



An
Coimisiún
Pleanála

Inspector's Report

ACP-324019-26

Development

Demolition of four dwellings, construction of a mixed-use development of 463 residential units in the form of apartments and duplexes, and community/ creche unit. 10 buildings ranging from 3 storeys to 6 storeys in height. All associated site works.

Location

Ballymun Road and Coultry Park,
Ballymun, Dublin 9.

Website

www.coultrylrd.com

Planning Authority

Dublin City Council

Planning Authority Reg. Ref.

WEBLRD6078/25-S3

Applicant(s)

Tuath Housing Association CLG

Type of Application

Large-Scale Residential Development

Planning Authority Decision

Grant with Conditions

Type of Appeal

Third Party

Appellant(s)

Stephen Redmond
Residents of Coultry Gardens

Siobhan Gavin on Behalf of Coultry
Gardens/ Coultry Green Residents

Observer(s)

None

Date of Site Inspection

28th January 2026

Contents

1.0 Site Location and Description	4
2.0 Proposed Development.....	5
3.0 Planning Authority Pre-Application Opinion.....	7
4.0 Planning Authority Decision	11
5.0 Planning History.....	20
6.0 Policy Context.....	20
7.0 The Appeal.....	29
8.0 Assessment	45
11.0 Water Framework Directive	109
12.0 Conditions and Recommendations Table	110
13.0 Recommendation	112
14.0 Reasons and Considerations	114
15.0 Recommended Draft Order	115
16.0 Conditions.....	120
Appendix 1: Screening for Appropriate Assessment	132
Appendix 2: EIA Pre-Screening:	157
Appendix 3: EIA Screening Determination:	157
Appendix 4: WFD Impact Assessment - Screening:	15773

1.0 Site Location and Description

- 1.1. The subject site with a stated area of 3.17 hectares, comprises of an irregular shaped site to the north east of Ballymun town centre. The site is located to the east of the Ballymun Road/ R108, to the west of Coultry Terrace/ Woodhazel Terrace and Coultry Green, south of Coultry Gardens and north/ west of Woodhazel Close. The site is approximately 1.1km to the south of the M50/ R108 interchange.
- 1.2. There are a mix of uses on the subject lands at present. To the north west is the ‘Muck and Magic Community Garden’ which is an area of enclosed land in use as a community garden. To the north of the site is a two-storey terrace of four houses, Nos. 62-65 Coultry Gardens, which are proposed as part of this application for demolition. The remaining parts of this site are currently in use as open space and are under grass.
- 1.3. As reported the site is located adjacent to Ballymun town centre, and adjoins mixed use development, a school to the south east and residential development to the east and north. There is an extensive road network in place through the site, and which includes footpaths.
- 1.4. The Ballymun Road to the front/ west of the site includes bus lanes. There is a bus stop/ shelter to the north west of the site serving Dublin Bus routes 19 and E1 and Go Ahead Ireland Route N6. Additional bus routes are available from outside the Ballymun Civic Centre which is approximately 240m to the south west from the centre of the subject site. The additional routes are Dublin Bus Route E2 and Go Ahead Ireland route 220/ 220A. The E1/ E2 provide the Spine route of the Bus Connects E Corridor and the 19 provides a Radial Route between the Airport, Ballymun and the City Centre. I have included a screenshot of the weekday bus frequencies for the E1, E2 and 19. Weekend frequency is reduced for the E1 and E2 to between every 10 and 20 minutes. The 19 retains its 20 minute frequency.

Weekday	AM											PM											AM			
	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4		
Route No.	The number in each box below is the expected time in minutes between buses																									
E1	Northwood - DCU - City Centre - Bray - Ballywaltrim	60	10	8	8	10	10	10	10	10	10	10	10	10	8	8	8	10	10	10	10	20	approx. every 1h			
E2	Harristown - DCU - City Centre - Dún Laoghaire	60	10	8	8	10	10	10	10	10	10	10	10	10	8	8	8	10	10	10	10	20	approx. every 1h			
19*	Dublin Airport - DCU - City Centre (Merrion Square)	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	-			

The N6 provides an Orbital bus service between Finglas Village, Ballymun, Beaumont Hospital and Kilbarrack/ Howth Junction station. This operates on a 12/ 15 minute

frequency. The 220/ 220A operates between Mulhuddart and DCU on an hourly basis and this can be classed as a local route serving a large area and not on a direct routing.

- 1.5. Construction work is due to commence on the Ballymun / Finglas to City Centre Core Bus Corridor Scheme, which includes the section to the front/ west of the site, in Q3 2026 and the contract for construction was signed in 2025. This section is due to be complete by Q2 2028 as per the Programme of Works for this project. Tendering for construction of the Metrolink has also commenced and the nearest station relative to the subject site is opposite the Civic Centre approximately 300m to the south west from the centre of the subject site.

2.0 Proposed Development

- 2.1. The proposal, as per the submitted public notices, comprises the construction of 10 no. buildings, ranging in height from 3 storeys up to 6 storeys. The development will provide 463 no. residential units (190 no. one bed units, 226 no. two bed units and 47 no. three bed units). Community/ cultural/ art space is provided for and a creche is also proposed as part of the development of this site.
- 2.2. The following tables set out some key elements of the proposed development:

Table 1: Key Figures

Gross Site Area	3.17 hectares
Net Site Area	3.05 hectares
Site Coverage	30%
Plot Ratio	1.3
Area to be Demolished	
4 Houses (62 -65 Coultrey Gardens):	357.62sq m
Other (Polytunnels/ sheds/ containers):	178.8sq m
Total:	536.45sq m
No. of Houses	0
No. of Apartments	463
Total	463
Net Density –	151.8 dwellings per hectare (dph)

Floor Area	
Gross Floor Area:	42,617sq m
Net Floor Area (Residential and Non-Residential):	32,965.9sq m
Public Open Space Provision	3,131.0sq m
Communal Open Space	4,068.0sq m
Total	7,199.0sq m
Childcare Provision	445.7sq m – 89 Children
Car Parking –	
Off Street	97
On Street	47
Total	144
Bicycle Parking –	
Residents Standard	736
Residents Cargo Bike	51
Visitor Standard	234
Staff	5 (includes 1 cargo bicycle spaces)
Visitors to creche/ community Use	14
Total	1040
Motorcycle Parking	8

Table 2: Unit Mix

Block	Bedrooms				Total	Storeys
	1 Bed	2 Beds (3 P)	2 Beds (4P)	3 Beds		
1 (Site 6)	34	3	20	0	57	6
2 (Site 6)	31	1	30	0	62	6
3 (Site 6)	32	1	20	0	53	6
4 (Site 6)	22	3	18	4	47	4 to 6
5 (Site 8)	13	0	17	3	33	3 to 6
6 (Site 8)	16	0	20	4	40	3 to 6

7 (Site 9)	22	3	18	4	47	4 to 6
8 (Site 9)	10	5	24	9	48	5
9 (Site 9)	10	5	24	9	48	5
Duplexes						
Site 6			4	4	8	3
Site 8			6	6	12	3
Site 9			4	4	8	3
Total (%)	190 (41%)	21 (4.5%)	205 (44%)	47 (10%)	463	

- 2.3. The total internal gross floor area is stated to be 42,617sq m and the net apartment floor area is 32,096.77sq m. The total development footprint is given as 9232sq m.
- 2.4. A total of 223 units (48%) are dual aspect – Site 6: 95, Site 8: 51 and Site 9: 77.
- 2.5. The proposed development will utilise the existing road and footpath network. The access from Coutry Road, towards the centre of the site, will provide the primary connection to the Ballymun Road.
- 2.6. Each of Site 6, 8 and 9 will be provided with public open space and communal open space as required. A total of 3131sq m of public open space is to be provided and 4,068sq m of communal open space is also provided for on site.

3.0 Planning Authority Pre-Application Opinion

- 3.1. A Section 247 Consultation Meeting took place on the 15th of October 2024 between representatives of the applicant and Dublin City Council, LRD6078/24-S2 refers. Issues raised in this consultation included:

- Planning Matters:
 - Site 6: Road layout, need for increased passive surveillance, concern about the number of dual aspect units to be provided, proposed heights are acceptable, need for Z4/ Commercial uses in accordance with this zoning objective – applicant referred to vacancy in the area and this would be discussed further, applicant was asked if consideration was given to the demolition of 18-25 Coutry Gardens, need for footpaths, relocation of

allotments in the area (applicant is aware of this) and concern about the number of blank gables on to access road.

- Site 8: Raised a concern about the missed opportunity to continue the curved layout here. Applicant responded that the site did not allow for this in terms of meeting density requirements. Concern was raised about the location of bin stores. Need to reduce the bulk of the development, need for road frontage at 55 – 61 Coultry Gardens, concern about blank gable walls, CUO25 provision could be off-site and the proposed creche was not included in the 5%.
- Site 9: Details requested on the location of the play area for the creche, concern about heights having regard to the requirements set out in the LAP and the proximity of buildings to existing houses on Woodhazel Close. Need for the development to demonstrate a neighbourhood scale. Query over the potential provision of enterprise units here.
- Roads Comments: Need to be clear as to what is to be taken in charge, concern over the provision of car parking, footpaths to be 2.4m wide, demonstrate compliance with DMURS and details on east/ west link to be provided.
- Drainage: Separate discussions to be had, low risk of flooding and clarity to be provided on what is to be taken in charge.
- Archaeology: An archaeological testing report is to be prepared, and it is noted that the site has undergone heavy disturbance. The site is outside of any Zone of Archaeological Constraint for any Recorded Monuments. Although this is a large site, the potential for archaeological impact is considered to be low due to the scale of disturbance already undertaken. A report to be prepared which would demonstrate the level of modern ground disturbance here.

3.2. An LRD/ Section 247 Consultation Meeting (LRD6078/24-S2) took place on the 22nd of January 2025 between representatives of the applicant and Planning Authority, Dublin City Council.

The following issues were identified during the meeting:

- Planning Issues:
 - To do with design, layout, bulk/ massing and height of buildings, compliance with the Dublin City Development Plan, Ballymun LAP, relevant Section 28 Guidelines, compliance with Zoning Objective, Objective CU025/ do not include the creche within the 5%, demolition of existing houses and other issues.
 - Impact on existing residential amenity.
 - Daylight/ Sunlight impacts to be assessed – for both on and off site.
- Transport Planning Issues:
 - Provide details demonstrating the interaction of the Ballymun/ Finglas to City Centre BusConnects scheme.
 - Provide a Quality Audit Report in accordance with DMURS.
 - Address issues raised by the Transportation Planning Division Opinion Report.
 - Identify the location of works to be carried out on public lands.
 - Overhanging of structures including balconies over public lands is opposed.
 - Full details of services and delivery access/ arrangements to be provided.
 - Provide a fully detailed Operational Waste Management Plan (OWMP).
 - Additional details to be provided on car parking. Additional details on EV charging (minimum of 50% provision), provide for motorcycle parking and further reduction in car parking if possible.
 - Need for a bicycle design statement.
 - The Construction Environmental Management Plan to also include reference to Bus Connects and Metrolink.
- Drainage Issues. There are no objections to the development subject to the following items being addressed:
 - Qbar to be re-evaluated.

- The proposal provides for green roofs but without the blue roof element, this to be reconsidered.
- Underground tanks should only be considered when other solutions have been maximised, details required.
- Rain gardens are referenced but details are not provided.
- Catchment layout to be revised to include sub-catchment areas.
- Revised details on surface water drainage and the use of SuDS.
- Not all sewers which run the site have been incorporated into the drainage proposals, details to be provided.
- Details to be provided on the upgrading of the drainage system in Coultry Gardens as per the Ballymun Local Area Plan.
- Parks, Biodiversity and Landscaping issues: Details are provided which the applicant should consider/ address in any planning application.
- Arts Office: The applicant to demonstrate compliance in full with Objective CUO25 of the Dublin City Development Plan 2022 – 2028.
- Environmental Impact Assessment and Appropriate Assessment:
 - A full, detailed Appropriate Assessment Screening to be undertaken.
 - Details to be updated in accordance with the information provided by the Parks, Landscape and Biodiversity Section.
 - A fully detailed Environmental Impact Assessment Screening to be undertaken by the applicant.
- Any Other Business:
 - The applicant to ensure that all required details under Table 15-1 of the Dublin City Development Plan is provided; the report includes a list of relevant documentation.

The recommended Opinion, 20th February 2025, was that the development ‘requires further consideration and amendment to constitute a reasonable basis for an application for Large-scale Residential Development.’

4.0 Planning Authority Decision

4.1. Decision

The Planning Authority decided to grant permission subject to conditions, following the receipt of further information. Conditions are generally standard, though the following are noted:

Condition 3

'a): The maximum building height for blocks facing Main Street shall be 18m in accordance with Section 5.5.2 of the Ballymun Local Area Plan (2017 as extended).

b) The 6th storey of Blocks 6 and 7 in Sites 8 & 9 shall be permanently omitted. A schedule of revised accommodation following the omission of the relevant units should be provided for the Planning Authority's records. The revised number of units hereby permitted is 451.

c) Appropriate landscaped buffers/planting should be provided for privacy for all ground floor terraces which directly adjoin a footpath unless otherwise agreed in writing with the Planning Authority.

d) An updated accommodation schedule should be provided increasing the number of Universal Design units to 50% of the apartments that are required to be in excess of minimum sizes in accordance with QHSNO11.

e) Where units adjoin one another in a perpendicular manner and habitable room windows/balconies are within 16m of each other, the balconies should be provided with appropriate privacy screening.'

Condition '6. Prior to the commencement of development, unless otherwise agreed in writing with the Planning Authority, the Operational Management Plan should be updated with recommended information set out in the Outline Servicing and Operation Management Plan (Traynor Environmental Ltd dated 06/08/25).'

Condition '8. The external play space serving the creche shall have access to adequate natural daylight/sunlight in accordance with the Building Research Establishment (BRE) BR209: 2022 "Site Layout Planning for Daylight and Sunlight" (Third edition) 2022 or as updated.'

Condition '17. The proposed development shall comply with the following requirements of daa:

a) The applicant is required to adequately advise prospective purchasers and/or occupiers that the development is located within a Noise Zone pertaining to Dublin Airport and thus is subject to higher aviation noise levels. Accurate and comprehensive information about the potential noise environment should be provided to prospective purchasers and/or occupiers.

b) A compliance report is to be submitted and agreed in writing with the Planning Authority verifying the implementation and effectiveness of noise mitigation measures mentioned in the further information letter dated 12/11/25 and the previous noise assessment dated 06/08/25 prior to occupation of the development.

Condition '23. The recommendations / mitigation and monitoring measures outlined in the Noise Assessment prepared by Traynor Environmental Ltd. dated 06/08/25 as updated by the further information letter dated 12/11/25 shall be implemented in full according to the relevant timelines specified for each measure.'

4.2. Planning Authority Reports

4.2.1. Planning Reports

The Planning report reflects the decision to grant permission subject to conditions. Further information was sought in relation to the presence and necessary diversion of a number of foul sewer pipes within the subject site. In addition, the applicant was requested to address issues raised by the Dublin Airport Authority in relation to noise impact assessments. The Planning Authority concluded in their report, 'the proposed development is acceptable having regard to the scale and nature of the development and the associated site context. There are no anticipated impacts on the visual or residential amenities of surrounding properties. The development would therefore not materially contravene the policies and objectives of the Dublin City Development Plan 2022-2028, would accord with the proper planning and sustainable development of the area, and it is therefore recommended that permission be granted.'

4.2.2. Other Technical Reports

- Parks, Biodiversity and Landscape Services: No objection subject to recommended conditions.

- Environmental Health Officer: No objection subject to condition that the developer prepares and implements their own Construction Management Plan (CMP).
- Drainage Division: Reports that the submitted Sustainable Drainage Systems (SuDS) design is not acceptable, and full details to be submitted prior to the commencement of development. The Division also reports that the site contains a number of existing sewer pipelines, and full details to be provided prior to the commencement of development on their location, condition and their interconnectivity. Other details are raised in their report, such as the location of public sewers on site which may include infrastructure that is not on public records. The report indicates that all matters may be addressed by way of condition.
- Archaeology Section: Copy of an email provided indicating no issues of concern about this development.
- Transportation Planning Division: No objection subject to recommended conditions. The report of the daa is referenced in this report.

4.2.3. Prescribed Bodies

- Uisce Éireann: Further information requested in relation to the presence of public foul sewer pipelines within the subject site. Following the receipt of further information, Uisce Éireann reported no objection to this development and included conditions in the event that permission was granted for this development.
- Transport Infrastructure Ireland (TII): Report that the development to be carried out in accordance with the recommendations of the submitted Traffic Assessment. Any necessary works as a result of this are to be carried out at the expense of the developer. TII also note that BusConnects and the Metrolink are matters for the NTA.
- The DAA report that the site is located within Dublin Airport Noise Zone D and they also reference Objective DA011 of the Fingal Development Plan 2023 – 2029 in relation to the mitigation of aviation generated noise. Further information was sought from the applicant. On receipt of the further information, the DAA requested that the applicant inform any residents of these units that the development is located within an area subject to aviation noise, and also that suitable noise mitigation measures be verified as to their effectiveness.

4.2.4. **Third Party Observations**

A total of 45 letters of objection were received to the original application as made to Dublin City Council, including submissions from Dessie Ellis, TD, Councillors Leslie Kane, Anthony Connaghan, Gavin Pepper, Conor Reddy, a submission from residents of a number of houses in Coultry Gardens, a submission on behalf of Ballymun/ Coultry Residents, a submission by Members of the Muck and Magic Community Garden, and from individual members of the public.

Issues raised are similar to those in the grounds of appeal and in summary they include:

Impact on the character of the area:

- The proposed development would have an adverse effect on the community which is well established in the area. The impact would be negative for all generations living here.
- The proposed development is too large for the area and would overwhelm existing amenities and facilities.
- The area has a strong community spirit and the provision of so many new dwellings and new residents may impact on the character of the area.
- Welcome made for the development along the Ballymun Road. This site has been vacant for a considerable period of time.
- The proposed development does not provide for an adequate number of family homes, though there is a requirement for these in the area.
- Request that cost rental units be provided to meet the requirements for local workers in the area including for teachers, nurses and members of An Garda Síochána.
- The proposed development fails to align with the Ballymun Local Area Plan, which emphasises community-led regeneration/ preservation of the local character.
- Negative visual impact on local landmarks including the Boiler House Chimney and St. Pappin's Church.
- No Archaeological or Heritage Impact Statement have been provided to assess the impact of the development on local landmarks such as St. Pappin's Church.

Loss of existing houses:

- The demolition of four family homes will have a negative impact on the local community.
- There is an alleged history of intimidation and lack of respect provided to residents whos' houses were demolished in the past – reference made to 1-12 and 13 to 17 Coultry Gardens.
- Houses were demolished in the past and nothing replaced them except the laying down of grass on these sites; this had a negative impact on the community and well-being of former residents of these houses.
- Reference is made to a house sold recently under the tenant purchase scheme and which is now proposed for demolition as part of this development.
- Requests that the application be withdrawn and apologies issued by Tuath Housing and Dublin City Council for the proposed development.
- Contrary to Policy QHS3 – protect existing housing stock, QHS5 – have regard to the existing character of the area and Policy SI2 and CC1 – promote sustainable development and reduce demolition waste, of the Dublin City Development Plan 2022 – 2028.

Density:

- The density is contrary to the requirements of the Dublin City Development Plan 2022 – 2028.
- Request that development has regard to the character of Ballymun and integrates with existing forms of housing there.

Impact on Residential Amenity:

- The scale of development is excessive.
- Concern about the height of the proposed development, giving rise to overlooking and a loss of privacy.
- Negative impact on the health of residents through increase in dust generated during the construction phase of the development.
- Existing residents in the area suffer from health concerns.

- The proposed development would give rise to reduced sunlight to homes and gardens due to the layout/ height of the proposed development.
- Concern about proximity of bin storage area to existing properties.
- The provision of bin sheds could give rise to health issues.
- Potential for fire safety issues, specific case of bin storage area adjacent to a property which contains a log cabin next to the boundary.
- The loss of the green space is not compensated by the provision of a playground that is not accessible to all.
- Health concerns about the construction phase of this development – impacts from noise, dust and construction activities.
- Uncertain if adequate consideration is given to health risks during the demolition phase from asbestos, pyrite etc.
- There is a shortfall in childcare provision in the area.
- Negative impact through overlooking of the school to the south of the site, request that this be revised through revisions to the design of the relevant units.
- Request that pre-construction building surveys be undertaken, monitoring during the construction phase and ‘make-good’ obligations post construction for existing residents in the area.
- The provision of site hoarding will have a negative impact on residential amenity through impeding access to houses/ facilities/ services in the area.
- The application should include a Wind Microclimate Study as high rise buildings can cause wind tunnels that impact on pedestrians/ cyclists and also reduce the comfortable use of public spaces.
- No socio-economic impact has been provided to assess the impact of the development on residents.

Amenity Provision:

- The proposed development would remove one of the existing open space areas in Ballymun.

- The loss of the Glór na nGael and the Muck and Magic Garden is upsetting for locals as it is an important place in terms of community, nature and wellbeing.
- Negotiations are underway to move the Muck and Magic Garden to an alternative site, no development should be permitted until this is finalised.
- Minimum requirements are listed in relation this move/ new location including the cost to be borne by the developer, need for running water/ toilet facilities and cost of landscaping and relocation of garden to be included in the conditions of a grant of permission.
- The community gardens are visited by children from local Naíonra, from nearby nursing homes and from St Michael's House.
- The proposed development does not include any retail provision. The Ballymun Local Area Plan seeks to provide for retail use along the Main Street.
- There is already adequate community facilities in the area.

Environmental Impact:

- Loss of habitats for foxes which live in the Muck and Magic Garden.
- It is illegal to negatively impact on bats which are a protected species.
- Inadequate bat survey. Details are missing include on the site survey, details of the three ecologists are not provided and reference to the applicant is confusing.
- Concern that previous demolition may have contaminated the soil.
- Four trees are to be removed which formed part of a 'Map to Care' art project by German conceptual artist Jochen Gerz. Requests that the trees be protected from damage.
- Insufficient noise survey details provided having regard to its location in relation to the airport.
- No Climate Impact Statement has been provided in support of the application.

Traffic, Transport and Safety:

- The proposed development would have a negative impact on roads and car parking in the area.

- The Road Safety Audit identifies a number of flaws with the proposed development.
- Buses will be full due to the proposed development.
- There will be a negative impact on traffic during the construction phase of the proposed development.
- Concern that the lack of parking would result in on-street parking the area which in turn would cause nuisance and potential safety issues such as the blocking of emergency vehicles in the area.
- The lack of car parking is contrary to the requirement of the Dublin City Development Plan 2022 – 2028.
- Reduced parking would impact on those using local facilities such as the Axis theatre.
- Concern that a proposed cycle track and alley at the back of existing houses may be used as a rat run for drug dealers in the area.
- Public lighting should be provided that does not give rise to excessive glare and sky glow. There should not be a negative impact on sensitive wildlife from proposed public lighting.

Water Supply, Drainage and Flooding:

- Concern about the impact of the development on existing water pressure and water quality in the area.
- Flooding is referenced as a concern in the area; flooding has occurred in Coultrey Gardens.
- Potential for pollution/ contaminated water to enter the Santy and Tolka Rivers.

Impact on Services in the Area:

- The proposed development would have a negative impact on existing services in the area including schools and shops. There is no shopping centre/ suitable shopping facilities in Ballymun at present.
- Concern about the impact on health services and local policing.
- There is a need for a Fire Safety Strategy to be included with the application.

Other Issues:

- There has been no meaningful engagement with the local community about this development.
- The lack of public consultation has upset many people.
- The environmental impact has not been considered.
- The provision of bin sheds could provide locations for anti-social behaviour to take place.
- There is an on-going problem in the area of anti-social behaviour. The addition of 1,500 people will not help overcome these problems.
- Mental health issues have been raised in a number of the submissions made.
- A range of proposals to rebuild the local community were raised including, waiving HAP rules to allow residents to avail of cost-rental units as part of this development, full time employment of a community/ social officer to maximise community engagement, employment of a full time youth worker, provide for retail space at a reduced rental rate (20%) to encourage vibrant shopping and café use, build a community centre with free rent to encourage suitable uses.
- Query over who the applicant is.
- History of refused developments by Cairn Homes.

Procedural Issues:

- Submitted photomontages do not provide an accurate image of what is proposed here; they are not to scale and are misleading.
- A number of issues made about the applicant including the lack of signature on the application form.
- Lack of detail on compliance with Part V requirements.

Requests made that the development be refused or else reduced in scale having regard to the existing character of the area.

5.0 Planning History

PA Ref. 3657/11 refers to an April 2012 decision to grant permission for the demolition of nos. 26-41 Coultry Gardens, which comprises 2 no. terraces of 8 units each, and for the removal of waste material on site, on a site measuring 367.5sqm.

PA Ref. 2085/10 refers to an April 2010 decision to grant permission for the demolition of no's 1-93 Coultry Road, Ballymun, Dublin 9. The existing development comprises an eight storey over basement flat block containing 96 no. units (48 no. 3-bed, 24 no. 2-bed and 24 no. 1-bed), on a site measuring approx. 0.5 ha.

The Planning Authority report and the Applicant's Planning Report provide details of applications lodged prior to 2010.

6.0 Policy Context

6.1. National Policy

6.1.1. National Planning Framework First Revision – April 2025

Chapter 4 of the National Planning Framework (NPF) is entitled 'Making Stronger Urban Places' and it sets out to enhance the experience of people who live, work and visit the urban places of Ireland.

A number of key policy objectives are noted as follows:

- National Policy Objective 12 seeks to 'Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being'.
- National Planning Objective 22 provides that 'In urban areas, planning and related standards, including, in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth.'

Chapter 6 of the NPF is entitled 'People, Homes and Communities' and it sets out that place is intrinsic to achieving a good quality of life.

A number of key policy objectives are noted as follows:

- National Policy Objective 27 seeks to ‘Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages.’
- National Policy Objective 43 seeks to ‘Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.’
- National Policy Objective 45 seeks to ‘Increase residential density in settlements, through a range of measures including restrictions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration, increased building heights and more compact forms of development.’

6.1.2. **Section 28 Ministerial Guidelines**

The following is a list of Section 28 - Ministerial Guidelines considered of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.

- Guidelines for Planning Authorities – Design Standards for New Apartments, (DHLGH, 2025).
- Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities (DoHLGH, 2024).
- Urban Development and Building Heights - Guidelines for Planning Authorities – (DoHPLG, 2018).
- Quality Housing for Sustainable Communities (DoEHLG, 2007).
- The Planning System and Flood Risk Management including the associated Technical Appendices (DEHLG/ OPW, 2009).
- Childcare Facilities Guidelines for Planning Authorities (2001).

Other Relevant Policy Documents include:

- The Climate Action Plan 2024
- The Climate Action Plan 2025
- National Biodiversity Action Plan 2023 – 2030

- Delivering Homes, Building Communities 2025 – 2030
- Design Manual for Urban Roads and Streets (DMURS) - 2023 Update.
- Smarter Travel – A Sustainable Transport Future: A New Transport Policy for Ireland 2009 – 2020.
- Permeability Best Practice Guide – National Transport Authority.

6.2. Regional Policy

6.2.1. Regional Spatial and Economic Strategy (RSES) 2019 – 2031

The Eastern & Midland Regional Assembly ‘Regional Spatial & Economic Strategy 2019-2031’ provides for the development of nine counties including Dublin City and supports the implementation of the National Development Plan (NDP).

6.3. Local/ County Policy

6.3.1. Dublin City Development Plan 2022 - 2028

The Dublin City Development Plan 2022 - 2028 is the current statutory plan for Dublin City, including the subject site. The site is zoned for two different uses, on Map B, as follows:

Z1 – Sustainable Residential Neighbourhoods with the objective: ‘To protect, provide and improve residential amenities’. The supporting wording for this zoning type states ‘The vision for residential development in the city is one where a wide range of high quality accommodation is available within sustainable communities, where residents are within easy reach of open space and amenities as well as facilities such as shops, education, leisure and community services. The objective is to ensure that adequate public transport, in conjunction with enhanced pedestrian and cycling infrastructure, provides such residential communities good access to employment, the city centre and the key urban villages in order to align with the principles of the 15-minute city.

Chapter 5: Quality Housing and Sustainable Neighbourhoods, which deals with policies and objectives for residential development, making good neighbourhoods and standards, respectively, should be consulted to inform any proposed residential development (see also Chapter 15: Development Standards).

In both new and established residential areas, there will be a range of uses that have the potential to foster the development of new residential communities. These are uses that benefit from a close relationship with the immediate community and have high standards of amenity, such as childcare facilities, schools, community facilities, personal services, local shops, open space, recreation and amenity uses.'

A list of permissible uses includes residential, childcare facility, community facility and open space.

Z4 – Key Urban Villages/ Urban Villages with the objective: 'To provide for and improve mixed-services facilities'. The supporting wording for this zoning type states: 'Key Urban Villages and Urban Villages (formerly district centres) function to serve the needs of the surrounding catchment providing a range of retail, commercial, cultural, social and community functions that are easily accessible by foot, bicycle or public transport; in line with the concept of the 15-minute city.'

Key Urban Villages form the top tier of centre outside the city centre. They typically have retail outlets of a greater size selling convenience and comparison goods or provide services of a higher order. The catchment area generally extends spatially to a greater extent than that of Urban Villages and Neighbourhood Centres (see Chapter 7: The City Centre, Urban Villages and Retail, and Appendix 2: Retail Strategy for further detail). Urban Villages zoned Z4 are typically smaller in scale and provide a more localised role for the daily shopping needs and local services of a residential community.

A symbol and reference number identifies the designated Key Urban Villages on the Dublin City Development Plan 2022–2028 zoning maps and they are also identified on Map K. These centres have, or will in the future have, the capacity to deliver on a comprehensive range of integrated services along with residential development.' The list of Key Urban Villages (KUVs) includes KUV 3 Ballymun.

The site is located within an area designated for an '**LAP (Local Area Plan) & SDZ (Special Development Zone)**'. On Map K the area is designated as located within one of the **Strategic Development and Regeneration Areas (SDRAs)**.

The site is also within one of the Dublin Airport Noise Zones.

The policy chapters, especially Chapters 5 – Quality Housing and Sustainable Neighbourhoods, detailing the policies and objectives for residential development, making good neighbourhoods and standards respectively, are to be consulted to inform any proposed residential development.

Policy QHSN10 of the development plan promotes sustainable densities in accordance with the Core Strategy, in particular on vacant and/ or underutilised sites.

Policy QHSN11 seeks 'To promote the realisation of the 15-minute city which provides for liveable, sustainable urban neighbourhoods and villages throughout the city that deliver healthy placemaking, high quality housing and well designed, intergenerational and accessible, safe and inclusive public spaces served by local services, amenities, sports facilities and sustainable modes of public and accessible transport where feasible'.

The following are also considered relevant:

- Policy QHSN36 – promote the development of high-quality apartments and sustainable neighbourhoods with suitable supporting infrastructure/ facilities to be provided.
- Policy QHSN38 – encourage a greater mix of housing types.
- Policy QHSN48 – Need for a Community and Social Audit for all developments in excess of 50 units.
- Objective QHSN015 – Need for a Community Safety Strategy for all developments in excess of 100 units.

Chapter 3 refers to Climate Action and the following are noted:

Policy CA6 – Retrofitting and Reuse of Existing Buildings seeks 'To promote and support the retrofitting and reuse of existing buildings rather than their demolition and reconstruction, where possible. See Section 15.7.1 Re-use of Existing Buildings in Chapter 15 Development Standards.'

Policy CA10 – Climate Action Energy Statement states 'All new developments involving 30 residential units and/or more than 1,000sq.m. of commercial floor space, or as otherwise required by the Planning Authority, will be required to submit a Climate Action Energy Statement as part of the overall Design Statement to demonstrate how

low carbon energy and heating solutions, have been considered as part of the overall design and planning of the proposed development.'

Chapter 8 refers to Sustainable Movement and Transport and Chapter 10 refers to Green Infrastructure and Recreation.

Chapter 12 refers to 'Culture' and the following are relevant to this development:

- Objective CUO25 requires that SDRAs and large scale developments above 10,000 sq. m. in total area must provide, at a minimum for 5%, community, arts and culture spaces including exhibition, performance, and artist workspaces predominantly internal floorspace as part of their development at the design stage. The option of relocating a portion (no more than 50% of the area) of this to a site immediately adjacent to the area can be accepted where it is demonstrated to be the better outcome, and that it can be a contribution to an existing project in the immediate vicinity. The appropriate balance of space between cultural and community use can be decided at the application stage, from an audit of the area.
- Objective CUO30 requires that large scale developments above 10,000 sq. m. in total area must provide a cultural audit to identify shortcomings in the area.

Chapter 15 refers to Development Standards. Documents to be provided in support of applications in terms of thresholds is provided in Table 15-1. The issues of Height and Plot Ratio are addressed in Appendix 3. Increased density is to be supported where this can be demonstrated to be appropriate.

Section 15.7 refers to Climate Action and under 15.7.1 it states 'Where development proposal comprises of existing buildings on the site, applicants are encouraged to reuse and repurpose the buildings for integration within the scheme, where possible in accordance with Policy CA6 and CA7. Where demolition is proposed, the applicant must submit a demolition justification report to set out the rational for the demolition having regard to the 'embodied carbon' of existing structures and demonstrate that all options other than demolition, such as refurbishment, extension or retrofitting are not possible; as well as the additional use of resources and energy arising from new construction relative to the reuse of existing structures.'

Section 15.8 refers to Residential Development. A number of sections are highlighted here:

- Public Realm is addressed under Section 15.8.5.
- Public open space to be provided at 10% minimum of the Site Area for Z14 zoned lands (Table 15-4).

Section 15.9 refers to Apartment Standards.

- Unit mix is covered under Section 15.9.1 and states:

‘Specific Planning Policy Requirement 1 states that housing developments may include up to 50% one bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms unless specified as a result of a Housing Need and Demand Assessment (HNDA) carried out by the Planning Authority as part of the development plan process’.

- Unit Size/ Layout is addressed under Section 15.9.2 and Table 15-5.
- Dual Aspect units under Section 15.9.3. Inset balconies with two internal elevations do not provide for dual aspect units or where facing walls are deemed to be too close.
- Communal Amenity Space under Section 15.9.8
- Microclimate under Section 15.9.16
- Daylight and Sunlight under Section 15.9.16.1, Wind under Section 15.9.16.2 and Noise under Section 15.9.16.3

Transport and Mobility: Technical Requirements are provided in Appendix 5.

Volume 2 of the City Plan provides the Appendices and Appendix 1 – Housing Strategy, Appendix 3 – Achieving Sustainable Compact Growth, Appendix 5 – Transport and Mobility: Technical Requirements, Appendix 13: Surface Water Management Guidance and Appendix 16: Sunlight and Daylight are noted as most relevant to this development.

Appendix 3 includes a Height and Density Strategy for Dublin City and I note the following:

‘The Building Height Guidelines note that general building heights of at least three to four storeys, coupled with appropriate density in locations outside what is defined as

city centre, and which would include suburban areas, must be supported in principle at development plan level. The guidance also states that within the canal ring in Dublin, it would be appropriate to support the consideration of building heights of at least 6 storeys at street level as the default objective, subject to keeping open the scope to consider even greater building heights by the application of certain criteria.

In considering locations for greater height and density, all schemes must have regard to the local prevailing context within which they are situated. This is particularly important in the lower scaled areas of the city where broader consideration must be given to potential impacts such as overshadowing and overlooking, as well as the visual, functional, environmental and cumulative impacts of increased building height.

As a general rule, the development of innovative, mixed use development that includes buildings of between 5 and 8 storeys, including family apartments and duplexes is promoted in the key areas identified below. Greater heights may be considered in certain circumstances depending on the site’s location and context and subject to assessment against the performance based criteria set out in Table 3’.

The development plan outlined the key criteria for increased height in Table 3 of Appendix 3.

The development plan addresses Density under Section 3.2. Table 1 provides the ‘Density Range’ as follows:

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

Table 2 provides ‘Indicative Plot Ratio and Site Coverage’ as follows:

Area	Indicative Plot Ratio	Indicative Site Coverage
Central Area	2.5-3.0	80-90%
Regeneration Area	1.5-3.0	50-60%
Conservation Area	1.5-2.0	45-50%
Outer Employment and Residential Area	1.0-2.5	45-60%

Transport and Mobility is addressed within Appendix 5. Car Parking and Cycle Management is detailed under section 2.5. Table 1 provides 'Bicycle Parking Standards for Various Lane Uses' and Table 2 provides 'Maximum Car Parking Standards for Various Land Uses'.

6.3.2. Ballymun Local Area Plan 2017

By resolution, the Elected Members of Dublin City Council voted to extend the Ballymun Local Area Plan 2017 for a further period of five years, such that the plan would now continue until October 2027. The plan was due to expire in 2023, but the option to review was taken in the fifth year in accordance with the legislation and the plan will not expire on the 26th of October 2027.

Chapter 6 provides 'Site Briefs' and the following are relevant to the subject development sites:

Site 6: Heights with a minimum of 4 storeys and may rise to 6 storeys. The estimated capacity of these lands is approximately 30,000sq m of commercial/ mixed use development. 8 terraced houses (18-25 Coultrey Gardens) are required for demolition to facilitate the development of these lands (these units have been demolished). Temporary community gardens are on site and should be relocated to an alternative site. Details are provided on the type of development considered to be appropriate for this site. Provision to be made for an east to west link, extending across Main Street in any proposal for these lands. This to be 18m wide and should allow for future connections in the form of a left-in/ left out lane.

Site 8: Heights 3 – 4 storeys. May be developed as one or separate blocks. As part of the development of these lands, drainage network improvements to be undertaken for the existing two-storey houses in Coultrey Gardens.

Site 9: Heights, 4-5 storeys to Coultrey Road, 3-4 storeys to Coultrey Park and scaled down to Woodhazel Close. The estimated capacity is 80 – 100 units dependent on the detailed design and density.

The Local Area Plan provides indicative maps of each of these sites.

6.4. **Natural Heritage Designations**

- Santry Demesne pNHA (Site Code 000178) is located approximately 0.58km to the north east of the subject site.
- The nearest European designated sites are the South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) is 4.9km to the south east of the subject site.
- Bull Island SPA (Site Code 004006), North Dublin Bay SAC (Site Code 000206) and North Dublin Bay pNHA (Site Code 000206) is located approximately 6.8km to the south east of the subject site.

7.0 **The Appeal**

7.1. Grounds of Appeal

Three third Party appeals were received opposing this development on lands in Coultrey, Ballymun, Dublin 9. The appeals were made by Siobhan Gavin on behalf of Coultrey Gardens/ Coultrey Green Residents, Stephen Redmond, and Residents of Coultrey Gardens (27 names given/ 21 separate addresses).

I have summarised the issues under the relevant appeals.

Siobhan Gavin on behalf of Coultrey Gardens/ Coultrey Green Residents (12 separate addresses provided)

- The subject application is invalid as one of the community gardens to be demolished is not named in the public notices – Glór na nGael is not referenced. The appeal makes clear that they were aware of this omission but decided to not bring the issue forward/ to the attention of the Planning Authority. The Planning Authority informed the appellants that there was no procedure to address such an issue after an application has been deemed valid.

- The development would result in the loss of four existing houses, nos. 62 – 65 Coultrey Gardens. This will result in the displacement of families and impact on the local community.
- The development will result in the loss of the Muck & Magic Community Garden and also Glór na nGael Garden. This will impact on the local community and also on biodiversity.
- The proposed scheme will result in overdevelopment of this site.
- No houses are proposed in this application. There is already a high concentration of apartments in Ballymun and there is a demand for family sized houses.
- The proposed scheme will be mostly for cost-rental housing, which will exclude local people from living here and this will further deteriorate the community.
- The proposed development only provides for 144 car parking spaces which is insufficient for a development of 463 units.
- The lack of car parking will result in overspill car parking and the blocking of existing driveways in the area.
- The submitted Transport Report identifies traffic congestion at Junctions 7 and 8; traffic here will exceed national thresholds.
- Bus services are already overcrowded in this area. The development is relying on the Metrolink, with no work commenced on its construction to date.
- The submitted Quality Audit identifies a number of design flaws; these are unacceptable and may give rise to safety concerns.
- The proposed development may give rise to health risks during the construction phase through the generation of dust, noise and air pollution.
- During the operational phase there will be an increase in traffic which will give rise to air pollution from vehicles.
- Health concerns about disturbance and nuisance associated with the development.
- Concern that the existing ground may contain contaminants as this is classified as 'Made Ground'.

- The proposed SuDS measures will require high levels of maintenance, the need for such on-going maintenance gives rise to risk of failure and potential for flooding in the area.
- Potential for polluted run-off to enter the River Santry and River Tolka.
- The proposed development will give rise to significant biodiversity impacts including the loss of 60 trees, impact on mammals, bats and birds and loss of pollinator plants.
- Replacement trees will take years to mature to a useful level.
- The loss of the community gardens will impact on the biodiversity value of the area.
- The proposed development will have a negative impact on the visual amenity of the area and impact on established views.
- Locally important landmarks such as the Boiler House chimney and St. Pappin's Church will be obscured by this development.
- The loss of the open space will impact on the local community through the replacement of green space with dense building blocks.
- The proposed development does not provide for adequate community and social infrastructure. Only one creche, with capacity for 89 children, and one community facility is proposed here.
- No additional healthcare, educational or community services are to be provided as part of this development. This is contrary to the Dublin City Development Plan.
- The applicant has failed to address concern raised by Dublin City Council in relation to parking, drainage, building height, open space and housing mix. Issues raised that were not specifically addressed include the provision of shared car parking spaces, the provision of blue roofs, undefined community space and the development consists only of apartments with no houses provided.
- The applicant has not provided a comprehensive Waste Management Plan (WMP), significant amounts of demolition waste will be generated, and a suitable plan is required for the proper disposal of such materials.

- A detailed Construction Traffic Management Plan (CTMP) is required for a development of this nature. The area is already congested and there are a significant number of narrow roads within Ballymun.
- A detailed Fire Safety Strategy (FSS) has not been provided even though the proposed development includes buildings of up to 6 storeys.
- Requests that a detailed Wind Microclimate Study be provided having regard to the impact of high blocks on wind in an area such as Ballymun.
- The proposed development would change the demographics of the area, and no Socio-Economic Impact Assessment has been undertaken to assess this. There are no details provided as to how the proposed scheme will integrate with the existing area.
- The site is located within an important historical/ cultural area with specific reference made to St. Pappin's Church.
- No Archaeological and/ or Cultural Impact Statement have been provided in support of the proposed development.
- The site area includes at least 4 trees (out of 630 planted) that form part of the 'Map to Care' art project by German conceptual artist Jochen Gerz.
- No Climate Impact Statement has been provided which would demonstrate the impact of the development on carbon footprint, embedded energy use and operational energy standards. The proposed development is inconsistent with Ireland's climate commitments and the Climate Action Plan.
- No dedicated Children's Play Strategy is provided.
- The applicant has not provided a Structural Impact Assessment to demonstrate how the development may impact on existing homes.
- No provision has been made for additional policing in this area. There is no indication that consultation was held with An Garda Síochána about the proposed development.
- No retail space has been proposed as part of this development, on the basis of existing vacant units in the area. Units are vacant due to high rent rather than due to a lack of demand.

- The proposed development would alter the character of the area through the introduction of people from outside of Ballymun.
- The proposed six storey units will have a negative impact on existing houses through a loss of sunlight and privacy.

The appeal includes a section on ‘Discrimination and abuse by DCC/ Tuath of the existing Community’. Comments made in this section include an opinion that the local community have been treated differently than would be the case in other parts of the city. This section of the appeal refers to issues under the following headings:

- Historic Discrimination and Disregard
- Current Discrimination and Disregard
- Grounds for Discrimination and Utter Disregard

These issues refer to the history and process of site assembly and the subsequent making of this planning application. The issues of consultation, public engagement and general interaction were all raised, as negative processes to date.

The submission concludes with a request that permission be refused for this development. An attached appendix provides letters and other correspondence in support of this appeal.

Stephen Redmond

- The proposed development would have a negative impact on residential amenity through scale, height, massing and proximity and would include the following:
 - Loss of privacy.
 - Loss of daylight and sunlight.
 - Would be visually dominant.
 - Would be contrary to Policies SC2, QH10 and QH18 of the Dublin City Development Plan.
 - Would result in overdevelopment an incompatibility with the established character of the area; the area is predominantly formed of two storey houses.

- The applicant has not provided a suitable Construction Environmental Management Plan.
- Demolition ongoing over a period of time will negatively impact residential amenity, restrict access to existing homes and also reduce pedestrian access.
- The demolition of 62-65 Coultry Gardens will result in the displacement of long established households in the area, which is contrary to Policy SC1 of the Dublin City Development Plan.
- The Muck and Magic garden and Gairdíní Glór na nGael are to be removed as part of this development. This will result in the loss of existing community/ ecological infrastructure and the loss of green space. These lands are in use for food growing but also provided for social connections, wellbeing, educational resources and support the biodiversity of the area. This is confirmed in the Ecological Impact Assessment (EclA).
- The submitted application provides an inadequate assessment of bat habitats and biodiversity. This is in conflict with Policies GIW9 and SC16.
- There are capacity issues with foul drainage and surface water drainage. The development is contrary to Policies SI4 and CA10.
- Insufficient consultation was had with the local community about this development and its impacts.

Concludes with a request that permission be refused for this development.

Residents of Coultry Gardens (27 names/ 21 separate addresses – I note that some of these names appear in the appeal by Coultry Gardens/ Coultry Green Residents)

- Query over who the real applicant is and consider this to be Cairn Homes. This is of concern as their interest/ financial interest are not provided. Cairn Homes have had a number of refused permissions in the Greater Dublin area; examples are provided in support of the appeal.
- Concern that this could be a way of a developer getting permission through use of a third party.

- The Local Authority may be conflicted through removal of tenants from the land, intent to sell public land with the benefit of planning permission, in breach of their own planning requirements, are permitting overdevelopment of this site and removing two public/ community gardens/ amenity spaces.
- Concern that observations made to the Planning Authority were manipulated. The Planning Authority responded to a complaint made that this was for data protection purposes.
- Details are provided on the site, application and nature of the development. Details are also provided as to who the landowner is.
- The application form is unsigned, and no details are provided as to the extent of social housing to be provided as part of this development.
- Details are provided on the planning assessment process, with permission granted on the 12th of December 2025.
- A number of procedural issues are raised in the appeal including the lack of signature on forms, and required documentation is not in the correct form.
- Refers to the demolition of the existing houses. No letter of consent has been provided for this, and a private entity does not have the right to acquire a property through a compulsory purchase order.
- More details are provided about the concern of Tuath operating in conjunction with Cairn Homes including information on file and a history of similar developments in the GDA. Notes that Cairn Homes have not submitted any applications in the Dublin City Council area since 2018.
- The development may be a mix of Tuath led residential development and Cairn Homes developing cost rental affordable housing. Whilst the appellants have no objection to such partnerships, they consider that such should be disclosed to the public/ Planning Authority.
- Query over why there is no requirement for Part V housing; a letter on file exempts a requirement for such housing. This is unusual considering that existing social is to be demolished and part of the development may not be exempt from the provision of such. Requests that the ACP Inspector considers the process here.

- The proposed development does not comply with Objective HO4 of the Ballymun Local Area Plan (LAP) which seeks to provide for new social/ voluntary housing via Part V requirements. The applicant has been deemed to be exempt from such, and no justification has been provided.
- The proposed development would remove amenities in the area including the two community gardens to the north west of the site. In addition to the amenity value of these sites, they provide a useful outlet for the community and have an important biodiversity function with a number of mature trees within these gardens.
- Refers to the Planning Authority report and a recommendation that the gardens be relocated in the event that permission is granted. The appeal states that these spaces cannot just be relocated. No such condition was included in the grant of permission.
- The proposed development does not demonstrate compliance with the Dublin City Development Plan in terms of density. Table 1 – Density Ranges, Appendix 3, provides the indicative density for the Dublin City area and the site was considered within the SDR and Key Urban Village density ranges and not as per the Ballymun LAP. The Planning Authority report the development of Sites 8 and 9 to be compliant with Appendix 3 and in Site 6 was in excess of the density for Key Urban Villages but was within the SDR limits. The development is in excess of the density range provided in the Ballymun LAP and this is acknowledged by the Planning Authority.
- The proposed development does not demonstrate compliance with CUO25 of the Dublin City Development Plan in terms of providing 5% minimum floor area for community, arts and cultural uses.
- The proposed scheme provides for overdevelopment of this site, the means of doing so is considered in the appeal to be 'impermissible and unlawful'.
- The Ballymun LAP sets out requirements for height for each of the subject areas and the Planning Authority have reported that the development is not compliant in terms of Sites 8 and 9.
- The submitted information does not demonstrate compliance with the requirements for 'Spatial Daylight Autonomy and Sunlight Exposure' as not all units demonstrate

compliance with the minimum recommendations. The lack of sunlight is a health issue in Ireland.

- The development is not compliant with Objective HO2 of the Ballymun LAP and QHSN37 and QHSN38 of the Dublin City Development Plan – seeking to provide for a suitable housing mix to meet the needs of all sectors of society. The development provides for one, two and three bedroom units; no four bedroom units are proposed. The development does not cater for families.
- The area has suffered from overdevelopment and anti-social behaviour in the past and these publicly owned lands should be developed for the benefit of the community with adequate services provided for here.
- Consideration should have been given to the retention of the houses proposed for demolition.
- No community audit has been provided.
- There is a shortfall in car parking provision, and the development is reliant on BusConnects and Metrolink to meet the transport needs of the area. The lack of car parking is contrary to a number of referenced sections of the Dublin City Development Plan.
- The proposed development is not supported with a proper environmental screening, monitoring and impact assessment.
- There is a concern that the houses to be demolished may contain asbestos, such as in the pipes in the hot press. No waste management plan has been provided in relation to the demolition of these units and the removal of the associated material.
- There is a concern about soil pollution in the area, and the submitted Ecological Impact Assessment (EclA) does not adequately address this. Similarly, the Construction Environmental Management Plan (CEMP) does not provide for any soil testing investigations.
- The submitted bat survey is not sufficient and there is uncertainty as to who carried out the on-site surveys.

- The subject site is located within Dublin Airport Noise Zone D. No noise impact assessment or noise mitigation measures have been provided. Reference is made to a request for same by the daa.
- The applicant failed to consult or have adequate consultation with the local community and those directly impacted by this development.

This appeal is supported with a number of documents including Land Registry details, details of letters of consent, planning application, planning reports (from Dublin City Council), and documents on file including EclA, and Ground Investigation Report.

Requests that permission be refused for this development.

7.2. Applicant Response

7.3. Thornton O'Connor Town Planning were engaged by the applicant to prepare a response to the submitted appeals. Details of the proposed development and site location are provided in this response. It is made clear that only planning matters raised in the appeal are addressed.

7.4. The following specific comments on the issues raised in the appeal are made under relevant headings, summarised as follows:

- Demolition of Existing Houses: It is acknowledged that four houses will be demolished, but the overall lands are underutilised, and it was always intended, as per the Ballymun LAP, that these lands would be developed. All occupants will be provided with alternative accommodation, with a separate acquisition agreement between DCC and the owner of the private house. These houses currently provide for a very low density of housing giving rise to an unsustainable use of scarce land resources. These are energy inefficient units, and their replacement can be justified on reduced carbon use. The residents of these units are not included in the submitted appeals. Policy SC1 was referred to in one of the appeals, this does not apply here as it seeks to consolidate Inner City development.

The demolition of these units can be justified on the basis of sustainable use of land and replacement of houses with more energy efficient units.

- Removal of Community Gardens and Biodiversity Impacts: The applicant accepts that the removal of these spaces is unfortunate, however these were always

intended to be temporary in this location; this is indicated in the Ballymun LAP. Alternative sites are being sourced, and the benefits of these spaces will not therefore be lost to the area. Full consideration of ecology and biodiversity has been provided in the submitted Appropriate Assessment (AA) Screening, Ecological Impact Assessment (EclA) and Biodiversity Enhancement Plan. Whilst it is accepted that there will be a loss to local biodiversity, the residual impacts are expected to be moderate adverse/ site/ negative impact/ not significant/ short term as per the EclA. The submitted AA Screening concludes that the 'development would not give rise to any significant effects to designated sites... and 'will not impact on the conservation objectives of qualifying interests of European sites'.

The applicant lists a range of measures that will benefit biodiversity in the area. It is reported that the majority of the site area does not provide for valuable vegetation and habitats. Reference is also made to the positive comments provided in the Dublin City Council Parks Report and which refers to lower tree quality on site and that the replacement trees will compensate for any loss. Positive comments are made on the submitted Biodiversity Enhancement Plan. The DCC Parks Report agrees with the details provided in the submitted AA Screening and an NIS is not required.

- Overdevelopment, Height and Density: Notes the concern in the appeals about the excessive scale of development proposed on these lands. A justification for the scale/ type of development is provided in the submitted Planning Report and Statement of Consistency. The applicant has demonstrated how the development complies with Table 3 of Appendix 3 of the Dublin City Development Plan in terms of Height and Density. The applicant is of the opinion that the scale, height and density of the development are appropriate for this site. Reference is made to the SPPR3 of the 'Urban Development and Building Heights – Guidelines for Planning Authorities (2018)'. Specific comments are made about height; the Dublin City Development Plan ranges are set out 'as a general rule', the Compact Settlement Guidelines seek to encourage/ support increased density in urban locations, and the Dublin City Development Plan seeks to increase heights in Ballymun. A detailed table is provided demonstrating how the development is acceptable in terms of height in accordance with SPPR3 of the 'Urban Development and Building Heights – Guidelines for Planning Authorities (2018)'.

- Impacts to Privacy, Daylight and Sunlight: The development/ proposed blocks have been located generally in alignment with the indicative layouts of the Ballymun Local Area Plan, with suitable design features included to ensure that overlooking and loss of daylight/ sunlight are reduced. There will be minimal impact on daylight and sunlight as per the submitted 'Daylight and Sunlight Assessment Report'. Some impact has to be expected, as this was a developed urban area and was always intended to be redeveloped as such.
- Housing Mix: Concern was raised about the proposed housing mix in this development. In order to achieve a suitable density, apartments rather than houses are proposed here. 56% of the existing housing stock adjoining the site (Table 2.2 of the applicant's appeal response) are houses/ bungalows and therefore the proposed development would improve the housing mix for the area. 50% of the proposed units will be cost rental and the other 50% will be for social housing. It is intended that both types will be partially available to people from the area. It is considered appropriate that a suitable mix of housing and diverse communities be provided for.
- Traffic, Safety, Parking and Transport: A number of issues were raised in the appeals including undersupply of car parking, overspill parking, road capacity issues, reliance on existing/ proposed public transport and issues raised in the Stage 1 Quality Audit.

The car parking provision is based on the availability of high capacity/ frequency public transport, and this is identified in supporting documentation including the 'Public Transport Capacity Analysis'. Proposed public transport, such as MetroLink can be considered as per the Compact Settlements Guidelines. A reduced car parking provision is appropriate considering the location of the development, availability of public transport and the objectives to reduce car use/ reduce greenhouse gases, improved road safety and supporting healthy communities.

On street car parking is outside of the scope of this application.

Existing capacity at the identified road junctions (7 and 8) are within capacity to 2043 under the 'Do Something' scenario and the road network has adequate capacity to support this development.

The Stage 1 Quality Audit did identify some issues, and the design team accepted this and suitable alterations were made. The proposed development would provide for a safe and permeable environment for residents ‘to live, work, travel and play.’

- **Construction Stage Considerations:** A Construction Environmental Management Plan and a Resource & Waste Management Plan have been prepared and submitted in support of this application. These address the issues of concern raised in the appeal regarding dust, noise, air quality, health risks during the construction phase, construction/ demolition waste management, construction traffic and general disruption. A Construction-Stage Traffic Management Plan will be prepared prior to the commencement of development. The applicant refers to the location of the site within an established urban area and where construction/ demolition works occur on a regular basis. A ban on construction vehicles would set an unusual precedent and one which would sterilise the site from development.
- **Drainage and Flooding:** A submitted Ground Investigations Report raised no issues of concern in relation to potential contaminants within the ground/ soil. Further assessment will be undertaken during the preliminary construction phase. The ground investigations found these lands to be unsuitable for soakaways; therefore, underground attenuation tanks are proposed in addition to the use of green roofs and swales to manage surface water. The proposed SuDS measures include a detailed maintenance programme either by the developer or by Dublin City Council into the future. Accepts that pollution run-off could occur, however suitable mitigation measures are included in the submitted Construction Environmental Management Plan.
- **Landscape and Visual Impact:** Notes the concerns raised, however the site was previously partially occupied by high rise structures which are now demolished. It was always the intention that these lands would be built on at some point in the future. There is no right to a view in law, and the comments of Dublin City Council did not raise any issues of concern noting the impact of the proposed development including the provision of a ‘substantial building where none presently exists’. Development at a sustainable level is likely to have an impact on visual amenity, though this need not be a negative impact. Visual impacts will change as an area develops and that is the case here.

- **Community and Social Infrastructure:** In support of the application, a 'Social Infrastructure Audit' and a 'Cultural Infrastructure (Impact) Assessment' have been prepared and provided with the application. There is a good range of such services in the area. The proposed creche has capacity for up to 89 children. The Dublin City Development Plan seeks to consolidate community/ social facilities. The provision of additional floor space would be contrary to this vision.
- **Failure to Address DCC Concerns:** The comments in relation to this are dismissed. The applicant and the Planning Authority held a number of Section 247 pre-consultation meetings as well as Section 32C LRD Meetings. In the case of where the development appears to diverge from the comments of the Planning Authority the reason why is provided in the submitted documentation; an example is only 2 car share spaces are proposed even though the Planning Authority requested that 21 be provided. The applicant was able to justify this in the 'Statement of Response to LRD Opinion' and the provision of 21 spaces was assessed to be excessive for this type of development. A similar issue arose in relation to the provision of a blue roof to serve this development. Full details are provided in the supporting documentation.
- **Fire Safety and Emergency Access:** The issue of fire safety is not directly required for consideration at the planning stage, but the applicant has ensured that the development is compliant with the relevant current regulations. A Fire Safety Certificate will be sought prior to the occupation of the development. An emergency and evacuation strategy for future residents as part of the Operational Management Plan or the Property Management Plan.
- **Wind Microclimate:** One of the appeals raised concern about wind microclimate and its impact on the area. The applicant's response refers to the relatively modest height of development, maximum height of 6 storeys, as well as the overall form and massing of the blocks. The layout of the development in relation to the existing form of development in the area will ensure that there will be no significant impact. In addition, it is noted that the Dublin City Development Plan does not require such an assessment for development of this height; taller/ landmark buildings would require such an assessment. It is considered that in Ireland, buildings in excess of 6 storeys may require such an assessment.

- **Archaeological and Heritage Impact Assessments:** A detailed Architectural Heritage Impact Assessment was provided in support of the application. No issues of concern were identified with no adverse impacts to either Domville House or St. Pappin's Church expected. These lands can be considered to be a brownfield site, and which was previously developed for housing, therefore the potential for archaeological features to be found here are unlikely due to the history of ground disturbance. The Planning Authority report raised no issues of concern in relation to archaeology, and the applicant is aware of their obligations if any remains/features are found here. The applicant is willing to accept a suitable condition if permission is to be granted for this development.
- **Climate Impact and Energy Statement:** The applicant has prepared a number of supporting documents in relation to these issues including a 'Demolition Justification Report' and an 'Energy Efficiency and Climate Change Adaption Design Statement'. The new housing will demonstrate low energy use with the intention of achieving a BER of A2.
- **Open Space and Children's Play:** The proposed development will provide for adequate public and communal open space in accordance with the requirement of the Dublin City Development Plan. Private amenity space will meet/ exceed the requirements of the Apartment Guidelines. A total of 335sq m of the open space is to be allocated to children's play areas.
- **Structural Impacts to Nearby Homes:** There is no requirement for the undertaking of such a survey in this case due to the nature of the development/ site location, the layout of the development and proximity to existing units. There are no requirements for the undertaking of a 'Structural Impact Assessment' in this case. If deemed necessary, a suitable condition could be included in a grant of permission for the pre-construction and post-construction structural surveys of adjoining houses.
- **Policing and Community Safety:** The issue of public policing is a matter outside of the control of the applicant. The applicant considers the increase in population would reduce anti-social behaviour though increased activity and vibrancy, and through increased passive surveillance of the area. Section 6 of the 'Architectural Design Statement' includes a 'Community Safety Strategy'. The proposed

development design 'will support the creation of a safer and more integrated community.'

- **Retail Amenities:** The applicant accepts the limitations of the Vacancy Audit and acknowledges that the cause of this can be varied with many reasons. Vacancy rates here at 33.8% are 2.5 times the rate in Dublin (all areas). The provision of additional housing would support the creation of critical mass here and the proposed community space would support childcare, cultural/ community uses.
- **Alteration to the Area's Character:** There is a housing shortage in Ireland at present and not just in Ballymun. The appellants imply that development should only be for local people, which is contrary to Chapter 5 of the Dublin City Development Plan which seeks to support social inclusion and integration.
- **Part V:** Tuath is a long established Approved Housing Body (AHB) and AHBs are exempt from having to provide for Part V housing – this is set out in the Planning and Development Act 2000 as amended.
- **Application Form Signature:** The online application process requires an agent/ applicant to log in and as such the login details are unique to a party resulting in this process displacing the need to provide for a 'wet ink' signature.
- **Letter of Consent:** It is referenced in one of the appeals that the letter of consent is not in the correct form. The applicant states that 'There is no formal template or required form in which a Letter of Consent must be prepared'. A separate letter of consent was also included with the application, but the Planning Authority removed it from the public record in the interest of protection of privacy. The applicant also refers to the fact that the Planning Authority validated the application, with no issues raised in relation to the letters of consent.

Conclusion: The proposed development will result in the development of an underutilised area of land which will support the ongoing regeneration of Ballymun. The site is located next to good amenity services and near to a proposed MetroLink. Whilst four houses will be demolished to provide for this development, alternative suitable accommodation will be provided for. Request that permission be granted for this development.

7.5. **Planning Authority Response**

Request that the Commission upheld the decision to grant permission. A summary list of recommended conditions are provided in the event that permission is to be granted for this development.

7.6. **Prescribed Bodies**

None received.

7.7. **Observations**

None received.

8.0 **Assessment**

8.1. The main issues that arise for consideration in relation to this appeal can be addressed under the following headings:

- Principle of Development
- Density & Scale of Development
- Impact on the Character of the Area - Height
- Impact on Proposed Residential Amenity
- Impact on Existing Residential Amenity
- Traffic and Access
- Infrastructure and Flood Risk
- Other Matters
- Appropriate Assessment (AA)
- Environmental Impact Assessment (EIA)

8.2. **Principle of Development**

8.2.1. **Background:** The principle of development, such as site location and zoning, was not raised as an issue of concern in the appeals. Concerns focused on impact on residential amenity, traffic, infrastructure, social impacts as well as the scale of development. The loss of existing houses, and the green space whilst acknowledged

to have been previously developed, were raised as issues in the appeals. The Planning Authority raised no specific issues of concern in relation to the principle of development. The site is suitably zoned and is located within Strategic Development and Regeneration Area (SDRA) 2 of the Dublin City Development Plan 2022 – 2028.

8.2.2. **Nature of Development:** The proposed development provides for the demolition of Nos. 62 - 65 Coultrey Gardens, four habitable houses, and the provision of 463 residential units, a creche, community space, open space and all necessary infrastructure on a site area of 3.17 hectares in Ballymun, Dublin 9.

8.2.3. **Loss of Existing Houses:** The demolition of 62 – 65 Coultrey Gardens was raised as a concern primarily due to the impact on residential amenity but also due to the impact on the community through relocation of residents and an erosion of the established community. The applicant has clearly indicated that the retention of these units would result in a reduced scale/ density of development, would impact on the proposed development and these units do not demonstrate a high quality of energy efficiency.

8.2.4. I accept the comments made in the appeals and the original objections to the development; however, I note a key point is that none of the residents of these units are included or are associated with the submitted appeals. Whilst they may be opposed to the loss of their homes, it is also possible that they are satisfied with the arrangements to be put in place for their relocation. The applicant has stated that they have consent for including these units in the application and nothing to suggest otherwise has been provided to date.

8.2.5. From a purely layout planning point of view, the removal of these units makes sense. These houses are not of any architectural importance and other than at an individual/ local level, they do not have any historic importance. The applicant has submitted a 'Demolition Justification Report' and which demonstrates a justification for demolition in terms of improved land use and energy standards in the new units would be far superior to that of the existing houses. In terms of embodied carbon, the new built units will use low embodied carbon concrete and more efficient methods of construction. The existing houses are approaching 60 years of age, and the structural integrity of these units cannot be guaranteed for another 60 years, without expensive ongoing repairs etc. Their removal is therefore acceptable in terms of the proper planning and sustainable development of the area through maximising the available land for residential development as well as supporting the on-going regeneration of

Ballymun. I am satisfied that the applicant has demonstrated compliance with the Dublin City Development Plan 2022 – 2028 in terms of justification of demolition and embodied carbon impact.

- 8.2.6. **Loss of Green Space:** An issue raised in the appeals was the loss of green space and its replacement with housing. The majority of the lands are under grass; however, these lands were previously developed in the form of houses and high rise flats with associated open space. The taller structures were all demolished as part of the Ballymun Regeneration project and only the two storey terraces remained in this area. Whilst the intention was to develop the cleared sites for housing and commercial use; this process stalled primarily due to financial reasons. Rather than fencing off the lands until development occurred, it was decided to turn these spaces into grass meadows. They were not intended to form a permanent area of public open space. The Ballymun LAP 2017 clearly indicates that these lands are to be developed at some time, and this is indicated on 'Figure 6: Overview 2017' with the subject lands highlighted as forming part of the 'Development Sites'. KP1 of the Ballymun LAP seeks 'To develop the remaining vacant sites in a sustainable manner' and which includes the subject lands. The intention to develop these lands is also clear in the Dublin City Development Plan 2022 – 2028. The lands are therefore suitable for development and in the interest of clarity, they were always intended to be developed as demonstrated through the Ballymun Local Area Plan and the Dublin City Development Plan. Their use as amenity lands was only intended to be short term and this is reflected in the site zoning.
- 8.2.7. **Zoning:** The majority of the subject site is located on lands zoned Z1 – for residential use, in the Dublin City Development Plan 2022 – 2028 and the remaining section is zoned Z4 – Key Urban Villages/ Urban Villages, which has an objective 'To provide for and improve mixed-services facilities'. The proposed development of residential units and associated creche/ community use is acceptable in terms of the zoning objective that applies to these lands.
- 8.2.8. One of the appeals refers to the validity of the application; reference is made to the non-inclusion of the Glór na nGael gardens in the public notices as an area proposed for demolition/ removal. The appeal states 'We as residents noticed this error immediately but chose to have it as a card to play at a later stage'. The function of the public notices is to bring to the attention of those interested that a planning application

has been made and they are invited to view the submitted documentation within a fixed period. The appellants have made clear that they are aware of the impact of the development on this garden and I am satisfied that the function of the public notices has worked as intended.

8.2.9. The description in the public notices gives an overview/ summary of what is proposed and I am satisfied that there was no intention to mislead. Section 9. 'Description of Proposed Development' clearly details the spatial extent of the development and which extends to the 'north by Coultrey Gardens and the grounds of Domville House Clinic..' therefore encompassing Glór na nGael Gardens. I also refer to the fact that Dublin City Council, as the Planning Authority, validated this application and were satisfied that adequate details are provided in the public notices. I am therefore satisfied that the extent and location of the proposed development has been adequately provided by the applicant.

8.2.10. **Conclusion on Principle of Development:** I have no objection to the proposed scheme in terms of development on these suitably zoned lands for residential use and for the provision of a creche as well as community/ cultural/ art space. The demolition of the four houses is justified on the basis of the proper planning and sustainable development of the area, through achieving an increased density of housing on these lands. Potential impact on the character, visual, and residential amenity of the area are considered in the following sections of my report.

8.3. **Density & Scale of Development**

8.3.1. **Appeal:** Concern was expressed by third parties in their appeals about the scale of the proposed development, rather than a specific reference to an excessive density.

8.3.2. **Planning Authority:** The Planning Authority raised no concern about the proposed density, though they noted that there are differences between the density range of the Ballymun Local Area Plan and through the SDRA indicated in the Dublin City Development Plan 2022 – 2028 as well as the Compact Settlement Guidelines. They agree with the applicant that the site is located within an 'Urban Neighbourhood' and which can also be considered to be an 'Accessible Location' and a net density in the range of 50dph to 250dph can be applied. The overall net density is 154.7dph and as such the density is within the acceptable range.

8.3.3. **Assessment:** I note the issues raised in the appeal, the response of the applicant and the Planning Authority report. National policy is to encourage the consolidation of urban areas, and in general this will mean that the density of development of such sites will increase where this is considered to be appropriate. The Dublin City Development Plan incorporates and expands on this national policy and seeks to increase the number of residential units in appropriate locations throughout the city area. The site is designated as a Strategic Development Regeneration Area – SDR A 2 and the Dublin City Development Plan seeks the delivery of compact growth within such designated areas.

8.3.4. I have had full regard to Appendix B – ‘Measuring Residential Density’ in the Sustainable and Compact Settlements Guidelines and which under Table 1 lists what is to be included and excluded from calculation of density. Exclusions include commercial development, which I would consider the creche to be, and also other community services and facilities which the cultural/ community/ art space could be counted as. Using the method of calculation provided in the guidelines, the net density is as follows:

Net Site Area = 3.05 hectares

Overall Gross Floor Area = 42,617sq m

Residential Gross Floor Area = 41,747.9sq m

Creche: 445.7sq m

Community/ Cultural/ Art Space: 423.4sq m

Total Non-residential Gross Floor Area = 869.1sq m

Number of residential unit = 463

Calculation:

Residential GFA as a portion of development = $41,747.9 / 42,617 = 97.9\%$

Site area for density purposes = $(3.05\text{ha} * 97.9\%) = 2.99\text{hectares}$

Net Residential density = $463 / 2.99 = 154.8 \text{ dph}$ – Round up to 155dph.

8.3.5. Table 1 of Appendix 3 of the Dublin City Development Plan sets a density range of 100 – 250dph for SDRAs. The text before Table 1 states: ‘As a general rule, the following density ranges will be supported in the city.’ The net density at 155dph is

clearly within the density range for a SDRA. The Planning Authority have assessed the density against those provided in the Ballymun LAP. I have summarised these in the following table:

Site	Zoning	LAP Height	LAP Unit Nos.	Area (hectares)	LAP Density	SDRA Density
6	Z4	4 to 6 storeys	Mix Use			100 – 250dph
8	Z1	3 to 4 storeys	30 - 40	0.67h	45-60dph	
9	Z1	3 to 5 storeys	80 - 100	0.95h	84-105dph	

8.3.6. The Ballymun Local Area Plan remains in place until 2027, however the Planning Authority have reported ‘Having regard to the site context and in particular the site’s location adjacent to future planned transportation improvements (Metro), it is considered that the density ranges applicable to the SDRA and within the Sustainable Residential Development and Compact Settlements: Guidelines for Planning Authorities 2024 are more appropriate in this case. As such, the proposed density at 154.7dph is acceptable.’ I note this and consider that there are conflicting figures between the Dublin City Development Plan and the Ballymun Local Area Plan. The site is within the SDRA and as such a density of between 100 – 250 dph is supported for such a designated area. As I have reported the proposed density at 155dph is within the range and can be considered to be at the lower/ mid-level of this range. I have no objection to the proposed density, and it is appropriate in the context of ensuring that adequate housing be provided within the Ballymun area.

8.3.7. I have provided an assessment of this under Section 8.4.6 of my report and the proposed development is considered to be acceptable in terms of the performance requirements for density and height. The development is found to comply with the performance criteria set out in Table 3 in terms of density and height and it is considered that proposed scheme would integrate into this area having regard to the impact on adjoining residential amenity and visual amenity. Further to this assessment I note:

- The location of the site within an established urban area. This vacant undeveloped site, save for four occupied houses which are proposed for demolition, is located in Ballymun, within the Dublin City administrative area.
- The lands are suitably zoned for residential development of this nature. Under the Dublin City Development Plan 2022 – 2028, the site is partially zoned Z1 –

Sustainable Residential Neighbourhoods with the objective: 'To protect, provide and improve residential amenities' and the rest of the site is zoned Z4 - 'To provide for and improve mixed-services facilities'.

- The area is well served by community, social, retail and amenity infrastructure. The proposed development provides for a creche and community/ cultural/ art space.
- The area is well served by public transport and active travel measures. Work has commenced on the Fingal/ Ballymun to City Centre BusConnects scheme and the MetroLink Railway Order was made in September 2025 with construction due to commence in 2027.
- There is a clear requirement for residential units in this part of Dublin City and more specifically in the Ballymun area. The proposed development supports the mix of housing in this area.

8.3.8. Therefore, having regard to the above points and the clear adherence of the scheme to the performance criteria set out in Table 3, the density of the development is appropriate and in accordance with the Dublin City Development Plan 2022 – 2028 and no Material Contravention issue arises.

8.3.9. I have also made full consideration of Table 3.8 of the Compact Settlement Guidelines, and the site can be considered to be an accessible location in accordance with the Compact Settlement Guidelines through its proximity to the Ballymun/ Finglas to City Centre Core Bus Corridor and through the frequency/ capacity of the existing bus service – See Section 8.7 of this report.

8.3.10. Conclusion on Density: The Planning Authority calculated the density to be 154dph and considered that the development was compliant with Table 1 of Appendix 3 of the Dublin City Development Plan 2022 – 2028. I agree with their assessment and the development demonstrates compliance with the performance requirements for density and height set out in Table 3 of Appendix 3 of the Dublin City Development Plan 2022 – 2028. The site is located within the Ballymun SDRA and as the SDRAs have a density range of 100 – 250dph, the proposed net density of 155dph is clearly acceptable. The subject area is served by high capacity/ frequency public transport, and by a range of shops and community facilities that can be reached by walking/ cycling. I therefore consider that the proposed density is acceptable in this location in

Ballymun. The concerns raised in the appeal about overdevelopment are considered further in the following sections of this report, on impact on the character of the area and impact on existing residential amenity.

8.4. Impact on the Character of the Area - Height

- 8.4.1. **Appeal:** Concern was expressed about the impact of six storey units on the area, primarily on Coultrey Gardens and Coultrey Terrace; issues of impact on residential amenity are considered further in later sections of this report.
- 8.4.2. **Planning Authority comment on height:** Refers to Section 4.0 of Appendix 3 of the Dublin City Development Plan 2022 – 2028 and which acknowledges ‘The general principle is to support increased height and higher density schemes in the city centre, Strategic Development Regeneration Areas, Key Urban Villages, areas close to high frequency public transport and some other areas (as identified) considered as suitable for increased intensity of development.’ The Planning Authority refer to the history of the area and issue of tall buildings over the lifetime of Ballymun.
- 8.4.3. They conclude with Section 13.10 of their report which states the following, ‘Whilst there is no objection in principle to the overall scale and massing of the proposed blocks, in combination with the increased heights above the parameters set out in the LAP, the Planning Authority is concerned regarding the visual impact of the proposed development on the surrounding established urban fabric. In the event of a grant of permission a condition of permission will require modification of the proposals to omit the 6th storey in sites 8 and 9.’ This is achieved through Condition 3. b) and which reduces the number of units to 451 (from 463). The height of the buildings along Main Street is limited to 18m in accordance with Section 5.5.2 of the Ballymun Local Area Plan.
- 8.4.4. **Assessment:** I note the Planning Authority comments on the issue of height in Ballymun and from the submitted appeals it is clear that tall buildings remain an issue of concern. The immediate areas of Sites 8 and 9 adjoin two and three storey houses to the north and east, but to the west and of Coultrey Road are taller buildings forming the centre of the town centre and which have a height of five storeys, extending higher to their west of up to six storeys.
- 8.4.5. Comment was made in the appeals about the impact of the development on views of the former Boiler House Chimney and on St. Pappins Church. There are no protected

views or vistas indicated for this area, and I am satisfied that the chimney will remain as a distinctive landmark. The church will not be directly impacted as there are existing buildings between it and the subject site, providing a buffer suitable to protect its setting.

8.4.6. Section 3.2 – ‘Development Management Criteria’ of the ‘Urban Development and Building Heights – Guidelines for Planning Authorities’, December 2018, sets out a number of considerations for developments with increased heights, and the Dublin City Development Plan provides for similar considerations in Appendix 3 and with the performance criteria set out in Table 3. In the interest of convenience, I have set out the objectives and performance criteria of Table 3 of the Dublin City Development Plan in the following table in the context of height and also density:

Objective	Performance Criteria	Response
1. To promote development with a sense of place and character	<p>Enhanced density and scale should:</p> <ul style="list-style-type: none"> • respect and/ or complement existing and established surrounding urban structure, character and local context, scale and built and natural heritage and have regard to any development constraints, 	<ul style="list-style-type: none"> • The proposed development provides for a mix of four to six apartment blocks in an area characterised by two and three storey houses to the north and east of the subject site and by taller building of between four and six storeys to the west. The site layout includes the provision of public and communal open space. Although the lands are under grass they should be considered a brownfield site as they are vacant and include the demolition of four occupied houses.

	<ul style="list-style-type: none"> • have a positive impact on the local community and environment and contribute to 'healthy placemaking', • create a distinctive design and add to and enhance the quality design of the area, • be appropriately located in highly accessible places of greater activity and land use intensity, 	<ul style="list-style-type: none"> • The development will provide for an improved mix of housing types, in the form of one, two and three bedroom units in addition to a creche and community/ cultural/ arts space that will increase the range of services in the Ballymun area. • The proposed development through the use of apartment blocks and their height will add to the character of the area. The apartment blocks to include brick finished elevations and potential bulk is reduced through the orientation of the units, mix of materials, and mix of heights. • The site is located to the east of the Ballymun Road/ Main Street. The area adjoins the centre of Ballymun and which is served by a range of bus routes.
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	<ul style="list-style-type: none"> • have sufficient variety in scale and form and have an appropriate transition in scale to the boundaries of a site/ adjacent development in an established area, • not be monolithic and should have a well-considered design response that avoids long slab blocks, • ensure that set back floors are appropriately scaled and designed. 	<ul style="list-style-type: none"> • See above. In addition, the development provides for suitable separation distances between the proposed apartment blocks and existing houses, with building heights having full regard to the existing housing in the area. • The design of the blocks has regard to existing development and through a suitable solid to void ratio, location of balconies and overall elevational treatment, the design is appropriate to this location. • Setbacks are not a significant feature of the design though set down areas are provided having regard to adjoining sites.
<p>2. To provide appropriate legibility</p>	<p>Enhanced density and scale should:</p> <ul style="list-style-type: none"> • make a positive contribution to legibility in an area in a cohesive manner, 	<ul style="list-style-type: none"> • The site has full regard to the existing adjoining development. Suitable setbacks between the proposed blocks and houses to the north/ east

	<ul style="list-style-type: none"> • reflect and reinforce the role and function of streets and places and enhance permeability. 	<p>are provided and larger six storey units are located to the west of the site addressing the Ballymun Road/ Main Street.</p> <ul style="list-style-type: none"> • The layout and building design ensures the strengthening of the existing streetscape whilst allowing for permeability to/ within the site.
<p>3. To provide appropriate continuity and enclosure of streets and spaces</p>	<p>Enhanced density and scale should:</p> <ul style="list-style-type: none"> • enhance the urban design context for public spaces and key thoroughfares, • provide appropriate level of enclosure to streets and spaces, • not produce canyons of excessive scale and overbearing of streets and spaces, 	<ul style="list-style-type: none"> • The proposed layout provides for suitable open space adjacent to/ accessible to the units it is intended to serve. The immediate area is already well served by open space. • The proposed layout and building design allows for enclosure of open space and ensures that the streetscape is expanded/ improved in the area. • There is a tapering of building heights where they adjoin existing houses and height in excess of three storeys would not be

	<ul style="list-style-type: none"> • generally be within a human scale and provide an appropriate street width to building height ratio of 1:1.5 – 1:3, • provide adequate passive surveillance and sufficient doors, entrances and active uses to generate street-level activity, animation and visual interest. 	<p>appropriate. The blocks have regard to the existing character of the area.</p> <ul style="list-style-type: none"> • The proposed plot ratio is 1:3 and this is considered to be acceptable in this location. Building heights are maximum of 19.5m to 20m. • The elevational treatment includes active streetscapes where it addresses the public street. Spaces are overlooked by balconies and the development demonstrates the provision of good quality passive surveillance.
<p>4. To provide well connected, high quality and active public and communal spaces</p>	<p>Enhanced density and scale should:</p> <ul style="list-style-type: none"> • integrate into and enhance the public realm and prioritises pedestrians, cyclists and public transport, • be appropriately scaled and distanced to provide appropriate enclosure/exposure to public and 	<ul style="list-style-type: none"> • Scheme provides for good quality open space and bicycle parking facilities. The development (centre point) is within 250m of a bus stop. • The open space is appropriately integrated into the overall design and

	<p>communal spaces, particularly to residential courtyards,</p> <ul style="list-style-type: none"> • ensure adequate sunlight and daylight penetration to public spaces and communal areas is received throughout the year to ensure that they are useable and can support outdoor recreation, amenity and other activities – see Appendix 16, • ensure the use of the perimeter block is not compromised and that it utilised as an important typology that can include courtyards for residential development, • ensure that potential negative microclimatic effects (particularly wind 	<p>layout. Open space benefits from easy access and passive surveillance.</p> <ul style="list-style-type: none"> • The 'Daylight and Sunlight Assessment Report' prepared by 3D Design Bureau indicates that all communal and public open space will exceed the minimum requirements as per BRE Site Layout Planning for Daylight and Sunlight Design Guide 209. • The development is not based on a courtyard layout but in the form of narrow blocks, with open space located to the rear/ side of the blocks. This format has regard to the site layout and orientation of the sun and ensures that units receive good levels of daylight and sunlight. • There is no requirement for such an assessment as the
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	<p>impacts) are avoided and or mitigated,</p> <ul style="list-style-type: none"> • provide for people friendly streets and spaces and prioritise street accessibility for persons with a disability. 	<p>proposed buildings at a maximum of 6 storeys would not give rise to such effects. The applicant has considered this issue.</p> <ul style="list-style-type: none"> • The proposed development utilises existing and provides for suitable footpaths, and no issues of concern arise in this regard.
<p>5. To provide high quality, attractive and useable private spaces</p>	<p>Enhanced density and scale should:</p> <ul style="list-style-type: none"> • not compromise the provision of high quality private outdoor space, • ensure that private space is usable, safe, accessible and inviting, • ensure windows of residential units receive reasonable levels of natural light, particularly to the windows of residential units within courtyards – see Appendix 16, 	<ul style="list-style-type: none"> • The proposed development provides for suitable public and communal open space. • All units are provided with suitable private amenity space that is easily accessible to residents. • The ‘Daylight and Sunlight Assessment Report’ prepared by 3D Design Bureau indicates that 90% of rooms demonstrate compliance with Spatial Daylight Autonomy (SDA) – meaning that 50% of the

	<ul style="list-style-type: none"> • assess the microclimatic effects to mitigate and avoid negative impacts, • retain reasonable levels of overlooking and privacy in residential and mixed use development. 	<p>room receives the daylight target.</p> <ul style="list-style-type: none"> • Not required due to the nature of the proposed development in terms of height and bulk, as well as through location within an established urban part of Ballymun. • The proposed development provide for good levels of passive surveillance through the location of windows in relation to open space areas.
<p>6. To promote mix of use and diversity of activities</p>	<p>Enhanced density and scale should:</p> <ul style="list-style-type: none"> • promote the delivery of mixed use development including housing, commercial and employment development as well as social and community infrastructure, 	<ul style="list-style-type: none"> • The proposed development provides for 463 apartment units in the form of one, two and three bedroom units in the form of apartment blocks and duplex units. It also provides for a childcare facility, and community/ cultural/ art space. This is therefore a mixed use development.

	<ul style="list-style-type: none"> • contribute positively to the formation of a 'sustainable urban neighbourhood', • include a mix of building and dwelling typologies in the neighbourhood, • provide for residential development, with a range of housing typologies suited to different stages of the life cycle. 	<ul style="list-style-type: none"> • The proposed development will provide for one, two and three bedroom units within a central location adjacent to Ballymun town centre. • As above. • As above. The proposed development provides for a mix of one, two and three bedroom units in the form of apartments and duplex units. This provides for starter, family and housing for later life stage residents.
<p>7. To ensure high quality and environmentally sustainable buildings</p>	<p>Enhanced density and scale should:</p> <ul style="list-style-type: none"> • be carefully modulated and orientated so as to maximise access to natural daylight, ventilation, privacy, noise and views to minimise overshadowing and loss of light – see Appendix 16, 	<ul style="list-style-type: none"> • The 'Daylight and Sunlight Assessment Report' prepared by 3D Design indicates that units receive good levels of sunlight and daylight and existing residential units in the area are not adversely impacted by this development. Overlooking is addressed through the layout and

	<ul style="list-style-type: none"> • not compromise the ability of existing or proposed buildings and nearby buildings to achieve passive solar gain, • ensure a degree of physical building adaptability as well as internal flexibility in design and layout, • ensure that the scale of plant at roof level is 	<p>provision of separation distances in accordance with the requirements of the Dublin City Development Plan.</p> <ul style="list-style-type: none"> • The 'The 'Daylight and Sunlight Assessment Report' prepared by 3D Design does not raise any issues of concern in this regard. Adequate tapering of building heights reduces the potential for loss of passive solar gain. • The proposed development provides for one, two and three units. The adaptability of units is restricted through the nature of the units, though revisions to the internal floor plan could be undertaken through the removal of partition walls etc. The ground floor units including the community/ cultural space does allow for flexibility in its potential use. • The parapet at roof level screens much of the roof level plant. Lift shaft overrun areas are set
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	<p>minimised and have suitable finish or screening so that it is discreet and unobtrusive,</p> <ul style="list-style-type: none"> • maximise the number of homes enjoying dual aspect, to optimise passive solar gain, achieve cross ventilation and for reasons of good street frontage, • be constructed of the highest quality materials and robust construction methodologies, • incorporate appropriate sustainable technologies, be energy efficient and climate resilient, 	<p>towards the centre of the roof area and not adversely impact the height of these units.</p> <ul style="list-style-type: none"> • 48.2% of the units are dual or triple aspect. • The proposed material finishes are of a good quality and extensive use of brick will be used in the public facing elevational treatment. • The development will comply with Building Regulation requirements in relation to energy efficiency. A Site Specific Flood Risk Assessment raised no issue of concern in relation to flooding. <p>An 'Energy Efficiency and Climate Change Adaptation Design Statement' has also been prepared and</p>
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	<ul style="list-style-type: none"> • apply appropriate quantitative approaches to assessing daylighting and sun lighting proposals. In exceptional circumstances compensatory design solutions may be allowed for where the meeting of sun lighting and daylighting requirements is not possible in the context of a particular site (See Appendix 16), • incorporate an Integrated Surface Water Management Strategy to ensure necessary public surface water infrastructure and nature based SUDS solutions 	<p>submitted with the application.</p> <ul style="list-style-type: none"> • The 'The 'Daylight and Sunlight Assessment Report' prepared by 3D Design does not raise any issues of concern in this regard. The site benefits from good areas of communal open space. • Full details of the proposed surface water drainage system is provided in the 'Surface Water Management Plan'. The system is designed in accordance with the requirements of the Dublin City Development Plan and in particular with Policy SI25 and the requirements of
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	<p>are in place – see Appendix 13,</p> <ul style="list-style-type: none"> • include a flood risk assessment – see SFRA Volume 7. • include an assessment of embodied energy impacts. 	<p>Appendix 13 of the Development Plan.</p> <ul style="list-style-type: none"> • A Site Specific Flood Risk Assessment has been prepared and submitted in support of the application. No issues of concern arise, the development is primarily in Flood Zone C. • An ‘Energy Efficiency and Climate Change Adaptation Design Statement’ has also been prepared and submitted with the application.
<p>8. To secure sustainable density, intensity at locations of high accessibility</p>	<p>Enhanced density and scale should:</p> <ul style="list-style-type: none"> • be at locations of higher accessibility well served by public transport with high capacity frequent service with good links to other modes of public transport, 	<ul style="list-style-type: none"> • The area is well served by public transport. The E1 and 19 bus routes provide approximately 10 bus services in the off peak from the Ballymun Road to the City Centre and a permitted Core Bus Corridor is located on Ballymun Road. Site is served by the N2 orbital route which connects Kilbarrack to Finglas via

	<ul style="list-style-type: none"> • look to optimise their development footprint; accommodating access, servicing and parking in the most efficient ways possible integrated into the design. 	<p>Beaumont Hospital and Ballymun. Additional bus routes are available from outside the Ballymun Civic Plaza with between 18 to 20 buses towards the City Centre at off-peak times.</p> <ul style="list-style-type: none"> • The proposed site layout provides for an efficient use of these lands with car parking integrated into the overall design and open space easily accessible for the relevant end users. Site servicing and access is acceptable and appropriate within this urban location.
<p>9. To protect historic environments from insensitive development</p>	<p>Enhanced density and scale should:</p> <ul style="list-style-type: none"> • not have an adverse impact on the character and setting of existing historic environments including Architectural Conservation Areas, Protected Structures and their curtilage and National Monuments – see section 6 below. 	<ul style="list-style-type: none"> • The site is not located within an Architectural Conservation Area or adjacent to a protected structure, and no issues of concern arise.

	<ul style="list-style-type: none"> • be accompanied by a detailed assessment to establish the sensitivities of the existing environment and its capacity to absorb the extent of development proposed, • assess potential impacts on key views and vistas related to the historic environment. 	<ul style="list-style-type: none"> • The submitted 'Architectural Heritage Impact Assessment' and Architectural Design Statement outline how the proposed development will integrate into its surroundings. • The site is not located in an area with key views/ vistas. A 'Townscape and Visual Impact Assessment' indicates if there are any impacts on the visual amenity of the area and no issues of concern arise from this assessment. The application is also supported with 'Verified Views, Presentation and CGIs' and again no issues of concern arise.
10. To ensure appropriate management and maintenance	<p>Enhanced density and scale should</p> <ul style="list-style-type: none"> • Include an appropriate management plan to address matters of security, management of public/communal areas, 	<ul style="list-style-type: none"> • The applicant has provided an 'Outline Servicing and Operational Management Strategy' in support of the application. This document demonstrates compliance

	waste management, servicing etc.	with the requirements of this section of the Development Plan.
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- 8.4.7. The above table demonstrates that the development complies with Table 3 of Appendix 3 of the Dublin City Development Plan 2022 – 2028. A number of the issues identified in the above table are assessed in greater depth in the following sections of my report. The Ballymun Local Area Plan sets out indicative heights including for the subject lands, with heights along the Ballymun Road to be a minimum of 4 storeys but can rise to 6 storeys, those on the other lands to be 3-4 storeys but with opportunities for increased heights.
- 8.4.8. National and local policy seeks to provide for increased density, and where necessary to achieve the density, increased heights, on sites where it can be demonstrated that such locations are suitable for increased density. The above table includes appropriate considerations for development with increased heights/ density. The appeals refer to concern that the proposed development would have a negative impact on existing two storey houses. Whilst accepting that the development provides for buildings of increased heights, taller buildings were a historical feature of the area and the proposed development is in accordance with the heights of the existing units constructed along Main Street, Ballymun. The Aspen student accommodation block on the opposite side of the road is primarily six storeys in height, and which rise to ten storeys on the corner of the Ballymun Road and Balbutcher Lane.
- 8.4.9. The proposed development would provide for an increased variety in unit types in the area, meeting different housing needs including the provision of starter homes and also allowing for downsizing within the Ballymun area. Although the numbers are small relative to the overall number of units applied for, the proposed development does include the provision of 47 (10% of the total) three bedroom units, which will go a small way to meeting demand for family sized homes.
- 8.4.10. The provision of a suitable density is facilitated through the use of taller units towards the Ballymun Road, and this is appropriate having regard to the established character of the area. There is a difficulty in trying to increase the number of units within an established area whilst having regard to the character of the area but also ensuring that existing residential amenity is not adversely affected by such a development. As

will be demonstrated later in this report, issues of overlooking and loss of daylight/ sunlight have been adequately addressed by the applicant and therefore the proposed development can be considered to provide for a suitable density/ scale of development whilst protecting existing residential amenity.

8.4.11. The Planning Authority under Condition 3a) seek to reduce the height of the buildings addressing Main Street to a maximum of 18m in accordance with the Ballymun LAP. The LAP under the section on Site Briefs seeks heights with a 'Minimum 4 storeys with potential to rise to 6 storeys'. I am satisfied that the proposed 6 storeys are acceptable and whilst it is possible to reduce the overall height this would be at the expense of good quality design and would reduce the residential amenity for future occupants with reduced floor to ceiling heights and potential reduction in daylight/ sunlight levels. There appears to be a conflict between allowing for 6 storeys yet limiting the height to 18m and ensuring that a suitable active frontage is provided whilst ensuring that high quality residential amenity can be achieved for future occupants of these units. I am satisfied that 6 storey blocks are acceptable and appropriate for this location, with the need to impose a condition limiting height not necessary.

8.4.12. Condition 3b) as provided by the Planning Authority seeks to omit the 6th storey of Blocks 6 and 7 in Sites 8 & 9. The Ballymun LAP allows for 3-4 storeys on Site 8 and 4-5 storeys to Coultrey Road. Some increase is allowed in certain situations, but I agree with the Planning Authority that the removal of the 6th storey of Blocks 6 and 7 is appropriate through ensuring compliance with the specific Site Briefs of the Ballymun LAP, for these blocks. The Ballymun SDRA within the Dublin City Development Plan states 'provide building heights in keeping with the height guidance set out for each individual site of the Ballymun Local Area Plan 2017, as extended'. Therefore the block heights are tied back to those provided in the Ballymun LAP and as such I am satisfied that the height of Blocks 6 and 7 can be limited by way of condition.

8.4.13. The removal of these floors will reduce the overall number of units to 451 (loss of 5 in Block 6 and 7 in Block 7) and an approximate reduction of 743.49sq m of residential floor area. The overall density is revised:

Net Site Area = 3.05 hectares

Overall Gross Floor Area = 41874sq m

Residential Gross Floor Area = 41,004.4sq m

Creche: 445.7sq m

Community/ Cultural/ Art Space: 423.4sq m

Total Non-residential Gross Floor Area = 869.1sq m

Number of residential units = 451

Calculation:

Residential GFA as a portion of development = $41,004.4 / 41874 = 97.9\%$

Site area for density purposes = $(3.05\text{ha} * 97.9\%) = 2.99\text{hectares}$

Net Residential density = $451 / 2.99 = 150.8 \text{ dph}$ – Round up to 151dph.

8.4.14. The proposed building design is acceptable, and the indicative materials are also generally acceptable in this location. I recommend that brick or similar finish is applied to the elevations that address public streets/ roads to ensure that a quality of building is provided here. Many of newer builds in Ballymun are finished in brick, whereas older schemes were finished in self-coloured render and which has weathered badly over time. The Aspen building on the opposite side of the street is a good example of a brick finished building and the block to the south, which forms the mixed use development including a Travelodge hotel, is an example of a rendered block that has weathered poorly. This can be addressed by way of condition.

8.4.15. **Conclusion on Section 8.4:** The proposed development is considered to be acceptable in terms of density which is achieved through the provision of building that integrate with the existing buildings to the west/ south west of the site. The proposed development includes a creche and cultural/ community/ art space and combined with the good quality of open space provided, it would be difficult to provide this residential development at an acceptable density without including units of a suitable height. I consider that the proposed heights are acceptable in this location, subject to the removal of a storey from both Blocks 6 and 7, with a consequent loss of 12 units. The impact on residential amenity is considered further in the next sections of this report.

8.5. **Impact on Proposed Residential Amenity**

8.5.1. **Appeal:** No specific issues of concern were raised other than the lack of family sized units and regret that existing houses were to be demolished to accommodate the

overall development of this site. The residents of these houses would be relocated, and this would have a negative impact on the established community.

- 8.5.2. **Planning Authority:** No specific issues of concern were raised.
- 8.5.3. **Assessment:** I have assessed this development and quality of residential amenity under a number of sub-headings as follows.
- 8.5.4. **Unit Mix:** The proposed development provides for a total of 190 one – bedroom, 49 two-bedroom and 47 three-bedroom units in nine apartment blocks and three duplex blocks. As reported, concern was expressed through the appeals about the lack of family sized units in the proposed development, however the proposed development provides for a suitable mix and which includes family sized units with three bedrooms. Dublin City Council consider the proposed development to be acceptable and to be in accordance with the Dublin City Development Plan 2022 – 2028. I note 15.9.1 – ‘Unit Mix’ of the Dublin City Development Plan and which refers to the requirements of SPPR 1 of the apartment guidelines and that a development may provide up to 50% one bedroom or studio type units. No studio units are proposed here and 41% of the units are one bedroom thereby in accordance with SPPR 1 and Section 15.9.1 of the Dublin City Development Plan.
- 8.5.5. **Quality of Units – Floor Areas:** The applicant has provided an Accommodation Schedule’ giving an overview of unit types and numbers proposed. A Housing Quality Assessment is included in the supporting ‘Architectural Design Statement’. This has been prepared in accordance with the Apartment Guidelines, 2025 and the Dublin City Development Plan 2022 – 2028. A total of 299 (64.6%) of the proposed units exceed 110% of the minimum required floor areas. In addition to good quality room sizes, I note that a significant number of units are provided with storage space in excess of the minimum required.
- 8.5.6. A total of 223 (48.2%) of the proposed units are dual aspect and 4.5% of the 463 units are north facing only. Section 15.9.3 – ‘Dual Aspect’ of the Dublin City Development Plan 2022 – 2028 refers to the requirement of SPPR 4 of the apartment guidelines for ‘33% of units in ‘central and/ or accessible urban locations’ to be dual aspect; the proposed development demonstrates full compliance. SPPR 4 is revised to SPPR 3 in the Apartment Guidelines 2025, and which requires that a minimum of 25% of apartments be dual aspect; the proposed development is compliant with this.

- 8.5.7. The proposed floor to ceiling heights are 2.5 m except for the ground floor level, which is 2.7 m, demonstrating compliance with SPPR 5 of the Apartment Guidelines and which is referred to as a requirement for compliance in Section 15.9.4 – ‘Floor to Ceiling Height’ of the Dublin City Development Plan 2022 – 2028. SPPR 5 is revised to SPPR 4 in the Apartment Guidelines 2025, and which requires that a ground floor have a floor to ceiling height of 2.7m. I am satisfied that the proposed floor to ceiling heights are acceptable.
- 8.5.8. The proposed floor plans vary between the five blocks, but no block has more than 12 units per floor served by a single lift/ stair core. Block 2 contains floors with 12 units served by a single lift, however lifts in Blocks 5 and 6 serve only 6 units per floor. SPPR 5 states ‘There shall be no requirement within statutory plans or within an individual scheme in respect of a minimum number of units per floor per core.’ The Planning Authority have noted this SPPR and consider that there is an error in the wording suggesting that the word minimum be replaced with maximum. This is noted; however, I am satisfied that the lift provision is acceptable in this development.
- 8.5.9. Quality of Units – Amenity Space: The proposed units are provided with private amenity space in the form of terraced areas for the ground floor units and balconies for the upper floors. The area provided is sufficient in terms of complying with the minimum required as per the Dublin City Development Plan. The upper floor amenity spaces are generally just above the minimum requirement; however, the ground floor units benefit from significantly larger than required open space. For example, Unit Number B7.00.03 which is a three bed/ five person unit and has a requirement for 9sq m of private amenity space is to be provided with 53.79sq m of private amenity space. I note the Planning Authority comments regarding the provision of a landscaped privacy buffer where amenity spaces adjoin the public street, and I agree that this can be addressed by way of suitable condition.
- 8.5.10. Access to the balcony amenity space is from the Kitchen/ Living/ Dining area and it is noted that the balconies do not extend to the front of bedrooms, which is welcomed in the interest of residential amenity. Balcony depths meet or exceed the requirement to be 1.5 m deep.
- 8.5.11. The proposed development includes the provision of 4,068sq m of communal open space. The Dublin City Development Plan refers to the Apartment Guidelines

requirement for communal open space, and the standards are set out in Appendix 1 of these guidelines. The development would generate a requirement for 2,934sq m and the proposed provision of 4,068sq m exceeds this. A small area of this communal open space does not receive adequate amount of sunlight (see later in this report), but this is only a small portion of the communal open space for Site 6, and I am satisfied that it still has an amenity function worth retaining this space for. This area of communal space adjoins a larger area of public open space, and I am satisfied that the residents of Site 6 will have access to adequate amenity space. The overall quality of communal open space is sufficient.

8.5.12. The requirement for public open space is 3054.5sq m and the proposed development provides for 3131sqm. This is distributed in three separate areas with one each for Sites 6 and 8 and a separate centrally located space between Sites 6 and 8 but within walking distance of Site 9, this includes a natural play area. I am satisfied that adequate public open space is provided. The submitted landscaping plans/ Landscape Design detail the provision of open space on site. I note also the proximity of the development to Coultrey Park, an existing established area of public open space and overall, the proposed development is well served by public open space and will provide for additional space to serve this part of Ballymun. In addition to a good quality of design, the areas of open space benefit from good passive surveillance.

8.5.13. **Daylight and Sunlight:** The applicant has engaged the services of 3D Design Bureau to assess the impact of the development on daylight and sunlight and a 'Daylight and Sunlight Assessment Report' has been submitted in support of the application. This assessment has been prepared based on best practice guidance set out in the following documents, detailed in Appendix F.0 of their report:

- Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' BRE – 3rd Edition, 2022 (BR209).
- EN 17307:2018 – Daylight in Buildings – European Standard
- IS EN 17037: 2018 – Irish Standard
- BS EN 17307:2018 – Daylight in Buildings – European Standard
- EN 17307:2018 – Daylight in Buildings – European Standard

- Planning Design Standards for Apartments: Guidelines for Planning Authorities (2025)
- Sustainable Residential Development and Compact Settlements Guidelines (2024)
- Dublin City Development Plan 2022 - 2028

The assessment submitted by the applicant included the undertaking of a number of tests, and these are detailed in the following section of this report.

8.5.14. **Internal Daylight Analysis:** Section 4.1 provides details on ‘Spatial Daylight Autonomy (SDA)’ and assesses the daylight performance of the proposed development. The proposed development of 463 units provides for a total of 1124 habitable rooms that are to be assessed. 90% of rooms demonstrate compliance and a separated assessment includes the omission of trees and which increases the compliance rate to 94%. As the applicant has reported, the removal of trees as a mitigation measure was not considered to be an appropriate action and a balance has to be struck between receipt of good daylight and impact on the visual/ ecological character of the area.

8.5.15. From the information provided in the applicant’s report, I am satisfied that the Spatial Daylight Autonomy Result are acceptable, and the proposed units are demonstrated to be generally compliant. Units that do not meet the targets are identified in the applicant’s report and details are provided of suitable compensatory measures, and these are detailed in Section 4.1 of the applicant’s report. Suitable compensatory measures include increased floor area over the minimum requirement, dual aspect units, increased floor to ceiling heights and increased open space, in some cases two separate areas of amenity space are provided.

8.5.16. The following are the targets for Spatial Daylight Autonomy:

To meet or exceed 50% of the total lux for half the daylight hours, for:

- Bedrooms 100 Lux
- Living Rooms 150 Lux
- Kitchens 200 Lux

Those units that are below the targets include the following:

Unit No./ Type	Block	Floor	Kitchen/ Living/ Dining	Bed. 1	Bed. 2	Bed. 3
			Without Trees (with Trees)			
B1-00-05 (2 Bed)	1	Ground	99% (29%)	100% (31%)	100% (25%)	
B1-01-05 (2 Bed)	1	First	100% (75%)	100% (38%)	50% (7%)	
B1-01-06 (1 Bed)	1	First	44% (14%)	56% (26%)		
B1-01-07 (2 Bed)	1	First	100% (46%)	100% (19%)	100% (43%)	
B1-01-09 (1 Bed)	1	First	52% (43%)	100% (100%)		
B1-02-05 (2 Bed)	1	Second	100% (100%)	100% (87%)	55% (15%)	
B1-02-06 (1 Bed)	1	Second	50% (23%)	90% (33%)		
B1-02-07 (2 Bed)	1	Second	100% (78%)	100% (34%)	100% (64%)	
B1-02-10 (1 Bed)	1	Second	50% (48%)	100% (100%)		
B1-03-05 (2 Bed)	1	Third	100% (100%)	100% (100%)	61% (28%)	
B02-01-06 (2 Bed)	2	First	50% (22%)	100% (100%)	100% (99%)	
B02-01-07 (2 Bed)	2	First	50% (38%)	100% (100%)	57% (40%)	
B02-01-09 (2 Bed)	2	First	43% (35%)	100% (100%)	100% (99%)	
B02-02-06 (1 Bed)	2	Second	53% (50%)	100% (100%)	100% (100%)	
B02-02-09 (2 Bed)	2	Second	47% (44%)	100% (100%)	100% (100%)	
B02-03-09 (2 Bed)	2	Third	50% (48%)	100% (100%)	100% (100%)	
B03-00-01 (2 Bed)	3	Ground	57% (36%)	100% (100%)	33% (23%)	

B03-01-01 Bed)	(2	3	First	58% (47%)	100% (100%)	35% (26%)	
B03-01-09 Bed)	(2	3	First	40% (33%)	100% (98%)	100% (100%)	
B03-01-10 Bed)	(1	3	First	32% (26%)	37% (30%		
B03-02-01 Bed)	(2	3	Second	70% (64%)	100% (100%)	37% (32%)	
B03-02-09 Bed)	(2	3	Second	44% (41%)	100% (100%)	100% (100%)	
B03-02-10 Bed)	(1	3	Second	37% (34%)	43% (40%)		
B03-03-01 Bed)	(2	3	Third	84% (80%)	100% (100%)	44% (37%)	
B03-03-09 (2 Bed)		3	Third	47% (45%)	100% (100%)	100% (100%)	
B03-03-10 Bed)	(1	3	Third	42% (41%)	61% (54%)		
B03-04-01 (2 Bed)		3	Fourth	97% (94%)	100% (100%)	53% (46%)	
B04-00-05 Bed)	(2	4	Ground	85% (45%)	93% (44%)	21% (14%)	
B04-01-06 Bed)	(1	4	First	31% (25%)	31% (23%)		
B04-01-07 Bed)	(2	4	First	82% (60%)	100% (60%)	22% (20%)	
B04-01-09 (1 Bed)		4	First	47% (44%)	100% (100%)		
B04-02-06 Bed)	(1	4	Second	38% (36%)	42% (38%)		
B04-02-07 Bed)	(2	4	Second	89% (83%)	100% (100%)	28% (27%)	
B04-03-06 Bed)	(1	4	Third	47% (46%)	71% (60%)		
B04-03-07 Bed)	(2	4	Third	100% (98%)	100% (100%)	34% (33%)	

B05-00-04 (2 Bed)	5	Ground	47% (44%)	100% (100%)	100% (100%)	
B05-01-04 (2 Bed)	5	First	100% (100%)	100% (100%)	55% (34%)	
B05-01-05 (1 Bed)	5	First	63% (42%)	94% (54%)		
B05-01-06 (2 Bed)	5	First	42% (40%)	100% (100%)	100% (100%)	
B05-01-07 (2 Bed)	5	First	50% (48%)	100% (100%)	100% (100%)	
B05-02-06 (2 Bed)	5	Second	47% (46%)	100% (100%)	100% (100%)	
B06-00-01 (2 Bed)	6	Ground	50% (45%)	100% (100%)	100% (98%)	
B06-00-02 (2 Bed)	6	Ground	47% (43%)	100% (99%)	100% (100%)	
B06-00-04 (1 Bed)	6	Ground	47% (45%)	100% (100%)		
B06-01-01 (2 Bed)	6	First	46% (45%)	100% (100%)	94% (93%)	
B06-01-02 (2 Bed)	6	First	42% (40%)	100% (100%)	100% (100%)	
B06-01-04 (2 Bed)	6	First	100% (100%)	37% (31%)	100% (100%)	
B06-01-06 (1 Bed)	6	First	44% (43%)	100% (100%)	100% (100%)	
B06-02-02 (2 Bed)	6	Second	46% (44%)	100% (100%)	100% (100%)	
B06-02-04 (2 Bed)	6	Second	100% (100%)	48% (38%)	100% (100%)	

B06-03-02 (2 Bed)	6	Third	48% (47%)	100% (100%)	100% (100%)	
B07-00-01 (2 Bed)	7	Ground	100% (100%)	100% (100%)	91% (35%)	
B07-00-02 (2 Bed)	7	Ground	41% (23%)	100% (100%)	48% (27%)	
B07-00-04 (2 Bed)	7	Ground	87% (44%)	40% (26%)	100% (100%)	
B07-01-01 (2 Bed)	7	First	100% (100%)	100% (100%)	95% (44%)	
B07-01-02 (2 Bed)	7	First	37% (22%)	100% (100%)	93% (70%)	
B07-01-05 (1 Bed)	7	First	50% (35%)	89% (45%)		
B07-01-06 (1 Bed)	7	First	81% (63%)	100% (100%)	46% (36%)	
B07-02-02 (2 Bed)	7	Second	39% (38%)	100% (100%)	99% (94%)	
B07-03-02 (2 Bed)	7	Third	43% (43%)	100% (100%)	100% (100%)	
B07-04-02 (2 Bed)	7	Fourth	48% (48%)	100% (100%)	100% (100%)	
B08-00-01 (2 Bed)	8	Ground	41% (41%)	100% (100%)	100% (100%)	
B08-00-03 (2 Bed)	8	Ground	72% (38%)	99% (73%)	100% (100%)	
B08-00-04 (1 Bed)	8	Ground	95% (44%)	100% (79%)		
B08-00-05 (2 Bed)	8	Ground	61% (34%)	100% (59%)	100% (91%)	
B08-00-07 (2 Bed)	8	Ground	30% (29%)	100% (100%)	73% (72%)	
B08-00-08 (1 Bed)	8	Ground	46% (46%)	71% (69%)		

B08-01-01 (2 Bed)	8	First	44% (44%)	100% (100%)	100% (100%)	
B08-01-04 (1 Bed)	8	First	62% (45%)	100% (100%)		
B08-01-05 (2 Bed)	8	First	54% (38%)	100% (100%)	100% (98%)	
B08-01-06 (2 Bed)	8	First	58% (45%)	100% (100%)	100% (100%)	
B08-01-09 (2 Bed)	8	First	47% (45%)	100% (100%)	100% (100%)	
B08-01-10 (3 Bed)	8	First	23% (23%)	100% (100%)	100% (100%)	100% (100%)
B08-02-01 (2 Bed)	8	Second	46% (46%)	100% (100%)	100% (100%)	
B08-02-10 (3 Bed)	8	Second	32% (32%)	100% (100%)	100% (100%)	100% (100%)
B08-03-10 (3 Bed)	8	Third	45% (45%)	100% (100%)	100% (100%)	100% (100%)
B09-00-01 (2 Bed)	9	Ground	16% (16%)	100% (100%)	69% (69%)	
B09-00-02 (3 Bed)	9	Ground	16% (16%)	93% (93%)	100% (100%)	100% (100%)
B09-00-03 (2 Bed)	9	Ground	62% (29%)	100% (100%)	100% (71%)	
B09-00-04 (1 Bed)	9	Ground	96% (48%)	100% (96%)		
B09-00-05 (2 Bed)	9	Ground	58% (37%)	100% (100%)	100% (100%)	
B09-01-01 (2 Bed)	9	First	25% (24%)	100% (100%)	100% (100%)	

B09-01-02 (2 Bed)	9	First	22% (21%)	100% (100%)	100% (100%)	100% (100%)
B09-01-03 (2 Bed)	9	First	59% (35%)	100% (100%)	100% (73%)	
B09-01-04 (1 Bed)	9	First	66% (44%)	100% (100%)		
B09-01-05 (2 Bed)	9	First	53% (31%)	100% (100%)	100% (95%)	
B09-01-06 (2 Bed)	9	First	54% (41%)	100% (100%)	100% (98%)	
B09-01-10 (3 Bed)	9	First	20% (19%)	100% (100%)	100% (100%)	100% (100%)
B09-02-01 (2 Bed)	9	Second	29% (28%)	100% (100%)	100% (100%)	
B09-02-02 (3 Bed)	9	Second	31% (31%)	100% (100%)	100% (100%)	100% (100%)
B09-02-10 (3 Bed)	9	Second	26% (26%)	100% (100%)	100% (100%)	100% (100%)
B09-03-01 (2 Bed)	9	Third	43% (42%)	100% (100%)	100% (100%)	
B09-03-02 (3 Bed)	9	Third	47% (47%)	100% (100%)	100% (100%)	100% (100%)
B09-03-10 (4 Bed)	9	Third	40% (40%)	100% (100%)	100% (100%)	100% (100%)
Duplex 01 (2 Bed)			34% (30%)	100% (100%)	100% (100%)	
Duplex 03 (2 Bed)			38% (35%)	100% (100%)	100% (100%)	
Duplex 05 (2 Bed)			36% (35%)	100% (100%)	100% (100%)	

Duplex 07 (2 Bed)			39% (38%)	100% (100%)	100% (100%)	
Duplex 09 (2 Bed)			54% (35%)	100% (98%)	100% (100%)	
Duplex 11 (2 Bed)			48% (30%)	100% (100%)	100% (100%)	
Duplex 13 (2 Bed)			50% (33%)	100% (100%)	100% (100%)	
Duplex 15 (2 Bed)			47% (32%)	100% (100%)	100% (100%)	
Duplex 17 (2 Bed)			50% (35%)	100% (100%)	100% (100%)	
Duplex 19 (2 Bed)			51% (27%)	100% (100%)	100% (100%)	
Duplex 21 (2 Bed)			29% (24%)	100% (100%)	100% (100%)	
Duplex 23 (2 Bed)			27% (26%)	100% (99%)	100% (100%)	
Duplex 25 (2 Bed)			29% (27%)	100% (100%)	100% (100%)	
Duplex 27 (2 Bed)			26% (21%)	100% (100%)	100% (100%)	

8.5.17. I consider the 90% compliance rate/ 94% if trees are omitted to be acceptable having regard to the location of the development within an established urban area and through the need to make an efficient use of available land, the provision of a density in accordance with National Guidance and the Dublin City Development Plan 2022 - 2028 requires buildings of up to 6 storeys to be provided here. As reported, the applicant has outlined specific mitigation measures for each of the units that contain a room that does not meet the target figure. From the available information and supplied

assessment data, I note that very few units fail to comply for all their rooms. I have indicated in the above table, those rooms within specific units that do not meet the target figures.

8.5.18. Appendix C.3 of the applicant's report provides an assessment of 'Sunlight Exposure (SE) in Proposed Units' and is on the basis that a room, preferably a habitable room, receives at least 1.5 hours of sunlight on the 21st of March, there are variations on this, and a high result would be one in excess of 4 hours. For a unit to be compliant only one habitable room needs to meet the requirements of BR 209. The results are provided in Section C.3.1 of the applicant's report. Removing the trees from the calculations the following results were found for the 463 units:

- high: 211 unit nos. (at least 4 hours)
- medium: 142 unit nos. (at least 3 hours)
- minimum: 61 unit nos. (at least 1.5 hours)
- below minimum recommendation: 49 unit nos. (less than 1.5 hours)

With the inclusion of evergreen trees, the following results were found:

- high: 232 unit nos. (at least 4 hours)
- medium: 148 unit nos. (at least 3 hours)
- minimum: 43 unit nos. (at least 1.5 hours)
- below minimum recommendation: 40 unit nos. (less than 1.5 hours)

The compliance rate is between 91% and 89%.

8.5.19. The submitted report clearly indicates which units are below the suggested standard for sunlight. I have highlighted those units that are below the minimum recommendation for both SE and SDA in Bold Text in the above table, there are other units that do not meet the minimum for SE and which are detailed in the applicant's report. Those units listed in the above table benefit from specific compensatory measures, which I have already referred to. I consider the listed compensatory measures to be acceptable/ appropriate for the proposed units/ the overall development of this site.

8.5.20. **Sun On Ground (SOG) in Proposed Outdoor Amenity Areas:** Full details are provided in Appendix C4 of the applicant's report. The submitted details includes an

assessment of the external amenity spaces, which comprises the communal open space and public open space areas. The BRE requirement is that a minimum of 50% of an amenity space shall receive two or more hours of sunlight on the 21st of March.

8.5.21. The submitted analysis clearly indicates three areas of Public Open Space, with results as follows:

- Public Open Space 1 – 71.22%
- Public Open Space 2 – 99.53%
- Public Open Space 3 – 93.80%

All the public open space areas exceed the 50% and are therefore compliant.

Four areas of Communal Open Space are indicated, and which were tested with results as follows:

- Communal Open Space 1 – 79.74%
- Communal Open Space 2 – 0%
- Communal Open Space 3 – 85.97%
- Communal Open Space 4 – 95.99%

Three of the areas comply with the standards. Communal Open Space 2 is located to the north west of a building Block and its received sunlight is restricted. I note that this adjoins Public Open Space 1 and which achieves good sunlight. Whilst this space will not receive adequate sunlight, I consider it appropriate to retain it as communal open space as it would continue to have an amenity function for future residents/ occupants of this development. The applicant has also tested SOG for play areas within the Communal Open Spaces and all spaces exceed the recommended minimum. The proposed areas of open space will therefore be provided with adequate sunlight in accordance with the BRE requirements.

8.5.22. **Conclusion on Daylight and Sunlight Assessments:** I have had appropriate and reasonable regard of quantitative performance approaches to daylight provision, as outlined in the relevant guidance. I accept that not all units/ areas of space can be expected to be fully compliant within an established urban area. The Compact Settlements Guidelines state:

‘In drawing conclusions in relation to daylight performance, planning authorities must weigh up the overall quality of the design and layout of the scheme and the measures proposed to maximise daylight provision, against the location of the site and the general presumption in favour of increased scales of urban residential development. Poor performance may arise due to design constraints associated with the site or location and there is a need to balance that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and or an effective urban design and streetscape solution.’

8.5.23. I am satisfied that the design and layout of the scheme has been fully considered alongside relevant sunlight and daylighting factors. The standards achieved, when considering all site factors and the requirement to secure comprehensive urban development of this accessible and serviced site located in Ballymun within the Dublin City area, in accordance with national policy guidance, are in my opinion acceptable and will result in an acceptable level of residential amenity for future occupants of this development. Overall, I am satisfied that the proposed development will provide for good daylight and sunlight to the proposed units.

8.5.24. **Childcare Provision:** The proposed development provides for a total of 463 residential units; however, 90% of the proposed units are either one or bedroom units. A childcare facility with an internal floor area of 445.7sq m is proposed facing onto the Ballymun Road, and this is supported with outdoor space to the rear/ east of the proposed building. A set down area is available along Coultry Road. The applicant indicates that this facility can accommodate 89 children.

8.5.25. In support of the application, a Childcare Assessment, dated August 2025, has been prepared by Turley and which has full regard to the Dublin City Development Plan 2022 – 2028 (Section 15.8.2 in respect of ‘Community and Social Audit’ and 15.8.4 for Childcare – referring to the requirement of the Childcare Guidelines 2001) the Childcare Guidelines 2001 and the Sustainable Urban Housing: Design Standards for New Apartments, 2025. The assessment found there to be 15 childcare facilities within 1km radius of the subject site, mapped on Figure 8.2 of the applicant’s report; no details are provided on available capacity. The assessment continues and finds that demand for childcare from this development would be between 14 and 18 places. The applicant has proposed a facility for 89 childcare spaces.

8.5.26. The apartment guidelines state that ‘One-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms’.

8.5.27. The applicant through their submitted report, has assessed the need for childcare provision based on the following, which I have summarised in the interest of simplification:

	2001 Childcare Guidelines	2023 Apartment Guidelines – without 1 beds	2023 Apartment Guidelines – without 1 beds and including only 75% of 2 beds
Number of Units	463	273	217
1 Facility with capacity for 20 children for every 75 units	123	73	58

8.5.28. The demand for childcare from this development is considered to be very low. The applicant has proposed a childcare facility with capacity for 89 children, and this will easily meet the requirements of the subject development and also provide for additional capacity to serve this part of Ballymun. This is to be welcomed and provides for a mix of uses on site, increased employment and improved services for the area. The unit is served with adequate amenity space.

8.5.29. **Conclusion on Childcare Provision:** The proposed development primarily provides for one- and two-bedroom units and whilst the likely demand for childcare has been demonstrated to be very low, the applicant has proposed to provide for a facility that will meet the demand from the development and also meet the needs of the wider area. I am satisfied that this is an acceptable addition to this development. This is also in accordance with the mixed use zoning on this site and will provide for an active frontage to the west facing the Ballymun Road.

8.5.30. **Conclusion on Proposed Residential Amenity:** It is considered that the proposed development will provide for a high quality of residential amenity in this established

urban area. Room sizes and amenity spaces are of a good standard. The site is restricted by its urban location and the available site layout, which impacts on the receipt of daylight and sunlight that some units may receive. The applicant has provided a development with a significant number of dual aspect units. The proposed scheme will provide for a suitable development of this serviced urban site, within an established part of the Dublin city suburbs. It is considered that the proposed development complies with the requirements of National and Local policies as relevant to a scheme of this nature. No issues of material contravention of the Dublin City Development Plan arise in relation to proposed residential amenity.

8.6. **Impact on Existing Residential Amenity**

8.6.1. **Appeal:** Concern was expressed in the appeal about the impact of the proposed development in terms of overlooking leading to a loss of privacy and overshadowing leading to a loss of daylight/ sunlight. Concern was also expressed about the loss of the four houses proposed for demolition in order to facilitate the proposed development of this site.

8.6.2. **Planning Authority:** No significant issues of concern were raised. Adequate separation distances are provided, and which ensures that privacy is protected for existing residents. No concern was raised about the impact of the development on daylight and sunlight to existing residents.

8.6.3. **Assessment:** I have assessed this development and the impact on existing residential amenity under a number of sub-headings in the following sections. From reading the appeals, I consider that the impact on existing residential amenity is one of the key items of concern raised by the third parties. I have already considered the issue of the four houses proposed for demolition and from the available information, consent has been received for this element of the proposed development.

8.6.4. **Existing Site:** Whist the subject site is mostly under grass, it can be appropriately considered a brownfield site. There was significant urban development on these lands, structures were demolished and the lands turned to meadow in expectation that they would be developed. The subject application proposes the development of these lands. The site is located within an established urban area and adjoins Ballymun town centre. Full details are provided of the demolition of the four existing houses, including in the Demolition Justification Report, and I am satisfied that a suitable Construction

Management Plan (CMP) can address most of the concerns that directly may arise during the construction phase, such as from noise, dust and air quality issues.

8.6.5. A number of documents have been included with this application that will ensure that the impact on residential amenity is reduced as much as is reasonable. These include the submission of a Resource & Waste Management Plan, a Construction Environmental Management Plan, and Ground Investigation Report. These are noted and final details can be agreed with the Planning Authority in the event that permission is granted for this development.

8.6.1. **Daylight and Sunlight:** The appeals referred to the loss of daylight and sunlight as a result of the proposed development, more specifically in the context of the six storey units in close proximity to the existing two storey houses. As reported, the applicant has engaged the services of 3D Design Bureau to assess the impact of the development on daylight and sunlight and a 'Daylight and Sunlight Assessment Report' has been submitted in support of the application. The following units/ sites were considered in the relevant assessments:

- Domville House Clinic
- 18 – 25, 54 – 61 Coultry Gardens
- 1A Coultry Green
- 60 – 63 Coultry Gardens
- 66 – 74 Woodhazel Terrace
- 34 – 44 Woodhazel Close
- The Plaza

8.6.2. Section 3.0 provides the 'Analysis of Impact Assessment Results'. Tests undertaken include:

- Vertical Sky Component (VSC) assessment - which is a measure of how much direct daylight a window is likely to receive/ a measure of how much of the sky can be seen at a given point. New development may impact on an existing building, and this is the case if the VSC measured at the centre of an existing main window is less than 27%, and less than 0.8 (20%) times its former value.
- The Annual Probable Sunlight Hours (APSH)/ Winter Probable Sunlight Hours (WPSH) assessment indicates what the impact of a development would be on the

sunlight received by existing units. Only south facing windows are considered in this assessment, in accordance with BRE guidance. According to the BRE guidance a dwelling/ or a non-domestic building which has a particular requirement for sunlight, will appear reasonably sunlit if:

- At least one main window wall faces within 90° of due south and
- The centre of at least one window to a main living room can receive 25% annual probable sunlight hours, including at least 5% of annual probable sunlight hours in winter months (the winter period is considered to fall between the 21st of September and the 21st of March).
- Further to this the BRE advise that the sun lighting of existing dwellings may be adversely affected if the centre of the window in question:
 - Receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between the 21st of September and the 21st of March and
 - Receives less than 0.8 times its former sunlight hours during either period and
 - Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.

8.6.3. The submitted report, found the following, which I have summarised:

Site	VSC Result	APSH Result	WPSH Result	Comment
Domville House Clinic	Tested windows are above the 27% threshold	Remains above the 25% and above the 0.80 former sunlight hours.	Three windows fall below the 0.80 but their value remains above the 5% minimum	Compliant with VSC/ APSH and WPSH. Impact is negligible.
18 Coultrey Gardens	Impacted to the east and west facades.	Only tested to western side due to BRE requirements.	Only tested to western side due to BRE requirements.	Result is minor adverse.

	East: Below 27% recommendation, and at 0.75 is below the 0.80 ratio of change. West: VSC is 25.63% and ratio is 0.66. Upper windows are compliant.	Less than 0.80 former sunlight hours but are compliant as they are above the minimum recommendations.	Less than 0.80 former sunlight hours but are compliant as they are above the minimum recommendations.	
19 – 25 Coultrey Gardens	VSC for 19-23 only. VSC below the recommended level at ground floor, all other windows are above the 27% value.	Not required due to orientation.		Minor adverse impacts to daylight for some units but the majority are compliant. No significant effects on sunlight.
54 – 61 Coultrey Gardens (test is limited to 58 – 60 as other units are outside of the 25 degree angle	Tested windows are above the 27% threshold	All windows were found to be above the 25% and the 0.80 ratio of change.	Ratio falls below the 0.80 but all WPSH values are significantly above the 5% minimum.	Compliant with VSC/ APSH and WPSH. Impact is negligible.

necessary for testing.				
1A Coultry Green	No impact assessment has been conducted on the daylight or sunlight in the windows (VSC, APSH/WPSH) as the proposed development does not subtend an angle of 25° when measured in a perpendicular section from these properties.			No perceptible impact.
60 – 63 Coultry Gardens	Not required due to orientation.			
66 – 71 Woodhazel Terrace (not all units tested due to orientation)	No adverse impacts.	Windows in 66a/ 66c not tested. Those in 66b and 71a were found to be compliant.	Meet daylight and sunlight requirements. The overall impact is negligible for these units.	
34 – 44 Woodhazel Close	Undertaken for 38 – 44 only. Minor adverse impact for no. 40. A separate assessment was undertaken to consider impact of overhanging balconies and if this were not present, the impact would be 'negligible' to 40		Proposed development would have a negligible impact on Woodhazel Close.	

	Woodhazel Close.		
The Plaza No testing of ground floor as this is in commercial use.	Majority of windows are compliant, however 11 would be 'minor adverse' impacted by this development. This is due to their recessed design and an overhanging element over them. A 'no balcony' study was undertaken and all windows would be VSC compliant in terms of exceeding 27% but would remain below the 0.80 ratio of change.	Not required due to orientation.	Taking account of mitigation measures, the proposed development would have a 'negligible' level of effect on the recessed windows of The Plaza.

8.6.4. The assessments undertaken do not give rise to any concern about impact on existing residential units. The proposed layout has had full regard to impact on existing residential units and suitable measures have been taken in the design to address potential issues of concern. The submitted assessment has identified that a number of the existing units are not optimally located/ designed and as such they do not at present receive good quality daylight/ sunlight, for example those units at Woodhazel

Close. Overall, I am satisfied that the proposed development is acceptable in terms of impact on daylight and sunlight.

8.6.5. Sun On Ground (SOG) Existing Outdoor Amenity Areas: The BRE requirement is that a minimum of 50% of an amenity space shall receive two or more hours of sunlight on the 21st of March. This was undertaken for each of the areas/ units indicated in the above table and I have summarised the results in the following table:

Site	Sun on Ground (SOG)	Comment
Domville House Clinic	Compliant with BRE.	
18 Coultry Gardens	East facing garden would reduce from 55.9% to 43.1%. The west facing garden would slightly reduce from 94.9% to 86.8%.	Impact is negligible.
19 – 25 Coultry Gardens	Will be above the 50% figure and the ratio of change is above 0.80.	Reduction will not be noticeable.
54 – 61 Coultry Gardens	Minimal impact on existing gardens though some may experience a slight improvement due to the demolition of four houses.	
1A Coultry Green	Baseline is 42.2% below the BRE, there is no change due to the proposed development.	
60 – 63 Coultry Gardens	North facing gardens therefore will not be compliant.	These are non-applicable gardens.
66 – 71 Woodhazel Terrace	Will continue to receive in excess of two hours of sunlight.	
34 – 44 Woodhazel Close	Will continue to receive in excess of two hours of sunlight.	
The Plaza	No associated open space.	

- 8.6.6. The proposed development will impact on the private amenity space of some of the adjacent properties, however as reported any impact will be minimal and not noticeable for residents. The proposed layout may result in improved sunlight to open space for some residents.
- 8.6.7. **Conclusion on sunlight/ daylight impacts to neighbouring properties:** The applicant has provided a detailed assessment of potential impact on existing residential units. The development site is unusual in that it is located within an established urban area but is currently a greenfield site with relatively low density adjacent. There is a clear intention within the various plans of Dublin City Council including the Ballymun LAP and various Dublin City Development Plans that these lands were to be developed, primarily for housing. The proposed development sets out to do that. A consequence of this is potential impact on daylight and sunlight and the submitted details indicate that any impact would be negligible. I am satisfied that existing residential units and their private amenity spaces will receive adequate daylight and sunlight, as appropriate, in accordance with the BRE Guidance. I have no reason, therefore, to recommend to the Commission that permission be refused.
- 8.6.8. **Potential overlooking:** Concern was raised in the appeals about overlooking leading to a loss of privacy. I note that there are no specific requirements set out in the current Dublin City Development Plan regarding separation distances for taller buildings other than to ensure that residential amenity is protected. The development is located within a built up area, however the design ensures that overlooking is reduced to an acceptable level. Separation distances are measured from the first floor rear windows of residential units to a directly opposite rear first floor window. Where they do not directly oppose each other, the separation can be reduced as direct overlooking is reduced.
- 8.6.9. The following separation distances are noted:
- 18 to 25 Coultrey Gardens to Block 5 – Separation is over 24m. The submitted site layout plan indicates a separation of 21.8m between No. 18 Coultrey Gardens and the proposed Block 5; however, this separation is only to a single storey rear extension on no. 18, and no issues of concern arise.

- Rear of units on Coultry Road to Blocks 8 and 9 – Separation is indicated to be between 18.75m and 19.33m. The existing units on Coultry Road are over, currently vacant, retail/ commercial units and as such are considered to be located to the front of a street.
- Woodhazel Close to Block 9 – Separation distance is indicated to be 31.12m.

8.6.10. I am satisfied that the proposed development provides for adequate separation distances to existing houses/ residential units in the area and that no significant overlooking is foreseen. I refer also to SPPR 1 of the Compact Settlement Guidelines, and which provides for a separation distance of 16m between rear upper floor windows; the proposed development demonstrates compliance with this. I note that the Planning Authority included Condition 3 e) which requires adequate screening in locations that the separation is less than 16m; this is noted and a similar condition can be included in the event that permission is to be granted for this development.

8.6.11. **Conclusion on Section 8.6:** Overall, I am satisfied that the development will not have an unduly negative impact on the existing residential amenity of the area. The site is suitably zoned for uses that include residential development, is located in an established urban area and with access to existing services, including public transport. I have no reason, therefore, to recommend to the Commission that permission be refused due to impact on the residential amenity of the existing area. No issues of Material Contravention of the Dublin City Development Plan 2022 – 2028 have been identified in the appeal and I consider that no such issues arise in relation to impact on residential amenity as assessed under Section 8.6 of my report.

8.7. Traffic and Access

8.7.1. **Appeal:** Concern was expressed in the appeal that the proposed development was overly reliant on restricted public transport, that there was a shortfall in car parking provision which may result in negative impact on existing residential units and that the proposed development would give rise to traffic congestion with potential for traffic hazard.

8.7.2. **Planning Authority Comment:** The Planning Authority did not raise any issues of concern in relation to transport and road safety. Conditions are recommended in the

event that permission is granted for the proposed development. These comments are noted and are considered to be standard for a development of this nature.

8.7.3. **Mode of Transport:** The proposed development of 463 units is to be provided with 144 car parking spaces. The applicant has demonstrated that this is a ratio of 0.31. The appellants are correct in their comments that the development is dependent on the existing bus services in the area. I do disagree with them though in that I am satisfied that the existing bus services in the area can accommodate the additional demand that this development may generate.

8.7.4. The local bus network was revised under the BusConnects Network Review in January 2025, and the local bus network has been simplified but with a good frequency of service provided. The bus stop to the front of the site, in the city direction, is served by the 19 and E1, with a combined service of 9 buses an hour in the off peak and up to 12 an hour at peak times. The 19 provides services between Merrion Square, Ballymun and Dublin Airport and the E1 runs between Northwood, Ballymun, City Centre and Ballywaltrim. In addition, the N6 serves this stop and which operates every 12 minutes on an orbital route between Finglas Village, Beaumont Hospital and Kilbarrack. The bus stop at the Civic Centre, 330m to the south of the subject stop, serves additional bus routes including the E2 and 220. The applicant has provided a 'Public Transport Capacity Analysis' dated August 2025, and whilst this contains some errors the overall analysis is correct and demonstrates that capacity remains available even after allowing for this development. The subject site is therefore well served by a high frequency/ capacity public transport service and in addition the local network serves a wide range of locations allowing for connections to a range of places of work, education, healthcare and amenity locations.

8.7.5. As I have reported the BusConnects Network Review in January 2025 has revised the majority of the bus routes serving this area. Bus routes such as the N4 and N6 were revised at an earlier date. In addition to the network review, work has commenced on the construction of the Ballymun/ Finglas to City Centre Scheme, with major works due to commence on the section along the Ballymun Road to the front of the site in Q3 2026 with an expected completion in Q2 2028. As I have also reported, the MetroLink Railway Order was approved in September 2025 and contract notices for the main civil works were due to be issued in Q1 2026.

- 8.7.6. I refer to the above transport projects on the basis that significant improvements to public transport have occurred in recent times in the immediate vicinity of the subject site and there is definite evidence that this will continue over the next decade. The improvements to the bus network/ infrastructure will ensure that there is high quality public transport in place in advance of the construction/ completion of the MetroLink project.
- 8.7.7. As there is high quality public transport availability in the area, with continued improvements to occur over the next decade, it is considered acceptable that the number of car parking spaces can be reduced. The proposed development provides a good opportunity to encourage a modal shift away from car use and still provide for car parking spaces for those who need them, rather than providing for car parking for those who generally don't have a need for such spaces. The site is within walking distance of shops, educational facilities and other services and as already reported, the available bus routes serve a range of locations throughout the metropolitan area. The issues raised in relation to parking to the front of existing houses/ blocking of streets etc. are somewhat speculative and as they would be road traffic offences, they would be a matter for An Garda Síochána to deal with or else be addressed through on street parking management.
- 8.7.8. In addition to the above, 1,040 bicycle parking spaces are proposed, and which will meet the transport needs for many residents on a day-by-day basis. These are provided throughout the site area and are within easy reach of residents. The proposed development also provides for 8 motorcycle parking spaces and provision is made for cargo bicycles, with spaces for 52 bicycles.
- 8.7.9. **Car Parking:** The applicant has provided a detailed assessment of car parking in their 'Car Parking Management Plan'; this also provides details on how carparking will be managed throughout the site area. The Dublin City Development Plan 2022 – 2028 sets out the Car Parking requirements in Appendix 5 Section 4.0. The site is located within Zone 2 and as per Table 2, there is a Maximum requirement of 1 space per dwelling for an apartment scheme such as this. This is a maximum requirement, and the provision of 144 spaces falls within the requirement for 463 apartment units – a ratio of 0.31:1. I consider this to be acceptable and does not raise any issues of Material Contravention.

8.7.10. The requirement for the creche is 1 space per 100sq m and the proposed 3 spaces is within the acceptable range. I consider that these spaces should be clearly designated in the event that permission is granted for this development. A total of 49 EV parking spaces are proposed, and 2 spaces will be for car share use. The Dublin City Transportation Planning Division recommended that the number of car share spaces be increased to 10. This was not raised as an issue in the further information request, but the applicant responded to this point in their appeal statement and recommended that provision be made for only two spaces as car share operators would not facilitate such a number on the one site. This is an issue that can be agreed by way of condition. Overall, I consider that adequate car parking is provided on site and as reported, usage of the high frequency/ capacity public transport should be supported in this location and a limit on car parking would help achieve that.

8.7.11. Traffic/ Road Safety: Concern was expressed that the proposed development would give rise to increased traffic congestion in the area. As I have reported, no significant road works are proposed as part of this development as the existing street network was designed to accommodate additional development. The applicant has submitted a 'Traffic and Transport Assessment' in support of the application and the key point is that all junctions assessed that may be impacted by this development were found to be under capacity post construction and would be within capacity for the '2043 Do Something' scenario. Full regard is had to other developments in the immediate area including significant development in Northwood to the north of Ballymun. The Dublin City Transportation Planning Division have raised no issues of concern in relation to the generation of traffic by this development. I am satisfied that the proposed development will not impact on traffic/ junction capacity in the area. The development heavily supports public transport use but also active transport modes. Need for car travel would be heavily reduced in a location such as this.

8.7.12. In addition, I do not foresee that the proposed development would give rise to increased safety risks to pedestrians/ cyclists and car drivers. As reported the development will utilise the existing streets network with only relatively minor revisions required. Road traffic speeds are low, and good provision is already in place for pedestrians and cyclists. Specific concern was raised in the appeals about non-compliance with recommendations of the 'Quality Audit'. As the applicant has stated in their appeal statement, they 'accepted the vast majority of' the issues raised by the

Independent Auditor and provided a full response for those points not accepted. I have no issue with this response as that is the way the Quality Audit should operate. Items are to be fully considered, and it is not a requirement that all raised issues be fully implemented in the manner suggested by the report auditor.

8.7.13. The proposed development demonstrates compliance with the requirements set out in DMURS. I note specific reference was made to 3m wide footpaths; however, the applicant has addressed this point through calculation of pedestrian traffic, and I also note that the footpaths here will meet the standard of 1.8m width. From the submitted details I do not foresee any issues of concern with the road safety aspects of this development.

8.7.14. **Conclusion on Traffic and Access:** The subject location is served by a frequent bus service which has been remodelled under the BusConnects Network Review, and the applicant has demonstrated that the existing bus service has adequate capacity to serve the demand generated by this development. The improvements to infrastructure along the Ballymun Road/ Main Street associated with BusConnects, with works due to commence in mid/ late 2026, will further improve public transport and bicycle based transport. I am satisfied that adequate car parking is provided having regard to the existing and proposed public transport provision, and a significant number of bicycle parking spaces are also to be provided on site. Adequate provision is made for pedestrians and cyclists in this development.

8.8. **Infrastructure and Flood Risk**

8.8.1. **Appeal:** Concern was raised about the potential for impact on the existing water supply and foul drainage system in this part of Ballymun. Reference was also made to potential flooding due to this development.

8.8.2. **Dublin City Council:** No issues of concern were raised about surface water drainage or flooding. The further information request sought information on the diversion of public foul drainage pipes located within the site. The applicant addressed this issue in their further information response, following consultation with Uisce Éireann, and the Planning Authority were satisfied with the submitted information.

8.8.3. **Assessment:** From the available information, Uisce Éireann are satisfied that the proposed development can be served with public water supply and foul drainage. The issues raised in relation to foul drainage were due to engineering issues about the

diversion of existing pipes and not due to capacity. I have accessed the Uisce Éireann Capacity Registers for foul drainage and water supply on the 16th of March 2026, these registers are dated August 2025. For foul drainage treatment, the capacity is indicated to be 'Green', noting that improvement works are underway and for water supply the 'Indication of available capacity to support 2034 population targets of capacity' is given as 'Potential Capacity Available - LoS improvement required'.

8.8.4. A 'Flood Risk Assessment' – prepared by Waterman Moylan has been included with the application, dated August 2025. The assessment has full regard to 'The Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009'. The submitted report has regard to the following sources of potential flooding:

- Tidal Flooding: Unlikely due to distance from the coast, and due to the site levels. Risk here from tidal flooding is considered to be extremely low and no flood mitigation measures are required.
- Fluvial Flooding: The Santry River is 950m north of the subject site. There is no indication of risk associated with this river and the Strategic Flood Risk Assessment reports this site to be located within Flood Zone C, with a low risk of fluvial flooding.
- Pluvial Flooding: Suitable SuDS/ surface water drainage measures are proposed here which allows for 1 in 100 year storm events and a 20% allowance for climate change. Tanks below the detention basins allow for 30 year storm events and also detention basins allow for 1 in 100 year + 20% allowance for climate change storm events. The proposed measures will result in the assessed residual risk of flooding to be low.

The Ballymun Local Area Plan and the Strategic Flood Risk Assessment have indicated a history of pluvial flooding on Coultrey Road in 2008 and Coultrey Gardens in 2011. The proposed development and other works ongoing in the area will improve the condition and capacity of the drainage network in the adjoining area. The proposed surface water drainage system on site will result in runoff at a greenfield rate post construction. The risk due to Pluvial Flooding will therefore be low. Overland flooding from surrounding sites will be low and overland flooding from the subject site will also be low.

- Groundwater: No groundwater flooding has been recorded here, and the risk will be very low post construction.
- Human/ Mechanical Errors: There would be a low residual risk of overland flooding due to the provision of suitable on-site management and maintenance of the surface water drainage network.

In conclusion, from the available information, I do not foresee any flood risk to the subject site or to neighbouring sites due to the proposed development.

8.8.5. **Conclusion on Infrastructure and Flood Risk:** The site is served by a public water supply and the public foul drainage network, with capacity available to serve this development. Wastewater will be treated at the Ringsend WWTP and having regard to the submitted information, there is no concern in relation to this facility been able to treat the foul water from this relatively modest development. The submitted flood risk assessment and the response to the appeals, are thorough and no issues of concern have been raised. The Planning Authority raised no issues of concern in relation to flood risk issues here. I am satisfied that the development can proceed without giving rise to flooding issues in the area, including potential impact on adjoining sites.

8.9. Other Matters

8.9.1. **Archaeology:** Comment was made in the appeals that the proposed development could have an adverse impact on archaeology in the area. I note the response of the Dublin City Council Archaeologist to an email from the Planning Authority and that there are no concerns about this development on archaeology. As reported by the applicant and by the Planning Authority this site has undergone much ground disturbance through construction in the past and subsequent demolition in more recent times. Considering the site area, a standard condition requiring the applicant to contact the Planning Authority if archaeological material is found on site would be appropriate.

8.9.2. **Ecological Impact Assessment (EclA):** The applicant engaged Altemar to prepare an Ecological Impact Assessment, and this was included in support of the application, report dated July 2025. As reported, a separate Arboricultural Report was prepared and 32 trees are proposed for removal, none of which are Category A. The site is not

a habitat for any protected fauna. There would be no direct/ or indirect impact impacts on European sites as a result of the proposed development.

- 8.9.3. The submitted details are noted and from the site visit it was evident that the site was under grass but did not appear to be rich in biodiversity. I accept that the two community gardens proposed for removal would be rich in biodiversity and would have an ecological benefit to the area. From the available information, these will be relocated to another part of the Ballymun area, and the overall impact would therefore be minor and local in nature. The provision of a suitable landscaping plan will benefit biodiversity and included with the application is a Biodiversity Enhancement Plan which the Dublin City Council Parks Department welcome. They propose that Peregrine ledges be included on the top of the taller buildings where feasible, this could be included by way of condition.
- 8.9.4. The Dublin City Parks Department raised no issues of concern in relation to the submitted EclA and whilst noting the loss of trees, this will be compensated by significantly more trees proposed as part of this development. Comment was made through the appeals that at least 4 trees (out of 630 planted) form part of a 'Map to Care' art project by German conceptual artist Jochen Gerz. The Planning Authority and the Dublin City Parks Department raised no issue in relation to this, and no requirement was made to retain these trees. This appears to have been a wide ranging, in terms of geographical area, project and from the site visit it was not evident which trees formed part of this project. There is no tree preservation order in place in this area.
- 8.9.5. **Building Lifecycle Report:** The applicant has provided a 'Building Life Cycle Report' dated August 2025 in support of their application, and which demonstrates compliance with Section 15.9.14 of the Dublin City Development Plan 2022 – 2028. I note that the proposed residential units are proposed to achieve a BER of either A2 or A3, which equates to a reduced energy consumption relative to existing housing in the area.
- 8.9.6. This report also states 'The site lighting will be designed to provide a safe environment for pedestrians, cyclists and moving vehicles, to deter anti-social behaviour and to limit the environmental impact of artificial lighting on existing flora and fauna in the area.' Concern was raised about the impact of lighting in the area, and I am satisfied that the applicant has adequately addressed this through the Building Life Cycle Report and

also through an 'Outdoor Lighting Report' which is dated August 2025. Through the proposed use of LED lighting, and as demonstrated on the submitted lighting plan, I am satisfied that lighting will be contained within the intended area of illumination, and I am satisfied that no issues of concern or negative impact on residential amenity will occur.

8.9.7. **Compliance with Objective CUO25:** Concern was raised that inadequate community space was proposed as part of this development. Dublin City Council have reported that the proposed development includes the provision of community/ cultural/ art space as per Objective CUO25 of the Dublin City Development Plan 2022 – 2028, however the applicant has failed to provide for the required floor area. The requirement is for a minimum of 5% of the floor area to be allocated for such use, and a portion, up to 50%, may be relocated off site but within the immediate area. The Planning Authority have conditioned (Condition 10.) that 'on-site provision should be increased by 400sq m.'. Details of the off-site provision are also to be provided prior to the commencement of development. The location of the proposed on site space is considered to be acceptable through its location on a prominent corner site.

8.9.8. The following details are relevant:

	Development as applied for:	Development post floor removal:
Net Floor area:	32,965.9sq m	32,222.41sq m
5% of relevant floor area:	1,648.29sq m	1,611.12sq m
Proposed Community/ Cultural/ Art:	423.4sq m	423.4sq m
Space identified off site (50%)	824.15sq m	805.56sq m
Shortfall:	400.74sq m	382.16sq m

8.9.9. The applicant set out in their application/ through the 'Community Infrastructure Audit' that SPPR6 of the Apartment Guidelines, 2025 has effectively removed the need for such community space 'on a blanket threshold-based approach' and under Section 3.16 of their report this requirement 'no longer applies to this planning application'. It is indicated in other parts of the application including the Community Infrastructure

Audit that the proposed creche can be included as part of this community/ cultural/ art space, Section 5.13 states 'The cultural / community provision proposed (423.4 sqm) will make a contribution to the community space available for the development's residents and the wider community.'

8.9.10. The Planning Authority advised the applicant, in pre planning, that the creche should not be counted towards meeting the 5% requirement for community/ cultural/ art space. They report that their 'position on CUO25 remains consistent such that the objective remains applicable to all new development within designated Strategic Development and Regeneration Areas (SDRAs). As the subject site is located within SDRA2 the requirements of the objective are relevant for the subject application.'

8.9.11. Non-compliance with Objective CUO25 would be a material contravention of the Dublin City Development Plan 2022 – 2028, though this could be justified in the context of a requirement for housing in the area. I propose that the replacement of the residential units on the ground floor of Blocks 2 and 3 with community/ cultural/ art space would increase the floor to be provided to an acceptable level. The residential floor area is approximately 299sq m and an additional 50sq m would be easily obtained through the incorporation of corridors and reconfiguration of the ground floor areas. Outdoor private amenity space could also be reconfigured for community use. Any shortfall would therefore be insignificant. In addition to increasing the floor area, the revisions would increase the amount of active frontage on this section of the site. I consider such an approach to be desirable as comment was made in the appeals to a lack of community spaces in the area and such an approach provides for such spaces whilst also providing for active frontage on Main Street, Ballymun. This would result in the removal of 3 x one bedroom units and 2 x two bedroom units.

8.9.12. The applicant has outlined why retail was not proposed as part of this development and refers to the amount of existing vacancy in the area. The conversion of residential units to community/ cultural/ art space would ensure that a suitable level of activity is provided here, especially with the associated creche also located on this section of Main Street. I am satisfied that adequate space can be provided that will demonstrate compliance with Objective CUO25 and the Ballymun Local Area Plan. I therefore consider it appropriate to replace residential units with space for community/ cultural/ art space and this can be achieved by way of suitable condition.

- 8.9.13. **Wind Microclimate Assessment:** The applicant has outlined in their appeal response why such an assessment is not necessary. The proposed development extends to 6 storeys maximum and there is no requirement for this assessment. I agree that the heights are not excessive and the development matches much of the other existing redevelopment of the Ballymun town centre area. There is nothing to suggest that that the proposed development is in any way unique as to give rise to increased wind movements through the proposed blocks.
- 8.9.14. **Noise:** Concern was raised in the appeals about an increase in noise and nuisance as a result of the proposed development. The site is located within an established urban area, and it is likely that the proposed development will result in reduced noise, especially from the Ballymun Road/ Main Street, as it will screen existing units from traffic noise.
- 8.9.15. The further information request issued by Dublin City Council included a request by the Dublin Airport Authority for further details on noise. The applicant, through a report by Traynor Environmental Ltd, made a detailed response. The information refers extensively to Fingal County Council policy on noise, even though the site is located within the Dublin City Council area. Table 1 of the applicant's report provides details on the four noise zones as applicable within the Fingal County Council area. The site would be located within Zone D and the main requirement is the provision of a good acoustic design for development in excess of 50 units.
- 8.9.16. The assessment has found that the development is impacted to a greater extent by road traffic noise. The report details suitable mitigation measures such as glazing and suitable ventilation. The location of these are provided on Figure 4 of the applicant's report. Full technical details are provided of these measures. Amenity spaces may also be impacted, but alternative locations are available in the area within the range of public open space currently in place in Ballymun. In the applicant's conclusion it is proposed that a compliance report be prepared verifying the implementation and effectiveness of the proposed noise mitigation measures prior to the occupation of the residential units. Dublin City Council reported that the submitted details demonstrate that acceptable noise levels will be achieved and considered that the applicant responded adequately to the further information request.

- 8.9.17. **Conclusion on Noise:** I note the proximity of the development to Dublin Airport, however from the information provided by the applicant, I am satisfied that aviation generated noise will not be significant especially when it has been demonstrated that road traffic noise will be more significant. The submitted details indicate that adequate measures will be included in the building design to mitigate potential noise issues.
- 8.9.18. **Procedural Issues:** I have already reported on the appeal reference to the omission of the Gairdíní Glór na nGael in the public notices; I am satisfied that there was no intention of hiding this element of the development from the public and the fact that it was raised is indication enough that this element of the development is known. Comment was made in the appeals about the lack of consultation with the public. I am satisfied that the applicant has fully demonstrated compliance with the requirement of the Planning and Development Act 2000 as amended and the Planning and Development Regulations 2001 as amended. There is no requirement for public consultation for a development such as this. Full public consultation was undertaken by Dublin City Council for the Ballymun Local Area Plan and the Dublin City Development Plan 2022 – 2028. These have set the planning parameters for the area, and any subsequent application would have to demonstrate compliance with the zoning objectives and policy contained within the relevant plans.
- 8.9.19. Reference is made to the omission of reports in support of the application. The provision of a Construction Management Plan and associated documents can be provided prior to the commencement of development. Construction hours will be conditioned as will other measures that ensure that residential amenity is protected during this phase of the development. I note the 'Planning Stage Structural Report' and which details the construction of foundations and details the potential impact on adjoining properties/ structures. This provides clear details on measures to be taken to ensure the protection of residential amenity. The lack of a Social Impact Report was referenced, however the submitted Cultural Infrastructure (Impact) Assessment covers much of this. Overall, I am satisfied that adequate assessment/ documentation has been provided by the applicant in support of their application.

9.0 Appropriate Assessment (AA)

9.1 Stage 1 – Appropriate Assessment Screening

Finding of no likely significant effects

- 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 North Dublin Bay SAC, South Dublin Bay SAC, Baldoyle Bay SAC, Malahide Estuary SAC, Howth Head SAC, Rogerstown Estuary SAC, Ireland's Eye SAC, Rockabill to Dalkey Island SAC, South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA, Baldoyle Bay SPA, Malahide Estuary SPA, North West Irish Sea SPA, Rogerstown Estuary SPA, Ireland's Eye SPA, Howth Head Coast SPA, 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 Conservation Objectives of these sites,
- having regard to the nature and scale of the proposed development,
- the location of the site in an established, serviced urban area,
- and the separation distance to the nearest European site.
- No specific mitigation measure have been proposed to enable this determination.

In consideration of the above conclusion, there is no requirement therefore for a Stage 2 Appropriate Assessment (and for the submission of a Natura Impact Statement - NIS).

10.0 Environmental Impact Assessment (EIA)

10.1 This application was submitted to the Commission after the 1st of September 2018 and therefore after the commencement of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 which transpose the requirements of Directive 2014/52/EU into Irish planning law.

10.1.1 The applicant has addressed the issue of Environmental Impact Assessment (EIA) within the submitted EIA Screening Report (Prepared by JBA Consulting – Dated August 2025) and I have had regard to same. The submitted report considers that the development is below the thresholds for mandatory EIAR having regard to Schedule

5 of the Planning and Development Regulations 2001, due to the site size at 3.17 hectares, number of residential units (463) and the fact that the proposal is unlikely to give rise to significant environment effects, a formal EIAR is not required. In addition, detailed and comprehensive assessments have been undertaken to assess/ address all potential planning and environmental issues relating to the development; these are included in support of the application.

10.1.2 The Planning Authority reported ‘...as the competent authority has considered the content and conclusion of the EIA Screening report and determines that the proposed development would not result in a real likelihood of significant effects on the environment arising from the proposed development and therefore an Environmental Impact Assessment is not required.’

10.1.3 Item 10(b) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001 as amended, and section 172(1)(a) of the Planning and Development Act 2000 as amended provides that an EIA is required for infrastructure developments comprising of urban development which would exceed:

- 500 dwellings
- 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. A business district is defined as ‘a district within a city or town in which the predominant land use is retail or commercial use’.

10.1.4 Item (15)(b) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 as amended provides that an EIA is required for: “Any project listed in this part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.”

10.1.5 Environmental Impact Assessment is required for development proposals of a class specified in Part 1 or 2 of Schedule 5 that are sub-threshold where the Commission determines that the proposed development is likely to have a significant effect on the environment. For all sub-threshold developments listed in Schedule 5 Part 2, where no EIAR is submitted or EIA determination requested, a screening determination is

required to be undertaken by the competent authority unless, on preliminary examination it can be concluded that there is no real likelihood of significant effects on the environment.

10.1.6 The applicant submitted an EIA Screening Statement with the application, and this document provides the information deemed necessary for the purposes of screening sub-threshold development for an Environmental Impact Assessment.

10.1.7 The various reports submitted with the application address a variety of environmental issues and assess the impact of the proposed development, in addition to cumulative impacts with regard to other permitted developments in proximity to the site, and demonstrate that, subject to the various construction and design related mitigation measures recommended, the proposed development will not have a significant impact on the environment. I have had regard to the characteristics of the site, location of the proposed development, and types and characteristics of potential impacts. I have examined the sub criteria having regard to the Schedule 7A information and all other submissions, and I have considered all information which accompanied the application including inter alia:

- Planning Report and Statement of Consistency (Thornton O'Connor, August 2025)
- Architectural Design Statement (Altu Architects, August 2025)
- Verified Views, Presentations and CGIs (3D Design Bureau, August 2025)
- Landscape and Visual Impact Assessment (KFla, August 2025)
- Landscape Report (KFla, July 2025)
- Daylight and Sunlight Assessment Reprot (3D Design Bureau, August 2025)
- Traffic and Transport Assessment (Waterman Moylan, August 2025)
- Engineering Assessment Report (Waterman Moylan, August 2025)
- Surface Water Management Plan (Waterman Moylan, August 2025)
- Flood Risk Assessment (Waterman Moylan, August 2025)
- Ecological Impact Assessment (Altemar, July 2025)
- Appropriate Assessment Screening (Altemar, July 2025)
- Biodiversity Enhancement Plan (Altemar, August 2025)
- Arboricultural Report (Charles McCorkell, August 2025)
- Noise Assessment (Traynor Environmental Ltd, August 2025)

- 10.1.8 The application is also supported with an Article 103(1A)(a) Statement and these details relevant assessments (listed above) and which shows 'how the results of other relevant assessments of the effects on the environment which have been carried out have been taken into account.'
- 10.1.9 The EIA screening report prepared by the applicant has under the relevant themed headings considered the implications and interactions between these assessments and the proposed development, and as outlined in the report states that the development would not be likely to have significant effects on the environment. I am satisfied that all other relevant assessments have been identified for the purposes of screening out EIAR.
- 10.1.10 I have completed an EIA screening assessment as set out in Appendix 2 and 3 of this report. I consider that the location of the proposed development and the environmental sensitivity of the geographical area would not justify a conclusion that it would be likely to have significant effects on the environment. The proposed development does not have the potential to have effects the impact of which would be rendered significant by its extent, magnitude, complexity, probability, duration, frequency or reversibility. In these circumstances, the application of the criteria in Schedule 7 to the proposed sub-threshold development demonstrates that it would not be likely to have significant effects on the environment and that an environmental impact assessment is not required before a grant of permission is considered. This conclusion is consistent with the EIA Screening Statement submitted with the application.
- 10.1.11 A Screening Determination should be issued confirming that there is no requirement for an EIAR based on the above considerations.

11.0 Water Framework Directive

- 11.1 The subject site is located approximately 900m south of the River Santry, which is located within Santry Demesne.
- 11.2 The proposed Large Scale Residential Development (LRD) comprises of the construction of a residential development of 463 units in the form of one, two and three bedroom apartments/ duplexes, a creche and cultural/ community/ art space on a site of 3.17 hectares, located on lands to the north of Ballymun town centre.

11.3 I have assessed the LRD development at Coultry, Ballymun, Dublin 9 and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. I have undertaken a WFD Impact Assessment Stage 1: Screening and which is included in Appendix 2 after my report. This assessment considered the impact of the development on the:

- River Santry
- Groundwater

11.4 The impact from the development was considered in terms of the construction and operational phases. Through the use of best practice and implement of a CEMP at the construction phase and through the use of SuDS during the operation phase, all potential impacts can be screened out.

11.5 Conclusion

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

12.0 Conditions and Recommendations Table

The following table summarises the conditions/ recommendations of the Dublin City Council grant of permission and how they will be addressed in a decision to grant permission:

Dublin City Council Condition/ Recommendation	Recommended Relevant Condition
1. Development to be undertaken in accordance with the plans and details submitted.	Condition No.1
2. Cash deposit or bond to be lodged, to ensure completion of development.	Addressed through Condition no. 30 details to be agreed with DCC.
3. Development Amendments to be agreed in writing prior to commencement of works:	Condition no. 2 revised as follow: a) Not conditioned, height excess is not significant

<ul style="list-style-type: none"> a) Height to Main St of 18m b) Removal of 6th storey from Blocks 6 and 7. c) Landscaping buffer d) Updated accommodation schedule – QHSNO11 e) Privacy Screening for balconies 	<ul style="list-style-type: none"> b) Done, and also removal of units in Blocks 2 and 3. c) Included. d) Not done e) Not required, adequate separation distances are provided.
4. Details of materials and finishes.	Condition no. 4 – I have revised to include all elevations in brick or similar material but not render. Details to be agreed with DCC.
5. Material details as per the submitted plans/ application.	Condition no. 4 – I have revised to include all elevations in brick or similar material but not render. Details to be agreed with DCC.
6. Provision of an updated Operational Management Plan.	Condition no. 26.
7. Management Company	Condition no. 19
8. Creche space to comply with BR209.	Not included as this is not public or residential open space and the requirements could be met outside of operational hours.
9. Naming and numbering	Condition no.6
10. Details of cultural/ community spaces including management, intended hours of operation, schedule of opening and full details of internal layout in agreement with the studio operator. Works to be at the developer's expense.	Condition no. 5
11. Sound levels to be controlled.	Not required as this is addressed through public health legislation.
12. No additional development at roof level.	Not required, this would be an enforcement issue.
13. Waste Management	Addressed through Condition no. 21
14. Provision of access to broadband/ telecoms.	Condition no.10
15. Comply with the requirements of Uisce Éireann	Addressed through Condition no. 17
16. Compliance with TII/ recommendations of the TIA.	Addressed through Condition no. 11
17. Compliance with DAA requirements	Revised to omit first part. Rest is within Condition no. 27
18. EHO requirements - Noise	Addressed through conditions 23 - 27
19. Maintenance/ management of public open space which shall be taken in charge, employment of landscape architect and arborist.	Addressed through Condition no. 19
20. Transportation requirements:	Conditions as follows:

<ul style="list-style-type: none"> a) Works to public road/ junction with Ballymun Road. b) Car parking to be allocated to car share. c) Construction Management Plan d) Construction Management Plan e) Mobility Management Plan f) No overhanging. g) Costs to be at expense of developer. h) Demonstrate compliance with the Code of Practice. 	<ul style="list-style-type: none"> a) Addressed through Condition no. 11 details to be agreed with DCC. b) Addressed through Condition no. 12 details to be agreed with DCC. c) Addressed through Condition no. 23 and 24. d) Addressed through Condition no. 23 and 24. e) Addressed through Condition no. 15. f) Not required. g) Not required. h) Not included as unsure what Code of Practice is referenced here.
21. Requirements of Drainage Division to be met in full.	Addressed through Condition no. 16.
22. Public Lighting	Addressed through Condition no. 9.
23. Noise recommendation/ mitigation	Addressed through Condition no. 27.
24. Signage	Addressed through Condition no. 8
25. Shutters	Addressed through Condition no. 7
26. Comply with Codes of Practice	This is covered under individual conditions.
27. Construction Hours.	Addressed through Condition no. 25
28. Noise control on construction sites.	Not included, part of the Construction Management Plan.
29. Maintenance of site and public area	Condition no. 24 covers this.
30. Section 47 agreement	Condition no. 27 covers this.
31. Section 97	Condition no. 29 covers this.
32. Section 96/ Part V	Condition no. 29 covers this.

13.0 Recommendation

13.1 I consider the principle of development as proposed to be acceptable on this site. The site is suitably zoned for residential and mixed use development, is a serviced site adjacent to Ballymun Town Centre, where public transport, social, educational and commercial services are available. The proposed development is of a suitably high quality and provides for a mix of one, two and three bedroom apartments/ duplex units which are served by high quality communal and public open space whilst also benefiting from existing public open space in the adjoining Coultury Park.

13.2 I do not foresee that the development will negatively impact on the existing residential and visual amenities of the area. Suitable pedestrian, cycling and public transport is available to serve the development. It is recommended that the upper floors of Blocks 6 and 7 be removed in order to comply with the Ballymun Local Area Plan and also

remove units on the ground floor of Blocks 2 and 3 to increase the area of community/ cultural/ art space in accordance with Objective CUO25 of the Dublin City Development Plan but which also ensures that there is an increase in the amount of active street frontage on this section of the site, which addressed the Ballymun Road. This will result in the loss of 12 units through revisions to Blocks 6 and 7 and a further 5 units through revisions to the ground floors of Blocks 2 and 3. The overall number of units is recommended to be revised from 463 to 446. The proposed density remains within the applicable range of the Dublin City Development Plan and there is no adverse impact on the proposed unit mix. No issue of Material Contravention will therefore arise through the proposed revisions to be undertaken by way of condition.

13.3 The development is generally in accordance with National and Regional Guidance and Local Policy and is in accordance with the proper planning and sustainable development of the area. I am satisfied that this subject site, which is located in an established urban area, on appropriately zoned lands, with a range of services available and which is in an accessible location, is suitable for the development of 446 apartment units and note the following:

- The lands are suitably zoned for residential development of this nature. Under the Dublin City Development Plan 2022 – 2028, the site is zoned Z1 – Sustainable Residential Neighbourhoods with the objective: ‘To protect, provide and improve residential amenities’ and Z4 – Key Urban Villages/ Urban Villages with the objective: ‘To provide for and improve mixed-services facilities’.
- The area is well served by community, social, retail and amenity infrastructure. The proposed development provides for a creche and community/ cultural/ art space.
- The area is well served by public transport and active travel measures. The bus network was improved through Phase 6 of the Bus Connects Network Review.
- There is a clear requirement for residential units in this part of Dublin City and more specifically in the Ballymun area. The proposed development offers a suitable mix of housing which supports the existing housing provision in the area.
- The proposal is acceptable in terms of meeting the requirements of relevant guidelines including the Apartment Guidelines 2025 and also demonstrates compliance with the Dublin City Development Plan 2022 – 2028 in terms of meeting relevant residential standards.

13.4 I recommend that permission be GRANTED for the development, for the reasons and considerations and subject to the conditions set out below.

14.0 Reasons and Considerations

Having regard to:

- (i) the site's location on lands with a zoning objective 'Z1 – Sustainable Residential Neighbourhoods' with the objective: 'To protect, provide and improve residential amenities' and also on lands zoned Z4 – Key Urban Villages/ Urban Villages with the objective: 'To provide for and improve mixed-services facilities' in the Dublin City Development Plan 2022-2028 and which allows for residential development,
- (ii) the nature, scale and design of the proposed development which is consistent with the provisions of the Dublin City Development Plan 2022-2028 and appendices contained therein,
- (iii) to Delivering Homes, Building Communities 2025-2030: An Action Plan on Housing Supply and Targeting Homelessness,
- (iv) the provisions of the National Biodiversity Action Plan 2023-2030, which have been considered,
- (v) the provisions of the Sustainable Residential and Compact Settlement Guidelines for Planning Authorities (January 2024),
- (vi) the Design Standards for Apartments, Guidelines for Planning Authorities, July 2025,
- (viii) the Climate Action Plan 2024 and the Climate Action Plan 2025,
- (vii) the availability in the area of a wide range of social and transport infrastructure,
- (viii) to the pattern of existing and permitted development in the area,
- (ix) Planning Report and supporting technical reports of Dublin City Council,
- (x) to the submissions and observations received,
- (xi) the Inspectors report;

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of traffic and pedestrian

safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

15.0 Recommended Draft Order

15.1 Application:

For permission under the Planning and Development Act 2000 as amended, in accordance with plans and particulars, lodged with An Coimisiún Pleanála on the 14th of January 2026 by Tuath Housing Association CLG,

Proposed Development:

- Demolition of four dwellings, construction of a mixed-use development of 446 residential units in the form of apartments and duplexes, and community/ creche unit. 10 buildings ranging from 3 storeys to 6 storeys in height. All associated site works.

Appeal:

Third-Party appeals by:

- Stephen Redmond
- Siobhan Gavin & Others
- Residents of Coultry Gardens

against the decision to grant permission subject to conditions as issued by Dublin City Council.

15.2 Decision:

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

15.3 Matters Considered:

In making its decision, the Commission had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was

required to have regard. Such matters included any observations received by it in accordance with statutory provisions.

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

- (i) the site's location on lands with a zoning objective 'Z1 – Sustainable Residential Neighbourhoods' with the objective: 'To protect, provide and improve residential amenities' and also on lands zoned Z4 – Key Urban Villages/ Urban Villages with the objective: 'To provide for and improve mixed-services facilities' in the Dublin City Development Plan 2022-2028 and which allows for residential development,
- (ii) the nature, scale and design of the proposed development which is consistent with the provisions of the Dublin City Development Plan 2022-2028 and appendices contained therein,
- (iii) to Delivering Homes, Building Communities 2025-2030: An Action Plan on Housing Supply and Targeting Homelessness,
- (iv) the provisions of the National Biodiversity Action Plan 2023-2030, which have been considered,
- (v) the provisions of the Sustainable Residential and Compact Settlement Guidelines for Planning Authorities (January 2024),
- (vi) the Design Standards for Apartments, Guidelines for Planning Authorities, July 2025,
- (vii) the Climate Action Plan 2024 and the Climate Action Plan 2025,
- (viii) the availability in the area of a wide range of social and transport infrastructure,
- (ix) to the pattern of existing and permitted development in the area,
- (x) Planning Report and supporting technical reports of Dublin City Council,
- (xi) to the submissions and observations received,
- (xii) the Inspectors report;

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of traffic and

pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

15.4 Appropriate Assessment (AA):

The Commission completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on European Sites, taking into account the nature and scale of the proposed development on serviced lands, the nature of the receiving environment which comprises a site in an established urban area, the distances to the nearest European sites, and the hydrological pathway considerations, submissions on file, the information submitted as part of the applicant's Appropriate Assessment Screening Report documentation and the Inspector's report.

In completing the screening exercise, the Commission agreed with and adopted the report of the Inspector and that, by itself or in combination with other development, plans and projects in the vicinity, the proposed development would not be likely to have a significant effect on any European Site in view of the conservation objectives of such sites, and that a Stage 2 Appropriate Assessment is not, therefore, required.

15.5 Environmental Impact Assessment (EIA):

The Commission completed an environmental impact assessment screening of the proposed development and considered that the Environmental Impact Assessment Screening Report submitted by the applicant, which contains the information set out Schedule 7A to the Planning and Development Regulations 2001 (as amended), identifies and describes adequately the direct, indirect, secondary, and cumulative effects of the proposed development on the environment.

Having regard to:

- The nature and scale of the proposed development, which is below the threshold in respect of Class 10(b)(iv) and Class 13 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- Class 14 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,

- The location of the site on lands governed by zoning objective 'Z1 – Sustainable Residential Neighbourhoods' with the objective: 'To protect, provide and improve residential amenities' and also on lands zoned Z4 – Key Urban Villages/ Urban Villages with the objective: 'To provide for and improve mixed-services facilities' in the Dublin City Development Plan 2022-2028, and the results of the strategic environmental assessment of the Dublin City Development Plan undertaken in accordance with the SEA Directive (2001/42/EC),
- The existing use on the site and pattern of development in surrounding area,
- The planning history relating to the site,
- The availability of mains water and wastewater services to serve the proposed development,
- The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended), and
- The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the Construction Environmental Management Plan.

it is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not, therefore, be required.

Conclusions on Proper Planning and Sustainable Development:

15.6 The Commission considered the proposed development to be generally in accordance with National and Regional Guidance and Local Policy and is in accordance with the proper planning and sustainable development of the area. They were satisfied that this subject site, which is located in an established urban area adjacent to the town centre in Ballymun, on appropriately zoned lands, with a range of services available and which is in an accessible location, is suitable for the development of 446 apartment units and they note the following:

- The location of the site within an established urban area. This vacant undeveloped site is located in Ballymun, within the Dublin City administrative area and which has an established history of residential development.

- The lands are suitably zoned for residential development of this nature. Under the Dublin City Development Plan 2022 – 2028, the site is zoned ‘Z1 – Sustainable Residential Neighbourhoods’ with the objective: ‘To protect, provide and improve residential amenities’ and also on lands zoned Z4 – Key Urban Villages/ Urban Villages with the objective: ‘To provide for and improve mixed-services facilities’ in the Dublin City Development Plan 2022-2028 and which allows for residential development,
- The area is well served by community, social, retail and amenity infrastructure. The proposed development provides for a creche and community/ cultural/ art space.
- The area is well served by public transport and active travel measures. The bus network was revised under Phase 6A of the Bus Connects Network Review in January 2025.
- There is a clear requirement for residential units in this part of Dublin City and more specifically in the Ballymun area.
- The proposal is acceptable in terms of meeting the requirements of relevant guidelines including the Apartment Guidelines 2023 and also demonstrates compliance with the Dublin City Development Plan 2022 – 2028 in terms of meeting relevant residential standards.

The Commission decided that the upper floors of Blocks 6 and 7 should be removed by way of condition in order to comply with the Ballymun Local Area Plan 2017 and also decided to remove units on the ground floor of Blocks 2 and 3 to increase the area of community/ cultural/ art space in accordance with Objective CUO25 of the Dublin City Development Plan, but also to ensure an appropriate increase in the amount of active street frontage on this section of the site, which addresses the Ballymun Road and the Coultrey Road. This will result in the loss of 12 units through revisions to Blocks 6 and 7 and a further 5 units through revisions to the ground floors of Blocks 2 and 3. The overall number of units to be revised from 463 to 446. The proposed density remains within the applicable range of the Dublin City Development Plan, and the development retains an appropriate unit mix demonstrating that no Material Contravention issues arise.

The Commission considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable residential density

at this location, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height, and quantum of development, as well as in terms of traffic and pedestrian safety and convenience. The proposal would, subject to conditions, provide an acceptable form of residential amenity for future occupants.

The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

16.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:
(a) The upper floor of blocks 6 and 7 shall be removed in their entirety and will result in the removal of five units in Block 6 and seven in Block 7.

(b) The ground floor units in Block 2 and 3 shall be omitted and this space is to be revised to provide for Community/ Cultural/ Art space in accordance with CUO25 of the Dublin City Development Plan 2022 – 2028. This will result in the loss of two units in Block 2 and three units in Block 3.

(c) Suitable landscaped buffers/ planting shall be provided for privacy for all ground floor terraces which directly adjoin a footpath unless otherwise agreed in writing with the Planning Authority.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of residential amenity.

3. The number of residential units permitted by this grant of permission is 446 residential units in the form of 28 no. duplexes and 418 no. apartment units.

Reason: In the interests of clarity.

4. All elevations which face public streets shall be finished in brick or similar material but shall not include the use of self-coloured or coloured render.

b) Details of the materials, colours, and textures of all the external finishes to the proposed building shall be as submitted with the application, unless otherwise agreed in writing with, the Planning Authority prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.

Reason: In the interest of clarity and visual amenity.

5. Full details of the occupation of the cultural/ community/ cultural space shall be provided by the developer/ occupier for the written agreement of the Planning Authority prior to occupation of this space. Details to include the nature of the occupation, indicative layout, date of first occupation, intended houses of use, and full details of noise mitigation measures as required by the Planning Authority.

Reason: In the interest of residential amenity and in the interest of community/ cultural infrastructure provision.

6. Proposals for a development name and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. Thereafter, all such names and numbering shall be provided in accordance with the agreed scheme.

Reason: In the interest of urban legibility.

7. No external security shutters shall be erected on any of the ground floor non-residential premises, unless authorised by a further grant of planning permission. Details of all internal shutters, which shall be of an open lattice design and shall not contain any form of advertising, shall be submitted for the written agreement of the Planning Authority prior to the commencement of development, and all internal shutters shall conform to that written agreement.

Reason: In the interest of visual amenity.

8. No advertisement or advertisement structure (other than those shown on the drawings submitted with the application) shall be erected or displayed on the proposed buildings (or within the curtilage of the site) in such a manner as to be visible from outside the buildings, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

9. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through the communal open spaces, details of which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development/installation of lighting. Such lighting shall be provided prior to the making available for occupation of any apartment unit.

Reason: In the interests of amenity and public safety.

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

Reason: In the interests of visual and residential amenity.

11. The road network serving the proposed development, including junction tie ins, provision of uncontrolled crossing on Ballymun Road junction, provision of turning bays, parking areas, footpaths and kerbs, access road to service areas, provision of suitable set-down/ pick-up areas/ service delivery areas shall be in accordance with the detailed construction standards of the Planning Authority for such works. A Stage 3 Road Safety Audit shall be provided in accordance with the requirements of Dublin City Council. In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.

Reason: In the interest of amenity and of traffic and pedestrian safety.

12. (a) The car parking facilities hereby permitted shall be reserved solely to serve the proposed development. All car parking spaces shall be assigned permanently for the residential development as indicated and shall be reserved solely for that purpose. These residential spaces shall not be utilised for any other purpose, including for use in association with any other uses of the development hereby permitted, unless the subject of a separate grant of planning permission.

(b) Car parking for the creche and the community/ cultural/ art space shall be clearly identified for that purpose only.

(c) Car parking for a minimum of 10 no. car share spaces shall be clearly identified for that purpose only.

(d) Prior to the occupation of the development, an updated Parking Management Plan shall be prepared for the development and shall be submitted to and agreed in writing with the Planning Authority.

Reason: To ensure that adequate parking facilities are permanently available to serve the proposed residential units and the remaining development.

13. A minimum of 50% of all car parking spaces serving the apartment units should be provided with functioning EV charging stations/ points, and ducting shall be provided for all remaining car parking spaces. Where proposals relating to the installation of EV ducting and charging stations/points has not been submitted with the application, in accordance with the above noted requirements, such proposals

shall be submitted and agreed in writing with the Planning Authority prior to the occupation of the development.

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

14. A total of 1,040 no. bicycle parking spaces, room for cargo bicycles and E-Bikes with suitable infrastructure, shall be provided within the site. Details of the layout, marking demarcation and security provisions for these spaces shall be as submitted to An Coimisiún Pleanála with this application, unless otherwise agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

15. The developer shall implement in full the recommendations of the submitted Mobility Management Plan which shall be overseen by an appointed Mobility Manager.

Reason: In the interest of promotion of sustainable transport.

16. 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 and surface water management

17. The developer shall enter into water and waste water connection agreement(s) with Uisce Éireann, prior to commencement of development.

Reason: In the interest of public health.

18. a) The site shall be landscaped (and earthworks carried out) in accordance with the detailed comprehensive scheme of landscaping, which accompanied the application submitted, unless otherwise agreed in writing with, the Planning Authority prior to commencement of development.

b) Full details of site management to be agreed with the Planning Authority prior to the commencement of development.

c) A fully qualified arborist shall be employed during the site development works.

d) A fully qualified Landscape Architect shall be employed during the landscaping phases of the development.

Reason: In the interest of residential and visual amenity.

19. (a) The communal open spaces, including hard and soft landscaping, car parking areas and access ways, communal refuse/bin storage, and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company

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

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

20. If, during the course of site works any archaeological material is discovered, the City Archaeologist/ Planning Authority shall be notified immediately. (The applicant/developer is further advised that in this event that under the National Monuments Act, the National Monuments Service, Dept. of Housing, Heritage and Local Government and the National Museum of Ireland require notification.)

Reason: In the interest of preserving or preserving by record archaeological material likely to be damaged or destroyed in the course of development.

21. (a) 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 for each apartment unit shall be submitted to, and agreed in writing with, the Planning Authority not later than 6 months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.

(b) This plan shall provide for screened communal bin stores, the locations, and designs of which shall be included in the details to be submitted.

(c) This plan shall provide for screened bin stores, which shall accommodate not less than three standard sized wheeled bins within the curtilage of each house plot.

Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.

22. a) The developer shall implement in full the recommendation of the Ecological Impact Assessment and the Biodiversity Enhancement Plan.

b) The developer shall provide suitable Peregrine ledges on the top of the apartment blocks. Details to be agreed in writing with the Planning Authority.

Reason: In the interest of ecology and biodiversity development.

23. 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. 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 Eastern Region.

Reason: In the interest of sustainable waste management.

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

- a) Location of the site and materials compound(s) including area(s) identified for the storage of construction and demolition refuse;
- b) Location of areas for construction site offices and staff facilities;
- c) Details of site security fencing and hoardings;
- d) Details of on-site car parking facilities for site workers during the course of construction;
- e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- f) Measures to obviate queuing of construction traffic on the adjoining road network;
- g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

m) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the Planning Authority.

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

25. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Saturdays inclusive, 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.

26. Prior to the commencement of development, unless otherwise agreed in writing with the Planning Authority, the Operational Management Plan should be updated to include the recommended information set out in the Outline Servicing and Operation Management Plan (Traynor Environmental Ltd dated 06/08/25).

Reason: In the interests of orderly development

27. The developer shall submit a compliance report for agreement in writing with the Planning Authority verifying the implementation and effectiveness of noise mitigation measures identified in the further information letter dated 12/11/25 and the previous noise assessment dated 06/08/25 prior to the occupation of the development.

Reason: In the interests of residential amenity.

28. (a) Prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant residential units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

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

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

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

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

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

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

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

Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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.

Inspectorate

2nd April 2026

Appendix 1: Screening for Appropriate Assessment

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	<p>A Large-Scale Residential Development (LRD) for 463 apartment/ duplex units, in the form of one-, two- and three-bedroom units, creche, community/ cultural/ art space, including the demolition of four habitable houses and all associated site works on lands to within Coutry, Ballymun, Dublin 9.</p>
Brief description of development site characteristics and potential impact mechanisms	<p>The subject site with a stated net area of 3.17 hectares (gross site area is 3.05 hectares), comprises lands to the north east of Ballymun town centre, in Coutry. The site is located to the east of Main Street/ Ballymun Road and west of Coutry Terrace/ Woodhazel Terrace. The proposed development includes the demolition of four habitable houses, which form a terrace on Coutry Gardens. In addition, two community gardens are to be demolished cleared. The existing road/ street network will provide access to the site. Residents will have access to Coutry Park which is located to the east of the site.</p> <p>Foul drainage will be through the public system with treatment at Ringsend WWTP. The proposed surface water drainage system will result in discharge via the public system to the River Tolka. The Santry River is approximately 900m north of the site and the River Tolka is 2.6km south of the site.</p>

Potential Impact Mechanisms:

Construction Phase:

- Uncontrolled releases of dust, sediments and/or other pollutants to air due to earthworks – can be ruled out due to distance to designated sites.
- Surface water run-off containing silt, sediments and/or other pollutants into nearby waterbodies or surface water network - can be ruled out due to distance to designated sites and use of CMP.
- Surface water run-off containing silt, sediments and/or other pollutants into the local groundwater - can be ruled out due to distance to designated sites.
- Waste generation during the construction phase comprising soils and construction wastes can be ruled out due to distance to designated sites.
- Increased noise, dust and/or vibrations arising from construction activity including demolition - can be ruled out due to distance to designated sites.
- Increased dust and air emissions arising from construction traffic including demolition - can be ruled out due to distance to designated sites.
- Increased lighting in the vicinity arising from construction activity - can be ruled out due to distance to designated sites.
- Increased human presence and activity arising from construction activity - can be ruled out due to distance to designated sites.

Operational Phase:

- Hydraulic/organic overloading of Ringsend WWTP leading to the release of untreated

	<p>sewage into the River Liffey and associated downstream European sites.</p> <ul style="list-style-type: none"> • Surface water drainage from the Site of the Proposed Development – can be ruled out due to a lack of a hydrological connection. • Increased lighting at the Site and in the vicinity emitted from the proposed development - can be ruled out due to distance to designated sites. • Increased human presence and activity at the Site and in the vicinity as a result of the Proposed Development - can be ruled out due to distance to designated sites. • Loss of ex-situ habitat for SCI species of European sites – does not arise. 			
Screening report	Y - The Applicant submitted an Appropriate Assessment Screening Report dated July 2025.			
Natura Impact Statement	N			
Relevant submissions	The submitted appeals did not raise any specific issues of concern in relation to Appropriate Assessment.			
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections²	Consider further in screening³ Y/N
<ul style="list-style-type: none"> • North Dublin Bay SAC (000206) 	<p>Mudflats and sandflats not covered by seawater at low tide [1140]</p>	6.8 km to the south east	<p>Indirect only:</p> <ul style="list-style-type: none"> • Surface water to River Tolka. 	<p>N</p> <ul style="list-style-type: none"> • During the operational phase of the development,

	<p>Annual vegetation of drift lines [1210]</p> <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>Embryonic shifting dunes [2110]</p> <p>Shifting dunes along the shoreline with white dunes (Ammophila arenaria) [2120]</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</p> <p>Humid dune slacks [2190]</p>		<ul style="list-style-type: none"> • Wastewater will go via the public foul drainage system, to be treated at the Ringsend Wastewater Treatment Plant before discharge. 	<p>surface water drainage will be in accordance with the policies/ guidelines of the Greater Dublin Strategic Drainage Study (GSDSDS) and also in accordance with the requirements of Dublin City Council. The surface water drainage design will have full regard to SUDs. The proposed surface water drainage system will ensure that the risk of pollutants entering the</p>
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	<p>Petalwort (<i>Petalophyllum ralfsii</i>) [1395]</p> <p>(NPWS, November 2013)</p>			<p>Dublin Bay system is unlikely to occur.</p> <ul style="list-style-type: none"> Foul drainage will be through the existing foul drainage system. <p>Considering the distance from the site to Dublin Bay, there is no significant risk of any pollutants from the development site impacting on any Natura 2000 sites.</p>
<ul style="list-style-type: none"> South Dublin Bay SAC (000210) 	<ul style="list-style-type: none"> Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] <i>Salicornia</i> and other annuals 	9km to the south east	<p>Indirect only:</p> <ul style="list-style-type: none"> Surface water to River Tolka. <p>Wastewater will go via the public foul drainage system, to be treated at the Ringsend</p>	<p>N</p> <ul style="list-style-type: none"> During the operational phase of the development, surface water drainage will be in accordance with the

	<p>colonising mud and sand [1310]</p> <ul style="list-style-type: none"> Embryonic shifting dunes [2110] 		<p>Wastewater Treatment Plant before discharge.</p>	<p>policies/ guidelines of the Greater Dublin Strategic Drainage Study (GSDSDS) and also in accordance with the requirements of Dublin City Council. The surface water drainage design will have full regard to SUDs. The proposed surface water drainage system will ensure that the risk of pollutants entering the Dublin Bay system is unlikely to occur.</p>
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				<ul style="list-style-type: none"> Foul drainage will be through the existing foul drainage system. <p>Considering the distance from the site to Dublin Bay, there is no significant risk of any pollutants from the development site impacting on any Natura 2000 sites.</p>
<ul style="list-style-type: none"> Baldoyle Bay SAC (000199) 	<ul style="list-style-type: none"> Mudflats and sandflats not covered by seawater at low tide [1140] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows [1330] Mediterranean salt meadows [1410] 		No direct or indirect hydrological Source-Pathway link.	N
<ul style="list-style-type: none"> Malahide Estuary 	<ul style="list-style-type: none"> Mudflats and sandflats not covered by 	8.6km to the north east.	No direct or indirect	N

<p>SAC (000205)</p>	<p>seawater at low tide [1140]</p> <ul style="list-style-type: none"> • Salicornia and other annuals colonising mud and sand [1310] • Atlantic salt meadows [1330] • Mediterranean salt meadows [1410] • Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120] • Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] 		<p>hydrological Source-Pathway link.</p>	
<ul style="list-style-type: none"> • Howth Head SAC (000202) 	<ul style="list-style-type: none"> • Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] • European dry heaths [4030] 	<p>11.8km to the south east.</p>	<p>No direct or indirect hydrological Source-Pathway link.</p>	<p>N</p>
<ul style="list-style-type: none"> • Rogerstown Estuary SAC (000208) 	<ul style="list-style-type: none"> • Estuaries [1130] • Mudflats and sandflats not covered by seawater at low tide [1140] 	<p>12.4km to the north east</p>	<p>No direct or indirect hydrological Source-Pathway link.</p>	<p>N</p>

	<ul style="list-style-type: none"> • Salicornia and other annuals colonising mud and sand [1310] • Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] • Mediterranean salt meadows (Juncetalia maritimi) [1410] • Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120] • Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] 			
<ul style="list-style-type: none"> • Ireland's Eye SAC (002193) 	<ul style="list-style-type: none"> • Perennial vegetation of stony banks [1220] • Vegetated sea cliffs of the 	13.45km to the east.	No direct or indirect hydrological Source-Pathway link.	N

	Atlantic and Baltic coasts [1230]			
<ul style="list-style-type: none"> Rockabill to Dalkey Island SAC (003000) 	<ul style="list-style-type: none"> Reefs [1170] Phocoena phocoena (Harbour Porpoise) [1351] 	13.45km to the east.	No direct or indirect hydrological Source-Pathway link.	N
<ul style="list-style-type: none"> South Dublin Bay and River Tolka Estuary SPA (004024) 	<ul style="list-style-type: none"> Light-bellied Brent Goose (Branta bernicla hrota) [A046] Oystercatcher (Haematopus ostralegus) [A130] Ringed Plover (Charadrius hiaticula) [A137] Grey Plover (Pluvialis squatarola) [A141] Knot (Calidris canutus) [A143] 	4.96km to the south east.	<p>Indirect only:</p> <ul style="list-style-type: none"> Surface water to River Tolka. Wastewater will go via the public foul drainage system, to be treated at the Ringsend Wastewater Treatment Plant before discharge. 	<p>N</p> <ul style="list-style-type: none"> During the operational phase of the development, surface water drainage will be in accordance with the policies/ guidelines of the Greater Dublin Strategic Drainage Study (GSDSDS) and also in accordance with the requirements

	<ul style="list-style-type: none"> • Sanderling (<i>Calidris alba</i>) [A144] • Dunlin (<i>Calidris alpina</i>) [A149] • Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] • Redshank (<i>Tringa totanus</i>) [A162] • Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] • Roseate Tern (<i>Sterna dougallii</i>) [A192] • Common Tern (<i>Sterna hirundo</i>) [A193] • Arctic Tern (<i>Sterna</i> 			<p>of Dublin City Council. The surface water drainage design will have full regard to SUDs. The proposed surface water drainage system will ensure that the risk of pollutants entering the Dublin Bay system is unlikely to occur.</p> <ul style="list-style-type: none"> • Foul drainage will be through the existing foul drainage system. <p>Considering the distance from the site to Dublin Bay, there is no significant risk of any pollutants</p>
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	<p>paradisaea) [A194]</p> <ul style="list-style-type: none"> Wetland and Waterbirds [A999] <p>(NPWS, March 2015)</p>			<p>from the development site impacting on any Natura 2000 sites.</p>
<ul style="list-style-type: none"> North Bull Island SPA (004006) 	<ul style="list-style-type: none"> Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Shelduck (<i>Tadorna tadorna</i>) [A048] Teal (<i>Anas crecca</i>) [A052] Pintail (<i>Anas acuta</i>) [A054] Shoveler (<i>Anas clypeata</i>) [A056] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Golden Plover (<i>Pluvialis apricaria</i>) [A140] 	7 km to the south east	<p>Indirect only:</p> <ul style="list-style-type: none"> Surface water to River Tolka. Wastewater will go via the public foul drainage system, to be treated at the Ringsend Wastewater Treatment Plant before discharge. 	<p>N</p> <ul style="list-style-type: none"> During the operational phase of the development, surface water drainage will be in accordance with the policies/ guidelines of the Greater Dublin Strategic Drainage Study (GSDSDS) and also in accordance with the requirements of Dublin City Council. The

	<ul style="list-style-type: none"> • Grey Plover (<i>Pluvialis squatarola</i>) [A141] • Knot (<i>Calidris canutus</i>) [A143] • Sanderling (<i>Calidris alba</i>) [A144] • Dunlin (<i>Calidris alpina</i>) [A149] <p>(NPWS, March 2015)</p>			<p>surface water drainage design will have full regard to SUDs. The proposed surface water drainage system will ensure that the risk of pollutants entering the Dublin Bay system is unlikely to occur.</p> <ul style="list-style-type: none"> • Foul drainage will be through the existing foul drainage system. <p>Considering the distance from the site to Dublin Bay, there is no significant risk of any pollutants from the development</p>
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				site impacting on any Natura 2000 sites.
<ul style="list-style-type: none"> Baldoyle Bay SPA (004016) 	<ul style="list-style-type: none"> Light-bellied Brent Goose (Branta bernicla hrota) [A046] Shelduck (Tadorna tadorna) [A048] Ringed Plover (Charadrius hiaticula) [A137] Golden Plover (Pluvialis apricaria) [A140] Grey Plover (Pluvialis squatarola) [A141] Bar-tailed Godwit (Limosa lapponica) [A157] Wetland and Waterbirds [A999] 	8.45km to the east.	No direct or indirect hydrological Source-Pathway link.	N

<ul style="list-style-type: none"> • Malahide Estuary SPA (004025) 	<ul style="list-style-type: none"> • Great Crested Grebe (Podiceps cristatus) [A005] • Light-bellied Brent Goose (Branta bernicla hrota) [A046] • Shelduck (Tadorna tadorna) [A048] • Pintail (Anas acuta) [A054] • Goldeneye (Bucephala clangula) [A067] • Red-breasted Merganser (Mergus serrator) [A069] • Oystercatcher (Haematopus ostralegus) [A130] • Golden Plover (Pluvialis apricaria) [A140] 	8.6km to the north east.	No direct or indirect hydrological Source-Pathway link.	N
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	<ul style="list-style-type: none"> • Grey Plover (<i>Pluvialis squatarola</i>) [A141] • Knot (<i>Calidris canutus</i>) [A143] • Dunlin (<i>Calidris alpina</i>) [A149] • Black-tailed Godwit (<i>Limosa limosa</i>) [A156] • Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] • Redshank (<i>Tringa totanus</i>) [A162] • Wetland and Waterbirds [A999] 			
<ul style="list-style-type: none"> • North-West Irish Sea SPA (004236) 	<ul style="list-style-type: none"> • Red-throated Diver (<i>Gavia stellata</i>) [A001] • Great Northern Diver 	9.9km to the south east	Indirect only: <ul style="list-style-type: none"> • Surface water to River Tolka. • Wastewater will go via 	N <ul style="list-style-type: none"> • During the operational phase of the development,

	<p>(Gavia immer) [A003]</p> <ul style="list-style-type: none"> • Fulmar (Fulmarus glacialis) [A009] • Manx Shearwater (Puffinus puffinus) [A013] • Cormorant (Phalacrocorax carbo) [A017] • Shag (Phalacrocorax aristotelis) [A018] • Common Scoter (Melanitta nigra) [A065] • Black-headed Gull (Chroicocephalus ridibundus) [A179] • Common Gull (Larus canus) [A182] • Lesser Black-backed Gull (Larus fuscus) [A183] 		<p>the public foul drainage system, to be treated at the Ringsend Wastewater Treatment Plant before discharge.</p>	<p>surface water drainage will be in accordance with the policies/ guidelines of the Greater Dublin Strategic Drainage Study (GSDSDS) and also in accordance with the requirements of Dublin City Council. The surface water drainage design will have full regard to SUDs. The proposed surface water drainage system will ensure that the risk of pollutants entering the</p>
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	<ul style="list-style-type: none"> • Herring Gull (Larus argentatus) [A184] • Great Black-backed Gull (Larus marinus) [A187] • Kittiwake (Rissa tridactyla) [A188] • Roseate Tern (Sterna dougallii) [A192] • Common Tern (Sterna hirundo) [A193] • Arctic Tern (Sterna paradisaea) [A194] • Guillemot (Uria aalge) [A199] • Razorbill (Alca torda) [A200] • Puffin (Fratercula arctica) [A204] 			<p>Dublin Bay system is unlikely to occur.</p> <ul style="list-style-type: none"> • Foul drainage will be through the existing foul drainage system. <p>Considering the distance from the site to Dublin Bay, there is no significant risk of any pollutants from the development site impacting on any Natura 2000 sites.</p>
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	<ul style="list-style-type: none"> • Little Gull (Hydrocoloeus minutus) [A862] • Little Tern (Sternula albifrons) [A885] • (NPWS, September 2023) 			
<ul style="list-style-type: none"> • Roger-stown Estuary SPA (004015) 	<ul style="list-style-type: none"> • Greylag Goose (Anser anser) [A043] • Light-bellied Brent Goose (Branta bernicla hrota) [A046] • Shelduck (Tadorna tadorna) [A048] • Oystercatcher (Haematopus ostralegus) [A130] • Ringed Plover (Charadrius hiaticula) [A137] • Grey Plover (Pluvialis squatarola) [A141] 	12.4km to the north east	No direct or indirect hydrological Source-Pathway link.	N

	<ul style="list-style-type: none"> • Knot (<i>Calidris canutus</i>) [A143] • Dunlin (<i>Calidris alpina</i>) [A149] • Black-tailed Godwit (<i>Limosa limosa</i>) [A156] • Redshank (<i>Tringa totanus</i>) [A162] • Shoveler (<i>Spatula clypeata</i>) [A857] • Wetland and Waterbirds [A999] 			
<ul style="list-style-type: none"> • Ireland's Eye SPA (004117) 	<ul style="list-style-type: none"> • Cormorant (<i>Phalacrocorax carbo</i>) [A017] • Herring Gull (<i>Larus argentatus</i>) [A184] • Kittiwake (<i>Rissa tridactyla</i>) [A188] • Guillemot (<i>Uria aalge</i>) [A199] 	13.45km to the east.	No direct or indirect hydrological Source-Pathway link.	N

	<ul style="list-style-type: none"> Razorbill (Alca torda) [A200] 			
<ul style="list-style-type: none"> Howth Head Coast SPA (004113) 	<ul style="list-style-type: none"> Kittiwake [A188] 	11.8km to the south east.	No direct or indirect hydrological Source-Pathway link.	N

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

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
None – Screened out in previous stage		
	Likelihood of significant effects from proposed development (alone): N	
	<p>If No, is there likelihood of significant effects occurring in combination with other plans or projects?</p> <p>No. Permitted development adjacent to the site includes Bus Connects Finglas/ Ballymun to City Centre route, construction is imminent, and Metrolink. These are subject to significant construction management and environmental management.</p> <p>The nearest similar residential development is in Northwood/ Santry Desmesne, and which is approximately 1km to the north of the subject site</p> <p>All similar residential/ mixed use development would be subject to AA Screening.</p>	

Step 4 Conclude if the proposed development could result in likely significant effects on a European site

I conclude that the proposed development (alone) would not result in likely significant effects on:

- North Dublin Bay SAC
- South Dublin Bay SAC
- Baldoyle Bay SAC
- Malahide Estuary SAC
- Howth Head SAC
- Rogerstown Estuary SAC
- Ireland's Eye SAC
- Rockabill to Dalkey Island SAC
- South Dublin Bay and River Tolka Estuary SPA
- North Bull Island SPA
- Baldoyle Bay SPA
- Malahide Estuary SPA
- North West Irish Sea SPA
- Rogerstown Estuary SPA
- Ireland's Eye SPA
- Howth Head Coast SPA

The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project.

No mitigation measures are required to come to these conclusions.

Screening Determination

Finding of no likely significant effects

- 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 North

Dublin Bay SAC, South Dublin Bay SAC, Baldoyle Bay SAC, Malahide Estuary SAC, Howth Head SAC, Rogerstown Estuary SAC, Ireland's Eye SAC, Rockabill to Dalkey Island SAC, South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA, Baldoyle Bay SPA, Malahide Estuary SPA, North West Irish Sea SPA, Rogerstown Estuary SPA, Ireland's Eye SPA, Howth Head Coast SPA, 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 Conservation Objectives of these sites,
- having regard to the nature and scale of the proposed development,
- the location of the site in an established, serviced urban area,
- and the separation distance to the nearest European site.
- No specific mitigation measure have been proposed to enable this determination.

In consideration of the above conclusion, there is no requirement therefore for a Stage 2 Appropriate Assessment (and for the submission of a Natura Impact Statement - NIS).

Appendix 2

EIA Pre-Screening

An Coimisiún Pleanála Case Reference	ACP-324019-26		
Proposed Development Summary	A Large-Scale Residential Development (LRD) for 463 apartment/ duplex units, in the form of one-, two-and three-bedroom units, creche, community/ cultural/ art space, including the demolition of four habitable houses and all associated site works on lands to within Coultry, Ballymun, Dublin 9.		
Development Address	Coultry, Ballymun, Dublin 9.		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	√
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	√	Class 10. Infrastructure Projects – (b)(i) Construction of more than 500 dwelling units (iv) Urban Development	Proceed to Q3.
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
No	√	Class 10. Infrastructure Projects – (b)(i) Construction of more than 500 dwelling units: 463 units proposed – below threshold.	Proceed to Q4

		(b)(iv) Urban Development – Site area is 3.17 hectares and the adjoining area is in residential use therefore it is not in a business district and the site is below the 10 hectares threshold for a built up area.	
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
N/A			

5. Has Schedule 7A information been submitted?		
No		
Yes	√	Screening Determination required

Inspector: _____ Date: _____

Appendix 3: EIA Screening Determination:

A. CASE DETAILS		
An Coimisiún Pleanála Case Reference	ACP-324019-26	
Development Summary	A Large-Scale Residential Development (LRD) for 463 apartment/ duplex units, in the form of one-, two-and three-bedroom units, creche, community/ cultural/ art space, including the demolition of four habitable houses and all associated site works on lands to within Coultry, Ballymun, Dublin 9.	
	Yes/ No/ N/A	Comment (if relevant)
1. Was a Screening Determination carried out by the PA?	Yes	The PA reported they had ‘considered the content and conclusion of the EIA Screening report and determines that the proposed development would not result in a real likelihood of significant effects on the environment arising from the proposed development and therefore an Environmental Impact Assessment is not required.’
2. Has Schedule 7A information been submitted?	Yes	Environmental Impact Assessment Screening Report – Dated August 2025
3. Has an AA screening report or NIS been submitted?	Yes	AA Screening has been submitted – Dated July 2025.
4. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA	No	

commented on the need for an EIAR?		
<p>5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA</p>	<p>Yes</p>	<ul style="list-style-type: none"> • Ecological Impact Assessment - Dated July 2025. • Surface Water Management Plan – Dated August 2025. • Landscape and Visual Impact Assessment – Dated August 2025. • Noise Assessment – dated August 2025. • Energy Efficiency and Climate Change Adaptation Design Statement – dated August 2025. • Arboricultural Report – dated August 2025. • Architectural Heritage Impact Assessment – dated August 2025.

<p>B. EXAMINATION</p>	<p>Where relevant, briefly describe the characteristics of impacts (ie the nature and extent) and any Mitigation Measures proposed to avoid or prevent a significant effect</p> <p>(having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact)</p>	<p>Is this likely to result in significant effects on the environment?</p> <p>Yes/ No/ Uncertain</p>
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1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)

<p>1.1 Is the project significantly different in character or scale to the existing surrounding or environment?</p>	<p>The development proposes the provision of residential development in the form of apartment/ duplex units within the</p>	<p>No.</p>
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	<p>established urban area of Ballymun, Dublin 9. The development would not be out of character with such existing uses.</p>	
<p>1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?</p>	<p>The proposed development will result in the construction of residential development on lands that are zoned for mixed use and residential development.</p>	<p>No.</p>
<p>1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?</p>	<p>Construction materials will be typical of such an urban development. The loss of natural resources or local biodiversity as a result of the development of</p>	<p>No.</p>

	<p>the site are not regarded as significant in nature.</p>	
<p>1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?</p>	<p>Construction activities will require the use of potentially harmful materials, such as fuels, hydraulic oils and other such substances. Such use will be typical of construction sites. Any impacts would be local and temporary in nature and the implementation of the submitted Construction Management Plan will satisfactorily mitigate potential impacts. No operational impacts in this</p>	<p>No.</p>

	regard are anticipated.	
<p>1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?</p>	<p>Construction activities will require the use of potentially harmful materials, such as fuels and other such substances and give rise to waste for disposal. Such use will be typical of construction sites. Noise and dust emissions during construction are likely. Such construction impacts would be local and temporary in nature and implementation of a Construction Management Plan will satisfactorily</p>	<p>No.</p>

	<p>mitigate potential impacts. Operational waste will be managed via a Waste Management Plan. Significant operational impacts are not anticipated.</p>	
<p>1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?</p>	<p>No significant risk identified subject to the implementation of appropriate mitigation measures. The operation of the Construction Management Plan will satisfactorily mitigate emissions from spillages during construction. The operational development will connect to mains services.</p>	<p>No.</p>

	<p>Surface water drainage will be separate to foul services within the site. No significant emissions during operation are anticipated.</p>	
<p>1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</p>	<p>Potential for construction activity to give rise to noise and vibration emissions. Such emissions will be localised, short term in nature and their impacts may be suitably mitigated by the operation of a Construction Management Plan. Management of the scheme in accordance with an agreed Management Plan will</p>	<p>No.</p>

	mitigate potential operational impacts.	
1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	Construction activity is likely to give rise to dust emissions. Such construction impacts would be temporary and localised in nature and the application of the submitted Construction Management Plan would satisfactorily address potential impacts on human health. No significant operational impacts are anticipated.	No.
1.9 Will there be any risk of major accidents that could affect human health or the environment?	No significant risk having regard to the nature and	No.

	<p>scale of development.</p> <p>Any risk arising from construction will be localised and temporary in nature. The site is not at risk of flooding. There are no Seveso / COMAH sites in the immediate vicinity of this site in central Ballymun.</p>	
<p>1.10 Will the project affect the social environment (population, employment)</p>	<p>The development of this site as proposed will result in a change of use and an increased population at this location. This is not regarded as significant given the urban location of the site and surrounding</p>	<p>No.</p>

	<p>pattern of land uses, which are characterised by residential development. Employment will be generated during the construction phase.</p>	
<p>1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?</p>	<p>There are other similar developments in the wider Dublin 9 area which have been granted permission/ are under construction.</p>	<p>No</p>
<p>2. Location of proposed development</p>		
<p>2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following:</p> <p>a) European site (SAC/ SPA/ pSAC/ pSPA)</p> <p>b) NHA/ pNHA</p> <p>c) Designated Nature Reserve</p>	<p>No European sites located on or adjacent to the site. An Appropriate Assessment Screening was provided in support of the</p>	<p>No.</p>

<p>d) Designated refuge for flora or fauna</p> <p>e) Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan</p>	<p>application. No adverse effects are foreseen and no site specific mitigation measures are proposed.</p>	
<p>2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, overwintering, or migration, be significantly affected by the project?</p>	<p>No adverse affects on designated sites are foreseen.</p>	<p>No.</p>
<p>2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?</p>	<p>There is no known archaeology on this site and risk to same is low due to the level of ground disturbance on this site over recent time. Appropriate measures are provided in the submitted documentation.</p>	<p>No.</p>

<p>2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?</p>	<p>There are no such features that arise in this location.</p>	<p>No.</p>
<p>2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?</p>	<p>None on site. A site-specific flood risk assessment was prepared, and no issues of concern were identified. The site is located within Flood Zone C.</p>	<p>No.</p>
<p>2.6 Is the location susceptible to subsidence, landslides or erosion?</p>	<p>No such impacts are foreseen.</p>	<p>No.</p>
<p>2.7 Are there any key transport routes (e.g. National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?</p>	<p>The proposed development will use existing local streets/roads. No significant road construction is required here and congestion in the area is as expected for an</p>	<p>No.</p>

	established urban area.	
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be significantly affected by the project?	There is an existing school to the south of the site. Suitable measures will be provided to ensure that no significant affects arise.	No.
3. Any other factors that should be considered which could lead to environmental impacts		
3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	Some cumulative traffic impacts may arise during construction and operational stages, though construction traffic would be subject to a construction traffic management plan.	No.

3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No trans-boundary effects arise as a result of the proposed development.	No.
3.3 Are there any other relevant considerations?	None	No.

C. CONCLUSION

No real likelihood of significant effects on the environment.	<input checked="" type="checkbox"/>	EIAR Not Required
Real likelihood of significant effects on the environment.	<input type="checkbox"/>	EIAR Required

D. MAIN REASONS AND CONSIDERATIONS

Having regard to: -

- a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10(b)(i) and 10(b)(iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- b) The existing use on the site and pattern of development in surrounding area,
- c) The availability of mains water and wastewater services to serve the proposed development,
- d) The location of the development outside of any sensitive lands,
- e) The guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development”, issued by the Department of the Environment, Heritage and Local Government (2003),
- f) The criteria set out in Schedule 7 and 7A of the Planning and Development Regulations 2001 as amended, and
- g) The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment,

It is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not therefore be required.

Inspector _____

Date _____

Approved (DP/ADP) _____

Date _____

Appendix 4: WFD IMPACT ASSESSMENT STAGE 1: SCREENING

Step 1: Nature of the Project, the Site and Locality

<p>An Coimisiún Pleanála ref. no.</p>	<p>ACP-324019-26</p>	<p>Townland, address</p>	<p>Coultry, Ballymun, Dublin 9.</p>
<p>Description of project</p>		<p>A Large-Scale Residential Development (LRD) for 463 apartment/ duplex units, in the form of one-, two-and three-bedroom units, creche, community/ cultural/ art space, including the demolition of four habitable houses and all associated site works on lands to within Coultry, Ballymun, Dublin 9.</p>	
<p>Brief site description, relevant to WFD Screening,</p>		<p>The subject site with a stated net area of 3.17 hectares (gross site area is 3.05 hectares), comprises lands to the north east of Ballymun town centre, in Coultry. The site is located to the east of Main Street/ Ballymun Road and west of Coultry Terrace/ Woodhazel Terrace. The proposed development includes the demolition of four habitable houses, which form a terrace on Coultry Gardens. In addition, two community gardens are to be demolished/ cleared.</p> <p>Other than the four houses proposed for demolition and the utilisation of the existing road/ street network, the majority of the site is under grass though this could be considered a brownfield site as these lands were developed for housing, which was demolished over 15</p>	

	years ago and the land was given over to meadow until such time as it was ready for development.					
Proposed surface water details	SuDS measures to be implemented by the developer in the engineering and landscaping design.					
Proposed water supply source & available capacity	For Dublin City and suburbs, for water supply there is 'Potential Capacity Available - LoS improvement required' – dated August 2025.					
Proposed wastewater treatment system & available capacity, other issues	For Dublin City and suburbs, including the subject site, in terms of wastewater treatment there is a 'Green' indication of available capacity – dated August 2025.					
Others?	N/A					
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)
e.g. lake, river, transitional and coastal waters, groundwater body, artificial (e.g. canal) or heavily modified body.	Located approximately 260m to the north/ north of Santry Avenue and culverted to a point where it adjoins the east to west section of Santry River.	Santry_09_1502 (IE_EA_09P030800)	Poor	Monitoring	Urban Run-Off	Surface water run-off, groundwater.
	0m	Dublin Groundwater (IE_EA_G_008)	Good	Not at Risk	N/A	Groundwater
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.						
CONSTRUCTION PHASE						

No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Site clearance & Construction	Santry_09_1502 (IE_EA_09P030800)	None, due to separation distance and existing urban development.	Water Pollution through dust/ air pollution – unlikely due to distance and existing urban development which forms a buffer.	Use of Standard Construction Practice and CEMP.	No	Screen out at this stage.

2.	Site clearance & Construction	Dublin Groundwater (IE_EA_G_008)	Indirect impact via Potential hydrological pathway	Water Pollution	Use of Standard Construction Practice and CEMP	No	Screen out at this stage.
OPERATIONAL PHASE							
3.	Surface Water Run-off	Santry_09_1502 (IE_EA_09P030800)	None, no hydrological pathway.	None.	A number of SuDS features are incorporated into the development.	No	Screen out at this stage.
4.	Surface Water Run-off	Dublin Groundwater (IE_EA_G_008)	Indirect impact via Potential hydrological pathway	Water Pollution	Several SuDS features incorporated into development.	No	Screen out at this stage.
DECOMMISSIONING PHASE							
5.	N/A	N/A	N/A	N/A	N/A	N/A	N/A