



An
Coimisiún
Pleanála

Inspector's Report ACP-323384-25

Development	Construction of 10 houses, and 26 apartments in two residential blocks with associated works.
Location	Lands north of The Bridge, Enniskerry Road, Kilternan, Dublin
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D25A/0412/WEB
Applicant(s)	Waterloo Homes Ltd.
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Waterloo Homes Ltd.
Observer(s)	Tim and Fiona Tuomey David and Siobhán Craughwell David T Moran Philip and Rose Thompson et al

Date of Site Inspection

20th October 2025

Inspector

Matthew McRedmond

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1.0 Site Location and Description

- 1.1.1. The appeal site is located south of Kiltiernan village on the western side of Enniskerry Road (R117). The site is currently vacant/in agricultural use, is rectangular in shape and is 0.83 hectares in area.
- 1.1.2. The site is bounded to the east by a stone wall adjoining the R117. A private laneway, Mill Lane, to the north, with the western boundary of the site demarcated by mature trees and a drainage ditch.
- 1.1.3. A detached dwelling, 'The Bridge' and its associated grounds adjoins the site to the south. Immediately south of this property there are nine single storey cottages laid out as three semi-detached pairs and a single terrace of three comprising Moss Cottages and which forms an Architectural Conservation Area (Moss Cottages ACA). The Struan Glen residential development is located on the east side of the R117, opposite the subject site.

2.0 Proposed Development

- 2.1.1. The proposal comprises the construction of 36no. residential units and all associated site works. The following key details are noted:

Site Area	0.83ha
No of units	36 no. units consisting of: 10no. three-storey houses with: • 2no. x 4-bed terraced • 4no. x 5-bed terraced • 1no. x 4-bed semi-detached • 3no. x 5-bed semi-detached 26no. apartment units in 2no. four-storey blocks (8no. 1-bed, 14no. 2-bed and 4no. 3-bed)
Density	43 units/hectare
Car Parking Provision	38 no. spaces

	Including 2no. accessible car parking spaces
Vehicular entrance	New entrance from Enniskerry Road
Usable Open Space	16.6% of total site area – 1,386m ² total with playground in two separate areas of 144sqm. and 1,242sqm

- 2.2. A revised design option is provided with the First-Party appeal, to relocate proposed blocks closer to Enniskerry Road, increase the area of open space into a single space of 1,300sqm and provide a communal amenity space to the rear of the Apartment Block which is 340sqm in area. Bike stores are also relocated to the south-east boundary in this option. The number of units is unchanged.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. On the 18th July 2025, Dun Laoghaire Rathdown County Council refused permission for the proposed development for the following 2no. reasons:

1. Having regard to the Objective 'A' zoning of the subject site, the proposed development by reason of its discordant relationship with its receiving environment and limited active frontage to the street would result in a negative visual impact on the streetscape, and would fail to provide sufficient animation to Enniskerry Road at this location. This design approach to the Enniskerry Road frontage is not an acceptable design solution and fails to comply with Policy PHP35 and Section 12.3.1.1 of the County Development Plan (2022-2028) that promotes best practice in terms of urban design.

2. The proposed development due to its layout and the unsuccessful integration between the proposed open amenity spaces and the subject dwellings and their associated services would result in substandard provision of public open space, would negatively impact on the level of amenity of future residents and other residents in the local area. Furthermore, the absence of provision of any communal

open space is not an acceptable design solution on an unencumbered site that could accommodate those required standards. As such, the proposed development would be contrary to Sections 12.8.3.1 and 12.8.3.2 of the Dún Laoghaire Rathdown-County Development Plan 2022- 2028 and the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Local Authority Planner had regard to the locational context of the site, national and local planning policy context, the referral responses received, and any submissions made on the application. Their assessment included the following:

- The principle of the proposed development is acceptable under the 'Objective A' zoning provision – to provide residential development and improve residential amenity while protecting the existing residential amenities – subject to compliance with other policies and objectives applicable to the area.
- The density of the proposed development at 43 dwellings per hectare (dph), in a Suburban/Urban Extension location is acceptable under the range recommended in the Compact Settlement Guidelines (40-80dph).
- Separation distances are within County Development Plan requirements, and the internal layout of the proposal does not give rise to overlooking concerns.
- Further detail in relation to construction noise mitigation would be required by further information if other substantive reasons for refusal were not arising.
- Noted that sunlight and daylight assessment is typically only required for schemes exceeding 50 units. Having regard to the height, massing, separation distances and orientation of the proposed development, sunlight and daylight of neighbouring properties is not expected to materially reduce as a result of the proposal. The layout and at least dual aspect of all apartment units, level of fenestration and depth of habitable rooms, less than 7m, would result in adequate levels of daylight and sunlight. The orientation of

proposed amenity spaces would also allow adequate sunlight throughout the year.

- The proposed unit mix is considered acceptable.
- The Planning Authority is satisfied the unit mix, dual aspect units (50%) and minimum floor area requirement (exceeding by 10%) has been met.
- Minimum floor height of 2.7m is considered to be met. Consistency of floor plans and sections in relation to dimensions of dormer level apartments is queried, along with minimum dimensions of habitable rooms. This detail would have been sought by further information were it not for other substantive reasons for refusal.
- Internal storage is considered acceptable, however as minimum standards are provided, additional external storage is required. This matter would have been pursued by way of further information was it not for the other substantive reasons for refusal.
- The size and private amenity space of houses is considered acceptable in line with the requirements of the Compact Settlement Guidelines where 4-5 bedroom houses include a 50sqm requirement.
- Public open space meets minimum 15% requirements with 1,387sqm provided which is 16.7%. However, there is a concern in relation the 144sqm of open space to the front of unit 10.
- A minimum communal open space of 174sqm is required for the apartment element of the proposal and the applicant's rationale for not providing same is not accepted as dedicated space, with exclusive use for residents, is required and of itself warrants refusal of permission.
- Although the proposed height complies with LAP requirements, there is concern in relation to the layout of the proposal and relationship with Enniskerry Road. The abrupt transition in height from Unit 6 to the Glenkeel Cottage to the north is not acceptable. While the principal of 3/4 storeys is acceptable, abrupt transitions in height should be avoided.

- Reg. Ref D18A/0347 (ABP Ref 303491-19) in relation to the setback of 3-storey height from the public road is referenced. The presentation of the gable end wall to Enniskerry Road and the private garden of that house as a frontage at the northern end of the subject site is not considered an acceptable design solution.
- Concerns in relation to the lack of an active, animated street frontage. Refusal of permission is recommended in this regard. The proposal fails to comply with 12.3.1.1 and Policy 4.4.1.1 of the CDP as it fails to respond to surrounding character and streetscape.
- Proposal to retain existing boundary wall to Enniskerry Road is welcomed.
- In the context of the Glenamuck Distributor Road scheme, Enniskerry Road will effectively become a cul de sac. The proposed scheme effectively turns its back on Enniskerry Road and should include own door access along the site frontage.
- The absence of an Ecological Impact Assessment is noted (as it was provided under Ref. D23A/0162), in addition the incomplete information would not make it possible to screen out the requirement for an NIS and would have been requested by way of FI if other reasons for refusal were not arising.
- Alternative means of access via the lane to the north should be considered as recommended by the Transportation Department. This would have been requested by FI if not for other reasons for refusal.
- Proposed car parking is considered to comply with the requirements of the Compact Settlement Guidelines and are acceptable. Cycle parking is also considered acceptable.
- Further information would have been sought in relation to drainage matters, the site specific flood risk assessment and confirmation of feasibility from Uisce Eireann if it were not for the other substantive reasons for refusal
- The proposal is capable of complying with Part V requirements.

- Detailed matters in relation to construction and waste management and a Construction Environmental Management Plan would have been requested if not for other substantive reasons for refusal.
- Having regard to the nature and scale of the proposal, EIA is not required.
- Section 49 development contributions apply for the Glenamuck District distributor Road and surface water attenuation ponds scheme.
- Refusal of permission is recommended due to inadequate public and communal space and the unsatisfactory presentation to Enniskerry Road, which is out of character with the area and provides a poor frontage to the streetscape.

3.2.2. Other Technical Reports

- Transportation Planning Report – Recommended Further Information (FI) in relation to revised access arrangements from lane to north, rationale for reduced parking and retention of existing stone wall and provision of a detailed construction management plan. A detailed quality audit is also required.
- Drainage Planning – Further information required in relation to a number of drainage related details including drainage calculations, attenuation tank, and Flood Risk Assessment.
- Parks – Recommended a request for FI in relation to a revised and enhanced public amenity space with extension of tree planting.
- Biodiversity – Recommended a request for FI in relation to a revised AA screening report, Ecological Impact Assessment, revised landscape plan and a Construction Environmental Management Plan (CEMP).
- Housing – On-site proposal is capable of complying with Part V requirements, and a condition is recommended with any grant of permission.
- Environmental Health Office – Recommended the submission through further Information of a Construction Management Plan, Resource and Waste

Management Plan, storage areas for bin stores and an operational waste management plan.

- Environmental Enforcement – Recommended the submission through further Information of a Construction Management Plan, Resource and Waste Management Plan, Public Liaison Plan, Pest control plan for the works site and an operational waste management plan.
- Public Lighting – Recommended a request for FI to provide a full lighting design including lux contour diagram.

3.3. Prescribed Bodies

- 3.3.1. **Uisce Eireann** – Recommend a request for further information, for the applicant to engage with Uisce Eireann by submitting a pre-connection inquiry and obtaining a confirmation of feasibility.
- 3.3.2. **Development Applications Unit** – Recommends the inclusion of pre-development conditions including the appointment of a licenced archaeologist to monitor for undiscovered archaeological remains that may be present within the subject site and preparation of a report in relation to the results of pre-development testing.

3.4. Third Party Observations

- 3.4.1. A number of third-party observations were submitted in relation to the subject proposal. The main points of these submissions may be summarised as follows:

Infrastructure Capacity

- Proposal puts pressure on already limited infrastructure capacity – traffic, water, electricity, school places, shops, medical facilities and transport. Community gain should be planned for to accommodate the increase in numbers to the area.

Design, Layout and Housing Mix

- Design of blocks facing Enniskerry Road is not suitable as they remove privacy due to 4-storey height. Does not suit the character of this part of Kiltiernan as recommended in the 2025 LAP due to heights of 4 storeys in predominantly 1-2 storey area.

- Design does not include Granite which is local to the area and is out of scale for Enniskerry Road. Replacement wall should be in granite also or retain existing wall as much as possible.
- Query on why boundary to Enniskerry Road changes to green metal fencing at Millbrook/Oakdale.
- Proposal is too dense and too high for this location. Maps in 2013-2018 LAP note 33 units for the subject site. Struan Glen, opposite, is 24 uph. Proposed density is more suitable to a more built up area.
- White brick is out of character with the area. Danger that proposed materials will be replaced with cheaper alternatives at construction stage.
- Granite boundary wall should be retained.
- Proposal will be overbearing on adjoining properties.
- Location of bin/bike store within riparian corridor is contrary to objective GIB24 of the CDP.
- No own door access to the apartments facing Enniskerry Road will lead to an absence of active frontage.
- Open Space with attenuation tank underneath is not appropriate. Open space generally is inadequate.
- Inadequate setback from Enniskerry Road, which is in contrast to Struan Glen to the east.
- Contrary to SLO 80, 83 – to conserve the character of the area.

Flooding

- The subject site has been known to flood as a result of overflow from Loughlinstown River. Will the flooding impact historical cottages and other properties to the south.

Biodiversity

- Impacts on water quality, Loughlinstown River and wildlife is questioned. Existing ditch along western boundary of the site flows into the river. AA screening and ecological assessment inadequate.

- Inadequate appraisal of biodiversity impacts at this location. Otters and other species live in the nearby river and the proposal, during construction and as a result of outdoor stairs, would be detrimental to this wildlife.

Impact on Residential Amenity

- Balconies will cause overlooking impacts leading to a loss of privacy for existing residents in the area, including Struan Glen on opposite side of Enniskerry Road and existing property to the south. No screening proposed at appropriate interfaces.
- Proposed glass balcony treatments can vary across developments where residents seek to include privacy strips. This should be restricted to provide a uniformity of development appearance that is not unsightly to the area.
- Larger family homes needed (3, 4, 5 bed).
- Proposed external staircase would lead to unacceptable levels of noise and lighting impact on local residents and biodiversity in the area.
- Refusal of permission under Ref. D23A/0162 is noted with relationship to Enniskerry Road being part of the reasons for refusal.
- Scale of 3-storey houses within 6m of the shared boundary and 8m of the property to the south will lead to overbearing impacts. Boundary details along this interface are also unclear.
- Scale of overshadowing and overbearing on property to the south is contrary to objective PHP20 of the CDP.
- Village centre of Kiltiernan has not been established similar to Dalkey, which was a previous long term objective.

Transport

- Mill lane should be enhanced and used as an entrance instead of a new entrance that would cause greater traffic hazard.
- Exit adjoining Mill Lane will lead to traffic hazard. Adequate sightlines required at Mill Lane to avoid hazards to oncoming traffic, including cyclists.
- Less parking and more green space required.
- Not enough parking for this rural area.

- No footpath proposed on the western side of the road which will lead to a traffic hazard.
- Mill Lane is a private lane and no contractors etc. are permitted to use this lane to access the site.

Impact on Visual Amenity

- Proposed development interferes with views of the Dublin Mountains.
- Proposal will impact on local biodiversity and stone wall boundaries.
- Contrary to Chapter 2.2.2 in relation to adjoining zoning.
- The area of the subject site is much different to the north of Kiltiernan where there has been a number of large scale developments recently.

Other Issues

- Proposal is contrary to current and previous Kiltiernan-Glenamuck Local Area Plans and County Development Plan (Objective REO2, Chapter 12.3.7.7 – respect character of the area).
- Excessive density of development at 44-46 units per hectare; site is designated for lower density in LAP.
- Inadequate site notices erected on site at a location that was difficult to read.
- CGI are inaccurate and show a green space opposite site, which is not the case.
- Track record of developer in local area is concerning where impacts on the stream that runs by the subject site were already impacted by construction.
- Requirements of the Historical Landscape Character Assessment should be noted whereby Loughlinstown River and local flora and fauna should be protected.
- Blue line boundary on submitted plans is incorrect, and application should be invalidated.

- Significant impact on property values due to overbearing nature of the proposal, loss of residential amenity, traffic impact and safety concerns will result from the proposal.

4.0 Planning History

The following Planning History is relevant to the subject site:

D23A/0162 (ABP Ref. 317250-23): Permission refused for the development of 30no. residential units and all associated works at the subject site. Dun Laoghaire Rathdown County Council refused permission for 3no. reasons including insufficient capacity on the road network, proposed mass and lack of street frontage to Enniskerry Road that would result in an unacceptable visual impact, and lack of integration of open spaces. An Bord Pleanala upheld the decision to refuse permission with a single reason for refusal related to insufficient integration of open spaces that would lead to a substandard level of amenity for future residents.

5.0 Policy Context

5.1. National and Regional Planning Policy

5.1.1. National Planning Policy

5.1.2. The NPF (First Revision, 2025) is the Government's high-level strategic plan for shaping the future growth and development of the country to the year 2040. A key element of the NPF is a commitment towards 'compact growth', which focuses on a more efficient use of land and resources through reusing previously developed or under-utilised land and buildings. National Strategic Outcome No. 1 is 'Compact Growth'. Activating strategic areas and achieving effective density and consolidation, rather than more sprawl of urban development, is a top priority.

5.1.3. The NPF contains several policy objectives that articulate the delivery of compact urban growth as follows:

- NPO 7 outlines a presumption in favour of development in existing settlements, to ensure compact growth and sequential patterns of growth.

- NPO 3 aims for the Eastern and Midland Region to accommodate 470,000 additional people between 2022 and 2040 (c. 690,000 additional people over 2016-2040) i.e. a population of almost 3 million.
- NPO 4 aims to deliver at least half (50%) of future population and employment growth will be focused in the existing five cities and their suburbs.
- NPO 37 seeks to integrate alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility.
- NPO 42 targets the delivery of 50,000 homes per annum up to 2040.
- NPO 43 prioritises new homes that support sustainable development at an appropriate scale relative to location.

- 5.1.4. Relevant national policy also includes Sustainable Residential Development and Compact Settlements: Guidelines for Planning Authorities, 2024 ('the Compact Settlement Guidelines') which states a density range for 'City – Suburban/Urban Extension' locations as 40-80 dwellings per hectare (dph).
- 5.1.5. SPPR 1 of the Compact Settlement Guidelines relates to Separation Distances. A separation distance of at least 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained. Reduced separation distances can be provided where there are no opposing windows and where privacy measures are designed in. The Compact Settlement Guidelines supersede the Guidelines on Sustainable Residential Development in Urban Areas and accompanying Urban Design Manual.
- 5.1.6. Urban Development and Building Heights, Guidelines for Planning Authorities is a government policy that states building heights must be generally increased in appropriate urban locations. There is therefore a presumption in favour of buildings of increased height in our town/city cores and in other urban locations with good public transport accessibility.
- 5.1.7. The relevant apartment standards are the Sustainable; Urban Housing Design Standards for New Apartments (Dept. of Housing, Local Government and Heritage,

December 2023) ('The Apartment Guidelines') as the proposal was submitted prior to the 9th July 2025 when updated Apartment Guidelines were published.

5.1. Regional Spatial and Economic Strategy for the Eastern and Midland Region

- 5.1.1. Within the RSES for the Eastern and Midlands Region Dublin plays a key role in attracting internationally mobile talent and investment and combines vibrant urban living, a rich heritage and character and access to nature including Dublin Bay, the coastline and Dublin-Wicklow mountains. The Metropolitan Area Strategic Plan (MASP) in Chapter 5 sets out a strategy to achieve growth of 1.4 million people in Dublin City and suburbs and 1.65 million people in the Dublin Metropolitan Area by 2031. T

5.2. Rebuilding Ireland – Action Plan on Housing and Homelessness 2016

- 5.2.1. This is a government initiative which identifies the critical need for accelerating housing supply.

5.3. National Biodiversity Action Plan (NBAP) 2023-2030

- 5.3.1. The NBAP 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 Board, as a public body, 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 Board. 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 our decision-making having regard to the Habitats and Birds Directives, Environmental Impact Assessment Directive, Water Framework Directive and Marine Strategy Framework Directive, and other relevant legislation, strategy and policy where applicable.

5.4. Dun Laoghaire Rathdown County Development Plan 2022-2028

- 5.4.1. Under the Dun Laoghaire-Rathdown County Development Plan 2022 – 2028, the subject site is zoned A 'To provide residential development and improve residential amenity while protecting the existing residential amenities.' 'Residential' is listed within the 'Permitted in Principle' category of the A zoning objective.

5.4.2. Under 4.3.1.1 'Policy Objective PHP18: Residential Density' it is policy to: 'Increase housing (houses and apartments) supply and promote compact urban growth through the consolidation and re-intensification of infill/brownfield sites having regard to proximity and accessibility considerations, and development management criteria set out in Chapter 12. Encourage higher residential densities provided that proposals provide for high quality design and ensure a balance between the protection of existing residential amenities and the established character of the surrounding area, with the need to provide for high quality sustainable residential development.'

5.4.3. I also note the following:

'As a general rule the minimum default density for new residential developments in the County (excluding lands on zoning Objectives 'GB', 'G' and 'B') shall be 35 units per hectare (net density). This density may not be appropriate in all instances but should be applied particularly in relation to 'greenfield' sites or larger 'A' zoned areas. Higher density schemes should offer an exemplary quality of life for existing and future residents in terms of design and amenity.'

5.4.4. Section 4.3.1.3 – Policy Objective PHP20: Protection of Existing Residential Amenity.

It is a Policy Objective to ensure the residential amenity of existing homes in the Built Up Area is protected where they are adjacent to proposed higher density and greater height infill developments.

5.4.5. Section 4.3.2.3 – Policy Objective PHP27: Housing Mix

It is a Policy Objective to encourage the establishment of sustainable residential communities by ensuring that a wide variety of housing and apartment types, sizes and tenures is provided throughout the County in accordance with the provisions of the Housing Strategy and Housing Need Demand Assessment (HNDA) and any future Regional HNDA.

5.4.6. Section 12.8.3.1 provides that the minimum public open space standards for residential development in the existing built up area shall be 15% of the site area. In order to qualify as public open space, the area must be generally free from attenuation measures.

- 5.4.7. Table 12.9 sets out communal open space standards. Section 12.8.3.2 notes that communal open space must also be provided for apartments in accordance with the minimum standards set out in Table 12.9. It is noted that such space is for the exclusive use of the residents and should be accessible, secure, and usable outdoor space which is inclusive and suitable for use by those with young children and for less mobile older persons.
- 5.4.8. Table 5.3 of the Development Plan sets out the 6 Year Road Objectives/Traffic Management/Active Travel Upgrades and the Glenamuck District Roads Scheme is listed therein. In this regard the Development Plan confirms that a Section 49 Special Contribution Scheme has been approved in relation to the Glenamuck District Distributor Road linking the Kiltiernan/Glenamuck area to the M50 Motorway network which is detailed on Map No. T1 (refer to Supplementary Mapping Booklet for the Development Plan).

5.5. Kiltiernan-Glenamuck Local Area Plan 2025

- 5.5.1. The subject site is within the boundary of the Kiltiernan-Glenamuck Local Area Plan 2025. The site is located with the Kiltiernan Bridge Character Area as set out in Section 2.3.8 of the LAP.
- 5.5.2. Section 1.2 of the plan states that phasing of development which is dependent on the delivery of roads infrastructure is no longer required, due to the construction of the Kiltiernan-Glenamuck Link Road.
- 5.5.3. Residential Density is set out under Policy KGLAP28 where lands to the west of the Kiltiernan Glenamuck Road shall achieve a residential density of 40-50 dph.
- 5.5.4. Building heights in the LAP are generally specified as between 2-4 storeys in Policy KGLAP30 and to accord with the height guidance in Chapter 2. It is noted in the LAP that building heights to the west of the Kiltiernan - Glenamuck Link Road should be limited to 2-3 storeys, however, taller 4-storey buildings may be considered on a case-by case basis where performance criteria, as set out in Section 5 of the Building Heights Strategy in the County Development Plan, can be demonstrated to the satisfaction of the Planning Authority.
- 5.5.5. Other relevant policies include those related to urban design and placemaking:

Policy KGLAP 1 – Urban Design: *It is Policy to promote a high standard of urban design throughout Kiltiernan - Glenamuck in accordance with the relevant policies set out in the County Development Plan, Section 28 Guidelines and other relevant guidance documents including: The Compact Settlement Guidelines (2024), and the Design Manual for Urban Roads and Streets (2019). Development shall be designed, prioritising place making and accord with the Urban Design and Placemaking Vision for the area as set out in Section 2.4 and 2.5.*

Policy KGLAP 2 – Kiltiernan - Glenamuck Character: *It is Policy that development shall contribute positively to the distinct character of Kiltiernan - Glenamuck by ensuring that:*

- *New architecture complements and visually integrates with the historic vernacular structures in terms of blocks and plots that are legible, permeable and appropriate in land use, scale, building height, material finishes, street width, urban grain and street frontage.*
- *Development positively contributes to the established character and enhances the identity and sense of place for Kiltiernan-Glenamuck.*

Policy KGLAP 3 – Public Realm: *It is policy that new development provides connected, attractive, interesting and well used public realm and open spaces using place making and urban design principles, creating pedestrian centred environments with active, inviting public spaces and parks.*

5.6. Natural Heritage Designations

5.6.1. The proposed development is not located within or immediately adjacent to any European site. The following designated sites are located within 15km of the appeal site.

- Knocksink Wood SAC – 2.6km southwest
- Ballyman Glen SAC – 3.4km southeast
- Wicklow Mountains SAC – 4.2km southeast
- South Dublin Bay SAC – 7.3km northeast
- Rockabill to Dalkey SAC – 6.8km east

- Bray Head SAC – 8km southeast
- Glenasmole Valley SAC – 10.8km west
- Glen of the Downs SAC – 11.1km southeast
- North Dublin Bay SAC – 12.9km north
- Carriggower Bog SAC – 13.9km south
- Wicklow Mountains SPA – 4.4km southeast
- South Dublin Bay and River Tolka Estuary SPA – 7.2km northeast
- Dalkey Islands SPA – 8km northeast
- North Bull Island SPA – 12.6km north
- The Murrough SPA – 14.5km southeast

5.7. EIA Screening

- 5.7.1. I have had regard to the determination of the Planning Authority in relation to EIAR requirements. Having regard to the nature of the proposed development comprising the development of 36no. residential units, within an established urban area and where infrastructural services are available, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required. See completed Form 1 and 2 at Appendix 1.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. A first-party appeal has been submitted by the application against the decision of Dun Laoghaire-Rathdown County Council to refuse permission for the proposal. The grounds of appeal can be summarised as follows:

Response to Reason for Refusal No. 1:

- Existing wall is maintained and with no pedestrian footpath to tie into as a result of maintaining this historic wall, the non-provision of direct, active frontage is justifiable. Amenity spaces along this frontage is considered to provide adequate animation.
- The elevation to Enniskerry Road was amended following pre-planning feedback to include an upper level window at No. 6 of the proposed development, which was intended to animate this elevation.
- The appeal includes a note that a footpath illustrated within the subject site at application stage was an error and there is no footpath along the western side of Enniskerry Road, existing or proposed, to provide an active frontage towards.
- Retention of heritage wall, setbacks to provide privacy, while also providing overlooking of existing footpath on eastern side of Enniskerry Road.
- The rear facing houses to Enniskerry Road are considered appropriate to retain the existing wall and to avoid the provision of multiple access points to the public road. No. 6 will present a gable to the street that provides overlooking.
- In response to Policy PHP35 as referenced in the reason for refusal, proposed connections to the public road are kept to a minimum to reduce impacts on the character of the area. The proposal meets all requirements in relation to density, public open space and parking. The proposal is also distinctive and includes for easy way-finding due to site size.
- The proposal is considered to be consistent with zoning, adjoining land uses, private amenity for residents and neighbours, pedestrian and vehicular safety and density applicable to the site.
- Retention of the existing wall is considered a key element of protecting existing character of the area with a moderated animation of the streetscape with the block alignment proposed.
- The appeal provides a response to all matters mentioned in Section 12.3.1.1 of the CDP, including protection of noise environment, relationship to the public realm, no negative impact on potential of adjoining sites, variety of

house types, appropriate layout and sense of community, materials and overall design appropriateness including to the properties to the north in terms of height. This relationship is noted as being acceptable under the previous application at this site and considered appropriate by An Coimisiún Pleanála Under Ref. 317250-23.

- Overall, the proposal provides an appropriate form of infill development which has appropriate regard for the context of the immediate surrounding built environment. In terms of relationship to the existing public realm, the absence of an existing footpath is noted and the retention of the roadside boundary wall is considered a positive preservation of the existing character and receiving environment.

Response to Reason for Refusal No. 2:

- More than the minimum quantum of public open space is provided to make up for the shortfall in communal open space. It is considered inappropriate by the applicant that in a scheme of 36no. units, a separate communal open space for the 22no. apartments would be provided.
- Public Open Space is provided in two areas of 1,242sqm and 144sqm for a total of 1,386sqm. Both areas are usable for various purposes.
- No commentary in planner's report in relation to substandard provision of public open space. Sections 12.8.3.1 and 12.8.3.2 of the CDP state the parameters for delivery of open spaces.
- The provision of communal open space is considered impractical given the 174sqm required and contrary to the intent to foster a strong sense of community within the site.

Alternate Design Option:

- Although the applicant contends that the original proposal is the correct design for the site, an alternate proposal is put forward with the appeal to address the Planning Authority reasons for refusal. The proposal includes the following design revisions:

- House no. 6 revised to include direct frontage to Enniskerry Rd. to provide an increase in activity presented towards the roadway/public realm.
- Houses 7-10 and two apartment blocks repositioned closer to Enniskerry Rd. to provide more direct overlooking and a degree of activity along the streetscape.
- New area of dedicated communal open space to the rear of apartment block (340sqm) to meet standard requirements. This is achieved by moving the apartment blocks towards Enniskerry Rd.
- Relocation of bin/bike store to south east boundary to remove store from 10m riparian zone.
- Minor alterations to parking layout, footpaths and open space to facilitate above revisions. Unit mix, density, heights etc. remain unchanged in alternate proposal and this is supported by revised photomontage imagery.

Conclusion:

- Response to pre-planning feedback and planning history (previous reasons for refusal) provided as an appendix to the appeal.
- The appeal submit the proposal will provide an efficient use of greenfield, zoned and serviced, residential land.

Pre-planning and Site History Response:

- Response to pre-planning feedback and planning history (previous reasons for refusal) provided as an appendix to the appeal. The key elements of this response are as follows:
 - Density increased in response to pre-planning feedback.
 - Communal open space considered inappropriate for this small site.
 - Minimum storage area is accommodated in the excess floor area in each apartment.

- External planting strip outside ground floor bedrooms to improve amenity.
- Confirmation of feasibility from Uisce Eireann can be requested by way of condition.
- Requested management plans for construction and operation can be part of compliance. Noise assessment could have been provided by way of further information if the Planning Authority had sought it.
- Car parking proposed does not have an impact on access or usability of open space. Additional boundary treatment can be requested by way of condition if necessary.
- Additional car parking proposed, with 38no. now proposed.
- The revised proposal is a direct response to the previous reasons for refusal under Ref. 317250 with an amended open space layout, amended site layout, break down in massing, and amended elevation to Enniskerry Road at Block A to the northern end of the site.

6.2. Planning Authority Response

- 6.2.1. The Planning Authority response to the appeal states that no new matter has been raised that would change their decision on the proposed development.

6.3. Observations

- 6.3.1. A number of observations were received in relation to the subject appeal. The issues raised are consistent with the points raised in third party observations at application stage and I refer the Commission to the summary section of my report at Section 3.4 for those details. The main additional points of observations to the appeal can be summarised as follows:

Design, Scale and Mass

- Proposed 2-4 storeys is not consistent with the character of the area which is low rise and predominantly rural.
- Proposed density of 44 units per hectare is not consistent with the provisions of the CDP where a density of 34 units per hectare is expected based on available land and expected yield for the Kiltiernan/Glenamuck Area. the 2025 LAP increases the yield for the area to 2,500 units with an average density of 42 units per hectare. The subject proposal is above this. The proposal is not consistent in density to adjoining developments and is more akin to a strategic housing development.
- Unit mix for 1-bed apartments is outside the recommended 25-30% cap.
- Location of highest element of proposal will impact on properties at Struan Glen in terms of privacy and overlooking.
- Sunlight and daylight assessment not provided, which seems unacceptable.
- Proposal is not in accordance with the zoning as it impacts on existing residential amenity. Also not in accordance with sections 12.8.3.1 and 12.8.3.2 of the CDP.
- Lack of infrastructure, impacts on conservation and biodiversity, and interruption of views to Dublin Mountains are raised as a concern with the proposal.
- Gateway to Wicklow Mountains should be protected.
- 2m boundary wall at Mill Lane exist is not appropriate due to traffic safety issues. Boundary walls should also be random rubble granite as is local to the area.

Adjoining Property to South

- Property to south would be uniquely and negatively affected.
- Application is invalid due to blue line boundary that includes site to south.
- Windows at ground and first floor level of existing property face directly north towards the application site. Existing boundary is deer fencing and extensive planting implemented as part of refurbishment of existing house. No

reference to this boundary treatment in the boundary plans for the subject proposal. Fence, block and plastered wall and stone wall are referenced.

- Proposed 3 and 4 storey blocks would completely overshadow, overlook and impact on kitchen and master bedroom windows of exiting property.
- Healthy trees on the boundary are incorrectly categorised and identified for removal.
- A number of outdated documents and photographs are used in the application submission, which are not accurate in terms of the existing situation and should not have been used for this new application. This includes an older version of the recently renovated house to the south.

Inaccurate Information

- Visualisations are inaccurate as they exclude private property opposite the site.
- Local amenities and bus routes referenced for the site are inaccurate with Farmer's Market not been in use for a number of years.

6.4. Further Responses

6.4.1. None received.

7.0 Assessment

7.1. I have examined the application details and all other documentation on file, including submissions received in relation to the appeal, the reports of the Local Authority. Having inspected the site, and having regard to the relevant local and national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Preliminary Matters
- Impact on visual and Residential Amenity
- Open Space
- Transportation and Access

- Flood Risk
- Other issues

7.2. Preliminary Matters

- 7.2.1. The applicant has submitted an alternative design option with the appeal to address the reasons for refusal. The revised proposal includes a relocation of apartment and housing blocks towards Enniskerry Road, a new area of communal open space and revisions to the elevation of unit 6 facing Enniskerry Road. I will refer to this revised option in my assessment of the overall proposal in the following sections.

7.3. Impact on Residential and Visual Amenity

- 7.3.1. In response to reason for refusal no.1, the applicant submits in their appeal that the proposal responds to the requirements of Policy PHP35 as the surrounding context has been considered, the proposal has been designed in accordance with national guidance, and the design of the proposal is site specific responding to adjoining residential amenity requirements.
- 7.3.2. Observers to the appeal submit that the proposal is completely out of character with the surrounding area due to building height/visual impact and will have a significant impact on the amenity of neighbouring properties.
- 7.3.3. Residential Amenity
- 7.3.4. I have reviewed the submitted Architectural Design Statement, application drawings and photomontages submitted with the application. I also have regard to the existing built environment surrounding the subject site, noting there is a mix of single storey cottages to the north (Glenkeel Cottage) and to the south at the Moss Cottage ACA, a two storey property located immediately to the south of the site and 2-3 storey units at Struan Glen, on the opposite side of Enniskerry Road from the subject site. With the exception of the cottages that front immediately on to the adjacent footpaths, I note properties in the area are set back behind granite walls with complementary planting, which effectively screen views from the public road.
- 7.3.5. The existing property to the south is highlighted in the appeal observations as being particularly impacted by the proposed dwelling Unit No. 10 located along the southern boundary of the subject site. Residential amenity impacts and views to and from Struan Glen are also raised in observations. With views to the Struan Glen

impacting privacy and views from Struan Glen to the Wicklow Mountains, disrupted by the subject proposal.

7.3.6. The separation distance between the property boundary to the south is given as c.6.1m-7.6m, with the rear, taller element of the 3-storey unit No. 10 setback from the boundary. The existing property to the south is set back a further c.2m from the boundary between both sites. Separation distance to Glenkeel Cottage to the north is c.18-19m and distance to Struan Glen to the northeast is in excess of 30m and is separated by the public road.

7.3.7. The provisions of the Dun Laoghaire Rathdown County Development Plan 2022-2028 (CDP) refer to separation distances for residential development. Section 12.8.7.1 of the CDP, specifies that a minimum distance of 22 metres, in general, is required, between directly opposing rear first floor windows. However, it is advised that in certain instances, depending on design and circumstances, reduced separation distances may be acceptable, subject to the maintenance of privacy and protection of adjoining residential amenities.

7.3.1. The 2009 Guidelines on Sustainable Residential Development in Urban Areas have now been replaced by the Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities (2024). SPPR1 of the Compact Settlement Guidelines states that when considering a planning application for residential development, a separation distance of at least 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained. Separation distances below 16 metres may be considered acceptable in circumstances where there are no opposing windows serving habitable rooms and where suitable privacy measures have been designed into the scheme to prevent undue overlooking of habitable rooms and private amenity spaces. I note habitable rooms include living spaces and bedrooms.

7.3.2. I note the separation distances to properties to the north (Glenkeel Cottage) and north west (Struan Glen/Glendale) as being in excess of 16m and are therefore acceptable. Unit No. 10 is the closest dwelling unit proposed to the property to the south. The rear setback of this property will provide an additional separation distance to the boundary with the adjoining property to the south for an overall separation

distance of 11-12m. I consider the minimal number of windows on the southern gable of Unit 10, will remove any overlooking to the side gable of the neighbouring property where I note from observations to the appeal that a ground floor kitchen window and upper floor master bedroom face north towards the subject site. A single, high level bedroom window is provided at the first floor, southern gable of proposed unit 10, and this window can be conditioned as obscure glazing to further mitigate any overlooking if permission is granted. The proposed 1.8m concrete post and panel boundary wall will provide adequate screening at ground floor level where there are windows to the kitchen and living area that face the southern boundary. I note the provided photomontages indicate significant screen planting along the southern boundary that has not been translated to the landscape plan. I recommend a condition for additional planting along the southern site boundary to further soften the appearance of this interface, if permission is granted. As the relationship between these dwellings will be side separation, rather than opposing rear windows, this further mitigates and allows for a reduced separation distance at this location in my opinion and is therefore acceptable.

- 7.3.3. The revised design option submitted with the appeal, relocates Unit 10 approximately 2m towards Enniskerry Road. This alteration aligns the front elevation of Unit 10, with the property to the south. Although this design amendment reduces the separation distance between the two buildings to approximately 8.1m, I consider this revision to further mitigate potential for overlooking or overbearing as it would primarily be the pitched roof of Unit 10 facing south, above ground floor level, and which is angled away from the southern boundary.
- 7.3.4. In terms of the relationship with Enniskerry Road, I note the original application drawings and architectural renderings indicate the provision of a footpath inside the existing boundary granite wall that is proposed for retention for the majority of its length. The applicant confirmed at appeal stage that the inclusion of this footpath was an error, however, there have been no revised drawings or photomontages provided to illustrate the correct layout as originally intended and which omits the footpath as shown. I consider this to be a major flaw with the submitted documentation, which does not facilitate an accurate assessment of the intended overall scheme.

- 7.3.5. I note the revised proposal submitted with the First-Party Appeal, which does not include a footpath within the Enniskerry Road boundary of the site. However, this design option includes additional alterations to address the reasons for refusal and therefore in itself is materially different from the originally proposed scheme layout.
- 7.3.6. The applicant provides no reasoning for the omission of the footpath within the boundary of the site. I consider this option may have provided the possibility of dual frontage units that access onto a rear pedestrian path/laneway. The layout of house numbers 7-10 and the apartment blocks already provide for dual frontages with the living areas of apartments alternating between facing northeast towards Enniskerry Road and southwest towards the internal areas of the site. The open plan kitchen/dining area is located to the rear of houses 7-10, and I consider a pedestrian access from rear private amenity spaces, may have facilitated an element of active frontage at Enniskerry Road that would be welcomed. Rear private amenity could be maintained via the landscaping strategy proposed. However, no access from the rear private amenity space of houses, or from the apartment blocks was included to the illustrated footpath.
- 7.3.7. I consider the provision of access to the interior of the site only, as a limiting factor in terms of activating the street along the Enniskerry Road frontage, however I acknowledge the existing built environment where there are other properties setback behind a granite wall with additional planting in the surrounding area. Although the revised design option does not provide a footpath within the Enniskerry Road boundary of the site, I recommend that any consideration of the subject proposal is limited to this option that relocates house No's.7-10 and the 2no. apartment blocks closer to Enniskerry Road, due to the other scheme enhancements that this realignment would facilitate and which I discuss in the following sections.
- 7.3.8. I consider the retention of the existing granite wall to be an overall positive for the site and to be a more favourable design solution than providing numerous entrances onto Enniskerry Road from the site or to removing the wall entirely to open the site onto this streetscape. In my view, a balance is required in relation to the constraints of the subject site, and I am satisfied that the proposal to provide setback residential units behind the granite wall with additional screen planting to be generally consistent with built form and residential amenity in the surrounding area.

- 7.3.9. In addition, in relation to residential amenity, the Compact Settlements Guidelines require the provision of rear gardens at a minimum rate of 50 sqm for 4 bedroom houses. All of the proposed houses exceed this standard.
- 7.3.10. In terms of the apartments, all proposed units have a gross floor area exceeding the minimum standard as set out in the Sustainable Urban Housing Design Standards for New Apartments (2023). All units provide storage consistent with required standards. I note the Planning Authority recommended that additional external storage space be provided, however, given the areas meet minimum standards, I consider this acceptable in this instance. An additional area of external bulky storage could be conditioned with any grant of permission.
- 7.3.11. Similarly, all private amenity space is consistent with or slightly above the minimum outlined in the Guidelines. All units are dual aspect. The submitted section drawings demonstrate that ground floor apartment floor to ceiling heights are 2.7m. I therefore conclude that all proposed units are acceptable in terms of residential amenity for future occupants.
- 7.3.12. I consider the provision of a single access to the proposal, with footpath connections to the north of Mill Lane as providing adequate connections and wayfinding within the area. The proposal provides an acceptable mix of 1, 2 and 3-bed apartments, as well as 4 and 5-bedroom houses and this will provide for adequate levels of inclusivity within the site.

Density

- 7.3.13. The density of the proposed development equates to 43dph. A number of third-party submissions suggest that the density of the proposed development is excessive.
- 7.3.14. Local planning policy as set out in the Dun Laoghaire Rathdown Development Plan seeks to increase densities where this is appropriate. I note that Policy Objective PHP18 Residential Density seeks to promote compact urban growth and encourage higher densities, ensuring, inter alia, a balance between the protection of existing residential amenities and the established character of the surrounding area. The minimum default density for new residential developments in the current Development Plan is given as 35 units per hectare, although it is noted that this density is not appropriate in all instances but is particularly relevant to greenfield and larger 'A' zoned sites.

- 7.3.15. I note that Table 3.1 of the 'Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities' (2024) confirms that residential densities in the range 40 dph to 80 dph (net) shall generally be applied at suburban and urban extension locations in Dublin and Cork. I consider the proposed density to be acceptable in this context.
- 7.3.16. Residential Amenity Conclusion
- 7.3.17. Having regard to the proposed layout, design and separation distances to site boundaries I consider that the proposed development does not negatively impact on the residential amenities of the area. I therefore consider that the proposal accords with Policy Objective PHP35 in terms of high quality design that provides connections, inclusivity, variety, privacy, amenity, parking and wayfinding.
- 7.3.18. Visual Amenity
- 7.3.19. The first reason for refusal relates to the visual impact of the proposal and the inter-relationship with Enniskerry Road. Observers to the appeal refer to the unacceptable visual impact of the proposal, which they consider to be out of character with the area, mainly due to height and density of the proposal, as well as materials proposed and impacts on views to the Dublin/Wicklow Mountains.
- 7.3.20. The applicant submits that the proposed height is acceptable given compact development and density requirements. The assessment of the previous application in relation to height transitions to adjoining properties is also referenced as being considered acceptable by the deciding authorities (D23A/0162, ABP Ref. 317250-23).
- 7.3.21. The proposed development is located in a semi-urban area south of Kiltiernan village. The prevailing character of the area is as I generally set out above with a range of dwelling heights ranging from single to 3 storeys in height and setbacks behind granite walls with complementary planting. The Struan Glen development opposite the site provides the 3 storey context. Given the setbacks provided to adjoining properties as set out above and coupled with the fact that proposed heights step up from 3-storeys where they neighbour adjoining dwellings, to 4-storeys at the centre of the Enniskerry Road boundary, I consider the 3-4 storey building heights to be acceptable at this location.

- 7.3.22. I note the design constraints associated with this site, which include a flood zone within the south western area of the site. This area of flood risk necessitated the location of the residential element of the proposal in other areas of the site. Open Space and density requirements further contribute to the design challenges of this semi-urban site. I have regard to the Inspector's assessment of the design and layout under Ref. D23A/0162 (ABP Ref. 317250), which referenced the position along the public road without set-backs, without staggered building lines or appropriate breaks which resulted in a development which appeared monolithic, visually overbearing on the public realm and out of character with the semi-urban nature of this part of Kiltiernan village. No provision for own door access to the ground floor apartments from the elevation facing the public road and as such the lack of an active street frontage is referenced as being unacceptable with the application under D23A/0162.
- 7.3.23. I have already referenced the benefits of retaining the existing granite wall at the Enniskerry Road boundary and the potential negative impact that a number of openings along this boundary wall might present. Proposed house and apartment units provide a dual frontage that presents to the Enniskerry Road, providing overlooking and passive security. Upper floor private balconies of the apartments can provide a sense of activation along this frontage while maintaining the status quo of character at street/ground level where the boundary to the road is maintained and enhanced with additional planting. I refer to the Action Plan for Housing that identifies the critical need for accelerating housing supply and National Strategic Outcome No. 1 for 'Compact Growth'. Activating strategic areas and achieving effective density and consolidation, rather than more sprawl of urban development, is a top priority. It is critical to consider the proposal in this regard.
- 7.3.24. The proposed design includes high quality materials such as A-Rated glazed windows with stone cills, proposed metal fins to enliven the elevation to Enniskerry Road, selected white brick and proposed glass railings to private balconies. The upper level (fourth storey) is of a pitched roof formation, which is also consistent with roof profiles in the area. I consider the proposal for 4-storey apartment heights to be acceptable in terms of design and the requirement for compact development principles.

- 7.3.25. The Planning Authority expressed concern in relation to the impact on the visual amenity of the area arising from the height transition between House No. 6, comprising three storey housing with ridge heights of c. 10m, located at the north-western part of the site, and existing single storey cottages at the northern side of Mill Lane, with particular reference made to Glenkeel Cottage (c 4.7m in height) which fronts onto the Enniskerry Road.
- 7.3.26. As I previously noted, the separation distance to the cottage to the north would be in excess of 19m and therefore I do not consider this to represent an abrupt transition in scale. I consider Unit 6 will appear as two storey when viewed from the north and northwest; the stepped nature and layout of units 1-6, and the considerable breakdown in massing and roof profile have the effect of breaking down the visual transition to properties to the north. Having regard to this, aligned with the separation distances between Units 1-6 and the side gable of Glenkeel Cottage of c. 19m, I do not consider that the relationship between proposed Units 1-6 and adjoining properties on the northern side of Mill Lane would be visually incongruous or cause undue negative impacts on the visual amenity of the area.
- 7.3.27. The Planning Authority also raised issue with the side gable of Unit 6 facing the Enniskerry Road. In their amended design option, the applicant provided a revised elevation treatment to Unit 6 that provides the main entrance and additional fenestration facing this frontage. While this option provides only a limited amount of definitive active frontage to Enniskerry Road, the overall intent is welcomed, and I consider the revised proposal for Unit 6 to be acceptable and recommend this option is adopted with any grant of permission. Having regard to the foregoing, I consider the amended layout submitted with the first party appeal to be acceptable and would not have any undue negative impacts on visual amenity of the area. The proposal provides for an appropriate design solution in the context of the constraints associated with this subject site, while also providing an appropriate level of residential amenity for existing and future residents, while also meeting relevant standards for open space, density and overall layout.

7.4. Open Space

- 7.4.1. The second reason for refusal relates to the unsuccessful integration between the proposed amenity spaces and the subject dwellings, including their associated

services. This is considered to result in a substandard provision of public open space for the site. The absence of communal open space is also considered unacceptable.

- 7.4.2. The First Party Appeal submits that adequate quantum and quality of public open space is provided in the subject application. A revised design option is proposed with the appeal to include a new area of communal open space and a revised quantum of public open space in one area of 1,300sqm.

Communal Open Space

- 7.4.3. Table 12.9 of the Development Plan sets out the minimum communal open space standards for residential development. In terms of the proposed scheme which provides 26 no. apartments, a minimum of 174 sqm of communal open space is required. As set out in Section 12.8.3.2 of the Development Plan, communal open space is for the exclusive use of residents and should be accessible, secure and usable for all residents including the elderly and by those with young children. The site layout plan submitted at application stage does not include an area of communal open space.
- 7.4.4. The revised design option provided with the First Party Appeal, as shown on Drawing No. 2025-13-P101, indicates an area of c 340sqm within the interior of the site, adjacent to the apartment blocks, with a low evergreen hedge to provide screening. This space is achieved by moving the apartment blocks closer to the Enniskerry Road frontage, with some additional alterations to car parking layouts.
- 7.4.5. I am satisfied that the proposed area of communal space as submitted with the appeal can meet standard requirements and provide a dedicated area for apartment residents in the context of the overall design of the proposal. The communal open space would complement the proposed public open space within the site.

Public Open Space

- 7.4.6. Table 12.8 of the current Development Plan sets out the minimum public open space standards for residential development. In terms of the proposed development at least 1,245 sqm of public open space is required based on a 15% requirement for a 0.83ha site.
- 7.4.7. Two main areas of public open space are proposed within the lands. At the southern boundary of the site, 144 sqm is proposed to the west of Unit 10. Open space of

1,242sqm is also provided at the southwestern part of the lands. Total public open space in the amount of 1,386sqm is therefore proposed, which is 16.6% of the total site area.

- 7.4.8. The Planning Authority has expressed concern in terms of the quality of the proposed open space at the front of Unit 10 as it is abutted by car parking, with concerns in relation to usability. I consider the location of this area of open space to be residual to the overall open space area, is located in close proximity to the front elevation of Unit 10 and is therefore unlikely to be usable in the overall context of the site.
- 7.4.9. The Planning Authority has raised a concern that an attenuation tank occupies part of the proposed public open space at the southwestern part of the lands and as such, as specified under 12.8.3.1, public open space should be free of such measures. In addition to this requirement, I note the comments of the Planning Authority Drainage Department, who require an alternative solution to a concrete tank for attenuation, confirmation of soil investigations and soil types, details of tree planting in attenuation areas, increased SuDs measures and fully dimensioned details of the attenuation storage system proposed.
- 7.4.10. The wording of Section 12.8.3.1 of the Development Plan states that an area of public open space should 'generally' be free from attenuation measures. I note that Appendix A of the Sustainable and Compact Settlements, Guidelines for Planning Authorities (2024) states that for the purposes of calculating public open space areas used for Nature-based Urban Drainage and other attenuation areas where they form part of an integrated open space network can be included.
- 7.4.11. I consider that the total area of proposed public open space (1,300 sqm as proposed in the revised option provided with the First-Party Appeal) located in the southwestern section of the lands would be of good quality and would constitute usable public open space. However, given the identified shortcomings in the drainage strategy for the site including detailed specifications for the attenuation area as required by the Planning Authority Drainage Department, the potential consequences for the design of the open spaces, and the location of the attenuation tank within the area of open space, which is contrary to the recommendations of

Section 12.8.2 of the Development Plan, the overall layout of the scheme cannot be assessed without further details in relation to the drainage design for the site.

7.4.12. Although the proposed scheme as put forward with the First Party Appeal provides public open space of approximately 15.6% of the total site area, which is above the minimum standard of 15% as set out in Table 12.8 of the Development Plan, further detailed analysis of the drainage strategy for the site and how it relates to the proposed open spaces is necessary. The Commission may seek the views of the applicant in relation to this information, however in the absence of these detailed specifications, I recommend refusal of permission in relation to this issue. Further discussion in relation to drainage and flood risk is provided in the following sections.

7.4.13. **Flood Risk – New Issue**

7.4.14. I note the concerns raised by observers in relation to flooding. The applicant has submitted a Site Specific Flood Risk Assessment (SSFRA) for the subject site. This is in accordance with 'The Planning System and Flood Risk Management Guidelines, 2009.' Section 4.2 of the SSFRA notes that the OPW Flood Information website identifies no recorded or anecdotal flood events in the vicinity of the proposed development.

7.4.15. The primary flood risk to the proposed development can be attributed to a potential fluvial flood event in the Loughlinstown River (also known as Shanganagh), which flows approximately 25m south of the appeal site and a drainage ditch along the western boundary of the site that ultimately flows into the Loughlinstown River. A secondary and residual flood risk can be attributed to a potential blockage in the watercourses in the vicinity of the site.

7.4.16. The lands that contain the residential element of the development are located in Flood Zone C. Parts of the proposed public open space, playground and internal road are located within a floodplain – this is within flood zone A / B. Whilst this section of the site is impacted by fluvial flooding, the site is not impacted by tidal or groundwater flooding. Surface water drainage measures are proposed to be provided to address potential surface water flooding.

7.4.17. 50% blockage scenarios have been assessed for a bridge in the vicinity of the site which have determined there is no on-site flooding for these scenarios.

7.4.18. While I acknowledge the findings of the SSFRA for the site, I further note the comments of the Planning Authority Drainage Department in relation to the proposal. The Drainage Department of Dun Laoghaire Rathdown County Council raised a shortfall in information provided in relation to the following:

- Outflow calculations,
- Soil types specified,
- Type of attenuation tank proposed including plans and sections,
- Attenuation overflow proposed,
- QBAR values – inconsistency in numbers submitted,
- Allowance for urban creep (10%),
- Drainage Analysis results, including peak water levels and flow rates,
- Green Roof Details,
- SuDs measures,
- Trees proposed in the area over the attenuation tank,
- Hydraulic modelling results over an extended period of time,
- Surcharging and other details in the SSFRA.

7.4.19. From the submitted information and the available information, I am not satisfied that the risk of flooding can be determined and that that the proposed development will not adversely affect adjoining lands. While I acknowledge certain information such as green roofs are not applicable to the pitched roof proposal in the subject development, and other information may have been clarified by way of condition and submission of information prior to the commencement of development, the absence of fundamental information in relation to drainage details has a consequence for open space design and usability as I set out earlier in my report. The type of attenuation tank, outflow calculations and tree planting all has an impact on the usability and layout of the proposed open space.

7.4.20. The proposed residential units are located within Flood Zone C, and I note the proposed layout is partially determined by how flood zones impact the subject site. However, in the absence of the information noted above, and the consequences for

the overall design and layout of the proposed development, particularly in relation to the design and functionality of open space, I consider the lacuna in drainage data and calculations to be unacceptable in the assessment of the subject proposal. The Commission may seek the views of the applicant in relation to this information, however in the absence of these details, I recommend refusal of permission in relation to this issue as it relates to open space within the site.

7.5. Transportation and Access

- 7.5.1. The Planning Authority Transportation Department referenced the requirement to investigate the possibility of providing access via Moss Lane, which is the lane along the northern boundary of the site. Observers to the appeal also refer to the traffic hazards at this location and separately, the quantum of parking within the subject proposal.
- 7.5.2. I note the Glenamuck District Road Scheme has been a long-term objective for the area and is now nearing construction completion. The southern Distributor Road will join the Enniskerry Road to the southeast of the subject site with access to and from the Enniskerry Road on to the Distributor Road becoming 'bus and cyclists only' when the scheme is complete. A low-capacity access via a roundabout and Barnaslingan Lane will also be provided. This will reduce the level of traffic at the Enniskerry Road in the vicinity of the subject site and enhance road safety as a result.
- 7.5.3. The Transport Assessment Report provided with the application finds that the road network is more than adequate to accommodate the worst-case traffic scenario associated with the proposed development. It also concludes that full occupation of the proposed development would have a negligible impact upon the operation of local roads.
- 7.5.4. I note adequate sight lines are achievable from the proposed access point and the replacement of the existing wall at the northeastern corner of the site in the vicinity of Glenkeel Cottage, with a setback 2m high wall will provide for enhanced sightlines for vehicles exiting Moss Lane.
- 7.5.5. Having regard to these findings and given the relatively modest number of units proposed, I am satisfied that there is sufficient capacity to cater for the quantum of traffic likely to be generated by the proposed development.

- 7.5.6. Vehicular access to the proposed development is achieved by way of a T-Junction from the Enniskerry Road which adjoins the site to the north-east. The road at this location is subject to a speed limit of 50kph.
- 7.5.7. The Transportation Planning Section's report recommended that the applicant investigate the potential of providing vehicular access to the site from Mill Lane (adjoining the northern site boundary).
- 7.5.8. The Traffic and Transportation Assessment submitted by the applicant notes that sightlines from Mill Lane onto the R117 cannot be achieved due to the building/cottage to the north. I note that Mill Lane is a private lane and the applicant and observers to the appeal have confirmed the applicant does not have a legal interest in it. As such, I consider that the access point to the appeal site as originally proposed and from which appropriate sightlines are available, is acceptable.
- 7.5.9. I note objections were made in relation to the quantum of car parking proposed (38 spaces) with some submitting this is too many spaces and should be replaced with open space, and some saying this is too few spaces. The subject site is located within Parking Zone 3 as set out in the Development Plan. Table 12.5 of the Development Plan provides that residential units with 3 bedrooms or more have a car parking standard of 2 spaces (20 spaces required). 1- and 2-bedroom apartments have a car parking standard of one space, and 3-bed apartments have a requirement for 2 spaces (30 spaces required total). Furthermore, it requires that 1 in 10 visitor parking should also be provided for apartments in Zone 3 (2 spaces required). The Compact Settlement Guidelines requires a maximum of 1 space per dwelling in City – suburban/urban extension locations. I concur with the Planning Authority that the quantum of car parking for the proposed development is acceptable at 1.05 spaces per unit, in line with the recommendations of the Compact Settlement Guidelines.

7.6. Other Issues

7.6.1. Site Notices

- 7.6.2. In terms of the concerns raised in connection with the site notices, I note their locations were considered acceptable by the Planning Authority. I am satisfied that this did not prevent concerned parties from making representations.

7.6.3. Water Infrastructure

7.6.4. I note the applicant has not provided a pre-connection agreement or confirmation of feasibility from Uisce Eireann with the application documents or the First Party Appeal. I have regard to the Uisce Eireann Capacity Register for Dublin, and specifically the Glencullen area, where potential available capacity for the area for water is indicated. Capacity is also indicated for the Shanganagh wastewater treatment plant. Although the absence of a pre-connection inquiry is noted, I consider that a connection agreement from Uisce Eireann could be conditioned if permission was to be granted for the subject proposal.

7.6.5. Views and Prospects

7.6.6. A number of submissions consider the proposed development would affect views of the Dublin Mountains. While I accept that the nature of the development would change this greenfield site to a residential area, the proposed scheme would not interfere with any of the protected views or prospects as identified in the Development Plan. As I reviewed under the 'visual impact' section of my report, the design and layout of the proposed development is acceptable in the context of compact settlement principles, and no significant views would be impacted in the context of this residential zoned site.

7.6.7. Noise

7.6.8. The Planning Authority and Environmental Enforcement Section note that construction methodology in relation to noise and vibration during excavation of the site would have been sought by further information if not for more substantive reasons for refusal. I am satisfied that this information could be conditioned as a pre-commencement requirement if permission were to be granted.

7.6.9. Biodiversity

7.6.10. I note the observations on file relating to the concern that the proposed development would negatively impact the biodiversity of the area.

7.6.11. The submitted AA Screening Report includes details of ecological surveys and investigations undertaken. A Phase 1 Habitat Survey was carried out to record biodiversity and habitat types on the site.

- 7.6.12. In terms of vegetation the proposed site supports grassland, scrub and hedgerows, with the site considered to be species poor.
- 7.6.13. I note the on-site survey undertaken found evidence of badger activity, however no setts or latrines were recorded. Bats may use the site for foraging and commuting, particularly along the boundary hedgerows and treelines. No suitable habitats for otters were observed. No signs of recent activity were recorded in relation to the Red Fox. Similarly, no evidence was found of other protected mammal species such as the Eurasian Red Squirrel, Irish hare, Stoat and / or Pine Marten. A rabbit was observed. No observations of amphibians or reptiles were recorded. No Annex I bird species were recorded utilising the habitats within the site during the field surveys.
- 7.6.14. Although I note the concern of the Planning Authority in relation to absence of a full Ecological Impact Assessment, I consider that the ecological surveys and investigations undertaken of the subject site demonstrate the proposed development would not have a significant impact on flora and fauna. I consider that with appropriate landscaping; this site may have benefits for biodiversity into the future.

8.0 AA Screening

- 8.1.1. I have considered the proposed development of 36no. residential units and associated site works in light of the requirements S177U of the Planning and Development Act 2000 as amended (refer to Appendix 2). The closest Natura 2000 sites are Knocksink Wood SAC (Site Code: 002123) located 2.6km southwest of the site and Ballyman Glen SAC (Site Code: 000713) located 3.4km southeast of the site.
- 8.1.2. The proposed development comprises the construction of 36no. residential units and all associated site works. The appeal submits that in accordance with the submitted Appropriate Assessment screening report, there will be no impact arising from the subject proposal in relation to Natura 2000 sites.

Screening Determination: Finding of no likely significant effects

- 8.1.3. 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 any European Site(s) 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 nature and scale of the works
- Location-distance from nearest European site and lack of direct connections between the application site and any SAC/SPA
- The nature and flow outfall of the Loughlinstown River
- Taking into account screening determination by the PA.

8.1.4. Please refer to the attached appendices for detailed Stage 1 Appropriate Assessment.

9.0 Water Framework Directive

9.1. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives based on the mitigation measures, drainage arrangements and management of surface water as set out in the proposed development. Please see WFD Assessment attached at Appendix 3 of this report.

10.0 Recommendation

10.1.1. I recommend refusal of permission for the reasons and considerations set out below.

11.0 Reasons and Considerations

The proposed development is in an area which is at risk of flooding. The Commission is not satisfied, on the basis of the information lodged with the planning application and in response to the appeal, that the proposed development would not give rise to a heightened risk of flooding either on the proposed development site itself, or on other lands. The proposed development by reason of its layout and lack of integration between the proposed open spaces and the associated drainage

services of the site would result in substandard and inadequate provision of public amenity spaces which would significantly diminish the level of amenity of future residents and other residents in the area. The proposed development would, therefore, be prejudicial to public health, contrary to Sections 12.8.3.1 and 12.8.3.2 of the Dun Laoghaire Rathdown County Development Plan and contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Matthew McRedmond
Senior Planning Inspector

10th November 2025

Form 1 - EIA Pre-Screening

Case Reference	ACP-323384-25
Proposed Development Summary	Construction of 36no. residential units and all associated site works.
Development Address	Lands north of 'The Bridge,' Enniskerry Road, Kilternan, Dublin 18
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2.
	☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Class 10 (b) (i) and (iv)

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	ACP-323384-25
Proposed Development Summary	Construction of 36no. residential units and all associated site works.
Development Address	Lands north of 'The Bridge,' Enniskerry Road, Kilternan, Dublin 18
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	- Proposed residential use is compatible with other uses in area, - Modest size and intensity of development - No significant use of natural resources or production of waste - No significant risk of pollution or nuisance - No significant risk of accidents / disasters to human health
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	- Located within residential zoned land on a serviced urban site - Local ecology only on site - Built Heritage is adequately protected - No water features at the site - No designated sites at the site
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the following: - Nature and scale of the development, - Lack of significant environmental sensitivities on the site, - Absence of significant in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA

There is no real likelihood of significant effects on the environment.	EIA is not required.
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Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 2 – AA Screening

Screening for Appropriate Assessment Test for likely significant effects				
Step 1: Description of the project and local site characteristics				
Brief description of project	36no. residential dwellings and all associated works			
Brief description of development site characteristics and potential impact mechanisms	Infill development on 0.83ha site. Site in undeveloped natural grass / pastoral state, existing natural boundaries, located c 2.6km to European site, potential impact on ground water from effluent disposal and disposal of surface water, removal of natural vegetation may disturb species, significant amount of native planting proposed. The Knocksink Wood SAC (Site Code: 002123) is located 2.6km southwest of the site and Ballyman Glen SAC (Site Code: 000713) located 3.4km.			
Screening report	Yes, screening report provided by the applicant			
Natura Impact Statement	No.			
Relevant submissions	Observations referenced the abundance of wildlife present at the subject site. The Planning Authority were concerned with the absence of a full Ecological Impact Assessment, concluding that it was not possible to determine if the proposed development would have an impact on European Sites			
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
Fifteen European sites are identified as being located within a potential zone of influence of the proposed development as detailed in Table 1 below. I note that no further range of European Sites is necessary for consideration in relation to this proposed development.				
Table 1:				
European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
Knocksink Wood SAC (00725)	Petrifying springs with tufa formation (Cratoneurion) [7220] Old sessile oak woods with Ilex and	2.6km south	No physical or hydrological pathways	N

	Blechnum in the British Isles [91A0] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0] Knocksink Wood SAC National Parks & Wildlife Service			
Ballyman Glen SAC (004030)	Petrifying springs with tufa formation (Cratoneurion) [7220] Alkaline fens [7230] Ballyman Glen SAC National Parks & Wildlife Service	3.4km southeast	No physical or hydrological pathways	N
Wicklow Mountains SAC (002122)	Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) [3110] Natural dystrophic lakes and ponds [3160] Northern Atlantic wet heaths with <i>Erica tetralix</i> [4010] European dry heaths [4030] Alpine and Boreal heaths [4060] Calaminarian grasslands of the <i>Violetalia calaminariae</i> [6130] Species-rich <i>Nardus</i> grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) [6230] Blanket bogs (* if active bog) [7130]	4.2km south	No physical or hydrological pathways	N

	Siliceous scree of the montane to snow levels (Androsacetalia alpinae and Galeopsietalia ladani) [8110] Calcareous rocky slopes with chasmophytic vegetation [8210] Siliceous rocky slopes with chasmophytic vegetation [8220] Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] Lutra lutra (Otter) [1355] Wicklow Mountains SAC National Parks & Wildlife Service			
Rockabill to Dalkey Island SAC (003000)	Reefs [1170] Phocoena phocoena (Harbour Porpoise) [1351] Rockabill to Dalkey Island SAC National Parks & Wildlife Service	6.8km east	No physical or hydrological pathways exist. Separation and intervening waters would dilute any potential runoff via Shanganagh.	Y
South Dublin Bay SAC (00210)	Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Salicornia and other annuals colonising mud and sand [1310] Embryonic shifting dunes [2110] South Dublin Bay SAC National Parks & Wildlife Service	7.2km northeast	No physical or hydrological pathways exist. Separation and intervening waters would dilute any potential runoff via Shanganagh.	Y
Bray Head SAC (00714)	Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] European dry heaths [4030]	7.9km southeast	No physical or hydrological pathways	N

	Bray Head SAC National Parks & Wildlife Service			
Glenasmole Valley SAC (001209)	Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210] Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410] Petrifying springs with tufa formation (Cratoneurion) [7220] Glenasmole Valley SAC National Parks & Wildlife Service	10.6km west	No physical or hydrological pathways	N
Glen of the Downs SAC (000719)	Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] Glen of the Downs SAC National Parks & Wildlife Service	11.5km southeast	No physical or hydrological pathways	N
North Bay Dublin SAC (000206)	Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] Embryonic shifting dunes [2110] Shifting dunes along the shoreline with	12.6km northeast	No physical or hydrological pathways exist. Separation and intervening waters would dilute any potential runoff via Shanganagh.	Y

	<i>Ammophila arenaria</i> (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] Humid dune slacks [2190] <i>Petalophyllum ralfsii</i> (Petalwort) [1395] North Dublin Bay SAC National Parks & Wildlife Service			
Carriggower Bog SAC (000716)	Transition mires and quaking bogs [7140] Carriggower Bog SAC National Parks & Wildlife Service	13.9km south	No physical or hydrological pathways	N
Wicklow Mountains SPA (004040)	Merlin (<i>Falco columbarius</i>) [A098] Peregrine (<i>Falco peregrinus</i>) [A103] Wicklow Mountains SPA National Parks & Wildlife Service	4.2km south	No physical or hydrological pathways	N
South Dublin Bay and River Tolka Estuary SPA (004024)	Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Ringed Plover (<i>Charadrius hiaticula</i>) [A137] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Knot (<i>Calidris canutus</i>) [A143] Sanderling (<i>Calidris alba</i>) [A144] Dunlin (<i>Calidris alpina</i>) [A149]	7.3km northeast	No physical or hydrological pathways exist. Separation and intervening waters would dilute any potential runoff via Shanganagh.	Y

	Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Redshank (<i>Tringa totanus</i>) [A162] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Roseate Tern (<i>Sterna dougallii</i>) [A192] Common Tern (<i>Sterna hirundo</i>) [A193] Arctic Tern (<i>Sterna paradisaea</i>) [A194] Wetland and Waterbirds [A999] South Dublin Bay and River Tolka Estuary SPA National Parks & Wildlife Service			
Dalkey Islands SPA (004172)	Roseate Tern (<i>Sterna dougallii</i>) [A192] Common Tern (<i>Sterna hirundo</i>) [A193] Arctic Tern (<i>Sterna paradisaea</i>) [A194] Dalkey Islands SPA National Parks & Wildlife Service	7.9km northeast	No physical or hydrological pathways exist. Separation and intervening waters would dilute any potential runoff via Shanganagh.	Y
North Bull Island SPA (004006)	Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Shelduck (<i>Tadorna tadorna</i>) [A048] Teal (<i>Anas crecca</i>) [A052] Pintail (<i>Anas acuta</i>) [A054] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Golden Plover (<i>Pluvialis apricaria</i>) [A140]	12.6km northeast	No physical or hydrological pathways exist. Separation and intervening waters would dilute any potential runoff via Shanganagh.	Y

	Grey Plover (<i>Pluvialis squatarola</i>) [A141] Knot (<i>Calidris canutus</i>) [A143] Sanderling (<i>Calidris alba</i>) [A144] Dunlin (<i>Calidris alpina</i>) [A149] Black-tailed Godwit (<i>Limosa limosa</i>) [A156] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Curlew (<i>Numenius arquata</i>) [A160] Redshank (<i>Tringa totanus</i>) [A162] Turnstone (<i>Arenaria interpres</i>) [A169] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Shoveler (<i>Spatula clypeata</i>) [A857] Wetland and Waterbirds [A999] North Bull Island SPA National Parks & Wildlife Service			
The Murrough SPA (004186)	Red-throated Diver (<i>Gavia stellata</i>) [A001] Greylag Goose (<i>Anser anser</i>) [A043] Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Teal (<i>Anas crecca</i>) [A052] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Herring Gull (<i>Larus argentatus</i>) [A184]	14.5km southeast	No physical or hydrological pathways exist. Separation and intervening waters would dilute any potential runoff via Shanganagh.	N

	Wigeon (Mareca penelope) [A855] Little Tern (Sternula albifrons) [A885] Wetland and Waterbirds [A999] The Murrough SPA National Parks & Wildlife Service			
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¹ Summary description / **cross reference to NPWS website** is acceptable at this stage in the report

² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species

³if no connections: N

Given the separation distances involved to the European Sites detailed above, potential effects are not likely to occur as a result of the proposed development.

Significant effects from other pathways have been ruled out i.e., habitat loss, spread of invasive species, impacts from noise and disturbance.

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

The proposed development will not result in any direct effects on any SPA or SAC. However, due to the application of the precautionary principle, impacts generated by the construction and operation of the proposed development require consideration.

Sources of impact and likely significant effects are detailed in the table below.

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Site 1: Rockabill to Dalkey Island SAC (003000) QI List: As above	No direct impacts and no risk of habitat loss, fragmentation or any other direct impact. Loss of grassland/ agricultural land. Indirect: Low risk of surface water runoff from construction reaching sensitive receptors but could potentially enter adjacent stream. Intervening habitat provides buffer and c.6.2km of watercourse and estuarine influence would dilute any minor emissions.	Having regard to - the small scale of development proposed, - lack of direct connections or pathways, - the distance to receiving features, - normal best construction practices, - disposal of uncontaminated storm water to ground, - disposal of effluent on site to public sewer system,

	Operational: surface water will be attenuated by integrated SUDs system and filtration system.	it is highly unlikely that the proposed development could generate impacts of a magnitude that could affect habitat quality or QI species of the SAC. No significant disturbance to birds that may occasionally use the existing vegetation on the site. Low risk to SAC related to any minor construction related emissions. Low risk of surface or ground water borne pollutants or sediments reaching the SAC. Conservation objectives would not be undermined.
	Likelihood of significant effects from proposed development (alone): N If No, is there likelihood of significant effects occurring in combination with other plans or projects? The proposed development will not result in any effects that could contribute to an additive effect with other developments in the area.	
	Impacts	Effects
Site 2: South Dublin Bay SAC (00210) QI List: As Above	No direct impacts and no risk of habitat loss, fragmentation or any other direct impact. Loss of grassland/ agricultural land. Indirect: Low risk of surface water runoff from construction reaching sensitive receptors but could potentially enter adjacent stream. Intervening habitat provides buffer and c.6.2km of watercourse and estuarine influence would dilute any minor emissions.	Having regard to - the domestic nature and small scale of development proposed, - lack of direct connections or pathways, - the distance to receiving features, - normal best construction practices, - disposal of uncontaminated storm water to ground, - disposal of effluent on site to public sewer system, it is highly unlikely that the proposed development could

	Operational: surface water will be attenuated by integrated SUDs system and filtration system.	generate impacts of a magnitude that could affect QIs of the SAC. Low risk to SAC related to any minor construction related emissions. Low risk of surface or ground water borne pollutants or sediments reaching the SAC. Conservation objectives would not be undermined.
	Likelihood of significant effects from proposed development (alone): N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? The proposed development will not result in any effects that could contribute to an additive effect with other developments in the area.	
	Impacts	Effects
Site 3: North Dublin Bay SAC (000206) QI List: As above	No direct impacts and no risk of habitat loss, fragmentation or any other direct impact. Loss of grassland/ agricultural land. Indirect: Low risk of surface water runoff from construction reaching sensitive receptors but could potentially enter adjacent stream. Intervening habitat provides buffer and c.6.2km of watercourse and estuarine influence would dilute any minor emissions. Operational: surface water will be attenuated by integrated SUDs system and filtration system.	Having regard to - the domestic nature and small scale of development proposed, - lack of direct connections or pathways, - the distance to receiving features, - normal best construction practices, - disposal of uncontaminated storm water to ground, - disposal of effluent on site to normal EPA CoP standards, it is highly unlikely that the proposed development could generate impacts of a magnitude that could affect Qis of the SAC. Low risk to SAC related to any minor construction related emissions. Low risk of surface or ground water borne pollutants or sediments reaching the SAC.

		Conservation objectives would not be undermined.
	Likelihood of significant effects from proposed development (alone): N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? The proposed development will not result in any effects that could contribute to an additive effect with other developments in the area.	
	Impacts	Effects
Site 4: South Dublin Bay and River Tolka Estuary SPA (004024) QI: As above	No direct, indirect, ex situ or in combination impacts, as above.	No significant effects likely.
	Likelihood of significant effects from proposed development (alone): N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? The proposed development will not result in any effects that could contribute to an additive effect with other developments in the area.	
	Impacts	Effects
Site 5: Dalkey Islands (004172) QI List: As above	No direct, indirect, ex situ or in combination impacts, as above.	No significant effects likely.
	Likelihood of significant effects from proposed development (alone): N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? The proposed development will not result in any effects that could contribute to an additive effect with other developments in the area.	
	Impacts	Effects
Site 6: North Bull Island SPA (004006) QI List: As above	No direct, indirect, ex situ or in combination impacts, as above.	No significant effects likely.
	Likelihood of significant effects from proposed development (alone): N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? The proposed development will not result in any effects that could contribute to an additive effect with other developments in the area.	
	Impacts	Effects
Site 7: The Murrough SPA (004186) QI List: As above	No direct, indirect, ex situ or in combination impacts, as above.	No significant effects likely.
	Likelihood of significant effects from proposed development (alone): N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? The proposed	

	development will not result in any effects that could contribute to an additive effect with other developments in the area.
Step 4 Conclude if the proposed development could result in likely significant effects on a European site	
The construction or operation of the proposed development will not result in impacts that could affect the conservation objectives of European Sites within the zone of influence. Due to distance and lack of meaningful ecological connections there will be no changes in ecological functions due to any construction related emissions or disturbance. There will be no direct or ex-situ effects from disturbance on mobile species during construction or operation of the proposed development. No mitigation measures beyond normal standard construction mitigation and drainage works are required to come to these conclusions.	
Screening Determination Finding of no likely significant effects Having carried out Screening for Appropriate Assessment of the project in accordance with Section 177U of the Planning and Development Act 2000 (as amended), I conclude that that the project individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Sites within the surrounding area, or any other European site, in view of the sites Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required. This determination is based on: • The relatively minor scale of the development and lack of impact mechanisms that could significantly affect a European Site • Distance from and weak indirect connections to the European sites • No ex-situ impacts	

Appendix 3

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	ACP-323384-25	Townland, address	Lands north of the Bridge, Enniskerry Road, Kiltiernan, Dublin 18
Description of project		Construction of 36no. dwellings and all associated site works	
Brief site description, relevant to WFD Screening,		Site is located in the Townland of Kiltiernan, Enniskerry Road, Co. Dublin The site is reletaviley flat. Excess storm water will drain to an attenuation tank that will discharge to the adjoining stream. A water quality monitoring station is located approx. 25m south of the site at Sanganagh/Loughlinstown River Bridge (ID: RS10S010440) and the site is located within the Ovoca-Vartry catchment.	
Proposed surface water details		Connection to proposed attenuation tank before discharge to adjoining stream	
Proposed water supply source & available capacity		It is proposed to form a new water system on site which will connect to the existing watermain at the Enniskerry Road (R117). Pre-connection details from Uisce Eireann were not provided with the application.	
Proposed wastewater treatment system & available capacity, other issues		It is proposed to form a new gravity system on site which will exit at Enniskerry Road. Pre-connection and capacity details from Uisce Eireann were not provided with the application.	

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	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
River Waterbody	25m south	SHANGANAGH_010	Good	Not at Risk	None	Potential Surface Water run off
Groundwater Waterbody	Underlying site	Wicklow IE_EA_G_076	Good	At Risk	Anthropogenic and Agriculture	Yes, via groundwater
Coastal	5.5km east	Southwestern Irish Sea - Killiney Bay (HA10) IE_EA_100_0000	Good	Not at Risk	None	Potential surface water run off to Shanganagh
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	Waterbody 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.	River	SHANGANAG H_010	Yes. Via surface water	Siltation, pH (Concrete), hydrocarbon spillages	Standard construction practice	Yes. Potential for spillages to surface water warrants further assessment	Screened in
2.	Ground	Wicklow IE_EA_G_076	Yes, pathway exists via moderate drainage characteristics	Spillages, leakage to groundwater water table	As above	Yes – drainage characteristics warrants further assessment.	Screened in.
3.	Coastal	Southwestern Irish Sea - Killiney Bay (HA10) IE_EA_100_000	Yes, via moderate hydrological connections through stream and Shanganagh River	Siltation, pH (Concrete), hydrocarbon spillages	Standard construction practice	Yes. Potential for spillages to surface water warrants further assessment	Screened in
OPERATIONAL PHASE							

1.	River	SHANGANAG H_010	Yes. Surface Water.	Hydrocarbon spillage/siltation, digestate leakage, inundation prior to treatment	hydro brake, attenuation tank	Yes. Drainage characteristics and potential for pollution of surface water warrants further assessment.	Screened in
2.	Ground	Wicklow IE_EA_G_076	Yes pathway exists via moderate drainage characteristics and high to extreme vulnerability	Spillages	As above	Yes. Drainage characteristics warrant further assessment	Screened in
3.	Coastal	Southwestern Irish Sea - Killiney Bay (HA10) IE_EA_100_0 000	Yes. Via surface water	Siltation, pH (Concrete), hydrocarbon spillages	Hydrobrake and attenuation tank	Yes. Potential for spillages to surface water warrants further assessment	Screened in
DECOMMISSIONING PHASE							
1.	N/A						
STAGE 2: ASSESSMENT							

Details of Mitigation Required to Comply with WFD Objectives					
Surface Water					
Development/Activity e.g. culvert, bridge, other crossing, diversion, outfall, etc	<u>Objective 1:Surface Water</u> Prevent deterioration of the status of all bodies of surface water	<u>Objective 2:Surface Water</u> Protect, enhance and restore all bodies of surface water with aim of achieving good status	<u>Objective 3:Surface Water</u> Protect and enhance all artificial and heavily modified bodies of water with aim of achieving good ecological potential and good surface water chemical status	<u>Objective 4: Surface Water</u> Progressively reduce pollution from priority substances and cease or phase out emission, discharges and losses of priority substances	Does this component comply with WFD Objectives 1, 2, 3 & 4? (if answer is no, a development cannot proceed without a derogation under art. 4.7)
	Describe mitigation required to meet objective 1:	Describe mitigation required to meet objective 2:	Describe mitigation required to meet objective 3:	Describe mitigation required to meet objective 4:	
Construction works	Construction mitigation measures including: - Silt traps installed - Removal of material daily from site	Site specific mitigation methods as described.	Site specific mitigation methods as described.	Site specific mitigation methods as described.	YES

	• Dust suppression during construction • Servicing of plant and machinery to avoid leakage • Management of refuelling • Covering of soil heaps during heavy rainfall • No excavation during rainfall • Staff compounds designated • Management of waste				
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	Operational mitigation measures including: Attenuation tank and outflow to treat and control flow prior to discharge				
Stormwater drainage	Adequately designed SUDs features, permeable paving and attenuation	SuDS features as described	SuDS features as described	SuDS features as described	YES
Details of Mitigation Required to Comply with WFD Objectives					
Groundwater					
Development/Activity e.g. abstraction, outfall, etc.	<u>Objective 1: Groundwater</u> Prevent or limit the input of pollutants into groundwater and to prevent the deterioration of the status of all bodies of groundwater	<u>Objective 2 : Groundwater</u> Protect, enhance and restore all bodies of groundwater, ensure a balance between abstraction and recharge, with the aim of achieving good status*	<u>Objective 3:Groundwater</u> Reverse any significant and sustained upward trend in the concentration of any pollutant resulting from the impact of human activity	Does this component comply with WFD Objectives 1, 2, 3 & 4? (if answer is no, a development cannot proceed without a derogation under art. 4.7)	

Development Activity 1: Development of 36no. residential units	Site specific construction mitigation methods including: • Silt traps installed • Removal of material daily from site • Dust suppression during construction • Servicing of plant and machinery to avoid leakage • Management of refuelling • Covering of soil heaps during heavy rainfall • No excavation during rainfall • Staff compounds designated • Management of waste	Site specific mitigation methods as described.	Site specific mitigation methods as described	Yes

	Operational mitigation measures including: • Attenuation tank and outflow to treat and control flow prior to discharge			
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