



An  
Coimisiún  
Pleanála

## Inspector's Report ACP322638-25.

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|----------------------------|--|
| <b>Development</b>         | Proposed residential development at the Kishoge Development area of Clonburris SDZ.  |
| <b>Location</b>            | In the townlands of Kishoge, Esker South, Grange and Balgaddy, Clonburris, County Dublin   |
| <b>Local Authority</b>     | South Dublin County Council  |
| <b>Type of Application</b> | Application for approval made under Section 175 of the Planning and Development Act, 2000 (local authority development requiring environmental impact assessment)  |
| <b>Prescribed Bodies</b>   | <ol style="list-style-type: none"><li>1. Department of Housing, Local Government &amp; Heritage - Development Applications Unit (DHLGH - DAU)</li><li>2. Irish Aviation Authority (IAA)</li><li>3. Iarnród Éireann</li></ol> |

4. Transport Infrastructure Ireland (TII)
5. Usice Éireann

**Observer(s)**

1. Commission for Railway Regulation (CRR)
2. Tullyhall Residents Association.
3. Cllr Liona O'Toole
4. Cllr Madeleine Johansson
5. The Foxborough Maintenance Association
6. Paul Gogarty TD & Cllr Helen Farrell
7. Paul O'Rourke

**Date of Site Inspection**

23<sup>rd</sup> November 2025

**Inspector**

Fiona Fair.

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## **1.0 Introduction**

South Dublin County Council is seeking approval from An Coimisiun Pleanála to undertake a residentially led development, that requires Environmental Impact Assessment. The proposed development comprises the development of 1,252no. dwellings, in a mix of houses, duplexes, triplexes and apartments; 2no. childcare facilities; 1no. community building; 1no. retail unit; refurbishment of existing Grange House for future employment reuse, public open space and all associated site development works, landscape and boundary treatments.

The application is being made by South Dublin County Council pursuant to Section 175 of the Planning and Development Act, 2000 (as amended). Accordingly, an Environmental Impact Assessment Report (EIAR) has been prepared in respect of the proposed development.

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 in the area in which it is proposed to situate the proposed development.

## **2.0 Site and Location**

The overall Part X proposal, comprising the application site, encompasses three parcels of land, namely 'Site 3', 'Site 4' and 'Site 5', located in Kishoge Development Area of Clonburris (which is a designated Strategic Development Zone (SDZ)) within the townlands of Kishoge, Esker South, Grange, and Balgaddy, Clonburris, County Dublin. The lands are within the South Dublin County Council (SSCC) administration area and within the SDZ with the exception of a portion of Site 5b, which lies outside the SDZ boundary. All three sites, together comprising the application site, are in South Dublin County Council ownership. The sites are in proximity of the Dublin-Kildare railway line and Kilmahuddrick Stream, the Grand Canal Way, Greenfields, the Griffeen River, the Kilmahuddrick Stream and the R136. The Adamstown development is located to the northwest.

The overall Clonburris SDZ Planning Scheme lands extend to a gross development area of approximately 280 ha, with a net development area of c.151 ha. The approved SDZ Planning Scheme has development potential for c.9,500 dwellings.

SDCC ownership extends to 39.5 ha of the Planning Scheme lands. They have been subject of a Masterplan study for approximately 2,600 dwellings. The primary landowners within the Clonburris SDZ are currently progressing the approval and delivery of the necessary shared infrastructure to enable the overall delivery of the SDZ Planning Scheme.

### **Site 3:**

The lands at Kishoge Phase 3, measuring approximately 34 acres / 13.75 hectares, are currently characterised by transitional agricultural landscapes and border mature housing developments to the west and north. Located within 'Development Area 7- Kishoge North West' (including all or part of Sub Sectors KNW-S1, KNW-S2 and KNW-S3) and 'Development Area 6- Kishoge Urban Centre' (including part of Sub-Sector KUC-S1).

Site 3 is bounded generally by Lucan East Educate Together National School and Oldbridge housing estate to the north; Tullyhall residential housing estate to the west; Adamstown Avenue and Kishoge train station and Dublin-Cork rail line to the south; and Grange Castle Road (R136) to the east.

### **Site 4:**

The lands at Kishoge site 4, measuring approximately 26 acres / 10.5 hectares, currently have both an emergency traveller accommodation site (Lynch's Lane) as well as a South Dublin County Council Parks Department depot, located upon it.

Site 4 located within 'Development Area 8- Kishoge South West' (including all or part of Sub Sectors KSW-S1 and KSW-S2) Site 4 is bounded to the north by the Dublin-Cork rail line, to the west by Griffeen Valley Park extension, by a permitted linear park (SD228/0003) to the east and the Grand Canal corridor to the south. A plantation of semi-mature trees comprises much of the north of the site, with Lynch's Lane marking the southern extent.

### **Site 5:**

Identified as Kishoge 'Site 5' located to the north of the South Western Commuter rail line and east of Grange Castle Road (Regional Road R136)

The site comprises two separate plots on opposing sides of the E-W Thomas Omer Way (L1059) **Sites 5A and 5B.**

**Plot 5A** is situated on the south side of Thomas Omer Way, in the Townland of Kishoge. It is southeast of the R136 roundabout and south of the Carline Learning Centre. Kishoge Community College and Lynch's Park residential development are located to the east. It measures almost 10 acres / 4 hectares. It is further subdivided by the permitted Northern Link Street (NLS) which was granted under Reg. Ref. SDZ24A/0033W. The site tapers to the south where it meets the Dublin-Cork rail line at Kishoge rail station.

**Site 5B** is located on the northern side of Thomas Omer Way in the Townland of Balgaddy. A 3.5acre / 1.4 hectares greenfield site, located between the L1059 to the south and the Foxborough housing estate and the Tor an Rí residential estate, to the northeast. A new social housing development, Griffeen Court and Omer Walk, have recently been constructed east of the site.

## **3.0 Proposed Development**

The proposed development is accommodated at lands cumulatively amounting to c. 29.39 ha / c. 73.5 acres, within three identifiable sites, within the Kishoge Development Area, as follows:

**The proposed development at Site 3 comprises the construction of:**

- 580no. dwellings, including:
  - 130no. 2-storey 3-bedroom houses;
  - 15no. 3-storey 3-bedroom houses;
  - 76no. apartment units (32no. 1- bedroom, 36no. 2-bedroom and 8no. 3-bedroom) accommodated in 2no. 5-storey apartment buildings with balconies on all elevations;

- 356no. duplex units (108no. 1-bedroom, 115no. 2-bedroom, and 133no. 3-bedroom) and 3no. 3-bedroom triplex units accommodated in 24no. 3-storey duplex blocks, with balconies on rear and/or front elevations.
- 1no. 2-storey childcare facility (c.553 sq. m).

And all associated and ancillary site development, landscape and boundary works, including public open space (c. 7,015 sq. m) and communal open space (c. 3,079sqm); 456no. surface car parking spaces (total); 1,116no. bicycle parking spaces (total); 7no. ESB substations; and the diversion and rerouting of ESB 10KV and 38KV cabling; public lighting. New vehicular site, pedestrian and cycle access to Site 3 is proposed from existing Adamstown Avenue, the consented Northern Link Street (SDZ24A/0033W) and from the existing site entrance at Tullyhall Rise. New pedestrian access is proposed via the permitted green link (SDZ24A/0033W) adjacent to Lucan East Educate Together National School to the north and via the existing public open space at Rossberry Park to the north east.

**The proposed development at Site 4 comprises the construction of:**

- 436no. dwellings, including:
  - 141no. houses (133no. 3-bedroom and 8no. 4-bedroom) ranging from 2 to 3-storeys in height;
  - 124no. apartment units (62no. 1-bedroom and 62no. 2-bedroom) accommodated in 3no. apartment buildings ranging from 4 to 6-storeys in height, with balconies/terraces on all elevations;
  - 106 no. duplex units (53no. 2-bedroom and 53no. 3-bedroom) and 57no. 2-bedroom triplex units accommodated in 19no. 3-storey duplex blocks, with a combination of rear gardens, and balconies/ terraces on all elevations;
  - 3no. 1-bedroom age-friendly apartments accommodated in a 1-storey apartment building, with a rear courtyard garden;
  - 5no. 2-bedroom garden apartments accommodated in a 1 to 2-storey apartment building with a front and rear courtyard garden.

- 1no. childcare facility (c. 544 sqm) and 1no. retail unit (c. 150 sqm) at ground floor of apartment Block F and 1no. community building/ pavilion (c. 683 sq m), all fronting Griffeen Valley Park; and,
- proposed refurbishment of existing Grange House for employment reuse (c. 173 sq m).

And all associated and ancillary site development, landscape and boundary works, including public open space (c. 778 sqm) and communal open space (c. 1,621 sqm); 408no. surface car parking spaces (total); 793no. bicycle parking spaces (total); 3no. ESB substations and 5no. ESB substation kiosks; public lighting; bin stores. New vehicular, pedestrian and cycle access to the site is proposed from the permitted Southern Link Road (SDZ20A/0021).

**Site 5 comprises two areas, Sites 5A and 5B.**

**The proposed development at Site 5 will consist of the construction of:**

- 236 no. dwellings comprising:
  - 35no. 2-storey 3-bedroom houses;
  - 110 no. 3-storey duplex units (53no. 2-bedroom and 57no. 3- bedroom);
  - 33 no. 3-storey 2-bedroom triplex units; and
  - 58 no. apartments (37 no. 1-bedroom and 21 no. 2-bedroom) in a 6-storey over basement apartment block.

And all associated and ancillary site development, landscape and infrastructural works, including: c. 3,101 sq m public open space; communal open space (332 sq m) to serve the apartment building; balconies/terraces for the apartments and duplex/triplex units; 219no. car parking spaces (total); 628no. bicycle parking spaces (527no. resident spaces and 101no. visitor spaces); ESB substation (11.8 sq m), public lighting, boundary treatments, waste storage areas, drainage and open attenuation ponds.

To facilitate development, it is proposed to remove a section of the concrete noise barrier along Thomas Omer Way (within the Site 5 boundary only) and remnants of derelict structures and hardstand on lands to the south of Thomas Omer Way.

Vehicular, pedestrian and cycle access to the parcel in the south will be from Thomas Omer Way via a new left-in-left-out junction at Lynch Lane and from the R136 via the permitted Northern Link Street (granted under Reg. Ref. SDZ24A/0033W). Vehicular, pedestrian and cycle access to the north parcel will be from Thomas Omer Way via a new signalised junction. New pedestrian connections are facilitated to the Foxborough and Omer Walk residential estates.

The proposed local authority development exceeds 500no. dwellings and a cumulative site area greater than 10ha. It is therefore, above the threshold for mandatory Environmental Impact Assessment (EIA). Accordingly, an Environmental Impact Assessment Report (EIAR) accompanies this Part X application to An Comisiún Pleanála. An Appropriate Assessment (AA) Screening Report also accompanies the application.

The following table sets out key statistics of the proposed development.

**Table 1 – Proposed Development Key Statistics**

| <b>1. Residential Summary</b> | <b>Site 3</b> | <b>Site 4</b> | <b>Site 5</b> | <b>Total</b> | <b>%</b> |
|-------------------------------|---------------|---------------|---------------|--------------|----------|
| Houses (no.)                  | 145           | 141           | 35            | 321          |          |
| Duplexes (no.)                | 356           | 106           | 110           | 572          |          |
| Triplexes (no.)               | 3             | 57            | 33            | 93           |          |
| Apartments (no.)              | 76            | 132           | 58            | 266          |          |
| Units                         | 580           | 436           | 236           | 1,252        |          |
| <b>Unit Mix</b>               |               |               |               |              |          |
| 1-Bed                         | 140           | 65            | 37            | 242          | 19%      |
| 2-Bed                         | 151           | 177           | 107           | 435          | 35%      |

|   |            |            |            |              |     |
|---|------------|------------|------------|--------------|-----|
|   |            |            |            |              |     |
| 3-Bed                                   | 289        | 186        | 92         | 567          | 45% |
| 4-Bed                                   |            | 8          |            | 8            | 1%  |
| <b>Total</b>                            | <b>580</b> | <b>436</b> | <b>236</b> | <b>1,252</b> |     |
| <b>2. Non-Residential Buildings GFA</b> |            |            |            |              |     |
| Creche Buildings                        | 553        | 544        |            | 1,097 sqm    |     |
| Community Buildings                     |            | 683        |            | 683 sqm      |     |
| Retail                                  |            | 150        |            | 150 sqm      |     |
| Existing Buildings (office)             |            | 173        |            | 173 sqm      |     |
| Utility Buildings                       | 289        | 90         |            | 379 sqm      |     |
| <b>3. Development Statistics</b>        |            |            |            |              |     |
| Public Open Space (sqm)                 | 7015       | 778        | 3101       | 10,894       |     |
| Car-Parking Spaces (no)                 | 456        | 408        | 219        | 1083         |     |
| Long-Term Bicycle Parking Spaces (no)   | 882        | 591        | 527        | 2000         |     |

|                                     |         |         |         |          |  |
|-------------------------------------|---------|---------|---------|----------|--|
| Visitor Bicycle Parking Spaces (no) | 234     | 202     | 101     | 537      |  |
| Total Gross Floor Area (sqm)        | 58312   | 46957   | 23859   | 129,128  |  |
| Site Area / Red-Line Boundary (ha)  | 11.35   | 11.78   | 6.26    | 29.39    |  |
| Total Buildings Footprint (sqm)     | 26675   | 25067   | 11677   | 63,419   |  |
| Site Coverage (%)                   | 24%     | 21%     | 19%     | 22%      |  |
| Plot Ratio 1:                       | 1 : 0.5 | 1 : 0.4 | 1 : 0.4 | 1 : 0.44 |  |

**Table 2 – Proposed Development Key Statistics Site 3**

|  |                |
|--|----------------|
| <b>Application Red Line Boundary</b>   | 11.35 ha       |
| <b>Gross Site Area</b>   |                |
| <b>Net Site Area</b><br>Developable Area – excludes areas within Thomas Omer Way, Lynch Lane and ESB exclusion zone. | 11.27 ha       |
| <b>Total Number of Units</b>   | 580            |
| <b>Creche Facility</b>   | 553 sq. m      |
| <b>Total GFA (sq. m)</b>   | 58,312 sq.m    |
| <b>Gross residential Density</b>   | 51 uph         |
| <b>Net residential Density</b>   | 51.5 uph       |
| <b>Height</b>  | 2 to 6-storeys |

|  |  |
|--|--|
| <b>Residential Mix</b><br>The proposed unit mix as a percentage of the overall development is: | <ul style="list-style-type: none"> <li>• 140no. 1 bed units (24%)</li> <li>• 151no. 2 bed units (26%)</li> <li>• 289no. 3 bed units (50%)</li> </ul>                             |
| <b>Residential Mix Tenure</b>  | All units are social & affordable units  |
| <b>Dual Aspect</b><br>The total percentage of the overall development is:                      | 55%<br>87%   |
| <b>Communal Open Space</b>   | 3,079 sq.m   |
| <b>Public Open Space</b>   | 7,015 sq. m (Total provision of 10,894 sq. m across the three sites)   |
| <b>Car Parking</b>   | 456 spaces total: <ul style="list-style-type: none"> <li>• 100 E.V spaces (33%)</li> <li>• 22 accessible spaces (5 %)</li> </ul>   |
| <b>Bicycle Parking</b>   | <ul style="list-style-type: none"> <li>• 1,116 total</li> <li>• Incl. 882 no. long stay</li> <li>• Inc. 234 no. short stay</li> <li>• Incl. 23 electric cycle spaces.</li> </ul> |
| <b>% Site Coverage</b>   | 24%  |

**Table 3 – Proposed Development Key Statistics Site 4**

|  |             |
|--|-------------|
| <b>Application Red Line Boundary</b>   | 11.78 ha    |
| <b>Gross Site Area</b>   |             |
| <b>Net Site Area</b><br>Developable Area – excludes areas within Thomas Omer Way, Lynch Lane and ESB exclusion zone. | 10.67 ha    |
| <b>Total Number of Units</b>   | 436         |
| <b>Total GFA (sq. m)</b>   | 46,957 sq.m |
| <b>Gross residential Density</b>   | 37 uph      |
| <b>Net residential Density</b>   | 41 uph      |

|  |  |
|--|--|
| <b>Height</b>  | 2 to 6-storeys   |
| <b>Residential Mix</b><br><br>The proposed unit mix as a percentage of the overall development is: | <ul style="list-style-type: none"> <li>• 65no. 1 bed units (14.9%)</li> <li>• 177no. 2 bed units (40.6%)</li> <li>• 186no. 3 bed units (42.7%)</li> <li>• 8no. 4 bed units (1.8%)</li> </ul>   |
| <b>Residential Mix Tenure</b>  | All units are social and affordable.   |
| <b>Non Residential:</b>  | <p>Community Building: c. 683 sq. m</p> <p>Local / Neighbourhood retail unit: c.150 sq. m</p> <p>Childcare Facility: c.544 sq. m</p> <p>Grange House / Office: 170 sq. m</p>   |
| <b>Dual Aspect</b><br><br>The total percentage of the overall development is:                      | 87%  |
| <b>Communal Open Space</b>   | <p>c. 2,732 sq. m (clusters A, B, C, D, H, F &amp; J)</p> <p>The apartments contained in Duplexes and Triplexes have an over provision (50%&gt;) of private open space to substitute for the requirement of communal open space.</p> |
| <b>Public Open Space</b>   | 778 sq. m (Total provision of 10,894 sq. m across the three sites)   |
| <b>Car Parking</b>   | <p>408 spaces total incl:</p> <ul style="list-style-type: none"> <li>• 134 (c 33%) shall be EV.</li> </ul>   |
| <b>Bicycle Parking</b>   | <ul style="list-style-type: none"> <li>• 793 no. bicycle parking spaces</li> <li>• Incl. 591 no. long stay</li> <li>• Inc. 202 no. short stay</li> </ul>   |
| <b>% Site Coverage</b>   | 21%  |

**Table 4 – Proposed Development Key Statistics Site 5**

|  |   |
|--|---|
| <b>Application Red Line Boundary</b>   | 6.26 ha   |
| <b>Gross Site Area</b>   |   |
| <b>Net Site Area</b><br>Developable Area – excludes areas within Thomas Omer Way, Lynch Lane and ESB exclusion zone. | 4.14 ha   |
| <b>Total Number of Units</b>   | 236   |
| <b>Total GFA (sq. m)</b>   | 23,859 sq.m   |
| <b>Gross residential Density</b>   | 38 uph  |
| <b>Net residential Density</b>   | 57 uph  |
| <b>Height</b>  | 2 to 6-storeys  |
| <b>Residential Mix</b><br>The proposed unit mix as a percentage of the overall development is:                       | <ul style="list-style-type: none"> <li>• 37 x 1-bedroom units (16%)</li> <li>• 107 x 2-bedroom units (45%)</li> <li>• 92 x 3-bedroom units (39%)</li> </ul> |
| <b>Residential Mix Tenure</b>  | <ul style="list-style-type: none"> <li>• 55 social housing units</li> <li>• 68 cost rental units</li> <li>• 113 affordable units</li> </ul>                 |
| <b>Dual Aspect</b><br>The total percentage of the overall development is:  | 87%   |
| <b>Communal Open Space</b>   | 332 sq.m (to serve apartment building)  |
| <b>Public Open Space</b>   | 3101 sq. m (Total provision of 1097 sq. m across the three sites)   |
| <b>Car Parking</b>   | 219 spaces total incl: <ul style="list-style-type: none"> <li>• 188 on-street spaces</li> <li>• 31 apartment block undercroft spaces</li> </ul>             |
| <b>Bicycle Parking</b>   | Resident cycle spaces - 1 per bedroom (527 total) incl: <ul style="list-style-type: none"> <li>• 101 visitor cycle spaces</li> </ul>                        |

|                        |     |
|------------------------|-----|
| <b>% Site Coverage</b> | 19% |
|------------------------|-----|

### **Accompanying documents**

This application for approval is accompanied by the following documents:

- EIAR
- AA Screening Report
- Planning Application report & Statement of Consistency
- Flood Risk Assessment
- Letters of Consent
- Architectural Drawings
- Tree Impact Assessment

## **4.0 Planning History**

It is noted that there has been no recent planning permission for residential development or other uses within the application site (Sites 3, 4 & 5). However, permissions for significant road and water services have been obtained by a conglomerate of landowners (Clonburris Infrastructure Limited), extending through the application site. Beyond that, 14no. significant recent planning permissions have been granted within the surrounding SDZ lands.

The relevant planning references and associated summary descriptions, incl. layout plans, are set out, in detail, in section 7.1 of the 'Planning Application Report and Statement of Consistency' which is attached to the file. The phasing requirements of the Clonburris SDZ Planning Scheme are set out in section 11.7 of the report. I will refer to each statutory planning history of relevance briefly hereunder.

### **Application Site (Site 3, Site 4 and Site 5)**

#### **SDCC Reg. Ref. SDZ24A/0033W Infrastructure – including Clonburris North Link Street**

Clonburris Infrastructure Limited (CIL) applied to SDCC for permission for the construction of:

- c. 2.3km of a new Link Street - Clonburris Northern Link Street (CNLS).
- c. 800m of side streets.
- Provision/upgrade of 12no. signalised junctions.
- c. 2km of upgrading of existing streets.
- Provision of 2 main public parks centrally.
- Drainage infrastructure works.

SDCC granted permission on 10<sup>th</sup> February 2025.

The permitted road infrastructure (North Link Street) provides access to Site 3 and Site 5, subject of this application.

#### **SDCC Reg. Ref. SDZ20A/0021 Infrastructure – including Clonburris Southern Link Street**

Clonburris Infrastructure Limited (CIL), applied for permission for roads and drainage infrastructure works, consistent with the Clonburris SDZ Planning Scheme (2019), including: -

- Roads and drainage infrastructure works for the future development of the southern half of the overall Clonburris SDZ lands; the roads infrastructure works, including:
- The construction of c. 4.0km of a new road, known as Clonburris Southern Link Street (CSLS);
- A number of vehicular access spurs to facilitate future development of adjoining lands, a total of 8 new junctions (including 3 junctions to facilitate future road developments within the SDZ;
- Drainage infrastructure works, including 8 attenuation systems (with outfalls to Griffeen River, Kilmahuddrick Stream and existing storm sewers) with 4 ponds, 2 modular underground storage systems and 2

detention basins, combined with modular underground storage systems, all adjacent to the CSLS;

- Surface water drainage culverts to existing watercourses; and
- Ducting for public electrical services and utilities and the diversion of existing utilities within the proposed road corridor.

Further information was requested on 24 February 2021. A Grant of Permission was made on 12 August 2021.

The permitted road infrastructure (South Link Street) provides access to Site 4, subject of this application.

### **Wider SDZ Area**

**ACP-322630-25** Is a concurrent Application to An Bord Pleanála to amend the Clonburris Strategic Development Zone (SDZ) Planning Scheme 2019 under Section 170A of the Planning and Development Act, 2000 (as amended Application). This application is currently under review at the time of writing this report and no decision has been made on it.

### **SDCC Reg. Ref. SDZ23A/0043 SDZ Application**

Cairn Homes Properties Limited applied for permission for 495no. residential units and creche (483sqm) located at ground floor level of Block E on lands measuring c. 5ha. The development provides for a total of 449no. apartments and 46no. duplex units, and non-residential use including retail (2,502sqm), employment (4,607sqm) and café (87sqm).

Further information was requested on 2 February 2024, and a decision to Grant Permission subject to was made on 17 April 2024.

Note: Amendments Granted to this permission under SDZ25A/0012W (25.08.2025) for residential and plaza element & SDZ25A/0036W (07.10.2025) relating to large convenience retail unit.

### **SDCC Reg. Ref. SDZ23A/0018 SDZ Application**

Cairn Homes Properties Ltd., applied for permission for 565no. residential

units. The development provides for a total of 230no. houses, 119no. apartments and 216no. duplexes.

Further information was requested on 20 July 2023, and a decision to Grant Permission was made on 11 December 2023.

#### **SDCC Reg. Ref. SDZ23A/0004 SDZ Application**

Clear Real Estate Holdings Limited applied for permission for 385 residential units. The development provides for a total of 139no. houses, 70 Build-to-Rent duplex / apartments, 72no. duplex / apartments and 104no. apartments.

A decision to Grant Permission was made on 15 December 2023.

#### **SDCC Reg. Ref. SDZ22A/0018 SDZ Application**

Cairn Homes Properties Ltd., applied for permission for mixed-use development comprising 594no. apartments, creche (c. 609sqm) at ground floor and first floor of Block A, office (c. 4,516sqm), and retail (c. 887.5sqm).

A decision to Grant Permission was made on 31 October 2023.

#### **SDCC Reg. Ref. SDZ22A/0017 SDZ Application**

Cairn Homes Properties Limited, applied for permission for 157no. dwellings. The development provides for a total of 81no. houses and 76no. apartments.

Further information was requested on 7 February 2023, and a decision to Grant Permission was made on 16 May 2023.

#### **SDCC Reg. Ref. SDZ22A/0010 SDZ Application**

Kelland Homes Ltd., applied for permission for mixed-use development comprising 294no. residential units and 1no. 2-storey creche (c. 520.2sqm). The development provides for a total of 118no. 2,3 & 4 bed, 2-storey semi-detached and terraced houses, 104no. 2 & 3 bed duplex units, 72no.

apartments, and non-residential use including 1no. 2-storey retail/commercial unit (152.1sqm).

Following a RFI and Clarification of FI a decision to Grant Permission was made on 2 May 2023.

### **SDCC Reg. Ref. SDS28/0003 - Part 8 Housing**

On 27 April 2022, South Dublin County Council (Housing) applied for permission for 263no. social and affordable residential units.

The Part 8 application was approved by South Dublin County Council on 11 July 2022.

### **SDCC Reg. Ref. SDS28/0001 Part 8 Housing**

South Dublin County Council applied for permission for 118no. residential units. The Part 8 application was approved by South Dublin County Council on 13 June 2022.

### **SDCC Reg. Ref. SDZ21A/0022 SDZ Application**

Cairn Homes Properties Ltd., applied for permission for 569no. dwellings and creche (c. 547sqm) in a part 3/4 storey local node building in CSWS4. The development provides for a total of 173no. houses and 148no. duplex apartments, 396no. apartments, and non-residential use including an innovation hub (626sqm). Further information was requested on 4 February 2022, and a decision to Grant Permission was made on 23 August 2022.

### **SDCC Reg. Ref. SDZ22A/0011 SDZ Application – Primary School**

The Department of Education, applied for permission for a primary school (c. 3,355sqm). The development provides for a total of 16no. classrooms and 2no. Special Educational Needs Unit.

Further information was requested on 26 September 2022, and a decision to Grant was made on 16 February 2023.

### **SDCC Reg. Ref. SDZ21A/0013 SDZ Application – Post Primary School**

The Department of Education, applied for permission for a 3-storey, 1,000 pupil post primary school including a 4 classroom Special Educational Needs Unit (11,443sqm). Following a RFI and Clarification of FI a decision to Grant Permission was made on 21 February 2022.

**SDCC Reg. Ref. SD13A/0048 - Post Primary School**

County Dublin VEC applied for permission for the construction of a new post primary school with a capacity for 1,000 pupils (c. 9,941sqm).

A decision to Grant Permission was made on 15 May 2013.

**SDCC Reg. Ref. SD10A/0238 16no. Primary Classroom School**

The Minister for Education and Skills applied for permission for a 16no. classroom primary school, of which 8no. classrooms have been constructed to date, comprising revised floor plans and elevations for 8no. classrooms, general purpose room, library and ancillary accommodation and additional 2no. class Special Needs Unit.

A decision to Grant Permission was made on 17 November 2010.

## **5.0 Legislative and Policy Context**

### **5.1 Relevant legislative provisions**

#### **EU EIA Directive (2014/52/EU)**

The Environmental Impact Assessment Directive (EIA Directive) means Directive 2014/52/EU of the European Parliament and of the Council of 16<sup>th</sup> 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**

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)**

This Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 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**

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. The Regulations in particular 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**

The Department of Culture, Heritage and the Gaeltacht 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.

The Grand Canal NHA is located to the south of Site 4.

European sites located in proximity to the subject site include:

- Rye Water Valley/Carton SAC c. 4.33Km
- Glenasmole Valley SAC c. 9.39 Km
- Wicklow Mountains SAC c. 11.25Km
- South Dublin Bay SAC c. 13.72 Km
- North Dublin Bay SAC c. 15.64 Km
- Wicklow Mountains SPA c. 13.61 Km
- South Dublin Bay and River Tolka Estuary SPA c. 12.89 Km

- North Bull Island SPA c. 16.64 Km

### **Planning and Development Acts 2000 (as amended)**

**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 (1) 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 Environmental Impact Assessment Report 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 European Communities 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:
  - approve the proposed development,

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

## **5.2 Policy and Guidelines of Relevance**

The following policy and guidelines are considered relevant to the proposed development:

### **Relevant National Policy & Guidelines**

#### **5.2.1 'Delivering Homes, Building Communities (2025)'**

This document aims to further accelerate the delivery of new homes, to deliver 300,000 by the end of 2030, which will be achieved through the individual and collective effort of the key delivery partners. Local authorities, together with Approved Housing Bodies, the Land Development Agency, and the construction sector, will be critical to delivering and enabling the delivery of the quantum of homes needed over the lifetime of the plan. This is a wide-ranging strategy, encompassing two pillars: Activating Supply and Supporting People.

#### **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.

Based on the CSO's most recent population projections, over the remainder of the decade, the population is projected to increase to between 5.60 and 5.76 million people with continuing changes in demographics trends, similar to recent years. By 2040, the end year of Project Ireland 2040, the CSO projects a population between approximately 5.75 and 6.30 million people. As part of the revised National Planning Framework (NPF), a 2040 population of 6.1 million people is being planned for, an additional 250,000 people over that planned for in 2018 when the NPF was first launched.

### **5.2.3 Project Ireland 2040 National Planning Framework, Government of Ireland, 2018.**

The vision for Project Ireland 2040 – Clonburr is identified in the NPF as a key future growth enabler for Dublin with transformative potential and the following is stated as a priority: 'progressing the sustainable development of new greenfield areas for housing, especially those on public transport corridors, such as Adamstown, Cherrywood, Clonburr and Clongriffin'.

### **5.2.4 Regional, Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, 2019.**

- Clonburr SDZ is identified in the Metropolitan Area Strategic Plan (MASP) of the RSES as a key target area for urban expansion and continued development of the SDZ, and 'a strategic residential and employment corridor along a key public transport corridor that contains development opportunities'. The Strategy is centred around delivering a new community that is characterised by a design-led approach to integrating compact growth and development with climate resilient sustainable transport options such as rail and bus.
- The SDZ is identified in the MASP (Table 5.1 Strategic Development Areas and Corridors, Capacity Infrastructure and Phasing) as a strategic development area with the phased development of Clonburr SDZ. The timely development of the Clonburr SDZ is wholly compatible with the Growth Strategy for the region, as set out in the RSES/MASP and the

development and provision of critical infrastructure required to facilitate the phased development of the Plan lands will support the continued development of a long-term and viable community at Clonburris.

**5.2.5 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.

**5.2.6 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 section 8.5.2 of this report.

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*’)<sup>1</sup>.
- 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*’).

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).
- Retail Planning Guidelines for Planning Authorities, DECLG, (2012).
- Retail Strategy for the Greater Dublin Area, Dublin, and Mid-East Regional Authorities, 2008- 2016.
- Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage, and Local Government, (2009).
- OPR Practice Note PN01 Appropriate Assessment Screening for Development Management, Office of the Planning Regulator (March 2021).

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<sup>1</sup> 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 9<sup>th</sup> of July 2025.

## **5.2.7 Relevant Policy in South Dublin County Development Plan 2022-2028**

### 2.0 Core Strategy and Settlement Strategy

#### 2.6.1 Land Capacity Study

Table 8: Total Land Capacity within Strategic Development Areas Policy CS1:  
Strategic Development Areas

Table 9: Capacity of undeveloped lands within South Dublin

Table 10: Indicative Capacity of Additional Zoned Lands in the South Dublin County  
Development Plan 2022-2028

#### Land Capacity Sites

Figure 9: Housing Capacity Sites

#### 2.6.5 Core Strategy – 2022-2028 Development Plan

Table 11: Core Strategy Table 2022-2028

#### 2.6.6 Housing Strategy

#### 2.7 Settlement Strategy

Table 14: RSES Settlement Hierarchy relating to South Dublin County Council

2.7.1 Dublin City and Suburbs - Key Urban Centres within Dublin City and Suburbs -  
Strategic Development Zones (SDZ)

Policy CS6: Settlement Strategy - Strategic Planning Principles

Policy CS7: Consolidation Areas within the Dublin City and Suburbs Settlement

Promote the consolidation and sustainable intensification of development within the  
Dublin City and Suburbs settlement boundary.

CS7 Objective 4:

To promote and facilitate development at the Strategic Development Zones at  
Adamstown and Clonburris, in accordance with their planning scheme and  
associated phasing requirements, whilst adapting to and facilitating emerging  
transport service level pattern needs.

### 5.0 Quality Design and Healthy Placemaking

Policy QDP13: Plans / Frameworks – General

Continue to work closely with all infrastructure providers to ensure the timely delivery of social, community, economic and sustainable transportation infrastructure in tandem with new residential development and in accordance with the provisions of the County Development Plan or any Local Area Plan, SDZ Planning Scheme, other strategic land designations or framework / masterplan in place in the area.

#### 5.4.2 Strategic Development Zones

##### Policy QDP15: Strategic Development Zones (SDZS)

Continue to implement the approved Planning Schemes for Adamstown and Clonburris SDZs.

QDP15 Objective 1: To support the delivery of the identified infrastructure to facilitate sustainable development in South Dublin's Strategic Development Zones.

#### 7.0 Sustainable Movement

Table 7.5 Six Year Road Programme - Clonburris / Kishoge Street Network - Various streets within the Clonburris SDZ lands. - Formation of a strategic street network providing access throughout the Clonburris SDZ lands.

#### 8.0 Community Infrastructure and Open Space

##### Policy COS2: Social / Community Infrastructure

COS2 SLO 3: To provide for a Garda Station in Clonburris.

COS6 Objective 5: To liaise with the Health Service Executive and all relevant bodies to support, promote and attract potential GP, Dental, Pharmacy and all other necessary medical services, to locate within the Adamstown and Clonburris SDZs, in order to urgently meet basic growing healthcare demands of the community.

COS14 Objective 2:

To provide a new fire station on lands identified in Clonburris SDZ.

#### 9.0 Economic Development and Employment

Table 9.1: Retail Hierarchy for the Region – South Dublin County - Level 3 - Clonburris - Neighbourhood Centres, Local Centres-Small Towns and Villages

These centres usually contain one supermarket ranging in size from 1,000- 2,500 sq. m with a limited range of supporting shops and retail services and possibly other

services such as post offices, community centres or health clinics grouped together to create a focus for the local population. These centres meet the local day-to day needs of surrounding residents.

#### Table 9.2: Settlement Hierarchy and Retail Hierarchy

Clonburris District Centre Level 3

Policy EDE12: Retail – District Centres

EDE12 Objective 3: To support and facilitate the development of new District Centres of an appropriate urban scale at Adamstown and Clonburris in accordance with approved Planning Schemes having regard to the need to provide a sustainable retail mix that facilitates walking, cycling and use of public transport and reduces car journeys outside the SDZ for many retail needs.

10 Energy

Policy E5: Low Carbon District Heating Networks

#### **5.2.8 Clonburris SDZ 2019**

The Clonburris Strategic Development Zone (SDZ) Planning Scheme represents a shared outlook for the future residential, social, economic, and environmental development of a new planned and sustainable community in South Dublin County.

The Planning Scheme 2019 shall be used by the planning authority to assess planning applications in the SDZ. Planning Applications within the SDZ boundary shall be consistent with the Planning Scheme. The Planning Scheme forms part of the Development Plan and any contrary provisions of the Development Plan are superseded by the Planning Scheme.

In a period of renewed growth in Ireland, the County is in a strong position to increase its share of residential and economic development within the Dublin Region. The development of the entire Planning Scheme is expected to deliver a target of 9,416, new homes, a minimum of 7,300sq.m gross community floorspace, approximately 22,520sq.m gross retail floorspace and in the range of 30,000 to 40,000sq.m employment floorspace.

Clonburris comprises 12 Development Areas, with the proposed development located in:

**Site 3** located within 'Development Areas 6' Kishoge Urban Centre (incl part of sub sector KUC-S1) and 'Development Area 7' Kishoge North West (including all or part of Sub Sectors KNW-S1, KNW-S2 and KNW-S3)

**Site 4** located within 'Development Area 8- Kishoge South West' (including all or part of Sub Sectors KSW-S1 and KSW-S2).

**Site 5A** lands are within 'Development Area 6' Kishoge Urban Centre (incl part of sub-sector KUC-S2) and 'Development Area 10' Kishoge North East (subsector KNE-S2). For **Site 5B**, the lands are within 'Development Area 6' Kishoge North East (sub-sector KNE-S1), save for the eastern portion that sits outside the SDZ boundary.

**The key overarching principles of the 2019 Planning Scheme include the following:**

- To develop the SDZ in a manner that maximises existing and proposed public transport opportunities, including high quality rail and bus services, and supports these opportunities with an integrated network of streets and routes with a clear hierarchy that promote walking and cycling;
- To direct land-uses and densities across the SDZ lands in a manner that creates a sustainable urban district that is based on the integration of land-use and transport planning;
- To ensure that development across the SDZ lands is carried out in a design led manner that prioritises place making and accords with the core principles of urban design and the creation of integrated streets;
- To develop vibrant mixed use centres around Clonburriss and Kishoge railway stations as part of a hierarchy of urban centres to serve Clonburriss;
- To support the provision of attractive retail floorspace at Clonburriss and Kishoge Urban Centres to contribute to the creation of active mixed use centres;
- To support and facilitate growth of the local economy and promote the Planning Scheme as a location for employment;

- To deliver a network of high quality green and blue infrastructure spaces and public parks while protecting, enhancing, and sensitively upgrading the natural, built, and cultural assets of Clonburr lands;
- To provide attractive, interesting, and well used outdoor spaces using the latest place making and urban design principles, creating a pedestrian-centred environment with active, inviting public space, parks, and private gardens.
- To prioritise the delivery of high quality services, utilities infrastructure, and sustainable urban surface water drainage;
- To ensure that the phasing and implementation of the SDZ occurs at a pace whereby it is supported by all necessary supporting community facilities, services, infrastructure, and amenities, in order to ensure that place making is prioritised.

## **6.0 Consultations**

### **6.1 Consultees Circulated**

The application was circulated to the following bodies:

- An Chomhairle Ealaíon
- An Taisce
- Córas Iompair Éireann
- Department of Housing, Local Government & Heritage
- Fáilte Ireland
- Heritage Council
- Iarnród Éireann
- Inland Fisheries Ireland
- Irish Aviation Authority
- National Transport Authority
- The Commission for Railway Regulation

- Transport Infrastructure Ireland
- Waterways Ireland

## **6.2 Responses Received from Consultees,**

Responses were received from the following bodies, see Appendix 1 for summaries:

- Commission for Railway Regulation (CRR)
- Department of Housing, Local Government & Heritage- Development Applications Unit.
- Irish Aviation Authority
- Iarnród Éireann
- Transport Infrastructure Ireland
- Uisce Éireann

## **6.3 Public Submissions**

Submissions were received from the following third parties:

1. BPS Planning & Development Consultants on behalf of Tullyhall Residents Association. Accompanied with letters of support from Eoin Ó Broin TD, Mark Ward TD, Derren Ó Bradaigh (Lucan Area Representative), Shane Moynihan and the objection by Foxborough Maintenance Association.
2. Cllr. Liona O'Toole
3. Cllr. Madeleine Johansson
4. Foxborough Maintenance Association
5. Paul Gogarty TD & Cllr. Helen Farrell
6. Paul O'Rourke

In summary, the following issues are identified as broadly capturing the content of the submissions made to the Commission (each individual submission is summarised in greater detail in the Oral Hearing Memo attached to the file and included in Appendix 1 of this report):

- Permeability Links: Local Opposition (Disputed Right of Way, Safety, Antisocial Behaviour, Loss of Green Space)
- Proximity of Development to Railway Line and DART+ South West Infrastructure
- Transport and Traffic Conditions, Public Transport Capacity, Road Safety and Carparking.
- Amenities and Local Services
- Housing Mix: Social, Affordable and Age-Friendly Housing
- Natural and Built Heritage, Biodiversity
- Building Heights
- Flood Risk and Specific FRA
- Consultation & Community Engagement
- Other Miscellaneous Matters

#### **6.4 Response of Applicant to Submissions**

Summary of Core Issues:

- **Permeability Links: Local Opposition (Safety, Antisocial Behaviour, Loss of Green Space)**
  - The proposed development is consistent with the layout and connections identified in the Clonburriss SDZ Planning Scheme.
  - The Site 3 proposal has two physical connections into adjoining estates: one vehicular, cycling and pedestrian connection via Tullyhall Rise (C), and one cycling and pedestrian connection via Rossberry Park (B). Potential future pedestrian and cycling connections are indicated at Oldbridge Grove (F) and Tullyhall Drive (E), they are facilitated for future use, but not currently proposed as part of this application.
  - The SDZ Planning Scheme indicates connections at Tullyhall Rise (C), Tullyhall Crescent, Rossberry Terrace and Rossberry Park (B). As noted in the detail design consideration on page 19 of the Architectural

Design Statement, only Tullyhall Rise and Rossberry Park can be delivered due to private ownership issues at the adjoining Cul-de-sacs.

- A Stage 1 Road Safety Audit was provided in Appendix D of the Site 3 - Infrastructure Design Report. It did not identify any road safety issues with the intimate street connection to Tullyhall Rise at location C.
  - The applicant has maintained a vehicular connection to Tullyhall Rise, as in the Planning Application Reg. Ref. SDZ22A/0001 & SDZ23A/0033 submitted by ESB Telecoms Ltd, a Right of Way is shown on Site Location Maps connecting through to Tullyhall Rise.
  - The proposed intimate street connection to Tullyhall Rise is consistent with the SDZ Planning Scheme. If deemed necessary, a hammerhead cul-de-sac could also be provided and has been tested to be feasible from a technical point of view.
  - During the Site 5 design process, South Dublin County Council has taken into account the views of Foxborough residents regarding the proposed local street connection outlined in the SDZ (see p.29 of the MDO KSG-5 Architectural Design Statement). The original plan for a vehicular street connection between the development and Foxborough was reconsidered to a green corridor and pedestrian link. This revised connection will not only improve access to Griffeen Community College but also enhance wider pedestrian and cycle networks, supporting sustainable travel and promoting stronger integration with the existing urban fabric.
- **Proximity of Development to Railway Line and DART+ South West Infrastructure.**
    - The application red-line boundary corresponds to the surveyed fence-line, north of the railway in Site 3. This existing fence is located c.4m north of the railway line. In addition, a minimum 20-metre railway buffer zone is maintained from the northern edge of the railway line within Site 3, with a strategic green corridor running parallel to the railway. Property plans and boundary sections can be provided to Iarnród

Éireann for coordination; however, no conflicts are noted by the Site 3 team.

- The application red-line boundary aligns with the surveyed fence line located to the south of the railway within Site 4. This existing fence is nominally 7m south of the railway line. Property plans and boundary sections can be provided to Iarnród Éireann to support coordination, although the Site 4 team has identified no boundary conflicts. In addition, a minimum 20-metre railway buffer zone (designated no-build area), is maintained from the southern edge of the railway line within Site 4.
  - The section of Lynch's Lane noted in the observation has been excluded from the Applicant's blue-line boundary. Refer to drawings KSG-OMP-01-00-DR-A-1010 Site Location Map Combined, and KSG-OMP-01-00-DR-A-1014, prepared by O'Mahony Pike Architects.
  - As required by Iarnród Éireann, access via Lynch's Lane will be preserved as part of the proposed development. Refer to Site 5 drawing KSG5-MDO-XX-SP-DR-A-05001, prepared by McCauley Daye O'Connell Architects.
- **Proximity of Development to Temporary Compound & Underground Cables- Site 3**
    - The proposed layout is compliant with the Clonburris Planning Scheme at this location for the delivery of housing. The conflict between the Railway Order and the SDZ is noted and the applicants have endeavoured to comply with the SDZ whilst meeting Iarnród Éireann's technical requirements.
    - Regarding the lands identified for temporary acquisition on Site 3 for the delivery of Dart + SW, where a temporary compound is indicated, this area is in phase 3D of Figure 2.1 of the Applicant's Preliminary Construction & Environmental Management Plan, prepared by DBFL Consulting Engineers. This is intended to be the last phase of the construction phasing for Site 3. It will be constructed after the DART+

infrastructure has been delivered and the DART+ temporary compound is no longer in place.

- The easement shown in the Dart+ Railway Order Property Plan for a 10KV underground crossing would result in the loss of c.15 units and an incomplete building frontages to Adamstown Avenue and the Railway Line. The applicant has proposed an adjusted route through the planning scheme road network which is indicated on Drawing No. KSG3-MAE-00-XX-DR-E-6010, prepared by MandE.
  - The future 38kV ESB underground track crossing has been discussed by numerous parties through coordination meetings and through sharing of relevant drawings. These parties include the Applicant's Design Team, SDCC, Clonburris Infrastructure Limited (CIL), ESB and Iarnród Éireann. A utilities route that functions similarly and works with the applicant's scheme has been coordinated between Site 3, CIL, SDCC and ESB (Fig 8). Coordination will continue as required between relevant parties going forward.
  - For the lands identified for permanent acquisition by Iarnród Éireann adjacent to Site 3, where a 38kV electrical traction substation and access are located, both are located outside of the application boundary, to the west, and not impacted by this application.
- **Transport and Traffic Conditions and Public Transport Capacity**
    - The proposed development as submitted to An Coimisiún Pleanála has been subject of an Environmental Impact Assessment Report (EIAR). The Applicant is satisfied that Chapter 13 Material Assets Transport and Appendix 13.2 (Traffic & Transportation Assessment) of the EIAR reasonably addresses the concerns raised.
    - The proposals represent a sustainable and practical approach to redevelopment on the subject lands and there are no traffic or transportation related reasons that should prevent the granting of planning permission for the proposed development

- **Car Parking**

- Refer to Appendix 13.2 (Traffic & Transportation Assessment) of the EIAR and Section 10.5 of the Part X Planning Application Report, as submitted to An Coimisiún Pleanála, which further confirms that the quantum of car parking is in accordance with the Clonburris SDZ Planning Scheme and South Dublin County Development Plan.

- **Amenities and Local Services**

- Refer to Sections 11 to 14 inclusive of the Part X Planning Application Report as submitted to An Coimisiún Pleanála, which confirm how the mix of non-residential uses proposed are in accordance with the provisions of the Clonburris SDZ Planning Scheme.
- The proposed non-residential uses are provided in accordance with the Clonburris SDZ Planning Scheme.
  - Non-retail commercial development – 544.1 sq. m
  - Retail development – 150 sq. m
  - Community – 683 sq. m
- The proposed development accommodates a total of 1,252no. dwellings, including 242no. 1-bed units, 435no. 2-bed units, 567no. 3-bed units and 8no. 4-bed units in a mix of houses, triplexes, duplexes and apartments. Having regard to the provisions of Section 4.7 of the Childcare Guidelines, arguably 1-bed and 2-bed apartment units (677no.) can be discounted from the calculation of childcare space quantum requirements. Thereafter, a total 575no. 3-bed and 4-bed dwellings are proposed. This gives rise to a requirement for 153no. childcare spaces.
- The proposed development provides 2no. childcare facilities with a capacity of c. 200no. childcare spaces, 1no. located in Site 3 (c. 553sqm) which caters for c. 100no. children and 1no. located in Site 4 (c. 544sqm) which also caters for c. 100no. children.

- The proposed childcare facility at Site 3 is in close proximity to the existing Lucan East Educate Together NS to the north. While the proposed childcare facility at Site 4 is located within the vicinity of the 'Grange Local Node' indicated by the Planning Scheme. Based on all the information submitted, the Applicant is satisfied that the locations of both childcare facilities have been carefully considered and have had due regard to the provisions made in the Planning Scheme.
- **Greenspace / POS**
  - Public Open Space is provided in accordance with Figure 2.1.2 of the Planning Scheme.
  - The proposed development provides c. 10,598 sqm of public open space, located within Site 3 (7,015sq. m), Site 4 (778 sq. m) and Site 5 (3,101 sq. m) – Total 10,894 sq. m.
  - The applicant is satisfied that the proposed development is consistent with the fixed and flexible provisions of the statutory Clonburriss SDZ Planning Scheme, for the subject sites within the Kishoge Character Area.
- **Housing Mix: Social, Affordable and Age-Friendly Housing**
  - Section 2.1.6 of the SDZ Planning Scheme addresses social housing, stating that: -

“All development shall comply with the requirements of Part V of the Planning and Development Act, 2000 - 2016 (as amended) and with the South Dublin County Council Housing Strategy with regard to the provision of Social and Affordable Housing (if further amended)”.
  - In accordance with the above, it is South Dublin County Council's strategy to provide only social and affordable housing on their lands. Social units account for 33% of the allocation while affordable units account for 67% in accordance with the SDZ Planning Scheme.
  - The proposed development provides 3no. 1-bedroom age-friendly apartments accommodated in a 1-storey apartment building within Site

4. The overall unit mix is in accordance with the South Dublin County Development Plan 2022-2028.

- The housing mix is in accordance with the provisions of the Clonburris SDZ Planning Scheme.

- **Natural and Built Heritage**

- The applicant is satisfied that Chapter 6 (Biodiversity) of the EIAR prepared by JBA consulting engineers and the Appropriate Assessment Screening Report, prepared by Minogue & Associates Ecological Consultants have adequately considered the impact of the proposed development on biodiversity and natural heritage in combination with the relevant conditions.
- Chapter 16 (Cultural Heritage) of the EIAR considers the impact of the proposed development on cultural heritage, both archaeological and architectural. The Applicant is satisfied that cultural heritage has been adequately addressed in combination with the relevant conditions for Licensed Archaeological Monitoring.

- **Consultation & Community Engagement**

- Prior to lodgement of the application, a number of coordination meetings were held, and relevant drawings shared between:
  - The applicant's Site 3 Design Team
  - South Dublin County Council
  - Clonburris Infrastructure Limited
  - Iarnród Éireann
  - ESB
- This included a meeting between Clonburris Infrastructure Limited, Iarnród Éireann, & ESB on 19<sup>th</sup> December 2024, and Clonburris Infrastructure Limited, SDCC (the applicant), Site 3 design team, & ESB on 24<sup>th</sup> January 2025.
- In relation to public engagement with the SDZ planning scheme, the Planning Scheme has already gone through public consultation, was

adopted by SDCC Councillors, was appealed, was independently assessed and ultimately approved by An Coimisiún Pleanála.

- Any member of the public (or prescribed bodies) has had the opportunity to make a submission/observation within 6 weeks of the application being lodged.

- **Other Miscellaneous Matters**

- **Building Height / Loss of Private Amenity**

- The proposal is consistent with the building height ranges of the SDZ Planning Scheme. Where adjacent to existing gardens, first floor balconies will have appropriate screens to minimise potential overlooking issues.

- **Boundary Treatment – Sites 3 and 4**

- Iarnród Éireann request that a 2.4m high solid block boundary treatment is erected by the applicant, on the applicants' side of the property boundary along the interface of the proposed development and railway line. As required by Iarnród Éireann, a 2.4m block boundary wall will be erected on the applicant's side of the property boundary. Such a wall is indicated on the Landscape Section through the Green Link, drawing no. KSG3-DOT-LS-02-DR-L-0000 for Site 3.
- Welcome the inclusion of a condition, if deemed necessary by the Commission, requiring that the boundary treatment adjoining Irish Rail lands at Site 4 be agreed with Irish Rail.

- **Flood Compensation Storage Area**

- A Flood Risk Assessment for Site 4 was prepared by JBA Consulting and subsequently peer-reviewed by McCloy Consulting.
- JBA Consulting confirm in response to this concern that, "The FRA confirms that there is no increase in risk to third party lands and that includes the Irish Rail property adjacent to the

northern site boundary. A 170m<sup>3</sup> flood storage area is located to the south of the Kilmahuddrick channel (on the opposite side of the channel from the railway line) to offset the loss of floodplain storage at the 0.1% AEP event further upstream. The storage area only becomes effective at a flood event of 1% AEP or greater and it routes some flow further away from the boundary of the railway. The levels/flows in the stream are therefore not increased adjacent to the railway and the compensatory storage is located as far from Irish Rail lands as possible. In addition, the storage area will not impact groundwater conditions on Irish Rail property and flooding to Irish Rail property is not increased.”

- **Notification to the IAA**

- The applicant is satisfied to accept a standard planning condition relating to this matter.

## **6.5 Further Submissions**

Subsequent to the applicant’s response to the third party submission three further submissions were received from:

Foxborough Maintenance Association, Paul O’Rourke and TII.

No new issues raised:

- It is submitted that concerns have not been fully or satisfactorily addressed in the applicant’s response in particular on issues relating to residential amenity, traffic congestion, the implications of proposed permeability, green space and noise pollution concerns.
- Inappropriate boundary wall permeability that undermines the safety, security, and cohesion of established cul-de-sacs like Foxborough Court.
- Increased traffic congestion and inadequate public transport infrastructure, compounded by ineffective junction design and the lack of safe cycling routes.

- Loss of biodiversity and insufficient landscape screening along the boundary wall,  
especially in light of the removal of sections of the existing noise-reducing wall,
- Lack of detail and commitment to essential community amenities and services,  
including GP access, retail provision, and youth facilities.

## **7.0 Assessment**

Having regard to the requirements of the Planning and Development Act, 2000 (as amended), this assessment is divided into four main parts:

- **The likely consequences for the proper planning and sustainable development of the area – ( Planning Assessment).**
- **The likely effects on the environment (Environmental Impact Assessment (EIA)).**
- **The likely significant effects on a European site (Appropriate Assessment screening (AA)) and**
- **A Water Framework Assessment (WFA)**

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.

This planning assessment section addresses issues that are not more appropriately addressed in the EIA and it should be read in conjunction with both the EIA, AA, WFA sections. I highlight Appendix 1 of this report sets out a detailed summary of third party observations and Prescribed Bodies observations.

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

Having examined the application details 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 the relevant local/regional/national policies and guidance, I consider that the main issues are as follows:

- **Nature of the Application**
- **Land Use Zoning and Compliance with Policy**
- **Phasing**

- **The SDZ and Consistency (for each segment of Site 3, Site 4 and Site 5 with respect to:**
  - **Character Areas**
  - **Residential Units**
  - **Residential Density**
  - **Residential Dwelling Mix**
  - **Dwelling Size and Public Amenity Space**
  - **Non Residential Development**
  - **Movement and Transport**
  - **Car Parking**
  - **Transport Assessment**
  - **Mobility Management Plan**
  - **Green and Blue Infrastructure**
  - **Sustainable Urban Drainage**
  - **Built Form and Design**
  - **Building Centre Line and Urban Grain**
  - **Building Height**
  - **Services and Infrastructure**
  - **Flood Risk Assessment**
  - **Energy & Efficiency**
  
- **Other:**
  - **Childcare**
  - **Impacts on Existing Properties**
  - **Daylight and Sunlight**

## **7.1 Nature of the Application**

This application under Part X and XAB Section 175 (3) of the Planning and Development Act, 2000 (as amended) (The Act). Planning applications where the Planning Authority, either in its own capacity or in partnership with another entity, proposes to carry out development within its functional area in which an Environmental Impact Assessment (EIAR) has been prepared. Such applications are made directly to An Coimisiun Pleanála for assessment and decision, in this case for approval of a residential-led development for 1252 units, two creches, community, retail and office space, see Tables 1 - 4 of this report above.

The application is being made by South Dublin County Council (SDCC). All residential units are social & affordable units, incl cost rental with a percentage of age friendly units. Social units account for 33% of the allocation while affordable units account for 67%.

Therefore, it is not an application for permission to which Part 5 of the Planning & Development Act, 2000 (as amended) applies.

## **7.2 Zoning and Compliance with Policy**

The South Dublin County Development Plan 2022-2028, which came into effect on August 2022, is the statutory plan for the area and guides new development throughout South Dublin County. The approved Clonburris SDZ Planning Scheme forms part of the County Development Plan.

The Clonburris Strategic Development Zone (SDZ) Planning Scheme 2019 is the principal planning document for the SDZ. The Planning Scheme is the approved framework for the guidance of development in Clonburris, against which all planning applications must be assessed. The proposed development must be consistent with the Planning Scheme.

As set out above, the application is assessed in accordance with the criteria set out in Development Areas 6, 7, 8 and 10. The Planning Scheme also comprises a Planning Framework which includes 12 Sections (Sections 2.1 – 2.12). These are set out below with the proposal for Site 3, Site 4 and Site 5 appropriately assessed against each of them.

The majority of Site 3 is zoned as 'Primarily Residential'. A small portion at its south eastern corner is 'Mixed Use Areas', with some other areas throughout the site zoned 'Open Space Areas'. The uses considered 'permissible' and 'open for consideration' under these land use zonings are identified in Table 2.1.1 of the 'Uses Permissible & Open for Consideration in Residential Areas', Table 2.1.2 'Uses Permissible & Open for Consideration in Mixed Use Areas' and Table 2.1.3 'Uses Permissible & Open for Consideration in Open Space Areas' of the SDZ Planning Scheme.

On that part of Site 3 zoned 'Primarily Residential', 548no. residential units and a childcare facility (553 sq m) are proposed. The proposed uses are all 'Permissible' in the 'Primarily Residential' land use zone, as per Table 2.1.1 of the Planning Scheme.

On the lands zoned 'Open Space' throughout Site 3, areas of open space are proposed, consistent with the Planning Scheme Table 2.1.3 'Permissible' use for this land use zoning.

The portion of Site 3, located within the Kishoge Urban Centre, is zoned 'Mixed Use Areas'. 32no. residential units are proposed and are 'Permissible' as per Table 2.1.2 of the Planning Scheme.

The majority of Site 4 is zoned as 'Primarily Residential'. A small portion at its northwest corner is zoned as part of a wider 'Open Space Area' (Griffeen Valley Park to the west). The uses proposed as per 'proposed development, see Table 1 and Table 3 of Section 3.0 of this report, are considered 'permissible' and 'open for consideration' under these land use zonings. On that part of Site 4 zoned 'Primarily Residential', 436no. residential units are proposed. Also, a childcare facility (544 sq m) and a local / neighbourhood shop (c.146 sq m) are proposed in Block F, located in the western portion of the site fronting Griffeen Valley Park. Employment use is proposed for the existing Grange House (c. 170 sq m) in the south east corner of the site. The proposed uses are all 'Permissible' in principle in the 'Primarily Residential' land use zone, per Table 2.1.1 of the Planning Scheme. The proposed community centre is located within the lands zoned 'Open Space Areas'. Per Table 2.1.3 of the Planning Scheme, this use is considered 'Open for Consideration' under this land use zoning and may be favourably considered, in principle. This proposal is also

consistent with a Key Objective for the Kishoge South West area to develop a local node to Griffeen Valley Park, including community facilities.

The Site 5A lands are within Development Area 6 Kishoge Urban Centre (sub-sector KUC-S2) and Development Area 10 Kishoge North East (subsector KNE-S2). For Site 5B, the lands are within Development Area 6 Kishoge North East (sub-sector KNE-S1), save for the eastern portion that sits outside the SDZ boundary. The eastern portion of site 5B, which sits outside the SDZ, is zoned 'Existing Residential' (RES) in the SDCDP 2022-2028, with the zoning objective '*To protect and / or improve residential amenity*'. Residential use is permitted in principle in this zone.

The remainder of Site 5B and all of Site 5A within the SDZ boundary (Development Area 10, KNE-S1 & KNE-S2) is zoned 'Primarily Residential' with a portion at its south western corner of Site 5A (Development Area 6 KUC-S2) zoned 'Mixed Use Areas'.

The proposed development of site 5 provides for an entirely residential scheme, with a total of 236 no. social and affordable units proposed. The Planning Scheme identifies residential uses as permitted in principle in areas designated for 'Residential' and 'Mixed Use', subject to further assessment against the relevant requirements of the Planning Scheme. Accordingly, the proposed residential development comprising a mix of apartments, houses, triplex and duplex units is consistent with the relevant land use objectives for the site, (as per Table 2.1.2 'Uses Permissible & Open for Consideration'. However, I note that in accordance with the Planning Scheme, non-residential floor space is required in sub-sector KUC-S1, aligned with the aim of providing for mixed-use development in Kishoge Urban Centre. As set out in Table 2.13.1 of the Planning Scheme, 300 sq.m of retail floorspace (maximum) and 2,400 sq.m for employment uses (non-retail) are required within both sub-sectors KUC-S1 and KUC-S2.

I note the statement of consistency submitted by the applicant and the case put forward to justify the extent of development (according to sub sector).

Consistency with the Planning Scheme and its relevant requirements is assessed separately in the succeeding sections of the report for each quadrant of the subject site (Site 3, Site 4 and Site 5).

It is my opinion, in agreement with the applicant, that albeit, this application does not incorporate non-residential uses in KUC-S1 and KUC-S2, the subject site occupies only part of KUC- S1 and KUC-S2. Overall given the flexibility within the planning scheme I consider it reasonable for the required non- residential uses to be accommodated on adjacent lands within this sub-sector when the lands are brought forward for development. As already stated, the proposed development of residential units on this portion of the Kishoge Urban Centre is compatible with its designation for mixed-use development. The proposed residential development within part of KUC-S1 and KUC-S2 will not preclude the future delivery of retail and employment uses on the balance of lands in the sub-sectors. I agree the concentration of higher-density residential development in conjunction with retail and employment floorspace to the west and south of KUC-S2 is considered an appropriate development strategy that will ensure a vibrant and viable mixed-use core. The delivery of residential development on surrounding lands in the interim, will contribute to the critical mass of population needed to support retail and other commercial uses in the Kishoge Urban Centre. I note that on foot of permission granted under Reg. Ref. SDZ23A/0043 c. 2,502sqm of retail use has been permitted within the Kishoge Urban Centre (KUC-S4) to the south of the subject lands.

I refer the Coimisiún to the relevant policy of the South Dublin County Development Plan 2022- 2028, set out above, in 'Policy Context', Section 5.0, of this report and to paragraph 5.4.2 of the Strategic Development Zone – Clonburris SDZ Planning Scheme, 2019, 'Key Overarching Principles', also referred to in the 'Policy Context' section of this report. I note in addition the Statements of Consistency with the Clonburris SDZ Planning Scheme (prepared by Stephen Little and Associates and McCutcheon Halley Planning Consultants) which accompanies the subject application of the proposed development.

I consider that the proposed development is acceptable in principle with respect to land-use zoning as set out in the SDZ and the South Dublin County Development Plan 2022 - 2028. Regard being had, that the current proposal comprises residential uses only on a portion of Development Area 6 Kishoge Urban Centre (sub-sector KUC-S2), designated for 'Mixed Use' development. It is of note that Site 5A occupies only a small portion of Development Area 6.

Regard is also had that the proposal includes a portion of lands adjacent to Area 10 KNE-S1, which sits outside of the SDZ boundary.

It is my view that the proposed development is compatible with the 'mixed use' zoning and the wider development strategy, the SDZ allows for flexibility and a transfer of floor space. It is reasonable to provide for a concentration of higher-density residential development in conjunction with retail and employment floorspace to the west and south of KUC-S2. Also, that development proposed on the eastern portion of Site 5B is directly informed by the development strategy for the wider lands and the key principles of the Planning Scheme masterplan.

### **7.3 Phasing**

The Planning Scheme includes a Phasing Programme in Section 4.3. The Phasing Table of the Planning Scheme is an element of the Phasing Approach and details a schedule and programme to plan and deliver strategic infrastructure and amenities on a phased basis in tandem with development of residential units within the SDZ lands.

The proposed development is located within the Kishoge Character Area. The proposed development is centred around the existing public transport infrastructure at Kishoge Railway Station to provide a new residential community with supporting community and non-residential services in accordance with the Planning Scheme requirements. The Kishogue Train Station was officially opened on August 26<sup>th</sup>, 2024.

The plans and strategies required prior to commencement have been agreed and will be considered as part of the assessment of this proposal.

**Table 5 Clonburris SDZ Planning Scheme Phasing Status compliance assessment.**

| Minimum Delivery in Phase   | Status   |
|---|--|
| <b>Prior to commencement of Development</b>   |  |
| Prior to the commencement of development, strategic district level measures and detailed design shall be prepared by the developer(s) and agreed with South Dublin County Council through a Surface Water Management Plan to implement the prepared Surface Water Strategy. | SDCC have confirmed that this has been prepared and subsequently approved by SDCC.   |
| Prior to the commencement of development, a strategic level Parks and Landscape Strategy (incorporating a Biodiversity Management Plan) shall be prepared by the developer(s) and agreed in writing with South Dublin County Council.                                       | SDCC have confirmed that this has been prepared and subsequently approved by SDCC.   |
| Prior to the commencement of development, detailed Water and Wastewater plans for the Planning Scheme shall be prepared by the developers and agreed with Irish Water and South Dublin County Council.  | SDCC have confirmed that this has been prepared and subsequently approved by SDCC.   |
| <b>Phase 1A (0 – 1,000 residential units constructed and occupied)</b>  |  |
| Retail Core development in accordance with the Place Making Requirements.   | The proposed development does not include lands within the Clonburris or Kishoge Retail Core Areas as identified in Section 4.4 – Place Making of the Clonburris Planning Scheme.<br><br>Reg. Ref. SDZ23A/0043 included c. 2,502sqm of retail use within the Kishoge Retail Core Area.   |
| Development shall accord with the Local Level Infrastructure Requirements in relation to agreeing timeline for the opening of Kishoge Train Station & completion of the realignment of Lock Road (R120).  | Kishoge Train Station is now fully operational and open to the public.<br><br>The Lock Road (R120) does not traverse the Application Site.   |
| Provision of Water and Wastewater infrastructure on a pro rata basis in accordance with detailed plans agreed with Irish Water and SDCC.  | Irish Water have confirmed Confirmation of Feasibility accompanying this planning application.   |
| The planning of works for the provision of community floor space and the availability of childcare spaces.  | The proposed development has been designed in accordance with the 'Community' space requirement for each of the Development Areas subject to this planning application.<br><br>2no. childcare buildings (in Site 3 and Site 4), cumulatively totaling c. 1,097sqm, are proposed as part of this application to cater for the estimated |

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|--|--|
|  | childcare demand arising from the overall proposed development. A Community space (683 sq.m) is also proposed in Site 4. This is in accordance with the provisions of the Planning Scheme.   |
| <b>Phase 1B (1,001 – 2,000 residential units constructed and occupied)</b>   |  |
| Planning permission for appropriate elements of Clonburris Retail Core, including retail provision, employment, residential, community floorspace and urban hub.                         | The proposed development does not include lands within the Clonburris Retail Core Areas as identified in Section 4.4 – Place Making of the Clonburris Planning Scheme.   |
| Planning permission for Kishoge Retail Core, including retail provision, employment, community floorspace and residential.   | Permitted SDZ23A/0043 includes part of Kishoge Urban Centre, relating to Kishoge Retail Core, and provides the required land uses to satisfy this requirement  |
| Planning and commencement of works at Griffeen Valley Park Extension or Na Cluainte (North and South) in accordance with the prepared and agreed strategic Parks and Landscape Strategy. | The Strategic Parks and Landscape Strategy has been approved which provides the framework for the Griffen Valley Park Extension and the Na Cluainte North and South parks.   |
| Agree and make available a school site to the Department of Education (in accordance with requirement of the Department of Education and SDCC).  | Existing and permitted school facilities are situated immediately north of the Site 3, within sub sector KNW-S1.<br><br>An undeveloped site immediately north of proposed Cluster F in Site 4 is designated for a school site. This will be subject of a separate planning application by the Department of Education.<br><br>An existing Post Primary School (Grifeen Community College) is in proximity to Site 5, with a site for a Primary School as identified in the Planning Scheme further east. |
| Provision of a minimum 1,000 sqm net convenience floorspace and 500 sqm net comparison/ retail services floorspace (As part of the Place Making Requirements for delivery of Kishoge).   | Permitted SDZ23A/0043 includes part of Kishoge Urban Centre, relating to Kishoge Retail Core, and provides the required land uses to satisfy this requirement.<br><br>Retail (150 sq, m) and employment floor area (office 173 sq. m) is proposed in Site 4, in accordance with the provisions of the Planning Scheme.   |

|   |   |
|---|---|
| Provision of a minimum of 500 sqm of community services floorspace (e.g. childcare or health centre) (At Kishoge or Clonburris – subject to location of residential units constructed).   | Site 4 includes c. 683sqm of community floorspace through the provision of a community pavilion building fronting Griffeen Valley Park area, in accordance with the provisions of the Planning Scheme.  |
| Design and planning permission for District Park Hub at Clonburris Little.  | The proposed development does not include lands at Clonburris Little.   |
| Planning and commencement of Link Streets with associated undergrounded services in Development Areas where construction of residential units commences or commenced in Phase 1 (A or B). | Clonburris Northern Link Street (NLS) and associated services permitted under Reg. Ref. SDZ24A/0033W. Traverses Sites 3 and 5.<br><br>Clonburris Southern Link Street (SLS) and associated services permitted under Reg. Ref. SDZ20A/0021 is currently being delivered. Traverses Site 4.   |
| Provide/demonstrate availability of childcare spaces in the catchment in accordance with Section 2.7.3.   | The proposed development includes for the provision of 2no. childcare buildings, cumulatively totalling c. 1,097sqm, to cater for the childcare requirements of the proposed development.<br><br>Refer to Section 9.6.6 of the Planning Application Report prepared by Stephen Little & Associates for further details on childcare provision for the proposed development. |
| District and catchment level measures from an agreed Surface Water Management Plan to accommodate construction within the subject development areas of construction.                      | DBFL Consulting Engineers have undertaken a “Surface Water Management Plan” (SWMP) for the overall Clonburris Strategic Development Zone (SDZ). The SWMP for the SDZ been submitted to and agreed with SDCC.  |
| Retail Core development in accordance with the Place Making Requirements.   | The proposed development does not include lands within the Clonburris or Kishoge Retail Core Areas as identified in Section 4.4 – Place Making of the Clonburris Planning Scheme.<br><br>Reg. Ref. SDZ23A/0043 included c. 2,502sqm of retail use within the Kishoge Retail Core Area.  |
| Development shall accord with Local Infrastructure Requirements in relation to opening of Kishoge Railway Station.  | Kishoge Railway Station officially opened in 2024 and is operational.   |

|   |  |
|---|--|
| Provision of Water and Wastewater infrastructure in accordance with detailed plans agreed with Irish Water and SDCC on a pro rata basis.  | Refer to Irish Water Confirmation of Feasibility accompanying this planning application.   |
| <b>Phase 2 (2,001 – 4,000 residential units constructed and occupied)</b>   |  |
| Provision of District Park Hub at Clonburris Little.  | The proposed development does not include lands at Clonburris Little.  |
| Completion of Link Streets and associated junctions with associated undergrounded in development areas where residential units are constructed (includes bridges where relevant).                 | Clonburris Northern Link Street (NLS) and associated services permitted under Reg. Ref. SDZ24A/0033W. Traverses Sites 3 and 5.<br><br>Clonburris Southern Link Street (SLS) and associated services permitted under Reg. Ref. SDZ20A/0021is currently being delivered. Traverses Site 4.   |
| Planning and commencement of works to Griffeen or Na Cluainte (alternate option to park commenced in Phase 1B) in accordance with the prepared and agreed strategic Parks and Landscape Strategy. | The Strategic Parks and Landscape Strategy has been approved, which provides the framework for the Griffen Valley Park Extension and the Na Cluainte North and South parks. The Applicant can provide further detail prior to occupation.  |
| Completion of works to Park commenced in Phase 1B at Griffeen or Na Cluainte.   | As above.  |
| Agree and make available sites to the Department of Education for Schools (in accordance with requirement of the Department of Education and SDCC).   | Existing and permitted school facilities are situated immediately north of Site 3, within sub sector KNW-S1.<br>An undeveloped site immediately north of proposed Cluster F in Site 4 is designated for a school site. This will be subject of a separate planning application by the Department of Education.<br><br>An existing Post Primary School (Grifeen Community College) is in proximity to Site 5, with a site for a Primary School as identified in the Planning Scheme further east. |

|   |   |
|---|---|
| Provide/demonstrate availability of childcare spaces in the catchment in accordance with Section 2.7.3 including the delivery of a minimum of one purpose built facility in Kishoge or Clonburris Urban Centre. | The proposed development includes for the provision of 2no. childcare buildings, cumulatively totalling c. 1,097sqm, to cater for the childcare requirements of the proposed development.<br><br>Refer to Section 9.6.6 of the Planning Application Report prepared by Stephen Little & Associates for further details on childcare provision for the proposed development. |
| Provision of strategic pedestrian/cycle links (including bridges) in development areas where residential units are constructed.   | The proposed development has been designed in accordance with the Overall Concept Movement strategy of the Planning Scheme.   |
| District and catchment level measures from the Surface Water Management Plan to accommodate construction within the subject development areas.  | DBFL Consulting Engineers have undertaken a "Surface Water Management Plan" (SWMP) for the overall Clonburris Strategic Development Zone (SDZ). The SWMP for the SDZ been submitted to and agreed with SDCC.  |
| Retail Core development in accordance with the Place Making Requirements.   | The proposed development does not include lands within the Clonburris or Kishoge Retail Core Areas as identified in Section 4.4 – Place Making of the Clonburris Planning Scheme.<br><br>Reg. Ref. SDZ23A/0043 included c. 2,502sqm of retail use within the Kishoge Retail Core Area.  |
| Provision of Water and Wastewater infrastructure in accordance with detailed plans agreed with Irish Water and SDCC on a pro rata basis.  | Refer to Irish Water Confirmation of Feasibility accompanying this planning application.  |

The applicant has summarised the phasing requirements applicable up to Phase 2. There are a number of applications and Part 8 permissions that have been granted or are currently ongoing, see the planning history section of this report above for detail. I note that succeeding Reg. Ref. SDZ23A/0043 granted planning permission on the 17<sup>th</sup> April 2024, the following, is circa the range of units either granted permission or included in planning applications under consideration, should the subject application be granted, the number would equate to over 4000 units permitted.

**Table 6 Quantum of units Granted and subject to current application.**

| Catchment           | Permitted total | Subject application<br>(under consideration) | Overall total |
|---------------------|-----------------|--|---------------|
| Clonburris          | 2,302           | 0  | 2,302         |
| Kishoge             | 758             | 1252   | 2010          |
| Adamstown Extension | 395             | 0  | 395           |
| <b>Total</b>        | <b>3455</b>     | <b>1252</b>                                  | <b>4707</b>   |

The phasing programme is based on the premise that the number of residential units that may be constructed and occupied in each phase is dependent on the delivery of associated infrastructure to serve the expanding population. In the event that the requirements are not delivered for a particular phase, a restriction on the construction and occupation of residential units in the next phase will apply.

In accordance with Section 4.6 of the Scheme, 'The Planning Scheme does not specify a commencement location for the construction of residential units for any phase of residential development. The location for commencing development in the Planning Scheme and within Development Areas is flexible. However, apart from exceptional circumstances, when development commences in a Development Area, subsequent permissions and development in the subject Development Area shall be required to integrate with the previous development in a sequential way.'

Section 4.4 of the Planning Scheme states that Place Making Requirements shall be implemented on a flexible basis in relation to sub sectors immediately adjacent to the place making catchment boundary between Kishoge and Clonburris (including Kishoge South East). In these areas, the residential units shall be interchangeable between the Kishoge and Clonburris catchments.

An assessment of the subject proposal in terms of public realm works and the requirements of the Planning Scheme is provided below in this report. Subject to this assessment it is considered that the applicant has adequately addressed phasing requirements.

## **Construction Phase of the subject proposal**

The construction programme sees the proposed development for Sites 3, 4 & 5 beginning concurrently, however it is anticipated that the timelines for completion will vary as follows:

- Site 3: 40-month construction programme
- Site 4: 36-month construction programme
- Site 5: 28-month construction programme

The proposed development, across Sites 3, 4 & 5 will provide a total of 1,252no. residential units, 2no. childcare facilities, a community pavilion, conversion of Grange House, retail space, public open space and all associated ancillary site development works at lands within the Clonburris SDZ Planning Scheme area.

The primary direct significant environmental effects will arise during the Construction Phase. The Operational Phase of the Proposed Development is relatively benign and not likely to give rise to any significant additional environmental effects in terms of activities, materials or natural resources used or effects, residues or emissions which are likely to have a significant impact on human beings, flora and fauna, soils, water, air and climate. All of which have been assessed in the EIAR section of this report, see section 8.0.

The primary likely significant environmental impacts of the Operational Phase as a result of the Proposed Development are fully addressed in the EIAR assessment, see section 8.0 of this report. These impacts relate to Population & Human Health, Landscape & Visual, Climate (Noise & Vibration), Climate (Air Quality) and Climate (Climate Change) associated with the traffic generated.

The Proposed Development also has the potential for cumulative, secondary and indirect impacts (i.e. traffic) that can be difficult to quantify due to complex inter-relationships. However, all interactions and cumulative impacts are unlikely to be significant, as have been identified in Chapter 20 (residual impacts) and Chapter 21 (cumulative impacts and interactions) of the EIAR.

The phasing of the development can be agreed via condition.

## 7.4 Clonburris SDZ Character and Development Areas

### 7.4.1 Character Areas

**Site 3** located within 'Development Areas 6' Kishoge Urban Centre (incl part of sub sector KUC-S1) and 'Development Area 7' Kishoge North West (including all or part of Sub Sectors KNW-S1, KNW-S2 and KNW-S3) of the Clonburris SDZ Planning Scheme 2019 ("the Planning Scheme"). The key principles, fixed objectives and standards of the Planning Scheme of relevance to the proposed development are examined below.

#### 7.4.1 Land Use and Density

The Key Principles relevant to the land use and density of development at the Site 3 site are identified in Section 2.1 of the Planning Scheme as follows: -

*"To co-ordinate **residential, educational, employment and community** uses and integrate such with **transportation infrastructure** in a manner that maximises and makes efficient use of existing and planned public transport services and local facilities;*

- To promote a **mix of uses** around the public transport nodes in a manner that creates viable and active urban centres;*
- To promote **increased residential densities** within walking distance of public transport nodes in a manner that creates viable and active urban centres*
- To support the development of **sustainable communities** and to ensure that new residential development is carried out in accordance with Government policy in relation to the development of housing and residential communities, catering for a **range of dwelling, types, sizes and tenure options.**"*

As set out above under section 7.2, 'Zoning and Compliance with Policy', the majority of Site 3 is zoned as 'Primarily Residential'. A small portion at its southeastern corner is 'Mixed Use Areas', with some other areas throughout the site zoned 'Open Space Areas'.

On that part of Site 3 zoned '**Primarily Residential**', 548no. residential units and a childcare facility (553 sq m) are proposed. The proposed uses are all 'Permissible' in the 'Primarily Residential' land use zone, per Table 2.1.1 of the Planning Scheme.

On the lands zoned '**Open Space**' throughout Site 3, areas of open space are proposed, consistent with the Planning Scheme Table 2.1.3 'Permissible' use for this land use zoning.

The small portion of Site 3, located within the Kishoge Urban Centre, is zoned '**Mixed Use Areas**'. 32no. residential units are proposed and 'Permissible' per Table 2.1.2 of the Planning Scheme.

#### **7.4.2 Character Area 3**

To provide more detailed design guidance for the envisaged development within the SDZ lands, the Planning Scheme sub-divides the development area into 3no. Character Areas. These Character Areas are then further sub-divided into 'Sub-Sectors' or development tiles.

Site 3 is part of a larger Part X Application Site for residential-led development by the local authority, which is located within the Kishoge Character Area. More specifically, Site 3 is located primarily within the Kishoge North West development area, with some encroachment into the Kishoge Urban Centre Development Area.

#### **Kishoge South West & Kishoge Urban Centre - Development Parameters**

Site 3 is located primarily within Development Area 7 – Kishoge North West, and including all or part of Sub Sectors KNW-S1, KNW-S2, KNW-S3.

A small portion of the Site 3 development is located within Development Area 6 – Kishoge Urban Centre, including part of Sub Sector KUC-S1.

The Planning Scheme identifies a number of Key Objectives for Development Area 7 – Kishoge North West. Table 7 below states the key objective in the first column. The applicant's confirmation of how the proposed Site 3 development is consistent with same is provided in the corresponding cell of the second column.

**Table 7 – Key Objectives for Development Area 7 – Kishoge North West accompanied by a consistency response.**

| Key Objective:  | Site 3 Consistency:   |
|---|---|
| <p>To develop a high quality residential neighbourhood at Kishoge, with strong links with the existing community at Griffeen;</p> | <p>The proposed development is representative of a high-quality residential-led scheme within Kishoge North West.</p> <p>Refer the Coimisiún to the overarching Part 10 architectural design statement, provided in the Architects Design Statement, prepared by O’Mahony Pike Architects. Refer also to the Site 3 specific architectural plans and design rationale prepared by OMP Architects. These illustrate and describe the proposed scheme, being consistent with the design principles within the sub sectors.</p> <p>For public open space and landscape design refer to the overarching Part 10 landscape design rationale provided by Doyle O’Troithigh Landscape Architects. Refer also to the Site 3 specific landscape architecture plans and design rationale prepared by Doyle O’Troithigh Landscape Architects.</p> <p>As demonstrated on the enclosed site plan, the proposal provides strong links to the existing community at Griffeen, with a north / south green corridor running through the site as well as a local street connecting directly to Oldbridge Grove.</p> |
| <p>To reinforce the existing local node at Griffeen with new open space and education facilities;</p>                             | <p>Existing and permitted school facilities are situated immediately north of Site 3, within sub sector KNW-S1.</p> <p>A green corridor is proposed to connect Site 3 to the school site to the north and the railway station to the south at Kishoge Urban Centre, which will reinforce wider, sustainable community connectivity.</p>   |
| <p>To provide locally accessible open spaces and links to strategic open space;</p>   | <p>We refer the Coimisiún to the overarching Part 10 landscape design rationale provided by Doyle O’Troithigh Landscape Architects. We refer also to the Site 3 specific landscape architecture plans and design rationale prepared by Doyle O’Troithigh Landscape Architects.</p> <p>Proposed local parks within the Site 3 plan are reflective of the urban design and public open space objectives of the Planning Scheme. The proposed local parks in KNW-S1 are linked to existing residential development to the north and east.</p> <p>Green and blue corridor connectivity along the R136 and rail corridor edges also enhance north-south and east-west connections with existing and proposed development.</p> <p>A series of smaller pocket parks and spaces located throughout the proposed scheme provide further open space relief and integration with the local landscape.</p>  |
| <p>To develop a new post-primary to complement the existing primary school;</p>   | <p>Post primary school facilities have been permitted at lands adjoining to the north of Site 3, to be developed by the Department of Education and Skills.</p>   |

|  |   |
|--|---|
| <p>To ensure high levels of legibility and ease of orientation;</p>  | <p>Building height, street function and permeability, and links with local parks and green corridors, within the proposed scheme is generally aligned with the Planning Scheme development parameters, which seek to achieve legibility, permeability and sense of place within Kishoge North West, as a new residential neighbourhood.</p> <p>The prescribed height for Sub Sectors KNW-S1, KNW-S2, KNW-S3 is 2-6 storeys, whilst Sub Sector KUC-S1 has a prescribed height range of 3-8 storeys. The proposed Site 3 development is consistent with these height thresholds.</p>  |
| <p>To provide a new quality frontage along Adamstown Avenue;</p>   | <p>Adamstown Avenue (existing arterial route) travels east-west through the site. The proposed scheme ensures robust frontage, generally in accordance with the fixed building lines, junctions/permeability and building height objectives of the Planning Scheme for this area.</p> <p>The proposed Site 3 plan responds as well as possible to street grid and fixed building lines where they are disrupted by existing strategic infrastructure at the following locations:</p> <ul style="list-style-type: none"> <li>• At the junction of the fixed and consented North Link Street and a local street, existing strategic infrastructure, in the form of the ESB 38kv Balgaddy Station.</li> <li>• Along the eastern site boundary, where wayleaves are associated with strategic gas and water mains that cannot be relocated.</li> </ul> <p>This requires some unavoidable localised departure from the street frontage details of the Planning Scheme.</p> |
| <p>To provide for a range of housing of a scale that reflects the type of street and its role in the urban structure.</p>  | <p>The Site 3 proposal includes 140no. 1 bed units (24%), 151no. 2 bed units (26%), 289no. 3 bed units (50%). This is in accordance with the requirements of the SDCC Development Plan.</p> <p>The Site 3 proposal is consistent with the building height range prescribed for this area under the Planning Scheme. This ensures building height transition and variation appropriate to the identified street types and in the interests of residential and visual amenity, legibility and ease of orientation.</p>  |
| <p>The design of the school will be informed by the Department of Education and Skills 'General Design Guidelines for Schools: Primary &amp; Post Primary (2017)' or any superseding guidance.</p> | <p>The design of planned or permitted school facilities are subject of separate planning permissions obtained by the DES.</p>   |

#### 7.4.4 Residential Units

Table 2.13.1 of the Planning Scheme prescribes the total number of dwellings for each Development Area and for each of its Sub-Sectors. The total dwelling numbers to be achieved should lie within the range of low margin, target and high margin figures identified below.

Table 8 below provides a summary of the units proposed in each sub-sector lying within Site 3, compared with the range prescribed for each sub-sector by Table 2.13.1 of the Planning Scheme.

| Sub-Sector | Sub-Sector Net Area | Total Dwellings (Low Margin) | Total Dwellings (Target) | Total Dwellings (High Margin) | Proposed Site 3 Dwellings |
|------------|---------------------|------------------------------|--------------------------|-------------------------------|---------------------------|
| KNW-S1*    | 7.73ha              | 325                          | 360                      | 402                           | 323                       |
| KNW-S2*    | 2.27ha              | 125                          | 136                      | 148                           | 139                       |
| KNW-S3     | 1.16ha              | 64                           | 70                       | 75                            | 86                        |
| KUC-S1*    | 1.59ha              | 103                          | 151                      | 199                           | 32                        |
|            |                     | <b>617</b>                   | <b>717</b>               | <b>824</b>                    | <b>580</b>                |

**Table 8 – Comparison of Residential Unit Targets for Kishoge North West**

(extract from Table 2.13.1 of SDZ Planning Scheme) and proposed dwelling numbers within KSG 3. (\* Site 3 only occupies part of KNW-S1, KNW-S2 and KUC-S1)

It should be noted that while Site 3 includes the entirety of subsector KNW-S3, it includes only part of subsectors KNW-S1, KNW-S2 and KUC-S1. Site 3 occupies the following proportion of each of the sub- sectors:

- 93% of **KNW-S1** resulting in a net site area of c. 7.2ha.
- 94% of **KNW-S2** resulting in a net site area of c. 2.13ha.
- 100% of **KNW-S3** resulting in a net site area of c. 1.16ha.
- 49% of **KUC-S1** resulting in a net site area of c. 0.78ha

Taking this into account, Table 9 below identifies the pro rata quantum of Total Dwellings (Low, Target and High Margin) proposed for that part of the Sub Sectors included within Site 3.

**Table 9– Comparison of Residential Unit Targets for Kishoge North West and Kishoge Urban Centre** (extract from Table 2.13.1 of SDZ Planning Scheme) using net site area of Site 3 within KNW-S1, KNW-S2 and KUC-S1.

| Sub-Sector | SITE 3 Net Site Area | Total Dwellings (Low Margin) | Total Dwellings (Target) | Total Dwellings (High Margin) | Proposed SITE 3 Dwellings |
|------------|----------------------|------------------------------|--------------------------|-------------------------------|---------------------------|
| KNW-S1*    | 7.2ha                | 302                          | 334                      | 381                           | 323                       |

|                |        |            |            |            |            |
|----------------|--------|------------|------------|------------|------------|
| <b>KNW-S2*</b> | 2.13ha | 117        | 127        | 139        | 139        |
| <b>KNW-S3</b>  | 1.16ha | 64         | 70         | 75         | 86         |
|                |        | <b>483</b> | <b>531</b> | <b>595</b> | <b>548</b> |
| <b>KUC-S1*</b> | 0.78ha | 51         | 151        | 98         | 32         |
|                |        | <b>534</b> | <b>682</b> | <b>693</b> | <b>580</b> |

As confirmed by Table 9 above, the total dwellings proposed for that part of Site 3 falling within Sub Sectors KNW-S1 and KNW-S2 is consistent with the Planning Scheme.

In KNW-S3, 86no. units are proposed, exceeding the high margin total threshold (by 11no. units). I note the flexibility for unit transfer between immediately adjacent sub sectors, provided by the Planning Scheme, which states:

*“Subject to no net loss of units within a Development Area and the achievement of the built form objectives, the Planning Authority may allow up to 10% of the maximum residential units allocated in any Sub Sector to be transferred to an immediately adjacent Sub Sector”*

It is highlighted that the total 86no. dwellings achieved exceeds the high margin threshold of KNW-S3 by 12%. Arguably, up to 10% of the max. unit threshold in KNW-S1 (i.e. 38no.) could be transferred to adjacent KNW-S3. 11no. dwellings (2.9% of the maximum unit threshold in KNW-S1) have been transferred to adjacent KNW-S3. This ensures no net loss of units within Development Area 7, consistent with the Planning Scheme.

In KUC-S1 (Development Area 6), 32no. dwellings are proposed. This falls significantly below the low margin total threshold of 103no. dwellings for this sub-sector. However, Site 3 occupies only a small part of KUC- S1. The Architectural Design Statement prepared by O’Mahony Pike Architects provides a masterplan and schedule that confirms that a further 161no. dwellings will be provided for in future planning applications. In combination, the proposed Site 3 dwellings and the future proposals will deliver an overall total of 193no. dwellings in KUC-S1, in line with the requirements of the Planning Scheme.

Overall, as demonstrated in Table 9 above, the total dwelling numbers proposed within Site 3 (580no.) is consistent with the overall range (low margin, target and

high margin) of dwelling numbers for those parts of the Kishoge North West and Kishoge Urban Centre Development areas contained within Site 3. I consider that the total number of dwellings proposed within Site 3 is consistent with the Planning Scheme.

#### 7.4.5 Residential Density

Residential Density is prescribed per Sub-Sector, in accordance with the density margins set out in **Table 2.1.8** of the Planning Scheme, as follows:

| Sub-Sector | Net Site Area | Net Density Margin Per Ha (Min) | Net Density Margin Per Ha (Max) | Proposed Net Density Site 3 |
|------------|---------------|---------------------------------|---------------------------------|-----------------------------|
| KNW-S1*    | 7.73ha        | 42dph                           | 52dph                           | 42dph                       |
| KNW-S2     | 2.27ha        | 55dph                           | 65dph                           | 61dph                       |
| KNW-S3     | 1.16ha        | 55dph                           | 65dph                           | 74dph                       |
| KUC-S1*    | 1.59ha        | 65dph                           | 125dph                          | 20dph                       |

**Table 10 – Comparison of Residential Density Targets for Kishoge North West Sub Sectors** (extract from Table 2.1.8 of SDZ Planning Scheme) and Proposed density within KSG 3. (\* SITE 3 only occupies part of KNW-S1, KNW-S2 & KUC-S1)

As identified previously, Site 3 occupies the following proportion of each of the sub-sectors:

93% of **KNW-S1** resulting in a net site area of c. 7.2ha.

94% of **KNW-S2** resulting in a net site area of c. 2.13ha.

100% of **KNW-S3** resulting in a net site area of c. 1.16ha.

49% of **KUC-S1** resulting in a net site area of c. 0.78ha

This is reflected in **Table 11** below, with the application of the Planning Scheme density range to that part of the **KNW-S1, KNW-S2, KNW-S3** and **KUC-S1** within Site 3, and thus the proposed Site 3 density, as follows:

| Sub-Sector | Net Site Area | Net Density Margin Per Ha (Min) | Net Density Margin Per Ha (Max) | Proposed Net Density SITE 3 | % above / below density range |
|------------|---------------|---------------------------------|---------------------------------|-----------------------------|-------------------------------|
| KNW-S1*    | 7.2ha         | 42dph                           | 52dph                           | 45dph                       | -                             |
| KNW-S2     | 2.13ha        | 55dph                           | 65dph                           | 65dph                       | -                             |
| KNW-S3     | 1.16ha        | 55dph                           | 65dph                           | 74dph                       | +14%                          |

|         |        |       |        |       |      |
|---------|--------|-------|--------|-------|------|
| KUC-S1* | 0.78ha | 65dph | 125dph | 41dph | -37% |
|---------|--------|-------|--------|-------|------|

**Table 11 – Comparison of Residential Density Targets for Kishoge North West Sub Sectors** (extract from Table 2.1.8 of SDZ Planning Scheme) using net site area of SITE 3 within KNW-S1, KNW-S2 & KUC-S1)

It may be further noted that the Planning Scheme allows:

*“In the interest of flexibility, each of the density margins are based on a density target, which is then subject to a permissible **margin of 10 dwellings per hectare (+5 dph, - 5dph)**. The lower end of each of the density margins represents the minimum densities achievable and the upper end of each of the density margins represents the maximum densities achievable in each Sub Sector.”*

The proposed residential density within Sub Sectors **KNW-S1 and KNW-S2** are **consistent** with the Planning Scheme minimum and maximum density margin.

The proposed residential density within Sub Sector **KNW-S3** (at 74 dph) **exceeds the upper density range** of 65 dph. This also exceeds the permissible margin of +5 dph at the upper density margin.

As identified above, 2.9% of the maximum unit threshold in KNW-S1 (i.e. 11no. units) have been reallocated to adjacent KNW-S3. This has a knock-on impact on the resultant residential density for the sub-sector. As the Planning Scheme allows for transfer of units between subsectors, I am of the opinion that this modest transfer between sub-sectors within the same Site 3 development proposal, while a departure from the detail, is generally consistent with the overall dwelling numbers and density range for this character area, prescribed by the Planning Scheme and would not materially contravene the development objectives of the planning scheme.

The proposed residential density within Sub Sector **KUC-S1** falls below the lower end of the density margin. I agree that the mixed use, urban centre, nature of KUC, where dwellings per hectare is not a totally accurate reflection of density. Within this development tile, Site 3 occupies only part (49%) of KUC-S1. I note that all of the Open Space provision for KUC-S1 (Table 2.13.1 ‘Summary of Planning Scheme Tables’ indicates 1500 sq. m minimum) is delivered within Site 3, further skewing the residential density calculation. As such, I would agree that it would be unreasonable

to conclude that this part of Site 3 is inconsistent with the development objectives of the Planning Scheme for the Kishoge Urban Centre area.

The Architectural Design Statement prepared by O'Mahony Pike Architects confirms that 161no. residential units can be provided through future planning applications within the balance of KUC-S1. Combined with the Site 3 proposal for this sub-sector, a resultant density of c.120dph would be achieved in KUC-S1, consistent with the density range of the Planning Scheme.

The applicants submits that if the Comisiún deem it necessary, the applicant is open to a condition omitting the required number of units from KNW-S3 to provide a net density within the density ranges provided for within the Planning Scheme.

Regard being had to this submission, I consider that the proposed residential density within Sub Sector KNW-S1, KNW- S2, KNW-S3 and KUC-S1 is consistent with the Planning Scheme minimum and maximum density margin, noting the allowance for transfer of units, partial build out of subsectors, provision of open space and the potential for future development on the balance of the lands.

Overall I consider that the density targets ranges while deviate from the planning scheme given justification and reasoning would not materially contravene the overall dwelling numbers and density range objectives prescribed by the planning scheme.

#### **7.4.6 Residential Dwelling Mix**

Section 2.1.6 of the Planning Scheme states: -

*“The range of dwellings permitted in Clonburris include houses, townhouses, duplex units, maisonettes and apartments (including Build to Rent and Shared Accommodation).”*

The proposed Site 3 development includes a mix of dwelling types in the form of houses, duplex / triplex and apartments, including: -

- 145no. houses.
- 359no. duplexes / triplexes
- 76no. apartments
- The associated mix of dwelling sizes is as follows: -

- 140no. 1 bed units (24%)
- 151no. 2 bed units (26%)
- 289no. 3 bed units (50%)

The Planning Scheme does not prescribe a specific dwelling mix ratio for the SDZ development area, its Character Areas or sub-sectors, in order to facilitate market flexibility over the lifetime of the plan.

However, it is noted that the current County Development Plan prescribes that:

*“Proposals for residential development shall provide a **minimum of 30% 3-bedroom units, a lesser provision may be acceptable** where it can be demonstrated that:*

*there are unique site constraints that would mitigate against such provision; or*

*that the proposed housing mix meets the specific demand required in an area, having regard to the prevailing housing type within a 10-minute walk of the site and to the socio-economic, population and housing data set out in the Housing Strategy and Interim HNDA; or*

*the scheme is a social and / or affordable housing scheme”*

The proposed development at Site 3 includes 289no. 3-bed dwellings, equivalent to 50% of the dwelling mix. This is consistent with the Development Plan requirement for a minimum of 30% 3-bedroom units.

Duplex and Triplex units are categorised as apartment units. Therefore, the mix of such unit types is under the Apartment Guidelines (2023) which was the appropriate context at the time of lodgement of the application

**SPPR 1** of the Apartment Guidelines requires that,

*“Housing developments may include up to **50% one-bedroom or studio type units** (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms.*

*Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence-based Housing Need and Demand Assessment (HNDA), that has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development plan(s).”*

When the housing units (145no.) are excluded, 435no. apartment type units are proposed, with a mix is as follows:

140no. 1 bed units (32%)

151no. 2 bed units (35%)

144no. 3 bed units (33%)

The proposed number of 1-bed units in Site 3 does not exceed 50% and is consistent with SPPR 1 of the Apartment Guidelines (2023) which was the appropriate context at the time of lodgement of the application.

Regard is had to the Design Rationale, Schedule of Accommodation and Housing Quality Assessment (HQA), prepared by O’Mahony Pike Architects which demonstrates the mix and quality of the dwellings proposed.

#### 7.4.7 Dwelling Size and Private Amenity Space

The Planning Scheme requires that all proposed houses shall accord with or exceed the minimum floor area standards set out in Table 2.1.9.

In respect to apartment units, the Planning Scheme requires that all apartments shall accord with or exceed the open space and floor area standards set out in Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities and as provided in Table 2.1.10 of the Planning Scheme.

**Table 2.1.9** | Minimum Space Standards for Houses

| Type of Unit         | Houses   | Private Open Space |
|----------------------|----------|--------------------|
| One Bedroom          | 50 sq.m  | 48 sq.m            |
| Two Bedroom          | 80 sq.m  | 55 sq.m            |
| Three Bedroom        | 92 sq.m  | 60 sq.m            |
| Four Bedroom or more | 110 sq.m | 70 sq.m            |

**Table 2.1.10** | Minimum Space Standards for Apartments

| Type of Unit         | Apartments | Private Open Space | Communal Open Space | Storage |
|----------------------|------------|--------------------|---------------------|---------|
| Studio               | 40 sq.m    | 4 sq.m             | 4 sq.m              | 3 sq.m  |
| One Bedroom          | 45 sq.m    | 5 sq.m             | 5 sq.m              | 3 sq.m  |
| Two Bedroom          | 73 sq.m    | 7 sq.m             | 7 sq.m              | 6 sq.m  |
| Three Bedroom        | 90 sq.m    | 9 sq.m             | 9 sq.m              | 9 sq.m  |
| Four bedroom or more | 105 sq.m   | 12.5 sq.m          | 12.5 sq.m           | 12 sq.m |

## **Table 12 – Minimum Space Standards for Apartments from the Clonburris SDZ Planning Scheme.**

I confirm that the plans and particulars prepared by O'Mahony Pike Architects, demonstrate compliance with the dwelling size and amenity standards of Table 2.1.9 and minimum space standards for apartments, as provided, in Table 2.1.10 of the Planning Scheme and the Apartment Guidelines (2023) which was the appropriate context at the time of lodgement of the application.

### **7.4.8 Non-Residential Development**

As identified in Planning Scheme Table 3.3.7 for Kishoge North West, there is no specified quantum for any non-retail commercial, retail or community uses within the residential subsectors of Site 3.

A childcare facility (c. 553 sqm) is proposed in the northern section of Site 3, close to the school site. The location of the childcare facility is justified, having regard to the Planning Scheme promotion of:

*“the co-location of purpose built childcare facilities with primary schools and supports the provision of purpose built childcare facilities adjacent to existing or planned primary schools. Childcare facilities should be within walking and cycling distance of educational, community facilities and employment locations.”*

The childcare facility is also near the existing Lucan East Educate Together National School to the north. The Kishoge Urban Centre is also easily accessible, within walking distance to the east, which will provide a range of non-retail commercial, retail development and community uses for Kishoge Northwest.

The Planning Scheme Table 3.3.6 for Kishoge Urban Centre identifies the quantum of non-retail commercial, retail development and community uses required within this development area. However, it is submitted that given the minor extent of KUC-S1 contained within the Site 3 boundary, it is only possible to deliver the required open space (1500sq. m) and 32no. residential units within the site area.

Supporting documentation with the application submits that as the local authority is not a commercial developer, it is envisaged that the balance of the Kishoge Urban Centre mixed use will be delivered by others in separate future applications. The Architectural Design Statement, prepared by O'Mahony Pike Architecture, envisages

as a masterplan exercise that c. 2,500sqm of employment and c. 300sqm of retail uses is capable of being delivered in the remaining part of the KUC-S1 Sub-Sector. This is considered acceptable 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), policy QDP15: Strategic Development Zones (SDZS) to “continue to implement the approved Planning Schemes for Adamstown and Clonburris SDZs”, set out in the South Dublin County Development Plan 2002 – 2028 and the to the key overarching principles of the Clonburris SDZ, 2019, Planning Scheme.

#### **7.4.9 Movement and Transport**

##### **Overall Movement Concept**

Figure 2.2.7 of the Planning Scheme sets the fixed and flexible Overall Movement Concept associated with the Kishoge North West Development Area of the Clonburris Planning Scheme.

Section 3.2.1 of the statement of consistency with the planning scheme shows the street hierarchy (overall movement concept) with the application site indicatively outlined in green (Overlay by SLA). The proposed site layout plan for site 3 is also shown for context.

The existing ESB 38kv Balgaddy Station, located centrally within Site 3, is a significant site constraint to development in this area, and requires some, it is contended, necessary departure from the detail of the Planning Scheme, in terms of junction functionality along existing Adamstown Avenue.

The proposed design has been co-ordinated with recently granted North Link Street (NLS) under SDZ24A/0033W and the fixed link street alignment remains consistent with the Planning Scheme. Some minor amendments to the detailed junction movement concept are proposed. Table 2.2.1 – ‘Street Hierarchy, Alignment and Speed’ of the Planning Scheme confirms that Local Streets (Internal Local Streets & Homezones/Intimate Local Streets) are flexible in terms of their alignment and centre line. As the local street is not fixed, I agree that the current encroachment of the existing ESB station does not then render the Site 3 plan inconsistent with the Planning Scheme indicative junction diagram.

I note third party concern from Tullyhall Residents Association and other third parties with respect to connectivity from site 3 to Tullyhall Rise, Tullyhall Crescent, Rossberry Park, Rossberry Terrace. Concerns raised centre upon increase in levels of noise, litter and anti-social behaviour. The concerned residents would like to see any proposed pedestrian or other connections / openings subject to further public consultation. Clarification is sought of 'an intimate street connection with vehicular access at Tullyhall Rise (Connection C)'. Cllr. Madeline Johansson welcomes 'only pedestrian / cycle links'.

The 'Proposed Intimate Street' in the north western section of Site 3 is proposed as a 'potential future' connection to Oldbridge Court, only slightly further west than the location identified within Figure 2.2.7 of the Planning Scheme. The applicant's statement of consistency states that: 'Its indicative position as identified in the Planning Scheme (i.e. intimate streets are not 'fixed') is not feasible, given that it adjoins to the rear garden of an existing house in Oldbridge Glen. The 'Intimate Street' at the proposed location in Site 3 will facilitate achievable, sustainable pedestrian and cycle links to the existing Griffeen residential community, in a manner that remains consistent with the key objectives of the Planning Scheme for the Kishoge North West Development Area'.

The applicant respectfully submit's that this minor departure from the detail of the 'intimate street' connection to the existing Griffeen housing area is not in conflict with the Planning Scheme plan for this area.

It is highlighted that a link to the Griffeen housing area is facilitated via a proposed area of public open space (Rossberry Park) in the north western corner of Site 3, generally in accordance with the Planning Scheme to provide a link to the existing neighbouring open space at Griffeen.

From the information on file, I note that the Site 3 proposal has two physical connections into adjoining estates: one vehicular, cycling and pedestrian connection via Tullyhall Rise (C), and one cycling and pedestrian connection via Rossberry Park (B). Potential future pedestrian and cycling connections are indicated at Oldbridge Grove (F) and Tullyhall Drive (E), they are facilitated for future use, but not currently proposed as part of this application.

The Architectural Design Statement indicates that only Tullyhall Rise and Rossberry Park can be delivered due to private ownership issues at the adjoining Cul-de-sacs. A Stage 1 Road Safety Audit was provided in Appendix D of the Site 3 - Infrastructure Design Report. It did not identify any road safety issues with the intimate street connection to Tullyhall Rise.

The applicant has maintained a vehicular connection to Tullyhall Rise, as in the Planning Application Reg. Ref. SDZ22A/0001 & SDZ23A/0033 submitted by ESB Telecoms Ltd, a Right of Way is shown on Site Location Maps connecting through to Tullyhall Rise.

The applicant submits that the proposed intimate street connection to Tullyhall Rise is consistent with the SDZ Planning Scheme. However, if deemed necessary, a hammerhead cul-de-sac could also be provided and has been tested to be feasible from a technical point of view. I am of the opinion connectivity via Tullyhall Rise, in particular, pedestrian and cycle connectivity should be enhanced. The east – west connection will improve access but also enhance wider pedestrian and cycle networks, supporting sustainable travel and promoting stronger integration with the existing urban fabric. I note the planning scheme states:

‘Local streets designated as Home Zones/Intimate Local Streets shall incorporate carriageways and junctions designed for shared use by pedestrians, cyclists and motorised vehicles’. I consider the proposed ‘intimate street connection’ via Tullyhall Rise is in accordance with Figure 2.2.7 of the Planning Scheme fixed and flexible overall movement concept. Overall, I have no issue with the layout as proposed and consider it enhances connectivity and is in accordance with the planning scheme.

#### **7.4.10 Car Parking Standards**

The quantum of car parking spaces has been raised as a concern by third parties. It is submitted that existing car parking is already constrained and the proposed development risks worsening these shortages without sufficient new provision.

Section 2.2.6 of the Planning Scheme states: -

*“The car parking standards for the key land uses in Clonburriss are set out under the South Dublin County Council Development Plan 2016 – 2022 and the Transport Assessment and Strategy that accompanies this Planning Scheme. The standards are maximum parking standards and should not be viewed as a target. Details in relation to the design of car parking are set out under Section 2.8 (Built Form and Design) of this Planning Scheme.”*

I note that Zone 2 parking standards prescribed under the Development Plan shall be applied to all areas that have been identified with an Accessibility Level of 1, 2 or 3. Zone 1 parking correspond to the Parking Zones stated in the Development Plan accordingly: -The ‘Accessibility Levels’ identified in Figure 2.2.8 of the Planning Scheme standards shall be applied to all other areas of the SDZ lands.

Site 3 is located within an Accessibility Level 1 area, as identified in Figure 2.2.8 of the Planning Scheme. As such the Zone 2 parking standards of the County Development Plan apply to the proposed development.

I refer to my assessment of car parking under Material Assets Traffic in the EIAR assessment (section 8.5.6) which forms part of the overall assessment of the subject development. I note that as set out in my EIAR assessment Table 12.26 of the Development Plan outlines maximum parking rates for residential development while Table 12.25 outlines maximum parking rates for non-residential development.

At Site 3, the maximum quantum of car parking spaces for residential development is 657no. space while the maximum quantum for the creche use is 3no. spaces. It is therefore proposed to provide 456no. spaces, including 23no. accessible spaces and 3no. creche spaces, in accordance with the Development Plan requirements.

I highlight that the Planning Scheme allows that car free housing may be considered in the higher density areas of the SDZ lands adjacent to Public Transport interchanges and within the urban centres planned around the Clondalkin-Fonthill and Kishoge rail stations only. It is stated that reduced parking provision (including near zero or zero parking provision) for individual developments may be acceptable subject to the degree of compliance with the following:

- The proximity of the site to the Kishoge and Clondalkin-Fonthill Railway Stations;

- The proximity of the development to services that fulfil occasional and day to day needs;
- Demonstration that car parking can be shared between complementary land uses including Park and Ride Facilities;
- The existence of a robust and achievable Workforce Management or Mobility Management Plan for the development;
- The ability of people to fulfil multiple needs in a single journey;
- The levels of car dependency generated by particular uses within the development;
- The ability of residents to live in close proximity to the workplace;
- Peak hours of demand and the ability to share spaces between different uses; and
- Uses for which parking rates can be accumulated.

The proposed development provides for 453no. surface car parking spaces to serve residential units. This gives a parking ratio of 0.78 spaces per unit. Given proximity to Kishoge railway station, the County Development Plan standards and precedent set by permitted schemes within the adjoining SDZ lands, I consider car parking quantum proposed, is in line with the planning scheme and acceptable.

As per the requirements of the Development Plan, 100no. (c.33%) of these car parking spaces within Site 3 shall be equipped with functional EV charging points and shall be reserved for the use of battery-powered electric vehicles. The balance of the proposed car parking spaces in Site 3 will be ‘future-proofed’ through the inclusion of cables or ducting to allow the rapid future installation of additional EV charging points, as allowed by the Planning Scheme for this type of development.

The applicants submit that while it is acknowledged that the planning scheme states: *“developments should provide charging points for the charging of electric vehicles at a rate of 100% of the car parking provision”*. It is noted that SDCC, as planning authority, has not been imposing this provision within the SDZ area and instead considers the Development Plan requirement for 20% to be generally appropriate. This approach has been adopted by SDCC in recent precedent cases in the

Planning Scheme area, including SDZ24A/0033W, SDZ23A/0004 and SDZ23A/0018.

Based on the above precedents, noting that a significant quantum (33%) of EV parking is proposed and that the balance of all car parking spaces will be 'future-proofed' through the inclusion of cables or ducting to allow the rapid future installation of additional EV charging points, I consider the proposal to be broadly consistent with the EV parking objectives of the Planning Scheme. I am of the opinion that while this matter is a deviation, it is not a material contravention, given precedent set by similar other recent permitted development in the vicinity..

In addition, 22no. spaces (5%) are provided for accessible parking spaces.

I refer the Comisiún to my EIAR Assessment and to the Car Park Management Strategy proposed. A management regime will be implemented by the development's management company to control access to the on-site car parking spaces thereby actively managing the availability of on-site car parking for residents of the development. Infrastructure measures identified to reduce reliance on private vehicles include the provision of ample secure cycle parking on site and ensuring a design which promotes permeability for pedestrians and cyclists to, through and from the development. The high level of high-frequency public transport facilities (Dublin Bus, Irish Rail) will also act as a mobility management measure, as residents can rely on public transport over the private vehicle.

Given the foregoing and that the quantum of car parking is in accordance with the Clonburriss SDZ Planning Scheme and South Dublin County Development Plan it is concluded that the proposals represent a sustainable and practical approach to redevelopment on the subject lands.

#### **7.4.11 Bicycle Parking**

The proposed development provides 1,116no. bicycle parking spaces, consisting of 882no. long stay and 234no. short stay spaces. In accordance with the requirements of the Planning Scheme, 23no. electric cycle spaces are provided.

I note the Traffic & Transport Assessment and Mobility Management Plan, prepared by DBFL Consulting Engineers. It is submitted that the bicycle parking provision is in accordance with the planning scheme and the County Development Plan.

I note that the development plan states that long stay cycle parking shall be provided at a standard of 1 space per apartment unit and that, short stay / visitor cycle parking shall be provided at a standard of 1 space per 2 residential apartment ie. I calculate a requirement for 874 long stay spaces and 218 short stay spaces are required. I note also requirement for non residential floor space i.e. creche. The bicycle parking proposed complies with requirements and is acceptable.

#### **7.4.12 Transport Assessment**

In addition to compliance with the planning scheme, under this issue, I note that there are site wide concerns raised about traffic congestion, public transport capacity and car parking provision. The submission made by BPS Planning & Development Consultants, on behalf of Tullyhall Residents Association seeks clarification as to whether a Road Safety Audit was submitted for the application.

I note that a Transport and Traffic Assessment, has been prepared by DBFL Consulting Engineers, in relation to the likely impact of the proposed Site 3 scheme on street traffic and vehicle parking needs. Details of the vehicle and cycle parking provided for the proposed development are set out in Chapter 14 of the EIAR, see the assessment, in the EIAR Assessment section of this report, for further details.

A Stage 1 Road Safety Audit was conducted for the subject site and completed in January 2025. The full Stage 1 Road Safety Audit is provided in Appendix D of the Infrastructure Design Report. Matters raised have been dealt with in the design.

The proposed development has been tracked to show that the development's proposed streets and turning heads will accommodate a large refuse vehicle as shown on drawing KSG3-DBFL-95-XX-DR-C-1201. Refuse staging areas have been indicated on these drawings indicatively and reflect the proposed refuse collection areas of the refuse collection strategy.

Mitigation measures proposed include CMP, mobility design, MMP, car parking management strategy, bicycle parking facilities, sustainable transport infrastructure and connections, car sharing, car clubs, and walking infrastructure. I am of the opinion as concluded in the EIAR assessment that the subject proposal will not result in a material deterioration of local road conditions above that which is already forecast. That the proposals represent a sustainable and practical approach to

redevelopment on the subject lands and there are no traffic or transportation related reasons that should prevent the granting of planning permission for the proposed development.

#### **7.4.13 Mobility Management Plan**

As set out in the EIAR Assessment A Mobility Management Plan has been carried out by DBFL Consulting Engineers, for Sites, 3, 4 and 5. I refer the Coimisiún to Appendix 13.4 'Site 3, 4, 5 – Mobility Management Plan', May 2025.

The measures proposed in this document will benefit the residents and will also help to mitigate any transport impacts of the developments on the wider local community. The initiatives encourage sustainable travel modes and reduce car borne traffic within the Site 3 scheme.

#### **7.4.14 Green and Blue Infrastructure**

It is an overarching principle of the Planning Scheme to: -

*“Deliver a network of high quality green and blue infrastructure spaces and public parks while protecting, enhancing and sensitively upgrading the natural, built and cultural assets of Clonburris lands.”*

Some of the Key Principles for green and blue infrastructure in the Planning Scheme that relate to the proposed development are as follows: -

- 'To protect, enhance and develop an interconnected green and blue infrastructure network of parks, open spaces, hedgerows, grasslands, protected areas, rivers and streams for amenity and recreation, biodiversity protection, flood management and adaptation to climate change'.
- 'To retain and improve key landscape and ecological features such as hedgerows, the Grand Canal and the Griffeen River'.
- 'To incorporate new elements of Green and Blue Infrastructure such as tree planting, parks and natural open spaces and sustainable urban drainage systems'.
- 'To seek to retain hedgerows, aquatic habitats and established tree lines wherever possible'.

The proposed landscape scheme is a key component of the integration of the new building environment with the existing and permitted landscape conditions. The key landscape features to support green infrastructure include: -

- A range of public amenity spaces are available to allow prospective residents to avail of opportunities for passive and active recreation.
- The design of local and intimate streets will enhance permeability and quality of facilities for pedestrian and cyclists, encouraging active travel through the proposed development and to adjacent amenity areas.
- Proposed open space and green infrastructure network consisting of a series of bio-diverse, multi-functional open spaces connected by coherent, integrated and evolving green links that facilitate biodiversity corridors.

I note the Landscape Masterplan Drawings and Landscape Design Report, prepared by Doyle & O'Troithigh Landscape Architects for further detail on the landscaping proposals within Site 3. Also the Tree Survey and Planning Report and associated Arborist Drawings, prepared by John Morris Arboricultural Consultancy.

Regard being had to my landscape assessment set out in the EIAR section of this report and to the plans and particulars prepared by Doyle & O'Troithigh Landscape Architects, I consider that the proposed development has been designed to be consistent with Figure 2.3.1 – Green Infrastructure Network of the Planning Scheme.

#### **7.4.15 Sustainable Urban Drainage**

Section 2.3.2 of the Planning Scheme states: -

*“It is essential that open spaces accommodating SUDS measures such as attenuation ponds, shall be designed in order to achieve a balance between surface water management and high quality open space.*

The key elements of the proposed SUDS measures are as follows:

- *The SUDs shall be designed into the street, public squares and open space network, as a series of ‘wet’ and ‘dry’ landscape elements. These should be of a high quality to achieve a multifunctional space for amenity, biodiversity and surface water management and should include grasses and swales, and high quality, well designed attenuation ponds and constructed wetlands.*

- *A system of infiltration trenches, tree pits, permeable paving green roofs, and other elements shall be provided that should direct surface water to attenuation areas.*
- *Swales should be designed as linear landscape elements and used as elements to enhance streetscape and neighbourhood character and identity.*
- *Surface water should be captured and treated within the curtilage of each site using green roofs, rainwater gardens, filter trenches or bio retention units.”*

As presented within the engineering pack prepared by DBFL Consulting Engineers and landscaping pack prepared by Doyle & O'Troithigh Landscape Architects, SuDs features incorporated in the proposed Site 3 development include permeable paving, bio-retention systems/raingardens, roadside swales and green roofs. This, I consider, is in line with the requirements of the Planning Scheme.

#### **7.4.16 Built Form and Design**

Design Criteria

Section 2.8.2 of the Planning Scheme states: -

*“To ensure coherency and quality in design, all medium to large scale development proposals on the SDZ lands (Landmark Buildings, 10 dwellings or more in the case of residential development or development of over 1,000 sq.m in the case of employment or retail/ retail services development) shall be accompanied by a Design Rationale...”*

I note the Design Rationale, prepared by O' Mahony Pike Architects, for further detail in respect of the architectural coherency and quality of the proposed design of the Site 3 development, having regard to the design criteria of the Planning Scheme. In terms of finishes, I note three types of finishes are used throughout the scheme, in the surrounding houses and duplexes. A white finished brick, a brown brick and off-white render. The predominant roof grain so the housing to the park frontage presents a different character. Alternating brick and render finishes are used to create a dynamic frontage, contrasting to the consistent finishes of the surrounding houses.

The following sets out a high-level summary of the key design criteria, inclusive of Block Size and Form and Building Height in the sections below.

#### **7.4.17 Block Size and Form**

Section 2.8.3 of the Planning Scheme states: -

*“Development across the SDZ lands shall be shaped and defined by the street network prescribed under the Movement and Transport section of this Planning Scheme (Section 2.2) and shall be divided into a series of blocks that present strong building frontages to surrounding streets especially at corners.”*

As outlined previously, above, under Movement and Transport, the proposed Site 3 street network is aligned with the fixed link streets (existing Adamstown Avenue arterial street and permitted North Link Street). The layout proposed is consistent with the layout of the indicative local and intimate streets, and the design of priority and non- priority junctions. The proposed development has due regard to the typology, primacy, alignment and design speed further specified in Table 2.2.1 of the Planning Scheme.

It is submitted that the prescriptive nature of the existing and permitted infrastructure identified certain necessary departures from the detail of the streets and building lines diagrams of the Planning Scheme, to address:

- The existing ESB 38kv Balgaddy Station affecting junction functionality along existing Adamstown Avenue and the North Link Street.
- Adjustment of building lines along the eastern edge of the site to existing strategic gas and watermains infrastructure that cannot be relocated.
- Adjustment of the indicative local streets in the area of the existing ESB station.
- Adjustment of ‘Proposed Intimate Street’ connections with the Griffeen housing area to the north.

The Site 3 layout compared to extract from Figure 2.8.5 of the SDZ Planning Scheme shows fixed urban design requirements (building lines, centre lines, parks/squares and urban grain). There are three minor departures from fixed line detail, due to need to respond to existing strategic infrastructure (site constraints).

It is highlighted that the ESB 38kv Balgaddy Station is a significant existing strategic site constraint towards the centre of Site 3.

It is necessary to depart from the detail of fixed building lines and road centre lines at the locations within the Kishoge Character Area site plan, in order to:

- retain existing public infrastructure and wayleaves of regional significance in the centre and along the eastern edge of Site 3, and
- allow the proposal to better integrate with the existing Oldbridge Grove development to the northwest of Site 3.

I note that in seeking to positively address the site constraints posed by existing strategic public infrastructure), the proposed Site 3 plan integrates the undevelopable service corridor areas as green infrastructure spaces and links, which connect the proposed residential development and associated services/utilities with the surrounding existing housing and existing and permitted school sites. This, I consider will ensure a sustainable, well-connected, permeable neighbourhood with accessible and usable green open space amenity.

As stated above, the 'Proposed Intimate Street' in the north western section of the site has been proposed as a potential future connection to Oldbridge Court, only slightly further west than the location identified within Figure 2.2.7 of the Planning Scheme. The 'Proposed Intimate Street' at this location will help enable links to the existing Griffeen community in accordance with the key objectives for the Kishoge North West Development Area. Table 2.2.1 - Street Hierarchy, Alignment and Speed of the Clonburris Planning Scheme instructs that Local Streets (Internal Local Streets & Homezones/Intimate Local Streets) are flexible in terms of their alignment and centre line.

As per the requirements of the Planning Scheme, fine urban grain has been provided to the north of the central park within the Site 3 site. This is required to "*provide for physical, visual and land use diversity in contrast to the predominant coarse grain*". At this location, dutch-billy roof profiles are proposed to narrow frontage housing to give a striking and unique surrounding to the park. Refer to the suite of photomontages and Architects Design Statement prepared by O'Mahony Pike Architecture for further illustration and description of how fine urban grain is achieved, in accordance with the Planning Scheme diagram, in Site 3.

#### 7.4.18 Building Height

Prescribed building heights are set out for each subsector and Development Area within the Clonburriss SDZ Planning Scheme.

The Planning Scheme confirms that general building heights are outlined in Figure 2.8.10, whilst more detailed requirements are set out in Section 3 – Development Areas.

Site 3 is located primarily within Development Area 7 – Kishoge North West, and including all or part of Sub Sectors KNW-S1, KNW-S2, KNW-S3. A small portion of the development is located within Development Area 6 – Kishoge Urban Centre, including part of Sub Sector KUC-S1.

The prescribed height for Sub Sectors KNW-S1, KNW-S2, KNW-S3 is **2-6 storeys**, whilst Sub Sector KUC-S1 has a prescribed height range of **3-8 storeys**. The applicant submits that while the Planning Scheme diagram provides an indication of how building height might be achieved to ensure appropriate frontage to fixed streets and strategic open space. That the planning authority has confirmed that the building height for the subsectors is prescribed by Tables 3.3.6 and 3.3.7 and that the diagram is indicative. This is noted, given the applicant in this case is the local authority.

The proposed building heights within Site 3 are consistent with the building height range of 2-6 storeys for the relevant sub sectors, as confirmed in Table 3.3.7 for Kishoge North West Sub Sectors KNW-S1, KNW-S2, KNW-S3 and 3-8 storeys as per Table 3.3.6 for Kishoge Urban Centre Sub Sector KUC-S1.

Building height will also be generally consistent with Figure 3.3.2 of the Planning Scheme, in seeking to present:

- a robust edge to Adamstown Avenue ('existing arterial route'), the permitted North Link Street and planned Kishoge Urban Centre;
- an appropriate urban frontage to the connecting 'local streets' to the public park and railway corridor; and,
- more modest height along the 'intimate local streets' and transitional areas to existing neighbouring housing to the north and west.

Overall, I consider compliance with building height as set out in the planning scheme acceptable.

#### **7.4.19 Services and Infrastructure**

##### **Water Supply**

The strategic objectives for the delivery of water services are set out by the Water Services Strategic Plan (WSSP) by Irish Water up to 2040. At a local level, SDCC manages aspects of the water supply and foul drainage networks.

The Planning Scheme notes that capacity in the surrounding water supply network is “*generally sufficient*” to supply the SDZ lands, and that the projected population of Clonburris has been taken into account by Irish Water in their planning for the Greater Dublin Area.

The Infrastructure Design Report prepared by DBFL Consulting Engineers confirms:

*“The watermains of the subject site will connect into the NLS trunk watermain infrastructure and the existing watermain infrastructure within Adamstown Avenue, creating three separate 180mm primary watermain loops serving the proposed development site. The 180mm loops within the subject site will then feed smaller 125mm distribution watermains. The connection to the public water main will include a metered connection with sluice valve arrangement in accordance with the requirements of Irish Water. Individual houses will have their own connections to the distribution main via service connections and boundary boxes. Individual service boundary boxes will be of the type to suit Irish Water and to facilitate domestic meter installation. Hydrants are provided for firefighting at locations to ensure that each dwelling is within the required Building Regulations distance of a hydrant. The development’s proposed water-main distribution system is shown on drawing SITE 3-DBFL-93- XX-DR-C-1351.”*

The Coimisiún is referred to the Statement of Design Acceptance, in respect of the proposed development, which demonstrates compliance with Irish Water Standards.

The Certificate of Feasibility received from Irish Water confirms that there is sufficient capacity for water supply.

Given my EIAR assessment of material assets, in particular Chapter 15 (Utilities) and Chapter 8 Water of the EIAR and the foregoing I consider the water supply infrastructure as proposed accords with the planning scheme and is acceptable.

### **Foul Water Drainage**

The Planning Scheme notes that wastewater infrastructure development within the SDZ must align with Irish Water's Strategic Network Development Plans for the SDZ.

The Infrastructure Design Report prepared by DBFL Consulting Engineers confirms:

*“The overall SDZ site has been divided into 7 separate foul water catchments, where the subject site is within Catchment W. The proposed site will benefit from foul infrastructure proposed as part of NLS. Trunk foul sewer network has been designed as part of the NLS to serve the subject site based on the average net density for Catchment W, ranging from the “Low Margin” to a “High Margin. Foul water has been split into 2no. separate sub-catchments for the subject site. It is proposed that the foul water generated in Kishoge Site 3 sub-catchment A will discharge into the existing Oldbridge foul outfall to the northwest of the proposed site. Foul water from Kishoge Site 3 sub-catchment B will be collected by sewers to be constructed as part of NLS works, discharged via gravity towards pumping station 3 (to the northeast of the site) and pumped east where it eventually discharges at the existing 9B trunk sewer on R113 Fonthill Road.”*

Given my EIAR assessment of material assets (utilities & waste) Chapters 14 and 15 and Chapter 8 Water of the EIAR and the foregoing I consider the water supply infrastructure as proposed accords with the planning scheme and is acceptable.

### **Surface Water Drainage**

A Surface Water Strategy (SWS) was carried out in respect of the Planning Scheme and forms part of the accompanying documents to the Planning Scheme.

The key principles of surface water management outlined in the Surface Water Strategy (SWS) accompanying the Planning Scheme are as follows: -

- Manage surface water runoff at source in order to prevent or reduce surface water flows.

- Manage water on the surface to intercept flows and direct them to areas designed to treat, store and discharge flows away from residential dwellings, businesses, and transportation networks, where disruption and flooding could occur.
- Develop a high quality SuDS integrated within public realm and public open space where feasible, to provide high quality and attractive 'green and blue' corridors, features and focal points with the SDZ landscape, which can also enhance local amenity, ecology and biodiversity.
- Effective operation and maintenance of SuDS measures, to ensure that such systems are operating to their designed capacity.
- Account for climate change and any changes to the amount of impermeable areas over the design life of the development, in accordance with the GSDS.

The Sustainable Urban Drainage Strategy (SuDS) strategy adopted for this development provides a comprehensive approach to the management of storm water on the site. SuDS measures proposed include the following: -

- Permeable paving.
- Tree Pits
- Bio-retention Areas / Rain Gardens

The SuDS measures proposed have been co-ordinated with the landscaping scheme presented by Doyle & O'Troithigh Landscape Architects. I note Mitigation measures proposed relate to incorporated design, erosion and sediment control, accidental spills and leaks control and emergency response plan. The cumulative impacts and the potential for interactions with the other EIAR topics have been adequately addressed in the EIAR assessment section of this report.

#### **7.4.20 Flood Risk Assessment**

I note the Site Specific Flood Risk Assessment prepared by DBFL Consulting Engineers for Site 3. This concludes:

*“The (Stage 1) Flood Risk Identification determined that the site is not likely to be impacted by future flood events. Although a number of past flood events occurred within a 2.5km radius, there were no historical flood events recorded within the*

*proposed development site. CFRAM maps show that the proposed development site is not likely to be impacted by fluvial or coastal flooding.*

*The (Stage 2) Initial Flood Risk Assessment determined that there are no significant potential flood sources that may affect the proposed development site. Therefore, the proposed development site is categorised as 'Flood Zone C'. Due to the existing ESB substation, the proposed development is classified as a 'Highly Vulnerable Development'. Although there was no need for further justification, a detailed assessment was carried out.*

*The (Stage 3) Detailed Flood Risk Assessment analysed the potential risk of flooding regarding the existing ESB substation and the proposed adjacent attenuation pond. The detailed assessment concluded that the existing ESB substation is not at risk from flooding. The proposed adjacent attenuation pond is designed to have a top water level of 56.363m AOD (For a 1% AEP storm) and a top of bank level of 56.80m. This top of water level of the attenuation pond is over 0.5m lower than the ESB substation level of 56.90m. An overland flood route will direct any excess surface water away from the ESB substation towards the northwest of the site."*

I refer the Coimisiún to Chapter 8 of the EIAR, assessment of Water, concerns raised by third parties and full details of flood mitigation and site – specific FRAs is set out in the EIAR assessment section of this report. I cross reference that this assessment sets out that the drainage network (including SuDS systems) has been designed to catch stormwater runoff and will discharge to the trunk surface water network within the SDZ. For Site 3, overland flood routing has been incorporated to direct any excess surface water away from the ESB substation and dwellings in the case of the network reaching full capacity. Site 3 is not envisaged to have any significant flood risk to, or in the vicinity of, the proposed development.

#### **7.4.21 Energy and Efficiency**

The planning scheme identifies that the construction of new homes is required to comply with Building Regulations Part L.

I note that a Climate Action and Energy Statement prepared by MANDE Consulting Engineers is enclosed with the subject application.

The Climate Action and Energy Statement in relation to Site 3 states that the development will be a Nearly Zero Energy Building (NZEB) in accordance with the 2022 Part L requirements and the relevant sustainability policies within the South Dublin County Development Plan 2022-2028, see Chapter 11 Climate Change of the EIAR for further details of compliance. This is considered in accordance with the planning scheme and acceptable.

**7.4.22** With respect to assessment of and compliance with **Waste Management, Noise, Landscape and Open Spaces, Biodiversity and Natural Heritage, Archaeological Heritage and Architectural Heritage** generally and with the planning scheme, I refer to Chapter 6 Biodiversity, Chapter 9 Air (Noise & Vibration), Chapter 12 Landscape and Visual Impact, Chapter 14 Material Assets (Waste), Chapter 15 Material Assets (Utilities), Chapter 16 Cultural Heritage (Archaeological & Architectural). As noted throughout this report, the proposed development, as submitted to An Coimisiún Pleanála, has been subject of an Environmental Impact Assessment Report (EIAR). I am satisfied that Chapter 6 (Biodiversity) of the Environmental Impact Assessment Report prepared by JBA consulting engineers and the Appropriate Assessment Screening Report, prepared by Minogue & Associates Ecological Consultants have adequately considered the impact of the proposed development on biodiversity and natural heritage in combination with the relevant conditions proposed in the CEMP for Monitoring. Direct and indirect effects include change in visual and landscape character, landscape hedgerows and trees and other natural features and visibility. The proposed mitigation measures include site management procedures, site fencing layout and design, CEMP, layout and design, retention of hedgerows and trees, additional planting, landscaping, and public realm. As set out in the EIAR assessment I believe the cumulative impacts and the potential for interactions with the other EIAR topics have been adequately addressed.

I note the Construction Environmental Management Plan, prepared by DBFL Consulting Engineers, the Resource Waste Management Plan and the Operational Waste Management Plan prepared by AWN Consulting (Appendix 14.2) which detail mitigation and how waste will be managed during construction and operation of the proposed development. Cognisance is had the Planning Scheme notes that waste

and recycling needs to be fully considered and implemented in design, construction and operational phases of development.

I refer the reader to my assessment of Landscape and Visual Impact, Noise and Cultural Heritage (Archaeological & Architectural) in the EIAR assessment section of this report. Having regard to the foregoing, I am satisfied that the proposed development, is materially in compliance with the planning scheme, would not have any unacceptable direct, indirect, or cumulative effects on the environment.

Concerns raised by prescribed bodies and third parties with respect to individual issues / topics has been considered fully in the EIAR section of this report.

## **7.5 Character Areas**

**Site 4** located within 'Development Area 8- Kishoge South West' (including all of Sub Sectors KSW-S1 and part of KSW-S2) of the Clonburris SDZ Planning Scheme 2019 ("the Planning Scheme"). The key principles, fixed objectives and standards of the Planning Scheme of relevance to the proposed development are examined below.

The majority of Site 4 is zoned as 'Primarily Residential'. A small portion at its northwest corner is zoned as part of a wider 'Open Space Area' (Griffeen Valley Park to the west). As set out above, in section 7.2 'Zoning and Compliance with Policy' section of this report, the uses proposed as per 'proposed development, see Table 1 of Section 3.0 of this report, are considered 'permissible' and 'open for consideration' under these land use zonings.

The Planning Scheme identifies a number of Key Objectives for Development Area 8 – Kishoge south West. Table 13 below states the key objective in the first column. The applicant's confirmation of how the proposed Site 4 development is consistent with same is provided in the corresponding cell of the second column.

**Table 13 – Key Objectives for Development Area 8 – Kishoge South West accompanied by a consistency response.**

| Key Objective:  | Site 4 Consistency:   |
|---|---|
| <p><i>To develop a high quality residential neighbourhood at Kishoge South West integrating with existing housing;</i></p>                                | <p>The proposed development is representative of a high-quality residential-led scheme with supporting local commercial and community uses and open space amenities, within Kishoge South West.</p> <p>Note the overarching Part 10 architectural design statement, provided in the Architects Design Statement, prepared by O’Mahony Pike Architects. Refer also to the Site 4 specific architectural plans and design rationale prepared by DTA Architects. These illustrate and describe the proposed scheme, being consistent with the design principles for sub-sectors KSW-S1 and that part of KSW-S2, within Kishoge South West.</p> <p>For public open space and landscape design note the overarching Part 10 landscape design rationale provided by Doyle O’Trothaigh Landscape Architects. Also refer to the Site 4 specific landscape architecture plans and design rationale prepared by Bernard Seymour Landscape Architects.</p> <p>Key design moves, consistent with the development principles for this site include:</p> <ul style="list-style-type: none"> <li>• Sub Sector Density in accordance with the Planning Scheme (refer to Section 3.2.3);</li> <li>• Mix of Dwellings &amp; Tenure in line with the Planning Scheme and Development Plan (refer to Section 3.2.4);</li> <li>• Pedestrian and Cycle Connectivity throughout the site in line with the Planning Scheme (refer to Section 3.3);</li> <li>• Consistency with fixed streets and building lines (refer to Section 3.5.3);</li> <li>• Protection of Grand Canal Ecological Corridor as outlined in the submitted ecological, landscaping and architectural documentation;</li> <li>• Flood Risk Protection Measures as documented in the architectural, landscaping and engineering material.</li> </ul> |
| <p><i>To develop a new local node, Grange, comprising small-scale, local retail, service and community facilities, fronting Griffeen Valley Park;</i></p> | <p>The proposed development at Site 4 is in accordance with the parameters of the planning scheme with regards to the provision of non-residential floor space, including community, employment and retail uses.</p> <p>A community building is proposed at a small parcel of land projecting into the eastern edge of Griffeen Valley Park in the north western section of the application site. This use is ‘open for consideration’ at lands zoned ‘Areas of Open Space’, and is consistent with the Key Objective of the Planning Scheme, to locate a community facility fronting the Park.</p> <p>A local / neighbourhood retail unit (c.146 sq m) and a childcare facility (c.544 sq m) are proposed at ground floor in ‘Cluster F’, within the ‘Primarily Residential’ zoned land. Cluster F is located immediately south of the school site, within the fixed alignment of the South Link Street, at the Griffeen Park edge of the site, where such uses are ‘permissible’.</p> <p>Refer to the enclosed plans and particulars prepared by DTA Architects for further detail.</p>   |

|  |   |
|--|---|
| <p><i>To provide locally accessible open spaces of local and strategic importance;</i></p>                               | <p>Site 4 is bounded immediately by 2no. strategic open spaces, Griffeen Valley Park to the west and a linear park to the east, designated by the Planning Scheme.</p> <p>In addition, the strategic Grand Canal Green Way lies to the south and the green buffer to the rail corridor lies to the north of Site 4.</p> <p>There is local green amenity space surrounding Grange House in the south eastern corner of Site 4.</p> <p>A series of green networks, comprising of ecological corridors and linear parks traverse Site 4, connecting the proposed housing with green amenity spaces, as illustrated in the enclosed plans prepared by DTA Architects and Bernard Seymour Landscape Architects.</p>  |
| <p><i>To develop a new primary school with direct access to the Griffeen Valley Park.</i></p>                            | <p>An undeveloped site immediately north of proposed Cluster F in Site 4, within the alignment of the South Link Street, is designated for a school site. This will be subject of a separate planning application by the Department of Education.</p>   |
| <p><i>To ensure high levels of legibility and ease of orientation;</i></p>   | <p>Building height, street function and permeability, and links with local parks and green corridors within the proposed scheme are aligned with the Planning Scheme development parameters, which seek to achieve legibility, permeability and sense of place within Kishoge South West, as a new residential neighbourhood.</p> <p>Proposed building height within Site 4 is consistent with the general building height range of 2-4 storeys for Sub Sectors KSW-S1 and KSW- S2. The proposed building height and the linear park buffer, ensure that an appropriate transition is achieved to recently permitted residential development east of Site 4.</p> <p>Block F is 6 storeys and located on the eastern edge of Griffeen Valley Park. This localised building height is consistent with the intention of the Planning Scheme to create a local landmark building at this location.</p> <p>The integration of existing Grange House connects the new development with an established local landmark, enhancing local identity and way finding.</p> |
| <p><i>To provide a new Link Street/avenue to connect to the Kishoge Urban Centre and Adamstown extension;</i></p>        | <p>The Southern Link Street is permitted under SDZ20A/0021 and is currently under construction. The proposed development at Site 4 is required by the Planning Scheme to integrate with this fixed link street.</p>   |
| <p><i>To prioritise pedestrian and cyclist movement and to provide for local bus services along the avenue;</i></p>      | <p>Pedestrian and cycle routes permeate Site 4, providing sustainable transport connections through the site between the housing and the local supporting community, retail and employment uses and with the strategic parkland areas to the east and west.</p>   |
| <p><i>To provide for a range of housing along the new Link Street/avenue, and local streets including homezones;</i></p> | <p>The Southern Link Street is permitted under SDZ20A/0021. The proposed Site 4 development provides some of the housing along the fixed Southern Link Street. This street dictates the alignment of the fixed building lines within Site 4. More intimate homezones are then</p>   |
|  | <p>created towards the north east and southern ends of the site, back from the fixed Link Street.</p> <p>Part 8 housing development approved under SD228/0003, to the east of the linear park, within KSW-S3, KSW-S4 and KUC-S3, also will see the delivery of 263no. dwellings along the new Link Street.</p>  |

|  |  |
|--|--|
| <p><i>To provide a distinctive, diverse and quality frontage to the Canal corridor.</i></p>  | <p>Subsector KSW-S2 fronts onto the Grand Canal corridor along its western edge. Site 4 does not occupy the entirety of KSW-S2, and excludes the triangular wedge fronting the Canal.</p> <p>The proposed development of Site 4 has otherwise been designed to have due regard to the fixed buildings lines identified in the Planning Scheme, and to provide pedestrian and cycle permeability through the site to facilitate appropriate connections with the Canal Greenway corridor and other local green amenity spaces.</p>  |
| <p><i>To provide significant and integrated SUDS infrastructure, including a high amenity retention pond/lake;</i></p>   | <p>SuDs features incorporated into the proposed Site 4 development include permeable paving, bio-retention systems/raingardens, roadside swales and green roofs. This is in line with the requirements of the Planning Scheme.</p> <p>Refer to the accompanying engineering pack, prepared by Cronin Sutton Consulting Engineers, and landscaping pack, prepared by Bernard Seymour Landscape Architects, for further details and discussion.</p>  |
| <p><i>To promote the adaptive re-use of Grange House; and</i></p>  | <p>It is proposed to accommodate employment use (c.170 sq m) at Grange House. Amenity green space is provided around the curtilage of the House.</p>   |
| <p><i>Appropriate pedestrian access points to the Grand Canal to be sensitively designed in accordance with the Parks and Landscape Strategy and Biodiversity Management Plan.</i></p> | <p>The triangular land wedge along the southern edge of Subsector KSW- S2 fronting onto Grand Canal is not included within the Site 4 area.</p> <p>As such, the design and delivery of <u>direct</u> pedestrian access along the Canal frontage is outside of the scope of the Site 4 proposal. However, the proposed Site 4 layout does provide for pedestrian and cycle permeability to its south western corner and to that part of KSW-S2 that adjoins the canal edge. It also provides connections to the strategic open space lands to the east and west that provide green corridor connections with the Canal Greenway to the south and the rail corridor to the north.</p> <p>Proposed pedestrian or green linkage through the proposed Site 4 scheme, connecting with the lands adjoining the Grand Canal have due regard to the Parks and Landscape Strategy and Biodiversity Management Plan.</p> <p>Refer to the Site 4 site layout plan, prepared by DTA Architects, and to the Landscape Masterplan Drawings and Landscape Design Report, prepared by Bernard Seymour Landscape Architects for further detail on access points throughout the site.</p> |

### 7.5.1 Residential Units

Table 2.13.1 of the Planning Scheme prescribes the total number of dwellings for each Development Area and for each of its Sub-Sectors. The total dwelling numbers to be achieved should lie within the range of low margin, target and high margin figures identified below.

**Table 14** below provides a summary of the units proposed in each sub-sector lying within Site 4, compared with the range prescribed for each sub-sector by Table 2.13.1 of the Planning Scheme.

| Sub-Sector | Total Dwellings (Low Margin) | Total Dwellings (Target) | Total Dwellings (High Margin) | Site 4 Dwellings Proposed |
|------------|------------------------------|--------------------------|-------------------------------|---------------------------|
| KSW-S1     | 245                          | 275                      | 306                           | 316                       |
| KSW-S2     | 164                          | 184                      | 205                           | 120                       |
| Totals     | 409                          | 459                      | 511                           | 436                       |

**Table 14 – Comparison of Residential Unit Targets for Kishoge South West**

(extract from Table 2.13.1 of SDZ Planning Scheme) and proposed dwelling numbers within Site 4. (\* It should be noted that while Site 4 includes the entirety of subsector KSW-S1, it only occupies part of KSW-S2 c. 62%)

Within **KSW-S1 subsector** of Site 4, 316no. dwellings are proposed. This exceeds the ‘high margin’ threshold for the subsector, by 10no. dwellings (or by c. 3.3%). The applicant acknowledges that this cannot be justified by way of a 10% transfer from KSW-S2, as there are not enough dwellings in this smaller part of Site 4 to support this. In addition, it is submitted by the first party that the balance of the KSW-S2 lands cannot be relied on to deliver this transfer, as SDCC do not control the lands.

However, it is contended that, it is possible for transfer of units within the same Kishoge South West development area, adjacent subsector KSW-S3 which is controlled by SDCC. Within the KSW-S3 lands, a site measuring c.4.39 is subject of consent for 202no. dwellings (Part 8, SDCC Ref. SD228/0003 refers). The Planning Scheme identifies that these lands are to accommodate a ‘target’ total of 274no. dwellings, with a ‘high margin’ total of 298no. dwellings. Applying pro-rata figures to that part of the SDCC site within KSW-S3 would show that 202no. permitted dwellings are at the low dwelling margin. Having regard to the transfer provisions of the Planning Scheme, it would then be possible to transfer up to 10% of the total high margin allocation for this subsector to the adjacent KSW-S1 site:

| Sub-Sector      | Total Dwellings (Low Margin)                   | Total Dwellings (Target) | Total Dwellings (High Margin) | Units Consented on Site Layout Plan |
|-----------------|--|--------------------------|-------------------------------|-------------------------------------|
| KSW-S3 (total)  | 245  | 274                      | 298                           |                                     |
| SD228/0003 site | 202  | 227                      | 247                           | 202                                 |
|                 | <i>(SD228/0003 represents c.83% of KSW-S3)</i> |                          |                               |                                     |

**Table 15 – Comparison of Residential Unit Targets for Kishoge South West**

(extract from Table 2.13.1 of SDZ Planning Scheme) and consented dwelling numbers within KSW-S3 using pro rate figures.

10% of the high margin dwelling allocation applicable to SD228/0003 (i.e. 247no. dwellings), thus allows for up to 25no. dwellings to be transferred to adjacent subsector KSW-S1, lying within Site 4. This being consistent with the provisions of the Planning Scheme. Consequently, Site 4 has absorbed an additional 10no. dwellings within the KSW-S1 sub-sector, while also remaining consistent with the residential density standard for this subsector.

Within that part of the **KSW-S2 subsector** lying within Site 4, 120no. dwellings are proposed. This falls below the ‘low margin’ threshold. Similar to the case of SD228/0003, **Site 4** occupies only 70% of KSW-S2. The following pro rata dwelling ranges could then reasonably be applied to that part of KSW-S2 within subsector KSG-S2, rendering it consistent with the dwelling range and density for KSG-S2, as **per Table 16** below. This also allows for the residual high margin allocation to be delivered in the adjoining KSG-S2 lands to the south.

| Sub-Sector     | Total Dwellings (Low Margin)                 | Total Dwellings (Target) | Total Dwellings (High Margin) | SITE 4 dwellings Proposed |
|----------------|--|--------------------------|-------------------------------|---------------------------|
| KSW-S2 (total) | 164  | 184                      | 205                           |                           |
| Site 4 site    | 103  | 115                      | 128                           | <b>120</b>                |
|                | <i>(Site 4 represents c.62.4% of KSW-S2)</i> |                          |                               |                           |

**Table 16 – Comparison of Residential Unit Targets for Kishoge South West** (extract from Table 2.13.1 of SDZ Planning Scheme)

Overall, I agree that the dwelling numbers proposed within Site 4 are consistent with the overall range (low margin, target and high margin) of dwelling numbers allocated to the Kishoge South West development area, and its associated sub-sectors, as prescribed by the Planning Scheme. It is my conclusion, while there is a deviation or contravention in the transfer of dwellings between adjacent subsectors, the contravention is not material and the planning scheme allows for flexibility which has been justified by the applicant.

## 7.5.2 Residential Density

Residential Density is prescribed per Sub-Sector, in accordance with the density margins set out in **Table 2.1.8** of the Planning Scheme, as follows:

| Sub-Sector | Net Site Area | Net Density Margin Per Ha (Min) | Net Density Margin Per Ha (Max) | Density Proposed |
|------------|---------------|---------------------------------|---------------------------------|------------------|
| KSW-S1     | 6.12ha        | 40dph                           | 50dph                           | 52dph            |
| KSW-S2*    | 4.09ha        | 40dph                           | 50dph                           | 29dph            |

**Table 17** – Comparison of Residential Density Targets for Kishoge South West Sub Sectors (extract from Table 2.1.8 of SDZ Planning Scheme) and Proposed density within KSG 4.

As noted previously, **Site 4** only occupies 70% of subsector **KSW-S2**, resulting in a net site area of 2.86ha. Calculating the density based on this Site 4 net area within **KSW-S2**, results in the following compliant density being achieved at Site 4.

| Sub-Sector | Net Site Area | Net Density Margin Per Ha (Min) | Net Density Margin Per Ha (Max) | Density Proposed |
|------------|---------------|---------------------------------|---------------------------------|------------------|
| KSW-S1     | 6.12ha        | 40dph                           | 50dph                           | 52dph            |
| KSW-S2*    | 2.86ha        | 40dph                           | 50dph                           | 42dph            |

**Table 18** – Comparison of Residential Density Targets for Kishoge South West Sub Sectors (extract from Table 2.1.8 of SDZ Planning Scheme) using net site area of SITE 4 within KSW-S2

The Planning Scheme also allows that:

*“In the interest of flexibility, each of the density margins are based on a density target, which is then subject to a permissible **margin of 10 dwellings per hectare (+5 dph, - 5dph)**. The lower end of each of the density margins represents the minimum densities achievable and the upper end of each of the density margins represents the maximum densities achievable in each Sub Sector.”*

The applicant submits that should An Coimisiún Pleanála disagree and deem it necessary, the applicant is open to a condition omitting the required number of units to provide a net density within the density ranges provided for within the Planning Scheme. I consider that the proposed residential density within Sub Sector **KSW-S1**

**and KSW- S2 is consistent** with the Planning Scheme minimum and maximum density margin.

### **7.5.3 Residential Dwelling Mix**

Section 2.1.6 of the Planning Scheme states: -

*“The range of dwellings permitted in Clonburris include houses, townhouses, duplex units, maisonettes and apartments (including Build to Rent and Shared Accommodation).”*

- The proposed Site 4 development includes a mix of dwelling types in the form of houses, duplex / triplex and apartments, including: -
- 141no. houses
- 106no. duplexes
- 57no. triplexes
- 124no. apartments

The associated mix of dwelling sizes is as follows: -

- 65no. 1 bed units (14.9%)
- 177no. 2 bed units (40.6%)
- 186no. 3 bed units (42.7%)
- 8no. 4 bed units (1.8%)

The Planning Scheme does not prescribe a specific dwelling mix ratio for the SDZ development area, its Character Areas or sub-sectors, in order to facilitate market flexibility over the lifetime of the plan.

However, it is noted that the current County Development Plan prescribes that:

*“Proposals for residential development shall provide a **minimum of 30% 3-bedroom units, a lesser provision may be acceptable** where it can be demonstrated that:*

- *there are unique site constraints that would mitigate against such provision; or*
- *that the proposed housing mix meets the specific demand required in an area, having regard to the prevailing housing type within a 10-minute walk of the site*

*and to the socio-economic, population and housing data set out in the Housing Strategy and Interim HNDA; or*

- *the scheme is a social and / or affordable housing scheme”*

The proposed development at Site 3 includes 186no. 3-bed dwellings, equivalent to 42.7% of the dwelling mix. This is consistent with the Development Plan requirement for a minimum of 30% 3-bedroom units.

Duplex and Triplex units are categorised as apartment units. Therefore, the mix of such unit types is under the Apartment Guidelines (2023). **SPPR 1** of the Apartment Guidelines requires that,

*“Housing developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms. Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence-based Housing Need and Demand Assessment (HNDA), that has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development plan(s).”*

When the housing units are excluded, 295no. apartment type units are proposed, with a mix is as follows:

- 65no. 1 bed units (22%)
- 177no. 2 bed units (60%)
- 53no. 3 bed units (18%)

The proposed number of 1-bed units in Site 4 does not exceed 50% and is consistent with SPPR 1 of the Apartment Guidelines (2023).

Regard is had to the Design Rationale, Schedule of Accommodation and Housing Quality Assessment (HQA), prepared by O’Mahony Pike Architects which demonstrates the mix and quality of the dwellings proposed.

#### **7.5.4 Dwelling Size and Private Amenity Space**

The Planning Scheme requires that all proposed houses shall accord with or exceed the minimum floor area standards set out in Table 2.1.9.

In respect to apartment units, the Planning Scheme requires that all apartments shall accord with or exceed the open space and floor area standards set out in Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities and as provided in Table 2.1.10 of the Planning Scheme. Both tables are set out in the preceding section of this report in the assessment of Site 3.

I confirm that the plans and particulars prepared by O'Mahony Pike Architects, demonstrate compliance with the dwelling size and amenity standards of Table 2.1.9 and minimum space standards for apartments, as provided, in Table 2.1.10 of the Planning Scheme and the Apartment Guidelines (2023) which was the appropriate context at the time of lodgement of the application.

It is noted that Apartment Blocks F, H and J provide a generous areas of communal open space. However, it is contended that due to issues with management, access and physical constraints, it has not been possible to provide a dedicated area of communal open space for the duplex and triplex units. The solution however is to provide a significant overprovision/ doubling of private space for each unit, such that the quantum achieves the required provision for both private and communal space and in doing so, significantly enhance the amenity value of the dwelling. I agree with the applicant that while this issue may be considered a contravention, it constitutes minor non – compliance and does not amount to a material contravention of the planning scheme.

#### **7.5.5 Non-Residential Development**

Table 3.3.8 of the Planning Scheme requires that the following non-residential floor area quantum is accommodated within the Kishoge South West Development Area:

- Non-retail commercial development – **200 sq m minimum**
- Retail development – **550 sq m maximum**
- Community – **600 sq m minimum**

To date within the Kishoge South West Development Area, SD228/0003, an approved Part 8 development, includes c.276.3 sq m of community facilities and a

c.46.1 sq m homework room, within sub-sector KSW-S3. Note the Planning Scheme categorises 'Home Working' within the 'Employment Floorspace' sector.

Within proposed Site 4 (containing sub-sectors KSW-S1 and part of KSW-S2), Block F includes c.150sqm retail unit and a c.544 sq m childcare facility (with play area) at ground level, within the vicinity of the 'Grange Local Node' indicated by the Planning Scheme. The Planning Scheme categorises 'Childcare Facilities' as a 'Community Use'. However, it is argued by the first party that this also functions as a 'non-retail commercial development' or employment provider. I further highlight that, within the north western corner of Site 4, a community building (c. 683 sq m) is proposed fronting Griffeen Valley Park area.

Employment use (c.170 sq m) is envisaged as part of the reuse of Grange House in the south east corner of Site 4. Grange House will also benefit from proposed amenity open space, which will provide a public amenity and a buffer to this building of local heritage interest. I note that the exact nature of the employment use and any works required to Grange House to facilitate this will be subject of a separate future application, this I consider acceptable.

I agree that the proposed retail, employment and community facilities within Site 4 (sub-sectors KSW-S1 and KSW-S2) are consistent with the maximum retail/retail services and minimum commercial and community use quantum requirements of the Planning Scheme for Kishoge South West. They are also consistent with the Planning Scheme objective to locate a local park node and community facilities fronting Griffeen Valley Park along the western edge of Site 4, and to identify a use for Grange House.

| Non-Resi Floor Space                           | Planning Scheme Requirement | Proposed in Site 4 | Total Proposed and Permitted to Date in KSW |
|--|-----------------------------|--------------------|---|
| Community                                      | 600 sqm min.                | c. 683.0 sqm       | c. 959.3 sqm                                |
| Retail   | 550 sqm <b>max.</b>         | c. 150.0 sqm       | c. 150.0 sqm                                |
| Non-retail commercial development / Employment | 200 sqm min.                | c. 544.1 sqm       | c. 544.1 sqm                                |

**Table 19** – Clonburriss Planning Scheme Non-Residential Floorspace Requirements for Development Area 8 and Proposed / Permitted Provision

## 7.5.6 Movement and Transport

### Street Hierarchy

Figure 2.2.1 of the Planning Scheme sets out the fixed and flexible Street Hierarchy associated with the Kishoge South West Development Area.

Having compared the layout submitted I agree that the proposed development provides a street network that is closely aligned with the indicative Street Hierarchy as per the planning scheme. The proposed development has due regard to the typology, primacy, alignment and design speed further specified in Table 2.2.1 of the Planning Scheme.

The road layout and street hierarchy as proposed within Site 4, has regard to the fixed southern Link Street (SLS - SDCC Reg. Ref. SDZ20A/0021) and has been agreed with South Dublin County Council. The design of the fixed strategic road network connecting the wider Clonburris SDZ has resulted in a minor departure from the detail of the junction design, indicated in the planning scheme. The proposed junctions within the Site 4 scheme are otherwise fully consistent with the Planning Scheme movement and transport diagram for this site.

## 7.5.7 Car Parking Standards

The quantum of car parking spaces has been raised as a concern by third parties. It is submitted that existing car parking is already constrained and the proposed development risks worsening these shortages without sufficient new provision.

Section 2.2.8 of the Planning Scheme states: -

- **Zone 2** parking standards prescribed under the Development Plan shall be applied to all areas that have been identified with an Accessibility Level 1, 2 or 3.
- Zone 1 parking standards shall be applied to all other areas of the SDZ lands.

Site 4 is located within Accessibility Level 1, as identified in Figure 2.2.8 of the Planning Scheme. As such the Zone 2 parking standards of the County Development Plan apply to the proposed development.

I refer to previous discussion of car parking standards in the preceding section pertaining to Site 3 above, in this report. The proposed development includes 408no. surface car parking spaces. It provides for 384no. spaces to serve 436 residential

units. This gives a parking ratio of 0.88 spaces per unit. 24 no car parking spaces are proposed to serve the non-residential development (retail 5 no spaces) (Employment 2 no. spaces) (Community 9 no. spaces) (Creche 8 no. spaces). The Maximum Standard for residential is 504 spaces and for the non residential is 30 spaces. It is submitted that a similar rate has been applied to the maximum allowable car parking rate for the non-residential elements, as per the residential element of the proposed development, in order to encourage sustainable use of the private car. I note that in addition to the above quantum of residential and non-residential car parking spaces, the Southern Link Road which bisects the proposed development includes 48no. car parking spaces, including 3 no. disabled accessible spaces, which shall be publicly accessible for use by visitors to the proposed development. Given the County Development Plan standards and precedents set by permitted schemes within the adjoining SDZ lands, I consider car parking quantum proposed, is in line with the planning scheme compliant with the County Development Plan and therefore acceptable.

As per the requirements of the Development Plan, a total of 134no. (33%) of these car parking spaces will be equipped with functional EV charging points and shall be reserved for the use of battery-powered electric vehicles. The balance of the proposed car parking spaces in Site 4 will be 'future-proofed' through the inclusion of cables or ducting, to allow the rapid future installation of additional EV charging points, as allowed by the Planning Scheme for this type of development.

The Planning Scheme states that "*developments should provide charging points for the charging of electric vehicles at a rate of 100% of the car parking provision*". However again as per Site 3 it is submitted that SDCC, as planning authority, has not been imposing this provision within the SDZ area and instead considers the Development Plan requirement for 20% to be appropriate. This approach has been adopted by SDCC in recent applications in the Planning Scheme area including SDZ24A/0033W, SDZ23A/0004 and SDZ23A/0018. I consider this approach is acceptable.

Based on the above precedent, noting a significant quantum (33%) of EV parking is proposed and that the balance of all car parking spaces will be 'future-proofed' through the inclusion of cables or ducting, to allow the rapid future installation of

additional EV charging points, I agree with the applicant that the proposed development is broadly consistent with the Planning Scheme. I agree that albeit a contravention, it is not material.

As in the case of Site 3, I refer the Comisiún to the Car Park Management Strategy proposed. A management regime will be implemented by the development's management company to control access to the on-site car parking spaces thereby actively managing the availability of on-site car parking for residents of the development. Infrastructure measures identified to reduce reliance on private vehicles include the provision of ample secure cycle parking on site and ensuring a design which promotes permeability for pedestrians and cyclists to, through and from the development. The high level of high-frequency public transport facilities (Dublin Bus, Irish Rail) will also act as a mobility management measure, as residents can rely on public transport over the private vehicle.

Given the foregoing and that the quantum of car parking is in accordance with the Clonburris SDZ Planning Scheme and South Dublin County Development Plan it is concluded that the proposals represent a sustainable and practical approach to redevelopment on the subject lands and there are no traffic or transportation related reasons that should prevent the granting of planning permission for the proposed Development.

#### **7.5.8 Bicycle Parking**

The proposed development provides 793no. bicycle parking spaces, consisting of 591no. long stay and 202no. short stay spaces.

I note the Traffic & Transport Assessment and Mobility Management Plan, prepared by DBFL Consulting Engineers. It states that the bicycle parking provision is in accordance with the parking standards for the SDZ planning scheme and the South Dublin County Development Plan 2022 - 2028.

However, having reviewed the Traffic and Transport Assessment, I consider that bicycle parking as proposed complies with the planning scheme and the CDP.

#### **7.5.9 Transport Assessment**

In addition to compliance with the planning scheme, under this issue, I note that site wide concerns raised about traffic congestion, public transport capacity, whether a

Road Safety Audit was submitted for the application and car parking provision are assessed and detailed in the preceding section of this report.

Details of the vehicle and cycle parking provided for the proposed development are set out in Chapter 14 of the EIAR, see the assessment, in the EIAR Assessment section of this report, for further details.

I am of the opinion as concluded in the EIAR assessment that the subject proposals will not result in a material deterioration of local road conditions above that which is already forecast. That the proposals represent a sustainable and practical approach to redevelopment on the subject lands and there are no traffic or transportation related reasons that should prevent the granting of planning permission for the proposed development.

#### **7.5.10 Mobility Management Plan**

As set out in the EIAR Assessment A Mobility Management Plan has been carried out by DBFL Consulting Engineers, for Sites, 3, 4 and 5. I refer the Coimisiún to Appendix 13.4 'Site 3, 4, 5 – Mobility Management Plan', May 2025.

The measures proposed in this document will benefit the residents and will also help to mitigate any transport impacts of the developments on the wider local community. The initiatives encourage sustainable travel modes and reduce car borne traffic within the Site 4 scheme.

#### **7.5.11 Green and Blue Infrastructure**

The overarching principle of the Planning Scheme and Key Principles for green and blue infrastructure are set out above, under assessment of Site 3.

The proposed landscape scheme is a key component of the integration of the new building environment with the existing and permitted landscape conditions. The key landscape features to support green infrastructure on Site 4 include: -

- A range of public amenity spaces are available to allow prospective residents to avail of opportunities for passive and active recreation.
- The design of local and intimate streets will enhance permeability and quality of facilities for pedestrian and cyclists, encouraging active travel through the proposed development and to adjacent amenity areas.

- Public open space is proposed within the curtilage of Grange House, for amenity use and to act as a buffer to this building of local heritage interest.
- Strategic public open space (Griffeen Valley Park) is located to the west of the development with the linear park to the east. We note that these areas of open space are not proposed within Site 4 but are available to it, as envisaged by the Planning Scheme.
- The Griffeen River corridor will be managed for biodiversity – planting will be enhanced where necessary, and a dark corridor will be maintained for bats.
- The Grand Canal Greenway and Ecological Corridor, will be accessible through the southern portion of KSW-S2. Note that no buildings are proposed within the ecological buffer area as per the requirements of the Planning Scheme.

I note Landscape Masterplan Drawings and Landscape Design Report, prepared by Bernard Seymour Landscape Architects for further detail on the landscaping proposals within Site 4. Also refer to the site wide Tree Survey and Planning Report and associated Arborist Drawings, prepared by John Morris Arboricultural Consultancy.

The proposed development incorporates / will have a connection to the following:

- SUDS and Biodiversity within the Open Space and Proposed Streetscapes within the red line are proposed;
- Linear Park to the East;
- Griffeen Valley Park to the West;
- Ecological Corridor along the rail line to the North is included within the red line;
- Grand Canal Ecological Corridor to the South.

I agree that the proposed development has been designed to be consistent with Figure 2.3.1 – Green Infrastructure Network of the Planning Scheme.

### **7.5.12 Grand Canal**

The Grand Canal is a proposed Natural Heritage Area (pNHA). Development proposals in proximity to the Grand Canal are required under the Planning Scheme to: -

*“Protect and incorporate high value natural heritage features including watercourses, wetlands, grasslands, woodlands, mature trees, hedgerows and ditches.”*

The Planning Scheme states that development (with the exception of footpaths and bridges) is required to maintain a 30m set back distance from the boundary of the pNHA. The proposed buildings in Site 4 are not located within 30m of the Grand Canal pNHA. There is some encroachment of landscape and road details in the south western corner of Site 4, but, as stated, this is allowed for by the Planning Scheme.

### **7.5.13 Sustainable Urban Drainage**

Section 2.3.2 of the Planning Scheme sets out sustainable urban drainage systems (SUDS). The key elements of the proposed SUDS measures are as per those detailed for Site 3 above. As presented within the engineering pack prepared by DBFL Consulting Engineers and landscaping pack prepared by Doyle & O'Troithigh Landscape Architects, SuDs features incorporated in the proposed Site 4 development include permeable paving, bio-retention systems/raingardens, roadside swales and green roofs. This, I consider, is in line with the requirements of the Planning Scheme.

### **7.5.14 Built Form and Design**

Design Criteria

Section 2.8.2 of the Planning Scheme states: -

*“To ensure coherency and quality in design, all medium to large scale development proposals on the SDZ lands (Landmark Buildings, 10 dwellings or more in the case of residential development or development of over 1,000 sq.m in the case of employment or retail/ retail services development) shall be accompanied by a Design Rationale...”*

I note the Design Rationale, prepared by O' Mahony Pike Architects, for further detail in respect of the architectural coherency and quality of the proposed design of the Site 4 development, having regard to the design criteria of the Planning Scheme.

The following sets out an assessment of the proposal having regard to the key design criteria, inclusive of Block Size and Form, Building Centre Line and Urban Grain, Building Height and Movement Strategy.

#### **7.5.15 Block Size and Form**

Section 2.8.3 of the Planning Scheme states: -

*“Development across the SDZ lands shall be shaped and defined by the street network prescribed under the Movement and Transport section of this Planning Scheme (Section 2.2) and shall be divided into a series of blocks that present strong building frontages to surrounding streets especially at corners.”*

As outlined previously, above, under Movement and Transport, the proposed Site 4 street network is aligned with the fixed link streets and local streets. It is also closely aligned with the layout of the more intimate streets, and the design of priority and non-priority junctions. The proposed development has due regard to the typology, primacy, alignment and design speed further specified in Table 2.2.1 of the Planning Scheme.

#### **7.5.16 Building Centre Line and Urban Grain**

I acknowledge and consider acceptable that due to existing strategic infrastructure (site constraints) some departure from fixed line detail (building lines, centre lines, parks / squares and urban grain) is necessary and justified. Cognisance is had to the planning approval for the SLS (SDCC Reg. Ref. SDZ20A/0021), which traverses along the western boundary and bisects Site 4, it is necessary to make some localised adjustments to the proposed building lines and centre lines in a number of instances in Site 4 to take account of this.

I note that the proposed school site identified within Subsector KSW-S1 of the Planning Scheme, located to the western boundary, does not form part of the Part 10 planning application. It will be subject of a separate planning application by the Department of Education. This is acceptable in principle.

Grange House (early 20<sup>th</sup> century) is located in the south eastern corner of Site 4, and whilst it is not listed in the RPS or NIAH, it is noted as a Heritage Structure of local interest in the Clonburris planning scheme. A key principle of the Planning Scheme seeks to: -

*“To incorporate Architectural Heritage structures and features throughout the SDZ lands in a manner that promotes place making and capitalises on the unique industrial heritage of the surrounding area.”*

The proposed application seeks refurbishment of existing Grange House for employment reuse (c. 173 sq m). I note that modern development is present in the southeast and southwest corner of the site, including the SDCC Parks Compound and some modern derelict development. The permitted Clonburris infrastructure scheme is also under construction through the centre of the site. As set out in the EIAR assessment, the historic mapping shows the position of Grange House and a small demesne throughout the post medieval period. Today the demesne is no longer present, due to the compound and the nursery. A written and photographic record will be made of the current landscape context of Grange House and its recessed entrance, prior to the commencement of development. I consider the proposal to accommodate some adaptive employment reuse at Grange House, with public amenity open space providing a buffer between this heritage building and the proposed Site 4 housing development surrounding it, is desirable and complies with the overall principle of the planning scheme. While there are some minor departures in the detail of the fixed building line of the urban block to the linear park edge, compared to the Planning Scheme diagram, I consider the proposal is acceptable in principle and is, in the main, in accordance with the planning scheme.

#### **7.5.17 Building Height**

As stated above, prescribed building heights are set out for each subsector and Development Area within the Clonburris SDZ Planning Scheme.

The Planning Scheme confirms that general building heights are outlined in Figure 2.8.10, whilst more detailed requirements are set out in Section 3 – Development Areas.

Site 4 is located within Development Area 8 – Kishoge South West, where Sub Sectors KSW-S1 and KSW-S2 have prescribed building heights of 2-4 storeys.

As identified within Figure 2.8.10 of the Planning Scheme, a 'Local Landmark' building is identified along the western edge of the Site 4, where the Planning Scheme allows that: *"Buildings that exceed the prescribed general buildings heights shall only be provided at these designated landmark locations (see Fig. 2.8.10). An additional 1-2 storeys is permissible for Local Landmark Buildings."*

Building height within the proposed Site 4 development is consistent with the range of 2-4 storeys, consistent with Table 3.3.8 of the Planning Scheme for Kishoge South West, within Sub Sectors KSW-S1 and KSW-S2.

A local landmark building of 6 storeys in height is proposed at Block F along the western edge of Site 4, beside Griffeen Valley Park, consistent with the Planning Scheme designated landmark location.

I highlight the enclosed plans and particulars prepared by DTA Architects, for further design details. Overall, I consider compliance with building height as set out in the planning scheme is acceptable for Site 4.

#### **7.5.18 Services and Infrastructure**

##### **Water Supply**

As per Site 3 above the Coimisiún is referred to the Statement of Design Acceptance, in respect of the proposed development, which demonstrates compliance with Irish Water Standards.

The Certificate of Feasibility received from Irish Water confirms that there is sufficient capacity for water supply.

Given information on file, my EIAR assessment of material assets, in particular Chapter 15 (Utilities) and Chapter 8 Water of the EIAR and the foregoing I consider the water supply infrastructure as proposed accords with the planning scheme and is acceptable.

##### **Foul Water Drainage**

As stated for Site 3 above, in respect of foul water drainage, the Planning Scheme notes that wastewater infrastructure development within the SDZ must align with Irish Water's Strategic Network Development Plans for the SDZ.

The Infrastructure Design Report prepared by DBFL Consulting Engineers is noted.

A Confirmation of Feasibility was received for Site 4, on the 12th of August 2024, stating that connection of such a development to the public wastewater network (via the SLR wastewater infrastructure) would be feasible without infrastructure upgrade by Uisce Éireann.

Given my EIAR assessment of material assets (utilities & waste) Chapters 14 and 15 and Chapter 8 Water of the EIAR and the foregoing I consider the waste water infrastructure as proposed accords with the planning scheme and is acceptable.

### **Surface Water Drainage**

As stated above for Site 3 a Surface Water Strategy (SWS) was carried out in respect of the Planning Scheme and forms part of the accompanying documents to the Planning Scheme. The key principles of which are outlined above, under Site 3 assessment, and are relevant to Site 4 and Site 5.

The SuDS measures proposed have been co-ordinated with the landscaping scheme presented by Doyle & O'Troithigh Landscape Architects. I note Mitigation measures proposed relate to incorporated design, erosion and sediment control, accidental spills and leaks control and emergency response plan. The cumulative impacts and the potential for interactions with the other EIAR topics have been adequately addressed in the EIAR assessment section of this report.

The surface water drainage complies with the key principles of the surface water management in the SWS accompanying the planning scheme.

#### **7.5.19 Flood Risk Assessment**

Full details and flood mitigation measures can be found in the site-specific Flood Risk Assessments (FRAs) for sites 3, 4 and 5.

I note the Site Specific Flood Risk Assessment prepared by DBFL Consulting Engineers for Site 4. This concludes:

*“In conclusion, this FRA confirms that the proposed development is suitable for its location, aligns with the best flood risk management practices, and supports the sustainable development goals of the planning framework. The proposed measures ensure that the site remains resilient to current and future flood risks, while maintaining compliance with local and national planning policies.”*

I refer the Coimisiún to Chapter 8 of the EIAR, specifically my assessment section 8.5.4 contained in this report. Assessment of Water, concerns raised by third parties, full details of flood mitigation and site – specific FRAs is set out in the EIAR assessment section of this report. I cross reference that this assessment sets out that Site 4 is located predominantly in Flood Zone C with a small portion of it also affected by Flood Zone B. However, the drainage network (including SuDS systems) has been designed to catch stormwater runoff and will discharge to the trunk surface water network within the SDZ. For Site 4, raising of levels to the east of the site and compensatory storage to the north have been incorporated to alleviate flood risk.

I am of the opinion that the FRA complies with the key principles and sustainable goals of the planning scheme, with respect to flood risk on the lands.

#### **7.5.20 Energy and Efficiency**

The planning scheme identifies that the construction of new homes is required to comply with Building Regulations Part L.

I note that a Climate Action and Energy Statement prepared by MANDE Consulting Engineers is enclosed with the subject application.

The Climate Action and Energy Statement in relation to Site 4 states that the development will be a Nearly Zero Energy Building (NZEB) in accordance with the 2022 Part L requirements and the relevant sustainability policies within the South Dublin County Development Plan 2022-2028, see Chapter 11 Climate Change of the EIAR for further details of compliance. This is considered in accordance with the planning scheme and acceptable.

**7.5.21** With respect to assessment of and compliance with **Waste Management, Noise, Landscape and Open Spaces, Biodiversity and Natural Heritage, Archaeological Heritage and Architectural Heritage** generally and with the planning scheme, I refer to the EIAR assessment. As set out above in my assessment of Site 3, I note the Construction Environmental Management Plan, prepared by DBFL Consulting Engineers, the Resource Waste Management Plan and the Operational Waste Management Plan prepared by AWN Consulting (Appendix 14.2) which detail mitigation and how waste will be managed during construction and operation of the proposed development. Cognisance is had the Planning Scheme

notes that waste and recycling needs to be fully considered and implemented in design, construction and operational phases of development.

I refer the reader to my assessment of Landscape and Visual Impact, Noise and Cultural Heritage (Archaeological & Architectural) in the EIAR assessment section of this report. Having regard to the foregoing, I am satisfied that the proposed development, is materially in compliance with the planning scheme, would not have any unacceptable direct, indirect, or cumulative effects on the environment.

Concerns raised by prescribed bodies and third parties with respect to individual issues / topics has been considered fully in the EIAR section of this report, please refer.

## **7.6 Character Area**

The **Site 5A** lands are within Development Area 6 Kishoge Urban Centre (sub-sector KUC-S2) and Development Area 10 Kishoge North East (subsector KNE-S1 & KNE-S2). For **Site 5B**, the lands are within Development Area 10 Kishoge North East (sub-sector KNE-S1), save for the eastern portion that sits outside the SDZ boundary. The eastern portion of site 5B, which sits outside the SDZ, is zoned 'Existing Residential' (RES) in the SDCDP 2022-2028, with the zoning objective '*To protect and / or improve residential amenity*'. The remainder of Site 5B and all of Site 5A within the SDZ boundary (Development Area 10, KNE-S1 & KNE-S2) is zoned 'Primarily Residential' with a portion at its south western corner of Site 5A (Development Area 6 KUC-S2) zoned 'Mixed Use Areas'. As set out above, in section 7.2 'Zoning and Compliance with Policy' section of this report, the uses proposed as per proposed development, see Table 1 of Section 3.0 of this report, are considered 'permissible' and 'open for consideration' under the pertinent land use zonings, subject to compliance with the planning scheme and the SDCDP 2022 - 2028.

Zoning and compliance with policy is dealt with in section 7.2 of this report above, I do not intend to repeat this analysis here. Just to note that compliance with zoning and the key objectives of the planning scheme to deliver mixed use development has been assessed as acceptable in principle, in the preceding section of this report for Site 5.

The remaining key principles, fixed objectives and standards of the Planning Scheme of relevance to the proposed development are examined below.

The Planning Scheme identifies a number of Key Objectives for Development Area 6 KUC-S2 and Development Area 10 NNE-S1 & KNE-S2. Table 20 below states the key objective in the first column. The applicant’s confirmation of how the proposed Site 5 development is consistent with same is provided in the corresponding cell of the second column.

**Table 20 – Key Objectives for Development Area 6 accompanied by a consistency response.**

| <b>Key Objectives</b>  | <b>Site 5 Compliance</b>  |
|--|---|
| To develop a high quality mixed use centre to support the community of Kishoge.                                  | Section 2.1 in the Planning Scheme concerns land use and density. Of particular relevance, Section 2.1.3 states that there are three basic land use areas and <i>“the types of development that will be ‘permissible in principle’ and ‘open for consideration’ in the three land use areas... represent the broad nature of land uses that are fixed for each Character Area and for the Development Areas”</i> .  |
| To provide for significant commercial (non-retail) provision at areas of high accessibility to public transport. | Section 2.1.4 states <i>“Further to the land use map and tables presented in this section, the general distribution of land uses across the SDZ lands together with the planned location of critical community, civic and emergency service uses is further identified on the Function Concept Map (Fig. 2.1.3) and more precisely identified at in Chapter 3 (Development Areas).”</i>   |
| To provide for local level retail to support the regular service and retail needs of the community of Kishoge.   | Residential uses are listed as permitted in principle in Mixed Use areas, as per Table 2.1.1 and therefore the proposed residential development is compatible with the applicable land use designation.<br><br>Further, it is evident that the land use strategy in the Planning Scheme directs the general distribution of uses across the SDZ and facilitates a broad range of development types within the land use areas. This strategy ensures that individual proposals |

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|---|--|
| <p>To develop a multi- purpose civic facility for the community at Kishoge.</p>                                       | <p>will not be constrained by a prescriptive approach to land use, relying on the application of statistical and physical parameters to achieve the overarching objectives and manage development outcomes in each Development Area and the sub-sectors within.</p> <p>In that context, it is reiterated that Site 5 occupies a small portion at the outer edge of the Kishoge Urban Centre (c. 6.7%). Importantly, residential development at the site will not preclude the delivery of mixed use development across the wider lands.</p> <p>The provision of new housing at this location is consistent with objectives for mixed use areas aimed at creating viable communities by building critical mass and encouraging active travel across the site and surrounding residential areas.</p> |
| <p>To ensure high levels of legibility and ease of orientation.</p>   | <p>The proposed dwellings in this part of Site 5 will be accessible via new local roads that tie in with the existing and planned road network at Lynch Lane and the NLS. The tile is laid out to ensure a coherent approach that provides for the continuation of pedestrian paths to the residential development further north, ensuring high levels of legibility across the lands and ease of orientation.</p>   |
| <p>To achieve high levels of permeability, particularly for pedestrians and cyclists.</p>                             | <p>Given the nature of this tile, it is not possible to facilitate pedestrian and cyclist movement between the dwellings. However, pedestrian pathways at the edges of this tile that will tie in with planned pedestrian and cyclist facilities, ensure accessibility and encourage active travel in the urban centre as the surrounding lands are developed.</p> <p>The proposed layout will facilitate permeability across the wider lands when the adjoining areas are brought forward for development.</p>  |
| <p>To provide for transport interchange at the railway station, in particular, connecting rail, bus and cyclists.</p> | <p>The tile will benefit from direct access to the permitted NLS and associated infrastructure that includes pedestrian and cyclist facilities along the R136 and extending to Thomas Omer Way. Pedestrian and cyclist access to Thomas Omer Way will also be available via Lynch Lane. These connections will provide high levels of accessibility to Kishoge train station and local bus services.</p>   |

|   |  |
|---|--|
| To provide intimately scaled focal/ activity spaces surrounding quadrants of the Urban centre.              | The scale of development is considered appropriate for this tile, ensuring it will integrate effectively with the residential development proposed to the north of the NLS (within sub-sector KNE-S2). The new local roads   |
| To achieve good levels of continuity and enclosure along the arterial routes, avenues and the urban spaces. | The layout of this tile ensures that the dwellings are positioned to provide a coherent building line. The scale of the units and their orientation provide a positive interface with the local street network and degree of enclosure as adjoining lands are developed. |

The Planning Scheme outlines a series of key objectives for Development Area 10 aimed at realising the planning authority’s overarching vision and development strategy for Kishoge North East.

The following Table sets out the key objectives and provides a response from the applicant as to how the Site 5 development is consistent with each.

**Table 21 Consistency with the Key Objectives for Development Area 10**

| <b>Key Objectives</b>  | <b>Site 5 Compliance</b>  |
|--|---|
| To develop a high quality residential neighbourhood at Kishoge, integrating with existing housing. | The proposed development will create a new high-quality residential neighbourhood that has been carefully designed to integrate with existing housing estates surrounding the site. The scale and density of the proposed development respond to the established residential context and the layout will enhance permeability and facilitate connectivity with adjoining residential areas.   |
| To provide locally accessible open spaces of local and strategic importance.                       | A series of attractive and usable open spaces are distributed throughout the scheme, designed to be highly accessible via the proposed network of pedestrian and cyclist pathways.<br>The open spaces will ensure high levels of legibility and facilitate connectivity with the wider area including adjacent residential developments.<br>The centrally located public park in Site 5A will be a locally important open space, creating a focal point for residents and providing an area where local |

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|--|---|
|  | <p>children can play.</p> <p>The linear park in Site 5B will be of strategic importance, extending the strategic green corridor across Thomas Omer Way and improving the accessibility of existing residential estates further to the north.</p>  |
| To ensure high levels of legibility and ease of orientation.   | The development has been designed to ensure high levels of legibility, with a clearly defined network of streets, open spaces, cycle paths and pedestrian accessways, that allow for ease of orientation.   |
| To provide a new Link Street/avenue as part of the main connection between Kishoge and Clonburris urban centres. | <p>Although outside the scope of this application, the recently permitted Clonburris NLS will achieve the key objective of providing a new link street/avenue between Kishoge and Clonburris urban centres.</p> <p>The proposal has been carefully coordinated to integrate the NLS and its associated infrastructure into the design and layout. Delivery of the NLS will significantly enhance the accessibility of Site 5A and facilitate improved connectivity to the surrounding area.</p>   |
| To prioritise pedestrian and cyclist movement and to provide for local bus services along the avenue.            | <p>Circulation throughout the site is provided via a comprehensive network of pedestrian pathways and connections along the streets and open spaces which will enhance accessibility and encourage active travel.</p> <p>The proposed layout and removal of the acoustic barrier at Thomas Omer Way will facilitate new connections and enhance the setting along this road. These changes will improve the experience of pedestrians and cyclists and provide a safer route to Kishoge Community College for students travelling from residential areas to the north of Thomas Omer Way.</p> <p>The proposed new pedestrian connections at Thomas Omer Way and the R136 will facilitate high levels of accessibility to local bus and rail services.</p> <p>The inclusion of homezones across the scheme will create shared spaces that meet the needs of pedestrians, cyclists and residents, slowing traffic by design and removing through traffic.</p> <p>The proposed pedestrian and cycle network will also enhance accessibility for the established housing estates which surround the site.</p> |

|  |   |
|--|---|
| <p>To provide for a range of housing along the new avenue and local streets including homezones.</p>   | <p>The scheme provides for a range of housing along the permitted NLS and proposed network of local streets and homezones. The proposed mix of houses, apartments, duplex and triplex units will respond to the varying needs of future residents, catering to households and families of varying size, composition and life stages.</p>  |
| <p>To provide a distinctive, diverse and quality frontages to Thomas Omer Way, the avenues/Link Streets and the strategic open spaces</p>  | <p>The proposal includes a range of dwelling typologies with varying designs along the NLS and local streets. The proposed mix of houses, apartments, duplex and triplex units will ensure architectural diversity and distinctiveness across the site. Dwellings are orientated to present continuity in building lines and strong building frontages along the streetscape. Dwellings are also positioned to facilitate good passive surveillance of open spaces.</p>   |
| <p>To provide significant and integrated SUDS infrastructure, including a high amenity retention pond/lake to enhance green and blue infrastructure and ecological connectivity.</p> | <p>The surface water strategy incorporates SuDS measures including detention basins, green/blue roof, permeable paving and bioretention tree pits.</p> <p>The proposed SuDS strategy includes two attenuation ponds in the linear park at Site 5B that have been carefully designed to facilitate informal play and recreation opportunities.</p> <p>There are also rain gardens / swales incorporated into the central park in Site 5A and between the residential development and linear park in Site 5B. These additional SuDS features will provide aesthetic variation and additional opportunities to enhance biodiversity.</p> |

### 7.6.1 Residential Units

Table 2.13.1 of the Planning Scheme prescribes the total number of dwellings for each Development Area and for each of its Sub-Sectors. Table 22 below provides a summary of the units proposed in each sub-sector lying within Site 5, compared with the range prescribed for each sub-sector by Table 2.13.1 of the Planning Scheme.

**Table 22** units proposed in each sub-sector lying within Site 5

| Sub-Sector                       | Total Dwellings (Low Margin) | Total Dwellings (Target) | Total Dwellings (High Margin) | Site 5 Dwellings Proposed |
|----------------------------------|------------------------------|--------------------------|-------------------------------|---------------------------|
| KUC-S2                           | 181                          | 265                      | 349                           | 44                        |
| KNE-S1                           | 168                          | 186                      | 203                           | 40                        |
| KNE-S2                           | 126                          | 138                      | 152                           | 130                       |
| East of Site 5B (Outside of SDZ) | -                            | -                        | -                             | 22                        |
| Totals                           | 409                          | 459                      | 511                           | 236                       |

**Table 23** density proposed in each subsector lying within Site 5, as per Table 2.13.1 of the planning Scheme.

| Sub-Sector | Average Net Density - Low Margin (-5DPH) | Average Net Density - High Margin (+5DPH) | Site 5 Density Proposed |
|------------|--|---|-------------------------|
| KUC-S2     | 65                                       | 125                                       | 59                      |
| KNE-S1     | 48                                       | 58  | 55                      |
| KNE-S2     | 49                                       | 59  | 60                      |

**KUC-S2:** 44 units are proposed within this subsector, below the prescribed thresholds, including the low margin of 181 total dwellings. Site 5 occupies only part of KUC-S2, however, a Part 8 proposal providing for 43 residential units within this sub-sector was permitted on 11<sup>th</sup> November 2024 (PI.Ref.SD179A24/0004).

Together, the two schemes would bring the total number of units in KUC-S2 to 87, leaving a balance of 94 units that will be required across the remainder of KUC-S2 to ensure consistency with the total dwellings required (low margin).

It is submitted by the applicant that 'to enable consideration of this proposed development in the context of the relevant parameters, a master-planning

exercise was undertaken by MDO in conjunction with South Dublin County Council to identify an indicative development strategy for the wider lands that would facilitate the prescribed dwelling numbers’.

Section 3 of the Architectural Design Statement addresses the masterplan study. The indicative masterplan layout provides for more intensive forms of development incorporating apartment buildings in the west and south of KUC-S2. It is contended that these lands are earmarked for higher residential densities due to their accessibility to Kishoge train station. Taller buildings along the western boundary of KUC-S2 adjacent to the R136 would also ensure an appropriate design response to the arterial road setting by creating a robust urban edge.

This approach in the masterplan is also consistent with the Planning Scheme building height strategy which envisages taller buildings along the interface of KUC-S2 with the R136.

**KNE-S1:** The proposal includes 40 dwellings within this sub-sector, below the applicable target of 168 total dwellings (low margin). However, the lands occupy only part of the sub-sector. Additionally, the development potential of Site 5B is also constrained by the presence of overhead power lines, limiting the extent of development that can be achieved in the north of the site. The design response has been to create a linear park that will form a strategic green corridor and provide a significant amenity for the local community.

The proposed number of dwellings in KNE-S1 is considered appropriate because the balance of the KNE-S1 lands to the west provides scope to achieve the requisite number of dwellings when brought forward for development. As discussed further below, the density currently proposed (55 DPH) in KNE-S1 sits comfortably within the appropriate range (48 – 58 DPH), at the upper end of the relevant threshold.

**KNE-S2:** 130 units are proposed within this sub-sector. The proposed number of units is at the lower end of the prescribed threshold for KNE-S2. Site 5 occupies most of this sub-sector, with the area occupied by the ESB compound (outside the site boundary) comprising the balance of KNE-S2.

It is noted that the proposed development incorporates a temporary public open space north of KNE-S2, adjacent to Thomas Omer Way. This open space occupies the no-build zone beneath the overhead power lines traversing Site 5A, precluding additional units from being provided on this part of the site. When the ESB infrastructure is relocated in the future, the balance of KNE-S2 lands currently constrained by ESB infrastructure will be available for development.

I note the applicant's submission that factoring in an additional 22 units on Site 5A to meet, the dwellings target of 152 units (high margin) would be contrary to specific development parameters related to built form. I have regard to transfer of residential floorspace provided for in the planning scheme. Section 2.1.4 of the Planning Scheme provides for the transfer of up to 10% of the max. residential units allocated in any sub-sector to an immediately adjacent sub-sector.

It is noted that should the balance of lands in KNE-S2 that are currently constrained by ESB infrastructure become available for future development, the need for a transfer of residential units would likely be triggered to ensure consistency with the applicable design parameters in the Planning Scheme.

The applicants submits that to facilitate additional development capacity on the balance of the lands in KNE-S2, it is considered appropriate to make provision for a future transfer of units. This strategy would facilitate the future transfer to KNE-S2 of up to 20 units from the adjoining sub-sector KNE-S1 (10% of the 203 high margin) or up to 35 dwellings from the immediately adjoining sub-sector KUC-S2 (10% of the 349 high margin).

As stated above, the Planning Scheme allows this 'transfer' approach, subject to the relevant land owner's consent being submitted with the application. In this instance, South Dublin County Council owns all the lands within KNE-S1, KNE-S2 and KUC-S2, and it is contended is well- positioned to manage the distribution of residential units across these sub-sectors.

It is therefore proposed to transfer 20 units from the dwelling allocation for KNE-S1 to KNE-S2, allowing for a total of 172 units (maximum) on the lands and ensuring that future development on the balance of lands within this sub-sector

will align with the applicable development objectives and design parameters.

A transfer of units from KNE-S1 (rather than KUC-S2) is considered appropriate given its location at the outer edge of the SDZ lands further from the Kishoge train station and designated retail core in Kishoge Urban Centre. It is also highlighted that both sub-sectors KNE-S1 and KNE-S2 are located within Development Area 10.

Overall given the design and layout of the scheme, cognizance being had to site infrastructure constraints and to the flexibility within the SDZ planning scheme. I consider that the unit numbers contravention is not material given the transfer of residential floor space as proposed.

### 7.6.2 Residential Density

Section 2.15 of the Planning Scheme provides for the calculation of residential density according to sub-sector. It contains density ranges or thresholds based on a density target which is then subject to a permissible margin of 10 dwellings per hectare (+5 dph, -5 dph) to facilitate a degree of flexibility. As set out above in Table 23 a wider range of minimum and maximum densities is facilitated in Kishoge Urban Centre.

Table 24 provides a breakdown of the proposed density within Site 5, according to sub-sector. The densities shown are in accordance with the calculation of Net Development Area as set out in the Planning Scheme, which disregards strategic parklands, canal corridors, schools, and existing residential development from the Gross Development Area.

**Table 24** Residential Density according to sub-sector

| <b>Sub-Sector</b>                    | <b>Average Net Density - Low Margin (-5 dph)</b> | <b>Average Net Density - High Margin (+5 dph)</b> | <b>Net Development Area</b> | <b>Proposed Density</b> |
|--------------------------------------|--|---|-----------------------------|-------------------------|
| <b>KUC-S2</b>                        | 65   | 125   | 0.74 ha                     | 59 dph                  |
| <b>KNE-S1</b>                        | 48   | 58  | 0.73 ha                     | 55 dph                  |
| <b>KNE-S2</b>                        | 49   | 59  | 2.15 ha                     | 60 dph                  |
| <b>East of Site 5B (outside SDZ)</b> | -  | -   | 0.52 ha                     | 42 dph                  |

The proposed residential density within KUC-S2 is 59 dph<sup>4</sup>, slightly below the low margin density target of 65 uph. It is argued this a minor shortfall which does not preclude consistency with overall residential density standards for KUC-S2.

Regard is had to the achievement of the applicable standards, as they apply to the whole sub-sector KUC-S2 which is wholly within the ownership of South Dublin County Council. I note the Site 5 development strategy has been informed by a master-planning exercise which demonstrates that the current proposal will not prejudice future development in this sub-sector. The indicative masterplan provides for higher residential densities on the wider KUC-S2 lands to the west (along the frontage to R136 where greater building heights are sought) and to the south (closer to the train station).

Cognisance being had to the justification put forward by the applicant with respect to the masterplan and the transfer of residential floor space as set out in section 2.1.4 of the planning scheme and detailed above in extent of development and unit numbers per subsector, I am of the opinion that the proposal is satisfactory with respect to density. The minor shortfall in this instance represents a *de minimis* departure from the Planning Scheme density standard as it applies to KUC-S2, as it is compatible with the prescribed density targets applicable to the whole sub-sector.

**KNE-S1:** The proposed development achieves a density of 33 dph when all the Site 5B lands situated in KNE-S1 (1.2 ha) are included in the calculation. Alternatively, If the lands within the ESB exclusion zone are omitted for the purpose of calculating Net Site Area, the scheme achieves a density of 55 dph in this part of the site, within the prescribed density range of 48 to 58 dph.

It is noted that this application makes provision for a future transfer of 20 units from the dwelling allocation (high margin) for KNE-S1 to sub-sector KNE-S2. The current proposal includes 40 units in KNE-S1, and factoring in the future transfer of 20 units, leaves an additional 143 dwellings from the high margin allocation of 203 units to be delivered within the sub-sector.

I note that the Planning Scheme confirms that KNE-S1 has a net site area of 3.5 ha and when this is reduced by the portion in Site 5B (1.2 ha), the balance of the lands measure 2.3 ha (net). It is contended by the applicant that the delivery of

the remaining 143 units allocated to this sub-sector would see the remaining lands in KNE-S1 achieve a density of 62 dph, which is considered appropriate in the context of the site's characteristics and ensuring that future development in KNE-S1 can be accommodated in accordance with the applicable density range.

**KNE-S2:** The proposed development achieves a density of 57.8 dph based on the full extent of Site 5A lands within KNE-S2 (2.25 ha) and is therefore within the prescribed density range of 49 to 59 dph. The proposed future provision for the transfer of 20 residential units to KNE-S2, allows for up to 172 units to be delivered in this sub- sector. The resultant density would be 67 dph which exceeds the average net density (high margin) of 59 dph for KNE-S2. However, it is submitted by the applicant that a slight divergence from the dwelling target (high margin) and related density threshold is inevitable in any scheme availing of a residential unit transfer from an adjoining sub-sector, as provided for in the Planning Scheme, will inevitably result in a slight divergence from the dwelling target (high margin) and related density standards. I wholly agree, a density of up to 67 dph is not excessive or a material contravention of the scheme in the context of the site's characteristics and relevant objectives in the Planning Scheme which aim to create a robust urban structure, with buildings of scale presenting strong building frontages to arterial roads. The transfer of units between subsectors, as a result of site constraints and design, has been adequately justified and acceptable in my opinion.

**Site B (outside the SDZ):** The proposal is achieving 42 dph in the eastern extent of Site 5B. This part of the scheme is outside the SDZ boundary and is subject to the applicable policies concerning density in SDCDP 2022-2028 and the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024).

The SDCDP (including South Dublin County's Building Height and Density Guide in Appendix 10) does not contain prescriptive density targets. Rather, it focuses on a sustainable, design-led approach that is informed by a contextual analysis of the site.

The Sustainable Residential Development and Compact Settlements Guidelines (Table 3.1) recommends densities generally of 50uph and upward in the

'urban neighbourhoods' of Dublin, that includes lands within 1,000 metres (1km) walking distance of existing or planned rail services.

I agree that the proposed density in the eastern part of Site 5B responds to the site context and the selected dwelling typologies provide for own-door social and affordable housing units. The proposed building heights tie in with those provided for on the adjoining SDZ lands (the western extent of Site 5B) ensuring an appropriate transition in scale between Site 5B and the established residential estates to the north and east.

Cognisance being had to site constraints, density ranges recommended in the Guidelines, location, accessibility to services and public transport, and considerations of existing development character, amenity and the natural environment, I consider the dwelling numbers proposed within Site 5B (outside of the SDZ) are acceptable and have been justified by the applicant.

### **7.6.3 Residential Dwelling Mix**

Section 2.1.6 of the Planning Scheme states: -

*"The range of dwellings permitted in Clonburris include houses, townhouses, duplex units, maisonettes and apartments (including Build to Rent and Shared Accommodation)."*

The proposed development in Site 5 contains a variety of housing typologies and a mix of units that will accommodate the varied needs of households.

The proposed mix of dwellings across the site are set out in Table 4 proposed development section 3 of this report above.

- 236 no. dwellings comprising:
  - 35no. 3-bedroom houses;
  - 110 no. duplex units (53no. 2-bedroom and 57no. 3- bedroom);
  - 33 2-bedroom triplex units; and
  - 58 no. apartments (37 no. 1-bedroom and 21 no. 2-bedroom) in a 6-storey over basement apartment block.

This gives a split of 16% one bed, 45% 2 bed and 39% 3 bed. A total of 22 units are proposed in that part of Site 5B outside the SDZ, 14 of which are 3-bedroom units (64%). This is in accordance with the SDCDP which provides for a minimum of 30% 3-bedroom housing units, although it is also noted that flexibility is afforded where the scheme is social and/or affordable housing. The proposed number of 1-bed units in Site 5 does not exceed 50% and is consistent with SPPR 1 of the Apartment Guidelines (2023).

#### **7.6.4 Dwelling Size and Private Amenity Space**

The Planning Scheme requires that all proposed houses shall accord with or exceed the minimum floor area standards set out in Table 2.1.9.

In respect to apartment units, the Planning Scheme requires that all apartments shall accord with or exceed the open space and floor area standards set out in Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities and as provided in Table 2.1.10 of the Planning Scheme. Both tables are set out in the preceding section of this report in the assessment of Site 3.

Site 5 documentation is accompanied by a Residential Quality Audit (RQA) prepared by MDO Architects. I confirm that the plans and particulars prepared by MDO Architects, demonstrate compliance with the dwelling size and amenity standards of Table 2.1.9 and minimum space standards for apartments, as provided, in Table 2.1.10 of the Planning Scheme and the Apartment Guidelines (2023) which was the appropriate context at the time of lodgement of the application.

With respect to private amenity space, I note that one 3 bedroom house in KNE-S1 (Unit No. KNE-A-05, Unit Type H3AM (KNE-A as per the RQA)) is 0.99sq.m short of the 60 sq. m area target. I highlight that in all other cases the private amenity spaces exceed and are well in excess of the area target.

I note also the detailed Architectural Design Statement by MDO Architects. The proposed development is of a high-quality design, being consistent with all relevant residential amenity standards, including public and private open space, discussed primarily in relation to the Clonburriss SDZ Planning Scheme.

### **7.6.5 Non-Residential Development**

Table 2.13.1 of the Planning Scheme requires that the following non-residential floor area quantum is accommodated within the KUC-S2, KNE-S1 & KNE-S2 Development Areas:

#### **KUC-S2:**

- Non-retail commercial development – 2,400 sq m minimum
- Retail development – 300 sq m maximum

#### **KNE-S1:**

- Local Parks and Squares – 3,500 sq m minimum

#### **KNE-S2**

- Local Parks and Squares – 2,700 sq m minimum

In accordance with the Planning Scheme, non-residential floor space is required in sub-sector KUC-S2, aligned with the aim of providing for mixed-use development in Kishoge Urban Centre. 300 sq.m of retail floorspace (maximum) and 2,400 sq.m for employment uses (non-retail) are required within KUC-S2 sub-sector. 6,200 sq. m minimum local parks and squares is specified for KUC-S2 and KNE-S2.

The development provides 3,414sqm of POS within KNE-S1 (inclusive of 2,920 sq. m POS beneath the overhead ESB lines) and 3,101 sq. m in KNE-S2, within two main parks located in each site. They provide a range of activities for people to enjoy, including sitting areas, children’s playgrounds, walking and cycling paths, outdoor exercise areas, nature observation spots, and social gathering areas.

Other than this non-residential use, the subject development provides for an entirely residential scheme, it is contended that this is justified, given the significant demand for social and affordable housing and the fact, the subject site occupies only part of KUC- S2. It is submitted, it is reasonable for the required non- residential uses to be accommodated on the remainder of the KUC-S2 lands, closer to the retail core, when those lands are brought forward for development.

As detailed in Section 7.2 of this report, the proposed development of residential units on this portion of the Kishoge Urban Centre is compatible with its zoning for 'mixed-use development'. I agree that non-residential uses on the adjoining lands to the west and south are compatible with the key principles in Section 2.4 of the Planning Scheme which seek to concentrate non-residential uses in the Kishoge Urban Centre to lands both within and adjoining the retail core. I agree that the subject residential development within part of KUC-S2 will not preclude the future delivery of retail and employment uses on the balance of lands in this sub-sector. Indeed, the justification that, the concentration of higher-density residential development in conjunction with retail and employment floorspace to the west and south of KUC-S2 is an appropriate development strategy that will ensure a vibrant and viable mixed-use core is credible. As previously stated above under, land use and zoning, the delivery of residential development on surrounding lands in the interim, will contribute to the critical mass of population needed to support retail and other commercial uses in the Kishoge Urban Centre.

### **7.6.6 Movement and Transport**

#### **Street Hierarchy**

Figure 2.2.1 of the Planning Scheme sets out the fixed and flexible Street Hierarchy associated with the subject lands including Site 5. The Planning Scheme Masterplan (Figure 3.1) prescribes avenue frontage along local streets in Site 5A at Lynch Lane and adjoining the designated public open space in KNE-S2, and in Site 5B adjacent to the planned vehicular entrance.

I note that within the proposed Site 5A layout, there is a divergence from SDZ detail proposed in relation to the alignment of the proposed local road immediately north of the central park in KNE-S2. It is submitted that the adjustment was made during design development when it became evident that the designated public open space in KNE-S2 shown on the Masterplan is not adequately sized to enable compliance with the numerical public open space requirement in this sub-sector (minimum 2,700sq.m). The south side of the

planned park is bound by the permitted Northern Link Street (a 'fixed' element) which also forms the southern boundary of sub-sector KNE-S2. To facilitate a larger area within the tile to be set aside for the local park, a minor adjustment to the alignment of the road immediately north of the park (including its centre line) was therefore required. I agree that this proposed adjustment is reasonable having regard to relevant provisions of the Planning Scheme. This approach favours the quantitative requirements of the Plan, rather than strict adherence to the supporting maps, and is aligned with the following key principle in Section 3 of the Planning Scheme:

*“Ensure that each character area is developed with regard to the required prescriptive statistical parameters in particular; identify densities, social and affordable housing, community and childcare facilities, retail and services and identify the gross and net extent of each development area”.*

The proposed adjustment to the alignment of this local road is considered acceptable. It ensures consistency with the prescriptive minimum area requirements for public open space, as well as the overarching physical framework and prescribed street network. Attention is also drawn to Section 2.13 of the Planning Scheme which makes provision for slight plot adjustments, as follows:

*“Slight plot adjustment for each Sub Sector may be acceptable provided that this would not affect prescribed dwelling numbers/densities or non- residential floorspace for any Sub Sector; would not significantly affect the gross or net development area of any Sub Sector. The onus is on developers/applicants to demonstrate that a proposed development involving a plot adjustment would not significantly affect the prescribed alignment or centre line of any fixed street; would not significantly affect prescribed building lines of any fixed street; would not adversely impact on the environment or environmental objectives contained in the SEA Environmental Report (including required setback from the Grand Canal); and would not have any implications in relation to European Sites.*

In response to the above, it is reiterated that the proposed plot adjustment within sub-sector KNE-S2 is being advanced to ensure compliance with the prescribed requirement for public open space and will not alter the gross or net area of the

sub- sector. It is my opinion that the adjustment to the road, in order to provide required public open space, is a minor positive one, that will not materially affect the consistency of the proposed development, regard being had to core development parameters for the site.

The proposal for Site 5B also incorporates a minor departure from the Planning Scheme detail relating to the street network. As noted above, the Street Hierarchy Map shows a centrally located local street providing access to the lands which becomes a fixed element due to the prescribed avenue frontage along the southern portion of the road.

The alignment of this local street is now proposed further east, it is submitted, following a request by the Council's Roads Department to relocate the signalised junction and entrance to Site 5B. Although the new location is further east than envisaged under the Movement Strategy for the SDZ, a pedestrian link will be provided at this location in place of the intended vehicular access. Importantly, the prescribed avenue frontage along Thomas Omer Way (TOW) is maintained within the current layout and dwellings are positioned adjacent to the proposed pedestrian link to create clearly defined building lines on either side.

The proposed development provides for planned local links to facilitate pedestrian and cyclist connectivity, incl. Foxborough pedestrian link and Omer Walk pedestrian link, as per the street hierarchy. It is noted that the local link shown at the eastern extent of Site 5B at Thomas Omer Way will be delivered in conjunction with the permitted Northern Link Street and associated infrastructure.

I consider that the alternative location for the signalised junction and vehicular entrance into the development 5B from TOW is a minor departure from the SDZ detail, which will tie in with the emerging movement strategy for the wider lands and create a safer environment for road users and pedestrians.

Active travel links will be provided at four locations along the site's TOW frontage, primarily in the central and western sections. These connections will require the removal of the existing sound barrier. The SDZ does not appear to have accounted for the presence of the sound barrier. South Dublin County Council (SDCC) appointed AWN acoustic consultant to assess the noise levels along TOW and the

role of the barrier in mitigating sound impact on the nearby Balgaddy residences. The design team has evaluated the impact of removing the existing sound barrier wall and determined that it would result in minimal negative effects.

I note my assessment of Material Assets – Transport, contained in Chapter 13, of the EIAR and to the Foxborough Maintenance Association submission and other third party submissions with respect to concerns that pedestrian connectivity into existing adjoining residential areas, incl. Foxborough Court, is undesirable, as it could give rise to increase in levels of noise, nuisance, litter and anti-social behaviour. It is submitted that pedestrian access via the recently completed Griffeen Court housing estate and the existing walkways at Tor an Ri are adequate and further links are unnecessary. On balance Cllr. Madeline Johansson welcomes ‘only pedestrian / cycle links’.

As stated in my EIAR assessment the subject proposal has taken into account the views of Foxborough residents regarding the proposed local street connection outlined in the SDZ. The original plan for a vehicular street connection between the development and Foxborough was reconsidered to a green corridor and pedestrian link. It is submitted, and I wholly agree, that this connection will improve access and key pedestrian desire lines and also enhance wider pedestrian and cycle networks, supporting sustainable travel and promoting stronger integration with the existing urban fabric. Given the nature and timeline of the Clonburris SDZ planning scheme (2019) in place and regard being had to ABP decision to omit the motion by SDCC, namely the omission of Material Alteration Ref. Section 2.2 – No. 2 and Material Alteration Ref. Section 2.2 No. 3, with respect to connectivity into adjoining existing estates. I do not agree that further public consultation would be necessary or beneficial in the matter of proposed pedestrian or other connections / openings.

Having compared the layout submitted I agree that the proposed development provides a street network that is closely aligned with the indicative Street Hierarchy as per the planning scheme. The proposed development has due regard to the typology, primacy, alignment and design speed further specified in Table 2.2.1 of the Planning Scheme and is overall acceptable.

### 7.6.7 Car Parking Standards

As stated above for Site 3 and Site 4, the quantum of car parking spaces has been raised as a concern by third parties. It is submitted that existing car parking is already constrained and the proposed development risks worsening these shortages without sufficient new provision.

Section 2.2.8 of the Planning Scheme states: -

- Zone 2 parking standards prescribed under the Development Plan shall be applied to all areas that have been identified with an Accessibility Level 1, 2 or 3.
- Zone 1 parking standards shall be applied to all other areas of the SDZ lands.

Site 5 is located within Accessibility Level 1, as identified in Figure 2.2.8 of the Planning Scheme. As such the Zone 2 parking standards of the County Development Plan apply to the proposed development. Section 11.4.2 of the SDCCDP sets out maximum parking rates for residential developments. The Development Plan states that the number of spaces provided for any particular development should not exceed the maximum provision, and the maximum provision should not be viewed as a target. The planning scheme also dictates that the number of car parking spaces within the SDZ lands should be minimised.

I note that applying the maximum number of car parking spaces per dwelling type as per SDCCDP parking standards, 258 spaces maximum are required. Site 5 is a purely residential scheme with no non-residential uses.

With a total of 219 car parking spaces proposed within Site 5, including with 31 spaces within the under croft of the apartment building, including 12 universally accessible (UA) spaces and 18 electric vehicle (EV) spaces. This equates to an overall ratio of 0.92 spaces per unit.

The proposed development includes 219no. car parking spaces, 190 within the SDZ lands (subject to SDCCDP standards) and 29 outside of the SDZ (subject to SPPR3(ii)).

The criteria set out in Table 3.8 of the Guidelines determine accessibility for the purpose of applying car parking standards under SPPR 3. It is noted that the site is less than 1km walking distance from Kishoge train station. However, Kishoge is on the Grand Canal Dock and Dublin Heuston - Portlaoise commuter line, and

services do not meet the 10-15 minute peak hour frequency threshold, nor is the site within 500m walking distance of an existing or planned BusConnects stop, both of which are relevant to the definition of High Capacity Public Transport Nodes. It is therefore considered that this portion of Site 5 is an 'Accessible Location' (as defined in Table 3.8 of the Guidelines).

There are 22 units in total situated within the eastern portion of Site 5, allowing for the provision of up to 33 spaces within this part of the development outside the SDZ, in line with SPPR 3. The proposed development includes 29 spaces in this part of the site, below the maximum requirement.

As per the requirements of the Development Plan, a total of 18no. (8%) of these car parking spaces will be equipped with functional EV charging points and shall be reserved for the use of battery-powered electric vehicles. The balance of the proposed car parking spaces in Site 5 will be 'future-proofed' through the inclusion of cables or ducting, to allow the rapid future installation of additional EV charging points.

The Planning Scheme states that *"developments should provide charging points for the charging of electric vehicles at a rate of 100% of the car parking provision"*. However again as per Site 3 and Site 4 it is submitted that SDCC, as planning authority, has not been imposing this provision within the SDZ area and instead considers the Development Plan requirement for 20% to be appropriate. This approach has been adopted by SDCC in recent applications in the Planning Scheme area including SDZ24A/0033W, SDZ23A/0004 and SDZ23A/0018.

I note the proposed % of EV parking may be considered a deviation from the planning scheme, however, I agree with the applicant that the approach is a minor departure from the detail set out in the scheme rather than a material shortfall. I consider, that albeit a contravention, it is not material.

As in the case of Site 3, I refer the Comisiún to the Car Park Management Strategy proposed. A management regime will be implemented by the development's management company to control access to the on-site car parking spaces thereby actively managing the availability of on-site car parking for residents of the development. Infrastructure measures identified to reduce reliance on private vehicles include the provision of ample secure cycle parking on site and ensuring a

design which promotes permeability for pedestrians and cyclists to, through and from the development. The high level of high-frequency public transport facilities (Dublin Bus, Irish Rail) will also act as a mobility management measure, as residents can rely on public transport over the private vehicle.

Given the foregoing and to the EIAR assessment of traffic and car parking, it is concluded, that the quantum of car parking is justified in accordance with the Clonburris SDZ Planning Scheme and South Dublin County Development Plan 2022 – 2028. I consider that the proposals represent a sustainable and practical approach to redevelopment on the subject lands and there are no traffic or transportation related reasons that should prevent the granting of planning permission for the proposed Development.

#### **7.6.8 Bicycle Parking**

The proposed development proposes 628no. bicycle parking spaces (527no. resident spaces and 101no. visitor spaces). This is 11 spaces short of the long stay space requirement for apartments, as per development plan standards which state that a general minimum standard of 1 cycle storage space per apartment bedroom shall be applied.

The development plan also states that visitor cycle parking shall be provided at a standard of 1 space per 2 residential apartment units. In this instance, there is provision for 101 short-stay visitor spaces, distributed throughout the scheme, which meets the minimum requirement.

This minor shortfall, in long stay secure spaces, should in my opinion, be amended by way of condition, given concerns raised with respect to congestion, I consider the minimum cycle parking spaces should be adhered to. I recommend that a condition be attached to any decision to grant planning permission that secure bicycle storage in accordance with County Development Plan Standards shall be demarcated on the plans and drawings and provided. 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.

#### **7.6.9 Transport Assessment**

In addition to compliance with the planning scheme, under this issue, I note that site wide concerns raised about traffic congestion, public transport capacity, whether a Road Safety Audit was submitted for the application and car parking provision are assessed and detailed in the preceding sections of this report and the EIAR assessment.

Details of compliance of street network, movement strategy and parking strategy with the planning scheme is noted, as is Chapter 14 of the EIAR, see the assessment, in the EIAR Assessment section of this report, for further details.

I am of the opinion as concluded in the EIAR assessment that the subject proposals will not result in a material deterioration of local road conditions above that which is already forecast. That the proposals represent a sustainable and practical approach to redevelopment on the subject lands and there are no traffic or transportation related reasons that should prevent the granting of planning permission for the proposed development.

#### **7.6.10 Mobility Management Plan**

As set out in the EIAR Assessment A Mobility Management Plan has been carried out by DBFL Consulting Engineers, for Sites, 3, 4 and 5. I refer the Coimisiún to Appendix 13.4 'Site 3, 4, 5 – Mobility Management Plan', May 2025.

The measures proposed in this document will benefit the residents and will also help to mitigate any transport impacts of the developments on the wider local community. The initiatives encourage sustainable travel modes and reduce car borne traffic within the Site 5 scheme.

#### **7.6.11 Green and Blue Infrastructure**

The overarching principle of the Planning Scheme and Key Principles for green and blue infrastructure are set out above, under assessment of Site 3.

The proposed landscape scheme is a key component of the integration of the new building environment with the existing and permitted landscape conditions.

Public open space will be distributed across the scheme in a series of high-quality areas that will serve the future residents and wider community. Site 5A has been designed around an attractive, centrally located public park, which will be a focal point within the development. This landscaped open space will visually

enhance the setting and provide a place for residents to gather and children to play. The layout also incorporates a temporary open space within the wayleave under the overhead power lines in the north of Site 5A. The purpose is to ensure a high standard of residential amenities in the short term by creating an attractive open space and facilitate future development on this part of the site when the overhead lines have been undergrounded/relocated.

A linear park is proposed within the ESB wayleave that extends along the north of Site 5B. This park will contribute significantly to the network of green infrastructure within the SDZ lands. It also forms an integral element of the proposed SuDS strategy for the site, featuring two attenuation ponds that have been carefully designed to facilitate informal play and recreation opportunities.

The proposed open space strategy is underpinned by the following design principles:

- The creation of good streetscape design, through the inclusion of attractive street trees (with underground tree pit details within hard surfacing areas), shrubs and hedging with year round interest, appropriate in scale and form.
- Ensuring integrated pedestrian and cycle links that connect with local destinations i.e. Kishoge Community College, Griffen Community College, Carline Learning Centre, Kishoge Railway Station, Urban Centres, Schools and neighbouring residential areas.
- Improving pedestrian and cycle experience along Thomas Omer Way
- Improving the pedestrian connections between Site A and Site B.
- The inclusion of play provision for differing age groups in a number of locations, including within the vicinity of the suds attenuation ponds, which are designed to be dry for the majority of the time.
- The selection of materials and treatments.

I consider that the proposed development has been designed to be consistent with Figure 2.3.1 – Green Infrastructure Network of the Planning Scheme. The proposed public realm and network of open spaces throughout the site are designed in

accordance with best practice, and will contribute to residential amenity by creating a high-quality attractive setting

#### **7.6.12 Sustainable Urban Drainage**

Section 2.3.2 of the Planning Scheme sets out sustainable urban drainage systems (SUDS). Separate surface water collection networks are proposed for Sites 5A and 5B together with a suite of SuDS measures including detention basins, green/blue roof, permeable paving and bioretention tree pits.

The strategy for surface water management at Site 5 has been developed by RPS in close consultation with the Clonburr Infrastructure (CIL) design team to ensure the overall attenuation and SuDS strategy for Sites 3, 4 and 5 aligns with the agreed Surface Water Management Plan for the SDZ lands (formulated by DBFL in 2019/2020). This strategy involves the adoption of at-grade, nature-based SuDS attenuation features to promote biodiversity, integrate drainage solutions with landscape design and avoid maintenance issues associated with synthetic solutions. This, I consider, is in line with the requirements of the Planning Scheme.

#### **7.6.13 Built Form and Design**

Design Criteria

Section 2.8.2 of the Planning Scheme states: -

*“To ensure coherency and quality in design, all medium to large scale development proposals on the SDZ lands (Landmark Buildings, 10 dwellings or more in the case of residential development or development of over 1,000 sq.m in the case of employment or retail/ retail services development) shall be accompanied by a Design Rationale...”*

I note the Architectural Design Statement, prepared by MDO Architects, for Site 5 development in respect of the architectural coherency and quality of the proposed design, having regard to the design criteria of the Planning Scheme.

Key design considerations of Site 5 include:

- Inclusion of adjacent lands outside SDZ boundary. The proposal includes lands outside of the SDZ boundary, which are zoned as 'Existing Residential' in the South Dublin County Development Plan.
- Relocation of vehicular junction for site 5B. The South Dublin County Council roads and traffic department advised to relocate the vehicular entrance further east due to its proximity to existing junctions. Additionally, the existing sound barrier along TW will be removed to establish a strong building frontage.
- Exclusion of road connection to Foxborough in lieu of a pedestrian / cycle connection to the neighboring development to the north.
- Proximity to power lines. The ESB require a 30 metre exclusion zone.

The following sets out an assessment of the proposal having regard to the key design criteria, inclusive of Block Size and Form, Building Centre Line and Urban Grain and Building Height.

#### **7.6.14 Block Size and Form**

Section 2.8.3 of the Planning Scheme states: -

*“Development across the SDZ lands shall be shaped and defined by the street network prescribed under the Movement and Transport section of this Planning Scheme (Section 2.2) and shall be divided into a series of blocks that present strong building frontages to surrounding streets especially at corners.”*

The layout of site 5 has been designed to align with the street and built form objectives of the SDZ. The Site 5 layout compared to extract from Figure 2.8.5 of the SDZ Planning Scheme shows fixed urban design requirements (building lines, centre lines, parks/squares and urban grain). As stated above, there are four departures, due to need to respond to existing strategic infrastructure (site constraints).

The scheme will provide a diverse range of housing options that complement the surrounding urban structure. In total, 236 residential units will be delivered, with a mix of three-bedroom houses, two and three-bedroom duplexes, two and three-bedroom triplexes, and one and two-bedroom apartments.

As outlined previously, above, under Movement and Transport, the proposed Site 5 street network is aligned with the fixed link streets and local streets. It is also closely

aligned with the layout of the more intimate streets, and the design of priority and non-priority junctions. The proposed development has due regard to the typology, primacy, alignment and design speed further specified in Table 2.2.1 of the Planning Scheme.

#### **7.6.15 Building Centre Line and Urban Grain**

The site is shaped by Thomas Omer Way, which divides the development into two sites. The layout follows a structured approach, with blocks strategically divided and orientated to break up the general massing of the scheme and to maximise natural sunlight throughout the day.

In Site 5A, the urban grain is structured around two character areas. In Kishoge Urban Centre, a formal tile is proposed, while Kishoge North East is designed around a central open space.

In Site 5B, the urban grain is designed to respond to the linear park to the north and Thomas Omer Way. The apartment block fronting the R136 has been designed with an articulated façade, breaking up its massing. The block along TOW contributes to the overall density and urban rhythm of the development, ensuring a cohesive integration with the surrounding built environment. As stated previously throughout this report the overhead power lines traverse both sites. Following guidance from ESB, a 30m exclusion zone has been incorporated into the design, prohibiting development within this area. The separation distance / set back with the housing to the north is notable. While the layout accommodates this constraint, it is with stated provisions for potential future development once the power lines are either relocated or decommissioned.

As noted, in response to the SDZ, it is proposed to remove the sound barrier along Thomas Omer Way and replace it with a strong building frontage, an active streetscape, that aligns with the vision set out in the planning scheme. This is considered acceptable. Concerns of noise impact raised have been dealt with in Chapter 9 (Noise and Vibration) of the EIAR assessment.

#### **7.6.16 Building Height**

As stated above, prescribed building heights are set out for each subsector and Development Area within the Clonburris SDZ Planning Scheme.

The Planning Scheme confirms that general building heights are outlined in Figure 2.8.10, whilst more detailed requirements are set out in Section 3 – Development Areas.

Site 5 is located within Development Area 10 – Kishoge North East, where Sub Sectors KNE-S1 and KNE-S2 have prescribed building heights of 2-6 storeys. And Area 6 – Kishoge Urban Centre, where subsector KUC-S2 has a prescribed building height of 2–8 storeys.

In the case of Site 5A, the proposed development complies with the designated building heights of 2 to 8 storeys in KUC-S2 and 2 to 6 storeys in KNE-S2. The varying heights proposed across the site which range from 2 to 6 storeys create an appropriate scale of development that responds to the hierarchy of streets, presents a strong building frontage and facilitates consistency with the applicable dwelling and density targets.

Likewise, the proposed building heights in Site 5B are consistent with the designated building heights of 2 to 6 storeys for KNE-S1. Heights of 2 to 3 storeys are proposed, with 3-storey units situated along the frontage to Thoms Omer Way to form a distinctly 'suburban' edge and attractive streetscape environment. 2-storey houses are concentrated in the rear of the site, more appropriate in the homezone areas. The proposed heights of 2 to 3 storeys are also compatible with the established residential estates on adjoining lands to the north and east.

I highlight the enclosed plans and particulars prepared by MDO Architects, for further design details. Overall, I consider compliance with building height as set out in the planning scheme is acceptable for Site 5.

Overall the layout responds to the objectives of the SDZ, ensuring a well integrated urban form. The urban grain responds to the existing topography, road network, fixed building lines, building heights, housing typologies, and parking layout, with a strong emphasis on creating a high-quality streetscape.

## **7.6.17 Services and Infrastructure**

### **Water Supply**

As per Site 3 above the Coimisiún is referred to the Statement of Design Acceptance, in respect of the proposed development, which demonstrates compliance with Irish Water Standards.

The Certificate of Feasibility received from Irish Water confirms that there is sufficient capacity for water supply.

Water and drainage proposals for Site 5 have been designed to tie in with new watermain, foul, and surface water lines which will be delivered as part of the Clonburris Northern Link Street (NLS) and associated infrastructure works, permitted under Reg. Ref. SDZ24A/0033W. It is anticipated these services will be in place by the time construction of the Site 5 residential development commences.

Given information on file, my EIAR assessment of material assets, in particular Chapter 15 (Utilities) and Chapter 8 Water of the EIAR and the foregoing I consider the water supply infrastructure as proposed accords with the planning scheme and is acceptable.

### **Foul Water Drainage**

As stated for Site 3 above, in respect of foul water drainage, the Planning Scheme notes that wastewater infrastructure development within the SDZ must align with Irish Water's Strategic Network Development Plans for the SDZ.

The Infrastructure Design Report prepared by RPS Consulting Engineers is noted.

The proposed development will be served by an existing 225mm foul line along Foxborough Court to the north of Site 5B and a 300mm foul line along Lynch's Park/Northern Link Street to the south of Thomas Omer Way. Although not yet installed, it is anticipated that the water service and drainage networks facilitating development in Site 5A will be in place prior to construction.

A Confirmation of Feasibility was received for Site 5, on the 29<sup>th</sup> Jan 2025, stating that connection of such a development to the public wastewater network (via the SLR

wastewater infrastructure) would be feasible subject to a connection agreement with Uisce Éireann.

Given my EIAR assessment of material assets (utilities & waste) Chapters 14 and 15 and Chapter 8 Water of the EIAR and the foregoing I consider the waste water infrastructure as proposed accords with the planning scheme and is acceptable.

### **Surface Water Drainage**

As stated above for Site 3 a Surface Water Strategy (SWS) was carried out in respect of the Planning Scheme and forms part of the accompanying documents to the Planning Scheme. The key principles of which are outlined above, under Site 3 assessment, and are relevant to Site 4 and Site 5.

The SuDS measures proposed (by RPS in close consultation with the Clonburr Infrastructure (CIL) design team)) have been co-ordinated with the landscaping scheme presented by Doyle & O'Troithigh Landscape Architects. I note Mitigation measures proposed relate to incorporated design, erosion and sediment control, accidental spills and leaks control and emergency response plan. The cumulative impacts and the potential for interactions with the other EIAR topics have been adequately addressed in the EIAR assessment section of this report.

The surface water drainage complies with the key principles of the surface water management in the SWS accompanying the planning scheme (formulated by DBFL in 2019/2020).

#### **7.6.18 Flood Risk Assessment**

I note the Site Specific Flood Risk Assessment prepared by RPS Consulting Engineers for Site 5. This concludes:

The flood data reviewed in the FRA, identified no historical fluvial, pluvial or groundwater flood risk within the proposed development site and its immediate vicinity. Further to this, in the Eastern CFRAM study and also the Groundwater flood studies carried out by GSI no future fluvial and groundwater flood risks were identified within the proposed site or its immediate vicinity. Flood zones maps prepared in the SFRA undertaken as part of the South Dublin County Development Plan 2022-2028 showed the subject site is located in Flood Zone C (outside of Flood Zones A & B). Therefore, there is no need to progress to Stage II FRA.

In the South Dublin County Development Plan 2022-2028, the Proposed Development site is located within the Clonburrish Strategic Development Zone (SDZ), with zones of residential development and open space, and general enterprise are also featuring in the area. Based on the Planning Guidelines, the proposed residential development at the subject site is deemed appropriate.

Through implementation of best practice engineering methods, it is not envisaged that the proposed development will be at risk of nor exacerbate flood risk at the site and its immediate vicinity. Any increase in surface runoff generated by the proposed developed will be attenuated and treated through a suite of SuDs type drainage systems as discussed above, before discharging into the adjacent surface water drainage network with a hydrobrake implemented at the outfall manhole to limit outflow to greenfield runoff rates. This therefore will not pose any increased flooding risks at the adjacent lands and properties.

I refer the Coimisiún to Chapter 8 of the EIAR. Assessment of Water, concerns raised by third parties, full details of flood mitigation and site – specific FRAs is set out in the EIAR assessment section of this report, see section 8.5.4. I cross reference that this assessment sets out that Site 5 is located in Flood Zone C.

Full details and flood mitigation measures can be found in the site-specific Flood Risk Assessments (FRAs) for sites 3, 4 and 5.

I am of the opinion that the FRA complies with the key principles and sustainable goals of the planning scheme, with respect to flood risk on the lands.

#### **7.6.19 Energy and Efficiency**

The planning scheme identifies that the construction of new homes is required to comply with Building Regulations Part L.

I note that a Climate Action and Energy Statement prepared by MANDE Consulting Engineers is enclosed with the subject application.

The Climate Action and Energy Statement in relation to Site 5 states that the development will be a Nearly Zero Energy Building (NZEB) in accordance with the 2022 Part L requirements and the relevant sustainability policies within the South Dublin County Development Plan 2022-2028, see Chapter 11 Climate Change of the

EIAR for further details of compliance. This is considered in accordance with the planning scheme and acceptable.

**7.6.20** With respect to assessment of and compliance with **Waste Management, Noise, Landscape and Open Spaces, Biodiversity and Natural Heritage, Archaeological Heritage and Architectural Heritage** generally and with the planning scheme, I refer to the EIAR assessment. I note the Construction Environmental Management Plan, prepared by RPS Consulting Engineers for Site 5, the Resource Waste Management Plan and the Operational Waste Management Plan prepared by AWN Consulting (Appendix 14.2) which detail mitigation and how waste will be managed during construction and operation of the proposed development. Cognisance is had the Planning Scheme notes that waste and recycling needs to be fully considered and implemented in design, construction and operational phases of development.

I refer the reader to my assessment of Landscape and Visual Impact, Noise and Cultural Heritage (Archaeological & Architectural) in the EIAR assessment section of this report. Having regard to the foregoing, I am satisfied that the proposed development, is materially in compliance with the planning scheme, would not have any unacceptable direct, indirect, or cumulative effects on the environment. Concerns raised by prescribed bodies and third parties with respect to individual issues / topics has been considered fully in the EIAR section of this report, please refer.

## **7.7. Other Considerations:**

### **7.7.1 Childcare**

A Key Principle of the planning scheme (section 3.1) states:

“Ensure that each character area is developed with regard to the required prescriptive statistical parameters in particular; identify densities, social and affordable housing, community and childcare facilities, retail and services and identify the gross and net extent of each development area”.

The Phasing Table (Table 4.3) for the Planning Scheme details a schedule and programme to plan and deliver strategic infrastructure and amenities on a

phased basis, in tandem with the development of residential units in the Planning Scheme.

The Scheme supports the co-location of purpose built childcare facilities with primary schools and supports the provision of purpose built childcare facilities adjacent to existing or planned primary schools. Early childhood care in residential units should only be provided at an appropriate scale to complement purpose built facilities and are subject to appropriate safeguards. Childcare facilities should be within walking and cycling distance of educational, community facilities and employment locations.

As per the planning scheme - Table 2.7.2 Childcare Infrastructure Minimum Capacity states:

| <b>Area</b>             | <b>Childcare Places (full day care)</b> |
|-------------------------|---|
| Clonburris Urban Centre | 200                                     |
| Kishoge Urban Centre    | 100                                     |
| Total in Scheme         | 900                                     |

As detailed in Section 2.7 of the Planning Scheme, childcare facilities are required to meet the needs of the evolving population in Clonburris and Kishoge. The Scheme also acknowledges the need for flexibility and the role of market factors in the delivery of quality sustainable facilities. It therefore provides for an approach to early childhood care that combines area-based and market-led provision. I note the planning scheme does not prescribe childcare places for each individual sub sector or site and as such table 2.7.2 relates to KUC-S2 of which the subject application partially relates to.

Section 2.4 of the Guidelines set out general standards for the land use planning issues related to childcare provision in Ireland.

The Guidelines recommend childcare provision on the basis of 20no. childcare spaces for every 75no. dwellings permitted in a new residential scheme. The Design Standards for New Apartments: Guidelines for Planning Authorities published in 2018 (updated in 2023) provides further clarification with regards to childcare provision:

“One-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms.”

The proposed development accommodates a total of 1,252no. dwellings, including 242no. 1-bed units, 435no. 2-bed units, 567no. 3-bed units and 8no. 4-bed units in a mix of houses, triplexes, duplexes and apartments.

Having regard to the provisions of Section 4.7 of the Childcare Guidelines, arguably 1-bed and 2-bed apartment units (677no.) can be discounted from the calculation of childcare space quantum requirements. Thereafter, a total 575no. 3-bed and 4-bed dwellings are proposed. Based on the Childcare Guidelines requirements for one childcare facility (minimum 20 no. places) per 75 No. dwellings, this gives rise to a requirement for 153no. childcare spaces.

The proposed development provides 2no. childcare facilities with a capacity of c. 200no. childcare spaces, 1no. located in Site 3 (c. 553sqm) which caters for c. 100no. children and 1no. located in Site 4 (c. 544sqm) which also caters for c. 100no. children. This complies with the planning scheme and with the guidelines.

The proposed childcare facility at Site 3 is in close proximity to the existing Lucan East Educate Together National School to the north. While the proposed childcare facility at Site 4 is located within the vicinity of the ‘Grange Local Node’ indicated by the Planning Scheme. The locations of both childcare facilities have been carefully considered and have had due regard to the provisions made in the Planning Scheme.

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 the planning scheme. I further consider the subject proposal is in accordance with the Childcare Guidelines (2001) and the Apartments Guidelines (2023) which states: “the scale and unit mix of the proposed development and the existing geographical distribution of childcare facilities and the emerging demographic profile of the area. One-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms”.

### **7.7.2 Impacts on Existing Properties**

It has been submitted that the application will impact upon existing properties. Tullyhall Residents Association requests that any new homes built immediately adjacent to the existing two storey homes in Tullyhall (Rise and Drive) should be two storey, of the same height and at the same ground level. It is recommended that a further information request is required with respect to traffic, connectivity to existing residential estates, building heights, landscaping, flood risk, social infrastructure and a detailed CEMP.

However, I consider that the application includes a comprehensive package of 3D modelling and computer – generated images (CGIs) to demonstrate the effects on existing properties. I note the extensive 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. I note the height and design of the three storey Duplexes, some 9.4 m in height abutting Tullyhall Rise, there is a variety and mix of duplexes, triplexes, 2 storey and three storey houses, courtyard blocks of apartments and terraces throughout. I consider the layout, heights and finishes as proposed have cognisance to the parameters of the planning scheme to existing adjoining development and are acceptable.

As previously outlined, the proposed scheme is in line with the core principles and building height strategy of the SDZ planning scheme. While it is inevitable that the area is changing and this will have impacts on existing surrounding properties, I have considered the impacts associated with the development and I do not consider that this would result in any unacceptable effects, with respect, inter alia, to overlooking, overshadowing, height, design or massing. 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.

The Building Height Guidelines acknowledge that a key objective of the NPF is to promote an increase in prevailing building height and overall density, in order to achieve more compact urban growth. Increased building height and development

density are not only to be facilitated, but actively sought out and brought forward by the planning processes.

The Guidelines therefore set out a number of Specific Planning Policy Requirements (SPPR) that Planning Authorities and The Commission are required to have regard to in carrying out their functions.

Section 3.1 of the Guidelines sets out development management principles for the assessment of individual planning applications. It requires that 'planning authorities' must apply broad principles in considering development proposals for buildings taller than prevailing building heights. I highlight that the building heights conform with the ranges set out in the SDZ, ranging from 2 – 6 storeys generally.

The NPF recognises the important role of Clonburris as a strategic location for sustainable new housing delivery. The NPF's long-term vision aims to balance the provision of good quality housing that meets the needs of a diverse population by developing our cities, towns, and villages as attractive places to live both now and in the future. The plan embraces the principle of compact growth, targeting at least 40% of all new housing to be delivered within the existing built-up footprint of settlements or contiguous to existing developed lands. The subject proposal proposes 1252 residential units on lands zoned 'Primarily Residential', two childcare facilities (1097 sq.m) a local / neighbourhood shop (c.146 sq m), employment use is proposed for the existing Grange House (c. 170 sq. m) landscaped public open space, private open space and children's play areas. The proposed uses are all 'Permissible' in principle in the 'Primarily Residential' land use zone, per Table 2.1.1 of the Planning Scheme and the 'Mixed Use' zone, save for the eastern portion that sits outside the SDZ boundary which is also zoned 'Existing Residential' (RES) in the SDCDP 2022-2028, with the zoning objective '*To protect and / or improve residential amenity*'. Residential use is permitted in principle in this zone.

New housing delivery in Clonburris, a designated SDZ, is consistent with the NPF policy focus on sustainable compact growth. The proposed development will accommodate growth within the metropolitan boundary of Dublin, and offer new residents improved housing choice, transport mobility and quality of life.

### 7.7.3 Daylight and Sunlight

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

#### Policy & Standards

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 An Coimisiún Pleanála should apply their discretion.

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. An Coimisiún Pleanála 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 An Coimisiún Pleanála should apply their discretion in accepting.

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 / An Coimisiún Pleanála 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. At local policy level, the Development Plan also (Section 12.6.7) acknowledges the importance of good levels of sunlight and daylight in relation to separation distances and block layout sunlight / daylight communal open space.

- A daylight analysis will be required for all proposed developments of 30+ units or in any other case where the layout or design could unduly impact on residential amenity.
- The impact of any development on existing habitable rooms should also be considered.

The SDCCDP States: 'It is for the proposer of residential applications to demonstrate that the development can satisfy the standards set out above in relation to potential impacts on the quality and usability of spaces including public open spaces and communal spaces. This can potentially be achieved through appropriate heights and orientation of adjoining blocks to allow for adequate levels of sunlight to reach communal amenity space throughout the year.'

I note the SDCCDP goes on to State: 'All residential consolidation proposals shall be guided by the quantitative performance approaches and recommendations under the 'Site Layout Planning for Daylight and Sunlight' (2nd edition): A Guidelines to Good Practice (BRE 2011) and BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting' and / or any updated guidance;'

The application includes an 'Daylight, Sunlight Assessment Report' for each of the three sites 3, 4 and 5 of the proposed development. It was prepared by 3D Design Bureau. It includes an assessment of Sun Exposure in habitable rooms, Sunlight on Ground (SOG) in all amenity spaces within the development, a target illuminance

assessment / Spatial Daylight Autonomy (SDA) assessment and a No Sky Line (NSL) in all habitable rooms assessment. Also, a Vertical Sky Component (VSC) on all relevant surrounding windows of surrounding properties, an APSH/WPSH impact assessment on the relevant surrounding windows/rooms that have an orientation within 90° of due south and Sunlight on Ground (SOG) assessment in all surrounding amenity spaces.

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 *'be guided'* 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 as 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.

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'*.

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 3<sup>rd</sup> parties.

### **Daylight to Proposed Dwellings**

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.

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.

The scheme performance assessment has quantified the level of daylight and sunlight within the proposed development, focusing specifically on apartment and duplex units.

### **The applicants' report outlines for Site 3:**

The SDA assessment revealed a compliance rate of 99% under BR 209 criteria both with and without trees. Notably, rooms affected by trees are only marginally below the threshold.

The SE assessment of 435 units also demonstrated a 99% compliance rate with BRE Guidelines criteria, both with and without trees.

The SOG assessment of 12 shared amenity spaces revealed that all meet or exceed the minimum criteria set by BRE Guidelines for sunlight on amenity areas.

The Sun On Ground assessment of 27 neighbouring private gardens, that share boundaries with the subject site, showed that all would experience a 'negligible' level of effect.

I note the rationale for all instances of non-compliance with the BR 209 criteria (underperforming for daylight levels to bedrooms or KLD), that can be attributed to the effect that trees have on daylight, is that the provision of trees is an important aspect of the proposed site layout. Where trees affect daylight potential, a conscious decision has been made by the design team in balancing daylight provision with an appropriate level of foliage. Mitigation in the form of greater than minimum floor areas, larger private amenity terrace areas, views onto communal landscaped park, aspect, floor to ceiling height of room increased from 2.4 to 3m.

I am of the opinion this high compliance rate demonstrates appropriate orientation and window placement throughout the development, ensuring most residents will enjoy ample sunlight access. I believe that future residents will enjoy multiple well-sunlit outdoor spaces throughout the year.

#### **The applicants' report outlines for Site 4:**

The scheme achieves 100% compliance with Spatial Daylight Autonomy (SDA), considering both states - with and without trees in the calculations.

The Sunlight Exposure (SE) calculations, indicates the scheme achieves c.98% compliance in both states: without deciduous trees and with all trees included in the calculation.

The SOG analysis, indicates that although one of the spaces is under performing future occupants will have access to all other amenity areas that are fully compliant with the BRE guidelines.

For the Sun On Ground (SOG) study, the assessment revealed no adverse impact on the granted linear park SD228/0003 to the east of Site 4. This demonstrates that if the linear park is built according to the granted project specifications, the proposed development's massing and separation distance from the neighbouring granted linear park SD228/0003 will be adequate to preserve sunlight access.

#### **The applicants' report outlines for Site 5:**

The SDA assessment of 632 habitable rooms across 201 units revealed a compliance rate of 99% under BR 209 criteria when including trees, with only 5 no. rooms falling marginally short of the 50% threshold. Furthermore, without trees included in the assessments, only one room is marginally below the threshold, falling short at 44% against the 50% threshold.

In the SE study, all 201 assessed units meet the BRE Guideline's criteria, both with and without deciduous trees.

The SOG assessment revealed all 3 planned public open spaces exceed the criteria set by the BRE Guidelines.

This excellent performance is a result of the collaborative approach between 3DDB and the design team to optimise the buildings layout and design for maximum daylight and sunlight access.

Overall, the proposed development at Clonburriss: Site 5 demonstrates a considerate approach to design, providing good daylight and sunlight access for future residents while minimizing impact on surrounding existing and planned properties.

As per site 3 above, I note the compensatory design solutions that have been provided by the project architect where rooms do not achieve the daylight provision targets as set out in the BRE Guidelines. See section 5.2.1 Spatial Daylight Autonomy (SDA) of the comprehensive 3D Design Bureau Daylight and Sunlight Assessment, which Incl. measures such as larger floor areas, larger private terraces that overlook landscaped communal spaces, orientation of units, corner windows etc. I note also landscaping and proposed new trees which impact daylight are justified to enhance the streetscape and overall quality of the new neighborhood.

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.

For rooms that have not met the target lux values, the sunlight and daylight assessment submitted 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.

I also note the high proportion of dual aspect units (87%), which would significantly exceed the requirements for 'central and/or accessible urban locations' of a minimum of 33%, which the applicant argues is the applicable location as per the Apartments Guidelines and I note (SPPR 4) or in the case of suburban or intermediate locations, it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme'.

Having regard to the foregoing results; the compensatory measures within the proposed scheme; site constraints and the need to achieve wider planning objectives on this site, such as compliance with the planning scheme; 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.

### **Sunlight to proposed living spaces**

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 21<sup>st</sup> March.

The applicants' results show that for **Site 3**:

In total, 435 no. units have been assessed. The level of sunlight exposure for the assessed units is as follows:

- With all trees: 388 no. units are considered *high*, 21 no. *medium*, 20 no. have reached the *minimum* recommendation, and 6 no. *below minimum*.
- Without deciduous trees: 398 no. units are considered *high*, 12 no. *medium*, 19 no. have reached the *minimum* recommendation and 6 no. *below minimum*.

The SE assessment has shown that, regardless of the effect of trees, 99% of the assessed units meet the Sunlight Exposure criteria. I note that for a unit to be compliant under BR 209, only one habitable room within the unit needs to meet the guideline values.

The applicants' results show that for **Site 4**:

In total, 295 no. units have been assessed. In the assessment carried out with all trees considered, 240 no. units are considered *high*, 21 no. *medium*, 29 no. have reached the *minimum* recommendation with 5 units below the *minimum* recommendation.

When deciduous trees are not factored into the assessment model, 243 no. units are considered *high*, 19 no. *medium*, 28no. have reached the *minimum* recommendation with 5 units below the *minimum* recommendation.

The SE assessment has shown that, in both studies, the compliance rate for the assessed units, in accordance with the BRE Guidelines, is c.98%.

The applicants' results show that for **Site 5**:

In total, 201 no. units have been assessed.

- With all trees: 156 no. units are considered *high*, 36 no. *medium*, 9 no. have reached the *minimum* recommendation.
- Without deciduous trees: 164 no. units are considered *high*, 31 no. *medium*, 6 no. have reached the *minimum* recommendation.

The SE assessment has shown that, regardless of the effect of trees, all of the assessed units meet the Sunlight Exposure criteria. Again, I note that for a unit to be compliant under BR 209, only one habitable room within the unit needs to meet the guideline values.

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 as an appealing view to the north.

I would highlight that the requirement for compensatory measures (as per the Apartments Guidelines and Building Height Guidelines) applies to daylight standards, not sunlight.

Having regard to the applicants' results, 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**

The BRE Guide recommends that at least half of the proposed space should receive at least two hours of sunlight on 21st March.

For **Site 3**:

In total 12 no. shared amenity areas have been assessed, all of which meet or exceed the criteria as set out in the BRE Guidelines.

For **Site 4:**

In total 8 no. spaces have been assessed, 1 no. of which did not meet the criteria as set out in the BRE Guidelines. All assessed spaces registered results above c.80%, with one exception: the communal open space for Block F. The north orientation of this amenity area results in overshadowing and obstruction to the sun on ground by the apartment block. In response, the applicant proposes adding two additional amenity spaces (B and C), as a compensatory design measure. These are fully compliant from an SOG perspective. Additionally, future occupants will have access to all other amenity areas within the proposed development, which fully meet the BRE requirements.

For **Site 5:**

This study has assessed the level of sunlight on March 21st within the proposed shared amenity areas. In total 3 no. Public Open Spaces have been assessed, all of which vastly exceed the criteria as set out in the BRE Guidelines. This performance ensures that future residents will enjoy well-sunlit outdoor spaces throughout the year.

Overall, I am satisfied that occupants of Block F will avail of convenient access to the high-quality space and sunlight available in the public open space throughout the proposed scheme.

Having regard to the above, and notwithstanding the identified shortfall, 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**

For **Site 3:**

3D Design Bureau (3DDB) carried out a comprehensive daylight assessment, sunlight assessment, and shadow study for the surrounding context of Site 3. The impact assessment submitted has quantified the effect the proposed development would potentially have on the level of daylight and sunlight received by neighbouring properties/environment that are in close proximity to the proposed site 3.

Following established BRE Guidelines methodologies, the assessments determined that all assessed residential properties would experience only negligible effects on VSC levels. Some minor and one moderate adverse level of effect on VSC were identified, these are limited to non-residential windows.

The assessment of APSH/WPSH demonstrated that 100% of the assessed windows meet the BRE Guidelines criteria.

The Sun On Ground assessment of 27 neighbouring private gardens, that share boundaries with the subject site, showed that all would experience a 'negligible' level of effect, therefore respecting the amenity of neighbouring residents, ensuring they will continue to enjoy good sunlight access to their private outdoor spaces.

**For Site 4:**

Following advice within the BRE Guidelines, the surrounding context (outside of the subject site), was carefully considered to ensure all properties and amenity spaces that could potentially experience a level of effect have been considered in the study. The assessment concluded that no existing or planned window in the properties within three times the height of the proposed development met the criteria for further assessment.

As set out above, the BRE Guidelines do not provide clear criteria on which neighbouring properties should be included in a Sun On Ground (SOG) study. Therefore, 3DDB included the granted linear park (SD228/0003) in their report and has quantified the effect the proposed development would have on the level of sunlight received by this neighbouring amenity due to its close proximity to the proposed development. The Part 8 Residential Development (SD228/0003) located to the east of Site 4 and currently under construction, was also incorporated into the assessment model.

For the Sun On Ground (SOG) study, the assessment revealed no adverse impact on the granted linear park SD228/0003 or the development under construction (SD228/0003) given separation distance. The analysis demonstrates that if the linear park is built according to the granted project specifications, the proposed development's massing and separation distance from the neighbouring granted linear park SD228/0003 will be adequate to preserve sunlight access.

For **Site 5:**

3D Design Bureau also carried out a daylight sunlight and shadow assessment to adjoining surrounding development. The relevant surrounding granted developments were incorporated into the assessment model, including the Part 8 Residential Development (SD179A24/0004) to the south east of Site 5 A, the primary school (SDZ22A/001) to the south of TOW and south of Site 5B, and the development under construction to the northeast of Site 5B (SD198/0002). This approach established a worst-case scenario for the scheme performance assessment, as any granted schemes that do not proceed would likely result in improved daylight and sunlight conditions for the proposed development.

The impact assessment evaluated the potential effects of the proposed development on surrounding properties and amenity spaces. Following established BRE Guidelines methodology, the initial analysis determined that no existing or planned properties within three times the height of the proposed development met the criteria for further detailed assessment. This indicates that the proposed development has been designed with appropriate consideration for its context, ensuring minimal impact on the daylight and sunlight conditions of neighbouring properties.

Having regard to the foregoing and based on BRE guidance, I am satisfied that the proposed development has been designed with appropriate consideration for its surroundings and would not have any unacceptable impacts on daylight or sunlight levels to existing properties / neighbouring windows.

### **Conclusions on Daylight and Sunlight**

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.

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 height but not daylight sunlight or overshadowing.

The proposed development adheres to the SDZ Planning Scheme provides the broad framework where daylight and sunlight requirements can be met through appropriate block layout and building design. I note that the proposed development adheres to the prescribed street proportions and building heights prescribed in the planning scheme. The development overall is not a dense or high scheme. I note that dual aspect units amount to 87% of the total number of apartment, duplex and triplex units proposed. 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 medium density development at this location in accordance with local and national policy.

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.

## **8.0 The likely effects on the environment (Environmental Impact Assessment)**

### **Environmental Impact Assessment**

#### **8.1 Statutory Provisions**

Schedule 5 of the Planning and Development Regulations 2001 (as amended) lists the classes of development where an EIA is mandatory under Part 1 and where an EIA may be required under Part 2. Where a project falls within a criterion for a type of development and / or exceeds a threshold as listed in Part 1 or Part 2, then it must be subjected to EIA.

Schedule 5 (Part 2) of the Planning & Development Regulations 2001 – 2018 set mandatory thresholds for each project class. Sub-section 10(b)(iii) and (iv) addresses 'Infrastructure Projects' and requires that the following class of project be subject to EIA: (b)(i) Construction of more than 500 dwelling units. Category 10(b)(iv) refers to 'Urban development which would involve an area greater than 2 hectares in the case of business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.'

The proposed number of residential units is cumulatively 1,252 no. in total. It therefore exceeds the threshold for which an EIAR is required, as it comprises more than 500no. dwellings. Furthermore the cumulative site area of the proposed development is c. 29.4 ha. This is also above the EIAR threshold, being a combined area greater than 10 ha in a built up area.

Consequently, an EIAR is submitted to An Coimisiún Pleanála with this Part 10 Application, as part of the EIA process.

#### **8.2 EIA Structure**

This section of the report comprises the environmental impact assessment 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 environmental impact assessment (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.

Article 94 of the Planning and Development Regulations, 2001 and associated Schedule 6 set out requirements on the contents of an EIAR.

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 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, (Directive 92/43/EEC and Directive 2009/147/EC respectively).
- Land, Soil & Geology,
- Water and Hydrogeology,
- Air (noise and vibration)
- Climate
- Landscape and Visual Impact Assessment,
- Material Assets
- Cultural Heritage,
- Risk Management,

- Cumulative Impacts & Interactions between the factors.
- The vulnerability of the proposed development to risks of major accidents and/or disasters.

It also provides a reasoned conclusion and allows for integration of the reasoned conclusions into the Boards decision, should they agree with the recommendation made.

### **Issues Raised in Respect of EIA**

Issues raised in respect of EIA by Prescribed Bodies and Third-Party Observers are discussed in detail in Section 6.0 and Section 8.0 of this report and include the following:

- Concern of impact upon Human Health – connectivity and accessibility.
- Concern of inadequate car parking and community facilities in the area.
- Concern of impact upon biodiversity, in particular, bird species, non-volant mammals and bat species.
- Concern over loss of habitats, flora/fauna.
- Concern of impact upon Kilmahuddrick Stream, removal of trees, hedgerow and other habitats of ecological value incl. two orchid species and of protected plant species, lesser centaury.
- In order to transplant sections of the development site where lesser centaury occurs a licence from the Department is required independently of any planning permission.
- Concern of impact of surface water run off during construction.
- Flood Risk
- It is recommended that no commercially sourced wildflower seeds should be planted, locally occurring wildflower species should be allowed naturally colonise. Given the sites location adjacent to the Grand Canal pNHA it is important that local biodiversity is not threatened.
- Licensed archaeological monitoring should be required.

- I note that the DOHLGH states that if all of the mitigation measures set out in the EIAR and other documentation supporting the application is carried out in full, they should minimise effects upon biodiversity in as far as is feasible given the scale of the development. Also, planting of trees and shrubs will allow recolonization of the redeveloped area by many species such as birds and insects.

### 8.3 Compliance with the Requirements of Article 94 and Schedule 6 of the Regulations 2001

Compliance with the requirements of Article 94 and Schedule 6 of the Planning and Development Regulations 2001(as amended) is assessed below.

**Table 25: Information to be contained in an EIAR**

| <b>Table 1 Article 94 (a) Information to be contained in an EIAR (Schedule 6, paragraph 1)</b>   |
|--|
| <b>A description of the proposed development comprising information on the site, design, size and other relevant features of the proposed development (including the additional information referred to under section 94(b))</b>   |
| <p>A description of the proposed development, is contained in Chapter 3 of the EIAR including details on the location, site, design and size of the development, arrangements for access and construction methodology and spoil and waste to be generated. In each technical chapter the EIAR details are provided on use of natural resources and the production of emissions and/or waste (where relevant).</p> <p>Chapter 3 sets out land use zoning objectives, Clonburris SDZ Planning Scheme (2019), Land Use and Density.</p> <p>Chapters 5 set out Population and Human Health.</p> <p>Biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC and Directive 2009/147/EC is set out in Chapter 6.</p> <p>Land, soil, water, air and climate is dealt with in Chapters 7, 8, 9, 10 and 11.</p> <p>Material assets, cultural heritage and the landscape is set out under Chapters 12, 13, 14 and 15.</p> |

The interaction between the factors is set out in Chapter 20: Cumulative Effects Impacts & Interactions. Chapter 17: Risk Management (Major Accident and Disaster) sets out the expected effects deriving from the vulnerability of the project to risks of major accidents and/or disasters that are relevant to the project. Chapter 18 sets out a summary of mitigation measures.

The EIAR is supported by the development of a Construction Environment Management Plan (CEMP) for Site 3, Site 4 and Site 5, The CEMP demonstrate a collaborative approach to construction management, with shared infrastructure considerations, sustainable practices, and a strong emphasis on mitigating environmental impacts. Regular communication between project teams, including the approved Clonburris Northern Link Street, and adherence to evolving best practices will ensure these developments are delivered responsibly and in alignment with South Dublin County Council's requirements. The CEMP will be implemented by the appointed contractor. The CEMP will be updated to address the requirements of any relevant planning conditions, including any additional mitigation measures.

Chapter 3: Project Description sets out the construction programme and phasing. The construction programme sees the proposed development for Sites 3, 4 & 5 beginning concurrently, however it is anticipated that the timelines for completion will vary as follows: -

- Site 3: 40-month construction programme
- Site 4: 36-month construction programme
- Site 5: 28-month construction programme

The primary access to Site 3 will be from Adamstown Avenue where existing stubbed access points have been formed. Access points will be provided from the proposed Clonburris North Link Street to the southeast of the site.

It is anticipated that for the duration of the construction works all construction access and egress for deliveries at Site 4 shall operate via Sheehan's Road along the eastern boundary of the development site. In addition, one or more separate pedestrian only entrance(s) to the site shall be installed, to segregate vehicular and pedestrian movements to and from site.

Construction traffic will access Site 5 via Thomas Omer Way.

Due regard will be paid to minimising any impacts by construction vehicles on the existing developments in the area. Should an issue arise in respect of construction traffic, then the position will be reviewed by the Project Team and changes made.

The description is adequate to enable decision making.

**A description of the likely significant effects on the environment of the proposed development (including the additional information referred to under section 94(b)).**

An assessment of the likely significant direct, indirect, and cumulative effects of the development is carried out for each of the technical chapters of the EIAR. I am satisfied that the assessment of significant 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 EIAR includes designed in mitigation measures and measures to address potential adverse effects identified in technical studies. These, and arrangements for monitoring, are summarised in Chapter 18 (Mitigation and Monitoring Measures) and in the Construction Environmental Management Plan KSG3-DBFL-XX-XX-RP-C-0002 (May 2025) prepared by DBFL Consulting Engineers for site 3. The CEMP carried out by CS Consulting Engineers for Site 4 KSG4-CSC-00-XX-RP-C-0004 (March 2025) and the CEMP KSG5-RPS-ZZ-XX-RP, C-50003, S5 P01 (February 2025) carried out by RPS for site 5. Mitigation measures comprise standard good practices and site-specific measures and are largely capable of offsetting significant adverse effects identified in the EIAR for the reasons stated in the assessment below.

**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 additional information referred to under section 94(b)).**

A description of the alternatives considered is contained in Chapter 4 of the EIAR.

*Do Nothing Alternative*

Unsustainable and inefficient use of strategically important lands. Non-provision of housing, retail and employment development and associated local services and public open space provision. Neutral in environmental terms. Given the zoning of the lands, location within a SDZ and proximity and accessibility to Dublin City and significant employment locations, the do nothing scenario was discounted.

*Alternative Locations*

The subject lands are owned by the applicant, unless where otherwise stated, and identified for redevelopment in Clonburris SDZ, CDP 2022-2028 and the RSES 2019. Location therefore identified at local and regional level. Planning policy provisions at all tiers support the redevelopment of the subject lands having regard to land zoning objective, location within Dublin Metropolitan Area, proximity to existing built up areas and scale which provide capacity for a significant number of new homes.

Environmental considerations for location include proximity to public transport and pedestrian and cyclist infrastructure, to road network, availability of social infrastructure and services, built up/urban surrounding landscape, and proximity to existing population. Having regard to these the proposed location is considered appropriate.

*Alternative Uses*

Located in Clonburris SDZ. The proposed mixed-use aligns with land use zoning and permissible land uses under Planning Scheme.

The Planning Scheme pre-empts the nature of development at this site and has been subject to a SEA which further considers alternatives for this site as part of the wider SDZ area.

The main alternatives considered during the development of this project comprise alternative layout and design solutions for residential-led development and associated site works at the site location. The proposal has evolved following an extensive appraisal of site layout, scale, and massing of development. This process had regard to a number of considerations, including characteristics of site and wider environs, constraints and opportunities, train station and provisions of planning scheme. Having regard to the land use designations, the application site is considered to be entirely suitable for the uses proposed. Given the nature of the proposed development, it was not considered necessary to consider alternative process for the proposed development.

I consider that the EIAR contains a description of reasonable alternatives, which is thorough, and which includes decisions being made on a strategic and specific site selection process. I consider that the legislative requirement to provide information relating to the reasonable alternatives which were considered, has been met.

**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.**

A description of the site location and context for each 'site' 3, 4 & 5 is contained within Chapter 3.

A description of the baseline environment and evolution of the environment in the absence of the proposed scheme is contained in each technical chapter of the EIAR.

**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.**

The methodology employed in carrying out the EIA, including the forecasting methods is set out in each of the individual chapters assessing the environmental effects. The methodology employed in carrying out the EIA, including the forecasting methods is set out, in each of the individual chapters assessing the

environmental effects. The applicant has indicated no difficulties were encountered (technical or otherwise) in compiling the information to carry out EIA. I am satisfied that forecasting methods are adequate in respect of likely effects on biodiversity, land, soil, water, air and climate, material assets, cultural heritage and the landscape. I am satisfied that forecasting methods are adequate.

**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 disasters which are relevant to it.**

This issue is specifically dealt with in Chapter 17 Risk Management (Major Accidents & Disasters).

Specific risks have been identified in relation to the project's vulnerability to Flooding, Fire / explosion, unplanned outages / disruption to services, road accidents arising from construction traffic, contamination of the ground water / surface water, falling debris from vehicles / cranes or crane striking rail overhead cable or poles, and release of asbestos fibers to atmosphere or surface water.

From examining the plausible risks presented in Table 17.6 of the EIAR, the scenario with the only risk, (highest risk score) in terms of a major accident and/or disaster was identified as being 'Incident at nearby Kishoge Train Station', possible cause being 'fire / explosion or act of terrorism'. These risks were both given a score of 5, indicating a scenario that is 'extremely unlikely' to occur, but which would have 'catastrophic' consequences for the station and neighbouring development should it do so. According to the risk matrix in Table 17.7, this indicates a 'low risk scenario'.

These risks identified and discounted are reasonable and are assessed in my report.

**Article 94 (c) A summary of the information in non-technical language.**

This information has been submitted and is contained in Chapter 2 Non Technical Summary. It sets out a synopsis of each technical chapter of the EIAR. I have read this summary document, and I am satisfied that the document 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 the assessment of the potential environmental impact are set out both within the specific chapter and they are also listed in references throughout Chapter 21 Bibliography of the Environmental Impact Assessment Report. I consider the sources relied upon are generally appropriate and sufficient.

**Article 94 (e) A list of the experts who contributed to the preparation of the report**

Details of the study team as well as their respective inputs to the EIAR is presented in Chapter 1 of the EIAR. Table 1.2 provides a breakdown of the contents of the EIAR volumes and the organisations that have contributed to the EIAR. The list of the EIAR contributors outlining their competence and experience, including relevant qualifications is provided in Table 1.2. In addition, contributors have had regard to other relevant discipline-specific guidelines, these are noted in individual chapters of the EIAR. The EIAR is supported by a Construction Environment Management Plan (CEMP). I am satisfied that the EIAR & CEMP has been prepared by competent experts within the various chapters of the EIAR.

## 8.4 Consultations

The application has been submitted in accordance with the requirements of the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended) in respect of public notices.

The proposed development is a Part X Planning Application (made directly to An Coimisiún Pleanála) which seeks approval for residentially-led development by South Dublin County Council, that requires Environmental Impact Assessment.

The applicant notes that the preparation of the SDZ Planning Scheme has been subject of public consultation at local level, democratically adopted by the Elected Members of the Council.

In relation to public engagement with the SDZ planning scheme, the Planning Scheme has already gone through public consultation, was adopted by SDCC Councillors, was appealed, was independently assessed and ultimately approved by An Coimisiún Pleanála.

Based on all the information submitted to An Coimisiún Pleanála, the Applicant is satisfied that the proposed development is consistent with the fixed and flexible provisions of the statutory Clonburris SDZ Planning Scheme.

Submissions have been received from statutory bodies and third parties and are considered in this report, in advance of decision making.

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**

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 and Schedule 6 of the Planning and Development Regulations, 2001(as amended).

## **8.5 Assessment of Likely Significant Effects**

This section of the report sets out an assessment of the likely environmental effects of the proposed development under the following headings, as set out Section 171A of the Planning and Development Act 2000, as amended:

- Population and Human Health
- Biodiversity, with particular attention to the species and habitats protected under the Habitats and Birds Directives (Directive 92/43/EEC and Directive 2009/147/EC respectively).
- Land, soil, water, air and climate.
- Material assets, cultural heritage and the landscape.
- The interaction between these factors.
- The vulnerability of the proposed development to risks of major accidents and/or disasters.

Note: Chapter 18 sets out a summary of mitigation measures. Describes the environmental effects that are likely to arise during the construction and operation of the proposed development and sets out the mitigation measures required to alleviate identified effects. Specific effects with respect to matters of likely significant effects, mitigation and residual effects for air quality, noise, traffic, visual impact etc. are also dealt with in the respective assessments in the EIAR.

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.
- Examination of the EIAR.
- Analysis, Evaluation and Assessment: Direct and indirect effects.
- Conclusion: Direct and indirect effects.

### **8.5.1 Environmental Topic: Population and Human Health**

#### Issues Raised

With regard to population and human health, the need for housing is recognized. Concern of direct and indirect effects of lack of essential services (retail, community and childcare) to serve an increased population, impact on demographic and social patterns, issues of health and safety, risk of accidents, antisocial behaviour, noise (removal of sound reducing wall along Thomas Omar Way (TOW)) and insufficient car parking were raised in the submissions.

Examination of the EIAR.

#### Context

Chapter 5 deals with Population and Human Health. The assessment is undertaken in accordance with government and industry best practice guidelines. The assessment methodology includes desk top studies and site visits to examine the receiving environment. A general study area of 1 km from the site location is included for population statistics, while the wider area of 2.5 km from the site location has been used to inform the baseline description of the area. No limitations are identified and are not evident in the assessment.

#### Baseline

A total of 70,359 people were recorded within the study area in the 2022 census. The site includes 6 ED's (Lucan-Esker, Lucan-St Helen's, Clondalkin-Cappaghmore, Clondalkin-Dunawley, Clondalkin-Rowlagh and Newcastle). Table 5.1 of the EIAR denotes the population change of the State and the electoral divisions which make up the Study Area for the census years 2016 and 2022. Two EDs experienced population growth at a rate significantly higher than the state overall. Three EDs in the study area have experienced population growth at a slower pace than the state

overall. In contrast, the ED of Clondalkin-Dunawley has seen a population decline compared to both the rest of the Study Area and the state.

Under the South Dublin County Development Plan 2022–2028, the site is located within a Strategic Development Zone (SDZ). The Clonburris Strategic Development Zone defines the Kishoge Character Area as follows:

“The area will be developed with a primary focus on residential development, complemented by limited retail, service, and employment functions to form a central hub. The Kishoge Centre will feature higher-density residential development around the railway station, providing local convenience and services for nearby residents. Development will gradually transition outward from the centre to medium- and lower-density residential areas, incorporating local nodes, community facilities, schools, and high-quality open spaces. The area will benefit from park and canal frontage to the south and east.

The combination of retail/commercial provision and higher-density residential development around both centres will foster a critical mass of activity, enhance the public realm, and contribute to the vitality and viability of both urban centres.”

As per the Clonburris SDZ Planning Scheme (2019), the Proposed Development lies predominately in land use areas designated as ‘Primarily Residential’, as well as smaller areas of ‘Open Space Areas’ and ‘Mixed-Use – Retail, Community and Residential’. The features of the Proposed Development have been considered against the ‘permitted in principle’ and ‘open for consideration’ land uses outlined for the three land use areas, and the Proposed Development has been found to fully align with the land use area designations.

Notable facilities within the vicinity of the site, located in Grange Castle Business Park and Clondalkin Industrial Estate, include pharmaceutical companies, ICT companies, warehouses, manufacturing companies and waste management facilities. There is a high concentration of smaller commercial businesses in Clondalkin and Lucan town centres. The closest shopping centre of note is Liffey Valley Shopping Centre, located c. 2.2 km northeast of the site.

There are significant residential settlements within the Study Area. There are 10 primary and secondary schools in the vicinity of the Proposed Development. The

closest third level institution in the area is TU Dublin’s Tallaght Campus, located c. 6.3 km southeast of the site. As outlined in the Clonburris SDZ Planning Scheme (2019), the Department of Education and Skills has identified a need for new primary and post-primary schools throughout the SDZ lands and implementing the Clonburris SDZ Planning Scheme (2019) will require provision of a new primary health care centre for the area. Additional smaller scale healthcare facilities are also supported by the scheme.

Potential Effects

**Table 26: Summary of Potential Effects: Population and Human Health**

| Project Phase | Potential Direct, Indirect and Cumulative Effects   |
|---------------|---|
| Do Nothing    | <ul style="list-style-type: none"> <li>• Underutilisation of the site from a sustainable planning and development perspective, particularly considering the location of the lands adjacent to high quality public transport, and within a designated SDZ.</li> </ul>  |
| Construction  | <ul style="list-style-type: none"> <li>• Construction will have an indirect positive effect on support industries such as builder suppliers, construction material manufacture, maintenance contracts, equipment supply, landscaping and other local services.</li> <li>• The main outward emissions from the Proposed Development comprise air quality (dust) and noise and vibration.</li> <li>• No human health risks associated with long term exposure to contaminants (via direct contact, ingestion or inhalation) resulting from the Proposed Development are anticipated. on this basis in the absence of mitigation measures the potential impacts during the construction phase on human health and populations due to changes to the potential for contamination of soil and groundwater are neutral, imperceptible and short term.</li> <li>• A reduction in water quality via unmitigated pollutants entering to the Griffeen River and the downstream River Liffey has the potential to lead to negative impacts on human health and populations. Hydrocarbons and petroleum products for example have the greatest risk for human health when they are in drinking water. However, there are not understood to be any potable abstractions from surface water or groundwater downstream of the site. Therefore, there is not considered to be any significant risk to human health associated with impact to water receptors.</li> <li>• Based on the implementation of the mitigation measures outlined in Chapter 8 Water the likely effect on water quality</li> </ul> |

|           |  |
|-----------|--|
|           | <p>and subsequently human health will be neutral, imperceptible and short-term during the construction phase.</p> <ul style="list-style-type: none"> <li>• All construction traffic vehicle parking demands can be accommodated on-site, thereby minimising the impact upon the operational performance and safety levels of the adjacent public road network. Therefore, the impact on human beings and in particular road users such as local Businesses, and Residences would be not significant, negative and short term.</li> <li>• In the absence of mitigation there is the potential for short-term, negative and not significant impacts to human health from air quality.</li> <li>• The potential effect is imperceptible and unlikely in respect of Major Accident Hazards or Natural Disasters on Population and Human Health during the construction phase of the Proposed Development.</li> </ul>   |
| Operation | <ul style="list-style-type: none"> <li>• There will be an addition of 1,250 no. units to the supply of housing to the study area. This is considered to be a significant and positive, long-term effect.</li> <li>• The Proposed Development will have a visual impact due to the introduction of new buildings, walls, boundary treatments, roads, lighting and parking. The potential impact on the local population will be neutral, slight to moderate, and long term.</li> <li>• In the absence of mitigation measures the potential impacts during the operational phase on human health and populations due to the potential for groundwater contamination are neutral, imperceptible and long term.</li> <li>• Emissions of air pollutants are predicted to be below the ambient air quality standards which are based on the protection of human health. Therefore, it can be determined that the impact to human health during the operational stage is long-term, localised, negative and imperceptible.</li> <li>• The resulting impact of noise generated during the operational phase of the Proposed Development on human health is likely to be negative, imperceptible to not significant and long term.</li> <li>• An analysis and assessment of the impact of the Proposed Development on the surrounding road network was carried out using a traffic model of the affected junctions. The potential impact during operation is likely to be negative, not significant and long term.</li> <li>• In light of national, regional and local policy it is likely that the adherence to maximum car parking provision would have a significant, long-term positive effect that will achieve local and wider county, regional and national objectives.</li> </ul> |

|                 |   |
|-----------------|---|
| Decommissioning | <ul style="list-style-type: none"> <li>• Not applicable</li> </ul>  |
| Cumulative      | <ul style="list-style-type: none"> <li>• The cumulative impact of the proposed development with the permitted and proposed proposal within the SDZ lands has been noted. The other permitted development by Cairn Homes Properties Ltd., Clonburriss Infrastructure Limited and Department of Education, SDCC, Kelland Homes Ltd. And Clear Real Estate Holdings Limited in the area are noted.</li> <li>• No cumulative impact or consequences are anticipated with the proposed development.</li> <li>• When operational the Proposed Development will generate a number of trips by various modes of travel including vehicular, pedestrian, cycle and public transport. With the implementation of a management regime and the Mobility Management Plan, the interaction between the local population and traffic will be negative, not significant and long term.</li> </ul> |

### Mitigation

#### Construction Phase.

- Consideration shall be given to mitigate any potentially adverse construction related impacts on the surrounding lands, including erecting visually sensitive site hoarding.
- The construction compounds, temporary car parking and storage facilities etc will be located sensitively to avoid any visually sensitive areas. As the site is located on the edge of the existing urban areas, the visual elements associated within construction would be considered part of the urban landscape.
- As detailed in Chapter 7: Land, Soil & Geology of this EIAR, all mitigation measures set out in Section 7.6.2 will be implemented during the construction phase for the protection of human health and populations as a result of changes to the geological and soil environment.
- The mitigation measures set out in Chapter 8: Water, Section 8.6.2, will be implemented during the construction works for the protection of human health and populations. These measures relate to erosion and sediment control, and accidental spills and leaks.

- In order to mitigate the potential dust-related health impacts during the construction phase, dust related mitigation measures have been provided in Chapter 10: Climate (Air Quality) of this EIAR. The mitigation measures draw on best practice guidance from Ireland (DCC (2018), DLRCC (2022)), the UK (IAQM (2024), BRE (2003), The Scottish Office (1996), UK ODPM (2002)) and the USA (USEPA, 1997).
- Best practice noise and vibration control measures will be employed by the contractor during the construction phase in order to avoid exceedance of the adopted construction noise threshold values at the nearest NSLs. The best practice measures set out in BS 5228 (2009 +A1 2014) Parts 1 and 2 will be complied with. Further details are provided in Chapter 9 Air (Noise & Vibration).
- All construction activities on-site will be governed by a Construction Traffic Management Plan (CTMP), the details of which will be agreed in full with South Dublin County Council prior to the commencement of construction activities on site. The principal objective of the CTMP is to ensure that the impacts of all building activities generated during the construction of the Proposed Development upon both the public (off-site) and internal (on-site) workers environments, are fully considered and proactively managed / programmed respecting key stakeholders thereby ensuring that both the public's and construction workers' safety is maintained at all times, disruptions minimised and undertaken within a controlled hazard free / minimised environment.

Mitigation measures in relation to air quality, noise, traffic, waste etc. are identified in their respective chapters in this EIAR. The proposed development has been designed to avoid negative impacts on population and human health through:

- The inclusion of two childcare facilities.
- Landscaping to mitigate against issues arising from microclimate conditions.
- A comprehensive foul and surface water management system.
- Energy efficiency measures.

- High quality finishes and materials.

### **Operational Phase:**

There are no specific mitigation measures required.

- A management regime will be implemented by the development's management company to control access to the on-site car parking spaces thereby actively managing the availability of on-site car parking for residents of the development.
- A Mobility Management (MMP) is to be rolled out with the aim of guiding the delivery and management of a range of coordinated initiatives by the scheme promotor. The MMP ultimately seeks to encourage sustainable travel practices for all journeys to and from the Proposed Development site. The MMP will be developed in partnership with SDCC to specifically consider the opportunities of shaping all journeys and promoting sustainable transport habits at the proposed residential scheme.
- The design of proposed site levels (roads, buildings etc.) has been carried out in such a way as to replicate existing surface gradients where possible, therefore replicating existing overland flow paths, and not concentrating additional surface water flow in a particular location. SuDS features such as permeable paving parking spaces, bioretention areas and brown roofs to provide additional storage and promote infiltration of and treatment of surface water run-off have been provided in landscaped areas

### **8.5.2 Environmental Topic: Biodiversity**

#### Issues Raised

Concern of impact upon biodiversity, in particular, bird species, non-volant mammals and bat species. Concern of impact upon Kilmahuddrick Stream (surface water run-off), removal of trees, hedgerow and other habitats of ecological value incl. two orchid species and of protected plant species and lesser centaury were raised in the submissions.

Examination of the EIAR.

### Context

Chapter 6 deals with Biodiversity. Cognisance is had to interactions among Biodiversity; Water; Land, Soils and Geology; Climate (Climate Change); and Material Assets (Waste). The assessment is undertaken in accordance with government and industry best practice guidelines. The assessment included desk study, habitat surveys, terrestrial fauna study, bat activity survey, breeding bird surveys, and wintering bird survey. I consider that adequate surveys have been carried out at appropriate times of the year, to identify the effects of the proposed development on the biodiversity of the area.

No limitations are identified and are not evident in the assessment.

### Baseline

The proposed development sites are comprised of a wide range of habitats, including artificial urban landscapes, amenity grasslands, dry meadows, scattered tree and parkland, mixed broadleaved / conifer, and immature woodlands, drainage ditches, reed swamps, marsh, hedgerows, treelines and scrub; as well as the Kilmahuddrick Stream. Additionally, the sites are also closely neighboured by agricultural grassland, reed swamp, wet willow-alder-ash woodland and the Grand Canal pNHA.

I note that albeit the EIAR refers to five European Natura 2000 sites, the separate AA Screening report (Minogue Environmental Consulting, 2025), lists a total of eight designated European Natura 2000 sites within the Zol, the EIAR also indicates five proposed Natural Heritage Areas, two Ramsar sites, one Special Amenity Area Order site, and one UNSECO site were determined to be within the Zol of the proposed Kishoge development sites. A diverse range of faunal and floral KERs (Green-listed, Amber-listed, Red-listed, Qualifying Interest and Special Conservation Interest species) were recorded to be present within the Zol of the three development sites, as well as ten invasive non-native species, two of which are listed on the First and/or Second Schedule of S.I. No. 374/2024 – European Union (Invasive Alien Species) Regulations 2024.

It is notable that the separate Screening for Appropriate Assessment report

concluded that adverse likely significant effects were not anticipated for Natura 2000 sites, including effects on ex-situ QI / SCI - supporting habitats outside the boundaries of the designated sites, see Appendix 2 of this report.

### **Site 3**

This habitat is considered to be of high local ecological importance due to the presence of two Orchid species which are sensitive to environmental changes and are becoming less common in the Irish landscape. The two Orchid species present within site 3, Pyramid Orchid and Bee Orchid, are both listed as Least Concern in Ireland and, while not listed on the Flora Protection Order 2022, are orchid species which are sensitive to changes in their environment, which has led to a decline in their distribution in Ireland. Lesser Centaury *Centaurium pulchellum* was also recorded within the western section of Site 3.

This habitat is considered to be of high local ecological importance due to the diversity of floral species and the variety of protected and/or conservation concern faunal species recorded utilising the habitat. Site 3 is considered to be of national ecological importance for Lesser Centaury given its protected status.

This habitat is considered of high local ecological importance due to the refuge, foraging and connectivity it provides for local fauna.

A large patch of the invasive Japanese Knotweed *Reynoutria japonica* is present in the northern-eastern section of Site 3. Invasive Butterfly-bush is also present within the scrub habitat.

Evidence of Badger was recorded within Site 3. Although no setts were found on-site. Site 3 is considered to be of high local ecological importance for Badger, Hedgehog, Irish Stoat, Pygmy Shrew due to the foraging and commuting potential the site provides for these species.

Site 3 is considered to be of low local ecological importance for Pine Marten, as the site provides commuting and hunting opportunities for the local Pine Marten population.

Site 3 is considered to be of high local ecological importance for local bat populations. The data obtained from transect and static activity surveys conducted on-site highlighted the presence of 3 bat types, Common Pipistrelle *Pipistrellus*

pipistrellus, Soprano Pipistrelle *Pipistrellus pygmaeus* and Leisler's Bat *Nyctalus leisleri* commuting and foraging along the western edge of this woodland strip.

Site 3 is considered to be of high local ecological importance due to the abundant long grass habitat for Snipe, which is an Annex species and red-listed bird of conservation concern within Ireland.

The green-listed breeding birds recorded in Site 3 include Blackbird, Blackcap, Blue Tit, Bullfinch, Chaffinch, Collared Dove, Dunnock, Great Tit, Long-tailed Tit, Pied Wagtail, Reed Bunting, Robin, Song Thrush, Whitethroat, Buzzard, and Wren. Site 3 is considered to be of high local ecological importance for breeding birds.

Site 3 is considered to be of high local ecological importance for Common Frog and terrestrial invertebrates given the suitable habitats within and adjacent to the site.

#### **Site 4**

This artificial habitat is comprised of three areas of buildings, namely the SDCC Parks Depot, a residential property, and a set of small temporary residential buildings, all of which are accessed via Lynch's Lane. These buildings and associated hard-standing surfaces are along the southern boundary of Site 4. The Kilmahuddrick Stream runs along the eastern and northern boundaries of Site 4. This eroding /upland stream habitat supports both bankside and instream flora.

The waterbody of the Grand Canal (pNHA) is located approximately 35m south of Site 4's southernmost boundary. This aquatic habitat supports a range of floating and emergent floral species including Yellow Water-lily.

A range of fauna were recorded utilising this habitat including Mallard Anas platyrhynchos; Mute Swan *Cygnus olor*; Cormorant *Phalacrocorax carbo*; Moorhen *Gallinula chloropus*; and Grey Heron *Ardea cinerea*. Additionally, Otter *Lutra lutra* are known to inhabit the length of the Grand Canal network; however, no local latrine, couches or holts were noted in the canal stretch south of Site 4.

This habitat is considered to be of national ecological importance given the canal's status as a nationally designated site. Drainage ditches are present along a number of boundaries within and adjacent to Site 4.

A total of 35 Pyramidal Orchids and five Red-listed (Near Threatened) Lesser Centaury were recorded within and in close proximity to Site 4. Lesser Centaury is also protected under the Flora (Protection) Order 2022. The Lesser Centaury was recorded along the northern boundary of Site 4, within the grassy verge adjacent to the marsh habitat, in areas of thin soil. Lesser Centaury is known to inhabit damp grassy patches inland, though its distribution is quite localised (Clapham et al. 1987). Three Pyramidal Orchids were also recorded in proximity to these Lesser Centaury individuals further highlighting the floral value of this section of grassy verge / marsh. Additionally, Pyramidal Orchids were recorded in grass verges along pathways in the site and in high densities within the southern section of the large meadow habitat to the south-west of the Site 4 boundary.

The Lesser Centaury present within Site 4 are considered to be of national ecological importance given their conservation status and legal protections; while the high frequency of Pyramidal Orchid within the site is considered to be high local ecological importance.

Site 4 is considered to be of high local ecological importance for the local Badger population given its capacity to support their foraging needs and provide safe commuting passages throughout the wider landscape.

While surveyors did not record any signs of habitation (latrine, slides, couches or holts) along the canal stretch located south of Site 4, Otter are known to inhabit the length of the Grand Canal network. Under the precautionary principle it will be assumed that Otter are feeding and commuting within and adjacent to this stretch of the Grand Canal. Site 4 is considered to be of county level ecological importance for the local Otter population given Site 4's capacity to provide foraging resources, refuge and a commuting route between two major pNHA associated waterbodies.

Site 4 is considered to be of high local ecological importance for Pine Marten, Irish Stoat, Hedgehog given the presence of suitable habitats for foraging, commuting and refuge for the local population.

Site 4 is considered to be of low local ecological importance for Pygmy Shrew given the presence of suitable habitats for foraging, commuting and refuge for the local population.

Site 4 is considered to be of high local ecological importance for the local bat population. A total of three bat species were recorded utilising the habitats within Site 4's boundaries, namely Common Pipistrelle; Soprano Pipistrelle; and Leisler's Bat. The EIAR considers this site is one of the few remaining areas in the local area that is not yet subject to high levels of light pollution, this site is likely part of a key commuting corridor for local bat populations to navigate between green spaces on the edge of the surrounding urban areas.

The locality of Site 4 is considered to be of high local ecological importance for wintering bird populations given the presence of ten Annex protected and/or amber-listed (Wintering and Breeding/Wintering) bird species during the winter months. Site 4 and its surrounds are considered to be of high local ecological importance given the site's capacity to support the local population of Smooth Newt and Common Frog.

## **Site 5**

Site 5 is split into a north section and a south section. The habitat map shows 3 subsites for Site 5, one north of the main road (Thomas Omer Way), and two smaller sites south of the road. The north section contains an area predominantly of meadow grasses, with the Carline Learning Centre to the west, and housing estates to the north. The south section contains an area of derelict housing, and an area with low vegetation coverage near to an existing electrical pylon. Between the north and south section is the main roadway and paths that segregate the two sections of Site 5.

Various treelines of varying maturity were recorded throughout the site, one borders an area of scrub on the southern edge of the site. Species within the treelines include Wild Cherry, Pedunculate Oak, Ash, Silver Birch, Alder, Scots Pine, Hazel, Hawthorn, Goat Willow, Red Cedar Thuja plicata and Holly. The understorey of the treeline includes Hairy Willowherb, Broad-leaved dock, White Clover, Herb Robert, Yarrow, Bramble and Ivy.

Numerous faunal species were recorded utilising the treelines throughout Site 5, namely Common Pipistrelle, Soprano Pipistrelle, Leisler's Bat, Blue Tit, Goldfinch,

Wren, Wood Pigeon, Great Tit, Chaffinch, Blackbird, Starling, Blackcap, Song Thrush, Stonechat and White-tailed Bumblebee.

This habitat is considered to be of high local ecological importance; it has value as an ecological corridor and provides foraging and refuge potential for local fauna. The Scrub habitat on Site 5 is considered to be of high local ecological importance, providing foraging and shelter for local bird, mammal and terrestrial invertebrate populations.

There are no rare or protected floral species within the area of Site 5 or the lands immediately adjacent.

No signs of Badger were recorded on-site during the surveys of site 5 and nor are there any past records (NBDC, 2025) of Badger being present within or adjacent to Site 5, over the last 10 years. Site 5 is considered to be of low local ecological importance due to the presence of suitable foraging and commuting habitat for Badger, and their known presence within Site 3 and Site 4.

Site 5 is considered to be of low local ecological importance for Pine Marten as the site provides an arboreal commuting habitat.

Site 5 is considered to be of high local ecological importance for Irish Stoat, Hedgehog and Pygmy Shrew as the site provides its favoured prey.

Site 5 is considered to be of high local ecological importance for bat populations. A total of four bat species were recorded utilising the habitats within Site 5's boundaries, namely Common Pipistrelle; Soprano Pipistrelle; Brandt / Whiskered Bat and Leisler's Bat. Although the level of activity recorded on site was relatively low, the potential for foraging within the habitats present is high. The EIAR considers the site is also a valuable ecological corridor. As it is surrounded by built up areas which are subject to light pollution, local bat populations may use the site to navigate between these built-up areas and avoid the associated lighting.

The proposed site is considered to be of high local ecological importance for breeding birds, due to the presence of birds of conservation concern in notable populations and the presence of potential foraging and breeding grounds for species of conservation concern.

Site 5 is considered to be of low local ecological importance for Common Frog given the presence of some suitable habitats within the site.

Site 5 is considered to be of high local ecological importance given availability of forage, refuge and commuting habitats for invertebrate species.

Summary of Ecological Valuation and Rationale for Inclusion and Exclusion within the Impact Assessment

I highlight that the KERs identified during the desktop study and ecological survey are given in Table 6-32 / Section 6.5.5 of the EIAR. Ecological features identified are assessed for potential impact during construction and operation in the following sections.

### Bats

I note that the Department of Housing, Local Government & Heritage (DAU) Unit has raised concern of impact upon biodiversity, in particular, bat species, as a consequence of removal of tree, hedgerow and other habitats of ecological value.

As referred to above, the EIAR at chapter 6 sets out Bat records. A total of three transect bat activity surveys were conducted at Sites 3 and 5. Static (in situ) bat detectors [Anabat Express & Anabat Chorus – Titley Scientific] were installed within each of the three sites, between the months of May and September during the 2022 and 2023 activity periods. Tables 6-11 – Table 6-13 of EIAR Chapter 6 sets out Bat static results for Site 3. Common pipistrelle, Soprano pipistrelle and Leisler's bat were recorded commuting and foraging. **Site 3** is considered to be of high local ecological importance for local bat populations due to the consistent use of the site by bat populations. Although the amount of activity recorded was relatively low, bar 21st June 2023 to 28th June 2023 in the eastern section, Site 3 is still important given the bats potentially utilising the site for commuting with opportunistic foraging while navigating to more favourable foraging grounds within the locality.

The EIAR submits that given the absence of bat roosts amongst the semi-mature / mature trees and artificial structures within and immediately adjacent to the boundaries of Site 3, adverse impacts on current bat roosting activities are not predicted during the construction stage; therefore, no derogation licences are required for the disturbance of bat roosts as a result of the construction works. However, the construction of the development will also result in the loss of a large

number of immature / semi-mature /mature trees within Site 3. This will ultimately result in a short- to medium-term loss of potential roosting features that may form within these trees in the next several years.

A total of three bat species were recorded utilising the habitats within **Site 4's** boundaries, namely Common Pipistrelle; Soprano Pipistrelle; and Leisler's Bat. Table 6-17 – 6-19 of the EIAR Chapter 6 sets out the Bat static results for site 4. Site 4 is considered to be of high local ecological importance for the local bat population. This site is one of the few remaining areas in the local area that is not yet subject to high levels of light pollution, this site is likely part of a key commuting corridor for local bat populations to navigate between green spaces on the edge of the surrounding urban areas.

The EIAR contends that given the absence of bat roosts amongst the semi-mature / mature trees and artificial structures within and immediately adjacent to the boundaries of Site 4, adverse impacts on current bat roosting activities are not predicted during the construction stage; therefore, no derogation licences are currently required for the disturbance of bat roosts as a result of the construction works.

A series of bat static detector surveys were installed within the treeline habitats present within **Site 5**. These static detectors were deployed during the 2022 and 2023 summer-early autumn activity periods. Tables 6-25 – Table 6-29 of the EIAR Chapter 6 set out the Bat static results for site 5. Common Pipistrelle, Leisler's Bat, Soprano pipistrelle and Brandt / Whiskered Bat were recorded being recorded foraging and commuting through the site.

Overall, site 5 is considered to be of high local ecological importance for bat populations. Although the level of activity recorded on site was relatively low, the potential for foraging within the habitats present is high. The site is also a valuable ecological corridor. As it is surrounded by built up areas which are subject to light pollution, local bat populations may use the site to navigate between these built-up areas and avoid the associated lighting.

The EIAR sets out that given the absence of bat roosts amongst the semi-mature / mature trees within and immediately adjacent to Site 5, negative impacts on current bat roosting activities are not predicted during the construction stage; therefore, no

derogation licences are required. However, the construction of the development will also result in the loss of a small number of immature / semi-mature /mature trees within Site 5, which will result in a short- to medium-term loss of potential roosting features that may form within these trees following future storm damage and trunk / limb rot.

The proposed development sites' construction works have the potential to impact local bat populations via the following pathways: surface water, groundwater-to-surface water and air (dust)-to-surface water pollution impacts. Additionally, the consumption of food items containing polluting elements has the potential to impact the health of the local bat species. Therefore, there will be strict adherence to the mitigation measures outlined in the CEMP, and the management plans therewithin, which pertain to best practice guidance and the protection surface water, groundwater and air quality, in order to safeguard the local bat populations and their prey base.

Additionally, regular (seasonal) pre-construction surveys will be required for monitoring of newly formed potential bat roost features within structures and trees present within the boundaries of Sites 3, 4 and 5. In the event that suitable potential bat roost features are formed, subsequent endoscopic examinations will need to be performed, with further follow-up through emergence activity surveys.

I note that, no bat roosts have been recorded within or on the lands immediately adjacent to the proposed development sites, therefore no derogation licence is required.

Site lighting required during construction stage will be installed in a manner that it is positioned, directed and cowled away from any dark corridors (e.g. neighbouring treelines / hedgerows / waterbodies (Grand Canal)) or high-quality foraging areas (e.g. wetland habitats) located beyond the construction compound / immediate works area, therefore avoiding any unnecessary light spill and disturbance to bat activities. The site lux levels at suitable foraging and commuting habitats for local bat species will not be increased above 1lux in important dark corridors or baseline levels in secondary habitats (amenity grasslands) as a result of construction activities within the locality of the proposed development sites. Furthermore, wherever reasonably possible, works will be carried out in daylight hours in order to reduce the need for

lighting on site (outside of compound areas). The appointed EcoW will be present when site lighting is initially set up in a works area and will regularly monitor the lux levels to ensure that they are not impacting dark corridors or secondary foraging locations.

To offset some of the loss of commuting and foraging habitat that the proposed development will incur for local bat populations, it is recommended that a minimum of eight bat boxes are to be installed within each site 3, Site 4 and Site 5.

In summary: Bats are considered of high local importance.

**Potential Impacts During construction stage:**

There is loss of potential future roosting features within existing trees and structures. Degradation of supporting habitats, prey items / foraging resources and the physiological health of local bat populations as a result of surface water, groundwater to surface water, air, and air to surface water pollution (deleterious substances, excessive suspended sediments and sediment-bound nutrients, and cement-base dusts). Lighting and physical disturbance of the local bat populations' commuting and foraging activities. Habitat loss and fragmentation of supporting terrestrial habitats, including linear commuting features.

**Potential Impact during Operational Phase:**

Negligible increase to collision risk mortality for bats frequenting the site. A notable increase in lighting disturbance for local bat populations, as a result of illumination during operations. The fragmentation of dark commuting corridors. Furthermore, there will be a reduced quality to all retained dark wildlife corridors while the proposed landscaping is still within the ecological lag (maturation) period. This is also the case for the newly created wildlife corridors within the sites. Permanent loss of foraging and refuge (potential future roosting features) habitats, the extent of which is lessened somewhat by the proposed operational landscape design.

**Significance of Impact without Mitigation:**

Construction Stage: Long-term negative impact of moderate significance.

Operational Stage: Long-term negative impact of moderate significance.

**Construction Stage Mitigation Measures include:**

Standard environmental best practice guidance as outlined in sub-section 6.8.2.1 of the EIAR. Environmental management procedures for site compounds as outlined in sub-section 6.8.2.2 of the EIAR.

Mitigation measures within the surface water management; environmental incidence response; and dust management plans, as outlined in sub-section 6.8.2.3

The detailed mitigation measures provided within the invasive species management plan, as outlined within sub-section 6.8.2.4; as well as the site-specific invasives species mitigations outlined in sub-section 6.8.4.4 of the EIAR.

The protection measures for retained trees within and immediately adjacent to Site 3, as outlined in sub-section 6.8.2.5 of the EIAR.

The safeguarding mitigations measures aimed to protect fauna associated with this habitat, as outlined in sub-section 6.8.2.7.

Specific measures to ensure enacting of ecologically-minded habitat seed bank (genetic) preservation during clearance, as outlined in sub-section 6.8.4.1.

Specific measures to ensure the safeguarding and persistence of rare and protected flora and fauna associated with the habitat, as outlined in sub-sections 6.8.4.2 and 6.8.4.3.

Specific mitigation measures to control / management the spread and extermination of invasive non-native species, as outlined within sub-section 6.8.4.4.

**Operational Stage:**

The completion of all remedial planting, as outlined in sub-section 6.8.3.1.

The correct functional specifications and alignment of all the elements contained within the Site 3 drainage (SuDS) and lighting designs, as outlined in sub-section 6.8.3.2 and 6.8.3.3.

Guidance measures in respect to the re-use of cleared tree limbs, during the initial operational stage, for the benefit of local fauna, as outlined within sub-section 6.8.3.5.

Specific measures to secure and limit maintenance of ecological corridors, as well as the installation of remedial features for rare and protected fauna, as outlined in sub-section 6.8.5.1.

**The significance of Residual Impacts for Bats is considered:**

'Long-term negative impact of slight significance' following the implementation of both construction and operational stage mitigation measures, and medium-term ecological lag (maturation of landscaped habitats).

A 36-month post-construction monitoring period will be conducted by a suitably qualified bat ecology team on the local bat populations. The subsequent survey report will be disseminated to relevant bodies, i.e. NPWS and SDCC.

A suitably qualified environmental scientist or ecologist will regularly (every three months for the first 24 months of operations) monitor the level of lighting disturbance within the dark corridors of Site 4. The periodic monitoring will allow for the variation of vegetation and canopy cover during the different seasons and how they affect the levels of light spillage into the dark corridors. This monitoring can identify potential gaps in the cover and then provide recommendations on how to resolve this unintended light spillage (e.g. additional landscaping or cowling of specific lamp posts). The subsequent survey report will be disseminated to relevant bodies, i.e. NPWS and SDCC.

I have examined, analysed and evaluated chapter 6 of the EIAR, all of the associated documentation and submissions on file in respect of Bats. I am satisfied that the applicant's presented baseline environment, is comprehensive and that the key impacts in respect of likely effects on Bats, as a consequence of the development have been identified. The impact of the proposed development on Bats has been assessed in the EIAR and I consider that direct negative effects arising for Bats, both during the construction and operational phases, which would be mitigated by a suite of appropriate construction phase management and mitigation measures, including sediment and pollution control measures acceptable. I also conclude direct positive effects will arise from the provision of bat boxes. I recommend that this matter shall be subject to a condition requiring mitigation measures and monitoring commitments identified in the Environmental Impact Assessment Report, and other plans and particulars submitted with the application to be carried out in full.

**Potential Effects:**

**Table 27: Summary of Potential Effects: Biodiversity**

| Project Phase   | Potential Direct, Indirect and Cumulative Effects  |
|-----------------|--|
| Do Nothing      | Expected that the existing recolonising bare ground would continue to develop and would likely continue to support similarly low numbers of flora and fauna.   |
| Construction    | <p>The potential construction-based impacts anticipated from the proposed Kishoge development sites on the existing biodiversity / ecological features within and adjacent to the sites are those associated with direct habitat loss and fragmentation; physical degradation of habitats; disturbance and displacement of protected faunal species (visual and audible); pollution of surface and groundwater networks; air pollution; and the spread of invasive non-native species.</p> <p>Impact on SAC's/SPA's is dealt with in the assessment of the NIS.</p> <p>Foraging badger might become entrapped in deep excavations, particularly in areas adjacent to open parkland.</p> <p>Disturbance of otter and Bat species from foraging areas could potentially affect the local otter and Bat population.</p> |
| Operation       | <p>The potential operational impacts anticipated from the proposed Kishoge development sites on the existing biodiversity / ecological features are mainly focused on the degradation of valued habitats through anthropogenic disturbance and the potential displacement and injury of protected faunal species, such as Otter, Badger, local Bat species, Snipe and Common Frog.</p> <p>Impact on SAC's/SPA's are dealt with in the assessment of the NIS</p>  |
| Decommissioning | Not applicable.  |

|            |  |
|------------|--|
| Cumulative | <p>The three Kishoge development sites will not result in any residual likely significant effects on any of the designated sites within the ZoI. In relation to the flora and fauna, the construction and operational phase mitigations, along with the landscape plan will ensure that the temporarily / short-term impacted habitats will return to their original condition or an enhanced condition in some cases. Once the ecological lag of the newly landscaped features has passed and the habitats matured, with them offering a full range of ecosystem services for local fauna, the Kishoge development sites will result in no significant negative impacts to any specific KERs within the ZoI, with the significance of negative long-term impacts ranging from 'Not significant' to 'Moderate', and the significance of positive impacts ranging from 'Not significant' to 'Slight'.</p> |
|------------|--|

### Mitigation

Standard construction mitigation measures are required during the Construction Phase of the Proposed Development in relation to Biodiversity, given the lack of direct effects resulting from the Proposed Development.

Mitigation measures.

A site-specific Construction and Environment Management Plan (CEMP) and construction Method Statement (CMS) have been submitted along with the EIAR. The CEMP outlines the procedures and plans required in order to mitigate against construction-based potential adverse impacts on KERs within the ZoI. A non-exhaustive list of the construction phase plans and mitigations is set out below:

- Surface Water Management Plan;
- Dust Management Plan;
- Invasive Species Management Plan;
- Protection and/or relocation of ecological features to be retained within and adjacent to the works site (e.g., fencing off of trees to be retained); and

- Seasonal restrictions for vegetation clearance and constructions works in sensitive ecological areas (e.g., key foraging areas and watercourses) in order to safeguard faunal groups during sensitive times of year (e.g., wintering and breeding bird species and fish species).

A combination of on-going and new plans and mitigation measures forms the basis of the operational phase ecological safeguards.

Protective measures Include:

- Invasive Species Management Plan (on-going);
- An ecologically reviewed lighting design plan for the developments, which ensures continued landscape connectivity for local bat species;
- The post-construction monitoring of select faunal groups, as well as the rare and protected floral species; and
- The formation of new habitats including SUDs-based habitats, the reinstatement of retained habitats and enhancement of newly created habitats, through the Kishoge developments' landscape and planting plans.

### Residual Effects

Therefore, the Proposed Development is not likely to have significant residual effects on any nationally designated sites. The landscaping design will result in a potential positive impact on local habitats, in that there will be an increase in vegetated habitat over the current site. With the implementation of the mitigation measures outlined, no residual impacts are predicted on bats, breeding/wintering birds, fish, marine mammals at any geographical scale. Bats boxes are to be installed to provide alternative roosts.

### Analysis, Evaluation and Assessment: Direct and Indirect Effects

I have examined, analysed and evaluated chapter 6 of the EIAR, all of the associated documentation and submissions on file in respect of biodiversity. I am satisfied that the applicant's presented baseline environment, is comprehensive and that the key impacts in respect of likely effects on biodiversity, as a consequence of the development have been identified. The impact of the proposed development on:

- Rye Water Valley/Cartron SAC c. 4.33Km
- Glenasmole Valley SAC c. 9.39 Km
- Wicklow Mountains SAC c. 11.25Km
- South Dublin Bay SAC c. 13.72 Km
- South Dublin Bay and River Tolka Estuary SPA c. 12.89 Km
- Wicklow Mountains SPA c. 13.61 Km
- North Bull Island SPA c. 16.07 Km
- North Dublin Bay SAC c. 15.64 Km

has been assessed in the Appropriate Assessment and I consider that adverse effects on site integrity of these European Sites 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.

#### Conclusion: Direct and Indirect Effects

Having regard to the examination of environmental information in respect of biodiversity, in particular the EIAR provided by the applicant and the observers in the course of the application, it is considered that the main significant direct and indirect effects on biodiversity are, and will be mitigated as follows:

- direct negative effects arising for Foraging and Commuting Activities of bat species. Therefore, there will be strict adherence to the mitigation measures outlined in the CEMP, and the management plans therewithin, which pertain to best practice guidance and the protection surface water, groundwater and air quality, in order to safeguard the local bat populations and their prey base. Site lighting required during construction stage will be installed in a manner that it is positioned, directed and cowled away from any dark corridors (e.g. neighbouring treelines / hedgerows / waterbodies (Grand Canal)) or high-quality foraging areas (e.g. wetland habitats) located beyond the construction compound / immediate works area, therefore avoiding any unnecessary light spill and disturbance to bat activities.

- direct negative effects arising for the potential spread of high impact invasive non-native floral species, in particular Japanese Knotweed, from its current locations along Lynch's Lane into the hedgerows, has the potential to result in the displacement of native flora via shading impacts and higher rates of colonisation within areas of open and/or disturbed ground. All control measures specified in the final ISMP shall be implemented by a suitably qualified and licensed specialist prior to the construction stage of the three proposed development sites to control the spread of INNS within the footprint of the proposed development sites.
- direct negative effects arising for the potential spread of invasive non-native floral species, incl. the displacement of Lesser Centaury. The ECoW will apply and obtain a Licence to Take or Interfere with Protected Plant Species for Scientific, Educational, or Other Such Purposes from the NPWS, prior to the relocation of this protected floral species. In this new location, the Lesser Centaury will be sectioned (rope / tape fence) off with a 1m buffer to prevent stray machinery or site personnel entering their immediate vicinity, ensuring no physical impacts. The sectioning off will be carried out under the supervision of the ECoW.
- direct negative effects arising for Otter. Standard mammal mitigation measures will be adhered to including the covering of all excavations to prevent accidental trapping or the use of mammal ramps in larger excavations to allow for escape as well as the use of exclusionary fencing where appropriate to prevent mammals from entering any potentially dangerous areas.
- Direct positive effects arising from the provision of roost facilities appropriate to the bat species recorded will be within or adjacent to the Proposed Development site.
- Based upon the information supplied, regarding the site layout, drainage, landscape and lighting design plans along with remedial planting; and provided that Sites 3, 4 and 5 are constructed in accordance with the

ecological mitigation measures proposed, there will be no significant negative impacts to any specific KERs within the Zol, with the significance of negative long-term impacts ranging from 'Not significant' to 'Moderate', and the significance of positive impacts ranging from 'Not significant' to 'Slight'.

### **8.5.3 Environmental Topic: Lands, Soils and Geology**

#### **Issues Raised**

Concern has been raised in the submissions relating to water quality due to surface water run off due to construction. Concern is raised that surface water or flood water would be discharged onto the railway property. Concern has also been raised relating to noise and air quality during construction.

#### **Examination of the EIAR.**

#### **Context**

The EIAR deals with Land, soil, water, air, climate in separate chapters. Chapter 7 deals with Land, Soils Geology, Chapter 8 deals with Water (Hydrology and Hydrogeology), Chapter 9 deals with Noise and Vibration, Chapter 10 deals with Climate (Air Quality) and Chapter 11 deals with Climate (Climate Change). The assessments are undertaken in accordance with government and industry best practice guidelines. The assessments included desk study, and direct and indirect site investigation including noise monitoring surveys. I consider that adequate surveys have been carried out to identify the effects of the proposed development on the land, soil, water, air, climate of the area.

No limitations are identified and are not evident in the assessment.

I will deal with Land & Soil, Water and Air & Climate separately.

#### **Baseline**

##### **Topsoil**

Site 3: Where naturally occurring topsoil was found, it was found to be present in layers of thickness ranging from 200mm to 450mm. A gradational lower transition

was present whereby the topsoil was underlain by a SILT/ CLAY subsoil, almost devoid of gravel (see Ground Investigation Report).

Site 4: Topsoil was found to be present in layers ranging from 100mm to 500mm thick. Similarly to Site 3 a gradational lower transition was present where the topsoil was underlain by yellowish brown SILT/CLAY subsoil, almost devoid of gravel.

Site 5: Naturally occurring topsoil was found to be present in layers around 400mm thick. It is underlain by a sandy clayey Gravel subbase with cobbles and boulders.

#### Bedrock Geology.

The subject site is underlain in its entirety by limestone. The bedrock is described in geological mapping as a Visean Limestone and calcareous shale and is part of a formation known as the Lucan Formation.

The GSI online mapping service indicated the quaternary deposits underlying the subject site are comprised of clay-dominant tills derived from limestones. The Teagasc Soils and subsoils map from the online GSI mapping service shows the sites are underlain with “deep well drained material” soils and “mineral poorly drained” soils.

#### Hydrogeological Aspects

The bedrock aquifer underlying all sites is classified by GSI as a “Locally Important Aquifer – Bedrock which is Moderately Productive only in Local Zones”.

#### Groundwater Vulnerability:

Site 3: High Vulnerability

Site 4: High Vulnerability

Site 5: High vulnerability to west side of the site, Extreme to east of site and Rock at or near surface to the northeast.

Areas of highest vulnerability correspond to areas of near surface bedrock and thin soil depths. It is noted that the aquifer vulnerability classification does not consider the nature of the underlying receiving aquifer with respect to resource value and significance of pollution occurring and is only a reflection on the protection afforded to the aquifer by overlying deposits.

#### Potential Effects

**Table 28: Summary of Potential Effects: Lands Soils Geology**

| Project Phase   | Potential Direct, Indirect and Cumulative Effects   |
|-----------------|---|
| Do Nothing      | <ul style="list-style-type: none"> <li>• There would be no change or resulting impact on the nature of the site with respect to land, soil and geology which would remain as transitional agricultural and planted landscape which borders mature housing developments, the Kildare / Cork Railway line at Kishogue Rail Station.</li> </ul>  |
| Construction    | <ul style="list-style-type: none"> <li>• Unavoidable loss of in-situ soils and bedrock from the Proposed Development site to achieve the required formation levels for the Proposed Development including building foundations, roads, drainage and other infrastructure.</li> <li>• Potential risk associated with the use of cementitious materials during construction of subsurface structures on the underlying soil and geology.</li> <li>• Potential accidental release of deleterious materials including fuels and other materials being used onsite.</li> <li>• Potential impacts from importation of fill material may include loss of attribute and changes in the geological regime at the source site.</li> </ul> |
| Operation       | <ul style="list-style-type: none"> <li>• No significant effects</li> </ul>  |
| Decommissioning | <ul style="list-style-type: none"> <li>• Not Applicable</li> </ul>  |
| Cumulative      | <ul style="list-style-type: none"> <li>• No Significant effects predicted</li> </ul>  |

Mitigation

The mitigation measures are detailed in Chapter 7. They include:

- Implementation of the measures in the CEMP.
- The importation of aggregates and materials will be subject to management and control procedures including testing for contaminants, invasive species and other anthropogenic inclusions and assessment of the suitability for use.
- Preparation and implementation of a Waste Management Plan.
- Stockpiles of excavated and crushed rock will be protected for the duration of the works.

### Residual Effects

The EIAR states that there will be no significant adverse residual impacts on land, soils and geology anticipated regarding the proposed development.

### Analysis, Evaluation and Assessment: Direct and Indirect Effects

I have examined, analysed and evaluated Chapter 7 of the EIAR, all of the associated documentation and submissions on file in respect of Land and Soil. I am satisfied that the applicant understanding of the baseline environment, by way of desk and site surveys and archaeological testing, is comprehensive and that the key impacts in respect of likely effects on Land and Soil, as a consequence of the development have been identified. Adequate Mitigation measures have been proposed and there will be no significant residual effects.

### Conclusion: Direct and Indirect Effects

Having regard to the examination of environmental information in respect of noise and vibration, in particular the EIAR provided by the applicant, during the course of the application, it is considered that there will be no significant direct and indirect effects on land and soil.

## **8.5.4 Environmental Topic: Water**

### Issues Raised

Concern has been raised in the submissions relating to water quality due to potential surface water run off during construction. Concern is raised that surface water or flood water would be discharged onto the railway property.

### **Examination of the EIAR**

#### Baseline

Limestone bedrock underlies the entire site. The bedrock is described in geological mapping as a dark Limestone and Shale (calp) and is part of a formation known as the Lucan Formation. The bedrock aquifer underlying the entire site is classified by Geological Survey Ireland as a “Locally Important Aquifer – bedrock which is moderately productive only in local Zones.

During the preliminary Ground Investigation for the overall development, groundwater was encountered at a depth of 1.9m on Site 3, 2.5m on Site 4 and 2.3m on Site 5. For the overall three sites, groundwater was located at a depth of approx. 2-3m during preliminary ground investigations.

Groundwater vulnerability is classed as “High” or greater on the proposed sites, due to the shallow depth to bedrock. Areas of highest vulnerability correspond to areas of near surface bedrock and thin soil depths. It is noted that the aquifer vulnerability classification does not consider the nature of the underlying “receiving” aquifer with respect to resource value or significance of pollution occurring and is only a reflection on the protection afforded to the aquifer by overlying deposits.

As part of the desktop study, historic and predicted flood risk mapping published by the OPW on the flood Hazard Mapping Website <http://www.floodinfo.ie/> was reviewed.

According to the OPW CFRAM (Catchment Flood Risk Assessment and Management) maps, under the Present-Day Scenario:

- Site 3 is located in Flood Zone C – Low probability of flooding event.
- Site 4 is located predominantly in Flood Zone C with a small portion of it also affected by Flood Zone B. Therefore, there is a low to medium risk of flooding on this site.
- Site 5 is located in Flood Zone C – Low probability of flooding event.

Historical flood maps/data indicate there are no recorded historical flood events within the proposed site boundaries. The closest recorded recurring flood events are at the Beech Row Bungalows, approximately 1600m to the east of the sites, and Cappaghmore Culvert, located approximately 2000m to the east of the sites.

The Eastern CFRAM study details the predicted risk for a variety of fluvial and coastal flood scenarios. The mapping does not include the watercourse reaches affected by the proposed scheme and only maps downstream flooding.

The OPW undertook an Irish Coastal Protection Strategy Study (ICPSS) which produced coastal/tidal flood extents maps for the Irish coastline from a 0.5% AEP

tidal flood level. This map indicates that the site is far outside the extents of any coastal/tidal flood zone.

According to the Strategic Flood Risk Assessment (SFRA) completed within the SDCC Development Plan 2022-2028, which models the High-End Future Scenario (HEFS):

- Site 3 is located in Flood Zone C – Low probability of flooding event.
- Site 4 is located largely in Flood Zone C and B with a portion of it also affected by Flood Zone A. Therefore, there is a medium to high risk of flooding on this site.
- Site 5 is located in Flood Zone C – Low probability of flooding event.

The drainage network (including SuDS systems) has been designed to catch stormwater runoff and will discharge to the trunk surface water network within the SDZ. For Site 3, overland flood routing has been incorporated to direct any excess surface water away from the ESB substation and dwellings in the case of the network reaching full capacity. For Site 4, raising of levels to the east of the site and compensatory storage to the north have been incorporated to alleviate flood risk. Site 5 is not envisaged to have any significant flood risk to, or in the vicinity of, the proposed development.

Full details and flood mitigation measures can be found in the site-specific Flood Risk Assessments (FRAs) for sites 3, 4 and 5.

Existing surface water runoff generated on site discharges towards the west via existing drainage ditches. These ditches will be made redundant with the construction of the new surface water network for the development. Surface water runoff from the new roads, footpaths and buildings will be collected in a new gravity sewer network within the roads and footpaths of the new development.

The proposed surface water drainage strategy for the subject site has been developed in accordance with the agreed measures in the overall Clonburris Surface Water Management Plan (SWMP).

The SWMP proposes to discharge via a bulk drainage system that has been granted

planning permission in conjunction with the application for the Northern Link Street (PA Ref. SDZ24A/0033W).

Trunk surface water sewers and regional attenuation are to be constructed as part of the strategy to serve all lands in the southern and northern portion of the SDZ, including the proposed developments.

Potential Effects

**Table 29: Summary of Potential Effects: Water**

| Project Phase | Potential Direct, Indirect and Cumulative Effects   |
|---------------|---|
| Do Nothing    | <ul style="list-style-type: none"> <li>• The risk to persons and property from flooding remains unchanged.</li> <li>• Surface water treatment and discharge volumes would remain unchanged with potential for increased negative effects in response to climate change pressures.</li> </ul>  |
| Construction  | <ul style="list-style-type: none"> <li>• Contamination of surface water runoff to local watercourses due to weathering and erosion of the surface soils during construction activities.</li> <li>• Improper discharge of foul drainage from contractor's compound to local watercourses.</li> <li>• Cross contamination of potable water supply to construction compound and associated risk to human health.</li> <li>• Surface water runoff to local watercourses during the construction stage may contain increased silt levels (e.g. runoff across areas stripped of topsoil) or become polluted by construction activities.</li> <li>• Discharge of rainwater pumped from excavations.</li> <li>• Accidental spills and leaks associated with storage of oils and fuels, leaks from construction machinery and spillage during refuelling and maintenance contaminating the surrounding surface water and local hydrogeological environments.</li> <li>• Concrete runoff, particularly discharge of wash water from concrete trucks.</li> <li>• Discharge of vehicle wheel wash water to local watercourses.</li> <li>• Infiltration of groundwater into excavations.</li> <li>• Construction of culverts can disturb stream sediments and increase turbidity locally within the watercourse.</li> <li>• Concrete, bentonite and other cement-based products would be used during construction activities. These materials are highly alkaline and corrosive and can have significant negative effects on local watercourse surface water quality if improperly handled. Cement based products</li> </ul> |

|                 |  |
|-----------------|--|
|                 | <p>can also be detrimental to waterbody environs by altering the water's pH.</p> <ul style="list-style-type: none"> <li>• Changes in surfacing caused by vegetation stripping or gravel placement may also affect runoff or rates in local watercourses.</li> <li>• Changes in surfacing or drainage approach may affect groundwater recharge patterns.</li> </ul> |
| Operation       | <ul style="list-style-type: none"> <li>• Increased impermeable surface area may potentially increase surface water runoff to local watercourses.</li> <li>• Accidental hydrocarbon leaks on the proposed roads and subsequent discharge into local drainage networks.</li> <li>• Contamination of surface water from foul sewer leaks.</li> </ul>                  |
| Decommissioning | <ul style="list-style-type: none"> <li>• N/A</li> </ul>  |
| Cumulative      | <ul style="list-style-type: none"> <li>• No significant effects predicted</li> </ul>   |

### Mitigation

The mitigation measures are detailed in Chapter 8 and Chapter 18. They include:

- Implementation of the measures in the CEMP.
- Monitoring of the works.
- The implementation of erosion and sediment control measures:
  - Measures will be implemented to capture and treat sediment laden surface water runoff (e.g. sediment retention ponds, surface water inlet protection, fencing and signage around).
  - Specific exclusion zones and earth bunding adjacent to any open drainage ditches prior to discharge of surface water at a controlled rate.
  - Groundwater pumped from excavations will be directed to on-site settlement ponds.
  - Discharge from any vehicle wheel wash areas will be directed to on-site settlement ponds.
  - On-site settlement ponds will include geotextile liners and rippapped inlets and outlets to prevent scour and erosion.

- Surface water discharge points during the construction stage will be agreed with South Dublin County Council's Environment Section prior to commencing works on site.
- Weather conditions and seasonal weather variations will be considered when planning excavations and the stripping of topsoil, with an objective of minimizing soil erosion.
- The implementation of measures for accidental spills and leaks:
  - To mitigate against spillages contaminating the underlying soils and geology, all oils, fuels, paints and other chemicals will be stored in a secure bunded hardstand area.
  - Refueling and servicing construction machinery will take place in a designated hardstand area which is also remote from any surface water inlets (when not possible to carry out such activities off site).
  - An Emergency Response Plan prepared by the contractor prior to construction will detail the procedures to be undertaken in the event of a spillage of chemicals, fuels or hazardous waste. Spillage kits will be available and construction staff will be familiar with the emergency procedures and use of the equipment.
  - Pouring concrete including wash down and washout of concrete from delivery vehicles will be controlled in an appropriate facility to prevent contamination.
  - Regular samples will be taken from soils affected by earthworks which shall be analysed for contamination.
  - An emergency first aid kit will be provided in a designated area within the site compound.

Due to the inter-relationship between surface water and soils, hydrogeology and ecology, the mitigation measures discussed are also considered applicable to these sections and this chapter should be read in conjunction with Chapter 6 Biodiversity and Chapter 7 Land and Soils.

#### Residual Effects

The EIAR states that there will be no significant adverse residual impacts anticipated on water or on the identified hydrological/hydrogeological receptors, regarding the proposed development.

#### Analysis, Evaluation and Assessment: Direct and Indirect Effects

The proposed watermain and foul sewer design are in accordance with the applicable Uisce Éireann Codes of Practice. Uisce Éireann has issued Confirmation of Feasibility and a Statement of Design Acceptance which are appended to the RPS Design Report. Water and drainage proposals have been designed to tie in with new watermain, foul, and surface water lines which will be delivered as part of the Clonburriss Northern Link Street (NLS) and associated infrastructure works, permitted under Reg. Ref. SDZ24A/0033W.

I have examined, analysed and evaluated Chapter 8 of the EIAR, all of the associated documentation and submissions on file in respect of Water. I am satisfied that the applicant's understanding of the baseline environment, by way of desk and site surveys and consideration of accidental release of fuel, oil, paints or other hazardous material on site during the construction stage, through the failure of secondary contaminant or a materials handling accident, is comprehensive and that the key impacts in respect of likely effects on Water, as a consequence of the development have been identified. Adequate Mitigation measures have been proposed and there will be no significant residual effects.

#### Conclusion: Direct and Indirect Effects

Having regard to the examination of environmental information in respect of Water, in particular the EIAR provided by the applicant, during the course of the application, it is considered that there will be no significant direct and indirect effects on groundwater or hydrological/hydrogeological receptors.

### **8.5.5 Environmental Topic: Air (Noise & Vibration), Climate (Air Quality) & Climate (Climate Change),**

Chapter's 9, 10 and 11 of the EIAR deal with Air and Climate.

#### Baseline

#### Noise

The closest neighbouring noise sensitive properties to the proposed development site 3 include existing residential dwellings approximately 20m to the west and north of the proposed development site. The closest neighbouring noise sensitive properties to the proposed development site 4 include existing residential dwellings at the halting site approximately 300m to the west of the proposed development site. The closest neighbouring noise sensitive properties to the proposed development site 5 include existing residential dwellings approximately 40m to the north at Foxborough Road. The closest commercial receptors are located southwest of site 4 approximately 180m south and south west of the development site.

Eight noise monitoring locations were identified and daytime and nighttime surveys were carried out. The survey results are set out in section 9.3.2.5 of the EIAR.

#### Site 3

The noise environment within site 3 has been identified via survey locations AT1, AT2 and AT3. The noise environment consists of road noise, intermittent aircraft noise and intermittent rail noise.

The EPA noise maps indicate that the southern perimeter of the site is subject to rail noise from the railway line to the south. The maps indicate that the levels range from 65 to 70 dB Lden along the immediate southern boundary, reducing to within the 60 to 65 dB Lden noise contour further into the site. The noise levels then reduce to within the 55 to 60 Lden noise contour further north into the site.

The maps indicate that the night time noise levels range from 55 to 60 dB Lden along the immediate southern boundary, reducing to within the 50 to 55 dB Lden noise contour further north into the site. The noise levels then reduce to within the 45 to 50 Lden noise contour for the remainder of the site.

The construction noise levels detailed in Table 9.20 of the EIAR indicate that construction activities can operate within the adopted CNT of 65 dB LAeq,T at distances beyond 40m from construction works, with higher noise emissions associated with the site clearance and ground preparation works.

The closest NSLs are NSL1 to the north and west of the development site. The closest dwellings in this development are at distances of 20m extending out to greater than 500m from the construction works. The impact to the closest properties approximately 20m from the site clearance works is determined to be short term, negative and significant to very significant. This will reduce to moderate to significant at NSLs between 20 to 40m from the site clearance works, and slight to moderate beyond 40m, where the construction noise levels associated with the site clearance and ground works will fall to within or below the adopted CNT of 65 dB LAeq,T. During general construction works associated with houses and apartments, façade and fit out works, construction activities can operate within the adopted CNT of 65 dB LAeq,T at distances of  $\geq 20$ m.

The construction noise effect associated with general site works is short term, negative and slight to moderate.

Other existing NSLs are NSLs 2,3 and 4 and are at varying distances of approximately 80m to 200m from the site 3 residential development construction works. At these distances, construction noise levels are below the significance threshold 65 dB LAeq,T. Overall the construction noise effect associated with both stages of construction is considered short term, negative and not significant at these remaining NSLs.

#### Site 4

Due to site 4 not being accessible at the time of surveying, the noise environment is considered representative of locations AT1 and AT3. The noise environment consists of road noise, intermittent aircraft noise and intermittent rail noise.

The EPA noise maps indicate that the northern perimeter of the site is subject to rail noise from the railway line to the north. The maps indicate that the levels range from 65 to 70 dB Lden along the immediate northern boundary, reducing to within the 60

to 65 dB Lden noise contour further into the site. The noise levels then reduce to within the 55 to 60 Lden noise contour further south into the site.

The maps indicate that the nighttime noise levels range from 55 to 60 dB Lden along the immediate northern boundary, reducing to within the 50 to 55 dB Lden noise contour further south into the site. The noise levels then reduce to within the 45 to 50 Lden noise contour for the remainder of the site.

During the site 4 construction the closest NSLs are NSL1 approximately 80m north of the nearest site 4 construction works and NSL2 approximately 290m to the east of the site 4 development site. The closest dwellings in this development are at distances of 80m from the construction works. At these distances, construction noise levels are below the significance threshold 65 dB LAeq,T during both the site clearance and general construction stages of construction. The nearest commercial receptors are approximately 130m from the construction works where construction noise levels will also fall below the adopted CNT of 75 dB LAeq,T. The EIAR determines the construction noise effect for site 4 for both stages of construction is short term, negative and not significant at all identified NSLs.

#### Site 5

The noise environment within site 5 has been identified via survey locations AT4, AT5, AT6 and UN3. The noise environment is dominated by road traffic noise, with intermittent aircraft noise and intermittent rail noise also being noted as noise contributors

The EPA noise maps indicate that the western perimeter of site 5a is subject to road noise from the R136 whilst the northern section of site 5a is subject to road noise attributed to Thomas Omer Way. The maps indicate that the levels range from 65 to 70 dB Lden along the immediate western and northern boundary, reducing to within the 60 to 65 dB Lden noise contour for the remainder of site 5a.

Site 5b is largely only affected by the existing Thomas Omer Way, where noise levels range from 65 to 70 dB Lden along the immediate southern boundary, reducing to within the 60 to 65 dB Lden noise contour further north into the site and reducing to 55 to 60 dB Lden for the remainder of the site.

The maps indicate that the nighttime noise levels for site 5a range from 55 to 60 dB Lden along the immediate western and northern boundaries, reducing to within the 50 to 55 dB Lden noise contour for the remainder of site 5a. The nighttime road noise levels for Site 5b range from 55 to 60 dB Lden along the immediate southern boundary, reducing to within the 50 to 55 dB Lden noise contour further north into the site and reducing further to within the 45 to 50 dB Lden noise contour for the remainder of the site.

The closest NSLs to the site 5 development works are NSL4 to the north of the 5b development site and NSL5 to the east of the 5a development. The closest NSLs to the site 5 development are at distances of 20m from the nearest construction works. The impact to the closest NSLs approximately 20m from the site clearance works is determined to be short term, negative and significant to very significant. This will reduce to moderate to significant at NSLs between 20 to 40m from the site clearance works, and slight to moderate at distances beyond 40m, where the construction noise levels associated with the site clearance and ground works will fall to within or below the adopted CNT of 65 dB LAeq,T.

During general construction works associated with houses and apartments, façade and fit out works, construction activities can operate within the adopted CNT of 65 dB LAeq,T at distances of  $\geq 20$ m.

The EIAR determines the construction noise effect associated with general site works is short term, negative and slight to moderate. All other NSLs within the vicinity of the site 5 works are at distances beyond 40m. At these distances, construction noise levels are below the significance threshold 65 dB LAeq,T. The EIAR (Table 9.2) determines the construction noise effect associated with both stages of construction is short term, negative and not significant at all remaining NSLs.

#### Vibration.

The main potential source of vibration during the construction of any residential development is associated with piling and any initial groundbreaking or demolition activities. It is not anticipated that groundbreaking or piling will be undertaken in relation to any of the sites associated with the proposed development based on site investigation works. Due to the standard construction techniques anticipated to be

incorporated for the proposed development, the anticipated effect in relation to construction vibration will be brief to temporary, negative and not significant at all NSLs.

#### Air Quality

In terms of air monitoring and assessment, the proposed development site is within Zone A (EPA, 2024).

Baseline data and data available from similar environments indicate that levels of nitrogen dioxide (NO<sub>2</sub>), particulate matter less than 10 microns (PM<sub>10</sub>) and particulate matter less than 2.5 microns (PM<sub>2.5</sub>) are generally in compliance with the current National and European Union (EU) ambient air quality standards.

During the construction stage, the main source of air quality impacts will be due to fugitive dust emissions from site activities. Dust emissions will primarily occur as a result of site preparation works, earthworks, construction of proposed buildings and the movement of trucks on site and exiting the site.

The EIAR sets out that there is at most a high risk of dust soiling impacts and a low risk of dust-related human health impacts associated with Site 3. In relation to Site 4, there is at most a low risk of dust soiling and human health and a medium risk of ecology impacts. There is at most a high risk of dust soiling impacts and a low risk of dust-related human health impacts associated with Site 5. It is envisaged that construction on each site would occur concurrently and therefore, the overall dust risk for the cumulative assessment of all three sites can be determined as high. It has been determined that the construction stage traffic will have an imperceptible, neutral, short-term and not significant impact on air quality.

The EIAR concludes that the impact of traffic emissions on air quality and human health during the operational phase is long-term, direct, localised, imperceptible, and overall not significant in EIA terms.

#### Wind and Microclimate

The predominant wind direction is westerly to south-westerly with a mean wind speed of 5.2 m/s over the 30-year period of 1991 – 2020 (Met Éireann, 2025).

Considering all 3 no. sites within the proposed development, there is at most a high risk of dust impacts associated with the proposed development. The dust mitigation measures outlined in the EIAR will be applied during the construction phase which will avoid significant cumulative impacts on air quality. With appropriate mitigation measures in place, the predicted cumulative impacts on air quality associated with the construction phase of the proposed development and the aforementioned development are deemed short-term, direct, negative, and slight which is overall not significant.

Climate

The residual impact of the proposed development in relation to GHG emissions is considered direct, long-term, negative and slight, which is overall not significant in EIA terms.

In relation to climate change vulnerability, it has been assessed that there are no significant risks to the proposed development as a result of climate change. The residual effect of climate change on the proposed development is considered direct, long-term, negative and imperceptible, which is overall not significant in EIA terms.

Potential Effects

**Table 30: Summary of Potential Effects: Air (Noise & Vibration), Climate (Air Quality) & Climate (Climate Change),**

| Project Phase   | Potential Direct, Indirect and Cumulative Effects   |
|-----------------|---|
| Do Nothing      | <ul style="list-style-type: none"> <li>The noise environment at the nearest noise sensitive locations and across the development site itself will remain unchanged.</li> </ul>          |
| Construction    | <ul style="list-style-type: none"> <li>Noise Impacts from Construction and Construction Traffic</li> <li>Potential impact from dust soiling due to earthworks and track out.</li> </ul> |
| Operation       | <ul style="list-style-type: none"> <li>None</li> </ul>  |
| Decommissioning | <ul style="list-style-type: none"> <li>N/A</li> </ul>   |
| Cumulative      | <ul style="list-style-type: none"> <li>No significant effects predicted</li> </ul>  |

Mitigation

The mitigation measures are detailed in Chapter,9 & 18. They include.

- Implementation of the measures in the CEMP.
- Restricted hours of construction.
- Use of noise reduced plant and all plant maintained in good working order.
- Use of noise screens or other forms of noise control. Standard construction site hoarding (2.4 m in height) with a mass per unit of surface area greater than 7 kg/m<sup>2</sup> can provide adequate sound insulation. This is recommended as a minimum around the northern site boundaries of the proposed development site.
- A designated Community Liaison Officer (CLO) will be appointed to site during construction works.
- During the construction phase the contractor will carry out noise monitoring at representative NSLs to evaluate and inform the requirement and / or implementation of noise management measures.
- During working hours, dust control methods will be monitored as appropriate, depending on the prevailing meteorological conditions.
- Plan site layout so that machinery and dust causing activities are located away from receptors, as far as is possible.
- Erect solid screens or barriers around dusty activities or the site boundary that are at least as high as any stockpiles on site.
- Avoid site runoff of water or mud.
- Keep site fencing, barriers and scaffolding clean using wet methods.
- Remove, cover, seed or fence stockpiles to prevent wind whipping.
- Produce a Construction Logistics Plan to manage the sustainable delivery of goods and materials.
- Implement a Travel Plan that supports and encourages sustainable travel (public transport, cycling, walking, and car-sharing).
- Undertake daily on-site and off-site inspections, i.e. monitoring.

## Residual Effects

The EIAR states that there will be no significant adverse residual impacts on the receiving air and climate environment associated with the Proposed Development subject to the implementation of the specific mitigation measures.

## Analysis, Evaluation and Assessment: Direct and Indirect Effects

I have examined, analysed and evaluated chapter 9,10 & 11 of the EIAR, all of the associated documentation and submissions on file in respect of air and climate. I am satisfied that the applicant's presented baseline environment, is comprehensive and that the key impacts in respect of likely effects on air and climate, as a consequence of the development have been identified.

Parties to the application have raised the issues in respect of noise and nuisance which I address below.

Given the residential nature of the proposed development and the receiving environment, distance to existing residential development, once constructed the development would not result in substantive increases in noise levels in the area.

Noise and dust management measures are proposed as part of the CEMP and construction noise measures proposed set out how the development would be managed over the construction phase of the project.

Noise sources incident upon the development site have been determined to be medium to high risk. The control of noise at source from road traffic or rail noise, which are deemed to contribute to noise, is outside of the site boundary and hence is outside of the scope of the proposed development. The results of the modelling exercise demonstrate that highest noise levels are experienced along the boundaries of the existing roads in proximity to the road edges and reduce by varying degrees at distances further from the road edges across the three sites, in the absence of any development buildings.

As the noise risk assessment carried out concluded that the level of risk across all three sites falls into the Medium to High noise risk categories an Acoustic Design Statement was carried out. This sets out that attention has been applied in mitigating and minimising noise impact to such an extent that adverse noise impacts will be

avoided in the final development. Façade noise levels have been considered as have planning, layout and orientation. As part of the project design, the majority of residential buildings within the proposed development across the three sites are set back from the road boundary and where possible screened from noise sources by other buildings within the development's design. The closest properties to the road and rail will experience highest potential noise levels, with reduced noise levels further into the sites. Consideration will be given to the provision of sound insulation performance for glazing and ventilation systems, where required to achieve suitable internal noise levels within the development.

The proposed development has been assessed as having at most a high risk of dust soiling impacts and a low risk of dust related human health impacts and a medium risk of dust-related ecological impacts during the construction phase as a result of demolition, earthworks, construction and trackout activities. Therefore, detailed dust mitigation measures shall be implemented during the construction phase of the proposed development. The measures outlined are typical and well established as being effective in controlling dust, noise and vibration in residential developments.

#### Conclusion: Direct and Indirect Effects

Having regard to the examination of environmental information in respect of noise and vibration, in particular the EIAR provided by the applicant during the course of the application, it is considered that the main significant direct and indirect effects on land, soil, water, air, climate are, and will be mitigated as follows:

- direct negative effects arising for air quality during the construction phase, which would be mitigated by a suite of appropriate construction phase management measures, including a dust management plan.
- direct negative effects arising for noise during the construction and operational phases, which would be mitigated by appropriate construction phase management measures, including the control of construction hours and noise minimisation measures and appropriate acoustic specifications will be provided to all residential units (incl enhanced glazing) to ensure rooms can achieve good internal noise levels.

## **8.5.6 Environmental Topic: Material Assets, Cultural Heritage and the Landscape.**

### Issues Raised

Concern is raised of proximity to the DART+ South West Project, concern of boundary treatment adjoining Irish Rail lands, concern of proximity of development to the temporary compound and underground cables of Iarnród Éireann. Concern is raised the housing development as proposed does not make provision or provide sufficient space to accommodate the utility diversion works approved by the Railway Order. Clarification is sought on the proposed flood compensation area and transport and traffic issues have been raised, citing existing congestion, inadequate bus/train capacity and parking provision. The DoHLGH (DAU) has recommended that no commercially sourced wildflower seeds should be planted.

Examination of the EIAR.

### Context

The following chapters deal with the environmental effect on Material assets, cultural heritage and the landscape: Chapter 12 Landscape and Visual Impact, Chapter 13 Material Assets (Transportation), Chapter 14 Material Assets (Waste), Chapter 15 Material Assets (Utilities), Chapter 16 Cultural Heritage (Archaeological & Architectural).

### Baseline

#### The Landscape.

The SDZ lands, consisting of approximately 280 hectares, are located to the west of Dublin City Centre and the M50 – within the triangle between Lucan, Clondalkin and Liffey Valley. The lands are bisected from east to west by the Kildare railway line and by the Grand Canal to the south, and by two strategic roads – the Grange Castle Road (also referred to as the Outer Ring Road) in the centre of the site and the Fonthill Road to the east. The R120 Lock Road forms part of the western boundary of the lands.

Grange Castle Business Park is located to the south of the SDZ lands. The Adamstown SDZ is located adjacent to the north-west boundary of the SDZ lands.

The lands at Clonburris are characterized by relatively flat topography, and by transitional agricultural landscapes. Despite their location and context between the established communities of Lucan and Clondalkin, the lands have never been developed to any significant degree and retain a largely rural character, overgrown open space and disused lands. In recent years, a primary and secondary school have been constructed on the lands. A number of private residences are located on the lands, together with traveller accommodation constructed by South Dublin County Council. There are two train stations constructed within the SDZ, the Clondalkin-Fonthill station and the Kishoge Station. The site area exhibits low visual quality.

The EIAR contains a collection of 23 photomontages prepared to fully illustrate the physical and visual nature of the Proposed Development. The Photomontages have been prepared from publicly accessible locations that are representative of views of the scheme from surrounding areas (see Appendix 12.1 of the EIAR).

#### Traffic and Transport

At present, the Clonburris SDZ lands have a limited cycle network within the lands. However, the Grand Canal Greenway, which links Adamstown to the City Centre, passes through the area along the Grand Canal.

Fonthill and Grange Castle Roads include offer links to Lucan Village, Liffey Valley and the N4, which feature segregated cycle facilities and a cycle link to the City Centre. To the South, there are cycle links to the Grange Castle Business Park and further south, Clondalkin Village and Tallaght. Thomas Omer Way has segregated cycle tracks on both sides of the road. The R120 Adamstown Road features shared pedestrian and cyclist facilities on both sides.

The Ninth Lock Road includes footpaths on either side along most of its length. The Fonthill Road features footpaths on either side, and The Grange Castle Road also features footpaths on either side. The Grand Canal Greenway offers walking facilities towards Dublin City Centre and Adamstown to the west. A new canal bridge has just been completed by SDCC which features a shared space on the southern side and a pedestrian space on the southern side.

There are a number of roads in the immediate area that have bus priority in the form of Quality Bus Corridors (QBC's).

The proposed developments are situated on the Kildare railway line. The recently opened Kishoge Railway Station is located to the south of the subject site. Along Fonthill Road North, approximately 1,500m east of the subject site lies the Clondalkin-Fonthill station. These stations are served by commuter services to Heuston Station as well as Drumcondra, Dublin Connolly, Tara Street, Dublin Pearse and Grand Canal Dock, via the Phoenix Park Tunnel. Intercity trains do not serve these stations. Eastbound services calling at Kishoge offer good connections to Heuston station, which is the busiest station on the intercity train network offering strong connections to the regional cities and towns.

I note the road infrastructure upgrades proposed within the Clonburris SDZ Planning Scheme (May 2019) and the South Dublin County Council Development Plan (2022 – 2028) that are proposed within/close to the Clonburris SDZ scheme, include the following:

- Clonburris/Kishoge Street Network
- Celbridge Link Road
- Newcastle Road (R120)
- Griffeen Avenue
- New Nangor Road Extension
- Junction upgrade at Fonthill Road/N4
- Cloverhill Road/Ninth Lock Road Upgrade and Link Road:
- Western Dublin Orbital Route

The new Clonburris Southern Link Street (CSLS) will connect from the R120 Newcastle Road to the Ninth Lock Road with proposed intersections with the R136 Grange Castle Road and the R113 Font Hill Road.

Stage 2 of the Clonburris Infrastructure Development consists of the Clonburris Northern Link Street (CNLS) and associated trunk infrastructure to serve the Clonburris SDZ lands to the North of the Kildare/Cork Railway Line. Stage 2 will include approximately 2.3km of a new link street, 800m of side streets with cycle

facilities, pedestrian crossings, traffic signals, footpaths, bus stops, car parking, public lighting and miscellaneous ancillary works. Stage 2 will also include the provision / upgrade of a number of signalised junctions along with the provision of minor priority-controlled junctions, upgrades on existing streets, provision of main public parks, drainage infrastructure, trunk watermain infrastructure and ancillary site development and landscape works.

### Material Assets Waste

The receiving environment is largely defined by South Dublin County Council (SDCC) as the local authority responsible for setting and administering waste management activities in the area through regional and development zone specific policies and regulations.

There will be waste materials generated from site clearance works, excavations, construction of the new development and from the operation of the new development. There is currently no waste generated at the proposed development sites (KSG3, KSG4, and KSG5).

### Material Assets Utilities

Gas Infrastructure:

- Site 3: An underground gas transmission pipe runs along the eastern boundary of Site 3. This pipeline will be maintained as is, with any necessary work carried out in consultation with Gas Networks Ireland to ensure safety.
- Site 4: Some modifications to existing gas pipelines will be required for construction.
- Site 5: No gas infrastructure is present in Site 5. The area will not require any gas connections as heating and hot water will be provided via electrical heat pumps.

Electricity Infrastructure (ESB):

- Site 3: There are overhead 220kV national transmission lines passing through Site 3. ESB plans to divert these lines to remove them from the site. Additionally, the Balgaddy 38kV substation will remain on-site, and the existing ESB cabling will be rerouted as necessary to accommodate the new

development. Several new substations and distribution points will be created to support the development.

- Site 4: The site will be connected to existing ESB infrastructure, with provisions for new substations to supply power to the development.
- Site 5: Two existing substations at Lynch Lane will support the power needs of Site 5. Additional mini-pillars will be used throughout the site to distribute power to individual residences.

Telecommunications:

- Site 3: There is no existing Virgin Media network on Site 3, but a new connection to EIR will be made along Adamstown Avenue. Both EIR and Virgin Media services will be extended into the residential development for broadband and television services.
- Site 4: A similar approach will be taken for Site 4, with new telecommunications connections provided via EIR and Virgin Media networks.
- Site 5: Telecommunications connections for Site 5 will be made through existing infrastructure at Lynch Lane, extending EIR and Virgin Media services into the development.

### Cultural Heritage

There are no monuments recorded by the National Monuments Service (NMS) within the boundary of the three subject sites. There are no recorded archaeological sites in the immediate vicinity of the proposed development.

There is no NIAH or RPS sites within the immediate vicinity of the subject site.

The assessment at site 4 has shown that Grange House is located in the southern part of the site and whilst it is not listed in the RPS or NIAH, it is noted as being a structure of importance in the Clonburris SDZ. Modern development is present in the southeast and southwest corner of the site, including the SDCC Parks Compound and some modern derelict development. The permitted Clonburris infrastructure scheme is also under construction through the centre of the site. The historic mapping shows the position of Grange House and a small demesne throughout the

post medieval period. Today the demesne is no longer present, due to the compound and the nursery.

A section of townland boundary is located in the southwest corner of Site 3 and the northern part of Site 5.

Potential Effects

**Table 31: Material Assets, Cultural Heritage and the Landscape.**

| Project Phase | Potential Direct, Indirect and Cumulative Effects   |
|---------------|---|
| Do Nothing    | <ul style="list-style-type: none"> <li>• Zoned residential and subject of the plan-led, prescriptive design parameters of the approved Clonburris SDZ Planning Scheme 2019, the site has been classed as appropriate to accommodate residential development, in the layout and form generally proposed. The do-nothing case will result in the lands remaining unused and under developed.</li> <li>• Existing baseline traffic figures would be expected to grow as per the TII standard predicted values.</li> <li>• There would be no excavation, construction or operational waste generated at the site.</li> <li>• The existing land use and material assets in the study area will remain in the current state.</li> <li>• No effect upon the archaeological, architectural, or cultural heritage resource.</li> </ul> |
| Construction  | <ul style="list-style-type: none"> <li>• Visual impact due to the introduction of new structures, access roads, machinery, material storage, associated earthworks, car parking, lighting and hoarding.</li> <li>• The removal of trees and vegetation.</li> <li>• Alterations to the entrance routes to facilitate the access of plant and machinery.</li> <li>• Visual impacts on local roads due to the increase in traffic movements</li> <li>• Change in ground levels.</li> </ul>   |
| Operation     | <ul style="list-style-type: none"> <li>• Visual Impacts and change of character.</li> <li>• The completed landscape scheme will have a positive effect on the site and the areas through the completion of the new public open space, pedestrian &amp; cycle links and increase in street-level activity that the development will bring.</li> </ul>  |

|                 |  |
|-----------------|--|
|                 | <ul style="list-style-type: none"> <li>• Moderate Slight, Positive long-term visual impact from east on Adamstown Avenue, South East from Rossberry Avenue Public Open Space and South West from Tor An Ri Walk.</li> <li>• Moderate Slight long-term visual impact with a Negative short-term Impact from South of Tullyhall Close and view west from Lynch’s Park, View South East from the Roundabout at the Junction of the R136 and Adamstown Ave and Thomas Omer Way.</li> <li>• For the key local junctions, it can be seen in Table 13-16, of the EIAR that the proposed development upon full completion would have a material effect on the following junctions in the adopted Do-Something scenario: <ul style="list-style-type: none"> <li>○ Junction 3 – Thomas Omer Way / Adamstown Avenue / R136 Grange Castle Road (an increase of 10% in capacity in the evening, and 9% in capacity in the morning.)</li> <li>○ Junction 4 – R136 Grange Castle Road / CNLS (an increase of 6% in capacity in the evening, and 11% in capacity in the morning.)</li> <li>○ Junction 5 – R136 Grange Castle Road / CSLS (an increase of 15% in capacity in the evening, and 21% in capacity in the morning)</li> </ul> </li> <li>• While the assessments for Junctions 3, 4 and 5 show an oversaturated performance during the morning and evening peak hours. It is the case that the network is over capacity regardless of the Proposed Development. Therefore, the impact of the development in Junctions 3, 4 and 5 is deemed ‘not severe’.</li> <li>• It is not anticipated that the proposed development will negatively impact the surrounding pedestrian, cycling and public transport facilities and services. The proposed development is ideally situated to take advantage of the existing and proposed pedestrian/cycling facilities on the R136, R113 and Clonburriss Southern Link Street. The Kishoge Station is ideally situated to provide improved rail access for residents and staff employed at the site.</li> </ul> |
| Decommissioning | <u>N/A</u>   |
| Cumulative      | <ul style="list-style-type: none"> <li>• The landscape and visual cumulative impact is considered as a neutral, slight short-term impact.</li> <li>• The landscape and visual operational stage cumulative impact is considered as a positive, moderate long-term impact.</li> </ul>   |

|  |  |
|--|--|
|  | <ul style="list-style-type: none"> <li>• The overall cumulative impact of the full Development Framework is expected to be: <ul style="list-style-type: none"> <li>○ At Junction 3 an increase of 10% in capacity in the evening, and 9% in capacity in the morning.</li> <li>○ At Junction 4 an increase of 6% in capacity in the evening, and 11% in capacity in the morning.</li> <li>○ At Junction 5 an increase of 15% in capacity in the evening, and 21% in capacity in the morning.</li> <li>○ There are no other significant residual impacts on traffic.</li> </ul> </li> <li>• An improvement in provision of sustainable modes of transport (walking, cycling and public transport) with the introduction of future transport schemes in the area.</li> <li>• There will be a greater demand on existing local waste management services and on regional waste acceptance facilities.</li> </ul> |
|--|--|

### Mitigation

The mitigation measures are detailed in Chapters 12, 13, 14, 15, 16 & 18.

The Waste mitigation measures include:

- Adherence to an updated Construction Management Plan (CMP), with adequate control of construction traffic and working activity.
- Adherence to the Resource and Waste Management Plan (RWMP)

The Traffic mitigation measures include:

- A Construction Mobility Management Plan (CMMP) will be developed by the appointed contractor to encourage all construction personnel to utilise the vast range of sustainable travel options available when travelling to/from the proposed development site. Enforcement of a CMP will ensure that construction traffic impacts are minimized through the control of site access / egress routes and site access locations and any necessary temporary lane closure requirements.
- Traffic Management Plan.
- Car Park Management Strategy  
A management regime will be implemented by the development's management company to control access to the on-site car parking spaces thereby actively managing the availability of on-site car parking for residents

of the development. Infrastructure measures identified to reduce reliance on private vehicles include the provision of ample secure cycle parking on site and ensuring a design which promotes permeability for pedestrians and cyclists to, through and from the development. The high level of high-frequency public transport facilities (Dublin Bus, Irish Rail) will also act as a mobility management measure, as residents can rely on public transport over the private vehicle.

The Landscape mitigation measures include:

- Measures integrated into the design of the scheme such as landscape works, visual variety in the building, height limitations, breaking down of visual massing and variation of materials.
  - Phasing of development in order that the buildings and surrounding landscape works are completed as soon as possible.
  - Appointment of a Landscape Architect to ensure a competent experienced landscape contractor is appointed to undertake the work.

The Cultural Heritage and Archaeology measures include:

- All topsoil stripping, where required, will be subject to archaeological monitoring. Monitoring will be carried out by a suitably qualified archaeologist and if any archaeological remains are identified, further mitigation may be required, such as preservation by record or in-situ. Any further mitigation will require agreement from the National Monuments Service of the DoHLGH.
- A written and photographic record of the sections of the former townland boundary to be removed will be compiled and the removal of the boundary will be subject to archaeological monitoring.
- A written and photographic record will be made of the current landscape context of Grange House, prior to the commencement of development.
- A written and photographic record will be made of the recessed entrance to Grange House, which dates to the early 20th century, prior to its removal as part of the development.

Mitigation measures for utilities include:

- Connections to the existing gas and telecommunications networks will be coordinated with the relevant utility provider and carried out by approved contractors.
- A GPR utility survey (and slit trench investigation as required) will be carried out in advance of commencing road works to confirm the location of the power and telecommunication infrastructure.

### Residual Effects

The initial construction operations created by clearance of the site and the construction of the buildings, and roads will give rise to temporary or short-term negative impacts on the landscape character, through the introduction of new structures, plant, machinery etc. and the removal of vegetation. The conversion of some areas of the site from agricultural fields with hedgerows to a building site is likely to be perceived in the short-term as a negative loss of landscape character, particularly by section of the local community closest to it.

As the site is located on the edge of existing urban areas the visual elements associated with construction would be considered part of the urban landscape. The site area exhibits low visual quality. The completed landscape scheme will have a positive effect on the site and the areas through the completion of the new public open space, pedestrian & cycle links and increase in street-level activity that the development will bring. With this considered, the visual impact on the landscape character would be positive and long term in its duration.

Residual impacts on the surrounding roads and traffic during the operational phase is considered to be not a severe impact. While it is acknowledged that three junctions (identified as 3, 4, and 5 above) will operate at over capacity, it is also acknowledged that these junctions would be at over capacity regardless of the proposed development. Regard is had to the traffic and car parking management plans and to the prevalence of pedestrian, cycling and public transport facilities and services. The application site is primarily situated within the boundary of the Clonburris SDZ Planning Scheme 2019. The proposed design strategy for Clonburris SDZ aligns with the subject proposal. The junctions within the proposed scheme have been designed to aligned with the Clonburris Transport Assessment &

Transport Strategy. The junction arrangements have been agreed upon with the NTA and passed through a compliance process with SDCC. Pedestrian and cycle connectivity to adjoining existing and permitted residential areas has been included to maintain key pedestrian desire lines. The proposed development provides for planned local links to facilitate pedestrian and cyclist connectivity, as per the street hierarchy. It is noted that the local link shown at the eastern extent of Site 5B at Thomas Omer Way will be delivered in conjunction with the permitted Northern Link Street and associated infrastructure. The Kishoge Station provides nearby, highly accessible rail access for future residents and employees.

Waste materials will be generated on an ongoing basis during the operational phase; these will for the most part consist of municipal waste and recyclable materials. A certain proportion of operational waste will nevertheless need to be disposed of at landfill.

#### Analysis, Evaluation and Assessment: Direct and Indirect Effects

I have examined, analysed and evaluated chapters 12, 13,14,15 &16 of the EIAR, all of the associated documentation and submissions on file in respect of material assets, cultural heritage and the landscape. I am satisfied that the applicant's presented baseline environment, is comprehensive and that the key impacts in respect of likely effects on material assets, cultural heritage and the landscape, as a consequence of the development have been identified. Parties to the application have raised a number of specific issues, which I address below.

- Concern is raised of proximity to the DART+ South West Project, concern of boundary treatment adjoining Irish Rail lands, concern of proximity of development to the temporary compound and underground cables of Iarnród Éireann.

I note the detailed response from the applicant to this issue of concern. I also note Proposed Site Layout Plan: KSG4-DTA-00-SP-DR-A-1000. It is submitted by the applicant that:

“The application red-line boundary corresponds to the surveyed fence-line, north of the railway in Site 3. This existing fence is located c.4m north of the railway line. In addition, a minimum 20-metre railway buffer zone is maintained from the northern edge of the railway line within Site 3, with a strategic green corridor running parallel

to the railway. Property plans and boundary sections can be provided to Iarnród Éireann for coordination; however, no conflicts are noted by the Site 3 team.

The application red-line boundary aligns with the surveyed fence line located to the south of the railway within Site 4. This existing fence is nominally 7m south of the railway line. Property plans and boundary sections can be provided to Iarnród Éireann to support coordination, although the Site 4 team has identified no boundary conflicts. In addition, a minimum 20-metre railway buffer zone (designated no-build area), is maintained from the southern edge of the railway line within Site 4”.

“Iarnród Éireann further identify that C.I.É owns a section of Lynch’s Lane and request that the access route at the lane is maintained and kept clear at all times.

The section of Lynch’s Lane noted in the observation has been excluded from the Applicant’s blue-line boundary. Refer to drawings KSG-OMP-01-00-DR-A-1010, Site Location Map Combined, and KSG-OMP-01-00-DR-A-1014, prepared by O’Mahony Pike Architects. As required by Iarnród Éireann, access via Lynch’s Lane will be preserved as part of the proposed development. Refer to Site 5 drawing KSG5-MDO-XX-SP-DR-A-05001, prepared by McCauley Daye O’Connell Architects.

I note the level of early engagement and agreement between the applicant’s design team, SDCC, Clonburris Infrastructure Limited, ESB and Iarnród Éireann. As required by Iarnród Éireann, a 2.4m block boundary wall will be erected on the applicant’s side of the property boundary, where required. Such a wall is indicated on the Landscape Section through the Green Link, drawing no. KSG3-DOT-LS-02-DR-L-0000 for Site 3 – I note that the east-west green link section indicates ‘buffer planting’ and a ‘noise barrier’. The applicant’s response indicates that they welcome the inclusion of a condition, if deemed necessary by the Commission, requiring that the boundary treatment adjoining Irish Rail lands at Site 4 be agreed with Irish Rail. I consider this response adequately responds to the issues raised and consider a condition for further agreement prior to commencement as proposed would be appropriate. I also recommend that conditions be attached requiring that no additional liquid, either surface water or effluent shall be discharged to, or allow to seep onto, the railway property or into railway drains / ditches. Lights emanating from the proposed development, whether during construction or upon completion, must not create glare or hinder the vision of train drivers or track machine personnel.

Should the development require the use of a crane that could swing over the railway property, then the developer must enter into an agreement with Iarnród Éireann / C.I.É. regarding this issue. No overhang of any part of the development over the railway property is to be allowed. No deciduous trees are to be planted on the proposed ecological corridors located directly along the railway boundary as they can impair the vision of train drivers or their views of signals, etc. Furthermore, falling leaves and / or leaf litter on rails can adversely affect the operation of trains by causing poor wheel / rail adhesion, see suite of relevant recommended conditions.

- Concern is raised the housing development as proposed does not make provision or provide sufficient space to accommodate the utility diversion works approved by the Railway Order.

The applicant submits that the proposed layout is compliant with the Clonburris Planning Scheme at this location for the delivery of housing. They do however note the conflict between the Railway Order and the SDZ and submit that they have endeavored to comply with the SDZ whilst meeting Iarnród Éireann's technical requirements.

Regarding the lands identified for temporary acquisition on Site 3 for the delivery of Dart + SW, where a temporary compound is indicated, this area is located in phase 3D of Figure 2.1 of the Applicant's Preliminary Construction & Environmental Management Plan, prepared by DBFL Consulting Engineers. This is intended to be the last phase of the construction phasing for Site 3. It will be constructed after the DART+ infrastructure has been delivered and the DART+ temporary compound is no longer in place. The easement shown in the Dart+ Railway Order Property Plan for a 10KV underground crossing would result in the loss of c.15 units and an incomplete building frontages to Adamstown Avenue and the Railway Line. The applicant has proposed an adjusted route through the planning scheme road network which is indicated on Drawing No. KSG3-MAE-00-XX-DR-E-6010, prepared by MandE.

The future 38kV ESB underground track crossing has been discussed by numerous parties through coordination meetings and through sharing of relevant drawings. These parties include the Applicant's Design Team, SDCC, Clonburris Infrastructure Limited (CIL), ESB and Iarnród Éireann. A utilities route that functions similarly and works with the applicant's scheme has been coordinated between Site 3, CIL, SDCC

and ESB. Coordination will continue as required between relevant parties going forward.

I acknowledge the argument put forward, by the applicant, to overcome the temporary land acquisition on Site 3 for the delivery of Dart + SW, where a temporary compound is indicated, and it is proposed that this area located in phase 3D will be developed in the latter phase of the overall development, after the DART+ infrastructure has been delivered and the DART+ temporary compound is no longer in place, and I consider it is acceptable subject to condition, requiring further agreement and engagement with Iarnród Éireann.

Similarly, for the lands identified for permanent acquisition by Iarnród Éireann adjacent to Site 3, where a 38kV electrical traction substation and access are located, both are located outside of the application boundary, to the west, and not impacted by this application. Figure 7: Overlay of Dart+ Property Plan on Site 3 Layout showing potential impact of Proposed Easement, also indicates Plot DSW.18827.P.157 (B) – In the ownership of SDCC and Shebourne Development Ltd. Located outside of the site boundary for Site 3.

Iarnród Éireann have not stated that the proposal impacts on any ‘permanent land acquisition’. From my examination of the submitted drawings the possible conflict arises with respect to the ‘temporary land acquisitions’ and ‘easements’ or ‘right of Way’ at the substation compound. Therefore, while it is essential that continued cooperation and coordination takes place between IE, CIE, the Dart + SW project team, I am of the opinion given the response by the applicant that the matter can be resolved, see pertinent conditions attached. The applicant is agreeable to cooperation and further discussion to resolve matters. No permanent acquisition of lands is impacted and plans to develop lands, temporarily required to deliver DART+, post delivery of the upgrade is acceptable and coherent.

- Clarification is sought on the proposed flood compensation area. In their submission, Iarnród Éireann requested clarification on the proposed flood compensation within Site 4, specifically whether this feature would impact railway land or infrastructure.

As part of the application, a Flood Risk Assessment for Site 4 was prepared by JBA Consulting and subsequently peer-reviewed by McCloy Consulting.

JBA Consulting confirm in response to this concern that:

“The FRA confirms that there is no increase in risk to third party lands and that includes the Irish Rail property adjacent to the northern site boundary. A 170m<sup>3</sup> flood storage area is located to the south of the Kilmahuddrick channel (on the opposite side of the channel from the railway line) to offset the loss of floodplain storage at the 0.1% AEP event further upstream. The storage area only becomes effective at a flood event of 1% AEP or greater and it routes some flow further away from the boundary of the railway. The levels/flows in the stream are therefore not increased adjacent to the railway and the compensatory storage is located as far from Irish Rail lands as possible. In addition, the storage area will not impact groundwater conditions on Irish Rail property and flooding to Irish Rail property is not increased.” I consider this matter can be further addressed by way of condition.

Chapter 8 Water has been assessed above. Chapter 8 and the separate Flood Risk Assessment (FRA) (May 2025) were carried out by JBA Consulting Engineers, competent experts, who are suitably qualified in the area of assessment. Direct and indirect effects include regarding topography, surface water drainage and hydrology, hydrogeology, ground water, flooding and flood risk, contamination of water, accidental spills and leaks, impact runoff/discharge, turbidity, impact on water quality and groundwater recharge patterns. Mitigation measures proposed relate to incorporated design, erosion and sediment control, accidental spills and leaks control and emergency response plan. The cumulative impacts and the potential for interactions with the other EIAR topics have been adequately addressed.

I note that the FRA demonstrates that, with the proposed mitigation measures in place, the development can proceed without increasing flood risk to the site or surrounding areas and the Justification Test has been applied and passed. Furthermore, the design approach ensures compliance with the South Dublin County Council Development Plan and SFRA, providing a resilient and sustainable solution for the Clonburris development.

In conclusion, the FRA confirms that the proposed development is suitable for its location, aligns with the best flood risk management practices, and supports the sustainable development goals of the planning framework. The proposed measures

ensure that the site remains resilient to current and future flood risks, while maintaining compliance with local and national planning policies.

- Transport and traffic issues have been raised, citing existing congestion, inadequate bus/train capacity and parking provision. The submission made by BPS Planning & Development Consultants, on behalf of Tullyhall Residents Association raises concern with the current road safety challenges in the area and note that a number of road safety incidents have occurred in the last number of years. The submission seeks clarification as to whether a Road Safety Audit was submitted for the application. Cllr. Madeliene Johansson notes that “transport in the area is already under severe constraints” while Foxborough Maintenance Association raise concern with traffic congestion along Balgaddy Road. Foxborough Maintenance Association further note that the “level and frequency of public transport is not sufficient to meet the demand of Foxborough and the surrounding areas”. Paul Gogarty TD and Cllr. Helen Farrell note that “there is updated information on bus networks, which remain wholly insufficient to serve such a high-density diverse population with complex transport requirements”. This submission also raises concerns with the level of traffic congestion across the SDZ Planning Scheme area.

The submission by Paul O’Rourke further raises concerns with traffic congestion, specifically on Griffeen Avenue noting that “associated with the developments of Sites 3, 4 & 5 will be an increase of traffic along the R136”.

Chapter 13 Material Assets (Transport) has been prepared by Daniel Garvey, Transportation Engineer at DBFL, and Danny Pio Murphy, Transportation Engineer/Planner at DBFL, competent experts who are suitably qualified in the area of assessment. Direct and indirect effects include traffic volume, impact on road network, noise and disturbance, and dust and emissions. Mitigation measures proposed include CMP, mobility design, MMP, car parking management strategy, bicycle parking facilities, sustainable transport infrastructure and connections, car sharing, car clubs, and walking infrastructure. The cumulative impacts and the potential for interactions with the other EIAR topics have been adequately addressed.

The findings of the analysis summarised within this Traffic and Transport Assessment are as follows:

- Good quality cycle / pedestrian infrastructure is available in the vicinity of the subject sites.
- The sites benefit from very good public transport accessibility levels with both bus and rail services operating close to the sites.
- The subject proposals comply fully with the development plan's cycle parking requirements.
- An appropriate quantum of car parking spaces has been provided for the proposed developments.
- Historic traffic counts were obtained via the planning application for the Clonburris Stage 2 Infrastructure; the historic baseline data was retrieved from the South West.
- Dublin Local Area Model which supported the Clonburris SDZ assessment. This report was analysed with the objective of establishing local traffic characteristics in the immediate area of the proposed developments.
- It is established that, for Junctions 1, 2 and 6 for all design years, the Do-Something scenario is estimated to have a sub-threshold impact.
- TRANSYT analysis for Junctions 3, 4 and 5 shows an oversaturated performance during the morning and evening peak hours in the Do-Nothing and Do-Something scenarios.

This result is expected and consistent with the Traffic & Transport Assessments of the Southern Link Street – Clonburris SDZ and Clonburris Stage 2 Infrastructure, prepared by DBFL Consulting Engineers. These documents showed an oversaturated network for Opening Year and Future Horizon Year, similar to results obtained above. It is important to note that the analysis has assumed the pedestrian stage will be called during every cycle. As such the TRANSYT analysis represents a worst-case scenario, with the junctions likely performing better than the TRANSYT results indicate. Additionally, the area will be served with high frequency bus & rail services, high quality cycle infrastructure and new road developments.

As set out above, I agree it has been demonstrated that the subject proposals will not result in a material deterioration of local road conditions above that which is already forecast. That the proposals represent a sustainable and practical approach to redevelopment on the subject lands.

- Car Parking Provision

Paul Gogarty TD and Cllr. Helen Farrell consider in their submission that car ownership is still a necessity and note that the “proposed parking spaces of less than 1 space per residential unit is completely insufficient”. The submission made by BPS Planning & Development Consultants, on behalf of Tullyhall Residents Association notes that “existing car parking is already constrained... The proposed development risks worsening these shortages without sufficient new provision”.

The Clonburris SDZ Planning Scheme does not prescribe car parking standards, as such, regard is had to Section 12.7.4 of the County Development Plan which outlines car parking standards for new developments. The proposed development is located within Zone 2. Table 12.26 of the Development Plan outlines maximum parking rates for residential development while Table 12.25 outlines maximum parking rates for non-residential development.

At Site 3, the maximum quantum of car parking spaces for residential development is 657no. space while the maximum quantum for the creche use is 3no. spaces. It is therefore proposed to provide 456no. spaces, including 23no. accessible spaces and 3no. creche spaces, in accordance with the Development Plan requirements.

At Site 4, the maximum quantum of car parking spaces for residential development is 505no. spaces while the maximum quantum for the non-residential uses is 33no. spaces. It is therefore proposed to provide 408no. surface car parking spaces including 8no. creche spaces, 5no. retail spaces, 2no. employment spaces and 9no. community spaces.

At Site 5, the maximum quantum of car parking spaces for residential development is 259no. spaces. It is therefore proposed to provide 219 no. spaces, in accordance with the Development Plan requirements.

I highlight Appendix 13.2 (Traffic & Transportation Assessment) of the EIAR and Section 10.5 of the Part X Planning Application Report, as submitted to An Coimisiún

Pleanála, which indicates that the quantum of car parking is in accordance with the Clonburris SDZ Planning Scheme and South Dublin County Development Plan. I note the assessment of car parking carried out in the planning assessment section of this report. Overall, I am of the opinion that given the information on file and justification set out in the response to submissions raised, that the proposed development is acceptable in terms of car parking quantum.

- The DoHLGH (DAU) has recommended that no commercially sourced wildflower seeds should be planted.

I am of the opinion this matter can be dealt with by way of a condition, attached to any grant of planning permission forthcoming from An Coimisiún Pleanála, see recommended condition attached, in this respect.

- There are general concerns raised about biodiversity and natural heritage over the loss of habitats, flora/fauna and archaeology. Paul Gogarty TD and Cllr. Helen Farrell consider that “the proposed developments in Kishoge will result in the complete or serious destruction of habitats... they request that development be paused until the archaeological report by Ian Russell is consulted.”. The submission made by BPS Planning & Development Consultants raises a number of concerns relating to the impact on mature trees and wildlife and the ongoing disruption to local wildlife.

The proposed development, as submitted to An Coimisiún Pleanála, has been subject of an Environmental Impact Assessment Report (EIAR). I am satisfied that Chapter 6 (Biodiversity) of the Environmental Impact Assessment Report prepared by JBA consulting engineers and the Appropriate Assessment Screening Report, prepared by Minogue & Associates Ecological Consultants have adequately considered the impact of the proposed development on biodiversity and natural heritage in combination with the relevant conditions proposed in the CEMP for Licensed Archaeological Monitoring. Direct and indirect effects include change in visual and landscape character, landscape hedgerows and trees and other natural features and visibility. The proposed mitigation measures include site management procedures, site fencing layout and design, CEMP, layout and design, retention of hedgerows and trees, additional planting, landscaping, and public realm. I believe the cumulative impacts

and the potential for interactions with the other EIAR topics have been adequately addressed.

- Impact on existing wastewater infrastructure.

Uisce Eireann has indicated that the applicant has engaged with Uisce Eireann via a number of pre-connection enquiries for sites 3, 4 and 5. Uisce Eireann has confirmed that a confirmation of feasibility CDS24003031 has been issued to the applicant advising that water, wastewater connections are feasible, however, upgrades are required to wastewater in site 3 and water in site 5. The Clonburris Wastewater Master Plan has to be upgraded and the developer may need to make a contribution to Esker wastewater pumping station (WWPS) upgrade.

Continued liaison with utility providers will serve to address the potential impacts of the development on various infrastructures during the construction phase, and the information presented highlights capacity in local services to cater for the proposed development.

#### Conclusion: Direct and Indirect Effects

Having regard to the examination of environmental information in respect of material assets, cultural heritage and the landscape, in particular the EIAR provided by the applicant in the course of the application, it is considered that the main significant direct and indirect effects on Landscape and Visual Impact, Material Assets (Transportation), Material Assets (Waste), Material Assets (Utilities) and Cultural Heritage (Archaeological & Architectural) are, and will be mitigated as follows:

- Direct negative effects arising for the visual amenities and landscape / townscape of the area during the construction phase, which would not be significant and would be of temporary duration.
- Direct positive effects arising for landscape / townscape arising from the proposed development, which would have significant positive effects for the appearance of the area.
- Significant direct positive effects arising from the provision of a new residential neighbourhood on an underutilised site.

- Significant direct positive impacts for material assets, due to the substantive increase in the housing stock during the operational phase.

### 8.5.7 Risk Management

#### Issues Raised

The issue of flooding has been raised in the submission by Iarnród Éireann, as set out above under my assessment of water and utilities section of this report.

Examination of the EIAR.

#### Context

Chapter 17 sets out the assessment of the vulnerability of the proposed development to risks of major accidents and/or disasters. It assesses the expected effects of the project to risk of major accidents and disasters. A risk analysis-based methodology that covers the identification, likelihood and consequence of major accidents and / or disasters has been used for this assessment. The site is not located in closed proximity to any Seveso / COMAH site.

#### Potential Effects

**Table 32: Accidents and Disasters**

| <b>Major Accident or Disaster</b>                | <b>Why Relevant</b>  | <b>Potential Receptor</b>  | <b>Covered within the EIAR</b>  |
|--|--|--|---|
| Water Supply Contamination                       | Waterborne diseases can be caused by consuming contaminated drinking water. No public health issues have been identified for the Proposed Development. | Local water users.   | Chapter 7 Land Soils and Geology, Chapter 8 Water and Chapter 18 Mitigation Measures of this report identifies the control measures required to avoid contamination of water supplies               |
| Contamination of the groundwater / surface water | Construction phase spills or leakages  | Life, Health, Welfare<br>Environment<br>Infrastructure<br>Social | Chapter 7 Land Soils and Geology, Chapter 8 Water and Chapter 18 Mitigation Measures of this report identifies the control measures required to avoid contamination of ground water, surface water. |

|  |  |   |  |
|--|--|---|--|
|  |  |   |  |
| Flooding of site   | The site is predominantly located in Flood Zone C, but a small area of the south east corner is located within Flood Zone B, with fluvial flooding from the Kilmahuddrick Stream being the primary flood risk source. The extreme 0.1% AEP flood event on the Kilmahuddrick Stream leads to localised flooding in the southeastern corner of the site. | Future residents, surrounding roads, residents, commercial and retail properties. | A Site-Specific Flood Risk Assessment has been prepared by JBA Consulting as a standalone document. A peer review of this document was carried out by McCloy Consulting.   |
| Air Quality Events   | Dust emissions during the construction phase and vehicular emissions during the construction and operational phase.  | Life, Health, Welfare<br>Environment<br>Infrastructure<br>Social                  | Chapter 10 Climate (Air Quality) and Chapter 11 Climate (Climate Change) of this EIAR identifies the impact of the construction and operation of the development on ambient air quality.   |
| Incident at nearby SEVESO site resulting in off-site environmental impact.                           | Fire / Explosion. Equipment / Infrastructure failure.  | Life, Health, Welfare<br>Environment<br>Infrastructure<br>Social                  | Chapter 17 of the EIAR sets out a site-specific risk assessment which identifies and quantifies risks focusing on unplanned, but possible and plausible, events occurring during the construction and operation of the Proposed Development. |
| Falling debris from construction vehicles / cranes or cranes striking rail overhead cables or poles. | Overloading of Vehicles, Inadequate securing.  | Life, Health, Welfare   |  |

### Mitigation

Mitigation measures and Management Plans are detailed in Chapter 18 Mitigation Measures of the EIAR and the Flood Risk Assessment and includes the following:

- Preparation of a Surface Water Management Plan (SWMP)
- Preparation of an Environmental Incident Response document
- Preparation of a Construction Dust Management Plan (DMP).
- Preparation of a Construction and Environmental Management Plan (prepared by DBFL Consulting, Engineers)
- Preparation of a Construction Management Plan.
- Preparation of an Emergency Response Plan.
- Flood Mitigation Measures proposed include the following:
  - A compensatory storage of approximately 170m<sup>3</sup> has been proposed north of Cluster C and D to balance the floodplain volume loss, restoring the baseline conditions along the Kilmahuddrick Stream in the 0.1% AEP event.
  - Mitigation measures have been designed to ensure sustainability and resilience of the development, including appropriate site layout planning, FFLs, compensatory storage, and flood-resilient infrastructure.
  - The proposed culvert crossing the Kilmahuddrick Stream adjacent to Cluster D has been designed ensuring compliance with Section 50 requirements while maintaining flow continuity and minimizing backwater effects.
  - Finished Floor Levels (FFL) have been set above critical flood levels, incorporating a 300mm freeboard allowance, ensuring adequate protection for the development under extreme flood conditions.

### Residual Effects

Control measures will be put in place for health and safety and environmental management as per conditions of the planning permission, relevant code of practices and relevant legislation.

The residual impacts will be negligible once all control, mitigation and monitoring measures have been implemented.

### Conclusion

All of the mitigation commitments in the EIAR are incorporated in full into the CEMP. I am satisfied that the information submitted in the EIAR adequately demonstrates mitigation measures and environmental commitments for the construction phase and operation phase of the development. Given the location of the site and stated management plans and the flooding mitigation measure and evaluation plans I am satisfied that the potential for significant hazards is low. With the implementation of the said mitigation measures the impact of a hazard will be reduced or eliminated. I therefore consider that the residual impacts will be negligible and there will be no potential for cumulative effects to arise.

### **8.5.8 Interactions**

Interrelationships between various environmental aspects have been assessed in Chapter 20. Table 20.1 Matrix of Interactions between Environmental Factors of the EIAR tabulates the assessment of the interaction of each environmental topic against all other topics (during construction and operational phases).

The environmental impact assessment report concludes that inter-relationships are negligible, and no additional significant effects are identified through effect interactions. Given the assessment of each of environmental topics above and the lack of direct negative effects after mitigation measures, I am satisfied no additional significant effects will occur.

### **8.5.9 Reasoned Conclusion**

Having regard to the examination of environmental information provided in respect of the proposed development, in particular the EIAR and the supplementary information provided by the applicant, the submissions from the planning authority, prescribed bodies and third parties in the course of the application/appeal, it is considered that the main significant, direct, indirect and cumulative effects on the environment, with the implementation of proposed mitigation measures are:

- significant direct positive impacts for population and material assets, due to the substantive increase in housing stock and provision of a new residential neighbourhood on an underutilised site, during the operational phase.
- Negative construction-related noise disturbance, for population and human health, 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.
- direct negative effects arising for water and biodiversity during the construction phase, which would be mitigated by a suite of appropriate construction phase surface water management measures, including sediment and pollution control measures, resulting in no residual impacts on water and biodiversity.
- direct negative effects due to floodplain volume loss which would be mitigated against by design and by provision of compensatory storage of approximately 170m<sup>3</sup> to balance the floodplain loss.
- direct negative effects arising for air quality during the construction phase, which would be mitigated by a suite of appropriate construction phase management measures, including a dust management plan.
- direct negative effects arising for water during the construction phase, which would be mitigated by a suite of appropriate construction phase management measures, including sediment and pollution-control measures, local infrastructure improvements, operational surface water management, resulting in no residual impacts on water.
- direct effects arising for landscape / townscape during the operation of the proposed development, which would have slight to significant and positive effects for the appearance of the area, resulting in no residual impacts for landscape and visual amenities.
- Direct negative effects arising for traffic during the construction and operational phases, which would be mitigated by a suite of appropriate construction phase management measures, including a Construction Management Plan (CMP), Mobility Management Plan (MMP), car parking management strategy, bicycle parking facilities, sustainable transport infrastructure and connections, car sharing,

car clubs and walking infrastructure, resulting in no significant or material residual impacts on traffic.

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.

## **9.0 The likely significant effects on a European site**

The areas addressed in this section are as follows:

- Compliance with Articles 6(3) of the EU Habitats Directive
- Appropriate Assessment

### **9.1 Compliance with Articles 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.

### **9.2 Appropriate Assessment**

#### **Stage 1 – Screening Determination for Appropriate Assessment (AA)**

I have considered the proposal in light of the requirements S177U of the Planning and Development Act 2000 as amended.

Having carried out AA screening (stage 1) of the project (included in Appendix 2 to this report), I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the Rye Water Valley/Carton SAC, Glenasmole Valley SAC, Wicklow Mountains

SAC, South Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, Wicklow Mountains SPA, North Bull Island SPA and North Dublin Bay SAC, in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- Nature of works e.g. the scale of the development and lack of impact mechanisms that could significantly affect a European Site.
- Location-distance from nearest European site and lack of connections.
- The hydrological distance of indirect pathways to these European Sites where any likely pollutant in surface waters would be sufficiently diluted and or dispersed.
- Taking into account Appropriate Assessment (AA) screening report prepared by Minogue & Associates Ecological Consultants.

I conclude that on the basis of objective information, 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.

I consider that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on a European Site and appropriate assessment is therefore not required.

See Appendix 2

## **10.0 Water Framework Directive (WFD)**

**Appendix 3 Water Framework Directive Screening Determination** addresses the WFD under the following headings:

- Nature of the Project, the Site and Locality.
- Identification of relevant water bodies & Step 3: S-P-R connection

- 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.

The application is not accompanied by a Water Framework Directive (WFD) Screening Assessment and no assessment is included in the EIAR. However, I have carried out a WFD Assessment 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. Should the Coimisiún consider it necessary, that a separate WFD Assessment is carried out by the applicant, I highlight, that this may be sought by way of a Further Information request.

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.

## 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.

### 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 Rye Water Valley/Carton SAC (001398), Glenasmole Valley SAC (001209), Wicklow Mountains SAC (002122), South Dublin Bay SAC (000210), South

Dublin Bay and River Tolka Estuary SPA (004024), Wicklow Mountains SPA (004040), North Bull Island SPA (0004006), North Dublin Bay SAC (000206);

- (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;
- (a) the documentation submitted as part of the application, including the Environmental Impact Assessment Report and the Appropriate Assessment Screening Report;
- (b) the policies and objectives of the South Dublin County Development Plan 2022 – 2028 and the Clonburris Strategic Development Planning Zone (SDZ) Planning Scheme (2009);
- (c) the nature, scale and design of the proposed development;
- (d) the pattern of existing and permitted development and the availability of adequate social and physical infrastructure in the area;
- (e) 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;
- (f) the provisions of the National Planning Framework First Revision, April 2025;
- (g) 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;
- (h) 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;
- (i) 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;

- (j) 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;
- (k) the provisions of the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031;
- (l) the provisions of the Greater Dublin Area Transport Strategy 2022-2042 prepared by the National Transport Authority;
- (m) 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;
- (n) the Childcare Facilities Guidelines for Planning Authorities, issued by the Government of Ireland, 2001;
- (o) the Architectural Heritage Protection Guidelines for Planning Authorities, issued by the Department of Arts, Heritage and the Gaeltacht, 2011;
- (p) the submissions and observations received, and;
- (q) 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;
- (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:

- Significant direct positive impacts for population and material assets, due to the substantive increase in housing stock and provision of a new residential neighbourhood on an underutilised site, during the operational phase.
- Negative construction-related noise disturbance, for population and human health, 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.
- Direct negative effects arising for water and aquatic habitat during the construction phase, which would be mitigated by a suite of appropriate construction phase surface water management measures, including sediment and pollution control measures, resulting in no residual impacts on water and biodiversity.
- Direct negative effects due to floodplain volume loss which would be mitigated against by design and by provision of compensatory storage of approximately 170m<sup>3</sup> to balance the floodplain loss.

- Direct negative effects arising for air quality during the construction phase, which would be mitigated by a suite of appropriate construction phase management measures, including a dust management plan.
- Direct negative effects arising for water during the construction phase, which would be mitigated by a suite of appropriate construction phase management measures, including sediment and pollution-control measures, local infrastructure improvements, operational surface water management, resulting in no residual impacts on water.
- Direct effects arising for landscape / townscape during the operation of the proposed development, which would have slight to significant and positive effects for the appearance of the area, resulting in no residual impacts for landscape and visual amenities.
- Direct negative effects arising for traffic during the construction and operational phases, which would be mitigated by a suite of appropriate construction phase management measures, including a Construction Management Plan (CMP), Mobility Management Plan (MMP), car parking management strategy, bicycle parking facilities, sustainable transport infrastructure and connections, car sharing, car clubs, and walking infrastructure, resulting in no significant or material residual impacts on traffic.

### **Appropriate Assessment**

The Commission agreed with and adopted the AA screening assessment and conclusion carried out in the Inspector's report that the Rye Water Valley/Carton SAC (001398), Glenasmole Valley SAC (001209), Wicklow Mountains SAC (002122), South Dublin Bay SAC (000210), South Dublin Bay and River Tolka Estuary SPA (004024), Wicklow Mountains SPA (004040), North Bull Island SPA (0004006), North Dublin Bay SAC (000206) are the only European Sites in respect of which the proposed development has the potential to have a significant effect. The Commission considered that the information before it was adequate to allow the carrying out of AA Screening.

In accordance with Section 177U of the Planning and Development Act 2000 (as

amended) and on the basis of the information considered in this AA screening. The Commission conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the Rye Water Valley/Carton SAC (001398), Glenasmole Valley SAC (001209), Wicklow Mountains SAC (002122), South Dublin Bay SAC (000210), South Dublin Bay and River Tolka Estuary SPA (004024), Wicklow Mountains SPA (004040), North Bull Island SPA (0004006), North Dublin Bay SAC (000206) in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- Nature of works e.g. the scale of the development and lack of impact mechanisms that could significantly affect a European Site.
- Location-distance from nearest European site and lack of connections.
- The hydrological distance of indirect pathways to these European Sites where any likely pollutant in surface waters would be sufficiently diluted and or dispersed.
- Taking into account Appropriate Assessment (AA) screening report prepared by Minogue & Associates Ecological Consultants.

In overall conclusion, the Commission are satisfied that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on a European Site and Appropriate Assessment (Stage 2) is therefore not required.

### **Proper Planning and Sustainable Development**

The Commission considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable density of development in this accessible urban location, would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of built heritage impacts, urban design, height and quantum of development, would be acceptable in terms of pedestrian and traffic safety and flood risk, 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 residential density targets for subsectors as proposed within the scheme are inconsistent with those prescribed in the Planning Scheme (Sub Sector KNW-S3 (at 74 dph) which exceeds the upper density range of 65 dph & Sub Sector KUC-S1 falls below the lower end of the density margin).

However, the Planning Scheme allows for a transfer of units between subsectors and the provision of open space and partial build out of sub sectors skews the residential density calculation and it would not materially contravene the overall dwelling numbers and density range objectives prescribed by the planning scheme.

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), policy QDP15: Strategic Development Zones (SDZS) to “continue to implement the approved Planning Schemes for Adamstown and Clonburris SDZs”, set out in the South Dublin County Development Plan 2002 – 2028 and the to the key overarching principles of the Clonburris SDZ, 2019, Planning Scheme, the Commission concluded that the proposed development would comply with the provisions of the South Dublin County Development Plan 2022-2028 and the SDZ Planning Scheme and would be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application submitted on 26<sup>th</sup> May 2025 except as may otherwise be require 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. (a) Precise details of the boundary treatment, incl. a 2.4 m high solid block wall, capped and dashed on both sides, adjoining Irish Rail lands along the Heuston to Cork railway line, in Site 3 and Site 4, shall be agreed with Irish Rail / Iarnród Éireann.
- (b) Sufficient space to accommodate the utility diversion works approved by the Irish Rail Railway Order, shall be agreed with Irish Rail / Iarnród Éireann.
- (c) Precise details of all approved permanent and temporary land acquisition and right of way CPO in the approved Railway Order, giving Iarnrod Eireann exclusive rights for use of land shall be agreed with Irish Rail / Iarnród Éireann.
- (d) Fencing and or foundations in proximity to the CPO permanent acquisition line shall be agreed with Irish Rail / Iarnród Éireann.
- (e) Lynch's Lane access route to railway infrastructure by Irish Rail / Iarnród Éireann shall be maintained at all times.

Prior to the commencement of development, revised drawings and written commitments 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.

4. (a) The Railway Safety Act 2005 places an obligation on any third party working near the railway to ensure no danger or hazard is posed to railway operations. Due to the proximity of this site to the railway corridor, the applicant/developer must take due consideration of this obligation during the planning and construction of the development.

- (b) The security of the railway boundary must be maintained at all times during construction where new boundary treatment is to be installed.
- (c) At no point shall the developer or their representatives enter railway property to undertake the construction of this development. It is imperative that the railway always remains inaccessible to prevent trespassing, both during the construction phase and in the future. This includes safeguarding against unauthorized access, especially through scaffolding or any other means.
- (d) No additional liquid, either surface water or effluent shall be discharged to, or allow to seep onto, the railway property or into railway drains / ditches.
- (e) Lights emanating from the proposed development, whether during construction or upon completion, must not create glare or hinder the vision of train drivers or track machine personnel.
- (f) Should the development require the use of a crane that could swing over the railway property, then the developer must enter into an agreement with Iarnród Éireann / C.I.É. regarding this issue.
- (g) No overhang of any part of the development over the railway property is to be allowed.
- (h) No deciduous trees are to be planted on the proposed ecological corridors located directly along the railway boundary as they can impair the vision of train drivers or their views of signals, etc. Furthermore, falling leaves and / or leaf litter on rails can adversely affect the operation of trains by causing poor wheel / rail adhesion.

**Reason:** In the interests of rail safety.

5. Proposals for a development name and numbering scheme and associated signage shall be prepared by the local authority and placed on file and retained as part of the public record. Thereafter, all such names and numbering shall be provided in accordance with the agreed scheme.

**Reason:** In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.

6. Details of the materials, colours and textures of all the external finishes to the development shall be prepared by the local authority and placed on file and retained as part of the public record.

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

7. Details of the intended use and occupier of each individual retail unit (whether retail, retail services, office use or other commercial use) shall be prepared by the local authority and placed on file and retained as part of the public record.

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

8. Details of a Phasing Scheme which aligns with Table 4.3 Phasing Table of the Planning Scheme (or as otherwise amended by the Development Agency) in the Planning Scheme SDZ shall be prepared by the local authority and placed on file and retained as part of the public record.

**Reason:** To ensure the orderly implementation and proper planning and sustainable development of the Planning Scheme for Clonburris.

9. Each proposed residential unit shall be used and occupied as a single dwelling unit for residential purposes and shall not be sub-divided or used for any commercial purposes, without a specific grant of planning permission for same (including short-term letting).

**Reason:** To prevent unauthorised development.

10. 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. 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.

11. 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.

12. 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.

13. (a) 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.

(b) Prior to the commencement of development, revised drawings showing the location of secure bicycle storage in accordance with County Development Plan Standards, for each site 3, site 4 and site 5 shall be placed on file and retained as part of the public record.

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

14. 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.

15. 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.

16. 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.

17. A Construction and Environmental Management Plan (CEMP) shall be prepared by the local authority and placed on file and retained as part of the public record. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities. The CEMP shall include all relevant construction mitigation measures from the EIA.

**Reason:** In the interest of residential amenities, public health and safety, and environmental protection.

18. 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.

19. (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.

20. (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.

21. The applicant shall contact the Irish Aviation Authority Weston Airport and Casement aerodrome at least 30 days prior to the erection of all cranes in accordance with S.I 215 of 2005 Irish Aviation Authority (Obstacles to Aircraft in Flight) Order. A suitable crane lighting scheme shall be agreed in writing the Irish Aviation Authority.

**Reason:** In the interest of aircraft and public safety.

22. (a) The site shall be landscaped in accordance with the detailed scheme of landscaping plans and drawings submitted. The landscape scheme shall be implemented fully in the first planting season following completion of each phase

of the development, and any trees or shrubs which die or are removed within three years of planting shall be replaced in the first planting season thereafter.

(b) Wildflower seed mixes shall not be used as part of the landscaping/biodiversity planting measures. Wildflower meadows shall be allowed generate naturally, with wildflowers occurring within the seed bank encouraged to flourish through a management regime. In certain circumstances, such as, where natural regeneration is not suitable, native wildflower seed from proven indigenous local seed sources shall be used.

**Reason:** In the interests of residential and visual amenity.

23. All mitigation measures in relation to archaeology and cultural heritage as set out in the Chapter 16 of the EIAR including in application documents shall be implemented in full. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any archaeological investigative work/ excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis.

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

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.

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Fiona Fair  
Senior Planning Inspector

19. February 2026

## **Appendix 1**

### **Summary of Prescribed Bodies and Third Party Observations**

12 no. third party submissions have been received in relation to the proposed application and are summarised hereunder, one of which has requested an Oral Hearing. In relation to the content of the submissions, concerns are centred around permeability links, local opposition raise issues of safety, antisocial behaviour, loss of green space & private amenity, protection of cul de sacs for existing residents, concern is raised of proximity to the DART+ South West Project, concern of boundary treatment adjoining Irish Rail lands, concern of proximity of development to the temporary compound and underground cables of Iarnród Éireann, clarification is sought on the proposed flood compensation area, transport and traffic issues: citing existing congestion, inadequate bus/train capacity and parking provision. Concern of lack of sufficient amenities and services: citing lack of childcare, retail, GP/Health, youth and sports facilities/ public open space, need for childcare facilities and other non-residential development. Concern the housing mix proposed does not facilitate sufficient social, affordable and age friendly housing. Other issues arising include: request that a review of the Clonburris SDZ Planning Scheme of 2018 / 2019 is carried out and that the Commission make this recommendation to the Taoiseach and member of cabinet. The submissions lodged are summarised in greater detail below:

#### **1. Commission for Railway Regulation (CRR)**

- Notification to and consultation with Iarnród Éireann regarding road rail interfaces on access routes is required for the construction and operational phases.
- Iarnród Éireann should be consulted to ensure risks associated with railway trespass are not increased.

#### **2. Department of Housing, Local Government & Heritage- Development Applications Unit**

- Concern of impact upon biodiversity, in particular, bird species, non-volant mammals and bat species.

- Concern of impact upon Kilmahuddrick Stream, removal of trees, hedgerow and other habitats of ecological value incl. two orchid species and of protected plant species and lesser centaury.
- In order to transplant sections of the development site where lesser centaury occurs a licence from the Department is required independently of any planning permission.
- Concern of impact of surface water run off during construction.
- If all of the mitigation measures set out in the EIAR and other documentation supporting the application is carried out in full, they should minimise effects upon biodiversity in as far as is feasible given the scale of the development.
- Planting of trees and shrubs will allow recolonization of the redeveloped area by many species such as birds and insects.
- It is recommended that no commercially sourced wildflower seeds should be planted, locally occurring wildflower species should be allowed naturally colonise. Given the sites location adjacent to the Grand Canal pNHA it is important that local biodiversity is not threatened.
- Recommends conditions be attached with respect to mitigation measures, no commercially sourced 'wildflower' seed mixes or plants of native wildflower species are utilised in landscaping.
- Recommends that stripping of all remaining undisturbed topsoil be subject to archaeological monitoring.
- Licensed archaeological monitoring should be required.

### **3. Irish Aviation Authority**

- The Irish Aviation Authority (IAA) have requested that the applicant should be conditioned to notify the Authority, Weston Airport and Casement aerodrome of the intention to commence crane operations with at least 30 days prior notification of their erection.

#### **4. Iarnród Éireann**

- Given the close proximity of the proposed development to the Dart + SW project it is essential the coordination takes place between Iarnrod Eireann, CIE and Dart + southwest project team and the applicant.
- Detailed cross sections are required with a view to agreeing the line of the proposed boundary.
- Entry on to railway line property to undertake works is prohibited.
- Concern there may be overlap or conflict on lands identified for both temporary and permanent acquisition, as well as rights of way and easements to be required for the delivery of Dart + southwest project.
- The housing development as proposed does not make provision or provide sufficient space to accommodate the utility diversion works approved by the Railway Order.
- The temporary land acquisition and right of way CPO in the approved Railway Order gives Iarnrod Eireann exclusive rights for use of land.
- Fencing and or foundations should be located a minimum of 1 m from the CPO permanent acquisition line.
- Request that a 2.4m high suitably designed solid block wall should be erected on the applicant's side of the property boundary.
- Essential Lynch's Lane access route to railway infrastructure is maintained at all times.
- Further clarification is required that surface water or flood water will not be discharged onto the railway property.
- List events with regard to, inter-alia, cranes, trees, infrastructure, services required to cross along, over or under the railway property must be the subject of licence agreement.
- Regard to be had to 24 hour operation, maintenance, vibration and noise impact from the railway property to housing. Council's noise action plan to be had regard to.

- Developer to confirm that no development on CIE lands is proposed as part of the application.

## **5. Transport Infrastructure Ireland**

- TII has no observations to make.
- Future Luas, Metro and Bus Connects alignments are a matter for the NTA.

## **6. Uisce Éireann**

- The applicant has engaged with Uisce Eireann via a number of pre-connection enquiries for sites 3, 4 and 5.
- Uisce Eireann can confirm that a confirmation of feasibility CDS24003031 has been issued to the applicant advising that water, wastewater connections are feasible.
- For sites 3 and 5 upgrades are required to wastewater in site 3 and water in site 5.
- The Clonburris Wastewater Master Plan has to be upgraded and the developer may need to make a contribution to Esker wastewater pumping station (WWPS) upgrade.
- A statement of design acceptance has been issued for the connections within the development site boundary.
- Uisce Eireann recommends that:
  1. Where the applicant seeks a connection to the public network the applicant shall enter into a connection agreement with Uisce Eireann prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.
  2. There shall be no build over of public infrastructure from these proposals. Separation distances as per Uisce Eireann's standards, codes and practices shall be achieved for public infrastructure is in situ within and or adjacent to site boundaries.
  3. The development shall not impact public drinking water sources and / or abstraction points and or abstraction infrastructure

4. All development shall be carried out in accordance with Uisce Eireann's standards codes and practices.

## **7. BPS Planning & Development Consultants on behalf of Tullyhall Residents Association.**

- The submission made by BPS Planning & Development Consultants, on behalf of Tullyhall Residents Association raises concern with the current road safety challenges in the area and note that a number of road safety incidents have occurred in the last number of years. The submission seeks clarification as to whether a Road Safety Audit was submitted for the application.
- Permeability concerns, parking limitations and disputed Right of Way (RoW) at Tullyhall Rise.
- Clarification required of 'an intimate street connection with vehicular access at Tullyhall Rise (Connection C).
- Requests that any new homes built immediately adjacent to the existing two storey homes in Tullyhall (rise and Drive) should be two storey, of the same height and at the same ground level.
- Concern of impact on mature trees and wildlife.
- Concern of flood risk and need for a specific FRA.
- Concern that existing car parking is already constrained. The proposed development risks worsening these shortages without sufficient new provision.
- Concern no new amenities to serve a growing population. Need for a detailed social infrastructure impact assessment.
- No provision for local employment opportunities.
- TRA reiterates the concerns of local representatives and other resident associations with respect to proposed pedestrian / cycle links and connectivity through existing boundary walls or fences.
- Clarification required with respect to design standards, whether a formal RSA has been carried out, that swept path analysis has been carried out for emergency vehicles and refuse trucks.

- Recommend that a Further Information Request is required, with respect to: traffic, building heights, landscaping, flood risk, social infrastructure and a detailed CEMP.
- This Objection is Appended with a planning application Reg. Ref. SD20A/0259 to refuse residential development at lands adjacent to the Foxhunter Pub, Ballydowd, Lucan, and letters of support from Eoin Ó Broin TD, Mark Ward TD, Derren Ó Bradaigh (Lucan Area Representative), Shane Moynihan and the objection by Foxborough Maintenance Association.

#### **8. Cllr. Liona O'Toole**

- Submits that there is a need for dedicated play spaces and youth facilities.
- There is a chronic shortage of step-down or independent living options (such as 1-2 bedroom accessible homes for older residents or downsizers) in the Lucan Area.
- Lack of meaningful engagement with community and lack of consultation and oversight.
- Request that the part 8 public consultation for any permeability into existing estates is reinstated.
- Submits that a condition for early delivery of childcare services before or alongside housing completions is put in place.
- There is a need for provision of step-down independent living housing in early phase of Clonburris.
- Concern for permeability links that serve no transport necessity.
- Acknowledge the unique dual SDZ burden on Lucan and the fatigue experienced by residents engaged in two decades of strategic planning
- Requests that development in Clonburris honors the democratic commitments and practical framework adopted in the 2018 SDZ plan.
- The infrastructure (incl. dedicated rail services, Adamstown & Kishoge stations, planned 120m Clonburris Street Link across the Grand Canal, new active travel infrastructure, major connection roads like the R136 Outer Ring Road and the

R120 Newcastle Road) is more than adequate to support internal and external connections to and from Clonburriss without introducing routes through long established low-capacity residential areas.

#### **9. Cllr. Madeleine Johansson**

- Concern that transport in the area is already under severe constraints.
- Note that in the proposal submitted there are only pedestrian / cycle links which is welcome.
- Welcome that there will be one child care facility provided within site three with another one site 4.
- Concern as to the low amount of retail and community space proposed to serve 1,250 residential units.
- Submits that the percentage of social housing should be increased so as to have a substantial impact on the housing waiting list in the county.

#### **10. Foxborough Maintenance Association**

- The need for housing is recognised.
- Concern of pedestrian opening between proposed Kishoge site 5 and Foxborough Court, increase in levels of noise, litter and anti-social behaviour. Inclusion of this connection is considered unnecessary.
- Regard being had to ABP decision to omit the motion by SDCC, namely the omission of Material Alteration Ref. Section 2.2 – No. 2 and Material Alteration Ref. Section 2.2 No. 3, the residents would still like to see any proposed pedestrian or other connections / openings subject to further public consultation.
- The provision of a pedestrian access via the recently completed Griffeen Court housing estate and the existing walkways at Tor an Ri are considered adequate.

- Foxborough Maintenance Association raise concern with traffic congestion along Balgaddy Road.
- Concerns about the removal of the sound reducing wall that faces out onto Thomas Omer Way.
- Request planting of trees and shrubs.
- Request when the ESB pylons is decommissioned in the future that the space be used to enhance biodiversity.
- Submit that the level and frequency of public transport is not sufficient to meet the demand of Foxborough and the surrounding areas.
- Concern of lack of essential services in the plan such as retail, health and youth facilities and that there is a shortage of facilities for teenagers in the immediate area.

#### **11. Paul Gogarty TD & Cllr. Helen Farrell**

- Request that an OH is held.
- Request a review of the Clonburriss SDZ Plan of 2018 / 2019.
- Concern of focus on permeability into existing housing estates, such as Foxborough, Tullyhall and Oldbridge, without full consultation with existing residents
- Submit that there is updated information on bus networks, which remain wholly insufficient to serve such a high-density diverse population with complex transport requirements.
- Concerns raised with respect to the level of traffic congestion across the SDZ Planning Scheme area.
- Concern retail and community provision is inadequate and will not be provided in a phased manner.
- Parking requirements at Kishogue train station needs further assessment.
- Concern of traffic congestion and how it will be dealt with.
- The source of heating in dwellings should be considered now.

- Need to clarify the use of the bridge over the southern link road.
- Submit that car ownership is still a necessity and note that the proposed parking spaces of less than 1 space per residential unit is completely insufficient.
- Requests that development be paused until the archaeological report by Ian Russell is consulted.
- Concern of insufficient open space for additional GAA pitches / soccer pitches.
- Concerns over loss of habitats, flora/fauna and archaeology.

## **12. Paul O'Rourke (15 Hayden's Park Glade, Lucan)**

- Concern of impact upon residential amenity from traffic and noise.
- Object to vehicular access being given to the new estate via Rossberry estate and Rossberry Place Road.
- Raises concerns with respect to traffic congestion, specifically on Griffeen Avenue noting that associated with the developments of Sites 3, 4 & 5 there will be an increase of traffic along the R136.
- Request that pedestrian access is created in the green area between Adamstown Ave and the train line.
- Concerns raised about the lack provision of amenities and services such as restaurants, pubs, cafes, childcare, retail, GP/health, youth and sports facilities.
- Concern of lack of recreation in Site 3 - it is submitted that there is a real need for all weather sports facilities.
- There needs to be a serious long-term plan for an outer ring road to connect Lucan to the N4 and N7. What is happening to the R136 is against the 2006 legislation and negatively impacts on existing residents of Lucan.

## Appendix 2 - AA Screening Determination

| <b>Screening for Appropriate Assessment</b><br><b>Test for likely significant effects</b>    |  |
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| <b>Step 1: Description of the project and local site characteristics</b>                     |  |
| <b>Brief description of project</b>  | <p>South Dublin County Council is seeking approval to undertake a residential development at the Kishoge Development area of Clonburris SDZ) within the townlands of Kishoge, Esker South, Grange, and Balgaddy, Clonburris, County Dublin.. The proposed development comprises the development of 1,252no. dwellings, in a mix of houses, duplexes, triplexes and apartments; 2no. childcare facilities; 1no. community building; 1no. retail unit; refurbishment of existing Grange House for future employment reuse, public open space and all associated site development works, landscape and boundary treatments.</p> |
| <b>Brief description of development site characteristics and potential impact mechanisms</b> | <p>The application site, encompasses three sites, amounting to some 39.5 ha. European sites located in proximity to the subject site include:</p> <ul style="list-style-type: none"> <li>• Rye Water Valley/Carton SAC c. 4.33Km</li> <li>• Glenasmole Valley SAC c. 9.39 Km</li> <li>• Wicklow Mountains SAC c. 11.25Km</li> <li>• South Dublin Bay SAC c. 13.72 Km</li> <li>• South Dublin Bay and River Tolka Estuary SPA c. 12.89 Km</li> <li>• Wicklow Mountains SPA c. 13.61 Km</li> <li>• North Bull Island SPA c. 16.07 Km</li> <li>• North Dublin Bay SAC c. 15.64 Km</li> </ul>                                    |

It is anticipated that there will be a 28-month programme for site 5, a 36-month programme for site 4 and a 40-month programme for site 3.

The project sites are all located within the Liffey and Dublin Bay (09) catchment and the Liffey sub catchment (090) The Kilmahuddrick Stream runs along the eastern and northern boundaries of Site 4.

The Kilmahuddrick Stream joins the River Griffeen (370m downstream) which then joins the River Liffey. The Grand Canal (pNHA) is located approximately 35m south of Site 4's southernmost boundary and flows east before discharging into the Liffey Estuary close to Ballsbridge. The Liffey Estuary discharges to Dublin Bay on the South Wall near Poolbeg Lighthouse.

The types of pathways that can arise from this project are hydrological, aerial, noise, vibration, lighting and visual and mobile species pathways.

Existing surface water runoff generated on site discharged towards the west via the existing drainage ditches. These ditches will be made redundant with the construction of the new surface water network for the development. Surface water runoff from the new roads, footpaths and buildings will be collected in a new gravity sewer network within the roads and footpaths of the new development.

Foul water generated by the operational phase of the project will eventually be discharged to the sea at Dublin Bay following treatment at the Ringsend WWTP.

No functional hydrological impact pathway, exists from the project to any European site.

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| <b>Screening report</b>        | <b>AA Screening Report was carried out by Minogue &amp; Associates Environmental Consultancy (MEC)</b>   |
| <b>Natura Impact Statement</b> | <b>No</b>  |
| <b>Relevant submissions</b>    | <p>DHLG&amp;H: Concern of impact upon biodiversity, in particular, bird species, non-volant mammals and bat species.</p> <p>Concern of impact upon Kilmahuddrick Stream, removal of trees, hedgerow and other habitats of ecological value incl. two orchid species and of protected plant species and lesser centaury.</p> <p>In order to transplant sections of the development site where lesser centaury occurs a licence from the Department is required independently of any planning permission.</p> <p>Concern of impact of surface water run off during construction.</p> <p>If all of the mitigation measures set out in the EIAR and other documentation supporting the application is carried out in full, they should minimise effects upon biodiversity in as far as is feasible given the scale of the development.</p> |

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

| <b>European Site<br/>(code)</b>                     | <b>Qualifying interests<sup>1</sup><br/>Link to conservation<br/>objectives (NPWS,<br/>date)</b> | <b>Distance<br/>from<br/>proposed<br/>development<br/>(km)</b> | <b>Ecological<br/>connections<sup>2</sup></b>                | <b>Consider<br/>further in<br/>screening<sup>3</sup><br/>Y/N</b> |
|---|--|--|--|--|
| <b>Rye Water<br/>Valley/Carton<br/>SAC (001398)</b> | Petrifying springs with tufa formation (Cratoneurion) [7220]                                     | 4.33   | No direct impact is identified as the SAC and QI are located | No   |

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|  | <p>Vertigo angustior (Narrow-mouthed Whorl Snail) [1014]<br/>Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016]</p> <p><a href="http://www.npws.ie/protected-sites/sac/001398">www.npws.ie/protected-sites/sac/001398</a></p>   |      | <p>outside the project site.<br/>This SAC is located in a separate sub-catchment to the project site and there is no functional hydrological impact pathway connecting the project to this SAC.<br/>As no functional hydrological impact pathway exists from the project to the SAC due to this SAC being over 4km from the project site; no potential pathway for significant indirect hydrological/pollution effects on the SAC exists as a result of the proposed development.</p>   |    |
| <p><b>Glenasmole Valley SAC (001209)</b></p> | <p>Semi-natural dry grasslands and scrubland facies on Calcareous substrates (Festuco-Brometalia) (*important orchid sites) [6210]<br/>Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410]<br/>Petrifying springs with tufa formation (Cratoneurion) [7220]</p> <p><a href="http://www.npws.ie/protected-sites/sac/001209">www.npws.ie/protected-sites/sac/001209</a></p> | 9.39 | <p>None of the QIs of this SAC are reliant upon or influenced by lotic or other surface water processes.<br/>Furthermore this SAC is located in a separate sub-catchment to the project site and there is no hydrological pathway connecting the project to this SAC. No functional hydrological impact pathway is identified as connecting this SAC to the project.<br/>As no functional hydrological impact pathway exists from the project to this SAC no potential for significant indirect hydrological/pollution effects on the SAC exists as a result of</p> | No |

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|                                       |  |       | the proposed development.  |    |
| <b>Wicklow Mountains SAC (002122)</b> | <p>Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110]<br/> Natural dystrophic lakes and ponds [3160]<br/> Northern Atlantic wet heaths with Erica tetralix [4010]<br/> European dry heaths [4030]<br/> Alpine and Boreal heaths [4060]<br/> Calaminarian grasslands of the Violetalia calaminariae [6130]<br/> Species-rich Nardus grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) [6230]<br/> Blanket bogs (* if active bog) [7130]<br/> Siliceous scree of the montane to snow levels (Androsacetalia alpinae and Galeopsietalia ladani) [8110]<br/> Calcareous rocky slopes with chasmophytic vegetation [8210]<br/> Siliceous rocky slopes with chasmophytic vegetation [8220]<br/> Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]<br/> Lutra lutra (Otter) [1355]</p> <p><a href="http://www.npws.ie/protected-sites/sac/002122">www.npws.ie/protected-sites/sac/002122</a></p> | 11.25 | <p>There will be no direct impact on the SAC or its QIs as it is located outside of the footprint of the proposed developmental site. Due to distance over 9km between the project and this SAC no potential for direct effects on the terrestrial QI features are identified. None of the QIs of this SAC are reliant upon or influenced by lotic or other surface water processes. Furthermore this SAC is located in a separate sub-catchment to the project site and there is no hydrological pathway connecting the project to this SAC. No functional hydrological impact pathway is identified as connecting this SAC to the project. As no functional hydrological impact pathway exists from the project to this SAC there is no potential for significant indirect hydrological/pollution effects on the SAC exists as a result of the proposed development. hydrological/pollution effects on the SAC exists as a result of the proposed development.</p> | No |

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| <p><b>South Dublin Bay SAC (000210)</b></p> | <p>Mudflats and sandflats not covered by seawater at low tide [1140]<br/> Annual vegetation of drift lines [1210]<br/> Salicornia and other annuals colonising mud and sand [1310]<br/> Embryonic shifting dunes [2110]</p> <p><a href="http://www.npws.ie/protected-sites/sac/000210">www.npws.ie/protected-sites/sac/000210</a></p> | <p>13.72</p> | <p>There will be no direct impact on the SAC or its QIs as it is located entirely outside of the footprint of the proposed developmental site. Due to the distance of over 13km, the nature and scale of the project, no direct effects on the terrestrial QI features are identified. The Kilmahuddrick Stream runs along the eastern and northern boundaries of Site 4. The Kilmahuddrick Stream joins the River Griffeen (370m downstream) which then joins the River Liffey. The Grand Canal (pNHA) is located approximately 35m south of Site 4's southernmost boundary and flows east before discharging into the Liffey Estuary close to Ballsbridge. The Liffey Estuary discharges to Dublin Bay on the South Wall near Poolbeg Lighthouse. Potential indirect effects resulting from deterioration in water quality arising from construction activities and discharge of foul and surface water requires consideration as part of this AASR.</p> | <p>No</p> |
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|  |  |  | <p>Foul water generated by the operation phase of the project will eventually be discharged to the sea at Dublin Bay following treatment at the Ringsend WWTP. The results of the AER monitoring for this WWTP show that effluent from the WWTP does not negatively impact the Southwestern coastal waterbody. Given this result and the adequate capacity available at the WWTP to treat additional loads generated by the Project, all wastewater generated by the project will be adequately treated prior to discharge to Dublin Bay and as such it will not have the potential to adversely affect the water quality of the catchment and surrounding coastal waters. There will be no potential for impacts arising from the foul water discharge to WWTP. Due distance to the European Sites, and absence of impacts arising from foul water discharge from the project there is no potential for impact on water quality at identified European Sites.</p> <p>The project layout has been designed in order to comply with</p> |
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|  |  |  | <p>Policy IE1, IE3<br/>Objectives 2;<br/>Objective GI2 (as well as GI4) of the South Dublin County Council Development Plan and as such the design has from the outset aimed to avoid threats or pressure to the aquatic environment and water quality.</p> <p>In order to comply with Policies and Objectives of the South Dublin County Development Plan standard construction phase surface water management measures will be implemented for the project during its construction phase. These measures are standard measures that are implemented at construction sites to prevent the generation and release of contaminate surface water runoff. These measures relate to erosion and sediment control and the release of contaminating substances used during the construction.</p> <p>In addition to the design and control measures that are to be implemented for the project, in compliance with the requirements of the</p> |  |
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|  |  |  | <p>South Dublin County Council Development Plan it is also noted that previous studies investigating contaminant pathways between the River Liffey and the coastal waters of Dublin Bay have shown that pollutants in the estuary are rapidly mixed and become diluted within the estuary and Dublin Bay (O'Higgins and Wilson, 2005; Wilson and Jackson, 2011) and do not have a perceptible effect to water quality downstream at Dublin Bay</p> <p>A further point of note with respect to this SAC relates to the results of previous hydrodynamic modelling of the Liffey Estuary and Dublin Bay which has shown that the waters from the Liffey draining into Dublin Bay are deflected east and north towards Dollymount and Howth.</p> <p>The presence of the South Great Wall in Dublin Bay provides a barrier to the movement of waters towards the south (Dowly &amp; Bedri, 2007; Bedri et al., 2012; Camp, Dresser &amp; McKee, 2012). As such there is no surface water</p> |  |
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|--|---|-------|--|----|
|  |   |       | pathway between the project site and this SAC.   |    |
| <b>South Dublin Bay and River Tolka Estuary SPA (004024)</b> | <p>Light-bellied Brent Goose (Branta bernicla hrota) [A046]</p> <p>Oystercatcher (Haematopus ostralegus) [A130]</p> <p>Ringed Plover (Charadrius hiaticula) [A137]</p> <p>Grey Plover (Pluvialis squatarola) [A141]</p> <p>Knot (Calidris canutus) [A143]</p> <p>Sanderling (Calidris alba) [A144]</p> <p>Dunlin (Calidris alpina) [A149]</p> <p>Bar-tailed Godwit (Limosa lapponica) [A157]</p> <p>Redshank (Tringa totanus) [A162]</p> <p>Black-headed Gull (Chroicocephalus ridibundus) [A179]</p> <p>Roseate Tern (Sterna dougallii) [A192]</p> <p>Common Tern (Sterna hirundo) [A193]</p> <p>Arctic Tern (Sterna paradisaea) [A194]</p> <p>Wetland and Waterbirds [A999]</p> <p><a href="http://www.npws.ie/protected-sites/spa/004024">www.npws.ie/protected-sites/spa/004024</a></p> | 12.89 | <p>There will be no direct impact on the SAC or its QIs as it is located entirely outside of the footprint of the proposed developmental site. Due to the distance of over 13km, the nature and scale of the project, no direct effects on the terrestrial QI features are identified. The Kilmahuddrick Stream runs along the eastern and northern boundaries of Site 4. The Kilmahuddrick Stream joins the River Griffeen (370m downstream) which then joins the River Liffey. The Grand Canal (pNHA) is located approximately 35m south of Site 4's southernmost boundary and flows east before discharging into the Liffey Estuary close to Ballsbridge. The Liffey Estuary discharges to Dublin Bay on the South Wall near Poolbeg Lighthouse. Potential indirect effects resulting from deterioration in water quality arising from construction activities and discharge of foul and surface water requires</p> | No |

|  |  |  |  |  |
|--|--|--|--|--|
|  |  |  | <p>consideration as part of this AASR. Foul water generated by the operation phase of the project will eventually be discharged to the sea at Dublin Bay following treatment at the Ringsend WWTP. The results of the AER monitoring for this WWTP show that effluent from the WWTP does not negatively impact the Southwestern coastal waterbody. Given this result and the adequate capacity available at the WWTP to treat additional loads generated by the Project, all wastewater generated by the project will be adequately treated prior to discharge to Dublin Bay and as such it will not have the potential to adversely affect the water quality of the catchment and surrounding coastal waters. There will be no potential for impacts arising from the foul water discharge to WWTP. Due distance to the European Sites, and absence of impacts arising from foul water discharge from the project there is no potential for impact on water quality at identified European Sites.</p> |  |
|--|--|--|--|--|

|  |  |       |  |    |
|--|--|-------|--|----|
|  |  |       | <p>The project layout has been designed in order to comply with Policy IE1, IE3 Objectives 2; Objective GI2 (as well as GI4) of the South Dublin County Council Development Plan and as such the design has from the outset aimed to avoid threats or pressure to the aquatic environment and water quality. Standard construction phase surface water management measures will be implemented for the project during its construction phase.</p>  |    |
| <p><b>Wicklow Mountains SPA (004040)</b></p> | <p>Merlin (Falco columbarius) [A098]<br/>Peregrine (Falco peregrinus) [A103]<br/><br/><a href="http://www.npws.ie/protected-sites/spa/004040">www.npws.ie/protected-sites/spa/004040</a></p> | 13.61 | <p>There will be no direct impact on the SPA as it is located over 13km from the site of the proposed development. There will be no direct impact on the SAC or its QIs as it is located outside of the footprint of the proposed developmental site. Due to distance over 13km between the project and this SPA no potential for direct effects on the habitats occurring within this SPA that are relied upon by special conservation interest bird species are identified. As noted above no SCI birds for this</p> | No |

|  |   |       |   |    |
|--|---|-------|---|----|
|  |   |       | <p>SPA were recorded on or adjacent to the project lands during bird surveys undertaken. There is no in situ or ex situ disturbance of SCI species, or for significant loss of supporting habitat for SCI species.</p> <p>This SPA is located in a separate sub-catchment to the project site and there is no hydrological pathway connecting the project to this SPA. No functional hydrological impact pathway is identified as connecting this SPA to the project.</p> <p>As no functional hydrological impact pathway exists from the project to this SPA there is no potential for significant indirect hydrological/pollution effects on the SPA exists as a result of the proposed development.</p> <p>hydrological/pollution effects on the SPA exists as a result of the proposed development.</p> |    |
| <b>North Bull Island SPA (0004006)</b> | <p>Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]</p> <p>Shelduck (<i>Tadorna tadorna</i>) [A048]</p> <p>Teal (<i>Anas crecca</i>) [A052]</p> <p>Pintail (<i>Anas acuta</i>) [A054]</p> <p>Oystercatcher (<i>Haematopus ostralegus</i>) [A130]</p> | 16.07 | <p>There will be no direct impact on the SPA or SCIs as it is located entirely outside of the footprint of the proposed developmental site. Due to the distance of over 16km, the nature and scale of the project, no direct effects on the</p>   | No |

|   |  |              |   |           |
|---|--|--------------|---|-----------|
|   | <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]<br/> Grey Plover (<i>Pluvialis squatarola</i>) [A141]<br/> Knot (<i>Calidris canutus</i>) [A143]<br/> Sanderling (<i>Calidris alba</i>) [A144]<br/> Dunlin (<i>Calidris alpina</i>) [A149]<br/> Black-tailed Godwit (<i>Limosa limosa</i>) [A156]<br/> Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]<br/> Curlew (<i>Numenius arquata</i>) [A160]<br/> Redshank (<i>Tringa totanus</i>) [A162]<br/> Turnstone (<i>Arenaria interpres</i>) [A169]<br/> Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]<br/> Shoveler (<i>Spatula clypeata</i>) [A857]<br/> Wetland and Waterbirds [A999]</p> <p><a href="http://www.npws.ie/protected-sites/spa/004006">www.npws.ie/protected-sites/spa/004006</a></p> |              | <p>terrestrial QI features are identified.</p> <p>The Kilmahuddrick Stream runs along the eastern and northern boundaries of Site 4. The Kilmahuddrick Stream joins the River Griffeen (370m downstream) which then joins the River Liffey. The Grand Canal (pNHA) is located approximately 35m south of Site 4's southernmost boundary and flows east before discharging into the Liffey Estuary close to Ballsbridge. The Liffey Estuary discharges to Dublin Bay on the South Wall near Poolbeg Lighthouse. Potential indirect effects resulting from deterioration in water quality arising from construction activities and discharge of foul and surface water requires consideration as part of this AASR.</p> |           |
| <p><b>North Dublin Bay SAC [000206]</b></p> | <p>Mudflats and sandflats not covered by seawater at low tide [1140]<br/> Annual vegetation of drift lines [1210]<br/> Salicornia and other annuals colonising mud and sand [1310]<br/> Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>) [1330]<br/> Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]</p>   | <p>15.64</p> | <p>There will be no direct impact on the SAC or its QIs as it is located entirely outside of the footprint of the proposed developmental site. Due to the distance of over 15km, the nature and scale of the project, no direct effects on the terrestrial QI features are identified. Foul water generated</p>   | <p>No</p> |

|  |   |  |   |  |
|--|---|--|---|--|
|  | <p>Embryonic shifting dunes [2110]</p> <p>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] Humid dune slacks [2190] <i>Petalophyllum ralfsii</i> (Petalwort) [1395]</p> |  | <p>by the operation phase of the project will eventually be discharged to the sea at Dublin Bay following treatment at the Ringsend WWTP. The results of the AER monitoring for this WWTP show that effluent from the WWTP does not negatively impact the Southwestern coastal waterbody. Given this result and the adequate capacity available at the WWTP to treat additional loads generated by the Project, all wastewater generated by the project will be adequately treated prior to discharge to Dublin Bay and as such it will not have the potential to adversely affect the water quality of the catchment and surrounding coastal waters. There will be no potential for impacts arising from the foul water discharge to WWTP. Due distance to the European Sites, and absence of impacts arising from foul water discharge from the project there is no potential for impact on water quality at identified European Sites.</p> |  |
|  |   |  |   |  |

<sup>1</sup> Summary description / **cross reference to NPWS website** is acceptable at this stage in the report

<sup>2</sup> Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species

<sup>3</sup>if no connections: N

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

Due to the enclosed nature of the development at 'Site 3', 'Site 4' and 'Site 5', the scale of development and the presence of a significant distance between the subject sites and the Rye Water Valley/Carton SAC, Glenasmole Valley SAC, Wicklow Mountains SAC, South Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, Wicklow Mountains SPA, North Bull Island SPA and North Dublin Bay SAC, I consider that the proposed development would not be expected to generate impacts that could affect anything but the immediate area of the development site, thus having a very limited potential zone of influence on any ecological receptors. The proposed development would not have direct impacts on any European site. There are no spatial overlaps with any Natura 2000 site. Proposed storm water drainage system has been designed to cater for all surface water run-off from all hard surfaces within the proposed development. A surface water management strategy has been prepared. Surface water runoff from the new roads, footpaths and buildings will be collected in a new gravity sewer network within the roads and footpaths of the new development. SUDS infrastructure shall be utilised. Greenfield run-off rates shall be used. Surface water management is in accordance with best practice. A CEMP has been prepared, which sets out good practice measures- these measures would be utilised irrespective of the presence of designated sites or otherwise. Foul water generated by the operation phase of the project will eventually be discharged to the sea at Dublin Bay following treatment at the Ringsend WWTP. The results of the AER monitoring for this WWTP show that effluent from the WWTP does not negatively impact the Southwestern coastal waterbody. Given this result and the adequate capacity available at the WWTP to treat additional loads generated by the Project, all wastewater generated by the project will be adequately treated prior to discharge to Dublin Bay and as such it will not have the potential to adversely affect the water quality of the catchment and surrounding coastal waters. There will be no potential for impacts arising from the foul water discharge to WWTP. Due to distance to the European Sites, and absence of impacts arising from foul water discharge from the project there is no potential for impact on water quality

at identified European Sites. Standard construction phase surface water management measures will be implemented for the project during its construction phase. These measures are standard measures that are implemented at construction sites to prevent the generation and release of contaminate surface water runoff. These measures relate to erosion and sediment control and the release of contaminating substances used during the construction. They are good practice measures, not intended for the protection of any European sites.

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

The construction or operation of the proposed development will not result in impacts that could affect the conservation objectives of the above eight designated sites. Due to distance and lack of meaningful ecological connections there will be no changes in ecological functions due to any construction related emissions or disturbance. SuDs measures are proposed (standard construction practices); the risk of flooding is very low and neither the planning authority nor NPWS have raised issue in this regard. I have examined the Natura 2000 data forms as relevant and the conservation objectives supporting documents for these sites, available through the NPWS website ([www.npws.ie](http://www.npws.ie)).

Given the nature of the site with limited natural habitats/species of conservation interest, there will be no direct or ex-situ effects from disturbance on mobile species, including ex-situ foraging and roosting habitat during construction or operation of the proposed development due to the location of the development site and the absence of suitable habitat.

### **In combination effects**

The proposed development will not result in any effects that could contribute to an effect with other developments in the area.

No mitigation measures are required to come to these conclusions. Mitigation measures put forward in the submitted documentation are considered to be standard measures to prevent ecological impacts and are not a mitigation measure for the purpose of avoiding or preventing impacts to the designated sites.

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

I conclude that the proposed development (alone) would not result in likely significant effects on the Rye Water Valley/Carton SAC, Glenasmole Valley SAC, Wicklow Mountains SAC, South Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, Wicklow Mountains SPA, North Bull Island SPA and North Dublin Bay SAC. The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project. No mitigation measures are required to come to these conclusions.

**Screening Determination**

**Finding of no likely significant effects**

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the Rye Water Valley/Carton SAC, Glenasmole Valley SAC, Wicklow Mountains SAC, South Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, Wicklow Mountains SPA, North Bull Island SPA and North Dublin Bay SAC, in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The scale of the development and lack of impact mechanisms that could significantly affect a European Site
- Distance from and weak connections to the European sites
- Taking into account Appropriate Assessment screening report prepared by Minogue & Associates Ecological Consultants.

### 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.                       | 322638-25  | Townland, address | Clonburris SDZ Planning Scheme, within the townlands of Kishoge, Esker South, Grange, and Balgaddy, Clonburris, County Dublin. |
| Description of project                               | <p>The proposed development, which forms this Part X Planning application, is located within the Clonburris SDZ on lands in the ownership of SDCC. The scheme is located across three separate parcels which are not directly physically contiguous, but form the next phase of development which aligns with the permitted link roads and infrastructure works (North Link Street and South Link Street) as follows:</p> <p>The overall application includes:</p> <ul style="list-style-type: none"> <li>• 1252no. residential units</li> <li>• 2 no. childcare facilities</li> <li>• 1. No community pavilliouon building</li> <li>• Proposed works to Grange House</li> <li>• Retail Uses (150 q. m)</li> <li>• Public Open Space (11, 376 sq. m)</li> </ul> <p><b>Site 3</b> comprises the construction of 580no. dwellings, and one 2 storey childcare facility (c.553 sq. m)</p> <p><b>Site 4</b> comprises the construction of 436no. dwellings 1no. childcare facility (c. 544 sqm), 1no. retail unit (c. 150 sqm) and 1no. community building/ pavilion (c. 683 sq. m), and proposed refurbishment of existing Grange House for employment reuse (c. 173 sq. m).</p> <p><b>Site 5</b> comprises the construction of 236no. dwelling across two sites identified as site 5A and site 5B.</p> |                   |  |
| Brief site description, relevant to WFD Screening,   | <p>The subject site has a gross area of c. 29.39 ha and is located c. 16km west of Dublin City Centre, between Lucan, Clondalkin and Liffey Valley.</p> <p>Overall, the topography of the subject sites is relatively flat throughout, with some localised gradients on all sites. On Site 3 there is a slight fall from the southeast, with the lowest area on the northwest area of the site. Site 4 shows a steady fall from south to north. Site 5 north of Thomas Omar Way is overall</p>   |                   |  |

|  |   |
|--|---|
|  | <p>relatively flat and south of Thomas Omer Way the site falls from north to south.</p> <p>The Kishoge sites are within the River Liffey Catchment. The study area affects two primary hydrological sub-catchments, the Griffeen and the Camac. The subject sites for this development are located within the “Liffey” sub-catchment. The Grand Canal is located to the south, the River Griffeen &amp; Kilmahuddrick Stream to the west, and the River Camac to the east of the proposed development. Several ditches are present on Site 4 and the Kilmahuddrick stream a tributary of the Griffeen River flows south to north then east to west along the eastern and northern boundaries of this site.</p> <p>Limestone bedrock underlies the entire site. The bedrock is described in geological mapping as a dark Limestone and Shale (calp) and is part of a formation known as the Lucan Formation. The bedrock aquifer underlying the entire site is classified by Geological Survey Ireland as a “Locally Important Aquifer – bedrock which is moderately productive only in local Zones”</p>   |
| <p><b>Proposed surface water details</b></p> | <p>The proposed surface water drainage strategy for this planning application has been developed in accordance with the agreed measures in the overall Clonburris Surface Water Management Plan (SWMP).</p> <p>The SWMP intends for the proposed developments to discharge via a bulk drainage system that has been granted planning permission in conjunction with the application for the Northern Link Street (Reg. Ref. SDZ24A/0033W).</p> <p>The existing sites are relatively flat throughout with a general existing fall from southeast to northwest across. Existing 225mm surface water drains run along either side of Adamstown Avenue. There are no existing significant field drains within the site boundary of sites 3 and 5.</p> <p>In accordance with the GDSDS it is proposed to use Sustainable Urban Drainage systems (SuDS) for managing stormwater for the proposed development along with traditional storm drainage networks.</p> <p>The proposed site has been designed with 2no. separate surface water catchments. Catchment A outfalls to the existing OldBridge network. Catchment B outfalls into the separately proposed NLS works trunk sewer (Note – for the purpose of calculations, Catchment B has been split into 6no. segments for each connection point to the NLS trunk sewer).</p> <p>The proposed development within surface water Catchment A has 2no. local attenuation ponds with an allowable discharge of 15.35 l/s. The surface water from</p> |

|   |  |
|---|--|
|   | <p>Catchment A will eventually discharge into OldBridge storm outfall with a maximum outflow of 14.5 l/s. Surface water Catchment B contains a local attenuation pond which discharges into the future NLS trunk storm network and finally discharging to the regional attenuation ATN 03. Attenuation ATN 03 is an open attenuation pond providing a maximum storage capacity of 5100m<sup>3</sup> required for a 100-year storm for the subject site and other lands within surface water Catchment 1 of the SDZ. Surface water from ATN 03 will continue to flow and discharge into the Griffeen River.</p> <p>The drainage and attenuation systems for the NLS works have been approved under planning reference SDZ24A/0033W. Minor amendments to the plan footprints permitted under SDZ24A/0033W are proposed as part of the current application, however, the overall general arrangement and attenuation volumes are to be maintained as per the permitted application.</p>   |
| <p><b>Proposed water supply source &amp; available capacity</b></p>                       | <p>A Confirmation of Feasibility for the overall SDZ lands has been received from Uisce Éireann (ref: CDS2512559856). The proposed watermain design and layout complies with the Clonburris Water and Wastewater strategy as agreed with SDCC and Irish Water.</p> <p>A further Confirmation of Feasibility application for each site has been granted by Uisce Eireann.</p> <p>The watermain systems for the NLS works have been approved under planning reference SDZ24A/0033W. Minor amendments to the plan footprints permitted under SDZ24A/0033W are proposed as part of the current application, however, the overall general arrangement is maintained as per the permitted application.</p>   |
| <p><b>Proposed wastewater treatment system &amp; available capacity, other issues</b></p> | <p><b>For Site 3</b> the IW Pre connection inquiry states: Feasible subject to upgrades. 120 units of the Development may connect to the 525mm sewer as proposed by the Applicant. Clonburris Wastewater Master Plan has to be updated to reflect the above. The Developer may need to make a contribution to Esker wastewater pumping station (WWPS) upgrade. The WWPS is downstream of the 525mm sewer. At a connection application stage, the potential upgrade requirements will be reviewed, and upgrade contribution fee will be calculated.</p> <p>- Proposed connections of the remaining units are to the proposed Northern Link Street (NLS) infrastructure as part of Clonburris SDZ. All relevant Clonburris SDZ infrastructure (including PS and RM #3, NLS infrastructure), has to be in line with the approved Clonburris Master Plan, completed and connected to Uisce Éireann infrastructure prior the connection. The infrastructure will be delivered by Clonburris Infrastructure Ltd.</p> <p><b>For Site 4</b> the IW Pre connection inquiry states: Feasible without infrastructure upgrade by</p> |

|  |  |
|--|--|
|  | <p>Uisce Éireann<br/>The Development is a part of Clonburris Strategic Development Zone. All relevant core wastewater infrastructure within the Zone must be constructed as per the Clonburris SDZ Infrastructure Master Plan and connected to Uisce Éireann network prior the connection. At a connection application stage, the Applicant should provide confirmation from Clonburris Infrastructure Ltd. that connection application is in line with the Master Plan.</p> <p><b>For Site 5</b> the IW Pre connection inquiry states:<br/>Feasible without infrastructure upgrade by Uisce Éireann</p> <ul style="list-style-type: none"> <li>- The Development is a part of Clonburris SDZ.</li> <li>- Proposal to connect the Development of 62 domestic units to the 300dia foul gravity sewer spur of Foxborough Court is acceptable for Uisce Éireann.</li> </ul> <p>A review of the Uisce Eireann Capacity Register (Published December 2024) on 28/01/2026 indicated that capacity is available at the Ringsend WWTP.</p> |
|--|--|

|                |   |
|----------------|---|
| <b>Others?</b> | <p>The application is accompanied by a Site-Specific Flood Risk Assessment. As outlined throughout, and particularly in section 8 of this report, I am satisfied that the development is acceptable &amp; appropriate from a flood risk assessment perspective.</p> <p>A Strategic Flood Risk Assessment (SFRA) has been prepared for the Planning Scheme in accordance with the Planning System and Flood Risk Management Guidelines (OPW/DoEHLG, 2009).</p> <p>The application is also accompanied by an Environmental Impact Assessment Report (EIAR) and an Appropriate Assessment (AA) Screening Report. As outlined in section 8 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, see Appendix 2.</p> |
|----------------|---|

**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, | Identified pressures on that water body | Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater) |
|-----------------------|-----------------|---------------------------|--------------------------|--|---|--|
|                       |                 |                           |                          |  |   |  |

|                       |   |  |      | review,<br>not at risk |                              |   |
|-----------------------|---|--|------|------------------------|------------------------------|---|
| River Liffey          | c. 450 m to west of site 3 and along the boundary of Site 4<br><br>To the north | River Waterbodies IE_EA_09L0 12100     | Poor | At Risk                | Surface water<br>Flood water | The Kishoge sites are within the River Liffey Catchment.<br><br>Surface water run-off to Griffeen and Kilmahuddrick stream. The SWMP intended for the proposed developments to discharge via a bulk drainage system that has been granted planning permission in conjunction with the application for the Northern Link Street (see ref: SDZ24A/0033 W) |
| Liffey and Dublin Bay | c.18 Km to the east   | Liffey and Dublin Bay IE_EA_09L0 12100 | Poor | At Risk                | None Identified              | Surface water impacts as above via Griffeen River and Kilmahuddrick Stream which flow into River Liffey. Wastewater discharge via Ringsend WWTP and Liffey Estuary  |
| Camac River           | To the south  | Camac_030 IE_EA_09C0 20310             | Poor | At Risk                | None Identified              | None  |

|                       |                                      |  |      |        |                 |  |
|-----------------------|--------------------------------------|--|------|--------|-----------------|--|
| Grand Canal waterbody | c. 450m to the south @ closest point | Canal Waterbodies RiskIE_09_A WB_GCMLE | Good | Review | None Identified | None                                       |
| 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   | Liffey and Dublin Bay IE_EA_09L012100<br><br>Dublin Bay (IE_EA_090_0000) | Drainage ditches tranverse Site 4 and the Kilmahud drick stream flows to the eastern boundary . Griffeen Strea is located some 450m to the west of the site 3. Both connect with River Liffey.<br><br>Surface water connection works | Siltation, pH (Concrete), hydrocarbon spillages. See section 8 of this report for further details. | No direct run-off as outlined in the CEMP, AA Screening, EIAR. See section 8 and Appendix 2 of this report for further details. | No. As outlined in sections 9 and 10.9 of this report, I am satisfied that the proposed standard mitigation measures will prevent any significant impacts on water quality or regime. | Screened out.  |

|    |        |                      |   |           |           |           |               |
|----|--------|----------------------|---|-----------|-----------|-----------|---------------|
|    |        |                      | linked to River Liffey.<br><br>Downstream connections to the Liffey and Dublin Bay. |           |           |           |               |
| 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)<br><br>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   | Liffey and Dublin Bay<br>IE_EA_09L012100<br><br>Dublin Bay (IE_EA_090_0000)<br><br>Dublin Bay (IE_EA_090_0000)<br><br>Pollaphuca | Surface water will be discharged to Griffeen River and ultimately River Liffey, and Dublin Bay.<br><br>Wastewater discharges to Liffey Estuary and on to Dublin Bay. | Hydrocarbon spillage / pollution associated with surface water.<br><br>Pollution associated with wastewater discharge.<br><br>Water regime impacts associated with water supply / abstraction.<br><br>See sections 8.5.4 of this report for | SUDs features and storm water management.<br><br>Compliance with Uisce Eireann (UE) wastewater requirements.<br>Discharge licence conditions.<br><br>Compliance with (UE) water connection requirement | No. As outlined in section 8.5.4 of this report, I am satisfied that the proposed measures will prevent any significant impacts on water quality or regime. | Screened out.  |

|                              |        |                      |   |  |   |   |               |
|------------------------------|--------|----------------------|---|--|---|---|---------------|
|                              |        | (IE_EA_09_71)        | Water supply will be sourced from reservoir at Pollaphuca, which flows downstream via the Liffey. | further details.   | s. Abstraction approval conditions.<br><br>See sections 8 of this report for further details.       |   |               |
| 2.                           | Ground | Dublin (IE_EA_G_008) | Via the overlying soil and water features.  | Hydrocarbon spillage / pollution.<br><br>See section 8.5.4 of this report for further details. | SUDs features, storm water management.<br><br>See section 8.5.4 of this report for further details. | No. As outlined in section 8 EIAR Assessment of this report, I am satisfied that the proposed measures will prevent any significant impacts on water quality or regime. | Screened out. |
| <b>DECOMMISSIONING PHASE</b> |        |                      |   |  |   |   |               |
|                              | N/A    | N/A                  | N/A   | N/A  | N/A   | N/A   | N/A           |