



An
Coimisiún
Pleanála

Inspector's Report ABP-322666-25

Development

Proposed Amendment (No.12) of the Cherrywood SDZ Planning Scheme relating to Sequencing & Phasing - 2,300 Threshold (Section 4.2 and Section 7.2 of the Approved Planning Scheme 2014 (as amended))

Location

Cherrywood, Co. Dublin

Planning Authority

Dun Laoghaire Rathdown County Council

Applicant(s)

Dun Laoghaire Rathdown County Council

Type of Application

Section 170A Amendment of the Cherrywood SDZ Planning Scheme

Inspector

Aisling MacNamara

1.0 Introduction

- 1.1. Cherrywood in Dun Laoghaire Rathdown was designated a Strategic Development Zone (SDZ) in May 2010 by Government Order. Dun Laoghaire Rathdown County Council is the designated Development Agency for the SDZ. The Cherrywood Strategic Development Zone (SDZ) Planning Scheme was approved subject to modifications by An Bord Pleanála (PL06D.ZD.2010) in April 2014. The Scheme is a framework for the mixed use development of approximately 360 hectares in eight development areas.
- 1.2. As per section 170A of the Planning and Development Act 2000 (as amended), a planning authority may on its own behalf or in its capacity as a development agency make an application to the Commission to request an amendment to a planning scheme.
- 1.3. Dun Laoghaire Rathdown County Council (DLRCC) as the planning authority and Development Agency for the Cherrywood SDZ have submitted an application to the Commission to request an amendment under Section 170A. This is proposed amendment number 12 to the scheme. The Council have stated that the primary purpose of the proposed amendment is to modify the sequencing and phasing of the delivery of homes in the Cherrywood SDZ and bring forward 500 residential homes.
- 1.4. The Planning Scheme has been the subject of the following applications to the former Board / now Commission for amendments:
 - ABP ZE06D.ZE0002, 2017 - Amendments 1-4 relate to the changes on foot of 'Sustainable Urban Housing: Design Standards for New Apartments for Planning Authorities' relating to density and floor areas. These amendments were considered not material and satisfied the criteria of section 170A(3)(b) and the amendments were approved. Amendment 5 related to sequencing of retail development in the town centre lands. This amendment was deemed material and the planning authority was advised to carry out the statutory public consultation under section 170A(7)(8)&(9). This amendment was subsequently withdrawn.
 - ABP 302223-18, Dec 2018 - Amendment 5 consisted of a re-writing of chapter 7 and relates to the sequencing and phasing of development. This

amendment was considered not material and satisfied the criteria of section 170A(3)(b) and was approved.

- ABP 305785-19, Jan 2020 - Amendment 6 relates to residential car parking standards. This amendment was considered not material and satisfied the criteria of section 170A(3)(b) and was approved.
- ABP 308753-20, April 2021 - Amendment 7 relates to Beckett Road Realignment including zoning and text amendments. This amendment was considered not material and satisfied the criteria of section 170A(3)(b) and was approved.
- ABP 310382-21, Jan 2022 - Amendment 8 relates to increases in the building height and density at certain locations. This amendment was considered material and did not satisfy the criteria of section 170A(3)(b) and the planning authority were advised that the amendment requires the re-making of the scheme by the members under section 169 of the Act.
- ABP 317574-23, November 2024 - Amendment 9 relates to residential car parking standards. This was deemed to be a material change and satisfied the criteria of section 170A(3)(b) and the planning authority were advised to carry out statutory public consultation under section 170A(7)(8) & (9). This was undertaken and the Board subsequently approved the amendment.
- ABP 321401-24 (New application, awaiting decision), submitted November 2024 to ABP – Amendment 10 relates to non-residential car parking standards
- ABP 321573-24 (New application, awaiting decision), submitted December 2024 to ABP – Amendment 11 relates to Town Centre and Environs lands including amendments throughout the scheme and to replace the existing Town Centre Urban Form Development Framework with an Urban Development Code and related Urban Design Guidelines as new appendices.

2.0 The Statutory Process

- 2.1. The process whereby amendments to a planning scheme for a SDZ can be made is set out in section 170A of the Planning and Development Act 2000 (as amended).

- 2.2. Under subsection (1) of this section, a planning authority may make an application to the Commission to amend a planning scheme.
- 2.3. Under subsection (2), the Commission shall make a decision as to whether or not the proposed amendment constitutes a material change to the planning scheme. If such an amendment fails to satisfy the criteria set out in sub-section 3(b), it is a material change of the planning scheme which would then require the planning authority, under sub-section 3(a), to amend the planning scheme in accordance with the procedures set out in section 169 for the making of a planning scheme by the members of the planning authority.
- 2.4. If such an amendment would lead to changes that would only be minor in nature, then, provided there is no need for Strategic Environmental Assessment (SEA) or Appropriate Assessment (AA), the Commission may, under subsection (4)(a), approve this amendment to the planning scheme.
- 2.5. Under subsection (4)(b), if the proposed amendment would constitute a material change but is within the criteria set out in (3)(b), then, subject to subsection (5), it may approve the making of the amendments to the planning scheme with such amendment, or an alternate amendment of no greater significance. However this requires the following to be complied with:
- Under subsection (5), the Commission shall screen the proposed amendment, or its alternative, for SEA and AA. If SEA and / or AA are required, then under subsection (6)(b) the planning authority shall be requested to undertake preparation of same.
 - Under subsection (7), the planning authority shall be required to undertake a notification and consultation exercise as set out in this subsection. Thereafter under subsection (8), the planning authority shall prepare a report on the submissions and observations received as a consequence of this exercise. The report shall be prepared in accordance with the provisions set out in subsection (9) and the Commission shall subsequently, under subsection (10) have regard to this report.
 - Under subsection (11), subject to any SEA and / or AA obligations, if the Commission has determined to make the proposed amendment or its alternative under subsection (4)(a) or (b), then the planning scheme shall be

so amended, and the planning authority notified accordingly. If subsection (7) was activated, then all those who made submissions or observations shall likewise be notified.

3.0 Summary of the Proposed Amendment

- 3.1. The proposed amendment to the Cherrywood Planning Scheme is to allow for the occupation of 500 units to be brought forward to an earlier stage in the phasing of the scheme, taking account of the additional capacity in transport infrastructure in light of updated overarching policy relating to sustainable transport.
- 3.2. The planning authority's cover letter indicates that the proposal aligns with the Government objective to urgently increase housing supply and that without the amendment, development will be stalled across Growth Areas 2 and 3 of the Planning Scheme.
- 3.3. The amendment comprises changes to the text, tables, maps and figures and the key components of the amendment are summarised as follows:
- 3.4. Amendments to 'Chapter 4 Physical Infrastructure':
- Amendments to the text throughout the chapter to remove reference to outdated plans and policies and replace with new up to date policy, guidance and plans relating to transport infrastructure.
 - Revisions to Table 4.1 Sustainable Travel Targets as follows (summary) so that the car mode share reduces from 47% to 34% and public transport mode share increases from 33% to 46%:

Mode	Mode share (current scheme) – targets for 2020	Mode share (proposed amendment) – targets for 2028
Car driver	39.3% (45% of external trips and 15% of internal trips)	27.9% (32% of external trips and 10.7% internal trips)
Car sharer	8.1%	5.8%
Luas	21.2%	30.1%
Bus	10.7%	15.2%
Cycling	12.6%	12.6%
Walking	7.3%	7.3%
DART	0.8%	1.1%

Total	100%	100%
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- Updating text regarding all existing and future planned transport infrastructure including roads, public transport, walking and cycling.
- Updating of specific objectives for the delivery of transport infrastructure across the planning scheme area including roads infrastructure, Luas, bus, transport interchange / taxis, pedestrian and cycle movement.

3.5. Amendments to 'Chapter 7 Implementation – Sequencing and Phasing of Development':

- Amendments to the text throughout the chapter to remove reference to outdated plans and policies and replace with new up to date policy, guidance and plans.
- Updating of the text to reflect the existing development situation within the scheme area.
- The following amendment to Section 7.2.1 which relates to the sequencing of residential in growth areas:

*Growth Area 1 can be permitted immediately. In addition, on the basis of the infrastructure permitted to date and ~~under construction~~ **primarily complete** (Roads Phase 1, Tully Park, Ticknick Park and Beckett Park), it is considered appropriate that in addition to the residential development of Growth Area 1, ~~development up to a maximum of 2,300 residential units in total,~~ in either Growth Area 2 or 3 may be permitted in tandem with Growth Area 1 **subject to the sequencing requirements of Table 7.3** (Refer to Map 7.2 **and Table 7.3**).*

*~~Accordingly, the sequencing requirements allow for the delivery of residential units in Growth Areas 2 & 3 in tandem with the Growth Area 1. In addition,~~ ~~†The Village Centres, including the residential component, may~~ **can** be permitted **immediately** as supporting uses. ~~for the initial threshold of 2,300 residential units in Growth Areas 2 & 3.~~*

- Amend Table 7.3 Transportation Infrastructure relating to the roads infrastructure requirements for development in Growth Area 2 and / or Growth Area 3 as follows (summary):

Infrastructure	Permission in place	Work commenced	Completed to a standard to be taken in charge
Barrington's Road Druid's Glen Road P3-P-C		Prior to granting permission for residential development in GA 2 and GA3 that exceeds 2300 units. Works commenced.	Prior to the occupation of residential development in GA2 and GA3 that exceeds 2300 2800 units.
Cherrywood Avenue and Beckett Road Underpass H-G-F-F1	Prior to any permission being granted in either Development Area 6B or 7 / OR/ Prior to any permission being granted for residential development in GA 2 and GA3 that exceeds 2300 units. WHICHEVER IS THE SOONER. Permission granted Nov 2022.		Prior to the occupation of any new development in either Development Area 6B or 7 / OR/ Prior to the occupation of residential development in GA2 and GA3 that exceeds 2300 2800 units. WHICHEVER IS THE SOONER.

- The amendment includes new text as follows under 'section 4.2.5 Existing Transport Infrastructure': *"Dun Laoghaire Rathdown County Council will deliver Beckett Road (E2-F-G-H) and it is expected that construction of this road infrastructure will commence circa Q2 2025."*
- Updated Table 7.4 which relates to critical steps and funding arrangement for the phased delivery of infrastructure by development agencies NTA, TII, developers, landowners, Uisce Eireann, local authority and Bord Gais. A protocol is in place for the ongoing assessment and monitoring of the strategic road network performance by DLR, TII and NTA. An amendment is proposed such that the assessment and monitoring is to be undertaken on an annual basis or as otherwise agreed.
- Updated Table 7.2: Open Space / Green Infrastructure to reflect the existing development situation, i.e. the completion of Tully Park, Ticknick Park and Beckett Park.

- Amending Table 7.2 Open Space / Green Infrastructure relating to phasing of open space in Growth Area 2 & 3. The current provision requires that Lehaunstown Park Open Space be constructed to taking in charge standard prior to occupation or commencement of any use associated with Lehaunstown Park House. This restriction is to be omitted.

- 3.6. The amendment is proposed on foot of a DL RCC technical report ‘Cherrywood SDZ: Development Sequencing and Transport Capacity (Aecom April 2025)’. The aim of the report was to consider if there was any available capacity within the transport system to allow housing unit development ahead of the phasing schedule of the current scheme. Table 7.3 of the current scheme caps growth over 2300 units pending the delivery of two new sections of road. A copy of this technical report is submitted.
- 3.7. It should be noted that the current review follows on from an earlier similar review carried out in 2018 which found that 2300 units in Growth Area 2 and 3 could be brought forward ahead of that which was originally allowed for under the scheme at the time. This then became the subject of Amendment No. 5 to the scheme which was approved in 2018.
- 3.8. The proposed amendment is accompanied by letters from Transport Infrastructure Ireland (TII) and the National Transport Agency (NTA). The NTA letter dated 29th May 2025 states the following: *“The NTA has now reviewed the proposed Amendment and confirms that it is supportive of the proposed revisions to the Written Statement, which provide for an increase in the development threshold for Growth Areas 2 & 3 subject to the implementation of measures to achieve higher active and public transport use.”* The TII letter dated 29th May 2025 states the following: *“Transport Infrastructure Ireland has reviewed final draft text for the proposed amendment. TII considers, that subject to maintaining the transport controls of the adopted Planning Scheme, this proposed amendment is appropriate and acceptable.”*

4.0 **Section 170A(2)-(4): Would the proposed amendment make a material change to the Cherrywood Planning Scheme?**

4.1. **Introduction**

- 4.1.1. The Commission is required under subsection (2) of 170A of the Act to address the question as to whether any proposed amendment to a planning scheme would constitute a material change.
- 4.1.2. Under subsection 3(a), if such an amendment fails to satisfy each of the criteria set out in subsection 3(b), then it is a material change that triggers the procedures set out under section 169 of the Act. If it is a material change but is within the criteria set out in 3(b), then the Commission may approve the amendment or alternative amendment of no greater significance subject to subsection 5 and procedures set out in the remainder of section 170A. Under subsection 4(a) if the change is minor and there are no significant effects on the environment or on a European site, then the Commission may approve the making of the amendment.
- 4.1.3. Dun Laoghaire Rathdown County Council as planning authority and development agency for the planning scheme has expressed a view in their cover letter with the application to the Commission that the proposed amendment **is not a material change** to the planning scheme with reference to section 170A 3(b)(i) to (iv). The planning authority draws attention to the previous determination made by the Board in relation to Amendment no. 5 (sequencing and phasing) of the planning scheme whereby the Board determined that the amendment was not a material change to the planning scheme.

4.2. **Section 170A(3)(b) materiality**

- 4.2.1. This section of my report reviews the proposed amendment in accordance with section 170A(2) and (3) of the Act. The criteria, which must be satisfied to avoid a finding of subsection 3(a) materiality, are set out in subsection 3(b) as follows:
 - (i) It would not constitute a change in overall objectives of the planning scheme,
 - (ii) It would not relate to already developed land in the planning scheme,

- (iii) It would not significantly increase or decrease the overall floor area or density of the proposed development and
- (iv) It would not adversely affect or diminish the amenity of the area that is the subject of the proposed amendment.

4.2.2. **Criterion (i)**

4.2.3. To avoid a finding of subsection 3(a) materiality, the amendments must not constitute a change in the overall objectives of the planning scheme.

4.2.4. Section 1.6, 1.7 and 1.8 of the planning scheme set out the over arching vision, principles and themes for the development of Cherrywood which underpin all the chapters and aspects of the planning scheme.

The over arching vision is:

- *To create a sustainable place with a rich urban diversity, which respects its historical and natural setting while also facilitating innovation and creativity.*
- *To spatially develop a cohesive and diverse community with a strong identity and environmental integrity.*
- *To contribute to the economic growth of the County through the development of a vibrant economic community anchored around the Town Centre.*
- *To provide a safe and friendly environment where people can live, work and play within an envelope of sustainable, integrated transport with a primacy of soft modes of transport throughout.*

4.2.5. The main principles guiding the future development of Cherrywood are:

- *To promote the growth of Cherrywood which enhances and supports balanced sustainable growth in the Greater Dublin Region and does not undermine the vitality and viability of other areas in the County and the Region.*
- *To create the framework for the development of a sustainable town and three villages with a supporting range of uses for the resident, working and visiting population.*

- *To link the area to its immediate hinterland and adjoining communities by restoring connectivity that has been severed by major roads.*
- *To work with the landscape by designing a form that is specific to Cherrywood, with a network of places each responding to its setting, landscape and climate.*
- *To balance the employment, commercial and retail base of Cherrywood with the future residential growth of the Plan Area.*
- *To create an environment that promotes / facilitates internal pedestrian and cycle movement meeting the requirements of Smarter Travel.*

4.2.6. There are four themes that underpin the plan for Cherrywood which are as follows:

- *That Cherrywood will be unique.*
- *That services and facilities will be available locally.*
- *That life in Cherrywood will be inclusive.*
- *That development will respond positively to environmental opportunities.*

4.2.7. The current scheme requires roads infrastructure to be completed prior to the occupation of 2300 units in Growth Areas 2 and 3. The proposed amendment brings forward the delivery of 500 houses ahead of schedule and before the required roads infrastructure. Whilst the sequencing is altered, the objective for the required roads infrastructure remains in place along with a new cap of 2800 units. The amendment still provides for phased delivery of housing and roads infrastructure and is in accordance with the vision for cohesive spatial development. The amendment still delivers roads and is in accordance with the principle to link the scheme area to its hinterland.

4.2.8. The proposed changes to the mode targets, objectives and measures to reduce car use and to improve public transport, walking and cycling, is in accordance with the vision to provide sustainable integrated transport primarily in soft modes.

4.2.9. The proposed amendment to 'decouple' the delivery of Lehaunstown park open space from the house so that each feature can be independently developed does not change the objective for the lands which is for the development of the open space and house.

- 4.2.10. Under the current scheme the village centres may be permitted as supporting uses for the initial threshold of 2300 units in Growth Areas 2 and 3. This wording is to be altered so that the village centre including the residential component can be permitted immediately as supporting uses in these growth areas. Ultimately there is no change to the allowance that village centres can be delivered upfront.
- 4.2.11. I am satisfied that the proposed amendment does not constitute a change in the overall objectives of the planning scheme.
- 4.2.12. **Criterion (ii)**
- 4.2.13. To avoid a finding of subsection 3(a) materiality, the amendments must not relate to already developed land in the planning scheme.
- 4.2.14. The amendments relate to updates to the strategy for planned transport within the scheme area, measures for improvements to the existing infrastructure in place, changes to the sequencing in the delivery of infrastructure with residential units and updates to arrangements for funding and oversight of the scheme. The amendments do not relate to any fundamental or significant alterations to already developed land.
- 4.2.15. I am satisfied that the proposed amendment does not relate to already developed land in the planning scheme.
- 4.2.16. **Criterion (iii)**
- 4.2.17. To avoid a finding of subsection 3(a) materiality, the amendments must not significantly increase or decrease the overall floor area or density of the proposed development.
- The amendments do not change the total number of units planned or the area of floor area planned within the scheme area.
- I am satisfied that the proposed amendment does not significantly increase or decrease the overall floor area or density of the proposed development.
- 4.2.18. **Criterion (iv)**
- 4.2.19. To avoid a finding of subsection 3(a) materiality, the amendments must not adversely affect or diminish the amenity of the area that is the subject of the proposed amendment. The following is a consideration of how the proposed amendments are likely to impact on the amenity of the area:

- 4.2.20. Changes to the transport mode share targets and to the sequencing of roads and units.
- 4.2.21. The amendment allows for 500 units to be occupied ahead of schedule before the delivery of two required sections of road. The amendment does not change the overall number of units permitted across the scheme area but does allow more units to be developed at an earlier stage than currently permitted.
- 4.2.22. The submitted technical report includes a technical analysis of the capacity of existing infrastructure including Luas, bus and roads and concludes that the existing transport infrastructure has capacity to accommodate the development of the additional 500 units at this earlier stage, subject to the revised mode share targets and the agreed amendment 9 for tighter parking standards.
- 4.2.23. I note that the NTA and TII are supportive of the proposed amendment subject to the implementation of measures for higher public transport use and subject to appropriate controls.
- 4.2.24. The achievement of the new mode share targets is reliant on reduced car use and fundamental to this is the provision of reduced car parking. In this regard, Amendment no. 9 was approved in November 2024 and provides new tighter maximum residential car parking standards. Amendment no.10 (awaiting decision) relates to non residential car parking standards.
- 4.2.25. The proposed amendment sets out updated measures and objectives to support the achievement of the new mode targets including measures to improve the functioning of the M5/N-M11 corridor, to upgrade and improve capacity on the Luas Green Line including future planned extension to Bray, to improve bus services including the infrastructure for bus priority along the L22 route under the Dublin Bus Connects programme, to improve the temporary transport exchange at Bride's Glen stop, for the introduction of at grade crossing links at Wyattville link road to improve pedestrian connectivity and for cycle parking facilities to be in accordance with current updated standards for cycle use.
- 4.2.26. Regarding the delivery of the planned roads, the current scheme limits development in Growth Area 2 and 3 pending the delivery of two sections of road to the north (P3-P-C) and south (H-G-F-FI) of the scheme area. Work has already commenced on the Barrington's Road Druid's Glen Road P3-P-C. Permission was granted for the

Cherrywood Avenue and Beckett Road Underpass H-G-F-F1. Part of this road is to be delivered by Dun Laoghaire Rathdown County Council (Beckett Road E2-F-G-H) to commence Q2 2025. Therefore the required roads are to be delivered apace with housing.

4.2.27. There is a new commitment introduced by the amendment to review and monitor the performance of the strategic road network on an annual basis by DLR, TII and NTA. In addition, the amendment sets out the funding arrangements for the delivery of infrastructure. Therefore the strategic road network in the area is to be safeguarded.

4.2.28. In conclusion, the proposal to allow for the occupation of 500 units at an earlier stage than the two road sections, with associated updates to the overall transport strategy including measures for improved public transport and active travel, can be accommodated without compromising amenity.

4.2.29. Changes to the sequencing in delivery of Lehaunstown Park open space and house

4.2.30. The current scheme requires Lehaunstown park open space to be taken in charge prior to the occupation or commencement of any use associated with Lehaunstown Park House. It is proposed to omit this restriction. This would mean that Lehaunstown Park House can be used and occupied prior to the delivery of the park.

4.2.31. The cover letter from the planning authority states that Lehaunstown Park open space will be delivered by DLRCC under the Urban Regeneration Development Fund – programme for delivery 2026. It also states that Lehaunstown Park House has planning permission for commercial use and its commencement or occupation should not be restricted in the interests of protecting the protected structure.

4.2.32. Ultimately there is no change in the amount or quality of open space to be provided. The park is to be delivered by the Council. I also note that Tully Park, Ticknick Park and Beckett Park have already been provided upfront and are now complete and provide an existing amenity for the scheme area. The proposal to allow for the development of Lehaunstown Park House will allow for the protection of the protected structure. The amendment can be accommodated without compromising amenity.

4.2.33. Conclusion

4.2.34. Having regard to the above, I am satisfied that the proposed amendment would not adversely affect or diminish the amenity of the area.

4.3. Section 170A(4)(b) materiality

4.3.1. The test for materiality is not restricted to the criteria set out in sub-section 3(b) and it remains to be established whether the proposed amendment would be a material change to the planning scheme.

4.3.2. I consider that, with respect to the proposed amendment, an assessment for materiality should concern itself with whether this amendment would raise material planning considerations which are significantly different from those that were raised by the original planning scheme.

4.3.3. Having regard to the capacity of the existing transport infrastructure to accommodate the additional loading associated with the bringing forward of 500 units ahead of the two road sections, I do not consider that there would be a substantial impact on neighbours or the local community. There is no change to the required road infrastructure and the amendment does not change the number of units which are to be served by the infrastructure. It merely alters the sequencing.

4.3.4. The associated changes to the overall transport strategy and mode share targets are high level goals which in themselves do not result in direct impacts. The change in the targets is linked to already approved amendment no.9 which tightened residential car parking requirements. There are no fundamental changes to transport provision which remains as current, reliant on the same transport modes Luas, bus, walking cycling, road and Dart.

4.3.5. The decoupling of Lehaunstown Park open space from the house does not change the objective to deliver the open space or to protect built heritage at Lehaunstown.

4.3.6. I am satisfied that that the proposed amendment does not have any material social, environmental or economic impacts.

4.4. Conclusion on Materiality

4.4.1. The amendment satisfies the criteria (i) to (iv) of paragraph (3)(b) and the amendment would not constitute a material change to the planning scheme. It is considered that the proposed amendment does not constitute a material change to

the Cherrywood SDZ planning scheme and that therefore the amendment would be **minor** in nature.

5.0 Section 170A(5): Does the proposed amendment need to be the subject of SEA and / or AA?

5.1. Under Section 170A(4)(a) of the Act, the proposed amendment to the Cherrywood SDZ Planning Scheme must be screened with respect to its need for Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA).

5.2. Likely significant effect on the environment

5.3. DunLaoghaire Rathdown County Council have submitted a report to inform the screening for Strategic Environmental Assessment. The report is prepared by Fehily Timoney. The report concludes that the proposed amendment does not have the potential to generate likely significant environmental effects.

5.4. In deciding whether a particular plan is likely to have a significant environmental effect, regard must be had to the criteria set out in Annex II of the SEA Directive which is reproduced in schedule 2A of Planning and Development Regulations 2004 (as amended) which is the criteria for determining whether a plan is likely to have a significant effect on the environment.

5.5. I have reviewed the proposed amendment under 'Criteria for determining whether a plan or programme is likely to have significant effect on the environment' which is set out in schedule 2A and to the evaluation set out in the submitted report.

5.6. I agree with the conclusion in the report which states that the proposed development does not have the potential to generate likely significant environmental effects, based on the following reasons:

- The proposed amendment does not introduce any additional sources of environmental impacts not already considered under the SEA for the Cherrywood SDZ Planning Scheme,
- The proposed amendment does not provide for development type, or any specific development project that has not already been considered at the appropriate level in the SEA for the Cherrywood SDZ Planning Scheme.

- The proposed amendment only has the potential to generate positive environmental effects that are in keeping with the vision and SEOs for the existing planning scheme. It supports and accords with the existing policy objective PI13 (to support a culture of sustainable travel) and Strategic Environmental Objective EOC1 (to reduce travel related emissions to air and to encourage modal change from car to more sustainable forms of transport) defined under the Cherrywood SDZ planning scheme.
- The proposed amendment does not conflict with any objectives or policies currently defined in the planning scheme or defined in higher order or inter related plans.

5.7. A strategic environmental assessment for the proposed amendment is not required.

5.8. Likely significant effect on a European site

5.9. Dun Laoghaire Rathdown County Council have submitted a report to inform the screening for Appropriate Assessment. The report is prepared by Fehily Timoney. The report concludes that the proposed amendment, individually or in combination with other plans and projects, is not likely to have a significant effect on European sites and that Stage 2 Appropriate Assessment is not required.

5.10. I have considered the proposed amendment in light of the requirements of S177U of the Planning and Development Act as amended. The subject site is not located within or adjacent to any European site. The closest European sites are the Rockabill to Dalkey Island Special Area of Conservation which is located c 3.1km to the east and Dalkey Islands Special Protection Area which is located c 4km to the northeast.

5.11. Having regard to the nature, scale and location of the proposed amendment, I am satisfied that it can be eliminated from further assessment because it could not have an appreciable effect on a European site. The reason for this conclusion is as follows:

- The proposed amendment will not introduce any new impacts of magnitude that could affect the qualifying interests of any European site,
- The distance between the development site and any European site,
- The lack of significant pathways to a European site,

I consider that the proposed amendment would not be likely to have a significant effect individually or in combination with other plans or projects, on a European site and appropriate assessment is therefore not required.

6.0 Conclusion

6.1. Under Section 170A(4)(a), I have reached the conclusion that the proposed amendment is a change of minor nature and is not likely to have significant effects on the environment or on a European site. The Commission may approve the making of the amendment to the planning scheme and notify the planning authority of the amendment.

6.2. Recommendation

6.2.1. It is recommended that, under section 170A(2) of the Planning and Development Act 2000 (as amended), the Commission make the decision to approve the making of the amendment and that the planning authority be notified of the amendment in accordance with section 170A(11).

6.2.2. Reasons and considerations:

6.2.3. Having regard to following:

- (a) the Cherrywood Planning Scheme 2014 as amended,
- (b) the nature of the proposed amendment which relates to amendments to the sequencing of development, and updates to the overall strategy for transport infrastructure and measures for the improvement of existing infrastructure,
- (c) the finding that the proposed amendments would satisfy the criteria of section 170A(3)(b) of the Planning and Development Act 2000 as amended and are not considered to be material in nature,
- (d) the screening assessment which concluded that the proposed development does not have the potential to generate likely significant environmental effects and that strategic environmental assessment for the proposed amendment is not required,

(e) the screening assessment which concluded that the proposed amendment would not be likely to have a significant effect individually or in combination with other plans or projects, on a European site and appropriate assessment is therefore not required.

the Commission has determined in accordance with section 170A(4)(a) that the amendment to the Cherrywood SDZ Planning Scheme is minor in nature and is not likely to have significant effects on the environment or on a European site

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.

Aisling Mac Namara

Planning Inspector

28th October 2025