



An
Coimisiún
Pleanála

Inspector's Report

ACP-323543-25

Development	Demolition of public house, the construction of a supermarket and 18 no. apartments and all other associated site development works above and below ground.
Location	62-66 Faussagh Avenue, Cabra, Dublin 7.
Planning Authority	Dublin City Council North
Planning Authority Reg. Ref.	WEB2447/24
Applicant(s)	Amberground Limited.
Type of Application	Normal Planning Appeal
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party v. Grant
Appellant(s)	Sean Kenna.
Observer(s)	None.
Date of Site Inspection	29 th May 2026.
Inspector	Susan McHugh

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Appendix 1 – Form 1: EIA Pre-Screening

Appendix 2 - Form 2 - EIA Preliminary Examination

1.0 Site Location and Description

- 1.1. The appeal site is located at Nos. 62-66 Faussagh Avenue, Dublin 7. It is located within an established neighbourhood centre, within the greater 'garden city' residential suburb of Cabra.
- 1.2. The units within the neighbourhood centre include two separate blocks of terraced units which adjoin the appeal site to the east and west. Each comprise commercial uses at ground floor and residential uses at first floor.
- 1.3. Commercial units to the east include a bookmaker, take-aways, TD Constituency Office, and barber. A centra supermarket adjoins the subject site to the west (the third-party appellant in the appeal), a health food store, takeaway, and Spar/post office. Perpendicular parking is provided outside the units along Faussagh Avenue, at the junction between Faussagh Avenue and Dingle Road to the south
- 1.4. The two-storey detached building (formerly 'The Cabra House') is located midway within a parade of two storey commercial properties and is currently vacant. The front façade is in poor condition, and the property appears to have been vacant for some time.
- 1.5. The existing building on site includes a single storey flat roof extension to the rear. The site is bound to the north by the rear gardens of houses along Liscannor Road.
- 1.6. The site includes the adjoining unnamed laneway to the north/rear which extends to the western end of the neighbourhood centre units, to Faussagh Avenue. The application site includes a wayleave over the laneway serving the western commercial units from Faussagh Avenue.
- 1.7. The appeal site has a stated area of c. 0.16 ha.

2.0 Proposed Development

- 2.1. The application was lodged on 7/11/2024. Permission is sought for
 - Demolition:
 - Part-1 and part 2 storey detached former licenced public house (950 sq m);
 - Construction:

- Mixed-Use Development (2, 082sq m GFA) 77% residential, 23% commercial use as follows:
- 4 storey building; comprising
- Licensed supermarket of 475 sq m at ground floor.
- 18 No. apartments (13 No. 1-bed units and 5 No. 2-bed units, with balconies or terraces on the north and south elevations).

2.2. The development will also consist of:

- Private communal open landscaped space at first floor level podium over the extended ground floor retail area (320 sq m); circulation spaces;
- ESB substation and switch room; plant room; waste storage areas; bicycle, cargo bike and motorbike parking;
- 6 No. resident car parking spaces at the rear accessed via the laneway;
- Sustainable urban drainage systems (including attenuation tank and green roof); boundary treatments, including the provision of a replacement rear gate; associated hard and soft landscaping;
- All other associated site excavation; infrastructural and site development works above and below ground including changes in level, and associated site servicing (foul and surface water drainage and water supply)

2.3. The development will also consist of:

- Alterations to the layout of the unnamed laneway to the rear and west including the removal of the existing gate at the entrance; revision to surface layout and road markings.
- Access to the scheme will be via Faussagh Avenue and the unnamed laneway to the rear.

2.4. The application is accompanied by the following (not exhaustive)

- Planning Report
- Design Statement
- 3-D Visualisations Booklet
- Architectural Precedents and Massing Studies of Future Development Potential of Parade

- Materials Strategy
- Daylight and Sunlight Assessment
- House Quality Assessment
- Landscape Design Rationale
- Transport Statement
- Engineering Drainage Report
- Demolition Justification Report
- Building Lifecycle Report
- Climate Action and Energy Statement

2.5. A request for further information was issued on 9/01/2025, with a response to further information received on 14/07/2025.

2.6. The proposed development as amended in response to RFI, includes provision of a revised layout for laneway, access gate, and loading bay for deliveries located at the eastern end of the existing parking area along Faussagh Avenue, and was accompanied by the following;

- Revised Transport Statement (including swept path analysis in respect of a refuse vehicle/collection)
- Updated Car Parking Management Plan
- Addendum to Daylight and Sunlight Assessment
- Biodiversity Enhancement Plan
- Revised proposed ground floor plan and proposed front and rear elevations
- Landscape Plan
- Engineering Drainage Report for Additional Information Submission

3.0 Planning Authority Decision

3.1. Decision

3.1.1. The PA decided to issue a request for Further Information on 9th January 2025 as follows (summarised):

1. Transportation

- a) Safety concerns in relation to improvement works proposed in a laneway that is in Charge by DCC.
 - i. Existing gate at the laneway's access from Faussagh Avenue to be retained and access to third parties to be allowed.
 - ii. RSA Stage 1 to be elaborated on, in view of the change in laneway access from a primarily vehicular service laneway to a shared vehicular residential access, including for pedestrians/cyclists' access while maintaining servicing access for adjoining commercial units.
- b) No on-site loading bay/servicing area included within the proposed development, applicant suggests that servicing aspects of proposed ground floor retail unit occur at street level. This would, lead to a 10-metre-long heavy vehicle parked in front of the premises along the road carriageway, where on-street perpendicular car parking spaces exist, and which customers of the commercial units of the vicinity of the site avails for parking. Applicant cannot assume that on-street availability of spaces for servicing at this location. Refuse servicing, as proposed, also raises concerns. Faussagh Avenue is within future works for a secondary cycling route as part of the Planned Greater Dublin Area Cycle Network (GDA Transport Strategy 2022-2042).
 - i. It has been agreed that the implementation of a loading bay at the eastern end of the perpendicular car parking spaces in front of the site would be acceptable, and benefit for all retail units. No more than 6 existing on-street car parking spaces in the eastern section to be redesigned to accommodate a loading bay. Updated drawings should be submitted. Note: Applicant advised that all work to be undertaken in public areas will be at the applicant's expense and in accordance with

the document Construction Standards for Roads and Street Works in Dublin City Council.

- ii. Revised servicing strategy for the proposed development should be submitted, including swept-path analyses demonstrating the manoeuvrability of the intended loading area.
 - iii. Refuse collection, ability of a refuse truck to safely access and egress the laneway unclear. Requested to submit a swept-path analysis demonstrating the laneway's manoeuvrability without disrupting any already existing traffic movements at Faussagh Avenue, including at the laneway. Applicant also requested to include details of the exact location of the staging area of bins at the laneway, as the laneway should be kept clear at all times.
- c) In consideration of a reduction in the provision of car parking spaces, applicant requested to avail of high-quality bicycle parking facilities and ways to promote sustainable ways of transport.
- i. Provision for e-bike spaces in compliance with Appendix 5 of the current Dublin City Development Plan. Scaled drawings should be submitted illustrating how this can be addressed.
 - ii. Residential Travel Plan (RTP), part of the Traffic Statement (TS), notes that a management company will be assigned to manage the development, including car & bicycle parking areas. Unclear. A revised TS should be submitted detailing how residents and visitors will be informed regarding the low ratio of car parking provision, zero-visitor parking provision, and bicycle parking provision. Car Parking Management Plan (CPMP) should also be updated accordingly.
2. Daylight& Sunlight Impacts
- If similar schemes were to be developed adjacent by the precedent set by the subject proposal, then there would be presumably some level of reciprocal impacts on access to daylight and sunlight. Applicant requested to account for such scenarios.
3. Provide details of potential Biodiversity Enhancement Plan particularly in relation to the proposed landscaping.

4. Clarify ground floor frontage is fully reconciled with the floor plans in terms of subdivisions, and to clarify the function of the panel/ope to the right-hand side of the shop front.
5. Planting screening indicated, requested that illustrative sections are provided to demonstrate the effectiveness of the buffer screening between the communal open space and entrance zone in relation to the northern podium level apartments.
6. Site considered too small to deliver an adequately sized Public Open Space therefore a financial contribution in lieu is required as per the Development Plan. Applicant requested to confirm willingness or otherwise to make such a contribution.
7. Drainage
 - a) Drainage Division not in favour of the proposed underground attenuation tank. Applicant requested to assess whether this can be removed through the provision of alternative storage mechanisms throughout the site. Only where it has been demonstrated that is not feasible to provide alternative attenuation storage measures shall the Drainage Division permit the use of underground storage tank.
 - b) No storage volume has been assumed for the proposed green blue roof or the permeable paving. Applicant requested to include storage volume calculations for proposed SuDS features.
 - c) In accordance with policy SI23 of the Dublin City Development Plan 2022-2028, all new developments with roof areas in excess of 100 sq. metres shall provide for a green blue roof, with attenuation storage provided at roof level. Request that reference be made to Dublin City Council's Green & Blue Roof Guide (2021), summarised in Appendix 11 of the Dublin City Development Plan 2022-2028. In particular, the percentage cover and type of green blue roof proposed – which shall be in accordance with the Guide.

3.1.2. On 24th June 2025 the PA granted an Extension of Time as requested by the applicant on 17th June 2025.

3.1.3. On 11th August 2025 the PA granted permission for the proposed development as revised by Further Information, subject to 24 conditions.

1.	Plans and particulars
2	Development Contributions
3	Supplementary Development Contributions (LUAS Cross City)
4.	Bond
5.	Agreement of external materials, colours, textures and submission of samples
6.	Screening
7.	Advertisement signs requirements
8.	Part Off-licence requirement
9.	Upper green-blue roof areas are not used or accessed as amenity space
10.	No additional development above roof level
11.	Transportation planning requirements. (Detailed bespoke condition, highly relevant to grounds of appeal. Please see assessment below for full details)
12.	Drainage requirements
13.	Landscaping requirements
14.	Development Contribution in lieu of public open space.
15.	Biodiversity - External lighting to communal open space to be bat friendly
16.	Naming and numbering
17.	Compliance with requirements of Codes of Practice from Drainage, Roads Streets & Traffic Department and Noise/Air Pollution
18.	Hours of building works
19.	Roadways to be kept clear of debris and cleaned.
20.	Noise level requirements, delivery hours, noise minimisation plan

21.	Environmental Health requirements
22.	Electronic communication/ Digital connectivity
23	Taking in Charge
24	Part V Housing

3.2. Planning Authority Reports

Planning Reports

3.2.1. The 1st Planners Report (dated 6/01/2025) includes an assessment of the proposed development in respect of the following considerations:

- *Comparison between previously refused scheme and current proposal* – Detailed in Table providing site stats.
- *Principle of Development* - Principle of Development ‘Residential’ use, ‘Shop (local)’, Shop (Neighbourhood)’ use, as well as off-licence’ and ‘off licence(part)’ uses are ‘permissible’ uses within areas governed by the Z3 Neighbourhood Zoning.
- *Justification for Demolition* - Notes Demolition Justification Report submitted with the application, existing structures on the site, which are of very little architectural merit proposed development, in lieu of a vacant and boarded-up commercial provides a significant public benefit and justifies the demolition of the existing structures. Existing structure is ill suited for conversion to residential use.
- *Density* – The brownfield scheme is located within the canal ring falls within the recommended density thresholds of the SRDCS as well as those of DCC and as such represents an efficient use of scarce zoned and serviced urban lands placed in close proximity to the city centre core area. The development’s plot ratio and site coverage falls within DCC’s thresholds for the Central Area.
- *Retail Use/Part off-licence* – Notes the need to clarify the location of the off licence within the store and that proposal replaces a previously fully licenced public house. Notes existing commercial uses within the neighbourhood

centre and concerns raised by third parties, however a mix of uses is encouraged and will add to the viability and vitality of the commercial parade.

- *Design and Integration* – Notes Design Statement. Photomontages/CGIs and materials strategy. Scheme would potentially set a precedent for similar redevelopment along the terrace. Comments on finishes proposed and shop front presentation to the street recommends FI.
- *Height* – Notes 4 storey building height complies with national policy and CDP Height Strategy and no objection.
- *Refuse* – Notes separate residential and commercial refuse storage located in a purpose-built ventilated storage areas at ground Level in the rear service/ ancillary area of the building, accessed from the rear parking/ service area. Refers to Transportation division report.
- *Taking in Charge* - Notes application site includes lands in the ownership of Dublin City Council, for which a letter of consent has been obtained – with these lands to remain in Dublin City Council's charge.
- *Management/Building Lifecycle Report* – Notes establishment of property management company and requirements under the MUD Act 2011.
- *Climate Action* - Notes Energy Report demonstrates that the proposed development will be constructed to high building standards and provide a sustainable, energy efficient development for future occupants. Green roofs and SUDS measures are to be employed within the scheme.
- *Residential Standards* – Assessment of Unit Mix, Unit size/accommodation, Universal Design, Floor to Ceiling Heights, Apartments per core, Private Open Space, Communal Open Space, Daylight & Sunlight to adjacent properties, proposed apartments, and Amenity spaces.
- *Overlooking* - Notes 2024 Sustainable Residential Development and Compact Settlement Guidelines has reduced DCC's 22m overlooking separation distance to 16m. (8m could be looked at as a common mid-point between two overlooking elevations.) The scheme will not unduly overlook residences to the south of the site. The scheme's side opes will be over 9m to the eastern and western side party boundaries. Any future adjoining similar

redevelopment schemes would similarly have to maintain overlooking separation distances or employ appropriate obviation measures.

Notwithstanding the changes via national guidelines considers the revised scheme's opes will be sufficiently set back so as not to give rise to undue observation of 3rd parties. The scheme's communal open space will be fitted with 1.6m perimeter side screens. Recommend that any screen structure is 1.8m in height. The communal open space will be overlooked from the subject scheme in terms of passive surveillance.

Notes planting screening indicated, recommend that illustrative sections are provided to assess the effectiveness of the buffer screening between the communal open space and entrance zone and the adjoining northern podium-level apartments.

- *Micro-Climate* - Proposal not of a scale that would give rise to any associated disamenity issues re changes to wind comfort levels.
- *Noise* - Refer to EHO report and recommended conditions.
- *Traffic/Access/Parking* – Refers in detail to Transport division report and request for FI.
- *Drainage* – Refer to Drainage division report and request for FI.

3.2.2. The 2nd Planners Report (dated 5/08/2025) considers the response to the FI request.

- **Re. Item 1:** It notes in relation to
 - Item 1a)i, revised drawings and documentation clarify that the existing gate will be replaced by a new gate, that has a single opening. Drawings indicate a width increase from 3.8m to 4.55m.
 - Item 1a)ii, Stage 1 Road Safety Audit (RSA) undertaken and subject to a Condition, Transport division raises no further comment.
 - Item 1b)i and Item 1b)ii, New loading bay proposed along Faussagh Avenue. Auto-tracking included and bay size is 14.5m in length and 2.7m width which will remove 6no. existing parking bays.
 - Item 1b)iii, Swept path analysis, for a large refuse vehicle, shows reversing movement and includes the laneway and exiting in forward

gear, and proposed staging area along the lane, close to the bend.

Transport division raises no further comment.

- Item 1c), Revised drawings illustrating resident cycle store now includes electric charging points for e-bikes at lower levels only.

Transport division raises no further comment.

- Item 1c)ii, Revised Transport Statement including Residential Travel Plan (RTP) and Car Parking Management Plan are noted. Transport division raises no further comment subject to a condition notifying future occupants of parking arrangements.

- **Re. Item 2:** The report notes the Addendum to Daylight & Sunlight Assessments, (which assesses the quality of daylight and sunlight and any reciprocal impacts within the proposed development should similar schemes be developed on adjacent sites, similar to the precedent set by the subject scheme. The submission notes that 100% of the Living, Dining, Kitchen and Bedroom spaces achieve the target values set out in BS EN 17037:2018+A1:2021 section NA1. It is noted that 72.2% of units will meet the minimum recommended 1.5 direct sunlight hours – which the applicant notes is in line with the BRE guideline example for an apartment layout where 4 in 5 achieves the target sunlight hours.)

While the potential of sun lighting has been reduced from 68.2% to 50.7% for the subject scheme where there was a scenario of replicated neighbouring redeveloped sites, it is noted that this still meets the recommendations of 3.3.17 of the BR209 3rd Edition.

- **Re. Item 3:** The report notes the Biodiversity Enhancement Plan and revised landscaping plans submitted which details the locations of proposed Bat Boxes, Bug Hotel and Bird Hotels to ensure enhanced biodiversity across the site, and the report of the Parks division.
- **Re. Item 4:** The report notes the panel/ope to the right-hand side of shop front are hardwood timber external doors which act as additional escape doors for the commercial unit. The hardwood timber panels are symmetrical to the panels on the left-hand side of the commercial unit which provides access to the electrical substation.

- **Re: Item 5:** The report notes the submission of details of the proposed landscape plan and buffer screening sections demonstrating the effectiveness of the buffer screening enclosed, and the comments of the Parks division.
- **Re: Item 6:** The report notes the applicants willingness to pay the required financial contribution in lieu of the provision of public open space as per the DCC Development Contribution Scheme 2023-2026, which is also acknowledged by Parks division.
- **Re: Item 7:** The report concludes that the response to FI addressed the Drainage division concerns in the further information response.

The report concludes that the proposed development accords with the zoning objective of the site, would not detract from the residential amenities and civic character of the area, would not materially contravene the policies and objectives of the DCDP, and would accord with the proper planning and sustainable development. A grant of permission is recommended.

3.2.3. Other Technical Reports

- **Roads:** 1st Report 10/12/2024 recommended **further information** in relation to 1a) improvement works to the laneway and entrance gate, Stage 1 Road Safety Audit, 1b) new loading bay/servicing area, swept path analysis for large refuse vehicles and bicycle parking, 1c) electric charging points for e-bikes, Residential Travel Plan and Car Parking Management Plan.

2nd Report 25/07/2025 notes response to FI request and had no further comments subject to requirements. Conditions in respect of details to be agreed prior to commencement relate to 1a) and b) submission of a Construction Management Plan, 1c) changes to the public road and laneway relating to the provision of a loading bay, 1d) notice to prospective tenants that apartments will have no dedicated car parking, 1e) bicycle spaces to be in place prior to occupation, 1f) costs incurred by DCC to be at the expense of the developer and 1g) compliance with requirements set out on the Code of Practice.

- **Drainage:** Report 17/12/2024 recommended **further information** in respect of surface water management proposals.

- **Parks:** 1st Report 11/12/2024 (labelled AI report) recommended **no objection**. Report comments on keys issues of public open space, and communal open space requirements and the Biodiversity Enhancement plan submitted. Conditions recommended in relation to contribution in lieu of public open space and landscaping.

- **2nd** Report 31/07/2025 notes the following;

Public Open Space: The requirement for residential development is the provision of 10% of the site for POS. Site is too small to deliver an adequately sized POS and therefore a financial contribution in lieu is recommended. The applicant has confirmed through the FI submission that they are willing to accept this condition. The main parks serving the site locality are Pope John Paul II Park and an open space on Drumcliffe Rd.

Communal Open Space: The requirement under the apartment guidelines is for 100m² and the provision is stated at 320m², which is satisfactory. The COS is provided on podium to the rear of the main development block and a satisfactory design is submitted. The daylight/sunlight assessment indicates the BRE threshold is met for the COS. Play space is not required under the apartment guidelines, however the application includes a small natural play area for residents, which is welcomed. Further information was requested to illustrate effective screening to the northern entrance for podium level apartments. The submission indicates effective hedge and tree planting along the podium boundary, which will provide good screening when the planting is established.

Biodiversity Enhancement: A biodiversity enhancement plan was submitted as further information. The plan indicates measures including native hedgerow and meadow planting that will serve as habitat as well as bat & bird boxes. Additional consideration may be given to introducing more biodiverse planting in the green roof.

- **EHO:** Report 22/11/2024 recommends no objection subject to requirements.

3.3. Prescribed Bodies

- **Uisce Éireann:** No report received.
- **TII:** Site falls within the Section 49 Contribution Scheme.
- **NTA:** No report received.

3.4. Third Party Observations

3.4.1. The Planning Authority indicates that 4no. submissions were received from the following parties;

- Cllr. Cieran Perry
- Cllr. Seamus McGrattan
- Neil O Hara
- Sean Kenna Centra (Marston Planning Consultancy)

3.4.2. I have reviewed the submissions on file, and confirm that the issues raised in the third-party submissions continue to form the basis of the appeal (excessive scale form and massing of development, loss of existing residential amenity, overshadowing and overbearing, adverse visual impact, loss of car parking, excessive traffic and parking in local road network) which are outlined in detail in section 8.0 below.

4.0 Planning History

PA Reg.Ref. 3455/22 ACP Ref.313655-22: Permission **refused** 12/10/2023 for the demolition of the part-one, part-two storey detached former licenced public house (950 sq. m); the construction of a four-storey building with roof access (total gross floor area of 2,421 sq. m; (comprising a licensed supermarket of 535 sq. m at ground floor; with 24 No. apartments by Amberground Limited.

Reasons for refusal;

1. The proposed development would not provide a satisfactory standard of residential amenity for future occupiers having regard to the configuration, quality and quantity of private amenity space and the unacceptable level of

overlooking and lack of privacy between apartment units situated across the central courtyard. The proposed development would, therefore, be contrary to the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage in December 2022, Section 15.9.7 of the Dublin City Development Plan 2022-2028 and to the proper planning and sustainable development of the area.

2. The central communal amenity area is not considered to be of high landscape quality or to provide for adequate daylight and sunlight access throughout the year. The communal amenity area is not considered to be functional or usable to the required standard. The proposed development would therefore be contrary to Section 15.9.8 of the Dublin City Development Plan 2022-2028 and to the proper planning and sustainable development of the area.

5.0 Policy Context

5.1. Dublin City Development Plan 2022-2028

- 5.1.1. The site is located in an area with the landuse zoning Neighbourhood Centre – Zone Z3, with the accompanying objective ‘To provide and improve neighbourhood facilities.

‘Neighbourhood Centres provide local facilities such as convenience shops, hairdressers, post offices etc. within a residential neighbourhood and range from the traditional parade of shops to larger neighbourhood centres. They may be anchored by a supermarket-type development, typically of between 1,000 sq. m. and 2,500 sq. m. of net retail floorspace. They can form a focal point for a neighbourhood and provide a range of services to the local population. Neighbourhood centres provide an essential and sustainable amenity for residential areas, and it is important that they should be maintained and strengthened, where appropriate. Neighbourhood centres may include an element of housing, particularly at higher densities, and above ground floor level.’

Residential, shop (neighbourhood) and off licence (part) are permissible uses.

- 5.1.2. **Chapter 2** of the development plan relates to the **Core Strategy**.

Section 2.2 stated ‘Based on the population targets and calculated housing need set out within national and regional planning policy, guidelines and prescribed methodology, the development plan must accommodate between 20,120 – 31,520 additional persons up to an overall population target of between 625,750 and 640,000 by 2028. The housing demand calculated sets a requirement for the development plan to provide for approximately 40,000 housing units between 2022 and 2028.’

5.1.3. **Chapter 4** relates to the **Shape and Structure of the City**. Relevant policies within include:

SC10: Urban Density,

SC11: Compact Growth,

SC12: Housing Mix,

SC13: Green Infrastructure,

SC14: Building Height Strategy

SC19: High Quality Architecture,

SC20: Urban Design,

SC21: Architectural Design.

5.1.4. **Chapter 5** relates to **Quality Housing and Sustainable Neighbourhoods** and includes the following relevant Policies and Objectives:

QHSN2: National Guidelines,

QHSN6: Urban Consolidation,

QHSN10: Urban Density,

QHSN11: 15-Minute City,

QHSN12: Neighbourhood Development

QHSN14: High Quality Living Environment,

QHSN36: High Quality Apartment Development.

5.1.5. **Chapter 14** relates to **Land Use Zoning**.

See 5.1.1 above.

5.1.6. **Chapter 15** relates to **Development Standards** and contains various relevant content and guidance including

Section 15.2.3 Planning Application Documentation - Planning Thresholds

Table 2 Appendix 5 sets out Maximum Car Parking Standards for apartment developments. The subject site is located within **Parking Zone 2** as per Map J of the Development Plan 'alongside key public transport corridors' and identifies a maximum car parking provision of 1 no. space per dwelling.

Section 15.8.6 Public Open Space requirements for residential development, 10% for Z3 lands.

Table 15-4 sets out public open space

Section 15.8.7 Financial Contribution in Lieu of Open Space

5.1.7. **Appendices:** The DCDP contains several appendices including the following which are of most relevance

Appendix 1: Housing Strategy,

Appendix 3: Achieving Sustainable Compact Growth Policy for Density and Building Height in the City,

Appendix 4: Development Plan Mandatory Requirements,

Appendix 5: Transport and Mobility: Technical Requirements,

Appendix 16: Sunlight and Daylight.

5.2. **National policy**

- National Planning Framework – First Revision April 2025
- Delivering Homes, Building Communities: An Action Plan on Housing Supply and Targeting Homelessness, 2025-2030 (November 2025),
- Climate Action Plan 2025 (CAP25)
- Transport Strategy for the Greater Dublin Area 2016-2035

5.3. Section 28 Ministerial Planning Guidelines

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities 2024 hereafter referred to as “the Compact Settlement Guidelines”.
- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities’, 2023 hereafter referred to as ‘the Apartment Guidelines 2023’¹.
- Urban Development and Building Heights Guidelines for Planning Authorities, 2018, hereafter referred to as the ‘Building Heights Guidelines’.
- Regulation of Commercial Institutional Investment in Housing, Guidelines for Planning Authorities, 2021, updated 2023 (Commercial Institutional Investment Guidelines).
- Retail Planning Guidelines for Planning Authorities (April 2012)
- Design Manual for Urban Roads and Streets DMURS

5.4. Water Framework Directive

The European Union Water Framework Directive 2000/60/EC (WFD) was adopted in 2000 as a single piece of legislation covering rivers, lakes, groundwater and transitional (estuarine) and coastal waters and includes heavily modified and artificial waterbodies. The overarching aim of the WFD is to prevent further deterioration of and to protect, enhance and restore the status of all bodies of water with the aim of achieving at least ‘good’ ecological status by 2015 (or where certain derogations have been justified to 2021 or 2027).

¹ I note the publication of “The Design Standards for Apartments, Guidelines for Planning Authorities 2025 in July 2025. I highlight to the Commission that this planning application was submitted to Dublin City Council on 7/11/2024. Circular NSP 04/2025 which accompanied the Apartment Guidelines 2025 states: “The revocation of the ‘Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities’, 2023 (and all preceding updates) does not apply to current appeals or planning applications, i.e. that were subject to consideration within the planning system on or before the 8th of July 2025. These will be considered and decided in accordance with the ‘Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities’, 2023, or as set out below, where applicable.”

5.5. Natural Heritage Designations

- 5.5.1. The appeal site is not located in or immediately adjacent to a European site, a Natural Heritage Area (NHA) or a proposed NHA. There are several environmental and conservation designations which are in proximity of the site, in both inland and coastal locations.
- 5.5.2. The European site designations in proximity to the appeal site include (measured at closest proximity):
- South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) located 4.7km to the East.
 - North Bull Island SPA (Site Code 004006) located 7.8km to the East.
- 5.5.3. Proposed Natural Heritage Areas in proximity to the appeal site include (measured at closest proximity):
- pNHA Royal Canal (Site Code 002103) located 0.54km to the North.
 - pNHA Liffey Valley (Site Code 000128) located 3.82km to the Southwest.
 - pNHA North Dublin Bay (Site Code 000206) located 4.5km to the East.

6.0 EIA Screening

- 6.1. The applicant has submitted an Environmental Impact Screening statement which concludes that the need for environmental impact assessment can, be excluded at preliminary examination and a screening determination is not required.
- 6.2. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2, in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

7.0 The Appeal

7.1. Grounds of Appeal

- 7.1.1. The First Party appeal is against the planning authority's decision to grant permission. The appeal is made on behalf of the owners of the commercial property which adjoins the subject site to the west and is operating as a Centra Store. Several grounds of appeal are cited, the key points of which can be summarised as follows;

Planning Precedent

- Previous refusal for development on site.
- Inadequate consideration of the impact on the streetscape and neighbourhood centre undertaken in previous application.
- Design-proposal sits 3.85m above the ridge of the adjoining commercial units.
- Photomontages are misleading.

Traffic

- Transport Statement fails to address transportation issues generated.
- Additional traffic movements on laneway.
- Conflict between cars, cyclists, refuse collection and delivery vehicles will result in a traffic hazard.
- Loss of car parking along Faussagh Avenue will result in overflow car parking into surrounding residential areas.
- Negative impact on the vitality and viability of neighbourhood centre.
- Large HGV delivery bay will remove 6 car parking spaces which is significantly outside the red line boundary.
- Location of delivery bay detached from the store.
- No storage details for deliveries.
- Additional trip generation.

- Negatively impact on the availability of parking and result in overspill parking into adjacent residential areas.

Overdevelopment

- Oppressive four storey scale and form.
- Lack of transition to the two-storey existing commercial units, with no set back at upper level to the street.
- Excessive scale and form.
- Incongruous feature within the streetscape.
- Over dominant at this location.
- Height mass, design and scale do not integrate into the character of the adjoining streetscape.

Residential Amenity

- Residential unit at first floor includes a terrace (above existing retail unit).
- Negative impact on sunlight and daylight into neighbouring residential units at first floor and within development itself.
- Query conclusions of the daylight assessment in relation property L1.
- Submit proposed side elevations of the proposed development overbearing and will prohibit future development of commercial blocks either side, and on amenity of proposed apartments.
- Design, scale and mass will negatively impact on the residential and visual amenity of the existing residents and business in the area.
- Form and height visually intrusive and dominant when viewed from all surrounding areas.
- Nature of the proposal would set an undesirable precedent that has the potential to devalue properties in the vicinity.
- Loss of residential amenity and privacy.
- Quality of communal open space to the rear is inadequate and poor and contrary to section 15.9.8 of the City Development Plan.

Retail Impact

- No assessment of the retail impact of the proposal on the vitality and viability of the existing neighbourhood centre.
- New retail unit is larger than the two existing convenience stores within the neighbourhood centre.
- Submit there is insufficient capacity to accommodate the proposed development.
- Scale of retail unit is significantly larger than that normally located within a neighbourhood centre and has capacity to draw customers from outside the local area.
- Generate car-based traffic contrary to the proper planning and sustainable development of the area.
- Submit it is not a local centre supermarket and there is no justification for the scale of the proposal and should be refused.
- Proposal will have a material and negative impact on the vitality and viability of the retail offer of this and other neighbourhood centres including the District Centre of Phibsborough.
- No assessment of the impact of the off-licence element of the application has been undertaken contrary to the requirements of Policy CCUV of the City Development Plan.
- Condition no. 8 in seeking it be controlled to 10% of the shop floor area is grossly excessive.
- Location of the ESB substation on the frontage of the proposed new convenience store would be contrary to the principle of Policy CCUV12 of the Plan in that it will not create a high quality of design and finish to the proposed development.
- Proposal will result in three near identical stores operating next to each other. This will generate inappropriate competition, result in a loss of choice for the consumer and fail to achieve the vitality of choice and retail offer that should be achieved at neighbourhood centres such as this.

7.2. Applicant Response

7.2.1. A response to the third-party grounds of appeal was received from the applicant and can be summarised as follows;

- *Precedent/Previous Refusal (2022)* – Scheme has been redesigned by a new design team and reduced from 24 to 18 units, communal space relocated and improved, increased dual aspect, single circulation core and overall improved residential amenity. Current proposal materially different from previous proposal.
- *Overdevelopment and Design* – Z3 zoning and the DCDP support compact growth and infill intensification. Four storey height is modest in an urban context and comparable with redevelopments. Design includes setbacks, varied massing, and materials ensure integration with streetscape.
- *Residential Amenity Impact* – Daylight/Sunlight analysis confirms compliance with BRE standards for both proposed units and negligible impact on adjoining properties. Window orientation and balcony design avoid overlooking. Communal space provided exceeds requirements.
- *Traffic, Parking and Access* – Trip generation is modest, scheme replaces a public house with higher peak demand. Loading/servicing bay for HGVs agreed with DCC Transport division and Road Safety Audit completed.
- *Retail Impact* – 475sqm supermarket permissible within Z3 zoning, and below thresholds for Retail Impact Assessment. Proposal supports NC role, local population and complements existing units. Refers to Exemptions for change of use from public house to shop as exempted development. Submit appellants reference to a lack of sequential testing is misplaced. The sequential test applies to out of centre retail proposals, as this site is within a NC no sequential test is required. Submit proposal is located in the most appropriate category of centre under retail policy.
- *Other Concerns (ESB substation, off licence, property values)* – Location of ESB substation necessary for service, and design treatment ensures integration. Off-licence <10% of floor area complies with Development Plan policy. Property values not a planning consideration. Massing models for

potential future development of the wider area provided by the applicant demonstrate that the current scheme sets a healthy precedent for future regeneration improving the overall character and viability of the neighbourhood. Submit development is likely to enhance local property values by catalysing renewal and investment.

- *Dedicated study* - Architectural Precedents and Massing Studies of Future Development Potential of Parade demonstrates proposal does not prejudice adjoining plots and sets a framework for healthy renewal along the parade.
- *Previous An Coimisiún Pleanála Assessment of the Site (ABP-313655-22)* – Already accepted the suitability of the site for the type of development proposed. Submit current design further improved the configuration of the communal and private amenity spaces.
- *Planning Policy Context* – NPF, Eastern and Midland RSES/ Dublin MASP, DCDP 2022-2023 Z3 zoning objective all support the development.
- Complies with Apartment Guidelines 2020 and DMURS.
- NPF supports compact growth, brownfield redevelopment and increased urban density, Eastern and Midland RSES/ Dublin MASP endorses urban infill and reuse of underutilised lands. DCDP 2022-2023 Z3 zoning objective supports residential development.

7.3. Planning Authority Response

The response received from the Planning Authority requests conditions requiring Section 48 contribution, Section 49 contribution, bond, social housing, naming and numbering and management company condition.

7.4. Observations

- None

7.5. Further Responses

- None

8.0 **Assessment**

8.1. **Introduction**

- 8.1.1. A previous application on this site was refused planning permission by the Commission in October 2023. The current application seeks to address the previous reasons for refusal and essentially is for reduced number of residential units (with the omission of the previously proposed second northern block). I am satisfied that the proposed development is therefore materially different to that previously proposed.
- 8.1.2. Having examined the appeals and all other documentation on the case file, inspected the site, and had regard to the relevant national, regional, and local policies and guidance, I consider that the main issues in the appeal to be as follows:
- Principle of Development
 - Design and Scale
 - Residential Amenity
 - Traffic, Access, and Parking
 - Other Matters

8.2. **Principle of Development**

- 8.2.1. The proposed development involves the demolition of a former pub that forms part of a parade of two storey terraced units within an established neighbourhood centre.
- 8.2.2. I have had regard to the demolition justification report submitted with the application I consider that this structure which is not currently occupied, is not of any significant architectural or other merit and that its removal is required to develop the site. The design and scale of the proposed replacement residential and commercial development is the subject of comment under the heading Design and Scale below; however, I do not have any objection to the principle of demolition of the existing structures as proposed.
- 8.2.3. The appeal site is located within a neighbourhood centre zoned 'Z3' under the Dublin City Development Plan 2022-2028 with the objective 'to provide for and improve neighbourhood facilities.'

- 8.2.4. I refer the Commission to the previous history on this site under ACP Ref.313655-22 whereby permission was refused in October 2023 for a similar mixed-use development on this site. The basis for the refusal related to standard of residential amenity and quality of communal amenity area. The principle of retail and residential uses, however, was accepted by the Commission as entirely appropriate at this location.
- 8.2.5. I am satisfied that the proposed infill development of this underutilised brownfield site within the existing built-up area of this Dublin city suburb is supported under The National Planning Framework. NPF policy encourages more compact and sustainable urban development, to enable people to live nearer to where jobs and services are located. I am further satisfied that the proposed mixed-use development is consistent with NPO 3b of the NPF which seeks to 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’.
- 8.2.6. Having regard to the Guidelines for Sustainable Residential Development and Compact Settlements and the provisions of the current development plan, the acceptability or otherwise of the proposed development will be subject to the need to attain a balance between the reasonable protection of the amenities and privacy of adjoining property and the need to provide neighbourhood facilities at this location. I propose to address such matters in the following sections.
- 8.2.7. The appellants have raised concern in relation to the excessive scale of the proposed supermarket which it is submitted will have a material impact on the vitality and viability of the retail offer. The commercial element of the proposal has a stated area of 475sqm and comprises a ground floor supermarket with off-licence.
- 8.2.8. I note under the previous application the scale of commercial use was accepted in principle within the neighbourhood centre zoning. I also note that the commercial floor area proposed under the current application has been reduced from by 60sqm from 535sqm.
- 8.2.9. The applicant notes that the proposed change of use from a public house (licenced premises) to a shop (including supermarket) is exempted development, provided no works requiring permission are involved and submit therefore that the very change of use is already recognised in legislation as acceptable.

- 8.2.10. Notwithstanding the exemptions provided for under the Planning and Development Regulations 2001 (as amended) Schedule 2, Part 4, in my opinion the change of use from a licenced pub to a supermarket is an appropriate use within the neighbourhood centre. I further note that the Off-licence element is less than 10% of the floor area and therefore complies with Development Plan policy.
- 8.2.11. I am satisfied that the proposed mixed-use development will contribute positively to the vitality and viability of the neighbourhood centre.

Summary

- 8.2.12. In conclusion, I consider that the proposed mixed-use development complies with the Dublin City Development Plan in terms of pertinent considerations of demolition, zoning and land use envisaged for the site. I assess the planning merit and appropriateness of the remaining appeal ground items relating to building height, residential and visual amenity of the CDP in the following sections.

8.3. Design and Scale

- 8.3.1. The grounds of appeal submit that the proposed four storey development is excessive in height, massing and scale resulting in an incongruous feature within the streetscape and constitutes overdevelopment of the site.
- 8.3.2. The proposed development has a stated overall floor area of 2,082sq.m. This comprises 475sq.m commercial and 1,607sq.m residential.
- 8.3.3. A comparison between the previous application refused permission under ACP-313655-22 and the current proposal is provided in Table 1 below;

Table 1

	Previous Refusal ACP-313655-22	Current Application ACP-323543-25
No. of Apartments	24	18
Building Height	4 Storey	4 Storey
Commercial floor area at ground floor	535sqm	475sqm
Communal Open Space	242sqm (87sqm+at roof level 155qm)	270sqm

Total Floor Area	2,421sqm	2, 082sq m
Density	216 up/ha	163 up/ha
Plot Ratio	2.1:1	1.8.1
Site Coverage	84%	82%

- 8.3.4. I have considered the proposed development in light of Appendix 3 of the DCDP, Achieving Sustainable Compact Growth Policy for Density and Building Height in the City. The site is within the City Centre and Canal Belt where a nett density range of 100/250 units per ha apply as Per Table 1.
- 8.3.5. The proposed density is 163 units per ha. this is calculated on the nett site area of 0.111ha that being the site within the applicants ownership including the former Cabra House and portion of the laneway directly to the rear. The proposed density is within acceptable ranges.
- 8.3.6. As per Table 2 for the Central Area, the Indicative Plot Ratio is 2.5 -3.0. The Indicative Site Coverage is 60-90%. The plot ratio proposed is 1.8.1 which slightly below the indicative, while the proposed Site Coverage is 82% and therefore within acceptable ranges.
- 8.3.7. I accept that the height and density of the proposed development is greater than that of the prevailing pattern of development, which is dominated by two storey commercial and residential development.
- 8.3.8. The existing two storey stand-alone premises is flanked on either side by a terrace of two storey neighbourhood shop units. The subject site is located at a prominent location at the centre of the parade of shops at a T junction between Faussagh Avenue and residential houses and Dingle Road opposite. I therefore accept that any form of new mixed-use development over four floors will result in a significant visual impact within the streetscape.
- 8.3.9. I have had regard to the Design Statement and Architectural Massing study submitted by the applicant and find the latter particularly helpful in illustrating the scale of the proposed development in its context. I have also had regard to the local north Dublin precedent examples cited within similar/comparable neighbourhood centres. These neighbourhood centres within the greater 'garden city' suburbs were

developed by Dublin Corporation in the mid-20th century as part of a large housing programme at that time.

- 8.3.10. Having inspected the site and reviewed the drawings submitted and revised in RFI, I am satisfied that the subject site has the capacity to absorb the proposed four storey development in relation to the proposed design. I have formed this opinion on the basis of the location and positioning of the subject site.
- 8.3.11. In my opinion the design of the blocks responds adequately to the sites context and results in an acceptable transition with existing adjoining development at the centre of the neighbourhood centre. I am further satisfied that the proposed development in its context will not preclude the future development potential of adjoining sites on this parade.
- 8.3.12. I note the materials and finishes proposed for the facades, particularly addressing the public realm. Red coloured brick is used as the principal finish to all elevations, with other elements including white and charcoal grey coloured render, aluminium/composite external windows and door frames, and pressed metal cladding to entrance canopies over door entrances, and metal balustrades. A dark coloured brick is proposed to vertical band to side elevation and to top level recessed level of façade.
- 8.3.13. I refer the Commission to condition no.5 of the PA notification of decision to grant permission which specifies that elevational finishes be finished in brick to match those within the shopping parade and that the inside walls of the recessed balconies be also finished in brick. If the Commission are minded granting permission a similar suitably worded condition can be attached.
- 8.3.14. The application is also accompanied by comparative photomontages of the existing and proposed development from 5no. viewpoints. I can confirm from my site visit that these viewpoints from the east south and west are representative of the existing and proposed development. I am satisfied that the use of brick finish along sections of the side elevations help to transition from the two-storey height of the adjoining terraces which are finished in a darker brick with the proposed four storey building within the streetscape.
- 8.3.15. The adjoining Church bell tower serves as a useful reference on the skyline. I also note existing street tree planting, street furniture, streetlights, telecommunication

antennae and poles, road signs which combined with existing shopfront signage all contribute to visual clutter.

- 8.3.16. I have examined the proposed contiguous elevations, proposed section drawings and CGI images submitted which illustrate the proposed blocks in context and in relation to adjoining commercial and residential development. In my opinion the scheme represents a contemporary design with high-quality finishes and would not negatively impact on the streetscape and adjoining developments and would overall benefit the area.
- 8.3.17. I also note the proposed photomontages illustrate tree planting along the public footpath between the existing car parking and footpath which would be a welcome addition to the streetscape and enhance the public realm. If the Commission are minded granting permission, a street planting condition may be appropriate.
- 8.3.18. I am satisfied that all the documents required to be submitted as part of a residential development have been supplied as part of the application including (Housing Quality Assessment) and is therefore in accordance with Section 15.2.3 of Dublin City Development Plan 2022-2028.

Summary

- 8.3.19. I am satisfied that the proposed four storey development is acceptable in terms of height and scale and is appropriate at this neighbourhood centre location.

8.4. Residential Amenity

- 8.4.1. The grounds of appeal submit that the quality of the communal open space proposed to serve the development is substandard, and that the proposed development will negatively impact on sunlight and daylight into neighbouring residential units at first floor and within development itself.
- 8.4.2. In relation to the previous application, I note one of the previous reasons for refusal related to the unsatisfactory provision of residential amenity for future occupants with respect to private amenity space, overlooking and lack of privacy between the apartment units. The appellants submit that the current proposal will still result in overshadowing, overlooking, overbeating and provide a poor communal open space.

- 8.4.3. 18 No. apartments are proposed. A housing quality assessment accompanied the application. All units meet the 2023 Apartment Guideline standards for floor areas, dual aspect ratios, floor to ceiling height, stair/lift cores, storage, amenity space and room dimensions.
- 8.4.4. I note condition no.6 of the PA notification of grant of permission relates to requirements in terms of screening to both the private amenity space and communal open space. Condition 6 b) requires the rear/northern balconies and patios to have opaque glazed sides, and 6 c) details of the recessed balcony screening/privacy treatment to the front of the development be agreed with DCC prior to commencement of development.
- 8.4.5. I am satisfied that subject to these measures being implemented/undertaken that the concerns raised by the appellants can be adequately addressed. I am confident that subject to these measures the private amenity space for future occupants will be sufficiently safeguarded whilst also protecting the residential amenity of existing residents. If the Commission are minded granting permission a similarly worded condition can be attached.
- 8.4.6. The public open space requirement for residential development is 10% of the site. It is acknowledged by the Parks division of DCC that the site is too small to provide an adequately sized POS. The applicant has confirmed through the RFI submission that they are willing to accept a condition requiring a financial contribution in lieu of open space, which I consider appropriate in this instance. This may be attached by condition in the event of a grant of planning permission.
- 8.4.7. The proposed development will provide 320 sqm of communal amenity space via a first-floor level podium over the extended ground floor retail area, located on the northern side of the development. This exceeds the c.100sqm required and is acceptable to the Parks division of the PA.
- 8.4.8. I have had regard to the Landscape Design Rationale and Landscape drawings submitted with the application. I am satisfied that the communal amenity area is of a sufficiently high landscape quality.
- 8.4.9. I note condition no.6 a) of the PA notification of grant of permission requires the perimeter screens/walls to the communal open space to be 1.8m in height. I am

satisfied that this wall height is appropriate and will provide adequate screening for future occupants.

- 8.4.10. I am further satisfied that with the omission of the second block as previously proposed the communal area of open space will be provided by adequate daylight and sunlight access throughout the year.
- 8.4.11. I am satisfied that the quality of communal open space to the rear is adequate and complies with section 15.9.8 of the City Development Plan.
- 8.4.12. A daylight and sun light assessment accompanies the application with reference to BR 209 - Site Layout Planning for Daylight and Sunlight: a Guide to Good Practice (2022). An addendum report is provided in response to concerns raised by the PA in RFI. This refers to the quality of daylight and sunlight for future occupants within the scheme and any reciprocal impacts within the proposed development should similar schemes be developed on adjacent sites similar to the precedent set by the subject scheme.
- 8.4.13. The submission notes that 100% of the Living, Dining, Kitchen and Bedroom spaces achieve the target values set out in BS EN 17037:2018+A1:2021 section NA1. I note Appendix 16 of the DCDP states that limitations within I.S. EN 17037 make it unsuitable for use in planning policy or during planning applications. BR 209 must still be used for this purpose. Therefore, the analysis under BR 209 is the relevant analysis.
- 8.4.14. The Addendum report concludes that 72.2% of units meet the minimum recommended 1.5 direct sunlight hours. While the potential of sun lighting has been reduced from 68.2% to 50.7% for the subject scheme where there was a scenario of replicated neighbouring redeveloped sites, it is noted that this still meets the recommendations of 3.3.17 of the BR209 3rd Edition.
- 8.4.15. I acknowledge that some of the residential development falls short of the minimum standards set out in BRE 209. I have also examined the conclusions reached in relation to property L1 as referred to specifically in the grounds of appeal.
- 8.4.16. However having regard to the constraints on the site arising from the north facing orientation of the site, the inner infill location of the site and the need to achieve

appropriate streetscape within the neighbourhood centre area, I consider the overall standard achieved acceptable. I note that the Planning Authority also took this view.

8.4.17. Overall, I am satisfied that an acceptable standard of residential amenity is provided.

8.4.18. I am satisfied that issues raised in relation to overlooking and lack of privacy between the apartment units does not arise under the current application. This is largely because the scheme above ground floor level is now restricted to a front/southern block. The previously proposed northern block is omitted thus further increasing separation distances from 3rd party dwellings to the north and their attendant private open space areas.

8.4.19. In my opinion overlooking is only an issue from the rear/northern elevation, as windows and balconies to the front address the public realm. I have had regard to the window orientation and balcony design which with adherence to requirements above will avoid overlooking.

8.4.20. It is submitted that the proposed side elevations of the proposed development are overbearing and will prohibit future development of commercial blocks either side. I am satisfied that the applicant has demonstrated that this is however not the case. I am satisfied that the proposed development will not give rise to an overbearing impact and potentially with the amalgamation of units sets a constructive precedent for the future development of other units within the neighbourhood centre.

Summary

8.4.21. I am satisfied that the proposed development subject of the current proposal complies with the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities and, Section 15.9.7 of the Dublin City Development Plan 2022-2028, and is acceptable in terms of residential amenity of future occupants and adjoining properties.

8.5. Access, Traffic Safety and Parking

8.5.1. Concerns are raised in the grounds of appeal with respect to additional traffic, traffic safety/conflicts in the laneway, loss of existing car parking and consequent overspill parking into adjacent residential areas.

- 8.5.2. I refer the Commission to the previous history on this site under ACP Ref.313655-22 for 24 no. residential units (25% more than current) and was considered acceptable by DCC and the Commission on traffic grounds.
- 8.5.3. I have had regard to the Transport Statement submitted with the current application, which outlines a Framework Operational Delivery and Servicing Plan (ODSP), Framework Car Parking Management Plan (CPMP), and Framework Residential Travel Plan (RTP) and associated appendices which include traffic modelling results.
- 8.5.4. The site is well served by easily accessible existing public transport options including bus, rail and tram services. A number of bus services operate in the vicinity of the site serving Dublin City Centre and UCD to the south and west towards Blanchardstown and Ongar. It also notes that the site is located c. 800m from Broombridge Green Line Luas terminus, and Broombridge Train Station on the Maynooth Railway Line.
- 8.5.5. The proposed development should also be considered in the context of the proposed Blanchardstown to City Centre Core Bus Corridor Scheme which passes to the south of the site. It received planning approval in early 2024 with the first tranche of on-site construction contracts underway. There are also rail service improvements proposed under the Green Line Luas extension to Finglas and the Dart West Scheme.
- 8.5.6. Vehicular access to the proposed development will be from Faussaugh Avenue via the existing lane which provides access to the rear of the building and adjoining properties to the west. It is proposed to replace the existing gate with a new gate and accommodate vehicular and pedestrian movements.
- 8.5.7. It is proposed to widen the existing carriageway to 4.8m providing sufficient carriageway width for two cars to pass. This will involve the removal of the existing kerb along the initial 40m section of the laneway adjacent to no. 72 Faussagh Avenue.
- 8.5.8. A raised pedestrian crossing is proposed at the junction bell mouth with a 2-metre-wide footpath. It is also proposed to resurface the length (ca. 80-metres) of the lane up to and including the area within the main development site. Other than resurfacing works, no other works are proposed to the section of lane to the rear of no. 68 to 72 Faussagh Avenue as part of the proposed development.

- 8.5.9. The laneway is taken in charge by DCC. I note the letter of consent and accompanying drawing from the PA in relation to the inclusion of lands within the laneway to the side and rear of the terrace on Faussagh Avenue.
- 8.5.10. The proposed development is to provide two pedestrian access points from the front of the building, one for the residential units and a separate access for the retail unit. The residential access point is located adjacent to the western boundary of the site. This access point will be secured by a gate and also provides access to the rear of the building including the bike store, bin stores, parking area and utility rooms. Pedestrian access for the retail unit, proposed as double doors, is located in the centre of the building façade.
- 8.5.11. Access to the rear of the site is to be secured by gates, positioned towards the western boundary.
- 8.5.12. The existing commercial and residential uses within the neighbourhood centre are provided with shared parking (in a perpendicular parking arrangement) typical of those neighbourhood centre layouts constructed at the time, at the heart of now established residential areas.
- 8.5.13. It is proposed to provide 6 no. car parking spaces, 35 no. cycle spaces and 1 no. motorcycle parking space to the rear of the proposed building to serve the residential development. It is also proposed that a car share space be designated in the parking area in front of the site for use by a car share operator. In addition, it is proposed to provide 5 no. cycle spaces in front of the retail unit subject to agreement with the PA.
- 8.5.14. Delivery arrangements proposed to serve the proposed supermarket includes a new delivery bay to the front which results in the loss of 6 no. car parking spaces. Concerns are raised in relation to this proposal, and it is submitted that this will result in overflow car parking into surrounding residential areas.
- 8.5.15. In terms of traffic safety issues relating to the widening of the existing access gate to the laneway and removal of narrow kerb along the western side of the laneway represent significant improvements to the existing entrance and laneway.

- 8.5.16. In my opinion the key issues relate to the provision of car parking to serve the proposed development, and loss of existing perpendicular car parking spaces to facilitate a new loading bay at the eastern end of the parade of shops.
- 8.5.17. I have considered the issues raised by the Transportation section of the PA and the response of the applicant in the RFI. I also note the relevant conditions attached by the PA, namely of Condition No.3 Section 49 Supplementary Contribution Scheme in respect of the LUAS Cross City Scheme and Condition No.11 in relation to the requirements of the Transportation Section of DCC.
- 8.5.18. Condition No. 11 of the notification of decision to grant permission requires a Construction Management Plan for the demolition and construction phase, details of all potential changes to the public road and laneway and loading bay, contracts for sale/rent/lease of proposed apartments to make clear no dedicated car parking, bicycle spaces to be in situ prior to occupation, costs and compliance with requirements of Code of Practice to be agreed with DCC.
- 8.5.19. I am satisfied that the applicant has clearly demonstrated that the existing access lane which currently serves the rear of the existing and adjoining sites can accommodate the additional traffic movements on the laneway.
- 8.5.20. I further note the RFI which provides for the retention of the access gate at the laneway's access junction, the submission of RSA Stage 1, revised servicing strategy which provides details of the relocated loading bay/servicing area to the east by agreement with the Transport Planning Division of the PA.
- 8.5.21. I have had regard to the details provided in RFI for high-quality bicycle parking facilities including e-bikes revised Transport Statement, Residential Travel Plan (RTP), and Car Parking Management Plan (CPMP). I am satisfied that changes proposed together promote sustainable modes of transport.
- 8.5.22. I have examined the applicants trip generation analysis using the TRICS database, for am and pm peak hours (as set out under Table 4.2 of the Transport Statement), and a comparison between the former public house trip generation for pm only. The potential trip generation for the proposed development (residential and retail) could generate an additional 28 vehicle movements in the am peak hour and 46 vehicular trips during the pm peak hour. I am satisfied that the analysis is robust and would concur with the analyses that the proposed development would have a negligible

impact on the operation of the local road network, particularly when considered in tandem with the mobility strategy set out in the RTP.

- 8.5.23. I am not convinced that there will be a significant increase in vehicular traffic or conflict between cars, cyclists, refuse collection and delivery vehicles as asserted by the appellants. I am satisfied that the proposed access, parking and delivery arrangements will not result in a traffic hazard and is acceptable to the Transportation division of DCC. I also note that the provision of a delivery loading bay will benefit all the existing units within the neighbourhood centre.
- 8.5.24. I can confirm on the day of my site inspection mid-morning on a week day that the existing parking area at the NC was occupied with short stay/multi occupancy and that cars were parked on the roadway of the adjoining area, typical of any urban area.
- 8.5.25. I am of the opinion that concerns raised in the grounds of appeal in respect of loss of car parking as a result of deliveries and disruption during refuse collection are somewhat overstated. Deliveries will take place outside the am and pm peak hours, with the main delivery early in the morning and second later in the day and take up to 30-minutes. Given the relatively small scale of the proposed retail unit the applicant states that refuse collection associated with the retail unit is likely to be three times per week, which I do not consider excessive.
- 8.5.26. Outside of this the car parking area to the front of the subject site will remain free for parking. I accept that there is a shortfall in the provision of car parking proposed to serve the residential units, however the limited parking available will by necessity encourage active and sustainable travel modes. Indeed, as noted by the PA Faussagh Avenue is within future works for a secondary cycling route as part of the Planned Greater Dublin Area Cycle Network (GDA Transport Strategy 2022-2042). I am satisfied therefore that the allocation of car parking is reasonable and appropriate at this location given the sites accessibility to surrounding public transport services and local facilities/ amenities, along with existing and proposed active travel infrastructure.
- 8.5.27. The subject site is located in Parking Zone 2 as identified on Map J of the Dublin City County Development Plan 2022-2028. Parking Zone 2 occurs alongside transport

corridors and car parking provision is restricted on account of the proximity of these locations to public transport.

8.5.28. I am satisfied that parking provision proposed is in accordance with current County Development Plan car parking standards and would also note that the parking standards are maximum requirements. I am also satisfied given the location of the subject site within walking distance of high frequency public transport corridors and essential daily services including schools, that the provision of a reduced no. of car parking spaces is appropriate at this location. This will not only promote active travel but also lead to a more sustainable development.

8.5.29. I further consider that the introduction of additional residential units at this location will support the vitality and viability of the neighbourhood centre, rather than negatively impact on it.

8.5.30. If the Commission are minded granting permission, a condition restricting the number of car parking spaces to 6 No. spaces can be attached.

Summary

8.5.31. I am satisfied therefore, that the proposed access, and traffic generated can be accommodated within the existing road network, is acceptable in terms of traffic safety and convenience, and would not give rise to a traffic hazard.

8.6. Other Matters

8.6.1. *Harmful Retail Competition* – The appellants have raised concern in relation to the impact on adjoining convenience stores within the Neighbourhood Centre. The issue of retail competition however is not considered a material planning consideration.

8.6.2. *Precedent/Devalue Property* – It is submitted by the third party that the proposed development would give rise to an undesirable precedent.

8.6.3. I note the applicant has cited precedents for developments permitted at the centre of existing neighbourhood centres. I do not intend to discuss the merits or otherwise of individual decisions but would draw the attention of the Commission to more recent, National Planning Policy as outlined in Section 5.2 of my report above including, the Climate Action Plan 2025 and recent Section 28 Guidelines.

- 8.6.4. Any future planning application at the site subject of this appeal will be assessed on its own merits in accordance with the Dublin City Development Plan, National Planning Policy and Section 28 Guidelines. I do not accept that a grant of permission on this case would set a poor precedent.
- 8.6.5. I note the concerns raised in the grounds of appeal in respect of the devaluation of neighbouring property. However, having regard to the assessment and conclusion set out above, I am satisfied that the proposed development would not seriously injure the amenities of the area to such an extent that would adversely affect the value of property in the vicinity.

9.0 AA Screening

I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000, as amended.

The subject site is not located within a designated site, with the nearest sites being South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) located c. 4.7km to the east of the site.

No nature conservation concerns were raised within the appeal. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European site.

The reason for this conclusion is as follows:

- The nature of the development proposed which is located on serviced lands
- The distance to the nearest European sites, and the absence of any hydrological or other pathways
- Connection to public water, drain and sewer.

I conclude on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) under Section 177V of the Planning and Development Act 2000, as amended, is not required.

10.0 Water Framework Directive

The subject site is located in the urban area of Cabra, Co. Dublin. It is within the Liffey and Dublin Bay (Catchment ID 09) Water Framework Directive catchment area, and in the Tolka_SC_020 (Sub-catchment id 09_4). The nearest river waterbody to the site is the Tolka River which is located c. 0.95km north of the site which flows into the Irish Sea at Dublin Bay.

The proposed development will consist of the demolition of public house, the construction of a supermarket and 18 no. apartments and all other associated site development works above and below ground. No third-party concerns were raised in relation to water deterioration.

I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows.

- Scale and size of proposed development
- Separation to nearest water body
- Connection to public water, sewer and drainage

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

11.0 Recommendation

- 11.1. Following the above assessment, I recommend that permission is **granted** for the development as proposed due to the following reasons and considerations and subject to the conditions set out below.

12.0 Reasons and Considerations

Having regard to the 'Z3' Neighbourhood Centre zoning of the site, the policies and objectives set out in the Dublin City Development Plan 2022-2028, and the pattern of development along Faussagh Avenue and the surrounding area, the proposed development which would intensify the use of this centrally located site and would contribute to the provision of retail and residential units within the neighbourhood centre, would be in accordance with the zoning objectives of the site, would be an appropriate design response in terms of scale, massing, and height of the proposed mixed use development, within a neighbourhood centre, and would be in accordance with the development plan objectives in relation to neighbourhood centres QHSN12 would positively enhance the area and would not significantly detract from the amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1.	The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 14th day of July, 2025, 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 proposed development shall be carried out and completed in accordance with the agreed particulars. Reason: in the interest of clarity.
2.	(a) The perimeter screen/walls to the communal open space shall be 1.8m in height. (b) The rear/northern balconies and patios shall have opaque glazed sides. Prior to commencement of development the applicant shall submit details of the recessed balcony screening/privacy treatment to the front of the

	development shall be submitted to, and agreed in writing with, the planning authority. Reason: in the interest of residential amenity.
3.	(a) The development's primary elevational finishes shall be in brick, which shall match the traditional finishes to the shopping parade as close as possible in terms of colour and texture. (b) The inside walls of the recessed balconies shall be finished in brick. Prior to commencement of development, details of the materials, colours and textures of all external finishes, including samples, for the proposed development shall be submitted to, and agreed in writing with, the planning authority. Reason: in the interest of orderly development and the visual amenities of the area.
4.	No additional development shall take place above roof level, including lift motors, air handling equipment, storage tanks, ducts or other external plant, other than those shown on the drawings hereby approved. Reason: in the interest of visual and residential amenity.
5.	The amended landscaping scheme shall be implemented within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority. Reason: in the interest of residential and visual amenity.
6.	Prior to commencement of development, the developer shall enter into a connection agreement with Uisce Eireann to provide for service connections to the public water supply and wastewater collection network.

	Reason: in the interest of public health and to ensure adequate water/wastewater facilities.
7.	Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to commencement of development, details of the surface water attenuation and disposal arrangements, including any SUDS measures, shall be submitted to the planning authority for written agreement. Reason: To ensure a satisfactory standard of development and in the interest of public health and surface water management.
8.	A Stage 1 Road Safety Audit (RSA) shall be prepared by an independent approved and certified auditor for the proposed development. The developer shall submit to the planning authority a copy of the RSA Stage 1 report and shall complete all of the recommended measures identified in the RSA Stage 1 prior to the opening of the completed development to traffic, unless otherwise agreed in writing with the planning authority. Reason: in the interest of traffic safety.
9.	The construction of the proposed development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include the following: (a) The location of the site and materials compound(s), including area(s) identified for the storage of construction refuse. (b) The location of areas for construction site offices and staff facilities. (c) Details of site security fencing and hoardings. (d) Details of on-site car parking facilities for site workers during the course of construction. (e) 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.

	(f) Measures to obviate the queuing of construction traffic on the adjoining road network. (g) Swept path analysis of construction access and demonstration that unobstructed use of the private access road along the eastern site boundary is maintained at all times during construction works. (h) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network. (i) 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 development works. (j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels. (k) 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. (l) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil. (m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains. (n) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be made available for inspection by the planning authority. Reason: in the interest of amenities, public health and safety and environmental protection.
10.	Prior to commencement of development the following details shall be submitted to, and agreed in writing with, the planning authority. (a) Prior to commencement of development full details of all potential changes to the public road and laneway, shall be submitted to and agreed in writing with the Planning Authority. Prior to submission, the applicant/developer shall liaise with the Environment & Transportation

	Department of Dublin City Council, to ascertain their requirements in relation to the provision of a loading bay and line marking changes along Fassaugh Avenue. Any works to the public road considered acceptable to Dublin City Council shall be carried out at the applicant/developers' expense. Note: The applicant/developer is advised that some alterations to the road network may be subject to statutory process under the Roads & Traffic Act. (b) Contracts for sale / rent / lease of the proposed apartments shall make it clear to prospective tenants that the apartments will not have dedicated car parking on site. (c) The proposed bicycle parking spaces shall be in situ prior to the occupation of the proposed development. (d) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer. (e) The developer shall be obliged to comply with the requirements set out in the Code of Practice. Reason: In the interest of orderly development, traffic and pedestrian safety and provision of sustainable mobility infrastructure.
11.	Prior to commencement of development, a Resource Waste Management Plan (RWMP), as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021), shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times. Reason: in the interest of reducing waste and encouraging recycling.
12.	Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 and

	1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority. Reason: To safeguard the amenity of property in the vicinity.
13.	All service cables associated with the proposed development, such as electrical, telecommunications and communal television, shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works. Reason: in the interest of visual and residential amenity.
14.	Proposals for the name of the development, commercial unit identification and numbering scheme, and apartment 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, commercial units and apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) 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 development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name. Reason: in the interest of urban legibility and to ensure the use of locally appropriate placenames for new developments.
15.	The management and maintenance of the proposed development, following completion, shall be the responsibility of a legally constituted management company, which shall be established by the developer. A management scheme, providing adequate measures for the future maintenance of the development, including the external fabric of the buildings, internal common areas (residential and commercial), open spaces, landscaping, roads, paths, public lighting, waste storage facilities and sanitary services, shall be submitted to, and agreed in writing with, the

	planning authority before any of the residential or commercial units are made available for occupation. Reason: To provide for the future maintenance of the development in the interest of residential amenity and orderly development.
16.	The proposed development shall be carried out and operated in accordance with the provisions of the Mobility Management Plan (MMP) submitted to the planning authority. A Mobility Manager shall be appointed to oversee the implementation of the strategy. Reason: To achieve a reasonable modal split in transport and travel patterns in the interest of sustainable development.
17.	Prior to commencement of development, the applicant 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 transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall 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 development plan for the area.
18.	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 re-instatement, or completion and maintenance until taken in charge by the planning authority

	or a management company, of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the planning 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.
19.	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 Development Contribution Scheme made under section 48 of the Act be applied to the permission.
20.	The developer shall pay to the planning authority a financial contribution of €5,000 (five thousand euro) per residential unit as a contribution in lieu of the public open space requirement in respect of public open space benefitting the proposed development in the area of the planning authority that is provided or intended to be provided by or on behalf of the planning

	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 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.
21.	The developer shall pay to the planning authority a financial contribution in respect of the Luas Cross City Scheme in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 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 Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional

assessment and recommendation set out in my report in an improper or inappropriate way.”

Susan McHugh
Senior Planning Inspector

8th June 2026

Appendix 1 - Form 1 EIA Pre-Screening

An Bord Pleanála Case Reference	ACP-323543-25		
Proposed Development Summary	Demolition of public house, the construction of a supermarket and 18 no. apartments and all other associated site development works above and below ground.		
Development Address	62-66 Faussagh Avenue, Cabra, Dublin 7.		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)	Yes	√	
	No		
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	√	Class 10. Infrastructure projects (b) (i) Construction of more than 500 dwelling units. (b) (iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. Class 14 relates to works of demolition carried out in order to facilitate a project listed in Part 2 Schedule 5 where such works would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7 of the Regulations.	.
No			
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			

Yes			
No	√		
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	√	The proposed development is sub-threshold in terms of mandatory EIA requirements arising from Class 10(b)(i) and (iv) of the 2001 Regulations.	

5. Has Schedule 7A information been submitted?		
No	√	Preliminary Examination required
Yes		

Inspector: _____ **Date:** _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	ACP- 323543-25
Proposed Development Summary	Demolition of public house, the construction of a supermarket and 18 no. apartments and all other associated site development works above and below ground.
Development Address	62-66 Faussagh Avenue, Cabra, Dublin 7.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	Permission is being sought for demolition public house, the construction of a supermarket and 18 no. apartments and all other associated site development works above and below ground on a site which is located in an urban area. The primary access to the site is via Faussagh Avenue, with car parking provided at ground level to the rear. Access to the apartments is via an existing laneway serving the rear of properties along Faussagh Avenue. Water connection and wastewater services will be provided from existing mains within the vicinity of the subject site. The development would not result in the production of significant waste, emissions, or pollutants.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity	The proposed site is located within an urban area of Dublin City; there are no significant sensitivities in the immediate area. The subject site is not located within a designated site, the nearest are as follows: • South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) located c. 4.7km to the east of the site.

of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	My appropriate assessment screening concludes that the proposed development would not likely have a significant effect on any European Site.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	The site size measures c. 0.16 ha hectares. The size of the development is not exceptional in the context of an urban environment. There are existing dwellings adjacent to the proposed site, to the east and west, and residential developments to the north and south. There is no real likelihood of significant cumulative effects within the existing and permitted projects in the area.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____

Date: _____