



An
Coimisiún
Pleanála

Inspector's Addendum Report

ABP-323393-25

Development	Demolition of all structures on the site and site clearance works. Construction of 96 apartments in two blocks and 10 duplex units.
Location	Quadrant House, Chapelizod Road and including the adjoining site known as 2B Chapelizod Village (rear of 2 Mullingar Terrace), Chapelizod, Dublin 20
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	LRD6005/23-S3
Applicant(s)	Linders of Smithfield Limited
Type of Application	Large-Scale Residential Development
Planning Authority Decision	Grant Permission
Type of Appeal	Third Parties vs. Grant
Appellant(s)	<ol style="list-style-type: none">1. Chapelizod Tidy Towns2. Chapelizod Residents Association3. Friends of the Phoenix Park CLG4. The Residents of Number 1,3,4,5,6 Mullingar Terrace

Observer(s)

None

Date of Site Inspection

6th November 2023

Inspector

Irené McCormack

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1.0 Introduction

- 1.1. This report is an addendum report to the Inspector's report in respect of ABP-318075-23 (dated 16th November 2023) and should be read in conjunction with same. Although this report and associated submissions refer to actions/correspondence of the Commission at a time when it was formerly known as 'the Board'.¹
- 1.2. On the 18th January 2024 the Board issued a decision in the case of ABP-318075-23. That Board decision was subject to Judicial Review. By order of the High Court (perfected on the 24th March 2025), the Board's decision was quashed and remitted back to the Board for reconsideration in accordance with law. The new number assigned to the case is ABP-323393-25.
- 1.3. Following the High Court Order, the Board issued a further information request to the applicant under Article 73A(1)(a) of the Planning and Development Regulations 2001 (as amended) as follows:

Having regard to the quashing of the previous Commission decision and the passage of time, the Commission considers that it is appropriate, in the interest of justice, to now request you, to make any further submissions/observations on the planning application the subject of this appeal and in particular, Table 3 of Appendix 3, of the Dublin City Development Plan 2022-2028 and any relevant Guidelines.

- 1.4. Under section 131 of the Planning and Development Act 2000, as amended, the applicant's response to the above request was also circulated to the appellants, the observer, and the planning authority for submissions/observations, as follows:
- Any further general submissions/observations you may have on the planning application the subject of this Large-Scale Residential Development appeal.
 - Any submissions/observations you may have on the attached submission received from Declan Brassil and Company, on behalf of Linders of Smithfield Limited on 8th September 2025 in response to article 73A(1)(a) notice, issued by the Commission on 21st August 2025 (copy of article 73A(1)(a) notice attached).
- 1.5. This report considers the submissions made on foot of the article 73A(1)(a) notice and

¹ On 12th June 2025 An Bord Pleanála officially changed its name to An Coimisiún Pleanála under Part 17 of the Planning and Development Act 2024.

any other changes relevant to the context of this appeal case.

2.0 Planning History

Southwest of site

ABP-314942-22 - BusConnects Lucan to City Centre Core Bus Corridor Scheme. Approved with conditions 29/08/2024.

ABP-314942-22 & ABP-314988-22 - BusConnects Lucan to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2022. Confirm CPO with modifications 29/08/2024.

3.0 Policy Context

3.1. National Context

3.1.1. This section considers any relevant updates to policies already referenced in the Inspector's Report for ABP-318075-23.

3.1.2. The National Planning Framework (NPF), First Revision, April 2025 is the Government's high-level strategic plan for shaping the future growth and development of the country to the year 2040. Key elements of the NPF include commitments towards 'compact growth', 'sustainable mobility', 'sustainable management of environmental resources', 'transition to a carbon neutral and climate resilient society', and 'enhanced amenity and heritage'. It contains several relevant policy objectives that articulate the delivery of key elements, including:

- NPO 7 - Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements and ensure compact and sequential patterns of growth.
- NPO 8 - Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints and ensure compact and sequential patterns of growth.
- NPO 10 is to deliver Transport Orientated Development (TOD) at scale at suitable locations, served by high-capacity public transport and located within or adjacent to the built-up footprint of the five cities or a metropolitan town and ensure compact and sequential patterns of growth.

- NPO 11 outlines that planned growth at a settlement level shall be determined at development plan-making stage and addressed within the objectives of the plan. The consideration of individual development proposals on zoned and serviced development land subject of consenting processes under the Act shall have regard to a broader set of considerations beyond the targets including, in particular, the receiving capacity of the environment.
- NPO 12 - Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.
- NPO 22 - In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth.
- NPO 37: Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages.
- NPO 43 - is to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale.
- NPO 45 - Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration, increased building height and more compact forms of development.
- NPO 77 - Enhance water quality and resource management by fully considering River Basin Management Plan objectives and integrating sustainable water management solutions.
- NPO 79 - Support the management of stormwater, rainwater and surface water flood and pollution risk through the use of nature-based solutions and sustainable drainage systems, including the retrofitting of existing environments to support nature-based solutions.
- NPO 92: Ensure the alignment of planned growth with the efficient and sustainable use and development of water resources and water services infrastructure, in

order to manage and conserve water resources in a manner that supports a healthy society, economic development requirements and a cleaner environment.

- 3.1.3. The Climate Action Plan 2025 builds upon and should be read in conjunction with the Climate Action Plan 2024. It refines and updates the measures and actions required to deliver carbon budgets and sectoral emissions ceilings and provides a roadmap for taking decisive action to halve Ireland's emissions by 2030 and achieve climate neutrality by no later than 2050. All new dwellings will be designed and constructed to Nearly Zero Energy Building (NZEB) standard by 2025, and Zero Emission Building standard by 2030. In relation to transport, key targets include a 20% reduction in total vehicle kilometres travelled, a 50% reduction in fossil fuel usage, and significant increases to sustainable transport trips and modal share. The Commission is required to perform its functions in a manner consistent with the Climate & Low Carbon Development Act.
- 3.1.4. The National Biodiversity Action Plan 2023-2030 includes five strategic objectives aimed at addressing existing challenges and new and emerging issues associated with biodiversity loss. Section 59B(1) of the Wildlife (Amendment) Act 2000 (as amended) requires the Commission to have regard to the objectives and targets of the NBAP in the performance of its functions, to the extent that they may affect or relate to the functions of the Commission. The impact of development on biodiversity, including species and habitats, can be assessed at a European, National and Local Level and is taken into account in our decision-making having regard to the Habitats and Birds Directives, EIA Directive, Water Framework Directive and Marine Strategy Framework Directive, and other relevant legislation, strategy and policy where applicable. Biodiversity is addressed in sections 8.6 and 10 of the Inspector's Report for ABP-318075-23.
- 3.1.5. The Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024) set out policy and guidance in relation to the planning and development of urban and rural settlements, with a focus on sustainable residential development and the creation of compact settlements. These Guidelines replace the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities issued as Ministerial guidelines under Section 28 of the Act in 2009. The Guidelines address *inter alia* the following:

SPPR 1 – Separation Distances.

SPPR 2 – Minimum Private Open Space Standards for Houses.

SPPR 3 – Car Parking.

SPPR 4 - Cycle Parking and Storage.

Policy and Objective 3.1 - Recommended residential density ranges.

Policy and Objective 4.1 – Implementation of DMURS.

Policy and Objective 4.2 - Key indicators of quality urban design and placemaking.

Policy and Objective 5.1 - Public Open Space.

- 3.1.6. The Design Standards for Apartments, Guidelines for Planning Authorities (2025) were issued on 8th of July 2025. However, these Guidelines do not apply to the subject appeal. They only apply to any application for planning permission and to any subsequent appeal or direct application to An Coimisún Pleanála submitted after the issuing of the Guidelines, i.e., from 9th July 2025.²

3.2. Local Context

- 3.2.1. Consistent with the Inspector's Report for ABP--318075-23, the Dublin City Development Plan 2022-2028 remains as the operative plan.
- 3.2.2. Dublin City County Development Plan 2022-2028 variations since 18th January 2024 are set out in table 1.

Table 1 – Variations of Dublin City County Development Plan 2022-2028 since 18th January 2024

Description of Variation to Development Plan	Adopted Date of Variation	Relevance to the development the subject of this appeal
Variation No. 4 - SDRA 3 Finglas village environs and Jamestown lands and incorporation of Jamestown	12 th February 20204	None – the appeal site is not located within SDRA 3 or Jamestown Masterplan boundaries.

² As per Department of Housing, Local Government and Heritage Circular Letter: NSP 04/2025

masterplan 2023 into the development plan by way of new appendix.		
Variation No.5 -To make a technical update to the Dublin City Development Plan 2022 – 2028 in relation to ‘Build-To-Rent’ (BTR) accommodation following the publication of the guidelines ‘Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, DHLGH, 2023, with transitional arrangements.	8 th April 2024	None – The proposed development does not incorporate Build-To-Rent’.

4.0 Response to Request for Further Information

4.1. The response from the applicant contends that the proposed development is still consistent with local, regional and national policy, and requests that the grounds of appeal are dismissed consistent with the Board’s previous decision. The response can be summarised as follows.

4.2. National Planning Framework (NPF) First Revision, April 2025

- Compact development is a key objective of the NPF. NPO 7 sets a target to deliver at least 40% of all new homes nationally, on infill and brownfield sites within existing built-up footprint.
- The submission outlines that the NPF states that planning standards should be ‘flexibly applied in response to well-designed development proposals that can achieve urban infill and brownfield development objectives in settlements of all sizes. In particular, general restrictions on building height or universal standards for car parking, separation distances or garden size may not be applicable in all circumstance.’ and that these restrictions should be replaced by performance based criteria as per NPO’S 22 and 45.

4.3. Section 28 Ministerial Guidelines

4.3.1. Design Standards for Aparmtents, Guidelines for Planning Authorities, 2025

- The response makes reference to the Design Standards for Aparmtents, Guidelines for Planning Authorities, 2025.
- It is set out that a review of the proposed development against the standards of the 2025 Guidelines has confirmed that the proposed development remains consistent, and no new information or revised plans are considered necessary.

**The Commission will note as per 2.1.6 above, these Guidelines do not apply to the subject appeal. They only apply to any application for planning permission and to any subsequent appeal or direct application to An Coimisún Pleanála submitted after the issuing of the Guidelines, i.e., from 9th July 2025.

4.3.2. Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities, 2024.

It is set out that having regard to Table 3.1 the site can be characterised as a ‘City-Urban neighbourhood’ with residential densities in the range of 50dph to 250dph(net).

Referring to section 3.4 *Refining Density* of the Guidelines, Step 1: Consideration of Proximity and Accessibility to Services and Public Transport it is set out that the site is an ‘accessible location’ and density above the mid-range is acceptable as per the Traffic and Transport Assessment (TTA) that accompanied the planning application the location and alignment of the BusConnects C-Spine (C1, C2, C3 and C4) which will run along the Chapelizod bypass corridor which is within approx.. 500m walking distance south of the subject site. It is submitted that the proposed density of 172uph is consistent with the Guidelines including the terms used to define accessibility – Table 3.8 of the Guidelines.

Referring to Step 2: Considerations of Character, Amenity and the Natural Environment (section 3.4.2 of the Guidelines) the response sets out:

Section 3.4.2 (a) - Evaluation of impact on local character...
It is set out that the proposed massing and design transition in scale, form and height respect and address the immediately adjoining development either side of the appeal site and that the design is informed by an iterative process whereby the visual impact of the scheme guided the form, massing and height. It is stated that the contrast in architectural form, design and scale at the western end (especially the

own door units within Duplex Block C) respond positively to the adjacent traditional village character , in particular, Mullingar Terrace. The increased height and scale on the eastern part responds to the recent Springvale development and enhance the eastern 'gateway' to the village.

Section 3.4.2 (b) - Historic environments (built and landscape heritage) ...

The site is not in a designed Architectural Conservation Area (ACA) with the exception of a small portion of the northwestern corner.

The development will replace an existing car showroom that is of no architectural merit.

Referencing the Architectural Heritage Impact Assessment (AHIA) submitted with the application it is set out that the development will be independent and removed from the existing built heritage of the ACA and Protected Structures (PS).

Intervisibility between the site and the ACA and PS's is not likely nor is the intervisibility between the site and the PS's and Recorded Monuments in the Phoenix Park.

Section 3.4.2 (c) -Evaluation of impact on the environment and on protected habitats and species...

It is noted that the application was accompanied by an Ecological Impact Assessment (EclA). Arboricultural Assessment and Arboricultural Impact Assessment , Appropriate Assessment and Natura Impact Assessment and Screening for Environmental Assessment.

The response makes reference to the original ABP-318075-23 report.

Referring to the contents of the supporting documentation submitted as noted above it is set out that the application addresses all relevant environmental issues and environmental impacts. The reports demonstrate that, subject to recommended construction and design related mitigation measures, the proposed development would not have a significant impact on the receiving environment.

Section 3.4.2 (d) -Impact of a proposed development on the amenities of residential properties that are in close proximity...

The response refers to the Daylight and Sunlight Assessment that accompanied the application.

It is noted that while in the impact on the levels of skylight access to neighbouring accommodation results demonstrate that the proposal would conform with the guidelines in a clear majority of cases (39 of 54 rooms tested), the resulting impacts were within tolerable bounds.

Sunlight availability was found to exceed advisory minimums.

Sunlight available to adjoining outdoor spaces exceed advisory minimums.

It is noted that the SPPR 1 of the Guidelines sets out a minimum separation distance of 16m between opposing windows serving habitable rooms above ground floor level. The applicant maintains that adequate levels for privacy have been provided within the scheme. No design mitigation is required to the east facing elevation and no direct overlooking would occur along the western interface of the development as a result of design interventions including high level boundary treatment, position of windows, obscure glazing screens and wrap around balcony design. The response notes that SPPR1 includes *'There shall be no specified minimum separation distance at ground level or to the front of houses, duplex units and apartment units in statutory development plans and planning applications shall be determined on a case-by-case basis to prevent undue loss of privacy.'* As such the development is consistent with SPPR 1 of the Guidelines.

Section 3.4.2 (e) - water supply and wastewater networks (including treatment works)

The response refers to the Engineer Report accompanying the planning application and pre-connection response from Uisce Eireann (formally Irish Water) received in June 2022.

It is further set out that the Uisce Eireann Capacity Register, published in August 2025 was inspected and it is noted that there is 'spare capacity available' at Ringsend WWTP.

No capacity issues within the UE network were identified and it is not anticipated that there has been any change in circumstances in the intervening period that would prevent the connection to UE networks, or that would require any upgrades.

The following SPPR's were considered relevant:

- SPPR1 (Separation Distances) – The applicant maintains that the scheme complies with SPPR 1 (see response to Section 3.4.2 (d) as set out above).
- SPPR 3 (Car Parking) – It is noted that SPPR 3 states that 'in city centres and urban neighbourhoods of the five cities, defined in Chapter 3 (Table 3.1 and Table 3.2) car-parking provision should be minimised, substantially reduced or wholly eliminated..' the total car parking provision of 84 no. spaces (inclusive of 4 no. disabled spaces, 8 visitor and 2 no car share/ Car club spaces) will serve the 106 no. dwellings. This level of car parking is reflective of the level of public transport accessibility.
- SPPR 4 (Cycle Parking and Storage) – Applying the provisions of SPPR4 249 bicycle spaces (inclusive of 53 no. visitor spaces) are required. The scheme provided 318 bicycle parking spaces including 292 long term resident spaces and 26 no. short terms with 280 no. spaces located at secure basement level.

4.3.3. Urban Development and Building Height Guidelines for Planning Authorities (2018) noted.

4.4. Dublin City Development Plan 2022-2028

- Response notes variations to the Development Plan as set out above.
- It is further set out that on 22 October 2024, a two-year progress report on the DP was published. The report contains the Core Strategy Monitoring Report on City Performance Indicators for 2023 and the Strategic Environmental Assessment monitoring Report 2022-2024. It is noted that DCC acknowledges the publication of the draft first revision to the NPF. In terms of Housing Supply Targets and Completions it is set out that 3446 units were completed during the calendar year 2023 representing 51% of the demand for that year. It is set out that the status update seeks to support the 'ongoing densification of the suburbs.... '

- Referring to section 3.6 of the Report (Sustainable Movement and Transport) advances in public transport projects were noted including BusConnects projects and Irish Rail under its 'Dart+' programme.

Building Height and Density

- The response refers to Section 2 of Appendix 3 of the DCCDP.
- The response sets out the update Guidance documents including the 2025 Apartment Guidelines (The Commission will note that there are not applicable to this appeal as set out above).
- Density – It is set out that as per Table 1 , Appendix 3 the subject site is in the 'Outer Suburbs' category where indicative density range of 60-120 uph applies. It is argued that this density range is inconsistent with the Compact Settlement Guidelines and ranges provided in table 3.1 and the two-step approach to refining densities. It is stated that the guidance in the Compact Settlement Guidelines takes precedence and the proposed density of 172uph is consistent with the Compact Settlement Guidelines.
- Building Height – It is set out that Appendix 3 lists performance criteria for Assessing Proposals for 'Enhanced Height, Density and Scale' under 10 identified Objectives. Consistency with each objective has been addressed in the response received (Appendix B).

4.5. Other Relevant Considerations

- An update on water services infrastructure capacity has been provided. No capacity issues were identified.
- An update on the environmental and ecological baseline information used to inform the Screening for Appropriate Assessment and Natura Impact Statement and Ecological Impact Assessment. The submission states that since the baseline ecological surveys were undertaken in 2020 and 2022 there has been no significant physical or environmental changes in the intervening period and within the study area that would undermine the validity of the assessments.
- A Public Transport Capacity Assessment Report has been submitted. In summary, it is set out that that the site is well served by bus based public transport notably Dublin Bus Route 26 and night routes C5 and C6. Bus

interchanges are located for inbound and outbound series within 200m walking of the site. Additional routes (18, 76, 76A, G1, G2, 60 and 860) are accessible within a 800m catchment providing further connectivity to Dublin City centre, Lucan, Leixlip, Maynooth and surrounding areas. The assessment reviewed the capacity of the no. 26 route and estimated that the development is likely to generate 19 two-way bus-based trips in the AM peak and 20 in the PM peak hour period. A corresponding 57 bus-based trips are predicated during the MA five-hour period (06:00-11:00) and 65 bus trips during PM five-hour (15:00-20:00) period. An occupancy survey was undertaken on 2 September 2025, the results confirm that the no. 26 operating along the R109 corridor benefits from significant reserve capacity approx. 84% in the AM peak hour and 68% in the pm peak. When assessed over the five-hour periods, reserve capacity levels remain high at 85% (AM) and 72% (PM). With the inclusion of the trip generated reserve capacity remains at 97% outbound and 67% inbound during AM peak and 64% outbound and 67% inbound during the PM peak hour.

- An addendum to the Community and Social Infrastructure Audit addressing childcare demand was submitted. It is set out that since the previous assessment in May 2023 additional childcare provision has become operational in the study area (planning ref. DCC 3221/18 -Lands at former Faulkners Industries Factory, Chapelizod Hill completed construction) and another development is likely (DCC Ref. WEB1736/25 to increase the size of a childcare facility at Tristan Square). Coupled with a change in demographic towards smaller household sizes within the study area (based on 2022 census), it is set out that the development is likely to yield a reduced number of children requiring childcare.

4.6. Applicant's Conclusion

- The proposed is consistent with the planning policy changes that have occurred in the intervening period.
- The public transport analysis confirms the site benefits from good public transport accessibility and capacity.
- There have been no material changes in the intervening period to the receiving environment.

- The update childcare assessment concluded having regard to the demographic profile and existing childcare network and demand generated that any such demand could be accommodate within the existing and planning network.

5.0 Further Submissions

5.1. The Commission has received two further responses, one from Chapelizod Tidy Towns (appellant) and one from Chapelizod Residents Associations (appellant). These submissions outline some of the same concerns that were raised in the appeal and observations under ABP-318075-23. Some further arguments are presented as part of the submissions received. The relevant contents of these submissions are summarised below.

5.2. Chapelizod Tidy Towns (appellant)

The submission can be summarised under the following headings.

Village Setting and Heritage

- Civic pride and community events are at the heart of the Chapelizod community, and this provides an opportunity for new residents to integrate and be part of the village life.

Childcare Facilities

- CTT does not agree with the applicant the childcare demand can be accommodated between existing and planning facilities.
- The submission states that there is only one childcare facility in Chapelizod with no capacity and the reference childcare facility in Ballyfermot will also cater for large developments being built in Ballyfermot.

Transport

- The submission sets out the TFI announced that the no.26 bus route is being changed and the new no. 80 route will decrease the number of available seats to Chapelizod commuters when the bus arrives in the village.
- The NTA state that the proposed C-Spine stop on the Chapelizod bypass is still in planning and some years away from completion.
- Access to the C-Spine and G-Spine involves a 2/3 km walk due to the H-shaped

nature of the village.

Car Parking

- Referring to the adjoining Springvale development which is now occupied and also has limited car parking residents who can't get parking spaces are parking on the footpaths in the development or the footpath at the Linders site or the opposite side of the road. There is no space in local roads for overspill from this development.
- The submission includes a copy of the previous observation on the appeal, which has been considered in the Inspector's Report for ABP- ABP-318075-23.

5.3. Chapelizod Residents Associations (appellant)

Transport

- The submission seeks the ACP attach a condition that sufficient land is ceded for a 3-bus indent at Chapelizod Road. This would be vastly superior to bus stop 2496 at St. Patrick's N.S. which is a perpetual traffic holdup on the inbound journey to the city centre.

Sewerage

- In terms of sewerage Chapelizod's sewage system will shortly be handling four times its design capacity.

Planning and the Common Good

- As a general comment, the submission contends that every public body must seek to implement the common good.
- Reference is made to BusConnects application Lucan – City Centre and the lack of universal access provision resulting in wheelchair users being advised to use bus route 26 through the village as an alternative and the acceptance of same by ACP. Based on this experience, it is set out that ACP has some way to come to achieve good outcomes as regards the common good.
- The submission goes on to reference DBFL Consulting Engineers statement that they 'are not aware of any capacity issues within the UE foul and watermain network in the Chapelizod area' and the Confirmation of Feasibility issued by

UE in June 2022. Reference is again made to the design capacity of the sewerage network in Chapelizod and the requirements of UE with respect to the Water Framework Directive.

- The assurance from UE that infrastructure upgrades in Chapelizod are not required is wholly untrue. It is set out that ‘in heavy rain periods excess flows of surface water enter the combined water and sewerage system and thence into the Liffey.’ ACP might consider what responsibility it might bear for approving development in areas where sewerage systems cannot achieve Water Framework standards.
- CRA urge ACP to refuse planning ‘because, in common good terms, the existing sewerage system in Chapelizod , lacks capacity and is polluting.’

6.0 Assessment

6.1. Having examined the submissions received and the relevant changes to local/regional/national policies and guidance since the completion of the Inspector’s Report for ABP-318075-23, I consider that the main issues to be considered in this case are as follows:

- Context Overview
- Building Height & Density
- Traffic, Transportation & Parking
- Childcare Capacity
- Design and Layout

6.2. Context Overview

6.2.1. I refer the Commission to section 8.2 of the Inspector’s Report for ABP--318075-23. In summary, the proposal provides for the demolition of existing vacant (former car showroom and creche facility) structures on site and the construction of 106 residential units. The site is zoned Z1 – Sustainable Residential Neighbourhoods in the Dublin City Development Plan 2022-2028 with the stated zoning objective ‘*To protect, provide and improve residential amenities.*’ Residential uses are ‘permissible’ within this zoning category. In addition, the provision of residential development on lands zoned Z1 would be consistent with the policies of the Planning Authority as set out in policy

CS07 Promote Delivery of Residential Development and Compact Growth to encourage the development of underutilised and brownfield sites, with a view to consolidating and adding vitality to existing centres and ensuring the efficient use of urban lands.

- 6.2.2. However, I would acknowledge that there have been changes to the national and local policy context in the intervening period. At national level the NPF Revision has now been completed. It acknowledges the need to plan for increased population growth compared to the original NPF, including a population of almost 3 million in the Eastern and Midland Region (compared to 2.85 million in the original NPF). Section 2.3 'Projections' addresses the approach in setting overall targets for future growth, stating that it is a pattern of development that is being targeted, rather than precise numbers.
- 6.2.3. This is supported by National Policy Objective 11. This outlines that while planned growth at a settlement level shall be determined at development plan-making stage and addressed within the objectives of the plan, the consideration of individual development proposals on zoned and serviced development land shall have regard to a broader set of considerations beyond the targets including, in particular, the receiving capacity of the environment.
- 6.2.4. I am satisfied that the provision of an apartment complex, publicly accessible coffee dock / café plus shared / communal workspace is consistent with the concept of urban sustainability and provides for increased residential density in an urban area in line with the objectives of the DCCDP 2022-2028 and National Planning Framework (NPF), First Revision, April 2025, including NPO 8 'to deliver at least half (50%) of all new homes that are targeted in the five Cities ...within their existing built-up footprints and ensure compact and sequential patterns of growth' and NPO 45 to 'Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration, increased building height and more compact forms of development.' It is in this context that I consider the proposed development is consistent with the 'common good' and the redevelopment of a vacant brownfield site for residential development consistent with proper planning and sustainable development having regard to the Inspector's Report for ABP--318075-23 and the further considerations set out in this report.

6.3. Building Height & Density

- 6.3.1. This section should be read in conjunction with section 8.2 and 8.3 of the Inspector's Report for ABP-318075-23.
- 6.3.2. The Development Plan 2022-2028 states that "Appropriate densities are essential to ensure the efficient and effective use of land. It is important to make the best use of the city's limited land supply in order to meet the need for new homes, jobs and infrastructure required by the city's growing population. More compact forms of development, ensuring, the containment of 'urban sprawl' and achieving social and economic diversity and vitality are critical for the future of the city and addressing climate change", this is supported by Policy SC10 Urban Density and Policy SC11 Compact Growth of the CDP.

Building Height

- 6.3.3. Table 3 of Appendix 3 includes 10 objectives and performance criteria in assessing proposals for enhanced height, density and scale. The CDP states "it is acknowledged that schemes of increased density are often coupled with buildings of increased height and scale. Where a scheme proposes buildings and density that are significantly higher and denser than the prevailing context, the performance criteria set out in Table 3 shall apply".
- 6.3.4. Section 4.5.4 *Increased Height as Part of the Urban Form and Spatial Structure of Dublin* of the Development Plan establishes policy context. The Development Plan does not provide prescriptive height limits but reflects national guidance. Appendix 3 sets out specific guidance regarding the appropriate locations where enhanced density and scale including increased height will be promoted and also performance criteria for the assessment of such development. Appendix 3 also details the different classifications of building height in the city i.e., prevailing height in a given area; locally higher buildings (which are typically up to 50m); and landmark/tall buildings which are significant features in the cityscape.
- 6.3.5. Appendix 3 sets out that there are considered to be three general categories of height in the Dublin Context, of relevance to the subject site is category - Prevailing Height. The eastern approach to the site is defined by 'Springvale' 3-5 storey DCC housing development and the Church of the Nativity of the Blessed Virgin Mary both of which form a 'gateway' to the village, by contrast the historic core is made up of streets and

terraces predominately two-three storeys in height. The development will range from 3 – 5 storeys. Section 4 of Appendix 3 establishes that there is recognised scope for height intensification within proximity of Quality Bus Corridor (QBC). Regarding Outer City (suburbs) the Development Plan sets out that outside of the canal ring, in the suburban areas of the city, in accordance with the guidelines, heights of 3 to 4 storeys will be promoted as the minimum. Greater heights will be considered on a case by case basis, having regard in particular to the prevailing site context and character, physical and social infrastructure capacity, public transport capacity and compliance with all of the performance criteria set out in Table 3 of Appendix 3. The completed 'Springvale' development immediately adjoining the site at 5 storeys establishes a precedent for increased height at this location in accordance with Appendix 3 (prevailing height) and the proposed development in the context of the 'Springvale' development would not be exceptional in the receiving environment and would be consistent with the emerging prevailing character of the area.

- 6.3.6. In terms of national policy, the '*Urban Development and Building Heights Guidelines*' promotes Development Plan policy which supports increased building height and density in locations with good transport accessibility and prohibits blanket numerical limitations on building height. Section 3 of the Guidelines deals with the assessment of individual applications and appeals and states that there is a presumption in favour of buildings of increased height in city cores and urban locations with good public transport accessibility. It sets out broad principles and criteria for the assessment of proposals for buildings taller than prevailing heights.
- 6.3.7. In this regard, I would generally concur that the proposal assists in securing the NPF objectives of focusing development on key urban centres and fulfilling targets supporting the National Strategic Objective to deliver compact growth in our urban centres.
- 6.3.8. SPPR 3 of the Building Height Guidelines sets out that where a planning authority concurs that an application complies with the criteria outlined in section 3.2 of the Guidelines, taking account of the wider strategic and national policy parameters, the planning authority may approve such development even where specific objectives of the relevant development plan may indicate otherwise.

6.3.9. In this case, I am satisfied that the proposal is generally in line with Development Plan policy and does not materially contravene any specific building height objectives. Therefore, the proposal does not rely upon SPPR 3. Notwithstanding this, I acknowledge that the proposed development would represent an increased scale of development on this site, and I consider it appropriate to apply the criteria outlined in Appendix 3 (Table 3) of the Development Plan. Table 2 below sets out an assessment of the 10 objectives and performance criteria for enhanced height, density and scale as set out in Table 3 of Appendix 3 of the Development Plan. The Commission will note that the applicant has addressed Table 3 in their further information response.

Table 2 - Performance Criteria in Assessing Proposals for Enhanced Height, Density and Scale - Appendix 3 CDP

	Objective	Assessment
1.	To promote development with a sense of place and character	<p>The site is occupied by the existing abandoned car showroom and garage known as Linder's and is located on the Chapelizod Road (R109) within 150m of Chapelizod town centre. The northeastern boundary of the site adjoins the Phoenix Park.</p> <p>The surrounding context to the west is predominantly 2-3 storey townhouses associated with the established village character of Chapelizod while the proposed social housing development to the east ranges from 3 storeys along the street frontage and 5 storeys along the boundary to the Phoenix Park.</p> <p>The site is currently vacant and provides no street frontage as the structures on site and set back from the road creating a poor sense of place lacking legibility.</p> <p>The proposed development has been designed to provide varied and lively facades and combined with the proposed tiered building heights serve to reduce the perceived mass and scale of the blocks. Furthermore, varying heights across the site and the orientation of the blocks ensure maximum daylight/sunlight allocation, whilst also protecting the existing amenities of neighbouring properties. The setting back of upper levels is proposed as a means to gradually increase heights, whilst respecting the surrounding</p>

properties, existing and proposed. The development ranges from 3 no. to 5 no. storeys, with the higher forms positioned at the least sensitive locations throughout the site. The material palette reflects the mix of materials reflecting the adjacent developments and provides an appropriate and balanced mix of finishes.

The design approach is supported by the Landscape and Visual Impact Assessment (LVIA) submitted with the application. Fig. 1 below is an extract from the LVIA and establishes that of the 12 viewpoints selected no detrimental impacts were identified.

Fig. 1 Potential Impacts Landscape and Visual Effects (extracted from LVIA)

Table of Potential Impacts Landscape and Visual Effects

View	Location	Potential Visual Effects
1	From the south side of the River Liffey at St Laurence's Road	Imperceptible to Slight
2	From the south end of St Laurence's grove	None to Imperceptible
3	From Anna Livia Bridge	Imperceptible to Slight
4	From Anna Livia Bridge at Maiden's Row	Moderate
5	From Chapelizod Road at St Patrick's National School	Moderate
6	From the Church of the Nativity of the Blessed Virgin Mary	Moderate
7	From Hibernian Terrace	None
8	From the Entrance to Donore Harriers	None
9	From The Phoenix Park south of St Mary's Hospital	None to Imperceptible
10	From The Phoenix Park at Upper Glen Road	Imperceptible to Slight
11	From The Phoenix Park at Military Road	None to Imperceptible
12	From The Phoenix Park at Upper Glen Road at Knockmary Lodge	None

The proposed development provides a good mix of activities including a resident's gym and residential, amenities such as cafe and co working spaces that spills out onto a new public plaza space that will promote activity and social interaction through an inclusive space where the local community / public can meet and interact to create a strong sense of place.

The scheme approaches placemaking by considering the site in three-character areas which introduce a subtle variety in scale, height and materiality to enrich the overall urban experience in addition to introducing a new uses, which will result in new destination spaces in the locality. As such the development will reflect a distinctive and unique sense of character and identity.

2.	To provide appropriate legibility	<p>The proposed development will redefine the building line and streetscape at this prominent urban location and will introduce a new form of height at this location.</p> <p>The Architectural Design Statement states that the proposed residential courtyard scheme will integrate into the existing urban structure of the village by extending the existing urban form of terraced town houses immediately to the west with reference to the proposed 3-storey Block C containing own-door duplex units fronting Chapelized Road. I would agree.</p> <p>In addition, I am satisfied that the proposed building heights and their stepped arrangements will avoid any abrupt transitions in scale and height from neighbouring residential dwellings, the positioning of the higher building forms to the rear and internally within the site aligning with the established 5 storeys of the 'Springvale' development adjacent to the southeastern boundary combined with the separation distances reflect due regard to the adjoining development in terms of transition in scale whilst also ensuring the introduction of an active street frontage through own door units and café/coworking uses. I am satisfied that the layout has been subject to detailed consideration to ensure that the scheme can be assimilated into the receiving environment.</p>
3.	To provide appropriate continuity and enclosure of streets and spaces	<p>The scheme includes three-character areas. These character areas are the new plaza, the courtyard and the Phoenix Park views. The proposed buildings respond to their respective character area and their immediate surroundings by their scale and orientation.</p> <p>The proposed blocks all align to interface with the central access route through the site and resulting connections to the central open space and communal space feeding off the spine route between various blocks creating a sense of enclosure whilst being accessible and overlooked.</p> <p>There is a clear distinction between open spaces within the development. This is achieved by locating pockets of communal open space deeper within the development around the perimeter of the site, out of the natural pedestrian route through the site. This clear distinction is additionally</p>

		<p>created through fencing, planting and design intervention, that clearly define the spaces, in particular, the terraced design addressing the boundary with the Phoenix Park. In addition to this, all ground floor private amenity areas are divided from the public space with the creation of defensible space, defined by a combination of railings, planting gated entrances.</p> <p>The disposition of the blocks is broken up and softened by communal open spaces being the optimum layout in terms of the most preferable orientation for apartment blocks and communal spaces. This allows high levels of sunlight and daylight for all aspects of the development. Furthermore, the proposed frontage onto Chapelizod Road enlivens the street interface with activity by virtue of the own-door units and shrub planting fronting the street.</p> <p>In the context of the tight urban grain of the site, in particular, the site at c.0.6ha and the infill nature of the site bordering the boundary wall of the Phoenix Park, I am satisfied that the scheme provides for an appropriate level of enclosure whilst block orientation will provide an appropriate level of sunshine hours to penetrate the site and will enable appropriate thermal environment. Thus, creating continuity and enclosure of form and spaces.</p> <p>I note that the application was accompanied by an Architectural Design Statement.</p> <p>The proposed development does not provide for new urban roads or streets.</p>
4.	To provide well connected, high quality and active public and communal space	<p>The proposed development will provide access to a previously private site, including new public open space/plaza at the front of the site. A total of 884 sq.m of communal open space is provided, comprising of the following areas:</p> <ul style="list-style-type: none"> • Communal courtyard space of 432sq.m; • Communal rooftop terrace at 4th floor level within Block A measuring approximately 170 sq.m in extent; and • Communal rooftop terrace at 3rd floor level within Block B measuring approximately 282 sq.m in extent. <p>The communal courtyard is centrally located so as to be in easy walking</p>

		<p>distance of all dwellings and passively supervised. The open space incorporates children's play, raised planters and integrated outdoor seating is provided to ensure that there is something to be enjoyed year-round and while new planting and trees mature over time and invite residents and the public to use the outdoor spaces. The rooftop terraces provided additional amenity space inclusive of wildflower planting to enhance biodiversity (Consistent with the National Biodiversity Action Plan (NBPA) 2023-2030) seating and external gym equipment (Block B). The layout of the blocks allows for light penetration into these areas of open space for maximum amenity. Landscaping and boundary treatments will ensure that open spaces are clearly defined from each other, ensuring a safe and enjoyable environment for the future residents.</p> <p>The sunlight/daylight assessment has been completed. It demonstrates that all spaces receive the necessary 2 hours on sunlight on 21st March.</p>
5.	To provide high quality, attractive and useable private spaces	<p>The submitted HQA and floorplans accompany the planning application indicate that all of the proposed residential units with the exception of Units No's 10, 11, 12 and 13 at ground floor level within Block A benefit from private amenity space provision in the form of either a private patio/terrace or a balcony/roof terrace that conforms with the prescribed minimum sizes and/or dimension.</p> <p>I draw the Commission's attention to SPPR 2- Minimum Private Open Space Standards for Houses of the Compact Settlement Guidelines which states 'Apartments and duplex units shall be required to meet the private and semi-private open space requirements set out in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities 2023 (and any subsequent updates). SPPR 2 goes on to state that 'a further reduction below the minimum standard may be considered acceptable where an equivalent amount of high quality semi-private open space is provided in lieu of the private open space, subject to at least 50 percent of the area being provided as private open space. The planning authority should be satisfied that the compensatory semi-private open space will provide a high standard of amenity for all users and that it is well integrated</p>

	<p>and accessible to the housing units it serves.’</p> <p>I refer the Commission to section 8.2 of the Inspector’s Report for ABP318075-23. It is considered that the proposed development in terms of floor areas, privacy, aspect, natural light and ventilation and private open space would be acceptable and in accordance with Development Plan standards and the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities, 2023. The Planning Authority have raised no issues in this regard.</p> <p>As regards units No’s 10, 11, 12 and 13 these are provided with a semi-private open space. In this regard, the Commission will note that the site layout and topography to the west of Block A is not readily accessible to residents of the wider scheme or the public. This part of the site will be mainly accessible to the four ground floor units of Block A. The four units benefit from own front and rear door accesses. Typically, residents of these units will access their units from the front door off the communal courtyard space to the east and south of Block A. Thus, the space to the rear (west) of these units will mainly be accessed from the rear doors of these units and used by the households occupying units 10 to 13 of Block A, which would give the space a semi-private character rather than a communal use character that would typically be characterised by the shared use of a larger number of households, such as the communal courtyard space. I am satisfied that this an acceptable approach in this instance given the tight urban grain of the site, the own door access arrangement from the main courtyard and the quality and scale of the shared semi-private open space provided. The proposed area of 95 sq.m of this semi-private amenity space far exceeds this minimum standard / requirement and would result in a generous level of amenity space provision to serve the needs of the four units.</p> <p>Separation distances and setbacks from surrounding properties have been proposed, thereby ensuring that that the existing residences are not overlooked. I refer the Commission to section 8.5 of the Inspector’s Report for ABP318075-23 and section commencing 6.3.31 of this report.</p>
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6.	To promote mix of use and diversity of activities	<p>The proposed development also includes a range of ancillary residential uses, such as a gym and shared working spaces together with a concierge and residential amenity space that includes a publicly accessible café at ground floor level within Block B. It is envisaged that this type of use will provide adequate activity and animation to activate the public open space / plaza to the front of Block B.</p> <p>The proposed development provides for an appropriate mix of housing typologies to include own door duplex units within Block C and apartments within Blocks A and B. The proposed duplex units and apartments provide a balanced mix of studio, 1-bedroom; 2-bedroom and 3-bedroom unit sizes to cater for a range of residents at all different life stages. (I refer the Commission to table 3 below.)</p> <p>The mix of dwelling types proposed will enhance the existing housing stock in the neighbourhood and the accessible café and public plaza will assist in integrating the scheme with the with community .I am satisfied with the proposed mix of uses and building/dwelling typologies.</p>
7.	To ensure high quality and environmentally sustainable buildings	<p>The proposed development has been designed to be fully compliant with existing Building Regulations.</p> <p>The proposed site layout and block configurations allow efficiencies in terms of the number of dual aspect units; the optimisation of passive solar gain and achieving good natural cross ventilation within units. The submitted Engineering Services Report sets out details of the proposed Surface Water Management Strategy and adopted SUDS measures. In terms of energy efficiency, the application is accompanied by an Energy and Sustainability Report, which assesses the proposed scheme for energy efficiency and climate resilience.</p> <p>A Site-Specific Flood Risk Assessment (SSFRA) is submitted with the application. The proposed residential development is classified as a 'highly vulnerable development' according to Table 3.1 of the Guidelines. Table 3.2 of the Guidelines indicates that this type of development is appropriate and compatible with flood Zone C - i.e., outside the 1000 year (0.1% AEP) flood</p>

		<p>extents. Section 4 of the SSFRA concludes that the site is located within Flood Zone Category C, as defined by the Guidelines and as indicated by the current scenario OPW mapping (ECFRAMS mapping). Therefore, the proposed residential development on the subject site is appropriate for this flood zone category, and a justification test is not required. Given that the Justification Test is not required, the SSFRA provides a detailed flood risk assessment at Section 5 and concludes that whilst the proposed development constitutes a 'highly vulnerable development, it is appropriate for this flood zone and the scheme will be designed to ensure that the risk of flooding of the development is reduced as far as is reasonably practicable. The assessment also concludes that the proposed development would not increase the risk of flooding to adjacent areas and roads once mitigation measures have been implemented.</p> <p>The submitted Housing Quality Assessment demonstrates that a total of 56 no. units or (52.8% of the total) are provided as dual aspect units. It is noted that where single aspect north facing units are proposed it overlooks the adjoining Phoenix Park to the north. Whilst it is acknowledged that single aspect, north facing units are not considered ideal, it should be noted that all of these units overlook the Phoenix Park which is considered a significant amenity. Accordingly, it accords with the flexibility provided in sub-section 3.18 of the Apartment Guidelines (2023)</p> <p>Of the 317 rooms assessed a total of 273 (equivalent to 86% of total) have been found to either meet or exceed the advisory minimums recommended in BS EN17037. Of the 45 rooms that fall short of target values it is noted that 39 relate to open plan kitchen/living/dining rooms. When the results for these 39 open plan kitchen/living/dining rooms are examined 10 are found to achieve target illuminance levels which exceed the relaxed 150lux minimum. The submitted Daylight Performance Assessment sets out the compensatory design measures for the scheme in relation to the units that could be considered to be underperforming. These measures include access to ancillary amenities, artificial lighting strategy and a significant proportion (51%) of the apartments proposed within this development</p>
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		<p>exceed minimum space requirements by more than 10% with large private balconies etc. The Daylight and Sunlight Assessment Report indicates that there will be limited impacts on surrounding properties. I note the PA raised no concerns in relation to sunlight/daylight impacts/</p> <p>The impact on Residential Amenities is assessed in section 8.5 of the original Inspectors' Report ABP 318075-23 and Section 6.3.31 below. I would have no objections regarding ventilation or the dual aspect arrangements/views within the apartments.</p>
8.	To secure sustainable density, intensity at locations of high accessibility	<p>The subject site is well served in terms of public transport provision. I have addressed this matter in detail in section commencing 6.3.21 of this report. I refer the Commission to this section.</p> <p>I am satisfied the that proposed density of 172uph is accessible at this location.</p>
9.	To protect historic environments from insensitive development	<p>The impact on the Character of the Village/Built Heritage is assessed in section 8.5 of the original Inspectors' Report ABP 318075-23 and Section 6.3.31 below.</p> <p>The application was accompanied by an Architectural Heritage Impact Assessment (AHIA) . It provides a detailed assessment of the scheme in respect of its relationship with Conservation Areas, including the Chapelizod ACA. Chapelizod road along the site frontage, and an area of the northwestern part of the site are located within the Chapelizod Architectural Conservation Area (ACA). The AHIA also details the location of nearby protected structures and their relationship with the proposed development. The Deerpark Wall to the Phoenix Park forms the northern boundary of the site is a Protected Structure. A report titled 'Deerpark Wall Measures the same mitigation measures will be adopted as per the adjoining Springvale Development to the east in order to ensure the structural integrity of the wall remains intact.</p> <p>The report identifies that most of the protected structures in Chapelizod and</p>

		<p>most of the area within the ACA are located well to the west of the subject site and inter visibility between the proposed development and the main body of the ACA or the main group of protected structures in Chapelizod is not likely. There are a large number of protected structures and national monuments in the Phoenix Park, but again, inter visibility between these and proposed development was determined to be very unlikely. Where the proposed development can be seen in the context of one or more of the nearby heritage structures – i.e., where the protected structure and the proposed development are both visible in the same view, then there is a potential for effects on the setting of that protected structure. However, the AHIA identified that these effects on setting are likely to range from ‘none’ to ‘moderate’.</p> <p>Consistent with the AHIA, I am satisfied that the proposed development will have no direct effect on the architectural heritage in the surrounding area.</p> <p>The site is within a Zone of Archaeological Interest. In accordance with Policy BHA26 of the City Plan, an Archaeological Impact Assessment (AIA) was submitted with this application. The assessment determined that Archaeological monitoring take place on the site. It is considered that this matter could be adequately dealt with by way of a planning condition should the Commission be minded to grant planning permission.</p>
10.	To ensure appropriate management and maintenance	<p>The application was accompanied by:</p> <ul style="list-style-type: none"> • Operational Waste Management Plan • Property Management Strategy Report • Mobility Management Plan • Parking Management Strategy • Building Lifecycle Report • Landscape Report • Noise Impact Assessment <p>I draw the Commission’s attention to the Noise Impact Assessment which accompanied the application. The assessment categorises the site as a Medium Risk site and therefore an Acoustic Design Statement has been</p>

		<p>prepared to demonstrate that suitable care and attention has been applied in mitigating and minimising noise impact to such an extent that an adverse noise impact will be avoided in the final development. The assessment considered the potential noise impact of construction and operation of the proposed development on the surrounding area and concluded that there will be no significant adverse construction or operational phase noise impacts associated with the proposed development.</p> <p>I am satisfied noise management, environmental monitoring, construction waste, operational waste management and pest control can be addressed through the submission of a final CEMP.</p>
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Summary

Table 3 of Appendix 3 includes 10 objectives and performance criteria in assessing proposals for enhanced height, density and scale. I have reviewed the scheme relative to Table 3 and I am satisfied that the urban scale and building height proposed reflects a high standard of urban design, architectural quality and placemaking principles and the site has the capacity to accommodate increased building height in line with the provisions of the Development Plan.

Density

Dublin City Development Plan 2022-2028

- 6.3.10. I refer the Commission to section 8.2 of the original Inspector's Report. This section must also be read in conjunction with Table 2 above. The commission will note that the proposed development provides a net density of 172 units per hectare.
- 6.3.11. Section 4.5.3 *Urban Density* of the Development Plan acknowledges that higher density developments can make a positive contribution to the evolving urban form and structure of the city and can help to achieve sustainable land use and movement patterns. In this regard, policy SC10 *Urban Density* seeks to '*to ensure appropriate densities and the creation of sustainable communities in accordance with the principles set out in Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns and Villages), (Department of Environment, Heritage and Local Government, 2009), and its companion document,*

Urban Design Manual: A Best Practice Guide and any amendment thereof. This is further supported by policy QHSN9 *Active Land Management* and policy QHSN10 *Urban Density* which seeks ‘to promote residential development at sustainable densities throughout the city in accordance with the Core Strategy, particularly on vacant and/or underutilised sites, having regard to the need for high standards of urban design and architecture and to successfully integrate with the character of the surrounding area.’

6.3.12. Therefore, I am satisfied that there is policy support for increased density within the Development Plan subject to safeguards (including compliance with the performance criteria set out in Table 3 of Appendix 3 of the DCCDP as addressed in Table 2 above) and compliance with relevant guidance documents such as the Compact Settlement Guidelines 2024 which superseded the Guidelines for Planning Authorities on *Sustainable Residential Development in Urban Areas (Cities, Towns and Villages)*(2009).

6.3.13. Section 4.5.3 *Urban Density* states that further guidance regarding urban density is set out in Appendix 3 - Achieving Sustainable Compact Growth: Policy for Density and Building Height in the City of the Development Plan. Section 3.2 of Appendix 3 relates to density ranges. Section 3.2 sets out that ‘as a general rule, the following density ranges will be supported in the city’.

Table 1: Density Ranges

Location	Net Density Range (units per ha)
City Centre and Canal Belt	100-250
SDRA	100-250
SDZ/LAP	As per SDZ Planning Scheme/LAP
Key Urban Village	60-150
Former Z6	100-150
Outer Suburbs	60-120

6.3.14. Chapelizod is not a designated Key Urban Village in the Development Plan. Accordingly, the subject is in the ‘Outer Suburbs’ category where an indicative density

range of 60-120 u/ha applies. The proposed density of 172uph exceeds this density range.

- 6.3.15. As noted above, the Development Plan acknowledges the interrelationship between density and height. In this respect, the Commission will note that section 4.0 *The Compact City – How to Achieve Sustainable Height and Density?* of Appendix 3 sets out that ‘all proposals with significant increased height and density over the existing prevailing context must demonstrate full compliance with the performance criteria set out in Table 3’. While Table 1: Density Ranges sets out as ‘general rule’ density range guidance, it does not preclude higher density developments instead, it outlines the need for a context/performance-based assessment through criteria outlined in Appendix 3 (Table 3) of the Development Plan. I have set out in table 2 above how the scheme addresses the performance criteria set out in Table 3 as regards proposals for Enhanced Height, Density and Scale and I am satisfied the proposed density is acceptable in the context of the criteria set out in Appendix 3. I am satisfied that the density reflects a high standard of urban design, architectural quality and placemaking principles and the site has the capacity to accommodate increased density in line with the provisions of the Development Plan and the emerging prevailing context of the area.
- 6.3.16. It is the applicant’s contention, and I would agree that the density classification and ranges stated in Table 1, Appendix 3 are inconsistent with the Compact Settlement Guidelines and particularly the classification and ranges provided for in Table 3.1 and the two-step approach to refining densities based on site specific circumstances. In this regard, the guidance on density contained in the Compact Settlement Guidelines takes precedence given that it replaced the Sustainable Residential Development in Urban Areas Guidelines 2009 that has informed density guidance in the Development Plan. I am further satisfied that this approach is consistent with policy QHSN10 *Urban Density* as set out above which provides for regard to amendments to the 2009 guidelines.
- 6.3.17. Furthermore, I acknowledge that Table 1: *Density Ranges* of the Development Plan establishes a density of 60-120 (net density) unit per hectare for Outer Suburban locations and the density of 172uph exceeds this range. However, I do not consider that this amounts to a material contravention of the Development Plan owing to the 10 objectives and performance criteria for enhanced height, density and scale as set out

in Table 3 of Appendix 3 of the Development Plan but if the Commission disagrees, I consider that it would be justified based on compliance with Policy and Objective 3.1 of the Compact Settlement Guidelines.

National Policy

- 6.3.18. In terms of national policy guidance, I acknowledge that the Apartment Guidelines outline guidance in relation to density, which has already been considered in the Inspector's Report for ABP318075-23. However, as set out above the more recent Compact Settlement Guidelines set out policy and guidance in relation to the planning and development of urban and rural settlements, with a focus on sustainable residential development and the creation of compact settlements. It is intended that the Guidelines should be read in conjunction with other guidelines (including the Building Height Guidelines and the Apartments Guidelines) where there is overlapping policy and guidance. Where there are differences between these Guidelines and Section 28 Guidelines issued prior to these guidelines, it is intended that the policies and objectives and specific planning policy requirements of these Guidelines will take precedence. Accordingly, I propose to apply the Compact Settlement Guidelines as the prevailing national guidance on density.
- 6.3.19. Policy and Objective 3.1 of the Guidelines establishes that the recommended residential density ranges are applied within statutory development plans and in the consideration of individual applications, and that these density ranges are refined further at a local level using the criteria set out in Section 3.4 where appropriate. In accordance with Table 3.1 of the Guidelines, I am satisfied that the appeal site is within the 'City - Urban Neighbourhoods' category of Dublin City. It is a policy and objective of the Guidelines that residential densities in the range 50 dph to 250 dph (net) shall generally be applied in urban neighbourhoods of Dublin and Cork. Therefore, the proposed density of 172 uph (net) would be consistent with these recommendations.
- 6.3.20. In addition, to the density ranges outlined in section 3.3 of the Guidelines, section 3.4 recommends that the ranges should be refined having regard to: (Step 1) Proximity and Accessibility to Services and Public Transport; and (Step 2) Considerations of Character, Amenity and the Natural Environment. I note the applicant's submission includes an undated response addressing the Compact Settlement Guidelines.

- 6.3.21. Regarding 'Step 1', the Guidelines outline that while densities within the recommended ranges will be acceptable, planning authorities should encourage densities at or above the mid-density range at the most central and accessible locations in each area, densities closer to the mid-range at intermediate locations and densities below the mid-density range at peripheral locations. Table 3.8 *Accessibility* of the Guidelines sets out that an 'Accessible Location' is defined as '*Lands within 500 metres (i.e. up to 5-6 minute walk) of existing or planned high frequency (i.e. 10 minute peak hour frequency) urban bus services*'. In this regard, the appeal site is within 200 metres of an existing bus stop. The Public Transport Capacity Assessment report (PTCA) submitted in response to the further information sets out that the existing no. 26 services to/from the city centre with 76 no. services per day Mon-Fri and 61/48 Saturday and Sunday respectively is operating with reserved capacity. However, one third party submission sets out that the no. 26 will be replaced with the no. 80 and that this will reduce frequency and capacity.
- 6.3.22. The no. 80 is part of phase 7 of the BusConnects Network Redesign, the most geographically expansive phase of the programme to date. According to the NTA's website Phase 7 introduces nine new bus routes, including three 24-hour services F1, F2, and Route 80, which aim to enhance connectivity across the capital and support Dublin's growing night-time economy. Phase 7 came into effect of 19th October 2025. As part of the redesign, several existing routes will be withdrawn, including the no. 26. The no. 80 will serve Liffey Valley shopping centre towards Palmerston Park via Chapelizod and runs a 10-minute peak hour frequency according to the timetables published on the Dublin Bus website³. Accordingly, I am satisfied that the site is at an 'Accessible Location' as per the definition in the Guidelines and that the proposed density of 172 dph would be well within the recommended range of 'up to 250 dph' as per the Guidelines.
- 6.3.23. Regarding the frequency and capacity concerns raised, the Guidelines outline that the approach to refining density should be informed by the capacity and wider network accessibility of public transport services at a node or interchange (number of options, capacity and peak hour frequency) and the journey time to significant destinations (e.g., city centre or significant employment location). In this regard, the NTA sets out

³ Accessed 22nd October 2025

that overall bus service levels in these areas are to increase by over 14% as a result of the introduction of phase 7 of the BusConnects Network Redesign changes.⁴ The resultant increase in service levels will have a corresponding increase in available capacity.

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

6.3.25. The PTAL analysis combines the walk or cycle journey time to a Public Transport stop with the level of service at that stop. It gives an idea of how well connected an area is to Public Transport services based on a range of factors including: walk/cycle times to stops; different time periods; standard waiting times; and average waiting times (incorporating a 'reliability factor', which addresses third-party concerns about 'no shows'). Generally, an area will have a higher PTAL if:

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

6.3.26. Having reviewed the PTAL tool, I note that the site is within an area of 'Medium Level of Service' for both periods used in the tool, i.e., 7am-8am and 8am-9am. The Commission will note that areas with a 'Higher Level of Service' are generally limited to the city centre, with such areas in the suburbs being mainly limited to nodes such as Tallaght (defined as 'High-Capacity Public Transport Node or Interchange' as per Table 3.8 of the Guidelines). Therefore, I am satisfied that the appeal site benefits from a comparatively high level of service for this 'Accessible' location, which supports the proposed density.

6.3.27. By way of information for the Commission at the time of the PTCA report accompanying this further information response was made the no. 26 was the operating service in the area. An occupancy survey was undertaken on 2 September 2025, the results established that the no. 26 operating along the R109 corridor benefits

⁴ <https://busconnects.ie/nta-> (Accessed 22nd October 2025)

from significant reserve capacity approx. 84% in the AM peak hour and 68% in the pm peak. When assessed over the five-hour periods, reserve capacity levels remain high at 85% (AM) and 72% (PM). With the inclusion of the trip generated reserve capacity remains at 97% outbound and 67% inbound during AM peak and 64% outbound and 67% inbound during the PM peak hour. Having regard to the above and while I note the no. 26 went from Merrion Square towards Liffey valley and vice versa and the no. 80 goes from Liffey Valley to Palmerston Park and vice versa, I am satisfied that there is sufficient capacity in the inbound and outbound service to the area and combined with the increase frequency of the no. 80 as part of phase 7 of the BusConnects Network to cater for the proposed development and any increase in demand generated by the extension of the service towards Palmerston Park.

6.3.28. In terms of the wider network, I am also satisfied that the wider areas immediate to the site (e.g., Palmerstown and Ballyfermot) benefit from a High to Medium-High Level of Service. I draw the Commission's attention also to the approval by An Bord Pleanála in October 2024 for the Lucan to City Centre BusConnects Scheme (ABP HA29N.314942). As part of the PTCA report submitted the applicant sets out that as part of the Lucan to City Centre CBC Scheme a new bus stop is proposed along the R148 within 500 metres walking distance of the subject site. The CBC has the potential to serve the site with additional higher frequency bus services (such as C1, C2, C3 and C4). The completion of the Lucan to City Centre BusConnects Scheme (It is expected that all twelve corridors will be completed in 2030)⁵ will further enhance the accessibility of the site and enhance connectivity across the capital. While I note and accept the third-party concerns as regards the universal accessibility of the planned BusConnects route on the bypass and the challenges owing to Chapelizod Hill, it is of significance that the physical challenges posed by Chapelizod Hill cannot be overcome without significant and wider implications and the provision of the no. 80 services through the village with connections to the wider Bus network offers a reasonable alternative, in my opinion.

6.3.29. I note one third party submission requests a condition relating to the provision of a bus stop indent fronting the site. As set out in the previous Inspector's Report for ABP-318075-23 there is an existing east bound (city) bus stop c. 150m to the west of the

⁵ busconnects.ie/12-core-bus-corridor-statutory-applications/lucan-to-city-centre-core-bus-corridor-scheme/ (Reviewed 22nd October 2025)

site on Chapelizod Road and a west bound stop located opposite the site and a number of pedestrian controlled crossings for traversing the public road. I am satisfied that the bus stops are within a reasonable distance of the site and the provision of an additional east boundary stop within 150m has not been justified on the basis of the documentation submitted with the application.

6.3.30. Accordingly, I am satisfied that there have been significant improvements to the existing and planned transport services in the area in the period since the previous Inspector's Report for ABP-318075-23. Having regard to the foregoing and the relevant content of the Inspector's Report for ABP- 318075-23, I am still satisfied that, notwithstanding any changes in respect of policy, services, or development that may have taken place since 2023, the proposed development would still be served by existing and planned public transport of adequate proximity, frequency, capacity, and variety to accommodate the proposed density of 172 dph.

6.3.31. Regarding 'Step 2' considerations, I note the following:

(a) Local Character

I acknowledge that third-party submissions have raised concerns about the impact of the established village character of Chapelizod. I refer the Commission to Section 8.3 of the Inspector's Report for ABP-318075-23 and Table 2 above. Based on the contents therein, I am satisfied that the proposed development would not have any unacceptable impacts on local character and that it would respond in a positive and proportionate way to the receiving context through site responsive design.

(b) Historic Environments (built and landscape heritage)

I refer the Commission to section 8.3 of the Inspector's Report for ABP-318075-23, which outlines that there would be no unacceptable impacts relating to the demolition of the existing buildings or the visual impact of the proposed development on the wider townscape/landscape character including that of the Phoenix Park.

In terms of the relationship with the Chapelizod ACA and the adjoining Protected Structures, I note that the new building would replace the existing car showroom on site which is of no architectural merit and currently includes the northwestern portion of the site that is identified within the ACA. The proposed structure will be independent and removed from the existing built heritage elements of the Chapelizod ACA and will

have no direct effect on the architectural heritage of protected structures. As regards the intervisibility of the development with respect to the wider townscape the city skyline is evolving, and the proposal will not negatively impact on the cultural heritage and will not reduce the conservation merit of the ACA or adjacent Protected Structures, or the Phoenix Park and the modest height of the building will ensure a relatively limited townscape and visual impacts.

(c) The Environment and Protected Habitats and Species

I refer the Commission to section 8.6, section 9.0 and section 10.0 of the Inspector's Report for ABP-318075-23.

I acknowledge the passage of time since the carrying out of ecological/habitat surveys in the original application and I note the applicant's further information response includes a updated statement from Biosphere Environmental Services. As part of the assessment, a site visit was carried out on 1st September 2025. The statement notes the following:

Present Ecological Status

Since the previous surveys, it appears there have been no physical changes to the site in the intervening period. The completion of the adjoining Springvale Grove development is noted.

Appropriate Assessment

There have been no additional European sites designed that could be relevant to the Project. A review of the Qualifying Interests and the Conservation Objectives of the four sites identified in Dublin Bay which have a hydrological connection to the project (North Dublin Sc (002063), South Dublin SAC (00210), South Dublin & River Tolka Estuary SPA (04024) AND North Bull Island SPA (04006)) confirmed that there have been no additional Qualifying Interests since the A Screening Report and there have been no changes to the Conservation Objectives.

In Combination Effects

Since the AA Screening Report three additional large-scale projects (residential with 10 or more units) have been identified within 1km of the site. These are set out in section 3.2 of the applicant's response. The assessment concludes that there has been no material or significant change in circumstance. The closest and neighbouring

development (Springvale) has been complete in the interim period. The proposed development forms part of an established urban area of the city that is continuing to evolve. None of the identified projects are intrinsically linked with the subject development and there has been no change to the characteristics of the proposed development or locational characteristics of the proposed development having regard to criteria set out in Table 1 of the submitted AA Screening Report nor has there been any material or significant change occurring to type and characteristics of the potential impacts previously identified in Table 3.1 of the submitted EIA Screening Report. I am satisfied that the submitted AA Screening Report and associated Statement under Article 1023(1A)(a) of the Planning Regulations remain valid.

Review of Ecological Assessment Report

The report notes that the habitat within the site have not changed since the baseline surveys in 2020 and 2022.

Subject to the proposed mitigation measures and the conditions of any permission, I am satisfied that there would be no unacceptable impacts on the environment or protected habitats / species.

(d) Residential Amenities

I refer the Commission to sections 8.5 of the Inspector's Report for ABP-318075-23 which outline that the proposed development would not have any unacceptable impacts on the amenities of surrounding residential properties.

It is noted that the SPPR 1 of the Compact Settlement Guidelines sets out a minimum separation distance of 16m between opposing windows serving habitable rooms above ground floor level, while lower separation distances may also be acceptable in suitable circumstances. Notwithstanding the reduction in separation distance as a result of the Compact Settlement Guidelines, the applicant maintains that adequate levels for privacy have been provided within the scheme. No design mitigation is required to the east facing elevation and no direct overlooking would occur along the western interface of the development as a result of design interventions including high level boundary treatment, position of windows, obscure glazing screens and wrap around balcony design. The response notes that SPPR1 includes 'There shall be no specified minimum separation distance at ground level or to the front of houses, duplex units and apartment units in statutory development plans and planning applications

shall be determined on a case-by-case basis to prevent undue loss of privacy.’ I refer the Commission to section 8.5 of the Inspector’s Report for ABP-318075-23. I am satisfied that the development is consistent with SPPR 1 of the Guidelines.

(e) Water Supply and Wastewater Networks

I refer the Commission to sections 8.8 of the Inspector’s Report for ABP-318075-23. I note that the third-party submissions include concerns about design capacity of the system.

In the first instance Uisce Eireann is responsible for providing water and wastewater services to houses and businesses connected to the public water system and for delivering and maintaining public water and wastewater infrastructure. Therefore, UE are the competent authority to determine the capacity of their infrastructure network.

The Commission should note that the application was accompanied by an Irish Water Confirmation of Feasibility & Statement of Design Acceptance. This confirms that both the water and wastewater connections are ‘Feasible without infrastructure upgrade by Irish Water’.

I have also reviewed the Uisce Eireann capacity registers⁶ for both water supply and wastewater treatment. They indicate that water supply capacity status for the ‘Dublin City and suburbs’ area to support 2033 population targets is ‘Potential Capacity Available – Level of Service improvement required’, and that spare wastewater treatment capacity is available to serve the area via the Ringsend wastewater treatment plant.

Accordingly, I am satisfied that water supply and wastewater networks (including treatment works) can service the proposed development. Any grant of permission should be subject to conditions requiring connection agreements with Uisce Eireann in accordance with standard practice.

I would also refer the Commission to the Water Framework Directive Screening in section 7 of this report, which concludes that the proposed development would not jeopardise any water body in reaching its WFD objectives.

- 6.3.32. Having regard to the foregoing, I am satisfied that the proposed density of 172 dph is acceptable in accordance with the provisions of the Compact Settlement Guidelines.

⁶ Published August 2025, accessed on 23rd October 2025

The proposed density of 172 dph would not exceed the recommended range (i.e., up to 250 uph) in the Compact Settlement Guidelines and would also be acceptable having regard to the 'Refining Density' considerations outlined in section 3.4 of those Guidelines. Accordingly, I am satisfied that the proposed density is acceptable in accordance with local and national policy.

Conclusion

- 6.3.33. The policy framework at national, regional, and local level seeks to encourage higher densities at appropriate locations. To this end the DCCDP 2022-2028 acknowledges the interrelationship between building height and density. While I have assessed the scheme with respect to building height and density there is a notable overlap. I am satisfied that building height is intrinsically linked to density.

The subject site is currently vacant and brownfield, it is proposed to significantly intensify the use of the site to a higher-density, mixed-use development which would be in accordance with the Development Plan 2022-2028 which advocates an approach of consolidation and densification in the city and the proposed density complies with Government policy to increase densities on underutilised lands within core urban areas in order to promote consolidation and compact growth in appropriate urban locations in accordance with the NPF, RSES and the Section 28 Guidelines (section 15.5.5 Density and section 3.2 Appendix 3). The proposed density of 172uph is acceptable at this location and is supported by the Compact Settlement Guidelines which as set out above, I consider to be the prevailing national guidance on density, and the overarching principles of the NPF as regards compact growth and the promotion of higher densities.

In addition, in Table 2, above, I have assessed the proposed development against the 'Performance Criteria in Assessing Proposals for Enhanced Height, Density and Scale' as per table 3 of appendix 3 of the DCDP 2022-2028. As a result, I concur with the original Inspector's report that the proposed building heights and densities are acceptable at this location. In terms of building height and density, the site is located within 500m of a proposed core BusConnects corridor, it is reflective of the emerging pattern of development in the vicinity, and it would be consistent with the requirements for higher buildings in terms of urban design, layout, permeability, residential amenity etc. I consider that the proposed development would be consistent with (among

others) policies SC10 Urban Density, SC 11 Compact Growth and SC14 - SC17 as they relate of building height of the DCDP 2022-2028.

Having regard to the contents of the previous Inspector's Report for ABP-318075-23 and the conclusions of this report, I am satisfied that the proposed development would satisfactorily address the qualitative standards outlined in the CDP (would be in accordance with the provisions of table 3 of appendix 3), prevailing Section 28 Ministerial Guidelines (including the Compact Settlement Guidelines); and would be adequately served by the necessary infrastructure.

Having regard to the foregoing, I consider that the proposed development density and building heights are acceptable by reference to the current statutory Development Plan and relevant updated guidance.

6.4. Traffic, Transportation & Parking

Public Transport

- 6.4.1. The Commission will note the third-party concerns raised with respect to public transport and the provision of a bus stop fronting the site. I have addressed these matters in detail in section 6.3 of this report and section 8.7 of the previous Inspector's Report for ABP-318075-23 and I refer the Commission to same.
- 6.4.2. I acknowledge some baseline information has changed since the previous Inspector's Report for ABP- 318075-23 and the response to the further information was received namely the replacement of the no. 26 with the no. 80. I have addressed this in detail in section 6.3 of this report and I am satisfied that the site is adequately served in terms of existing and proposed public transport.

Car Parking

- 6.4.3. As regards car parking provision, I refer the Commission to section 8.7 of the previous Inspector's Report for ABP-318075-23. In addition, I draw the commission attention to SPPR3 of the Compact Settlement Guidelines. This relates to car parking and states, inter alia, that in urban neighbourhoods of the five cities, car-parking provision should be minimised, substantially reduced, or wholly eliminated.
- 6.4.4. The development makes provision for 84 no. of parking spaces (0.70 / unit), all of which are located in the basement carpark. The previous Inspector's Report for ABP-318075-23 determined having regard to the provisions of section 4.0 of the DCCDP

2022-2028 which sets out that the relaxation of maximum car parking standards will be considered in Zone 1 and Zone 2 for any site located within a highly accessible location (the subject site is located in Zone 2).

- 6.4.5. As set out above the site is within proximity to a high frequency bus service. Therefore, I am satisfied that 84 no. spaces are acceptable in the context of the site location relative to public transport provision (as set out in section 6.3 above) , the promotion of sustainable transport modes and in accordance with the Compact Settlement Guidelines SPPR 3 and section 4.0 of Appendix 5 of the Development Plan and the Mobility Management Plan accompanying the planning application.
- 6.4.6. Regarding third party concerns about overspill, the implementation of the car parking management regime as set out in section 5 of the Parking Management Strategy will further ensure that the risk of any 'overspill' car parking on the surrounding streets is minimised. Any overspill as a result of adjoining development are not matters for this application.
- 6.4.7. DCC had expressed no concern with car parking provision. I consider that the car parking provision is appropriate and in accordance with the Development Plan 2022-2028 and SPPR3 of the Compact Settlement Guidelines.

Bicycle Parking

- 6.4.8. SPPR 4 - Cycle Parking and Storage of the Compact Settlement Guidelines establish a specific planning policy requirement of the Guidelines that all new housing schemes (including mixed-use schemes that include housing) include safe and secure cycle storage facilities to meet the needs of residents and visitors. Applying the provisions of SPPR4 249 bicycle spaces (inclusive of 53 no. visitor spaces) are required. A total of 318 bicycle parking spaces are provided which comprise, as follows: • Residents Long Term: 292 spaces • Short Term: 26 spaces. In terms of location these 318 bike spaces are situated as follows: • Basement (280 Spaces): – Long term: Cargo Spaces – 4 spaces. – Long term: Standard Spaces – 276 spaces. • Ground Level (38 No's) – Visitor (Surface / External) – 26 spaces. – Residents Long Stay – Cargo Bike Spaces – 4 Spaces. – Residents Long term – 8 no. standards spaces. This level of provision far exceeds the relevant City Plan standards and the requirements of SPPR 4 which a minimum standard of 1 cycle storage space per bedroom should be applied.

Conclusion

6.4.9. Having regard to the above, I am satisfied that the applicant's TTA and the submission in response to the further information accompanying this application is sufficiently robust in terms of the traffic survey data, future growth projections, and consideration of cumulative effects. Accordingly, I do not consider that there would be any significant changes to the traffic impact of the development, and I am satisfied that there would be no unacceptable impacts as outlined in the Inspectors Report for ABP-318075-23.

6.5. Childcare Demand

6.5.1. I note that the third-party submissions maintain their concerns with respect lack of childcare facilities in the area.

6.5.2. An addendum to the Community and Social Infrastructure Audit addressing childcare demand was submitted by the applicant in response to the further information requested. The assessment referring to the Census 2022 data (only preliminary data available when the application was originally made ABP-318075-23) sets out that in terms of population growth, there has been a slight increase in the population residing within the Study Area between 2016 and 2022. This growth at 4.5% is below the rate of growth for the wider Dublin Region. It is further stated that between 2016 and 2022 there has been a reduction in the 0-6 age cohort within the Study Area. The total number of persons aged 0-6 fell from 862, which represented over 8% of the population, to 741 which now accounts for just 6.8% of the population residing within the Study Area. This suggests a fall in birth rates or a shift in demographic patterns which could impact demand for childcare places. The analysis suggests that the actual demand for a space within a creche arising from the proposed development when the average household size (Census 2022) is applied would be 9no. spaces although the predicated spaces would more likely be closer to 5no. spaces.

6.5.3. In addition, an analysis of the planning pipeline within the catchment area was carried out to identify if additional childcare facilities are proposed since the previous assessment was undertaken. I refer the Commission to Table 3 of the Childcare Demand Assessment submitted (to be read as an addendum to the Community and Social Infrastructure Audit (CSIA) submitted under ABP-318075-23.)

6.5.4. The assessment notes that the previous Childcare Assessment undertaken in May 2023 identified two permitted planning applications that included the provision of childcare facilities with a combined capacity of approximately 210 no. spaces. This

provision is substantially greater than the projected demand of 121no. spaces that would be generated by a population uplift arising from the permitted residential development within the area.

- 6.5.5. A detailed analysis of existing childcare facilities within a 1km radius of the application lands was undertaken to determine the ability of the existing network to accommodate additional demand. Table 4 of the assessment provides an overview of the identified childcare facilities in the area. The assessment determined all but one facility is at capacity.
- 6.5.6. The report concludes that the existing childcare network has grown since the previous assessment was undertaken in 2023 with an additional facility offering 22 childcare spaces now operational. It is expected that existing provision will further strengthen when the recently constructed facility with a capacity of 24no. spaces commences trading, likely prior to the subject scheme becoming occupied (Lands at the former Faulkners Industries Factory, Chapelizod Hill Road)
- 6.5.7. Having regard to the demographic profile of the area, the existing childcare network and demand for childcare generated by the proposed development, I agree with the applicant that it is reasonable to conclude that any such demand could be accommodated within the existing and planned childcare network.

Conclusion

- 6.5.8. Having regard to the above, I am satisfied that the applicant's Community and Social Infrastructure Audit (CSIA) submitted under ABP-318075-23 and the Childcare Demand Assessment addendum submission in response to the further information accompanying this application is sufficiently robust in terms of analysis and future growth projections. Accordingly, I am satisfied that the site benefits from proximity and accessibility to a range of community facilities including school and childcare facilities required to support the development, sustainable neighbourhoods and communities.

6.6. Design & Layout

- 6.6.1. I note that the planning authority has deemed the proposed development to be acceptable in respect of density, design, and layout, and no significant issues have been raised in this regard in the context of the appeal. However, in light of the adoption

of the Compact Settlement Guidelines which have replaced the Urban Design Manual accompanying Guidelines for Sustainable Residential Development in Urban Areas (2009) and the reference in the Development Plan to and any amendment thereof (including Policy SC10 , QHSN2) therefore, I consider that the provisions of same should be applied. This section should be read in conjunction with section 6.3 of this assessment.

- 6.6.2. Section 4.4 and Appendix D of the Compact Settlements Guidelines outline 'Key Indicators of Quality Design and Placemaking' to be applied in accordance with Policy and Objective 4.2. The 'Key Indicators' are considered under the following headings.

Table 3– Assessment of Key Indicators of Quality Design and Placemaking

<p>(i) Sustainable and Efficient Movement</p>	<p>(a) The development creates a legible urban environment, optimises movement for connection to sustainable modes (walking, cycling and public transport) and is easy to navigate. As noted in Table 2 above, the site extends to approximately 0.6 ha and is reasonably described as a medium sized infill plot. As such, the proposed development does not provide for new urban roads or streets.</p> <p>(b) The proposed development will benefit from good connections to existing and planned bus services. The site is located within a 5-minute walk of a high frequency Dublin Bus service and within 500m of the BusConnects corridor. I refer the Commission to section 6.4 above and section 8.7 of the previous Inspector's Report for ABP-318075-23.</p> <p>(c) The application includes Traffic and Transport Assessment . The access and parking strategy for the proposed development has been designed to prioritise sustainable transport modes by reducing car parking for the apartments to 0.70 spaces per unit and providing in excess of 1 cycle parking space per bed space. Other measures to promote a modal shift include onsite parking for a car sharing scheme.</p> <p>(d) I refer the Commission to section 6.4 above and section 8.7 of the previous Inspector's Report for ABP-318075-23. The car</p>
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	<p>parking strategy in accordance with SPPR 8 (iii) of the Apartment Guidelines and SPPR 3 of the Compact Settlement Guidelines. The quantum of car parking is deemed acceptable.</p>
(ii) Mix and Distribution of Uses	<p>(a) The proposal provides accommodation to meet a fully integrated demographic need for both young, old, and families and includes for a range of amenities including a café and co-working hub in addition to residents' gym. I am satisfied with the proposed mix of uses.</p> <p>(b) City and town centre policy is not applicable. However, I note the development layout and mix of uses and will enhance the character and attractiveness of the area as a place to live.</p> <p>(c) The proposed development suitably caters for service/amenities which will be enhanced by the adjoining existing and permitted developments.</p> <p>(d) As outlined in section 6.3 of this report, the proposed quantum of development promotes intensification.</p> <p>(e) As outlined in Table 2 of this report, the proposed development aligns with public transport services.</p> <p>(f) The proposed development provides 28 no. 1-bedroom units (or 26% of the total number of units) and 6 no. studios (6% of the total number of units). Accordingly, the proportion of 1-bedroom and studio units is compliant with the Development Plan requirements and Policy SC12 of the City Plan that promotes a variety of housing and apartment types and sizes the proportion and would be consistent with SPPR 2 of the Apartment Guidelines (2023)</p>
(iii) Green and Blue Infrastructure	<p>I refer the Commission to sections 6.3 and Table 2 of this report, as well as sections 8.6 and 10 of the Inspector's Report for ABP-318075-23. Having regard to the conclusions therein, I am satisfied that the proposed development will appropriately protect and enhance GBI, including natural features, biodiversity and landscapes. I am satisfied that the Green Infrastructure proposed</p>

	<p>is consistent with SC13 Green Infrastructure, 3, Section 10.5, Policy G113- G17 of Chapter 10 of the DCCDP 2022-2028</p> <p>I further note that intensive and extensive green roof systems have been provided at roof level. This is consistent with SI23 and Appendix 11 of the DCCDP 2022-2028.</p>
(iv) Public Open Space	<p>Policy and Objective 5.1 - <i>Public Open Space</i> of the Guidelines set out that it is a policy and objective that statutory development plans include an objective(s) relating to the provision of public open space in new residential developments. The Guidelines establish that the requirement in the development plan shall be for public open space provision of not less than a minimum of 10% of net site area and not more than a minimum of 15% of net site area save in exceptional circumstances. The Guidelines go on to state that in some circumstances a planning authority might decide to set aside (in part or whole) the public open space requirement arising under the development plan. This can occur in cases where the planning authority considers it unfeasible, due to site constraints or other factors, to locate all of the open space on site. In other cases, the planning authority might consider that the needs of the population would be better served by the provision of a new park in the area or the upgrade or enhancement of an existing public open space or amenity. It is recommended that a provision to this effect is included within the development plan to allow for flexibility. In such circumstances, the planning authority may seek a financial contribution within the terms of Section 48 of the Planning and Development Act 2000 (as amended) in lieu of provision within an application site.</p> <p>Public open space is provided in the form of public plaza space to the front of Block B. The functional area of 287m² of public open space is associated with the proposed public plaza space. This area of functional public open space is below the 10% public open space standard of 617sqm. The Commission will note that DCC's LRD Opinion and subsequent recommendation to grant planning</p>

	<p>permission accepted the principle of a financial contribution in lieu of offsetting the shortfall in public open space provision. The applicant is agreeable to the payment of a contribution by way of a planning condition attached to any grant of permission.</p> <p>The site is well serviced by public amenity spaces located 272m from the Phoenix Park to the west of the site and 262m from access to the Phoenix Park and to Liffey Valley Park to the east of the site via Chapelizod road. Both accommodate a range of activities and provide a local area of high-quality public realm for the benefit of the residents of Chapelizod.</p> <p>I am satisfied that the open space provision is acceptable owing the limited site area and the proximity of the development site to the Phoenix Park and Liffey Valley Park and that the development is consistent with Section 15.8.7 of the Development Plan which states 'where it is not feasible to provide public open space or where it may be considered having regard to the existing provision in the area, it may be more appropriate to seek a financial contribution'. Therefore, I am satisfied that there is provision in the Development Plan to seek a contribution in lieu of open space provision in certain circumstances and I consider this to be one such case. I refer the Commission to section 8.6 of the Inspector's Report for ABP- 318075-23. I am satisfied this matter can be addressed by way of appropriate condition should the commission be minded to grant planning permission.</p>
(v) Responsive Built Form	<p>The proposed development supports the formation of a legible and coherent urban structure at the gateway to Chapelizod. I am satisfied that this provides a strong sense of place and would strengthen the overall urban structure and provide well-defined edges to the public realm; would good modern architecture and urban design that is innovative and varied; and would include high quality materials and finishes. I am satisfied that the materials and</p>

	finishes will successfully respond to local character and will be highly durable as outlined in the Building Lifecycle Report.
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6.6.3. The commission will note that the Compact Settlement Guidelines include the following SPPR's. I have considered these elsewhere in this report but for completeness I have summarised below:

- SPPR1 (Separation Distances) – The applicant maintains that the scheme complies with SPPR 1. I would agree. (see Section 6.3.23 (d) as set out above).
- SPPR 2 (Minimum Private Open Space Standards for Houses) – The applicant maintains that scheme complies with SPPR 2. I would agree. I refer the Commission to Section 6.3, Table 2 point 5.
- SPPR 3 (Car Parking) – It is noted that SPPR 3 states that 'in city centres and urban neighbourhoods of the five cities, defined in Chapter 3 (Table 3.1 and Table 3.2) car-parking provision should be minimised, substantially reduced or wholly eliminated..' the total car parking provision of 84 no. spaces (inclusive of 4 no. disables, 8 visitor and 2 no car share/ Car club spaces) will serve the 106 no. dwellings. I am satisfied that this level of car parking is reflective of the level of public transport accessibility (see Section 6.4 as set out above).
- SPPR 4 (Cycle Parking and Storage) – Applying the provisions of SPPR 4 249 bicycle spaces (inclusive of 53 no. visitor spaces) are required. The scheme provided 318 bicycle parking spaces including 292 long term resident spaces 26 no. short terms with 280 no. spaces located at secure basement level (see Section 6.4 as set out above).

6.6.4. Having regard to the foregoing, I am satisfied that the proposal would positively address the key indicators of quality urban design and placemaking in accordance with Policy and Objective 4.2 and SPPR 1- 4 of the Compact Settlement Guidelines.

7.0 Water Framework Directive Screening

7.1. The subject appeal site is located in an urban location and is brownfield in nature. The site lies above the Dublin Groundwater Body. Other nearby water bodies include the River Liffey (located c. 250 metres to the southwest) of the site.

- 7.2. The proposed development includes demolition of all structures on the site and site clearance work and the construction of 96 apartments in two blocks and 10 duplex units. A detailed development description is provided in Section 2.0 of Inspector's Report for ABP-318075-23. The Commission will note that third party concerns were raised that in heavy rain periods excess flows of surface water enter the combined water and sewerage system and thence into the Liffey and that ACP might consider what responsibility it might bear for approving development in areas where sewerage systems cannot achieve Water Framework standards.
- 7.3. The River Liffey (Liffey_190) waterbody which flows into Dublin Bay is located c. 2.5km southwest of the site. The site is underlain by the Dublin: (EU Code: IE_EA_G_008) groundwater body. The development has no direct hydrological connection with the River Liffey surface waterbody. There would be an indirect hydrological connection via surface water drainage to the River Liffey and Dublin Bay coastal waterbody through foul water via the public sewer and Ringsend WWTP.
- 7.4. The WFD current WFD River Waterbody risk source of 'at risk' of not achieving good status' and for the River Liffey Surface Water body the status is 'Poor' and its risk score 'At risk of not achieving good status'. The main pressures identified are Urban Wastewater and Urban Run-off. The Dublin: (EU Code: IE_EA_G_008) groundwater body WFD status is 'good' with no risks identified.
- 7.5. The impact of the proposed development in terms of the WFD is set out in Appendix 1 of this report.
- 7.6. Regarding the third-party concerns raised, I refer the Commission to section 3.4.5 of the Civil Engineer Report accompanying the application which states that 'GDSDS performance mapping states that the foul/combined sewer in front of site on Chapelizod Road does not surcharge for 1 or 2 year return period events and does not flood for a 30-year return period.' It is proposed to attenuate surface water from the development and discharge to the public surface water system at the greenfield runoff rate mitigating the impact of the proposed development on the risk of flooding. The application is supported by a Site-Specific Flood Risk Assessment. As outlined in section 10.0 of the Inspector's Report for ABP- 318075-23, I consider that there is no unacceptable flood risk associated with the proposed development. In addition to the contents of this section (7.0) of this assessment and the accompanying appendix 1, I

refer the Commission to section 6.3.23 (e) of the report and Section 8.8 and Section 10.0 of the Inspector's Report for ABP- 318075-23.

- 7.7. The River Liffey is linked to Dublin Bay and the associated European Sites - North Dublin Bay SAC, South Dublin Bay SAC South Dublin Bay and River Tolka Estuary SPA, and North Bull Island SPA. As outlined in section 10 of the Inspector's Report for ABP- 318075-23, I consider that the proposed development would not have a likely significant effect on this or any European Sites, either alone or in combination with other plans or projects.
- 7.8. In Appendix 1, I have outlined a range of potential pathways with the relevant waterbodies and potential impacts at construction and operational stages. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project and associated mitigation measures, I am satisfied that it can be eliminated from further assessment because there is no residual risk to any surface and/or groundwater water bodies, either qualitatively or quantitatively.
- 7.9. The reasons for this conclusion are as follows:
- The nature and scale of the proposed works;
 - The distance between the proposed development and relevant bodies, and/or the limited hydrological connectivity;
 - The mitigation measures included as part of the application to address surface water, wastewater, water supply, ecology, and construction activity.
- 7.10. I conclude on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal), either qualitatively or quantitatively, or on a temporary or permanent basis, or otherwise jeopardise any water body in reaching its WFD objectives. Accordingly, the proposed development can be excluded from further assessment.

8.0 Appropriate Assessment Screening

I refer the Commission to Section 10 of the Inspector's Report for ABP-318075-23. Together with the details outlined in this report, I am satisfied that the conclusions remain valid. I conclude that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. It is therefore determined that Appropriate Assessment (Stage 2) [under Section 177V of the Planning and Development Act 2000] is not required.

9.0 Environmental Impact Assessment Screening

I refer the Commission to Section 9 and Appendix 1 of the Inspector's Report for ABP-3318075-23. Together with the details outlined in this report, I am satisfied that the 'reasoned conclusion' remains valid. Subject to the proposed mitigation measures and conditions of permission, I am satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative effects on the environment.

10.0 Conditions of the DCC Decision

The conditions included in the planning authority's decision are considered in the following table.

No.	Summary of Condition(s)	Comment
1	Documents and drawings	Standard condition to apply.
2	Development Contribution (Section 48)	Standard Condition to apply
3	Development Contribution in lieu of Public Open Space	Agreed. Consistent with DCCDP Section 15.8.7 and Objective 5.1 - <i>Public Open Space</i> of the Compact Settlement Guidelines

4	Cash Security / Bond	Standard Condition to apply
5	Section 47 of the Planning and Development Act 2000 (as amended), that restricts all houses and duplex units permitted, to first occupation by individual purchasers	Standard Condition to apply
6	Part V	Standard Condition to apply
7/8/9	Relate to the proposed Gym.	Agreed. Similar conditions shall apply.
10	1.5m balcony details	Compliance required through Building Regulation and Building Control compliance. External finishes to be addressed by way of standard condition.
11	Codes of Practice from the Drainage Division, the Transportation Planning Division and the Noise & Air Pollution Section	Agreed. Similar conditions shall apply
12	Requirements of Transportation Planning Division	Agreed. Similar conditions shall apply
13	Details of the external finishes	Standard Condition to apply

14	Naming	Agreed. Similar conditions shall apply
15	Lighting	Agreed. Similar conditions shall apply
16	Hours of Operation	Agreed. Similar conditions shall apply
17	Noise Control	Agreed. Similar conditions shall apply
18	Construction Management measures	Agreed. Similar conditions shall apply
19	Notwithstanding the provisions of the Planning & Development Regulations 2001 (as amended), no advertisement signs...	Not necessary as any material change to the development would require a separate grant of planning permission. Proposed signage can be addressed by way of details for agreement.
20	Area to be taken in charge to be identified. Management Company for other areas	Agreed. Similar conditions shall apply
21	Waste Management	Agreed. Similar conditions shall apply
22	Universal Access Provision	Universal Access Statement accompanied the application. Can be addressed by catch all condition. Compliance also required through Building Regulation and Building Control compliance .

23	No additional development over roof level	Not necessary as any material change to the development including the addition of structures at roof level etc would require a separate grant of planning permission.
24	Applicant/developer shall be responsible for maintenance and management of the public open spaces. The public open spaces will not be taken in charge	Can be addressed in accordance with no. 20 above.
25	Invasive Species	Agreed. Similar conditions shall apply
26	Biodiversity mitigation and monitoring as per NIS	AA has been 'screened out' and therefore the assessment does not rely on the NIS measures. The NIS measures are satisfactorily covered in other documents (EIAR, CEMP, etc.)
27	Requirements of the City Archaeologist	Agreed. Similar conditions shall apply
28	Requirements of Drainage Division of Dublin City Council	Agreed. Similar conditions shall apply
29	Noise attenuation measures set out in the Noise Assessment report accompanying the application shall be implemented in full for both the construction and operation phases	Agreed. Can be addressed by catch all condition.
30	Environmental and sustainability	Agreed. Can be addressed by catch all condition

	measures set out in the Climate Action and Energy Statement document accompanying the application shall be implemented in full.	
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11.0 Recommendation

I refer to the previous Inspector's Report for ABP-318075-23 and recommendation to GRANT the residential development (dated 16th November 2023). Having regard to the changes to the policy context in the intervening period, and the additional submissions received, I recommend that permission be GRANTED for the proposed residential development, subject to conditions, and for the reasons and considerations set out in the following Draft Order.

12.0 Recommended Draft Commission Order

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: LRD6005/23-S3

Appeals by 1). Chapelizod Residents Association. 2). Chapelizod Tidy Towns, 3). Friends of the Phoenix Park CLG. 4). The Residents of Numbers 1,3,4,5,6 Mullingar Terrace, against the decision made on the 1st September 2023 by Dublin City Council to grant permission to Linders of Smithfield LTD. for the proposed Large Scale Residential Development application subject to conditions.

Location: Site known as Quadrant House, Chapelizod Road, including the adjoining site known as 2b Chapelizod Village (rear of 2 Mullingar Terrace) Chapelizod, Dublin 20

Proposed Development: The development will consist of:

- the demolition of all structures on the site and site clearance works (including the felling of 6 no. trees)
- the construction of 2 no. apartment blocks (Blocks A and B) providing 96 no. apartments (comprising 6 x Studios; 28 x 1 Beds; 47 x 2 Beds and 15 x 3 Beds) and one Duplex block (Block C) providing 10 no. Duplex units (7 x 2 Beds and 3 x 3 Beds).
- internal communal, ancillary residential services / amenities to include a resident's gym (approx. 297 sq.m) at basement level (beneath Block B) and a concierge and amenity space, including a publicly accessible coffee dock / café plus shared / communal workspace at ground floor level within Block B (totally 121.3 sq.m).
- provision is also made for waste storage areas, plant rooms and water attenuation tank and all associated works above and below ground.

Decision

GRANT permission for the above proposed development, in accordance with the said plans and particulars, based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

In coming to its decision, the Commission had regard to the following:

- (a) The need to plan for increased growth in accordance with the National Planning Framework, First Revision, April 2025, and the flexibility that applies to projected targets for future growth, including National Policy Objective 11.
- (b) The nature, scale and design of the proposed development, which is in accordance with the policies and objectives of the Dublin City Development Plan 2022-2028;
- (c) The pattern of existing and permitted development and the availability of adequate social and physical infrastructure in the area;
- (d) The provisions of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage in July 2023;

- (e) The provisions of Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, issued by the Department of Housing, Local Government and Heritage in January 2024;
- (f) The provisions of Delivering Homes, Sustaining Communities (2007) and the accompanying Best Practice Guidelines - Quality Housing for Sustainable Communities, issued by the Department of the Environment, Heritage and Local Government in 2007;
- (g) The provisions of the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031;
- (h) The Planning System and Flood Risk Management Guidelines for Planning Authorities (including the associated Technical Appendices), issued by the Office of Public Works and Department of Environment, Heritage and Local Government, 2009;
- (i) The Childcare Facilities Guidelines for Planning Authorities, issued by the Government of Ireland, 2001;
- (j) The Regulation of Commercial Institutional Investment in Housing, Guidelines for Planning Authorities, July 2023;
- (k) The submissions and observations received;
- (l) The reports from the Planning Authority; and
- (m) The reports of the Planning Inspector.

Climate Action

The Commission performed its functions in relation to the making of its decision, in a manner consistent with Section 15(1) of the Climate Action and Low Carbon Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, (consistent with Climate Action Plan 2024 and Climate Action Plan 2025 and the national long term climate action strategy, national adaptation framework and approved sectoral adaptation plans set out in those Plans and in furtherance of the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State).

Appropriate Assessment Screening

The Commission completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on European Sites, taking into account the nature, scale, and location of the proposed development adjoining the serviced urban area, the nature of the receiving environment, the distances to the nearest European sites and the hydrological pathway considerations, the Appropriate Assessment documentation submitted with the application, the incorporation within the proposal of best-practice standard measures which have not been designed or intended to avoid or reduce any harmful effects of the project on a European Site, the submissions and observations on file, the reports of the planning authority, and the Planning Inspector's reports. In completing the screening exercise, the Commission agreed with and adopted the reports of the Planning Inspector that, by itself or in combination with other development, plans and projects in the vicinity, the proposed development would not be likely to have a significant effect on any European Site in view of the Conservation Objectives of such sites, and that a Stage 2 Appropriate Assessment is not, therefore, required.

Environmental Impact Assessment

The Commission completed an Environmental Impact Assessment Screening of the proposed development and considered that the Environment Impact Assessment Screening Report submitted by the applicant, which contains information set out in Schedule 7A of the Planning and Development Regulations 2001, as amended, identifies and describes adequately the effects of the proposed development on the environment.

Having regard to:

- (a) the criteria set out in Schedule 7, in particular
 - (i) the nature and limited scale of the proposed development, in an established residential area served by public infrastructure,
 - (ii) the absence of significant environmental sensitivities in the vicinity,
 - (ii) the location of the development outside of any sensitive location specified in Article 109(4)(a) of the Planning and Development Regulations 2001 (as amended),

- (b) the results of other relevant assessments of the effects on the environment submitted by the applicant, including the results of the Strategic Environmental Assessment of the Dublin City Development Plan 2022-2028 under the SEA Directive,
- (c) the features and measures proposed by applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment, including measures identified in the Natura Impact Statement, the Construction Phase Environmental Management Plan, the Resource & Waste Management Plan, the Operational Waste & Recycling Management Plan, the Climate Action and Energy Statement, the Ecological Impact Assessment, the Arboriculture Assessment, the Archaeological Assessment, the Site Specific Flood Risk Assessment, the Noise Impact Assessment, and the Engineering Services Report.

it is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an Environmental Impact Assessment Report would not, therefore, be required.

Conclusions on Proper Planning and Sustainable Development:

The Commission considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the provisions of the Dulin City Development Plan 2022-2028, would provide of an acceptable quantum of residential development at this location which would be served by an appropriate level of physical and social / community infrastructure, would provide an acceptable form of residential amenity for future occupants, would not seriously injure the visual amenities of the area or the amenities of property in the vicinity, would be acceptable in terms of urban design, height and scale of development, would be acceptable in terms of traffic safety and convenience, would not be at risk of flooding or increasing the risk of flooding to other lands, would be capable of being adequately served by wastewater, surface water, and water supply infrastructure in a manner which would not adversely impact on water quality or regime, and would not seriously detract from the ecological or archaeological value of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application received by Dublin City Council on the 7th July 2023, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Mitigation and monitoring measures outlined in the plans and particulars, submitted with this application, shall be carried out in full, except where otherwise required by conditions attached to this permission.

Reason: In the interest of protecting the environment and in the interest of public health.

3. A schedule of all materials to be used in the external treatment of the development to include a variety of high-quality finishes, such as brick and stone, roofing materials, windows and doors shall be submitted to and agreed in writing with, the planning authority prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

4. Details of signage, waste management and hours of operation of the non-residential units shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity

5. The construction of the development shall be managed in accordance with a Construction Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

- a) A Pre-Construction Invasive Species Management Plan and an Invasive Species Management Plan if required;
- b) Provision for mitigation measures described in the Construction Environmental Management Plan;
- c) A pre-construction condition survey of properties on Mullingar Terrace, if required;
- d) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
- e) Location of areas for construction site offices and staff facilities;
- f) Details of site security fencing and hoardings;
- g) Details of on-site car parking facilities for site workers during the course of construction;
- h) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- i) Measures to obviate queuing of construction traffic on the adjoining road network;
- j) Details of lighting during construction works;
- k) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- l) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site works;
- m) Provision of parking for existing properties at during the construction period;
- n) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- o) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- p) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;

q) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

r) A record of daily checks that the works are being undertaken in accordance with the Construction Environmental Management Plan shall be kept for inspection by the planning authority.

Reason: In the interest of amenities, public health and safety.

6. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006.

Reason: In the interest of sustainable waste management.

7. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays and between 0800 and 1400 on Saturdays, and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

8. Prior to commencement of development, the developer shall enter into water and wastewater connection agreements with Irish Water.

Reason: In the interest of public health.

9. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority.

Reason: In the interest of public health and surface water management

10. The developer shall comply with the detailed requirements of Transportation Planning Division of Dublin City Council

Reason: To ensure a satisfactory standard of development in the interest of public safety.

11. A minimum of 50% of all communal car parking spaces should be provided with functioning EV charging stations/points, and ducting shall be provided for all

remaining car parking spaces, including in-curtilage spaces, facilitating the installation of EV charging points/stations at a later date. Where proposals relating to the installation of EV ducting and charging stations/points has not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted and agreed in writing with the Planning Authority prior to the occupation of the development.

Reason: To provide for and/or future proof the development such as would facilitate the use of Electric Vehicles

12. The boundary planting, lighting and open spaces and biodiversity enhancement plan shall be in accordance with the details submitted to the planning authority with the application, unless otherwise agreed in writing with the planning authority. The landscape scheme shall be implemented fully in the first planting season following completion of the development, and any trees or shrubs which die or are removed within three years of planting shall be replaced in the first planting season thereafter. This work shall be completed before any of the dwellings are made available for occupation. Access to green roof areas shall be strictly prohibited unless for maintenance purposes.

Reason: In order to ensure the satisfactory of the public open space areas, and their continued use for this purpose.

13. Prior to the occupation of the residential units, a Mobility Management Strategy shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking. The mobility strategy shall be prepared and implemented by the management company for all units within the development.

Reason: In the interest of encouraging the use of sustainable modes of transport.

14. Proposals for a naming and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs, and apartment numbers, shall be provided in accordance with the agreed scheme. The proposed names shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the shall be

erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas.

15. All service cables associated with the proposed development such as electrical, telecommunications and communal television shall be located. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

16. (a) No residential unit shall be occupied until the associated residential amenities, gym, Co-working hub and café are completed and ready for occupation.
- (b) The opening hours and details of proposed signage (as applicable) for all non-residential units shall be submitted to, and agreed in writing with, the planning authority prior to commencement of any operations in each respective unit.

Reason: In the interests of residential amenity

17. The developer shall comply with the following requirements of the City Archaeologist of Dublin City Council:
- a) No construction or site preparation work may be carried out on the site until all archaeological requirements of the Planning Authority are complied with.
- b) The applicant shall install vibration monitors on all sections of the Phoenix Park Deerpark wall (RPS No. 6781; RMP No. DU018-00701) within the site. A survey of the wall is to be carried out at regular intervals during all phases of works. A report providing the results of the above is to be provided to the Planning Authority.
- c) Any temporary works by the main contractor to the wall during construction and from unauthorised access are to be installed per the details on the submitted drawing 200076-X-10-Z01-B1-DR-DBFL-SE-1971 and agreed with the OPW prior to the commencement of any works.
- d) The project shall have an archaeological assessment (and impact assessment) of the proposed development, including all temporary and enabling works, geotechnical investigations, e.g., boreholes, engineering test pits, etc., carried out for this site as

soon as possible and before any site clearance/construction work commences. The assessment shall be prepared by a suitably qualified archaeologist.

e) The archaeologist shall forward their Method Statement in advance of commencement to the Planning Authority

f) Where archaeological material is shown to be present, a detailed Impact Statement shall be prepared by the archaeologist which will include specific information on the location, form, size and level (corrected to Ordnance Datum) of all foundation structures, ground beams, floor slabs, trenches for services, drains etc. A comprehensive mitigation strategy shall be prepared by the consultant archaeologist and included in the archaeological assessment report.

g) No subsurface work shall be undertaken in the absence of the archaeologist without his/her express consent. The archaeologist retained by the project to carry out the assessment shall consult with the Planning Authority in advance regarding the procedure to be adopted in the assessment.

h) One digital copy in pdf format containing the results of the archaeological assessment shall be forwarded on completion to the Planning Authority. The Planning Authority (in consultation with the City Archaeologist and the National Monuments Service, Dept. of Housing, Local Government and Heritage, shall determine the further archaeological resolution of the site.

i) The developer shall comply in full with any further archaeological requirement, including archaeological monitoring, and if necessary archaeological excavation and/or the preservation in situ of archaeological remains, which may negate the facilitation of all, or part of any basement.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site

18. (a) All areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company.

(b) Details of the legally constituted management company contract, and drawings/particulars describing the parts of the development for which the legally constituted management company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are

made available for occupation. The management scheme shall provide adequate measures for the future maintenance of public open spaces, roads and communal areas.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

19. Prior to commencement of development, the developer or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Coimisiún Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the plan of the area.

20. (a) Prior to the commencement of any house or duplex unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000 (as amended), that restricts all houses and duplex units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing. (b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each specified house or duplex unit for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing. (c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of

satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

21. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development , coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

22. The developer shall pay to the planning authority a financial contribution of €530,000.00 (€5000) per unit as a contribution lieu of the public open space requirement in respect of public open space benefitting the development in the area of the planning authority is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the adopted Development Contribution Scheme made under Section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any indexation provisions of the Scheme at the time of payment.

Reason: It is a requirement of the Planning and Development Act, 2000, as amended, that a condition requiring contribution in accordance with the Development Contribution

Scheme made under Section 48 of the Act be applied to the permission.

23. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Contribution Scheme made under section 48 of the Act be applied to the permission.

I confirm that this report represents my professional planning assessment, judgement and opinion of 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.

Irené McCormack
Senior Planning Inspector

4th November 2025

Appendix 1
Water Framework Directive Screening Determination

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	323393-25	Townland, address	Quadrant House, Chapelizod Road and including the adjoining site known as 2B Chapelizod Village (rear of 2 Mullingar Terrace), Chapelizod, Dublin 20
Description of project		Demolition of all structures on the site and site clearance works. Construction of 96 apartments in two blocks and 10 duplex units	
Brief site description, relevant to WFD Screening,		The subject site is located on urban/ brownfield lands. The application site is already a developed site, with several existing commercial buildings. All of the site is classified as Buildings and artificial surfaces BL3 (after Fossitt 2000). The site has an approximate area of 0.6 ha There are no watercourses, pe drains or natural habitats on the site. The site is connected via the local surface water network the River Liffey and ultimately discharges to Dublin Bay.	

<p>Proposed surface water details</p>	<p>A new section of 225mm surface water sewer is proposed (subject to DCC approval) along Chapelizod Road to connect the proposed site to the existing surface water sewer at the junction of Chapelizod Road and Main Street via gravity. Approximately 120m of 225mm sewer and three new surface water manholes, one of which being a manhole constructed on the existing surface water sewer, will be required to make the connection. All surface water infrastructure will be designed in line with GDSDS and DCC drainage requirements. The treated water will ultimately be discharged to the River Liffey via the public drainage system.</p> <p>Within the boundary of the development surface water runoff will be collected following the appropriate treatment stages, attenuated and discharged to public surface water sewer at greenfield runoff rate. The proposed attenuation system consists of an online concrete attenuation tank adjoining to the development basement as well as blue roof crate systems for all green roof areas and flow is to be controlled by means of a hydrobrake to the greenfield run-off rates.</p>
<p>Proposed water supply source & available capacity</p>	<p>The proposed new water supply will be taken from the Uisce Eireann network . It is proposed to make a connection to the existing 5-inch Cast Iron (1900) on the near side of Chapelizod Road to the proposed site. A proposed 150mm diameter watermain will be provided to service the development along with all infrastructure required by Irish Water (individual blocks will have their own connections to the distribution main via internal service connections and individual meters will be provided internally for each apartment unit).</p>

	<p>A review of the Uisce Eireann Capacity Register (Published August 2025) on 23/10/2025 indicated that potential capacity is available to 'Dublin City and suburbs' area to support 2033 population targets is 'Potential Capacity Available – Level of Service improvement required'.</p>
<p>Proposed wastewater treatment system & available capacity, other issues</p>	<p>Wastewater discharge from the new building is proposed via a new connection to the Uisce Eireann network. Foul sewerage from the site will drain by gravity to the existing 225mm diameter clay foul sewer running parallel to the footpath on Chapelizod Road in front of the proposed site. A new discharge manhole will be constructed on the existing 225mm foul sewer subject to Irish Water approval to facilitate the connection. The new foul connection from the proposed site will be a minimum of 225mm in diameter and will be designed to Irish Water Code of Practice and Standard Details requirements. Foul sewage within the site will be drained by a separate system.</p> <p>A review of the Uisce Eireann Capacity Register (Published August 20252) on 23/10/2025 indicated space wastewater treatment capacity is available to serve the area via the Ringsend wastewater treatment plant.</p>
<p>Others?</p>	<p>The river Liffey is c.250 southwest of the site.</p> <p>The application is supported by a Site-Specific Flood Risk Assessment. The SFRA identified the site in Flood Zone C, outside the 1 in 1000-year fluvial flood extents. While the proposed development site and the river Liffey are in relative close proximity (c.250 m apart), it is noted that there are no watercourses or open channels linking the two locations, i.e., no direct flow path. It is also noted that the area between the site</p>

<p>and the river is long established built ground dominated now by the Chapelizod Industrial Estate. The site is at minimal risk of flooding from the river Liffey.</p> <p>As outlined in section 10.0 of the Inspector's Report for ABP-318075-23, I consider that there is no unacceptable flood risk associated with the proposed development.</p> <p>As outlined in section 10.0 of the Inspector's Report for ABP-318075-23, I consider that the proposed development would not have a likely significant effect on this or any European Sites, either alone or in combination with other plans or projects.</p>						
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	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	250m to the southwest of the site	Liffey_190 IE_EA_09L012 360)	Poor	At Risk	<ul style="list-style-type: none"> • Urban Wastewater • Urban Run-off 	No – best practice construction methodologies and surface water treatment

						systems (blue roofs, permeable paving and soft landscaping) incorporated into the design of the project, will prevent significant pollutants entering the water body.
Groundwater	Underlying	Dublin: (EU Code: IE_EA_G_008)	Good	Review	None identified	No – The site is mostly composed of concrete and asphalt, the implementation of best practice construction methodologies and surface water treatment systems (blue/green roofs, permeable paving and soft landscaping) will ensure no groundwater infiltration.

Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.

CONSTRUCTION PHASE

No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	Liffey_190 IE_EA_09L 012360)	Weak hydrological connection	Siltation, pH (Concrete), hydrocarbon spillages	Standard construction practice CEMP	No	Screened out.
2.	Ground	Dublin: (EU Code: IE_EA_G_0 08	Pathway exists but poor drainage characteristics.	Spillages	Standard construction practice CEMP	No	Screened out.

OPERATIONAL PHASE							
DECOMMISSIONING PHASE							
5.	N/A	N/A	N/A	N/A	N/A	N/A	N/A