



An
Coimisiún
Pleanála

Inspector's Report

ACP-323549-25

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| Development | Construction of primary school and post-primary school with associated works. |
| Location | The Former Irish Glass Bottle Social Club Site, Goatstown Road, Goatstown, Dublin 14 |
| Planning Authority | Dun Laoghaire Rathdown County Council |
| Planning Authority Reg. Ref. | D24A/0619/WEB |
| Applicant(s) | The Department of Education |
| Type of Application | Permission |
| Planning Authority Decision | Refuse Permission |
| Type of Appeal | First Party and Third Party |
| Appellant(s) | The Department of Education |
| Observer(s) | Aidan Byrne Cyril & Teresa Byrne Roebuck Residents Association Philippe Duval |

Sinead and Paul Campbell
Mark Holland & Others

Date of Site Inspection

21st October 2025

Inspector

Matthew McRedmond

Contents

| | |
|--|----|
| 1.0 Site Location and Description | 5 |
| 2.0 Proposed Development | 5 |
| 3.0 Planning Authority Decision | 6 |
| 3.1. Decision | 6 |
| 3.2. Planning Authority Reports | 6 |
| 3.3. Prescribed Bodies | 11 |
| 3.4. Third Party Observations | 11 |
| 4.0 Planning History..... | 14 |
| 5.0 Policy Context..... | 14 |
| 5.1. National and Regional Planning Policy | 14 |
| 5.2. Design Manual for Urban Roads and Streets (2013 (Updated 2019) - DMURS | 16 |
| 5.3. Safe Routes to School (SRTS) Design Guide, NTA 2021 (updated 2022). 16 | |
| 5.5. Dun Laoghaire Rathdown Development Plan 2022-2028 | 17 |
| 5.6. Goatstown Local Area Plan..... | 19 |
| 5.7. Natural Heritage Designations | 19 |
| 5.8. EIA Screening | 20 |
| 6.0 The Appeal | 20 |
| 6.1. Grounds of Appeal | 20 |
| 6.2. Planning Authority Response..... | 23 |
| 6.3. Observations..... | 23 |
| 7.0 Assessment..... | 25 |
| 8.0 AA Screening..... | 38 |
| 9.0 Water Framework Directive | 39 |

| | | |
|------|--|-----------|
| 10.0 | Recommendation | 39 |
| 11.0 | Reasons and Considerations..... | 39 |
| 12.0 | Conditions | 40 |
| | Form 2 - EIA Preliminary Examination | 52 |
| | Appendix 1 – Form 1: EIA Pre-Screening and Form 2: Preliminary Examination | |
| | Appendix 2: AA Screening | |
| | Appendix 3: Water Framework Directive Assessment | |

1.0 Site Location and Description

- 1.1. The subject site is located at the Former Irish Glass Bottle Site Social Club, Goatstown Road, Dublin 14, with access on the western side of Goatstown Road. The site is 3.9 hectares in area and currently accommodates a temporary Educate Together School (post-primary school) within the eastern portion of the site. The western portion of the site is largely greenfield with cycle/pedestrian routes connecting the site to Mount Carmel Road to the west, Farmhill Road to the north and Goatstown Road to the east.
- 1.2. The site is generally bounded by detached and semi-detached residential dwellings to the north at Farmhill Drive, Goatstown Avenue and Belfield Downs, to the west at Taney Crescent and Mount Carmel Road and to the south at Taney Avenue and Farmhill Park. The majority of these residential units have their rear garden backing on to the site with properties at the end of Mount Carmel Road and Farmhill Road with a side gable facing the site. There are existing mature trees along the northern, western and southern boundaries of the site that have concrete block walls to the adjoining residential properties.

2.0 Proposed Development

- 2.1. The proposed development includes the replacement of the existing temporary school structures permitted under Dun Laoghaire Rathdown County Council (DLRCC) Ref. D22A/0506 and replacement with the following:
 - 16-classroom primary school (c. 4,147sqm), part 3-storey,
 - 1,000 pupil post-primary school (c. 12,419sqm), part 4-storey,
 - Playing pitches,
 - Ball Courts,
 - Vehicular, pedestrian and cycle access via Goatstown Road,
 - Pedestrian and Cycle access via Farmhill Road and Mount Carmel Road,
 - Set-down, drop off and vehicular parking,
 - Car-Parking, bicycle/scooter parking,

- 1no. multi-purpose sports hall, 1 no. PE Hall and 1,374sqm of rooftop play space including 2no. ball courts in the post primary school,
- 1 no. multi-purpose hall and 489sqm of rooftop play space in the primary school,
- 6no. ground level ball courts, hard and soft play area including an outdoor gym,
- All associated site works including level changes, rooftop plant and retention of 3no. flagpoles.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. On the 19th August 2025, DLRCC Refused permission for the subject proposal for the following 1no. reason:

1. The proposed development does not comply with the requirements applied to 'Education' land use on lands subject to Zoning Objective 'F' of the County Development Plan 2022-2028 by virtue of significantly less than 60% of the site being 'set aside for publicly accessible passive open space or playing fields'. It is considered that the proposed development, in its current form, evidently requires more than 40% of the subject site area to function optimally as educational facilities. The limitation of availability to the public for use of the site outside the requirements of the schools would not adhere to the zoning objectives of the subject site, as set out in the County Development Plan 2022-2028. As such, the proposed development is contrary to the zoning objective for the site, and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

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

- The principle of the proposed development is acceptable under the 'Objective F' zoning provision, provided the requirements of Footnote A in relation to 60% of the site being set aside for publicly accessible passive open space or playing fields.
- Further information is recommended in relation to the 60% open space provision, including quantitative and qualitative details.
- Opening hours of permeability links at the boundaries of the site should be confirmed by the applicant.
- Prospective future Taney Avenue Link details should be confirmed, with the preferred option of the PA to have a time controlled access during school hours.
- Reference to site size requirements of 4.57ha for a 1,000 pupil school as per Department of Education guidance document TGD-027 and TGD-025 for primary school site identification, with site size of 1.04 hectares recommended for schools of 8-16 classrooms. Site area of 1.57ha is only 28% of recommended site size of 5.61ha. Justification of proposed size of facility is required from the applicant.
- Layout and height of proposed development is considered acceptable, with clarity on site size to be provided by the applicant in relation to the constrained nature of the site.
- Removal and replacement of existing planting is considered acceptable. A mix of court types is recommended. Parks Department recommend an all-weather pitch be provided. Other requirements of Parks Department could be addressed by condition.
- Design and appearance of school building considered acceptable.
- Separation distances to adjoining residential considered acceptable. No opposing windows or overlooking of property at 47 Mount Carmel Road. No undue concerns in relation to height, overlooking or overshadowing of residential properties.

- Noise impacts at construction stage can be managed. Noise at operation stage would not be likely to cause noise pollution.
- Visual impact is not considered to be unduly negative. Further details in relation to block plan and building heights and screen planting would strengthen the case for the proposal.
- Further detail in relation to site access, a quality audit and, covered cycle parking. Car Parking considered appropriate despite requirement of the Transport Department to reduce this number. Set down area is also considered appropriate despite Transport Department request to remove.
- Public lighting plan considered appropriate.
- Further information and revised details on drainage are noted and will be requested by FI.
- Ecological Impact Assessment and EIA Screening report should be requested by way of FI.
- The Planning Authority recommended further information in relation to a number of items before a decision can be made in relation to the proposal.

Further Information Response

3.2.2. The applicant submitted a further information response in July 2025, which was considered significant by the PA and was therefore re-advertised for public submissions. The FI response included the following details:

- Response in relation to site layout and percentage breakdown of spaces allocated to public amenity spaces and school building (60/40). Details of management of spaces and access routes also included.
- Confirmation that all-weather pitch has not been budgeted for in this project.
- Revised transport details including Road Safety Audit, Quality Audit and Cycle Audit. Details of cycle parking in accordance with DLR Policy are also provided.
- Revised tree planting and landscaping details.

- Revised drainage and SuDs details.
- EclA and EIAR Screening Report.

Planning Authority Response to Further Information

3.2.3. The Planning Authority considered the FI response to be satisfactory in relation to:

- Reasoning for non-provision of an all-weather pitch,
- A condition as recommended by the PA Transportation Department to allow 24 hour access across the site be included in any grant of permission. A more time limited (8am-5pm) access via Taney Avenue is recommended. The Applicant's reluctance in relation to 24-7 access is related to the proximity of access paths to the school buildings and speaks to the overdevelopment of this site under the terms of the zoning provisions. Taking in charge details would need to be resolved for the Taney Avenue link, and which could also be remedied through legal agreement in relation to responsibility of laneway.
- Details of layout and fence treatment at ball courts is acceptable.
- Applicants' response in relation to Technical Guidance Documents TGD-025 and TGD-027 is welcomed and considered acceptable in relation to ideal standards not being met at a constrained urban site.
- Details in relation to transportation items – Road Safety Audit, Quality Audit and cycle parking details.
- The applicant's response in relation to planting/landscape plan and drainage details is considered acceptable subject to conditions.
- EclA and EIAR Screening report considered acceptable.

3.2.4. The PA were not satisfied with the applicant response in relation to the following:

- When ball courts, hard standing, parking and set down areas are included, 50.1% of the site area is set aside for school requirements, in excess of the 40% limitation under the zoning provision. Privatisation of over 40% of the site is not consistent with the 'F' Zoning objective, whereby 60% is required to be set aside for public amenity space.

- Availability of open spaces and ball courts to members of the public outside of school hours is not considered acceptable as a public open space facility. On the basis of non-compliance with the zoning objective, permission was recommended for REFUSAL.
- It is considered by the PA that matters outside of the zoning issue could be addressed by way of condition.

3.2.5. Other Technical Reports

- Drainage Department – Recommended seeking further information (FI) in relation to ponding, bio retention pond use, green roof coverage, details of external play surface on roof area, QBar calculations, updated hydraulic modelling results, and blockage analysis. The Drainage Department were satisfied with the applicant response on these items and recommended a grant of permission subject to conditions in relation to outfall discharge rates, 1 in 100 year attenuation, green/blue roof design, SuDs features, construction management plan with run off management details, and flow control parameters.
- Parks Department – Recommended FI in relation to provision of an all-weather pitch, retention and replacement planting of ash trees, buffer between playing courts and houses on Farmhill Drive, enhanced screen planting at northern boundary, details of ball courts and additional planting. The Parks Department were satisfied with the FI response by the applicant and recommended grant of permission subject to conditions including the retention of landscape architect and arborist.
- Biodiversity Officer – Recommended inclusion of conditions with any grant of permission. Conditions include appointment of ecologist, planting, pre-construction bat assessment, pre-construction mammal surveys and final construction and environmental management plan.
- Environmental Enforcement Section – Recommended incorporation of conditions if permission is granted including construction noise and vibration assessment, construction and environmental management plan, resource and

waste management plan, public liaison plan, pest control plan and operational waste management plan.

- Public Lighting Department – satisfied with the details submitted.
- Transportation Department – Recommended FI in relation to a number of items including 24hr access through the site, quality audit (including Road Safety Audit and cycling audit), covered cycle parking, omission of public parking and set down area. No objection to the subject proposal, based on the FI response, subject to conditions.
- Environmental Health Officer – Proposal is acceptable subject to standard construction management conditions.

3.3. Prescribed Bodies

- 3.3.1. **Uisce Eireann** – No objection in principle to the subject proposal. Connection agreement to be signed prior to the commencement of development as per standard conditions.

3.4. Third Party Observations

- 3.4.1. A number of third-party observations were submitted in relation to the subject proposal at original application stage and at FI stage. The main points of these submissions can be summarised as follows:

Scale, Height, Design and Privacy

- Application will have a significant impact on property at 47 Mount Carmel Road due to height, overlooking and separation distance. Loss of privacy will occur. Application drawings do not provide details of separation distances.
- Impact of height on existing bungalows is most pronounced.
- Removal and replacement of boundary planting/trees will worsen impacts on adjoining properties. Contrary to Chapter 8 and Appendix 14 of the Development Plan in relation to trees and green infrastructure.
- Height of proposal at three storeys will lead to a loss of natural light and overshadowing. This is contrary to Policy Objective PHP20: Protection of

Existing residential Amenity. 3m height difference in ground levels adds to this issue.

- Location of ball courts at northern boundary will lead to access at all hours and associated noise/activity disturbance.
- School buildings take up close to 50% of the site which must be refused on the basis of the land use zoning requirements (40% for 'F' Zone land). Ball courts do not come within the definition of publicly accessible passive open space or playing fields. Road, parking, foot/cyclepath, ESB substation and walls should also not be included in the 60% open space requirement.
- Submission in support of proposal notes it complies with 60% public open space requirements. School provision is supported at the subject site by Development Plan Policy including PHP2 – sustainable neighbourhood infrastructure.
- No attempt to graduate height downwards towards the boundary.
- Two schools should be located further apart to mitigate impacts on surrounding area.
- Unattractive entrance via Mount Carmel Road due to level differences.
- Lighting design to be sensitive to the receiving environment.
- Proposed size of school is not in compliance with Department's standard requirements.

Noise/Air Pollution

- The subject proposal has the potential to create significant air and noise pollution during construction and the creation of noise impacts during operation of both schools.

Management of Access Routes and Open Spaces

- Concern in relation to how access routes and ball courts will be managed and hours of access, anti-social behaviour and responsibility for resolution. Lighting is also not adequately defined.

Traffic

- Increase in traffic to the area will lead to drop offs causing issues in relation to parking and congestion. Traffic management plan required. This traffic impact may occur during construction and operational phases.
- Use of ball courts outside of school hours will exacerbate these issues.
- Insufficient car parking proposed – 140 spaces maximum required – 41 school spaces and 12 public spaces proposed. This will lead to parking on adjacent streets.
- In support of the application, it is noted the site is easily accessible by walking, cycling and public transport.
- Cycle parking is not conveniently located within the site to promote 20% cycle trips.
- Absence of Taney Avenue access adds to traffic issues at other access points to the site. Access to this laneway could give rise to anti social behaviour and safety issues due to conflict with cars.
- Area Based Transport Assessment (ABTA) for Dundrum does not appear to take account of this school site.
- S6 Bus Route is already at capacity.

Environmental Impacts

- Loss of trees and increased traffic will harm local wildlife.
- Previous flooding at the site was a haven for birds and wildlife.
- Biodiversity measures should be promoted at this site. Tress at boundary should be planted in advance of other works on site.
- Leylandii trees to southern boundary with Taney Avenue should be retained for environmental effectiveness, screening and visual attractiveness.

Other Issues

- Proposal has the potential to Impact on Property Values.

- Poor master planning and layout of the site in context of existing residential and requirements for urban edge at Goatstown Road
- Lack of engagement in preparation of proposal.
- Process has had an impact on physical and mental health.
- Details of access to ball courts is not clear in the application.
- Flooding impacts due to raised ground levels is a concern. Additional drainage required at entrances to mitigate ponding.
- AA screening inadequate and EIAR screening report required.
- Construction management required limiting hours of working and management of noise and other impacts.
- Any impacts on existing boundary walls and planting should be repaired as appropriate. 3m wall required at northern boundary.
- Legal agreement should be in place prior to decision.

4.0 Planning History

4.1.1. **The following applications relate to the most recent planning history for the subject site:**

4.1.2. **D22A/0506:** Temporary 5-year Permission granted for a one and two storey, 15 classroom post-primary school including car parking, access and all associated site works.

4.1.3. **D20A/0268:** Temporary 5-year Permission granted for 4no. prefabricated buildings for a temporary post-primary school and all associated site works.

5.0 Policy Context

5.1. National and Regional Planning Policy

5.1.1. National Planning Policy

5.1.2. The NPF (First Revision, 2025) is the Government's high-level strategic plan for shaping the future growth and development of the country to the year 2040. A key

element of the NPF is a commitment towards 'compact growth', which focuses on a more efficient use of land and resources through reusing previously developed or under-utilised land and buildings. National Strategic Outcome No. 1 is 'Compact Growth'. Activating strategic areas and achieving effective density and consolidation, rather than more sprawl of urban development, is a top priority.

5.1.3. National Strategic Outcome 10 relates to access to education along with childcare and health services and is recognised as a key enabler for targeted growth.

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

- NPO 7 outlines a presumption in favour of development in existing settlements, to ensure compact growth and sequential patterns of growth.
- NPO 3 aims for the Eastern and Midland Region to accommodate 470,000 additional people between 2022 and 2040 (c. 690,000 additional people over 2016-2040) i.e. a population of almost 3 million.
- NPO 4 aims to deliver at least half (50%) of future population and employment growth will be focused in the existing five cities and their suburbs.
- NPO 12 seeks to ensure attractive, well designed urban places for integrated communities.
- NPO 37 seeks to integrate alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility.
- NPO 41 targets the provision and timely delivery of childcare facilities and new and refurbished schools on well-located sites within or close to existing built-up areas, including in support of infill and brownfield development, that meet the diverse needs of local populations and act as a key enabler for housing development, thereby contributing to the development of sustainable communities.

5.1.5. Relevant national policy also includes Urban Development and Building Heights, Guidelines for Planning Authorities which is a government policy that states building heights must be generally increased in appropriate urban locations. There is therefore a presumption in favour of buildings of increased height in our town/city

cores and in other urban locations with good public transport accessibility to address the delivery of compact growth.

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

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

5.1.2. RPO 9.13 and 9.14 seek to provide accessible social infrastructure and recreational facilities to meet the needs of communities.

5.2. Design Manual for Urban Roads and Streets (2013 (Updated 2019) - DMURS

5.2.1. The Design Manual for Urban Roads and Streets (DMURS) sets out design guidance for new and existing urban roads and streets in Ireland, incorporating good planning and design practice. It places a strong focus on the needs of pedestrians, cyclists and public transport and on improving the safety of streets and enhancing placemaking.

5.3. Safe Routes to School (SRTS) Design Guide, NTA 2021 (updated 2022).

5.3.1. Technical guidance is provided on design principles and considerations to create safer, calmer, more attractive routes to school and front of school environments

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

5.4.1. The NBAP includes five strategic objectives aimed at addressing existing challenges and new and emerging issues associated with biodiversity loss. Section 59B(1) of the Wildlife (Amendment) Act 2000 (as amended) requires the Commission, as a public body, to have regard to the objectives and targets of the NBAP in the performance of its functions, to the extent that they may affect or relate to the functions of the Commission. The impact of development on biodiversity, including

species and habitats, can be assessed at a European, National and Local level and is taken into account in our decision-making having regard to the Habitats and Birds Directives, Environmental Impact Assessment Directive, Water Framework Directive and Marine Strategy Framework Directive, and other relevant legislation, strategy and policy where applicable.

5.5. Dun Laoghaire Rathdown Development Plan 2022-2028

- 5.5.1. Under the Dun Laoghaire Rathdown Development Plan 2022-2028 (the CDP), the subject site is zoned 'F', which seeks to *'preserve and provide for open space with ancillary active recreational amenities'*. 'Education' use is 'open for consideration on 'F' zoned land, with the following proviso:

"Where lands zoned F are to be developed then: Not more than 40% of the land in terms of the built form and surface car parking combined shall be developed upon. Any built form to be developed shall be of a high standard of design including quality finishes and materials. The owner shall enter into agreement with the Planning Authority pursuant to Section 47 of the Planning and Development Act 2000, as amended, or some alternative legally binding agreement restricting the further development of the remaining area (i.e. 60% of the site) which shall be set aside for publicly accessible passive open space or playing fields. Said space shall be provided and laid out in a manner designed to optimise public patronage of the residual open space and/or to protect existing sporting and recreational facilities which may be available for community use."

- 5.5.2. The zoning is subject to an 'ED' objective – Proposed Education Site – at this location.

- 5.5.3. Policy Objective PHP2: Sustainable Neighbourhood Infrastructure:

It is a Policy Objective to:

- *Protect and improve existing sustainable neighbourhood infrastructure as appropriate.*
- *Facilitate the provision of new sustainable neighbourhood infrastructure that is accessible and inclusive for a range of users consistent with RPO 9.13 and RPO 9.14 of the RSES.*

- *Encourage the provision of multi-functional facilities, space and lands in the delivery and/or improvement of sustainable neighbourhood infrastructure*

5.5.4. Policy Objective PHP7: Schools:

'It is a Policy Objective to protect existing schools and their amenities and ensure the reservation of primary and post-primary school sites in line with the requirements of the relevant education authorities and to support the provision of school facilities and the development / redevelopment of existing schools for educational and other sustainable community infrastructure uses throughout the County.'

5.5.5. Policy Objective PHP20: Protection of Existing Residential Amenity.

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

5.5.6. Policy Objective PHP35: Healthy Placemaking:

- *'It is a Policy Objective to: Ensure that all development is of high quality design with a focus on healthy placemaking consistent with NPO 4, 26 and 27 of the NPF, and RPO 6.1, 6.12, 9.10 and 9.11 of the RSES.*
- *Promote the guidance principles set out in the 'Urban Design Manual – A Best Practice Guide' (2009), and in the 'Design Manual for Urban Roads and Streets' (2013).*
- *Ensure that development proposals are cognisant of the need for proper consideration of context, connectivity, inclusivity, variety, efficiency, distinctiveness, layout, public realm, adaptability, privacy and amenity, parking, wayfinding and detailed design.'*

5.5.7. Section 12.3.2.5 of the Development relates to School Development and includes a list of matters the Planning Authority will have regard to with individual school applications including location, design, traffic impact, cycle facilities and safe access.

5.5.8. Section 13.1.2 of the CDP relates to 'Transitional Zonal Areas'. It is noted that it is important to avoid abrupt transitions in scale and to avoid development which would be detrimental to the more environmentally sensitive zone.

5.6. Goatstown Local Area Plan

5.6.1. I note the Goatstown LAP expired in April 2022 and is no longer of relevance in this regard.

5.7. Natural Heritage Designations

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

- South Dublin Bay SAC – 2.93km northeast
- Wicklow Mountains SAC – 7km southeast
- North Dublin Bay SAC – 7.7km north
- Knocksink Wood SAC – 9.25km south
- Rockabill to Dalkey SAC – 9.44km east
- Glenasmole Valley SAC – 9.6km west
- Ballyman Glen SAC – 10.6km southeast
- Howth Head SAC – 12.2km northwest
- Baldoyle Bay SAC – 13.2km northwest
- Bray Head SAC – 14.5km southeast
- South Dublin Bay and River Tolka Estuary SPA – 2.8km northeast
- Wicklow Mountains SPA – 7.24km southeast
- North Bull Island SPA – 7.72km north
- Dalkey Islands SPA – 9.29km east
- Baldoyle Bay SPA – 13.2km north
- Howth Head Coast SPA – 14km north

5.8. EIA Screening

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

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. 2no. appeals have been submitted against the decision by the Planning Authority to refuse permission. One appeal is from the applicant, with the second appeal made on behalf of a third-party group.
- 6.1.2. The grounds of the first-party appeal against the decision to refuse may be summarised as follows:
- Noted the proposal was considered acceptable by all other DLRCC internal Departments including biodiversity, drainage, parks and landscape, transportation and public lighting Departments.
 - Principle of two permanent schools and associated school design was considered acceptable by the Planning Authority, including that there would be no impacts with respect to noise, overlooking or overshadowing nor any associated impacts on residential amenities.
 - Given the overall positive review of the proposal by the Planning authority, the appeal focuses on the 1no. reason for refusal that relates to the 60:40 built form to remaining site area ratio and what the Planning Authority considers 'publicly accessible'. The applicant will accept the attachment of an appropriately worded condition in relation to the 60% restriction on development of the site area.

Grounds of Appeal

- Reason for refusal is a subjective interpretation of Development Plan Policy and does not reflect how public access to public open space routinely occurs across the DLRCC area.
- The PA concludes that 39.6% of the site comprises school buildings, 9.3% comprise ball courts and 1.2% public parking and drop off. First Party appeal submits that 1.2% public parking and drop off is marginal as this land area is required for either school or public open space use.
- The ball courts, which comprise 9.27% of the overall site area is submitted by the First-Party as the principal reason the 40% built form under the 'F' zoning is purportedly contravened. The appeal submits that the ball courts do not constitute 'built form' and are instead an outdoor recreational use. These facilities will be open to the public use outside of school hours. It is submitted that the school pupils are themselves members of the public and will use the facilities during school hours. The school buildings will also be open to public use after school hours.
- Standard parkland closing hours of 4.30-6pm during winter months will not limit the use of the ball courts and open space as the school pupils, as members of the public, will use the site during school hours. All forms of public access to public open space come with reasonable regulation and management and therefore some evening closures are to be expected. This practice is common across DLR owned parks and playing pitches. Restrictions at times of concerts and management of playing pitches are an example of managed public access put forward in the appeal.
- Flexibility in the term 'publicly accessible' includes for regulation and management as with other parklands and playing facilities that require pre-booking.
- The Planning Authority assertion that the limitation of availability to public use outside of school requirements would not adhere to the zoning objective is without basis and is not covered by any of the provisions of the 'F' zoning.

- The sole requirement of public accessibility to 60% of the site area in the form of passive open space or playing fields is met. The means by which this accessibility is to be managed or regulated is not set out in the Development Plan and therefore the public accessibility to 60% of the site area is met as it will be available after school hours and further used by school pupils as members of the public during school times.
- The appeal concludes by seeking the Planning Authority decision of refusal to be overturned by An Coimisiun Pleanala, with permission to be granted.

6.1.3. The main points of the third-party appeal against the decision to refuse can be summarised as follows:

- Incorrect interpretation of 'F' zoning objective by the Planning Authority and failure to consider wider policies and objectives in the CDP.
- Development Plan highlights the community function of schools in hosting out of hours activities, which has not been included in the assessment of this proposal.
- Appeal focuses on the reason for refusal as the Planning Authority raised no further concerns in relation to other aspects of the proposal including impact on adjoining residential, traffic, drainage and biodiversity.
- 'Education' is listed as a very limited land use open for consideration on 'F' zoned lands and it is a responsibility of the Planning Authority to ensure the 'ED' land use objective is fulfilled on a permanent basis.
- No definition of 'Publicly Accessible' or 'Built Form' in the stipulation attached to the 'F' land use zoning. These terms are both open to interpretation and do not warrant refusal of permission. A section 47 agreement can set out exact details of access arrangements. Built form can reasonably be interpreted as relating to 'buildings'.
- School term is 183 days or 50% of the year, therefore for 50% of the year the general public would have access to the ball courts all day every day and for the remaining 50% of the year, access is available from 16:00 until dusk (i.e outside school operating hours).

- Ball courts could have been omitted by condition to comply with PA requirements.
- Zoning provisions are noted as ‘guidelines’ only and a wider consideration of vision and common good is necessary for the provision of sustainable communities.
- Dual use of facilities and particularly schools, outside of school hours is promoted in the CDP.
- The Decision under ref. 313948-22 is referenced in terms of the benefits of dual use of expensive facilities and the Commission are invited to apply the same logic to the subject proposal.
- The area is already well served by public open space, and the wider community would not be significantly impacted by a shortfall in meeting the 60/40 requirement at this site.
- The proposal offers a wide range of benefits and should be granted permission.

6.2. Planning Authority Response

- 6.2.1. The PA submitted that the appeal does not raise any new matter which would justify a change of attitude to the proposed development. The Commission are referred to the previous Planner’s Report.

6.3. Observations

- 6.3.1. A number of observations to the appeals were submitted. The main points may be summarised as follows:

Non-Compliance with ‘F’ Zoning Objective

- 60% of the site is not set aside for publicly accessible public open space. Over 50% allocated to school buildings. Ball courts constitute built form and should be considered as such.
- Public accessibility is not achieved with the subject proposal.

- Limitations on public access to the lands during school hours contravenes the purpose of the zoning.
- Proposal is contrary to the proper planning and sustainable development and would set an undesirable precedent for contravention of zoning provisions.
- Population is set to increase by 61% in the coming years and community Facilities are necessary for this growth. Removal of ball courts as suggested in one appeal is not supported.
- Site is likely to be rezoned to 'SNI' in the next Development Plan, removing the 40% requirement and a revised proposal should be put forward at that time.

Design and Scale

- The proposal is an overbearing design that will impact existing residential amenity with overlooking and ground level height differences.
- Significant ground alteration and steps required which does not support an appropriate design. Ground level differences require an unnecessarily complex access at Mount Carmel Road entrance that will be unsafe for children.
- If permission is granted, ground level reduction should be considered by the Commission.
- The comparison of the proposed design and school layout in the context of Departmental Guidelines (TGD-025 and TGD-027) is not acceptable at 28% of recommended school site size.

Impact on 47 Mount Carmel Road

- The proposal would have a detrimental impact on this property due to scale, mass and positioning close to common boundary. This will lead to loss of privacy, daylight and would fail to respect existing character.
- Reference included to details of original submission to this application. Ask that the Commission refer to the details of that submission.
- Proposed height at boundary with 47 Mont Carmel Road is excessive at 17.25m.

Taney Avenue Link

- Not owned by Council or the school with no legal entitlement to utilise the proposed pedestrian access via Taney Avenue.
- Use of this access will likely lead to parking and traffic issues at this location, which is already under pressure due to park and playground.
- Anti-social behaviour and pedestrian safety due to car traffic is also a concern.
- Use of link by the school has the potential to have significant privacy and residential amenity impacts.

Public Submissions

- All public submissions should be given weight in the consideration of the appeal.

Third Party Appeal

- Persons listed on the third-party appeal do not live in the immediate locality and will not be directly impacted by the proposal.

Consultation

- Inadequate consultation with local population to devise appropriate proposal for the site.
- Construction management should be after 8am weekdays and not before 9am on Saturdays, with no construction on Sundays.

Other Issues

- No noise assessment of operational phase provided.
- Increased energy use, due to height of proposed school.

7.0 Assessment

- 7.1. I have examined the application details and all other documentation on file, including submissions received in relation to the appeal, the reports of the Local Authority and

the details of both appeal documents. Having inspected the site, and having regard to the relevant local and national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Compliance with Zoning
- Residential Amenity Impacts
- Taney Avenue Link
- Other Issues

7.2. Compliance with Zoning

- 7.2.1. The primary basis of the 1no. First-Party Appeal and the 1no. Third-Party Appeal is in relation to the 1no. reason for refusal as issued by the Planning Authority. Separate issues outside of the zoning provisions for the site were raised in the observations to the appeals, which I will address in distinct sections of my report below.
- 7.2.2. The subject site is zoned 'F' – Open Space, with the additional provision that where 'F' lands are to be developed, not more than 40% of the land in terms of built form and surface car parking combined shall be developed upon. 60% of the site shall be set aside for publicly accessible passive open space or playing fields. The fundamental issue for the Planning Authority in their reason for refusal was that this 60/40 requirement has not been met with the subject proposal. The basis for the Planning Authority reasoning in this regard is that the ball courts (3,659sqm) and the public parking/drop-off (491sqm) equates to an additional 10.5% of the site. When this figure is taken with the submitted 39.6% of the overall site area for the school buildings, the 40% restriction on built form is substantially exceeded by 10.1% (50.1% total built form coverage). The reason for refusal also continues, to question the public accessibility of the open space/playing fields, which I will address separately under this section.
- 7.2.3. The First and Third Party argue that 9.3% of the site as ball courts does not constitute built form, that the 1.2% public parking and drop off would be required for either public open space or the school buildings and that the proposal is appropriate for this location, given the connectivity to the surrounding area and demand on school spaces and is consistent with the overall policies of the Dun Laoghaire

Rathdown County Development Plan 2022-2028 (CDP). Observers to the appeals submit that the proposal contravenes the zoning provision based on the 60/40 split and should be therefore refused permission automatically.

- 7.2.4. I note Education is an 'Open for Consideration' use under the 'F' land use zone and that the subject site has an 'ED' Objective noted on the land use maps that identifies the land area for a school site, consistent with Table 4.1 of the CDP that has 1 no. such site identified for Goatstown. Furthermore, the temporary school permitted under D22A/0506 (ABP Ref. 313948-22) is now complete and operational at the site. Policy Objective PHP7 seeks to ensure the reservation of primary and post-primary school sites in line with the requirements of the relevant education authorities and to support the provision of school facilities. I therefore accept that the proposed development of a primary and post-primary school at the subject site is generally in accordance with the zoning of the site and policy contained within the CDP, subject to confirmation of specific details.
- 7.2.5. The additional stipulation attached to Education uses under the 'F' zoning objective is paramount in relation to the acceptability of the proposal. Under this proviso, no more than 40% of the site may constitute built form and surface car parking. 60% of the site must be set aside for publicly accessible passive open space or playing fields. The CDP recommends the design of these spaces to be laid out in a manner to optimise public patronage. In their calculation of the areas of built form within the subject proposal, the Planning Authority notes 491sqm or 1.2% of the site is dedicated to public parking and drop off. I note under the Education land use for the 'F' zoning objective that the 40% relates to surface car parking as well as built form. I consider public parking and drop off to both be forms of surface parking and can be reasonably included within the 40% allowance. I note the submitted figure of 15,657sqm or 39.6% of the site area for the portion of the site dedicated to the school buildings. While I agree that the 39.6% figure for school buildings is accurate, the zoning provisions are clear in relation to surface car parking and I therefore conclude that an additional 1.2% of the site for this purpose amounts to a total of 40.8%, which is above the recommended 40% figure.
- 7.2.6. In relation to the ball courts, which the applicant has submitted will constitute 3,659sqm or 15.4% of the site, the Planning Authority determined that due to the restricted nature of the use of these facilities, this space should be allocated to the

school and their functional requirements. I refer again to the land use zoning objective, which states 60% of the site shall be set aside for publicly accessible passive open space or playing fields. I consider 'ball courts' to come within the broad definition of playing fields and note specifically that the DLR Parks Department requested the main area of open space to the Goatstown Road entrance to the site to be considered for an all-weather pitch. I note ultimately that the all-weather pitch was not viable for the applicant, but it points to the general acceptance by the Planning Authority for artificial surfaces to be considered as 'playing fields'. I consider the ball courts to be multi-functional in catering for a broad range of sports and would provide a considerable amenity to the school campus. This would also provide an additional benefit in terms of recreational amenity to the wider community outside of school opening hours and term times. I believe that this dual use by school pupils and general public would meet the zoning objective to 'optimise public patronage of the residual open space and/or to protect existing sporting and recreational facilities which may be available for community use'.

7.2.7. I concur with the appellants that the zoning objective does not place any stipulation on the timeframe for access to playing fields or passive open space. Section 12.3.2.5 of the CDP supports the dual function of sports facilities/halls etc. outside of school hours and the subject proposal represents a positive provision in this context. Appropriate management of these outdoor spaces is necessary to ensure the protection of residential amenity, and this can be appropriately conditioned as part of any grant of permission.

7.2.8. Based on the inclusion of the ball courts within the 60% of the site set aside for passive open space or playing fields, I note this amounts to a total of 59.2%, which is below the recommended minimum. In this regard, I note the provisions under Section 13.1 of the CDP that states:

'Table Nos. 13.1.1– 13.1.19 inclusive are intended as guidelines in assessing development proposals. However, they relate only to land use. Factors such as making the most efficient use of land, density, height, massing, traffic generation, public health regulations, design criteria, visual amenity, environmental considerations, flooding and potential nuisance by way of noise, odour or air pollution are also of importance in establishing whether or not a development proposal conforms to the proper planning and sustainable development of an area.'

- 7.2.9. I acknowledge the subject proposal does not strictly adhere to the 60:40 requirement, but I consider the proposal would largely adhere to this guideline figure, and that the proposal represents an efficient use of land, with a compact design that retains a significant element of open space, recreational amenities and access routes that will be available to the public. Issues such as height, massing, traffic impacts, visual amenity, environmental considerations, flooding and noise impacts were raised by observers to the appeal, and I address these under the following section on residential amenity impacts. Notably, the Planning Authority considered all these details to be acceptable in the context of the subject proposal.
- 7.2.10. While my consideration of land use categorisations above does not strictly meet the 60/40 recommendation of the CDP, I note the initial caveat in Chapter 13 to provide that these are 'guidelines' and therefore I consider that a level of flexibility is permissible. While the 60/40 division contravenes the plan, I do not consider this to be a 'material' variation. A variation of 0.8% is not significant in my view and the proposal provides social infrastructure that will benefit the wider community, while maintaining a high percentage of outdoor amenity space that is to be welcomed.
- 7.2.11. While final details of opening hours, accessibility of open spaces and access routes are not provided at this point, I do not consider this to be a reason for refusal. Appropriate management of gate openings, availability of booking times for functional spaces can be agreed between the landowner and DLRCC to ensure an appropriate balance between adequate protection of the student body, while also providing a beneficial addition of infrastructure to the local community. I note the recommendations of the Planning Authority to condition 24/7 access to the pedestrian cycle routes to Mount Carmel Road to Goatstown road with a spur to Farmhill Road. I also note the recommendation for a time managed access via Taney Avenue, subject to taking in charge and agreement with the Planning Authority. I agree with these recommendations, particularly the 24/7 access routes that will provide a vital amenity and active travel link to the neighbourhood and recommend conditions in this regard. I consider that much of the open spaces/sports facilities could be passively enjoyed as pedestrians and cyclists traverse these routes.
- 7.2.12. Management of the public accessibility of the ball courts and open space towards the Goatstown Road entrance can be agreed post planning, by way of legal agreement. I

would recommend appropriate signage at these spaces to inform the public in relation to bookings and availability. This measure would increase awareness for the public in the initial opening periods of the school until such time as community use of the facilities becomes embedded around school requirements and would maximise the use of these spaces in the future. I recommend a condition to include appropriate signage, in conjunction with the legal agreement in relation to management of the site, and to the agreement of the Planning Authority.

7.2.13. I have given consideration to the matter of Material contravention of the Development Plan in the context of non-compliance with the 60/40 ratio outlined above. I do not consider this to be a material contravention of the plan, based on my reasoning provided in preceding sections, whereby the proposal is generally in accordance with the guideline figures provided in the CDP. However, if the Commission are minded to consider this matter a material contravention of the plan, Section 37(2)(a) of the Planning and Development Act 2000 (as amended) may be invoked, whereby the Board (the Commission) may grant permission even if the proposed development contravenes materially the development plan.

7.3. Residential Amenity impacts

7.3.1. I note the comments of third-party observers to the appeals in relation to the potential for the proposal to have considerable residential amenity impacts as a result of the proposed design being restricted to 40% of the site area, which they also contend has not been met as outlined and addressed in the preceding section of my report. I will address the main residential amenity impacts as raised by the observers in the following sections.

Overlooking, Overshadowing and Loss of Privacy

7.3.2. The observers to the appeal raise various concerns in relation to the design of the school building that will result in overlooking, loss of privacy and overshadowing. Much of the perceived impact is attributed to the proposed manipulation of ground topography that would leave the ground floor of the school approximately 3m above the ground level of Mount Carmel Road. Proximity to site boundaries, caused by fitting the site into 40% of the site footprint, is also considered to be a contributing factor along with the removal of trees at the site boundary.

- 7.3.3. Specific reference is made to the impact on No. 47 Mount Carmel Road due to the scale, mass and positioning of the proposal, close to common boundaries of the site. Residents at Farmhill Drive/Avenue and at Taney Avenue also raise concern in relation to loss of privacy as a result of the proposed ball courts and cycle/pedestrian path that will be at an elevated level along the northern boundary.
- 7.3.4. I note the submitted plans and details with the application that illustrate a part 3 storey primary school building and a part 4 storey secondary school. While I note the height of the proposed three storey element at the western boundary of the site (Mount Carmel Road entrance to the site), which is the closest to a residential property, I do not consider this height to be excessive in the overall context of the area and for the use proposed.
- 7.3.5. The highest element of the proposed building is located centrally, with primarily 3 storey elements located closest to boundaries with residential properties. The separation distances to residential properties are instructive, with a separation of approximately 42m to the rear of dwellings at Taney Crescent to the west, 36m to the rear of properties to the south at Taney Avenue, at least 55m to the north at Farmhill Drive and 40m to the east/northeast at Belfield Downs. These separation distances would reduce any perceived impacts of overlooking or overbearing in my view.
- 7.3.6. Observers to the appeal note the absence of detail in relation to separation distances to the property at 47 Mount Carmel Road to the west. I have measured a distance of approximately 9.5m from the eastern gable of 47 Mount Carmel Road (ground floor to the front, extends to first floor at rear), to the western gable of a single storey bike shed within the proposed development. I have measured a distance of approximately 19.2m to the pastoral offices at each floor on the western gable of the school, 20.5m to the stairwell and approximately 21.9m to the nearest classroom window. I note the existing mature planting is to be replaced with new native tree planting along the western boundary. Furthermore, the nature of the proposed uses (classroom, office, stairwell) where people would be moving through these spaces, in the case of the stairwell, or at their desks, would further mitigate any significant instances of overlooking.

- 7.3.7. I note the CDP recommends a separation distance of 22m between first floor rear opposing residential windows, however the Compact Settlement Guidelines allow for a reduction to 16m separation distances to comply with compact development principles and I accept the subject proposal does not propose residential land use and also note the side gable relationship in this instance. I am satisfied the separation distances proposed, along with the orientation of the building and the adjoining rear private amenity spaces would not give rise to significant overshadowing impacts.
- 7.3.8. The Planning Authority Parks Department were satisfied with the replacement planting proposed, subject to minor modifications and enhancement by way of condition. I recommend a suitable condition is attached to embellish planting within the site and particularly at site boundaries, where the Planning Authority recommend that planting is thickened to enhance screening.
- 7.3.9. Observers to the appeal also raise specific concern in relation to the impact of ground level alterations within the site in relation to residential amenity/privacy reduction. I note existing site levels across the site of between 50.3 and 50.9m at the site entrance at Goatstown Road, approximately 51.3m at the southwest corner of the site and approximately 48.6m-49m along the northern boundary. The subject proposal includes a proposed finished floor level of 51.3m, with ground levels of approximately 48.7m at the ball courts along the northern boundary. I note the bio retention basin proposed at the eastern entrance of the site has a top of water level of 50.5m.
- 7.3.10. While I accept there is a range of ground level differences between the east-west pedestrian/cycle path and the ball courts of 1.5m at the western ball court to approximately 0.5m at the eastern ball court (as per 'Proposed Site Levels Drawing P19-073K-RAU-10-00-DR-A-20010' as submitted at FI stage), I do not consider this to represent a significant detractor from the amenity of these spaces, nor do I consider the raised level of the pedestrian/cycle path to give rise to significant residential amenity impacts, due primarily to the separation distances of between 50-60m to properties to the north. The proposed ground levels generally accord with existing ground levels within the site, and I consider this to be appropriate in terms of minimise ground disturbance.

- 7.3.11. The sections submitted by the applicant at FI stage indicate an acceptable level of amenity at the proposed pedestrian cycle route through lighting, planting and separation distances to the ball courts below, and which are also separated further by security fencing at lower levels.
- 7.3.12. Observers to the appeal submit the Mount Carmel Road access will be unattractive due to ground level differences and need for steps/ramped access to the path through the site. I consider that appropriate landscaping of this space has been proposed, which will lend itself to a distinctive and visually appealing entry point to the school. When taken with the overall quality of the landscape plan proposed, including the landscaping of the link routes through the site, I consider this acceptable.
- 7.3.13. I therefore consider there to be adequate design measures including separation distances, landscaping and appropriate heights proposed to minimise overlooking, overshadowing or loss of privacy with the subject proposal.

Noise

- 7.3.14. Observers to the appeal raise specific concerns in relation to operational noise impacts. The applicant submitted a Noise Impact Assessment with the application, which is limited to construction stage noise and vibration impacts, and does not include an analysis of operational noise i.e during school hours or during use of the outdoor spaces.
- 7.3.15. Initially, I note the separation distance of 55m to properties to the north of the ball courts, that are most likely to be impact by activity at the ball court spaces during the operational phase. I also note the separation distance to the properties at Mount Carmel Road of 19-20m. I consider these separation distances and the nature of the noise that will be generated (sports, movement of school pupils within the building and students travelling to and from the schools) will be low level in nature and mostly occur during daylight and school going hours. Some additional noise impacts may be experienced due to increased vehicular traffic, but based on the submitted Traffic and Transport Assessment, I accept the majority of these movements will occur at the Goatstown Road Access. The site is within walking and cycling distance of extensive residential areas and is well connected via public transport. The observers to the appeal submit that the S6 bus service is at capacity but I note the 11 bus and

the Dundrum Luas Stop (13 minute walk to Mount Carmel Road entrance) also serve the area. I also have regard to the existing secondary school operating from the subject site that has established a certain level of activity and associated noise within the locality.

- 7.3.16. I consider the noise levels that may arise from the proposed development would form part of a functional suburban community. School noise would be largely contained within the confines of the school buildings, with the primary school located centrally within the site, increasing separation distances to surrounding residential. Management of noise from the playing courts would be limited to daylight hours and on-site management would alleviate any significant impacts. An appropriate condition in relation to noise management can be attached to any grant of permission.
- 7.3.17. In relation to construction noise, I note the comments of observers to the appeal that seek to restrict working hours to after 8am on weekdays and 9am on Saturdays. I consider the construction period to be short term and temporary in nature. I recommend a final construction management plan is submitted to the Planning Authority prior to the commencement to the development that would typically include agreement on appropriate construction management measures including on-site liaison to manage excessive levels of impacts on adjoining residential properties. Standard construction hours typically commence at 7am on weekdays and 8am at the weekends and I do not consider it reasonable to depart from these hours in conditions attached to any grant of permission. This is in the context of an efficient time period for the construction of the proposed development and generally to allow on-site construction workers to arrive in advance of peak traffic periods of 8-9am at the existing temporary school.

Height

- 7.3.18. The proposed height is primarily 2-3 storeys with a 4 storey element within the post-primary school and is not excessive in the context of surrounding residential dwellings that are primarily two storey in height. I note the observers to the appeal have referenced the ground level alterations proposed, and how this has added unnecessarily to the visual impact and height of the proposal. I have regard to National Strategic Outcome No. 1 of the NPF that relates to compact growth. I

further reiterate the constraints imposed by the zoning provisions for the subject site in relation to Education uses. The applicant has achieved an appropriate balance between the provision of school infrastructure and the maintenance of passive open space and playing fields that will benefit the future pupils of the schools and the wider public.

- 7.3.19. I consider the ground level alterations appropriate in the context of levelling the site and maintaining an appropriate drainage strategy for the lands. The finished ground floor level of the school is proposed at 51.3m, the proposed attenuation area at the front of the site is given as 50.5m (top of water level). The road level access at Goatstown Road is given as 50.55m also. I consider these levels to be the constraints within which the site is designed for access and for drainage/flood management purposes and determine the finished floor level of the school. Any further amendment or reduction of ground level at the rear of the site could potentially interfere with the overall drainage strategy for the site and which was considered acceptable by the Planning Authority. The ground levels are generally consistent with the existing levels of the site, while also providing a wide range of quality amenity and spaces across the site. I therefore do not consider that a ground level reduction is necessary with the design put forward.

Lighting Impacts

- 7.3.20. The observers to the appeal have raised concerns in relation to the lighting impacts of the proposed ball courts at the northern boundary of the site.
- 7.3.21. I have had regard to the submitted Public Lighting Plan and Lighting report by the applicant. I note the proposal includes lighting of the public access ways and paths through the site, with no lighting proposed at the 6no. ball courts outside of the school buildings. I note the ball courts at roof level of the post primary school are also not proposed to be lit. The Planning Authority were satisfied with the lighting proposal put forward. I therefore consider there to be no lighting impacts arising from the proposed ball courts that would give rise to residential amenity impacts in the surrounding area.

7.4. Taney Avenue Link

- 7.4.1. Observers to the appeal raise both sides of the argument for and against the provision of a pedestrian link at Taney Avenue. Residents in proximity to the location

of the proposed link are against the provision of a link at this location, citing safety concerns, parking and traffic impacts and potential for anti social behaviour in the adjoining laneway. Observers in favour of the proposed link suggest the provision of an additional link to the south would alleviate traffic and drop off pressures at the other three access points to the site.

7.4.2. While I note the proposed link at Taney Avenue is proposed as a potential future link that requires work by others to complete, a future pedestrian and cycle access point is facilitated in the proposed development through the provision of a path within the site, up to the southern boundary.

7.4.3. I note the clear issues in relation to provision of a link at this location including land ownership, taking in charge and management issues, however I consider the potential benefits of a link at this location include providing a variety of wayfinding to and through the site, providing options for active travel modes to access the site from the south without adding to journey times, and providing a balanced split of trip distribution around the site. Possible management measures such as a time limited access point to match school opening and closing times would alleviate concerns in relation to safety and anti-social behaviour. While I accept taking in charge and ownership issues would need to be resolved, I do not propose to omit the facilitation of an access point at this location and suggest it may be finalised as part of the legal agreement in relation to management of access through the site in future and recommend an appropriate condition is included in relation to this link.

7.4.4. Based on the details provided in the Traffic and Transport Assessment in relation to overall traffic impacts, I am satisfied that the proposed school can operate successfully without the link in place.

7.5. **Other Issues**

7.5.1. Legal Agreement – Observers to the appeal submit that a decision on the subject proposal should not be made until a legal agreement setting out management of opening hours and access arrangements can be reviewed by members of the public and comments made.

7.5.2. I note the details submitted at further information stage in relation to management of the site that sets out that while a portion of open space is proposed to serve shared functions between the school and the wider public, the spaces will only be accessible

to the public outside of school hours. I note Policy Objective PHP2 that encourages the sharing of school grounds and facilities by the wider community, outside of school hours and during school holidays. I note dual use can support the financial viability and upkeep of school facilities, and given the particular policy context for this site, a managed level of access to the public is necessary to comply with Development Plan requirements. I note the applicant intends to manage access via secure gates which are automatically unlocked and locked based on school times. I acknowledge the limited length of the school year results in unused/underused facilities during summer months and other closure periods. It may not be possible to identify future non-school uses and availability of spaces at this stage, until such time as when the school is operational, and more details are available on when the facilities are needed and not needed for school activities. The primary focus should be to ensure the safety of school users during school hours, while allowing for the wider community at other times. I am satisfied that a management agreement or legal agreement can be devised post planning to agree the appropriate management of the site for the benefit of the school going community and the general public and this will not conflict with the overall compliance of the proposal with the established planning and development policy for the site or conflict with attached conditions.

7.5.3. Enforcement Issues – Observers to the appeal raise issue with the enforcement of conditions associated with the grant of permission under D22A/0506, particularly in relation to the provision of a pedestrian crossing at Goatstown Road. Enforcement of previous/existing permissions is a function of the Planning Authority and is not a matter for the Commission. I therefore do not propose to address this matter in this assessment.

7.5.4. Flooding – Observers to the appeal have raised concern in relation to flooding impacts of the proposal and anecdotal evidence of ponding at the site entrances. The application is accompanied by a Flood Risk Assessment that specifically relates to directing floodwater and surface water away from residential properties. Site levels and drainage design include SuDs measures and a bio retention basin that minimise the risk of flood impacts at the subject site. The submitted assessment was acceptable to the Planning Authority Drainage Department and I consider the submitted details to be sufficient to conclude no significant flooding impacts would arise as a result of the proposed development. I am therefore satisfied that the

development will not result in flooding that is likely to impact the subject site or adjoining areas.

8.0 AA Screening

- 8.1.1. I have considered the proposed development of a primary and post-primary school and associated site works in light of the requirements S177U of the Planning and Development Act 2000 as amended (refer to Appendix 2). The closest Natura 2000 sites are South Dublin Bay SAC (Site Code: 000210) located 2.9km east of the site and South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024) located 2.8km east of the site.
- 8.1.2. The proposed development comprises the construction of a primary and post-primary school and all associated site works. The appeal submits that in accordance with the submitted Appropriate Assessment screening report, there will be no impact arising from the subject proposal in relation to Natura 2000 sites.

Screening Determination: Finding of no likely significant effects

- 8.1.3. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Site(s) in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required. This determination is based on:
- The nature and scale of the works
 - Location-distance from nearest European site and lack of direct connections between the application site and any SAC/SPA
 - The lack of any meaningful hydrological pathways
 - Existing infrastructure connections in this developed urban area
 - Taking into account screening determination by the PA.
- 8.1.4. Please refer to the attached appendices for detailed Stage 1 Appropriate Assessment.

9.0 Water Framework Directive

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

10.0 Recommendation

10.1. I recommend that permission is GRANTED for the reasons and considerations set out below.

11.0 Reasons and Considerations

11.1.1. Having regard to the zoning of the site in the current development plan for the area, the specific 'ED' superscription attached to that zoning, Objective PHP7 of the Plan which supports the identification of sites for schools within the county, proposals put forward for the redevelopment and the division of school buildings and publicly accessible open space and playing pitches within the site, the pattern of development in the vicinity, traffic management measures and management of access across the site to be put in place, public transport connections within the area, and availability of a cycle network in the area; it is considered that, subject to compliance with the attached Conditions, the proposed development would not seriously injure the residential or visual amenities of the area, would be consistent with the provisions of the Dun Laoghaire Rathdown Development Plan 2022-2028, and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 13th day of August 2024, 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Public access to and through the site shall be maintained as follows:
 - a) A 24/7 pedestrian route between Mount Carmel Road and Goatstown Road and on the spur to Farmhill Road.
 - b) A pedestrian route and access to Taney Avenue during school hours from Monday to Friday to be agreed with the Planning Authority.
 - c) A legal agreement between the applicant and the Planning Authority in relation to management and access to the site shall be agreed in writing, prior to the commencement of development.

Reason: In the interests of proper planning and sustainable development.

3. Details including samples of the materials, colours and textures of all the external finishes to the proposed buildings and access links/surfaces shall be submitted to, and agreed in writing with, the planning authority, prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

4. All the buildings proposed for demolition and any trees proposed for felling, shall be examined by a bat specialist for evidence of bats, prior to demolition/felling; including an examination of internal roof features. If required, a National Parks & Wildlife Service (NPWS) derogation licence shall be obtained.

Reason: To mitigate a potential impact on bats, which are afforded a regime of special protection under the European Habitats Directive.

5. A pre-construction survey will be carried out for terrestrial mammals of conservation importance. If terrestrial mammals of conservation importance are noted on site NPWS will be consulted in relation to removal and the appropriate permissions obtained.

Reason: To check for mammal species pre-construction and to ensure their protection.

6. (a) Prior to commencement of development, all trees which are to be retained shall be enclosed within stout fences, not less than 1.5m in height. This protective fencing shall enclose an area covered by the crown spread of the branches, or at minimum a radius of two metres from the trunk of the tree, and shall be maintained until the development is completed.

(b) No construction equipment, machinery or materials shall be brought onto the site for the purpose of the development until all trees which are to be retained have been protected by this fencing. No work shall be carried out with the area enclosed by the fencing and, in particular, there shall be no parking of vehicles, placing of site huts, storage compounds or topsoil heaps, storage of oil, chemicals or other substances, and no lighting of fires, over the root spread of any tree to be retained.

Reason: To protect trees during the construction period and in the interests of visual amenity.

7. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

8. The site including the areas of open space shown on the approved plans shall be landscaped in accordance with a landscape and boundary treatment scheme which shall be agreed in writing with the planning authority prior to the commencement of development. The boundary treatment scheme shall include details of boundary treatments, to be agreed with the Planning Authority prior to the commencement of development. The landscape scheme shall be implemented fully in the first planting season following completion of the development, and any trees or shrubs which die or are removed within three years of planting shall be replaced in the first planting season thereafter. This work shall be completed before any of the dwellings are made available for occupation.

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

9. All existing and proposed cabling within the site shall be undergrounded.

Reason: In the interest of visual amenity.

10. An annual monitoring report of the School Travel Plan, and achievement of targets as set out in the Plan, shall be submitted to the planning authority. Should the modal split targets set out in the Plan not be achieved alternative measures shall be set out which would address how the mobility requirements of the school are to be achieved.

Reason: In the interest of achieving sustainable travel patterns.

11. Site development and building works shall be carried out only between the

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

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

12. The construction of the 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. This plan shall provide details of intended construction practice for the development, including noise/dust/vibration management measures.

Reason: In the interests of public safety and residential amenity.

13. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts, solar arrays or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

14. Lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the occupation of the new school buildings. Lighting within the application site shall be controlled to avoid light pollution of green areas

and shall be targeted to areas of human activity and for priority security areas.

Reason: In the interests of amenity and public safety.

15. Prior to the commencement of development, the Applicant shall engage the services of a suitably qualified ecologist, from the commencement of construction and for the duration of the implementation of mitigation measures. The Applicant shall inform the Planning Authority in writing of the appointment and name of the ecologist, prior to the commencement of development. The ecologist shall ensure the implementation of all of the mitigation and enhancement measures; and recommendations in the submitted documentation, including the Ecological Impact Assessment Report (EclA).

Reason: To protect Biodiversity and to ensure the implementation of mitigation measures and monitoring for Biodiversity

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

Reason: In the interest of public health.

17. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

18. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste

shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

19. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

20. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

(a) A revised plan to scale of not less than 1:500 showing –

(i) Existing trees and hedgerows, specifying which are proposed for retention as features of the site landscaping

(ii) The measures to be put in place for the protection of these landscape features during the construction period

(iii) The species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species such

as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder

(iv) Details of screen planting which shall not include cupressocyparis x leylandii

(v) Hard landscaping works, specifying surfacing materials, furniture play equipment and finished levels.

(b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment

(c) A timescale for implementation including details of phasing.

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 or until the development is taken in charge by the local authority, whichever is the sooner, 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.

21. Prior to the commencement of development, the developer shall retain the professional services of a qualified and registered or chartered Landscape Architect, as Landscape Consultant for the full duration of the development works (which shall include photographic site evidence before works commence, landscape installation works and post installation to ensure it meets the design standards proposed). The landscape architect/consultant shall procure, oversee and supervise the Landscape Contract for the implementation of the permitted landscape proposals. When all landscape works are inspected and fully completed to the satisfaction of the Landscape Consultant, he/she shall sign and submit a Practical Completion Certificate to DLR Parks and Landscape Services, as verification that all specified landscape works have been fully implemented, including resolution of any snags.

Reason: To ensure full and verifiable implementation of the approved landscape design proposals for the permitted development, to the approved standards and specification. Implementation of revised and agreed Landscape Plans.

22. Prior to the commencement of development, the developer shall engage the services of a Professional Member of Arboricultural Association who is an independent, qualified Arboriculturist for the entire period of construction activity. The consultant shall visit the site at a minimum on a monthly basis or as deemed appropriate by the Arboriculturist, to ensure the implementation of all of the recommendations in the tree reports and plans. Prior to the commencement of development, the arborist shall submit photographs and confirmation that fencing for retained trees meets BS5837:2012 “Trees in Relation to Design, Demolition and Construction – Recommendations” for the written agreement of the Public Realm Section. All works on retained trees shall comply with proper arboricultural techniques conforming to BS 3998:2010 Tree Work – Recommendations. The clearance of any vegetation including trees and scrub shall be carried out outside the bird-breeding season (1st day of March to the 31st day of August inclusive) or as stipulated under the Wildlife Acts 1976 and 2000. The Arboriculturist shall carry out a post construction tree survey and assessment on the condition of the retained trees. A completion certificate is to be signed off by the Arboriculturist when all permitted development works are completed and in line with the recommendations of the tree report. The certificate shall be submitted to the planning authority for written agreement upon completion of the works.

Reason: To ensure and give practical effect to the retention, protection and sustainability of trees during and after construction of the permitted development.

23. The Applicant shall ensure that all measures outlined within the submitted Quality Audit are implemented, and prior to commencement, submit revised drawings and details which demonstrate the following changes to the site layout:

- All pedestrian crossing within the site to be provided as raised zebra crossings (Type B or Type C to be considered).
- STOP lines within the site shall be relocated to the rear of pedestrian crossing at junctions in order to improve pedestrian priority.
- A Stage 2 and Stage 3 Road Safety/Quality Audit shall be carried out on the proposed development at detail design and post construction stages and be submitted to the planning authority for review and approval.

Reason: In the interests of the proper planning and sustainable development of the area.

24. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company or other such security as may be accepted in writing by the planning authority, to secure the protection of the trees on site which are to be retained, and to make good any damage caused during the construction period, coupled with an agreement empowering the planning authority to apply such security, or part thereof, to the satisfactory protection of any tree or trees on the site, or the replacement of any such trees which die, are removed or become seriously damaged or diseased within a period of three years from the substantial completion of the development, with others of similar size and species. The form and the 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 Bord Pleanála for determination.

Reason: To secure the protection of trees on the site.

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

Matthew McRedmond
Senior Planning Inspector

25 November 2025

Form 1 - EIA Pre-Screening

| | |
|---|---|
| Case Reference | ACP-323549-25 |
| Proposed Development Summary | Removal of existing temporary structures and Construction of a primary school, post-primary school and all associated site works. |
| Development Address | The Former Irish Glass Bottle Social Club Site, Goatstown Road, Goatstown, Dublin 14 |
| In all cases check box /or leave blank | |
| 1. Does the proposed development come within the definition of a ‘project’ for the purposes of EIA? (For the purposes of the Directive, “Project” means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources) | <input checked="" type="checkbox"/> Yes, it is a ‘Project’. Proceed to Q2. |
| | <input type="checkbox"/> No, No further action required. |
| 2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)? | |
| <input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP. | |
| <input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3 | |
| 3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds? | |
| <input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road | |

| | |
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| <p>development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p> | |
| <p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p> | |
| <p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p> | <p>Class 10 (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. The site area is 3.9ha within a built-up urban area.</p> |

| | |
|--|--|
| <p>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</p> | |
| <p>Yes <input type="checkbox"/></p> | |
| <p>No <input checked="" type="checkbox"/></p> | <p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p> |

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

| | |
|---|--|
| Case Reference | ACP-323549-25 |
| Proposed Development Summary | Removal of existing temporary structures and Construction of a primary school, post-primary school and all associated site works. |
| Development Address | The Former Irish Glass Bottle Social Club Site, Goatstown Road, Goatstown, Dublin 14 |
| 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). | The proposed development consists of a primary and post-primary school. The development consists of typical construction and related activities and site works. The works proposed do not result in the production of significant waste, emissions or pollutants. Surface water will be discharged to a public water network. Wastewater will be discharged to the public sewer, |
| Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance). | The proposed site is located within an urban area; 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 SAC <ul style="list-style-type: none"> • South Dublin Bay SAC – 2.9km east. located 2.9km east of the site and • South Dublin Bay and River Tolka Estuary SPA located 2.8km east My appropriate assessment screening concludes that the proposed development would not likely have a significant effect on any European Site. The subject site is not located within a flood risk area. |
| Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, | The site size measures 3.9ha. The size of the development is not exceptional in the context of an urban environment. There are existing dwellings adjacent to the proposed site. Observations were raised in relation to overlooking and overshadowing, however, given the separation distance, no issues arise. The proposed development is a relatively small development in the urban context. There is no real |

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| cumulative effects and opportunities for mitigation). | likelihood of significant cumulative effects within the existing and permitted projects in the area. |
| Conclusion | |
| Likelihood of Significant Effects | Conclusion in respect of EIA <i>[Delete if not relevant]</i> |
| There is no real likelihood of significant effects on the environment. | EIA is not required. |

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)

Appendix 2: AA Screening

**Screening for Appropriate Assessment
Test for likely significant effects**

| | |
|--|---|
| Step 1: Description of the project and local site characteristics | |
| Brief description of project | Proposed removal of existing temporary structures and construction of a primary and post-primary school and all associated works |
| Brief description of development site characteristics and potential impact mechanisms | Infill development on 3.9ha site. Site primarily in undeveloped natural grass / overgrown, existing natural boundaries, located c 2.8km to European site, potential impact on ground water from effluent disposal and disposal of surface water, removal of natural vegetation may disturb species, significant amount of native planting proposed. The South Dublin Bay SAC (Site Code: 000210) located 2.9km east of the site and South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024) located 2.8km east of the site. |
| Screening report | Yes, screening report provided by the applicant |
| Natura Impact Statement | No. |
| Relevant submissions | Observations referenced the abundance of wildlife present at the subject site. |

Step 2. Identification of relevant European sites using the Source-pathway-receptor model

Sixteen European sites are identified as being located within a potential zone of influence of the proposed development as detailed in Table 1 below. I note that no further range of European Sites is necessary for consideration in relation to this proposed development.

Table 1:

| European Site (code) | Qualifying interests¹ Link to conservation objectives (NPWS, date) | Distance from proposed development (km) | Ecological connections² | Consider further in screening³ Y/N |
|------------------------------|---|--|---|--|
| South Dublin Bay SAC (00210) | Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Salicornia and other annuals colonising mud and sand [1310] | 2.93km northeast | No physical or hydrological pathways exist. Separation and intervening waters would dilute any potential runoff. | Y |

| | | | | |
|--------------------------------|--|---------------|--------------------------------------|---|
| | Embryonic shifting dunes [2110] South Dublin Bay SAC National Parks & Wildlife Service | | | |
| Wicklow Mountains SAC (002122) | <p>Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) [3110]</p> <p>Natural dystrophic lakes and ponds [3160]</p> <p>Northern Atlantic wet heaths with <i>Erica tetralix</i> [4010]</p> <p>European dry heaths [4030]</p> <p>Alpine and Boreal heaths [4060]</p> <p>Calaminarian grasslands of the <i>Violetalia calaminariae</i> [6130]</p> <p>Species-rich <i>Nardus</i> grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) [6230]</p> <p>Blanket bogs (* if active bog) [7130]</p> <p>Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>) [8110]</p> <p>Calcareous rocky slopes with chasmophytic vegetation [8210]</p> <p>Siliceous rocky slopes with chasmophytic vegetation [8220]</p> <p>Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0]</p> | 7km southeast | No physical or hydrological pathways | N |

| | | | | | |
|-------------------------|------------|---|------------------------|--|----------|
| | | Lutra lutra (Otter) [1355] Wicklow Mountains SAC National Parks & Wildlife Service | | | |
| North Bay (000206) | Dublin SAC | Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glauco-Puccinellietalia maritima) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] Embryonic shifting dunes [2110] Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] Humid dune slacks [2190] Petalophyllum ralfsii (Petalwort) [1395] North Dublin Bay SAC National Parks & Wildlife Service | 7.7km northeast | No physical or hydrological pathways exist. | N |
| Knocksink Wood (000725) | SAC | Petrifying springs with tufa formation (Cratoneurion) [7220] Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion) | 9.25km south | No physical or hydrological pathways exist. | N |

| | | | | |
|---|--|-------------------------|--|----------|
| | incanae, Salicion albae) [91E0] | | | |
| Rockabill to Dalkey Island SAC (003000) | Reefs [1170] Phocoena phocoena (Harbour Porpoise) [1351] Rockabill to Dalkey Island SAC National Parks & Wildlife Service | 9.4km east | No physical or hydrological pathways exist. Separation and intervening waters would dilute any potential runoff via Shanganagh. | N |
| Glenasmole Valley SAC (001209) | Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210] Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410] Petrifying springs with tufa formation (Cratoneurion) [7220] Glenasmole Valley SAC National Parks & Wildlife Service | 10.6km west | No physical or hydrological pathways | N |
| Ballyman Glen SAC (004030) | Petrifying springs with tufa formation (Cratoneurion) [7220] Alkaline fens [7230] Ballyman Glen SAC National Parks & Wildlife Service | 10.6km southeast | No physical or hydrological pathways | N |
| Howth Head SAC (000202) | Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] European dry heaths [4030] Howth Head SAC National Parks & Wildlife Service | 12.2km northeast | No physical or hydrological pathways | N |
| Baldoyle Bay SAC (000199) | Mudflats and sandflats not covered by seawater at low tide [1140] | 13.2km northeast | No physical or hydrological pathways | N |

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|---|---|-------------------------|---|----------|
| | <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330]</p> <p>Mediterranean salt meadows (Juncetalia maritimi) [1410]</p> <p>Baldoye Bay SAC National Parks & Wildlife Service</p> | | | |
| Bray Head SAC (00714) | <p>Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]</p> <p>European dry heaths [4030]</p> <p>Bray Head SAC National Parks & Wildlife Service</p> | 14.5km southeast | No physical or hydrological pathways | N |
| South Dublin Bay and River Tolka Estuary SPA (004024) | <p>Light-bellied Brent Goose (Branta bernicla hrota) [A046]</p> <p>Oystercatcher (Haematopus ostralegus) [A130]</p> <p>Ringed Plover (Charadrius hiaticula) [A137]</p> <p>Grey Plover (Pluvialis squatarola) [A141]</p> <p>Knot (Calidris canutus) [A143]</p> <p>Sanderling (Calidris alba) [A144]</p> <p>Dunlin (Calidris alpina) [A149]</p> <p>Bar-tailed Godwit (Limosa lapponica) [A157]</p> <p>Redshank (Tringa totanus) [A162]</p> <p>Black-headed Gull (Chroicocephalus ridibundus) [A179]</p> | 2.8km northeast | No physical or hydrological pathways exist. Separation and intervening waters would dilute any potential runoff. | Y |

| | | | | |
|---------------------------------------|---|-------------------------------|---|-----------------|
| | <p>Roseate Tern (<i>Sterna dougallii</i>) [A192]</p> <p>Common Tern (<i>Sterna hirundo</i>) [A193]</p> <p>Arctic Tern (<i>Sterna paradisaea</i>) [A194]</p> <p>Wetland and Waterbirds [A999]</p> <p>South Dublin Bay and River Tolka Estuary SPA National Parks & Wildlife Service</p> | | | |
| <p>Wicklow Mountains SPA (004040)</p> | <p>Merlin (<i>Falco columbarius</i>) [A098]</p> <p>Peregrine (<i>Falco peregrinus</i>) [A103]</p> <p>Wicklow Mountains SPA National Parks & Wildlife Service</p> | <p>7.2km southeast</p> | <p>No physical or hydrological pathways</p> | <p>N</p> |
| <p>North Bull Island SPA (004006)</p> | <p>Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]</p> <p>Shelduck (<i>Tadorna tadorna</i>) [A048]</p> <p>Teal (<i>Anas crecca</i>) [A052]</p> <p>Pintail (<i>Anas acuta</i>) [A054]</p> <p>Oystercatcher (<i>Haematopus ostralegus</i>) [A130]</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Grey Plover (<i>Pluvialis squatarola</i>) [A141]</p> <p>Knot (<i>Calidris canutus</i>) [A143]</p> <p>Sanderling (<i>Calidris alba</i>) [A144]</p> <p>Dunlin (<i>Calidris alpina</i>) [A149]</p> | <p>7.7km northeast</p> | <p>No physical or hydrological pathways exist.</p> | <p>N</p> |

| | | | | |
|-----------------------------|---|-------------------------|---|----------|
| | <p>Black-tailed Godwit (<i>Limosa limosa</i>) [A156]</p> <p>Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</p> <p>Curlew (<i>Numenius arquata</i>) [A160]</p> <p>Redshank (<i>Tringa totanus</i>) [A162]</p> <p>Turnstone (<i>Arenaria interpres</i>) [A169]</p> <p>Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]</p> <p>Shoveler (<i>Spatula clypeata</i>) [A857]</p> <p>Wetland and Waterbirds [A999]</p> <p>North Bull Island SPA National Parks & Wildlife Service</p> | | | |
| Dalkey Islands SPA (004172) | <p>Roseate Tern (<i>Sterna dougallii</i>) [A192]</p> <p>Common Tern (<i>Sterna hirundo</i>) [A193]</p> <p>Arctic Tern (<i>Sterna paradisaea</i>) [A194]</p> <p>Dalkey Islands SPA National Parks & Wildlife Service</p> | 9.29km northeast | No physical or hydrological pathways exist. Separation and intervening waters would dilute any potential runoff. | N |
| Baldoyle Bay SPA {004016} | <p>Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]</p> <p>Shelduck (<i>Tadorna tadorna</i>) [A048]</p> <p>Ringed Plover (<i>Charadrius hiaticula</i>) [A137]</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Grey Plover (<i>Pluvialis squatarola</i>) [A141]</p> | 13.2km north | No physical or hydrological pathways exist. Separation and intervening waters would dilute any potential runoff. | N |

| | | | | |
|----------------------------|---|-------------------|---|----------|
| | Bar-tailed Godwit (Limosa lapponica) [A157] Wetland and Waterbirds [A999] Baldoyle Bay SPA National Parks & Wildlife Service | | | |
| Howth Head SPA (004113) | Kittiwake (Rissa tridactyla) [A188] Howth Head Coast SPA National Parks & Wildlife Service | 14km north | No physical or hydrological pathways exist. Separation and intervening waters would dilute any potential runoff. | N |

¹ Summary description / **cross reference to NPWS website** is acceptable at this stage in the report

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

³if no connections: N

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

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

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

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

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

AA Screening matrix

| Site name Qualifying interests | Possibility of significant effects (alone) in view of the conservation objectives of the site* | |
|---|---|---|
| | Impacts | Effects |
| Site 1: South Dublin Bay SAC (00210) QI List: As Above | No direct impacts and no risk of habitat loss, fragmentation or any other direct impact. Loss of grassland. Indirect: | Having regard to - the urban nature of the proposal and relatively minor scale, - lack of direct connections or pathways, |

| | | |
|---|--|---|
| | <p>Low risk of surface water runoff from construction reaching sensitive receptors but could potentially enter adjacent stream. Intervening habitat provides buffer and c.6.2km of watercourse and estuarine influence would dilute any minor emissions.</p> <p>Operational: surface water will be attenuated by integrated SUDs system and filtration system.</p> | <ul style="list-style-type: none"> - the distance to receiving features, - normal best construction practices, - disposal of uncontaminated storm water to ground, - disposal of effluent on site to public sewer system, <p>it is highly unlikely that the proposed development could generate impacts of a magnitude that could affect QIs of the SAC.</p> <p>Low risk to SAC related to any minor construction related emissions.</p> <p>Low risk of surface or ground water borne pollutants or sediments reaching the SAC.</p> <p>Conservation objectives would not be undermined.</p> |
| | <p>Likelihood of significant effects from proposed development (alone): N</p> | |
| | <p>If No, is there likelihood of significant effects occurring in combination with other plans or projects? The proposed development will not result in any effects that could contribute to an additive effect with other developments in the area.</p> | |
| | <p>Impacts</p> | <p>Effects</p> |
| <p>Site 2: South Dublin Bay and River Tolka Estuary SPA (004024)</p> <p>QI: As above</p> | <p>No direct, indirect, ex situ or in combination impacts, as above.</p> | <p>No significant effects likely.</p> |
| | <p>Likelihood of significant effects from proposed development (alone): N</p> | |
| | <p>If No, is there likelihood of significant effects occurring in combination with other plans or projects? The proposed development will not result in any effects that could contribute to an additive effect with other developments in the area.</p> | |
| | <p>Impacts</p> | <p>Effects</p> |
| <p>Step 4 Conclude if the proposed development could result in likely significant effects on a European site</p> | | |

The construction or operation of the proposed development will not result in impacts that could affect the conservation objectives of European Sites within the zone of influence. Due to distance and lack of meaningful ecological connections there will be no changes in ecological functions due to any construction related emissions or disturbance. There will be no direct or ex-situ effects from disturbance on mobile species during construction or operation of the proposed development. No mitigation measures beyond normal standard construction mitigation and drainage works are required to come to these conclusions.

Screening Determination

Finding of no likely significant effects

Having carried out Screening for Appropriate Assessment of the project in accordance with Section 177U of the Planning and Development Act 2000 (as amended), I conclude that that the project individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Sites within the surrounding area, or any other European site, in view of the sites Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required.

This determination is based on:

- The relatively minor scale of the development and lack of impact mechanisms that could significantly affect a European Site
- Distance from and weak indirect connections to the European sites
- No ex-situ impacts

Appendix 3

| WFD IMPACT ASSESSMENT STAGE 1: SCREENING | | | |
|--|----------------------|---|---|
| Step 1: Nature of the Project, the Site and Locality | | | |
| An Bord Pleanála ref. no. | ACP-323549-25 | Townland, address | The Former Irish Glass Bottle Social Club Site, Goatstown Road, Goatstown, Dublin 14 |
| Description of project | | Removal of existing temporary structures and construction of a primary and post-primary school and all associated site works | |
| Brief site description, relevant to WFD Screening, | | Site is located in the Townland of Roebuck, Goatstown Road, Dublin 14. The site is relatively flat with some ground level differences. Excess storm water will drain to SuDs features and the existing drainage network. A water quality monitoring station is located approx. 650m west of the site at the River Slang (ID: RS09S041500) and the site is located within the Liffey and Dublin Bay catchment. | |
| Proposed surface water details | | Connection to existing infrastructure at Goatstown Road. | |
| Proposed water supply source & available capacity | | It is proposed to use the existing system which will connect to the existing watermain at Goatstown Road. | |
| Proposed wastewater treatment system & available capacity, other issues | | It is proposed to drain the foul effluent via gravity and connect into the infrastructure constructed to serve the temporary school sized to facilitate the subject application. The current connection is to the 225mm diameter foul network at Goatstown Road. | |

| Step 2: Identification of relevant water bodies and Step 3: S-P-R connection | | | | | | |
|---|------------------------|---|-------------------|---|--|---|
| Identified water body | Distance to (m) | Water body name(s) (code) | WFD Status | Risk of not achieving WFD Objective e.g.at risk, review, not at risk | Identified pressures on that water body | Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater) |
| River Waterbody | 650m west | DODDER_050 | Moderate | At Risk | None | Potential Surface Water run off |
| Groundwater Waterbody | Underlying site | Dublin IE_EA_G_008 | Good | Review | None | Yes, via groundwater |
| Coastal | 4.2km east | Dublin Bay IE_EA_090_000 0 | Good | Not at Risk | None | No pathway or linkage |
| Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage. | | | | | | |
| CONSTRUCTION PHASE | | | | | | |

| No. | Component | Waterbody receptor (EPA Code) | Pathway (existing and new) | Potential for impact/ what is the possible impact | Screening Stage Mitigation Measure* | Residual Risk (yes/no) Detail | Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2. |
|--------------------------|-----------|-------------------------------|---|--|-------------------------------------|---|---|
| 1. | River | DODDER_050 | No. | Siltation, pH (Concrete), hydrocarbon spillages | Standard construction practice | No, due to separation distances involved | Screened Out |
| 2. | Ground | Dublin IE_EA_G_008 | Yes, pathway exists via moderate drainage characteristics | Spillages, leakage to groundwater water table | As above | Yes – drainage characteristics warrants further assessment. | Screened in. |
| 3. | Coastal | Dublin Bay IE_EA_090_000 | No. | Siltation, pH (Concrete), hydrocarbon spillages | Standard construction practice | No, due to separation distanced involved | Screened out |
| OPERATIONAL PHASE | | | | | | | |
| 1. | River | DODDER_050 | No. | Hydrocarbon spillage/siltation, digestate leakage, inundation prior to treatment | Separation distances | No, due to separation distances involved | Screened out |

| | | | | | | | |
|---|---|-----------------------------|--|---|---------------------------------|--|--------------|
| 2. | Ground | Dublin IE_EA_G_008 | Yes pathway exists via moderate drainage characteristics | Spillages | As above | Yes. Drainage characteristics warrant further assessment | Screened in |
| 3. | Coastal | Dublin Bay IE_EA_090_000 | No. | Siltation, pH (Concrete), hydrocarbon spillages | Standard site drainage measures | No, due to separation distances involved. | Screened out |
| DECOMMISSIONING PHASE | | | | | | | |
| 1. | N/A | | | | | | |
| STAGE 2: ASSESSMENT | | | | | | | |
| Details of Mitigation Required to Comply with WFD Objectives | | | | | | | |
| Stormwater drainage | Adequately designed SUDs features, permeable paving and attenuation | SuDS features as described | SuDS features as described | SuDS features as described | SuDS features as described | YES | |
| Details of Mitigation Required to Comply with WFD Objectives | | | | | | | |
| Groundwater | | | | | | | |

| Development/Activity e.g. abstraction, outfall, etc. | <u>Objective 1: Groundwater</u> Prevent or limit the input of pollutants into groundwater and to prevent the deterioration of the status of all bodies of groundwater | <u>Objective 2 : Groundwater</u> Protect, enhance and restore all bodies of groundwater, ensure a balance between abstraction and recharge, with the aim of achieving good status* | <u>Objective 3:Groundwater</u> Reverse any significant and sustained upward trend in the concentration of any pollutant resulting from the impact of human activity | Does this component comply with WFD Objectives 1, 2, 3 & 4? (if answer is no, a development cannot proceed without a derogation under art. 4.7) |
|---|--|--|---|--|
| Development Activity 1: Development of 36no. residential units | Site specific construction mitigation methods including: <ul style="list-style-type: none"> • Silt traps installed • Removal of material daily from site • Dust suppression during construction • Servicing of plant and machinery to avoid leakage • Management of refuelling | Site specific mitigation methods as described. | Site specific mitigation methods as described | Yes |

| | | | | |
|--|--|--|--|--|
| | <ul style="list-style-type: none"> • Covering of soil heaps during heavy rainfall • No excavation during rainfall • Staff compounds designated • Management of waste <p>Operational mitigation measures including:</p> <ul style="list-style-type: none"> • Bio retention pond to treat and control flow prior to discharge | | | |
|--|--|--|--|--|