
- Policy SPQHP38 – Compact Growth, Consolidation, and Regeneration

Chapter 6: Connectivity and Movement

- Policy CMP12 – Public Realm,
- Policy CMP14 – Permeable Neighbourhoods,
- Objective CMO19 – Optimising Accessibility for All
- Table 14.3 Brownfield Opportunities and Regeneration

Chapter 14: Development Management Standards

- Policy in 14.13 Open Space
- Table 14.11: Public Open Space and Play Space Hierarchy and Accessibility Standards
- Objective DMSO50 – Monetary Value in Lieu of Play Facilities
- Objective DMSO51 – Minimum Public Open Space Provision
- Table 14.12: Recommended Quantitative Standards
- Objective DMSO52 – Public Open Space Provision
- Objective DMSO53 – Financial Contribution in Lieu of Public Open Space
- Objective DMSO194 – Provision of Public Art
- Section 14.19.1.2 Existing Buildings/Structures

Where structures exist on a site their embodied carbon needs to form part of the considerations for any redevelopment to ensure the proposal adheres to sustainable development goals. Adaptive re-use and transformation of existing buildings should be the first consideration before demolition and replacement. The architectural or vernacular quality, style and materials of the buildings on the site should also form part of the evaluation as the Development Plan contains objectives to retain and re-use the historic building stock, vernacular structures and 20th century architecture of merit. An analysis of historic maps should be carried out where older buildings exist on a site to inform the assessment process (there are a number of online map viewers that have digital historic map layers)

5.3.4. Fingal County Council Development Contribution Scheme 2021-2025

- The Scheme refers to the CDP policy context which allows the planning authority to determine a financial contribution in lieu of all or part of the open space requirement for a particular development.
- The Scheme (Note 5, pg. 7) indicates the rates at which the contribution will be calculated.
- Section 11 Exemptions and Reductions lists the development/ works exempted from the requirement to pay development contributions/ pay at a reduced rate. Supplementary Development Contribution Scheme in respect of the Clonsilla to Dunboyne (Pace) Railway Line
- The site is located within the boundaries of Supplementary Development Contribution Scheme for the Clonsilla to Dunboyne (Pace) Railway Line.

5.4. Natural Heritage Designations

- North Dublin Bay SAC (000206)
- South Dublin Bay SAC (000210)
- North Bull Island SPA (004006)
- South Dublin Bay and River Tolka Estuary SPA (004024)
- North-west Irish Sea SPA (004236)

6.0 EIA Screening

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

7.0 The Appeal

7.1. The is a first party appeal against the decision of Fingal County Council to refuse permission. The Grounds of Appeal can be summarised as follows:

The applicant notes the reasons for refusal of Fingal County Council and has submitted revised details of the scheme to address the concerns. The applicant asks that the Board consider examining the proposal “de novo” which addresses concerns in relation to design and density. The proposed amendment reduces the overall number of apartment units proposed in the development from 55 to 51 and consequently the density of development from 153 units per ha to 141 units per ha.

- Regarding density the site area is .36ha. The proposed site is within the City/Suburban – Urban Extension whereby densities in the range of up to 150 dwellings per hectare are open for consideration. The proposed site is within 500m of a Transport Node and 35m from the New CBC Core Bus Corridor. There is a bus stop immediately outside the site. The proposal has been revised down from 55 units to 51 units, this would reduce the density down to 142 units.
- Regarding restricted layout – the applicant submits that the design and layout of the development complies with the Sustainable Urban Housing: Design Standards for New Apartments 2023. The concerns raised by the architects in relation to M & E Strategy and design issues are minor. The design of each apartment has been set out with adequate storage. A buffer zone has been provided for one of the apartments as required which requires the removal of a single car parking space.
- The applicants submits a revised daylight factor analysis which measures the light received in rooms in accordance with requirements set out in the Fingal County Development Plan.
- The scale, height and massing of the building is consistent with relevant Section 28 Guidelines, Sustainable Residential and Compact Settlement Guidelines for Planning Authorities 2024 and Urban Development and Building Height Guidelines for Planning Authorities 2018, these documents support the increase in heights in areas of redevelopment of brownfield sites.

Reference is made to a development of similar scale but larger brownfield site which was approved and completed on the junction of Malahide Road and Carrs Lane under Planning Authority Reg Ref F18A/0735. It is considered that proposed scheme is similar in layout to the granted site in terms of scale and layout.

- In order to address concerns of the local authority the applicant has submitted revised drawings as part of the appeal that reduces the scale of the development. The number of apartments has been reduced from 55 to 51 and the amendment sees a significant alteration to the direct southern aspect of the development whereby the building volume is a bit smaller, reducing mass and scale of the development as it addresses Coolock Lane. The proposed amendment will allow for greater distance to the eastern boundary of the site and will allow for the retention of the existing tree cover which presently exists along the southern and eastern boundary of the site.
- The assertion that the development is out of character with the area is to be expected. In creating densities between 50 -150 per hectare the prevailing character of three bed semi detached and terrace housing cannot be continued.
- The applicant sets out within the appeal a number of precedent cases by which the development complies with.
- It is also set out how the development complies with Table 14.4 Infill Development of the Fingal Development Plan namely around issues such as
 - High Quality design Response
 - Overberance, Overlooking and Overshadowing
 - Scale Mass and architectural form of buildings in the immediate vicinity
 - Promoting Active Street frontages
- The applicant also sets out how the proposed development complies with other Development Plan polices namely

- The agent for the applicant has submitted the following additional and amended information for the purposes
 - A revised AA screening statement
 - An Arborist Report and associated Arboriculture Impact Plan
 - Tree Survey
 - Revised Sections Drawings and Plans for all aspects of the Development
 - Landscaping Plan
 - Site Specific Flood Risk Assessment

7.2. Planning Authority Response

- Response received via email on 6th of June 2025.

The Planning Authority remain of the opinion that if permitted the proposed development by reason of density, restricted layout, scale height and massing would constitute overdevelopment of the site and would unduly obtrusive, overbearing and out of character with the pattern of development in the area.

Where the Coimisiun is of a mind to grant permission the Coimisiun is reminded of development contribution scheme and Special Development Contributions required.

7.3. Observations

There are 8 number observations on file. The issues raised can be broadly summarised as follows:

- Excessive Residential Density

The density as set out is excessive for the local area. There is limited capacity on the local road network to accommodate the addition traffic generated by the development. The density is excessive given the site context and lack of amenities in the local area. There are already 2 approved residential property schemes within 100m of the proposed Woodhurst Site. There are 850 new house within the Oscar Traynor Road, in addition to 400 apartments already

under construction on the Swords Road. Approval of the proposed development will lead to local overpopulation and will put increasing pressure on existing amenities and infrastructure in the local area.

There does not appear to be any planned infrastructure improvements with Fingal County Council or Dublin City Council for infrastructure improvements. There has been approvals for large SHD developments but no new amenities have been considered. There have been no associated improvements in public transport or infrastructure to facilitate the additional developments.

- Parking/Road Servicing and Access

- The proposed plan is completely unsuitable due to the narrow road to Royal Oak Avenue, with only one footpath – posing a safety risk to pedestrians, cyclists and drivers. The road is already at capacity at peak times, and it is difficult to enter and exit the estate by car. The addition of 55 units will add to existing issues.
- The lack of parking for residents will add significantly to issues of haphazard parking in the local area. This is evident from other developments recently constructed with reduced car parking standards. Individuals park their cars illegal adding to the untidy look of the area.
- The proposed new access will exacerbate existing traffic issues and create safety hazards. It is considered the proposal would contravene policies Objective DMS 0118, Policy CMP32, Policy CMP 34,.

- Architectural Impact

The residential areas of Royal Oak and Knightswood are settled mature areas with low rise two storey dwellings creating a pleasing aesthetic with unique local character. The proposal is in significant contrast with a significant height and single block nature of excessive mass, which is significantly out of keeping with the area.

Existing Structure

The existing dwelling on site is unique in terms of local architectural merit. Its demolition would be a significant loss to the architectural heritage of the area.

- Loss of Residential Amenity

The development as proposed would result in significant loss of residential amenity for local residents.

- Loss of Biodiversity

In permitting the development, there will be a requirement for removal of trees and removal of boundaries to facilitate the development. The proposal would detract significantly from local biodiversity.

7.4. Prescribed Bodies

- None

8.0 Assessment

8.1. Introduction

Having examined the appeals, reviewed all other documentation on the case file, inspected the site, and had regard to the relevant national, regional, and local policies and guidance, I consider that the main issues in the appeal to be as follows:

- Principle of Development/ Core Strategy
- Residential Density
- Design & Layout
- Access, Traffic, and Transportation
- Biodiversity
- Other Matters

8.2. Principle of Development/ Core Strategy

- 8.2.1. The site is within an area zoned “RS” in the Fingal Development Plan 2023-20229. Zoning objective ‘RS’ residential which has the stated objective to ‘Provide for residential development and protect and improve residential amenity.’ The proposed development consists of demolition of existing dwelling and the construction of 55 residential units comprising of 24 one bed, 26 no two bed and 5 no three bedroom apartments on a .36ha site. As part of the appeal the applicant has reduced the number of units down to 51 apartments.

- 8.2.2. Objective SPQH042 of the Fingal Development Plan encourages and promotes the development of underutilised infill, corner and back land sites in existing residential areas subject to the character of the area and the environment being protected. Table 14.4 of the Development Plan sets out parameters for infill development. I consider the redevelopment of the site and provision of residential units is acceptable in principle subject to other planning considerations.
- 8.2.3. There is an existing dwelling on site, which the applicant proposes to demolish. A report outlining a justification for the proposed demolition has been provided as part of the application. The house at Woodhurst, Coolock Lane, is a 1940's building. The existing dwelling area measures circa 218m². The house is a typical suburban freestanding dwelling house of its era. The property has interesting suburban detailing from the period of construction. It has not been upgraded or renovated since its construction and was reasonably well maintained over its lifetime. A BER rating has been carried out on site and the cost of upgrade would seem prohibitive to adopt the dwelling into a larger scheme on a restricted site. There are also structural considerations that cannot be known without a deeper interrogation.
- 8.2.4. I concur with the assessment of Fingal County Council in this regard and consider that the existing arrangement does not constitute an efficient use of serviced zoned land in a built up area, having a low site coverage, and a low plot ratio. I further agree that given the existing policies at both local and at national level on intensification of use and density in built up areas, the retention of this building (which has not been included in National Inventory of Architectural Heritage, is not a protected structure, and is not being proposed as a protected structure) is not justified, and its demolition is considered acceptable.

8.3. Residential Density

As per the first reason for refusal by Fingal County Council it was determined that the density as proposed is excessive for this site on a restricted layout and the general layout would lead to an overdevelopment of the site. Observers have cited opposition to the proposed residential density, described as excessive, and have concerns regarding the associated population increase.

- 8.3.1. The proposed development as originally proposed has a residential density of approximately 153 units per hectare (dph). As part of the appeal documentation the

applicant has reduced down the number of units from 55 to 51 units which reduces the density to 141 units per ha. As set out in Section 5.0 above, both national and local planning policy support the development of infill sites to secure consolidated, compact growth and to promote increased residential densities at appropriate locations—particularly within Dublin city and suburbs, and in areas well served by high-frequency public transport such as Intercity and heavy rail lines.

- 8.3.2. The Fingal Development Plan recognises the importance of compact growth (policy CSP2) around existing and planned transport services (Policy CMP2). I note the development plan sets out a number of policy objectives relating to density including Policy CSP -14 – to support the re-intensification of infill/brownfield sites to provide high density and people intensive uses within the existing built-up area of Dublin City and suburbs. Section 3.5.11.3 sets out that Fingal County Council will support higher densities in appropriate locations in accordance with the NPF, RSES and Guidelines issued under Section 28 of the Planning and Development Act 2000, (as amended). Therefore the Development Plan does not set out a specific density for the area but relies on Section 28 guidelines to make its assessment. However, I note the broader support in the policy objectives of the development plan to promote increased densities at appropriate locations for Dublin City and suburbs.
- 8.3.3. The applicant and the planning authority have both had regard to the “Sustainable and Compact Settlement Guidelines for Planning Authorities (2024)”. Section 3.3 of these guidelines outlines appropriate residential density ranges. The site can be defined as City – Suburban Extension whereby densities in the range of up to 150 units per hectare are open for consideration. The site is located 350m walking distance of the proposed Swords to City Centre Core Bus Corridor. I note section 3.4.2 states that *“While considerations of centrality and accessibility will have significant bearing on density, it is also necessary to ensure that the quantum and scale of development at all locations can integrate successfully into the receiving environment. New development should respond to the receiving environment in a positive way and should not result in a significant negative impact on character (including historic character), amenity or the natural environment”* While the Fingal County Development Plan and compact Settlement Guidelines, both provide support for higher densities on infill and brownfield sites, I consider that other relevant factors such as design, layout and accessibility are key issues for consideration before

coming to a final determination on density. While the density of 141 units per hectare may be acceptable in principle and complies with Compact Settlement Guidelines and Fingal County Development there are other factors that warrant consideration before reaching a conclusion on density.

8.4. Design & Layout

- 8.4.1. The Council's primary reason for refusal relates to design and layout as set out within refusal reason 1 & 3. It was determined that the proposed block, by virtue of its restricted layout, excessive massing, and scale, would constitute overdevelopment, would appear overbearing and visually obtrusive, and would fail to respect the established pattern of development in the surrounding area. In response, the appellant revised the proposal, reducing the scheme from 55 to 51 apartments, with modifications to the southern and eastern elevations. These revisions marginally reduce the building's perceived bulk but do not materially alter the overall layout or form of development. The amendments are therefore limited in scope and do not adequately address the fundamental design concerns raised by the planning authority.
- 8.4.2. The scheme proposes a single block, 5-storeys in height, extending to c.16.15m, with a building length of almost 58m. The external treatment consists primarily of red brick, zinc cladding to upper levels, and glass balconies. While the finishes are contemporary, the overall building form – a singular, elongated block – does not respond sensitively to the surrounding built environment, which is characterised predominantly by two-storey detached, semi-detached and terraced dwellings.
- 8.4.3. The applicant references recently permitted developments in the wider Santry/Coolock area (33 units at Coolock Lane, 253 units at Santry Place, 120 units at Swill Cottage, and 853 units at Oscar Traynor Woods). However, these are located in materially different contexts and are not directly comparable to the subject site, which is more constrained and immediately adjoins established two-storey housing.
- 8.4.4. The applicant proposes to retain southern and eastern boundary tree lines and has undertaken a revised daylight/sunlight assessment. (I note the submitted Arboriculture Impact Assessment recommends the removal of all trees onto the southern boundary.) While such measures marginally improve internal amenity, they

do not address the fundamental concern regarding the massing and institutional character of the block. The building's scale would extend significantly above the tree line, leaving it visually dominant rather than assimilated. While the 5 storey height could be accommodated on site, in my view the development needs to be broken to avoid issues such as massing on site.

8.4.5. Table 14.4 of the Fingal Development Plan (Infill Development Parameters) sets out key design principles for infill schemes: respect for prevailing grain, plot width, scale, massing, building line, and architectural form. It further requires that infill development demonstrate a high-quality design response that integrates with and complements the established built fabric. In this instance, I do not consider the proposal meets this criteria. The large single-block form, institutional in appearance, does not respect the prevailing suburban character, nor does it provide a sympathetic or contextually appropriate design solution. Objective SPQHO43 (Contemporary and Innovative Design Solutions) Promotes the use of contemporary and innovative design solutions subject to design respecting the character and architectural heritage of the area. While elements of the design are contemporary in nature the singular block element at a height of 16.15 meters is excessive on a restricted site.

8.4.6. In terms of amenity, while the scheme achieves minimum quantitative standards for apartment design as set out within the Site Specific Planning Requirements per the Design Standards for New Apartments (2023), the quality and usability of communal open space is deficient. The block is centrally positioned on the site, with limited, linear open space squeezed to its eastern edge and in very close proximity to existing ground floor apartments. This results in poor usability, limited privacy for apartment residents, and weak functionality as a communal amenity space. Section 14.7.7 states the following with regard to communal open space:

Where ground floor balconies/terraces front areas of communal spaces, the design of the interface area between the two should be carefully considered with regard to privacy and security for the individual units. A considered approach to landscaping and boundary treatment in this area will be required. The applicant has not demonstrated how the design of open space shall protect these individual units.

- 8.4.7. Section 14.13.3.2 of the Fingal Development Plan requires that all residential schemes in excess of 50 units provide for playground facilities at a rate of 4 sq.m per residential unit.
- 8.4.8. The applicant proposes a dedicated play area of 60.18 sq.m. This provision falls significantly below the required standard, having regard to the scale of the development and the Development Plan requirements. In addition, I note that the proposed playground is located immediately adjacent to residential units, which has the potential to undermine the residential amenity and privacy of those dwellings. The siting of the facility in this location is therefore considered to be unsatisfactory.
- 8.4.9. Taking the above into account, I conclude that while the proposed density could be justified in principle under national and local policy, however the design, layout and form of the scheme fail to satisfy the qualitative requirements of the Fingal Development Plan 2023–2029 namely Objective SPQH 043 and Table 14.4 regarding Infill Development. The proposal, by reason of its excessive massing, poor integration, and inadequate provision of high-quality amenity space, represents an overdevelopment of a constrained site and does not constitute an appropriate or sympathetic infill design response.

8.5. Access, Traffic and Transportation & Car Parking

- 8.5.1. A key issue raised by third-party observers relates to the adequacy of car parking provision to serve the scale of the proposed development. Concerns were also expressed regarding the capacity of the local road network, with suggestions that it is substandard to accommodate the additional vehicular movements generated by the scheme.

8.5.2. Car Parking Provision

The site is located within 350m of the Swords–City Centre Core Bus Corridor, which will serve multiple BusConnects routes (D4, A2, A4, 22 and N6). Under Table 3.8 of the Compact Settlement Guidelines (2024), this places the site within an Accessible Location”. In such locations, SPPR 3 of the Guidelines directs that car parking provision should be substantially reduced.

The Fingal Development Plan 2023–2029 also provides a clear framework for maximum parking standards. The subject site falls within Zone 1, where the prescribed maximum is:

- 1 space per 3+ bedroom unit, and
- 0.5 spaces per 1–2 bedroom unit.

The proposed provision of 28 car parking spaces accords with both the Development Plan standards and the national guidance set out in the Compact Settlement Guidelines. However, I note that no provision has been made for Electric Vehicle (EV) charging points, which is a policy requirement of the Development Plan to support sustainable travel and the transition to low-emission vehicles.

8.5.3. Cycle Parking Provision

The applicant has proposed 164 cycle parking spaces, which meets the minimum quantitative standards of both the Fingal Development Plan and the Compact Settlement Guidelines. However, I note the submission from the Transportation Section of Fingal County Council which highlighted the absence of detail on the design and distribution of cycle parking. In particular, provision should be made for:

- Long-stay and short-stay cycle parking,
- A minimum of 5% of spaces designed for non-standard cycles (cargo bikes, adapted bicycles).

While these shortcomings are not considered substantive grounds for refusal, they do require further resolution and could appropriately be addressed by condition.

8.5.4. Access and Road Safety

Although not expressly cited in the refusal reasons, the planning authority raised significant concerns regarding the adequacy of the proposed access arrangements. Specifically:

- No Road Safety Audit (RSA) was submitted with the application,
- No clear sightline drawings were provided to demonstrate safe ingress and egress,
- The proximity of the site entrance to the adjacent Knightswood estate raises issues of conflict and turning movements in a constrained location.

The applicant has, at appeal stage, provided some revised sightline information. However, this material does not address the fundamental requirement for a Road Safety Audit in accordance with best practice and the policy requirements of the Development Plan.

- 8.5.5. Objective DMS118 of the Fingal Development Plan requires that in the assessment of planning applications, the safety of all road users shall be prioritised. For a residential scheme of this scale, located on a constrained site with a single point of access in close proximity to an established estate, I consider that a road safety audit be provided for the site. The absence of such an audit is a significant shortcoming in the current application material. Furthermore, having reviewed all application detail I note the absence of a DMURS statement to clarify that the development has been designed in compliance with DMURS which is a requirement as set out under Objective CM045 of the Fingal Development Plan 2023-2029.
- 8.5.6. In summary, while the proposed car and cycle parking provision is broadly consistent with the standards of the Fingal Development Plan and the Compact Settlement Guidelines, the absence of provision for EV charging is a deficiency. More critically, the lack of a Road Safety Audit represents a fundamental omission, particularly given the site-specific access constraints and the proximity of adjoining residential estates. In line with Objective DMS118 of the Development Plan, I consider that a full Road Safety Audit is an essential requirement to ensure that the development can be safely accommodated on the local road network.
- 8.6. Biodiversity
- 8.6.1. Concerns have been raised by observers regarding the potential loss of trees and hedgerows on the site and the consequent impact on biodiversity. It is noted that under the original application, conflicting information was submitted in relation to the retention of boundary vegetation and the removal of trees within the site.
- 8.6.2. As part of the appeal, the applicant has provided an Arboricultural Impact Report, which includes full details of trees proposed for removal and those to be retained and protected. The applicant clarifies that the majority of boundary trees on the southern/western boundary will be removed and trees along the south eastern boundary shall be retained, with tree protection measures identified, while a number of trees from

the centre of the site will be removed to facilitate the proposed residential development. It is further noted that there are no Tree Preservation Orders (TPOs) applying to the site.

8.6.3. Objective DMS0140 of the Fingal Development Plan seeks to protect existing landscape features such as scrub, woodland, hedgerows and large trees, given their importance in preserving biodiversity.

8.6.4. The submitted Arboricultural Report identifies the following:

- The western boundary hedge is indistinct and overgrown, comprising a mix of ornamental and screen planting.
- There are no Category A (high value) trees on site.
- Several Category B trees were identified, though some display defects. The most significant specimen is a mature native yew tree (Tag 370), which has been highlighted for protection and management.
- The report indicates that trees along the western, northern and southern boundaries are to be removed

8.6.5. Having regard to the Arboricultural Statement, I note a discrepancy between the visual impact assessment and other appeal documentation, which suggests a higher level of tree retention, and the detailed tree survey, which indicates that the majority of trees within the site are to be removed. Notwithstanding this, I consider that a degree of tree removal is inevitable given the residential zoning of the land and the acceptability of development in principle. The applicant proposes to retain as much tree and hedgerow cover as possible along the eastern site boundary, and appropriate protection measures have been outlined.

8.6.6. The trees proposed for removal are primarily coniferous and non-native species, with limited ecological or biodiversity value, while the most significant native specimen (the mature yew) to be retained. In this regard, and in the absence of tree protection orders, I am satisfied that the removal of some trees will not result in a significant adverse impact on local biodiversity.

8.6.7. In conclusion, while the proposal will result in the loss of some tree cover, this is not considered to be of such significance as to warrant refusal of permission. The applicant's commitment to boundary retention, tree protection measures, and the

limited ecological value of the trees to be removed provide adequate assurance that the development will not unduly impact on biodiversity at this location.

8.7. Other Matters

8.7.1. Noise.

The site is located in close proximity to the N50 (100m) and Dublin Airport (500m). Section 14.20.17 of the Fingal Development Plan states Appropriate Noise Assessments will be required to be carried out in respect of planning applications for residential and other noise sensitive developments within the relevant noise contours presented by the Strategic Noise Maps in the Fingal Noise Action Plan (Dublin Agglomeration Environmental Noise Action Plan 2018–2023) or any other noise contour maps prepared by Fingal County Council. The Dublin Agglomeration Noise Action Plan 2024-2028 has superseded the noise Action plan for 2018 -2023. Objective DMS 0246 states that all apartments units should be designed as to ensure noise transmission between units and from external or internal communal areas is minimised. I note that the site may be affected by Road noise from the M50 according to the strategic noise mapping with a Lden potentially in excess of 65 db.

8.7.2. I consider the absence of a noise assessment for the development to a significant omission and contrary to Objective DMS0246. The issue of noise has not been identified as a reason for refusal or identified within the submissions. As such the issue of noise can be considered a “ new Issue”. The Board may wish to seek the views all parties in relation to same. However, owing to other substantive reasons for refusal this may not be necessary.

8.7.3. Water Framework Directive

The Water Framework Directive (WFD) ecological status of the Santry River is classified as ‘Poor’ for the 2016-2021 monitoring period and was ‘At Risk’ of failing to meet its WFD objectives for the same period (EPA, 2025). North Bull Island that receives waters from the Santry River is of ‘Moderate’ ecological status and its risk status was under review (EPA, 2025). The ultimate waterbody in this network, Dublin Bay, was of ‘Good’ ecological status for the 2016-2021 monitoring period and was considered to be ‘Not at Risk’ of meeting its WFD objectives. (EPA, 2025)

8.7.4. I have assessed the proposed development for the construction 51 residential units and have considered the objectives as set out in Article 4 of the Water Framework

Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to a surface water

The reason for this conclusion is as follows:

- The best practice standard measures that will be employed to prevent groundwater and surface water pollution from the site.
- Details supplied within the Environmental reports submitted with the application

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

9.0 AA Screening

- 9.1.1. An AA Screening exercise has been completed. See Appendix 1 of this report for further details.

In accordance with Section 177U(4) of the Planning and Development Act 2000 (as amended) and on the basis of objective information, I conclude that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

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

This conclusion is based on:

- Objective information presented in the applicant's reports;
- The limited zone of influence of potential impacts;

- Standard construction and operational surface water pollution controls that would be employed regardless of proximity to a European site and the effectiveness of same;
- Distance from European Sites;
- The limited potential for pathways to any European site; and
- The nature and extent of predicted impacts, which would not affect the conservation objectives of any European Sites.

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

10.0 Recommendation

I recommend that planning permission be refused for the following reason:

11.0 Reasons and Considerations

1. The proposed development by reason of restricted layout, scale and massing would constitute overdevelopment and would be unduly obtrusive, overbearing and out of character with the pattern of development in the area. The proposal, by reason of its excessive massing, poor integration, and inadequate provision of high-quality amenity space, represents an overdevelopment of a constrained site and does not constitute an appropriate or sympathetic infill design response. The development fails to comply with Table 14.4 Infill Development of the Fingal Development Plan 2023 – 2029, which seeks to ensure new infill development provides a high quality design response to the context of the infill site, taking cognisance of architectural form, site coverage, building heights, building line, grain, and plot width and respect and compliment the character of the surrounding area having due regard to the prevailing scale, mass, and architectural form of buildings in the immediate vicinity of the site. The development as proposed would fail to accord with objective SPQH042 of the Fingal Development Plan 2023 to 2029 which seeks to encourage and promote the development of underutilised infill, corner and back land sites in existing residential areas subject to the character of the area and environment being

protected and also Objective SPQ H043 of the Fingal Development Plan 2023 – 2029 which seeks to Promote the use of contemporary and innovative design solutions subject to the design respecting the character and architectural heritage of the area. The proposed development would seriously injure the amenities of the area and property in the vicinity and would be contrary to the proper planning and sustainable development of the area.

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.

Darragh Ryan
Planning Inspector

20th of August 2025

12.0 Appendix 1 - AA Screening Determination

Screening for Appropriate Assessment Screening Determination

Step 1: Description of the Project

I have considered the proposed development (project) in light of the requirements of section 177U of the Planning and Development Act 2000, as amended.

Subject Site

The proposed site is located on Coolock Lane, Woodhurst Santry, Inchicore, Co Dublin. There is an existing detached vacant dwelling on site. The site is located in a residential area with Knightswood housing estate to the east of the site, a small residential development of terraced red brick dwellings and a single large residential dwelling. To the west of the site is a single residential property on its own large plot.

The site is accessed off a private passage off Oak Drive, prior to access to the Knightswood estate. To the south of the site is the R104 which connects the Swords Road to the M50. Santry Park is located further west of the site.

The area is generally categorised by low density residential development. There are extensive mature boundaries on site and the existing dwelling is not visible from the public road. The site area is stated at .36ha.

It is proposed that the development will connect to mains water services and to mains sewerage services which discharge to Ringsend Wastewater Treatment Plant (WWTP). The surface water management system will discharge attenuated flows to the public storm sewer, via a hydrocarbon interceptor, which in turn discharge to the Santry River.

Surface water management for the Proposed development is designed to comply with the 'Greater Dublin Strategic Drainage Study (GDSDS) Regional Drainage Policies Technical Document–Volume2, New Developments, 2005'

There are a number of SuDS features proposed which have been designed in the system as follows:

- Permeable Pavement:

- Green Roof System::

- Petrol Interceptor

The submitted AA Screening report does not identify specific consultations with prescribed bodies but does refer to a desktop review of published documents and information. The planning application was referred to the following prescribed bodies.

- Irish Water

- National Transport Authority

- Dublin Airport Authority

I note that none of the submissions received from the prescribed raised issues in relation to ecology or biodiversity.

Project

- The demolition of existing house and outbuildings and removal of existing boundary walls along all boundaries.
- The construction of five storey residential building consisting of 55 No. apartments, (24 No-one bedroom units, 26 No. two-bedroom units & 5 No. three-bedroom units) Balconies or terraces are to be provided for all apartments, (with roof mounted solar collector panels and rooftop plant, which is setback and screened).
- Creation of a new 5m wide access road from the front slip road off Coolock Lane is proposed providing vehicular & separated pedestrian access
- Provision is made for refuse and recycling storage, 80 No. cycle parking spaces, hard and soft landscaping areas including communal open space (c600m²), to include pocket children's play area, newly located entrance piers, railings boundary treatments and all ancillary site development works.

Submissions and Observation

Uisce Eireann

The applicant shall engage with Uisce Éireann by submitting a pre-Connection Enquiry (PCE) to assess feasibility of connection to the public water and wastewater infrastructure. The outcome of the PCE shall be submitted to the Planning Authority as a response to Further Information Request.

The planning authority completed an appropriate assessment screening of the project. It recommended a refusal for the following reason:

The applicant has failed to demonstrate that the proposed development individually, or in combination, with other plans or projects would not adversely affect the integrity of nearby European Sites. The proposed development would be contrary to Objective DMS 01 and DMS 0145 of the Fingal Development Plan 2023 to 2029 which seeks to ensure that sufficient information is provided as part of development proposals to enable Screening for Appropriate Assessment to be undertaken and to enable a fully informed assessment of impacts on biodiversity to be made.

The applicant noted the reason for refusal and submitted an amended screening for Appropriate Assessment in order to comply with Objective DMS01 and DMS 0145 of the Fingal Development Plan.

Step 2: Potential Impact Mechanisms from the Project

The potential for significant effects that may arise from the Proposed Development was considered through the use of key indicators:

- Habitat loss or alteration.
- Habitat/species fragmentation.
- Disturbance and/or displacement of species.
- Changes in population density.
- Changes in water quality and resource.

The site is not within or adjoining any Natura 2000 sites and I do not consider that there is potential for any direct impacts such as habitat loss, direct emissions, or species mortality/disturbance.

No habitats or species that are listed as Qualifying Interests (QIs, for SACs) and Special Conservation Interests (SCIs, for SPAs) in the designations for European sites are identified at the site. The habitats present are not assessed as being suitable to support or for use by any protected species (i.e., flora and/ or fauna, save for bat populations). There is no evidence of any habitats or species with links to European sites, and no 'reservoir' type habitats (i.e., habitats which have the potential to support QIs or SCIs species in/ from any European site) are identified as being present. The site is confirmed as not being under any wildlife or conservation designation.

European Sites

There are Six European sites in the zone of influence of the project.

The site is not located within or adjacent to any European site and will not result in any direct loss of, or impact on, habitats in such sites. Having regard to the potential impact mechanisms from the proposal, the European site(s) and qualifying features potentially at risk (i.e. within 15km) are outlined in the following table.

Effect mechanism	European Site(s)	Impact Pathway/Zone of Influence	Qualifying interest features at risk
Surface water / drainage / storm water drainage - Construction - Operational Foul water discharge leading to increased loading on WWTP	North Dublin Bay SAC (000206)	Construction Phase - A weak direct hydrological connection exists via potential surface runoff, e.g., during a heavy rainfall event, to the Santry River north of the Site and downstream European sites. This is not deemed to be an impact pathway capable of facilitating likely significant effects to this SAC and no direct or indirect effects are therefore foreseen.	Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glauco-Puccinellietalia maritima) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] Embryonic shifting dunes [2110] Shifting dunes along the

		Operational Phase - A weak direct hydrological connection exists via potential surface runoff, e.g., during a heavy rainfall event, to the Santry River north of the Site and downstream European sites. An indirect hydrological connection exists via treated foul water discharge from the Ringsend WWTP. These are not deemed to be impact pathways capable of facilitating likely significant effects to this SAC and no further direct or indirect effects are foreseen.	shoreline with <i>Ammophila arenaria</i> (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] Humid dune slacks [2190] <i>Petalophyllum ralfsii</i> (Petalwort) [1395]
Foul Water Drainage	South Dublin Bay SAC (00210)	An indirect hydrological connection exists via treated foul water discharge from the Ringsend WWTP. This is not deemed to be an impact pathway capable of facilitating likely significant effects to this SAC and no further direct or indirect effects are foreseen	Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] <i>Salicornia</i> and other annuals colonising mud and sand [1310] Embryonic shifting dunes [2110]
Surface water / drainage / storm water drainage - Construction - Operational Foul water discharge leading to increased	North Bull Island SPA (004006)	Construction Phase - A weak direct hydrological connection exists via potential surface runoff, e.g., during a heavy rainfall event, to the Santry River	Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Shelduck (<i>Tadorna tadorna</i>) [A048] Teal (<i>Anas crecca</i>) [A052] Pintail (<i>Anas acuta</i>) [A054]

loading on WWTP - Operationa		north of the Site and downstream European sites. This is not deemed to be an impact pathway capable of facilitating likely significant effects to this SPA and no further direct or indirect effects are foreseen. Operational Phase - A weak direct hydrological connection exists via potential surface runoff, e.g., during a heavy rainfall event, to the Santry River north of the Site and downstream European sites. An indirect hydrological connection exists via treated foul water discharge from the Ringsend WWTP. These are not deemed to be impact pathways capable of facilitating likely significant effects to this SPA and no further direct or indirect effects are foreseen.	Shoveler (Anas clypeata) [A056] Oystercatcher (Haematopus ostralegus) [A130] Golden Plover (Pluvialis apricaria) [A140] Grey Plover (Pluvialis squatarola) [A141] Knot (Calidris canutus) [A143] Sanderling (Calidris alba) [A144] Dunlin (Calidris alpina) [A149] Black-tailed Godwit (Limosa limosa) [A156] Bar-tailed Godwit (Limosa lapponica) [A157] Curlew (Numenius arquata) [A160] Redshank (Tringa totanus) [A162] Turnstone (Arenaria interpres) [A169] Black-headed Gull (Chroicocephalus ridibundus) [A179] Wetland and Waterbirds [A999]
Foul water discharge leading to increased loading on WWTP - Operational	South Dublin Bay and River Tolka Estuary SPA (004024)	Operational Phase - An indirect hydrological connection exists via treated foul water discharge from the Ringsend WWTP. This is not deemed to be an impact pathway capable of facilitating	Knot (Calidris canutus) [A143] Sanderling (Calidris alba) [A144] Dunlin (Calidris alpina) [A149] Bar-tailed Godwit (Limosa lapponica) [A157] Redshank (Tringa totanus) [A162]

		likely significant effects to this SPA and no further direct or indirect effects are foreseen.	Black-headed Gull (Chroicocephalus ridibundus) [A179] Roseate Tern (Sterna dougallii) [A192] Common Tern (Sterna hirundo) [A193] Arctic Tern (Sterna paradisaea) [A194] Wetland and Waterbirds [A999]
Foul water discharge leading to increased loading on WWTP - Operationa	North West Irish Sea SPA (004236)	Operational Phase - A weak direct hydrological connection exists via potential surface runoff, e.g., during a heavy rainfall event, to the Santry River north of the Site and downstream European sites. An indirect hydrological connection exists via treated foul water discharge from the Ringsend WWTP. This is not deemed to be an impact pathway capable of facilitating likely significant effects to this SPA and no further direct or indirect effects are foreseen	Red-throated Diver (Gavia stellata) [A001] Great Northern Diver (Gavia immer) [A003] Fulmar (Fulmarus glacialis) [A009] Manx Shearwater (Puffinus puffinus) [A013] Cormorant (Phalacrocorax carbo) [A017] Shag (Phalacrocorax aristotelis) [A018] Common Scoter (Melanitta nigra) [A065] Little Gull (Larus minutus) [A177] Black-headed Gull (Chroicocephalus ridibundus) [A179] Common Gull (Larus canus) [A182] Lesser Black-backed Gull (Larus fuscus) [A183] Herring Gull (Larus argentatus) [A184] Great Black-backed Gull (Larus marinus) [A187] Kittiwake (Rissa tridactyla) [A188] Roseate Tern (Sterna dougallii) [A192] Common Tern

			(Sterna hirundo) [A193] Arctic Tern (Sterna paradisaea) [A194] Little Tern (Sterna albifrons) [A195] Guillemot (Uria aalge) [A199] Razorbill (Alca torda) [A200] Puffin (Fratercula arctica) [A204]
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The application site is not located within or adjacent to any European site. A potential hydrological connection arises in the form of surface water run-off and storm overflows to the Santry River at construction and operational stages. The Santry River discharges to the sea at Clontarf, within the North Dublin Bay SAC and North Bull Island SPA. Beyond these sites, there is a hydrological connection to other European sites, however, these would be at greater remove and subject to further dilution effects within the bay such that significant effects from the proposed development are not considered likely.

Step 3: European Sites at Risk

I would therefore consider that the sites of primary concern in this case would be

- North Dublin Bay SAC (000206)
- South Dublin Bay SAC (000210)
- North Bull Island SPA (004006)
- South Dublin Bay and River Tolka Estuary SPA (004024)
- North-west Irish Sea SPA (004236)

Step 4: Likely Significant Effects on the European Site(s) 'Alone'

Taking account of baseline conditions and the effects of ongoing operational plans and projects, the table below considers whether there is a likely significant effect 'alone'.

I consider the potential for significant effects from the proposed development at construction and operational stage in respect of the following:

- Habitat loss or alteration (Effect A)
- Habitat/species fragmentation (Effect B)
- Disturbance and/or displacement of species (Effect C)
- Changes in water quality and resource (Effect D)

- Changes in population density (Effect E)

These criteria are considered to satisfactorily capture the potential effects of the proposed development on European sites

Habitat Loss or Alteration (Effect A) - The proposed development is not located within or immediately adjacent to any European sites. Therefore, there is no potential for direct habitat loss or alteration to occur as a result of the construction or operation of the proposed development.

Habitat Fragmentation (Effect B) - As the Proposed Development does not have the potential to directly cause habitat loss or alteration, it likewise will not result in direct habitat fragmentation.

Changes in Water Quality and Resource (Effect C)

▪ Surface Water - The Site will be served by the public surface water sewer system. According to the Greater Dublin Strategic Drainage Study (2015), the site is within the Santry River S1002 drainage catchment and as such the surface water network ultimately discharges to the Santry River, which in turn discharges to North Dublin Bay. The potential for surface water generated at the site of the proposed development to reach the European Sites in Dublin Bay and cause likely significant effects, during the Construction and/or Operational Phases, is deemed to be negligible due to:

- Lack of any surface water bodies in the immediate vicinity of the proposed development site and the built-up nature of the intervening lands between the site and the Santry River to the north.
- Distance and consequent potential for dilution in the receiving public sewer system, the Santry River and eventually Dublin Bay.
- The low volume of any potential surface water run-off relative to the volume of the receiving Santry River and Dublin Bay.

In addition, the proposed development incorporates comprehensive SUDS measures to treat and attenuate surface water runoff to further reduce the already negligible potential for surface water impacts to European sites. No potential for impacts to water quality and resource exists for European sites from surface water runoff or drainage from the Proposed Development.

Foul Water - The proposed development will be served by separate foul water and surface water sewers during its Operational Phase. There is a weak indirect hydrological pathway between the site and European sites in Dublin Bay via this sewerage network, which will eventually be processed and treated at Ringsend WWTP prior to discharge to Dublin Bay. The potential for foul waters generated at

the proposed development to reach these European sites and cause significant effects, during the Construction and Operational Phases, is deemed to be negligible due to the following reasons:

- Ongoing upgrade works to Ringsend WWTP which will increase the capacity of the facility from 1.6 million Population Equivalent (PE) to 2.4 million PE. –
- Effects on marine biodiversity and the European sites within Dublin Bay from the current operation of Ringsend WWTP are unlikely
- The main area of dispersal of the treated effluent from Ringsend WwTP is in the Tolka Basin and around North Bull Island. South Dublin Bay is unaffected by the effluent from the plant.
- The increase of the PE load at the facility as a result of the proposed development, is considered to be an insignificant increase in terms of the overall scale of the facility.

Disturbance and/or Displacement of Species (Effect D) –

The hydrological link between the Site and the European Sites within Dublin Bay will not result in significant effects on the water quality and resource indicator during both the Construction and Operational Phases. As such, QI/SCI species within the European Sites will not be affected by water quality impacts. Further the site of the proposed development does not provide any significant suitable ex-situ habitat for SCI species of any nearby SPAs and no likely significant effects associated with disturbance or displacement of SCI species are likely to occur.

Changes to Population Density (Effect E)

For the reasons outlined above, the proposed development does not have the capacity to cause any significant changes in the population density of any species within any European Site. The construction phase will be temporary. Consistent with my assessment above I would accept that the potential for significant surface water effects to downstream sensitivities during the construction phase would be satisfactorily addressed by standard construction management measures. For the operational stage, the surface water drainage network has been designed in accordance with SuDS principles. Ongoing regular operational monitoring and maintenance of drainage and the SuDS measures will be incorporated into the overall management strategy to ensure that there are no impacts on water quality and quantity. Consistent with my assessment above I would accept that the potential for significant surface water effects to downstream sensitivities during the operational phase is negligible considering the inclusion of suitable SuDS measures and a petrol interceptor.

It is my view that these are best practice standard construction management and surface water management measures which have not been designed or intended to avoid or reduce any harmful effects of the project on a European Site.

**Step 5: Where Relevant, Likely Significant Effects on the European Site(s)
'InCombination with other Plans and Projects'**

I have had regard to the information included in the AASR on plans and projects. I have also reviewed the planning authority's website for applicable appropriate assessment information on relevant plans (CDP), and the planning authority and An Coimisiun Pleanála's planning registers for relevant planning cases (correct as of the date of this assessment). The AASR does not identify any significant in-combination effect.

I consider that the key plan is the CDP which seeks environmental protection and pollution prevention, and the projects are to be constructed to/ operate within industry standards. I conclude that the project would have no likely significant effect in combination with other plans and projects on the qualifying features of any European site.

Overall Conclusion – Screening Determination

In accordance with section 177U(4) of the Planning and Development Act 2000, as amended, and on the basis of objective information, I conclude that the project would not have a likely significant effect on any European site either alone or in combination with other plans or projects. It is therefore determined that Appropriate Assessment (Stage 2) under section 177V of the Planning and Development Act 2000, as amended, is not required.

This conclusion is based on:

- Objective information presented in the Appropriate Assessment Screening Report.
- Standard pollution controls that would be employed regardless of proximity to a European site and the effectiveness of same.
- Qualifying interests, special conservation interests, and conservation objectives of the European sites. • Distances from European sites.
- Absence of any meaningful pathways to any European site.

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

Form 1 - EIA Pre-Screening

Case Reference	322523-25
Proposed Development Summary	Construction of 51 residential apartments
Development Address	Woodhurst, Coolock Lane, Santry, Dublin 9, D09 E0K7
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☒ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	Class 10(b) Infrastructure Projects
☐ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed	

type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Appropriate thresholds in accordance with Class 10(b): - Class 10(b)(i) – more than 500 dwelling units. Class 10(b)(iv) – urban development in an area greater than 10ha

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3) <i>[Delete if not relevant]</i>

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	322523- 25
Proposed Development Summary	Construction of 51 apartments
Development Address	Woodhurst, Coolock Lane, Santry, Dublin 9, D09 E0K7
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The proposed development has been designed to logically address the topography on site, resulting in minimal change, with standard measures to address potential impacts on surface water and groundwaters in the locality. The site is part of an already heavily modified environment. Construction activities will require the use of potentially harmful materials, such as fuels and other such substances. Use of such materials would be typical for construction sites. Any impacts would be local and temporary in nature and the implementation of the standard construction practice measures would satisfactorily mitigate potential impacts. Potential impacts on European sites outlined in Appendix 1 of this report.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The nearest European sites are listed in Section 5.2 of this report Potential impacts on European sites outlined in Appendix 1 of this report.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration,	Construction activities will require the use of potentially harmful materials, such as fuels and other similar substances and give rise to waste for disposal. The use of these materials would be typical for construction sites. Noise and dust emissions during construction are likely. Such construction impacts would be local and temporary in nature, and with the implementation of the standard measures, the project would satisfactorily mitigate the

cumulative effects and opportunities for mitigation).	potential impacts. Operational waste would be managed through a waste management plan to obviate potential environmental impacts. Other operational impacts in this regard are not anticipated to be significant. The development will implement SUDS measures to control surface water run-off. The development would not increase risk of flooding to downstream areas with surface water to discharge at greenfield runoff rates.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA <i>[Delete if not relevant]</i>
There is no real likelihood of significant effects on the environment.	EIA is not required. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	
There is a real likelihood of significant effects on the environment.	

Inspector: _____ Date: _____

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

(only where Schedule 7A information or EIAR required)