



An
Coimisiún
Pleanála

Inspector's Report

ACP-324035-26

www.greenvalelrd.com

Development	Mixed use residential and commercial development of 588 residential apartments, 7 no. commercial units, and childcare facility
Location	Lands located at the former Chadwicks Builders Merchant site, South of Greenhills Road, North of the existing access road serving Greenhills Industrial Estate, Greenhills Industrial Estate, Walkinstown, Dublin 12, D12 HD51, D12 N523, D12 C602.
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	LRD25A/0005W
Applicant(s)	Steeplefield Limited
Type of Application	Permission
Planning Authority Decision	Grant Permission

Type of Appeal Third Party vs. Grant

Appellant(s) KeyWaste

Observer(s) None.

Date of Site Inspection 19th March 2026

Inspector Stephen Ward

Contents

1.0 Site Location and Description	4
2.0 Proposed Development	4
3.0 Planning Authority Decision	8
4.0 Planning History.....	18
5.0 Policy Context.....	21
6.0 The Appeal	32
7.0 Assessment.....	35
8.0 Water Framework Directive	61
9.0 Appropriate Assessment Screening.....	62
10.0 Environmental Impact Assessment.....	63
11.0 Conditions of the SDCC Decision.....	93
12.0 Recommendation	96
13.0 Recommended Draft Commission Order	96
Appendix 1 – Appropriate Assessment Screening.....	113
Appendix 2 - Summary of Interactions Between Environmental Factors.....	119
Appendix 3 – Water Framework Directive Screening Determination.....	120

1.0 Site Location and Description

- 1.1. The main body of the site is located along the southern side of the Greenhills Road, approximately 300 metres southwest of the Walkinstown roundabout. However, the site boundaries include narrow strips which extend from the main site to the northeast and along Greenhills Road (drainage connection) to Walkinstown roundabout.
- 1.2. The site has a stated net area of c. 2.79 hectares and is of an unconventional shape. The majority of the site is relatively flat but there is a steep incline (level difference of c. 6 metres) towards Greenhills Road at the northern end of the site. The site is part of the wider Greenhills Industrial Estate and mainly comprises the former Chadwick's builder's yard, including c. 11,120m² of low-rise disused industrial units and associated open yard areas. There are 3 no. vehicular access points to the site off an existing estate road along the southern site boundary. Otherwise, the site is mainly bounded by surrounding high walls/fencing.
- 1.3. The surrounding area is characterised by similar industrial / warehousing development which makes up the Greenhills/Ballymount Industrial Estates. The western end of the site adjoins several commercial uses, including concrete pumping, motor parts/recovery, and waste management (i.e. the appellant 'KeyWaste'). The northern end of the site mainly adjoins Greenhills Road, while the eastern end mainly surround/adjoins a Chadwick's hardware store and other homeware premises. The southern end of the site adjoins a road serving the Industrial Estate, including a range of industrial/commercial uses opposite the appeal site including Brennan's Bakery and Beechlawn Industrial Complex.

2.0 Proposed Development

- 2.1. Permission is sought for a mixed-use residential and commercial development comprising 588 no. residential apartments units, 7 no. commercial units, and a childcare facility.
- 2.2. In summary, the proposed development (as amended by the further information response) will consist of:

- The demolition of the former Chadwicks Builders Merchant development comprising 1 no. two storey office building and 9 no. storage/warehouse buildings comprising a total of 11,120 sq.m.;
- Construction of 588 no. residential apartment units comprising:
 - 291 no. one-beds,
 - 238 no. two-beds,
 - 59 no. three-beds.
- The development is arranged in 4 no. blocks (A-D) ranging in height from 5 to 12 storeys and generally arranged around podium courtyard communal spaces, with a 'terraced park' open space along the northern end of the site.
- Indoor communal residential amenity space (627 sq.m.) will be included at the ground and first floor of Blocks A, B, and C.
- A childcare facility (632 sq.m. indoor space) at ground floor of Block B.
- 7 no commercial units at ground/first floor level of Blocks A, B and D.
- 4 no. vehicular entrances including: a primary entrance via vehicular ramp from the north (Greenhills Road) and 3 no. secondary entrances from the south for access, emergency access and services.
- Additional pedestrian accesses along Greenhills Road.
- 267 no. car parking spaces, including 250 no. residential spaces and 17 no. commercial/loading/drop-off spaces.
- 8 no. motorbike spaces.
- 1,269 no. bicycle parking spaces comprising 952 no. residents' spaces and 307 no. visitors' spaces.
- Outdoor communal amenity space (3,818 sq.m), including communal amenity roof gardens in Blocks A & B.
- Centrally located public open space (6,650 sq.m.)
- Toucan crossing and all associated road markings and signage to a new footpath on northern side of Greenhills Road.

- Landscaping and infrastructural works, foul and surface water drainage, bin storage, ESB substations, plant rooms, pv panels, boundary treatments, internal roads, cycle paths and footpaths and all associated site works to facilitate the development.
- 2.3. Foul water proposals include a 300mm diameter pipe commencing from the north-east corner of the site and extending to the last foul water manhole at the south-west corner of the site. From this manhole the foul water will pass through a pumping chamber and rising main before eventually discharging into the existing foul water sewer located to the south of the site. An existing foul sewer traversing the site is to be decommissioned and replaced.
- 2.4. Surface water collected from within the site boundary will flow via a new 225mm diameter pipe to discharge into the existing 225mm surface water sewer located on the access road parallel to Chadwicks Plumb Centre, south-east of the proposed development. The proposed design incorporates a range of SuDS measures, including green roofs, swales, permeable paving, petrol interceptor, rain gardens, tree pits, and a hydrobrake.
- 2.5. Water supply will be provided via a connection to the Uisce Eireann network. An existing key trunk Uisce Eireann watermain in the northern part of the site is to be retained and protected.
- 2.6. Based on the application information (including the further information response), the key figures for the proposed development are summarised in the following table:

Table 1 – Key Figures for the Proposed Development

Site Area	3.09 ha (gross), 2.79 ha net (excluding drainage/traffic works)
Residential Units	588
Unit Mix	291 no. 1-beds (49.5%), 238 no. 2-beds (40.5%), 59 no. 3-beds (10%)
Density	210 dph (net)
Site Coverage	31% (excluding landscaped podiums)
Plot Ratio	2.22
Building Height	5-12 storeys

Dual Aspect	45.75%
Other Uses	Creche (632m ²), Commercial (1738m ²)
Communal Space	3818m ² (External), 627m ² (Internal)
Public Open Space	6,650m ² (23.8% of net site area)
Car Parking	267 spaces (inc. 250 residential and 17 no. commercial)
Cycle Parking	1,269 spaces (952 no. residents, 307 no. visitors)
Motorcycle Parking	8 spaces
Part V	59 units (10%) in Block D2

2.7. In addition to the standard plans and particulars, the application and the further information response included a wide range of documents and reports including:

- Planning Report
- Statement of Response to SDCC Pre-Application Consultation Opinion
- Social & Community Infrastructure Audit
- Environmental Impact Assessment Report
- Design Statement
- Schedule of Accommodation and HQA
- Engineering Services Report
- Flood Risk Assessment
- Landscape Design and Access Statement
- Landscape Management and Maintenance Plan Report
- Aborigicultural Impact Assessment
- Green Infrastructure Report
- Climate Change Risk Assessment
- Traffic and Transport Assessment
- Mobility Management Plan/Travel Plan
- DMURS Compliance Statement

- Road Safety Audit
- CGI's and Photo Montages
- Daylight/Sunlight and Overshadowing Assessment
- Construction and Environmental Management Plan
- AA Screening Report
- Resource and Waste Management Plan
- Operational Waste Management Plan
- Noise Assessment
- Air Quality Survey
- Bat Survey
- Site Lighting Design and Report
- Building Lifecycle Report
- Sustainability Report
- Part V Costings.

3.0 Planning Authority Decision

3.1. Decision

By Order dated 15th December 2025, SDCC made a decision to grant permission subject to 36 conditions. The conditions are mainly of standard nature and scope and are addressed in section 11 of this report.

3.2. Further Information

Following the initial consideration of the application, SDCC issued a further information request. The points raised in the request can be summarised as follows:

1. Engage with Uisce Eireann (UE) to investigate solutions to identified wastewater constraints and submit details of same, including Confirmation of Feasibility from UE.

2. (a) Noise - Submit an expanded noise assessment, to be carried out over a more extensive period of time (minimum 24-hour period) and on multiple days and be undertaken with regard to existing premises operating to the south/southwest of the subject site to allow for a comprehensive assessment of the subject proposal, including the amenity levels of future residential units.
(b) Odour - Submit a robust demonstration that the proposed development would not be adversely affected by odour nuisance to include for the adjoining waste facility and any other relevant commercial premises in the vicinity.
3. Requested clarification in relation to:
 - (a) Net site area and density
 - (b) Creche Capacity
 - (c) Dual Aspect units and the orientation of single-aspect units.
4. Update EIAR where necessary and clarify apparent formatting error notifications.

3.3. Planning Authority Reports

3.3.1. Planning Reports

The SDCC assessment is outlined in two planning reports, i.e. the initial report recommending a further information request and the subsequent report on the applicant's response. The assessment outlined in the two reports can be cumulatively summarised under the following headings:

Legal Interest/Consent

- Notwithstanding 2 no. third-party submissions concerning the inclusion of land to the west not within the ownership of the applicant, Section 34 (13) of the Planning and Development Act 2000 (as amended) outlines that a person shall not be entitled solely by reason of a permission to carry out any development. This will be confirmed by way of an advisory note in the event of a grant of permission.

Principle of Development

- The proposed demolition is acceptable.
- The proposed uses are acceptable in accordance with 'REGEN' zoning objective that applies to the site.

- The site is within the 'City Edge' lands, for which a non-statutory Strategic Framework Plan was completed and published in 2022. In the absence of a statutory plan for the area, any new proposals for residential development should ensure that the operational needs of the existing and new community would be provided. The application includes a Social and Community Infrastructure Audit which satisfactorily addresses CS2 Objective 2 of the CDP. In accordance with H1 Objective 15 of the CDP, there is no objection to the proposed mix of tenure. This residential-led development would be consistent with land use designation in the Strategic Framework Plan.
- The SDCC Delivery Team outlines that a draft Strategic Urban Regeneration Framework (SURF) is being prepared, and that it will form a proposed variation to the CDP. It concludes that the proposal is consistent with the principles and much of the detail set forth in the proposed draft SURF. The anticipated land uses within the development are primarily residential, complemented by significant employment and commercial elements. It also includes satisfactory provisions for public realm and open space within City Edge. The variations in height aim to introduce diversity, and any deviations from the draft SURF are considered acceptable in the context of promoting good urban form. Additionally, the public open space provision and the nearby community facilities address concerns previously raised by the Delivery Team.
- The Architectural Design Statement satisfactorily demonstrates full alignment with the criteria outlined in CDP Section 12.9.1 'Regeneration Zone', including:
 - Creation of a streetscape along the southern boundary.
 - Northern boundary interface responds appropriately to Greenhills Road.
 - Enhanced connectivity along Greenhills Road and through the site.
 - Upgrade to foot and cycle links.
 - Protection of ground floor residential units adjacent to busy roads/traffic.
 - Protection from noise/air pollution and other nuisance.
 - Improvements to the surrounding road and street network

- With regard to CDP EDE1 Objective 5 and ensuring the sustainability of existing businesses and employment, the proposal contains 7 no. adaptable and serviceable commercial units and would increase employment numbers on site, which would accord with CDP policy provision for employment.
- EDE4 Objective 1 & EDE4 Objective 5 - The commercial units are acceptable and would support the orderly growth and placemaking of the area, along with optimising the existing infrastructure and public transport corridors. In addition, the proposal would enhance the sense of placemaking and diversification by introducing additional services (creche and enhanced public open space/realm).
- The proposal includes acceptable interfaces with the adjoining lands to the east and west.
- Overall, the proposed development would be considered acceptable within the existing policy context and with regard to the 'REGEN' zoning objective.

Quality Design and Healthy Placemaking

- The Planning Authority notes the detailed response provided in relation to relevant guidelines and the non-statutory City Edge Strategic Framework, and the design rationale provided within the Architectural Design Statement (ADS) in Section 7 'Layout' and Section 12 which considers the 8 key principles of 'The Plan Approach' noted in Section 5.2.1 of the CDP. Having regard to the content of same and the overall resultant urban design and general layout proposal, the Planning Authority is satisfied that the proposal accords with QDP2 Objective 1 of the CDP, and the general layout and urban design principles are considered acceptable.
- Landscaping proposals involve a net gain in open space and biodiversity. This is considered acceptable in compliance with GI policy of the CDP.
- The layout of the 4 no. blocks would promote ease of movement and the overall massing along each road is broken up. This provides for a consistent street edge along with a variety in the building massing and facades. The scheme would appropriately allow for pedestrian and cyclist permeability.
- The general height strategy is graded and provides transitional elements both in height and facade treatments. A generally consistent street edge, albeit setback,

is created on the primary urban edge (proposed Blocks A and B) which addresses the Greenhills Road to the north, while also containing a variety in scale and massing. Block C would have a front (northwestern) building line which breaches that of Block A and B, which is considered acceptable and responds appropriately to the previous reason for refusal under SHD Ref. ABP-313129-22.

- Boundary treatment proposals are acceptable, including along Greenhills Road.
- Proposed materials and finishes are considered acceptable.
- Increased building height is considered acceptable on this 'Regen' site in accordance with QDP8 Objective 2 of the CDP. The height strategy is acceptable, and the 12-storey 'landmark' element (Block C) would appropriately frame the entrance to Walkinstown.
- The proposal would be located in close proximity to the permitted Bus Connects Scheme and would make a positive contribution to placemaking, incorporating new streets and public spaces along with height to achieve the required densities in close proximity to high frequency public transport.
- The Statement of Consistency & Planning Report acceptably responds to the detailed set of performance-based criteria for the assessment of developments of greater density and increased height as indicated in the SDCC Building Height and Density Guide of the CDP.
- As per the "Sustainable and Compact Settlements Guidelines" (2024), the site is categorised as a 'City - Urban Neighbourhood' site given its strategic and sustainable development location (City Edge) as noted in the RSES and the CDP, along with the location of the site relative to existing and planned high-capacity public transport nodes. As per these guidelines, residential densities in the range of 50dph to 250dph (net) shall generally be applied. The further information response has clarified that the net density of 210uph would be acceptable in accordance with this range.
- The results of the Daylight and Sunlight Assessment Report demonstrate that the proposed units are largely compliant with the BRE guidelines and, where units are deficient, compensatory measures have been proposed. The development is considered acceptable in terms of daylight, sunlight and overshadowing.

Housing and Residential Amenity

- The particulars submitted (including Housing Quality Assessment) indicate that the proposed development would comply with the relevant guidelines: the 'Quality Housing for Sustainable Communities – Best Practice Guidelines' (2007) and 'Sustainable Urban Housing: Design Standards for New Apartments' (2023) in relation to internal residential accommodation. The planning authority is satisfied in this regard.
- The need for further assessment of noise and odour impacts was highlighted, as included in point 2 of Section 3.2 of this report. Following the further information response, it was concluded that the updated noise assessment was satisfactory and that adequate mitigation measures had been included to ensure that the development would not be adversely affected by noise emissions from existing surrounding uses, including the KeyWaste and Brennan's Bakery facilities. An updated technical note on the original odour assessment and further surveys/proposals also satisfactorily demonstrated (as supported by the NEHS submission) that odour impacts would be acceptable.
- The proposal that 10% of units would be 3-bed units falls short of the minimum 30% requirement under Policy H1 Objective 12 of the CDP. However, Policy H1 Objective 12 allows for deviation from this standard, and the proposal would not conflict with the provisions of H1 Objective 15 of the CDP, which has a specific objective in relation to unit mix within the City Edge area. Separately, the unit mix would also accord with the provisions of SPPR1 of the 2023 Apartment Guidelines. The unit mix is therefore considered acceptable.
- The need to clarify the number of dual/single aspect units and the orientation of single aspect units was highlighted, as included in point 3(c) of Section 3.2 of this report. Following the further information response, the proposal for 45.75% dual aspect units was considered acceptable in comparison to the minimum requirement of 33%, and the arrangements for single aspect units were considered acceptable.
- Following the further information response, the increased capacity of the childcare facility (from 60 to 79 no. spaces) was considered acceptable.

- It is considered that the proposed development would not adversely impact on the amenities of existing residential development by way of overshadowing, overbearing, or overlooking.
- Having regard to the existing receiving context, it is considered that the proposal would not adversely impact on the visual amenities of the immediate area and would not expressly inhibit the future development potential of adjoining lands.

Open Space and Green Infrastructure

- Communal open space (4,450sqm) would exceed the minimum area required under the 2023 Apartment Guidelines (3,651sqm).
- Public open space comprises approximately 24% of the development site area. This is acceptable in accordance with CDP requirements for 10% public open space on 'New Residential Development on Lands in Other Zones including mixed use' lands, and in addition, a contribution towards or provision of 2.4 Ha. of quality public open space per 1,000 persons.
- The Green Space Factor is to be provided prior to commencement of development, which is acceptable to the Public Realm and Parks section.

Sustainable Movement

- The report notes the SDCC Roads Department report on the applicant's response to the pre-planning opinion, including:
 - Proposals to remediate existing footpath & crossings along Greenhills Road.
 - Absence of parallel parking along road to the south.
 - Absence of proposals to resurface existing road to the south.
 - Car-parking has been reduced and EV parking provided, as advised.
 - Satisfactory cycle parking proposals.
 - Satisfactory preliminary plans for mobility/construction management.
- The report concludes that the items identified in the Roads Department report can be addressed by way of condition.
- Observations from the TII and NTA are noted and any outstanding issues can be addressed by way of condition.

Infrastructure and Environmental Services

- Conditions should apply in relation to surface water management.
- Having regard to the Uisce Eireann submission regarding wastewater constraints, further information was requested as per point 1 of Section 3.2 in this report. Following the further information response and the subsequent Uisce Eireann submission confirming that wastewater connection was feasible subject to infrastructure upgrade, there was no objection subject to conditions.

Environmental Health

- The H.S.E Environmental Health Officer (EHO) has deemed the proposal acceptable subject to conditions. The matters identified should be addressed by conditions and advisory notes.

Seveso Sites

- While Seveso sites are located within the Ballymount Industrial Estate to the north of the site, the subject site is not located within the consultation distance of any Tier 1 or Tier 2 Seveso site.

Aviation Safety

- The site is within a number of identified aviation layers in the CDP.
- The report received from the Department of Defence recommends that the operation of cranes should be coordinated with Air Corps Air Traffic Services.
- A note should be attached advising the applicant to notify the relevant aviation authorities regarding any structures/elements likely to penetrate ICAO surfaces.

Appropriate Assessment

- The content of the submitted AA Screening Report is noted.
- Having regard to the nature of the proposed development, and context of the subject site relative to designated European sites, it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

Environmental Impact Assessment

- The SDCC Planning Report acknowledges the findings of the submitted EIAR and subsequent updates in the further information response. The significant findings can be summarised as follows:
 - Population and Human Health; Noise & Vibration; and Air Quality - Further assessment is required regarding potential noise and odour implications for future residents, as previously discussed. Following the further information response and subsequent submissions, the planning authority was satisfied that no unacceptable impacts would arise.
 - Land, Soils and Geology; Water and Hydrology; and Material Assets (Utilities) - Further assessment is required in relation to wastewater disposal, as previously discussed. Following the further information response and the subsequent Uisce Eireann submission confirming that wastewater connection was feasible subject to infrastructure upgrade, there was no objection subject to conditions.

Conclusion

- The report concludes that the overall scheme broadly aligns with the relevant policies and objectives of the CDP and would contribute to housing delivery on a suitably located and serviced site.
- The scheme is at an appropriate scale and density and would accord with the provisions of the 2022-2028 CDP regarding the 'REGEN' land use zoning objective of the site, and relevant policies and objectives regarding residential consolidation and intensification, reflecting the wider objectives of the RSES including the implementation of the MASP.
- The proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.
- It is recommended to grant permission subject to 36 conditions, and this forms the basis of the SDCC decision.

3.3.2. Other Technical Reports

Housing – Recommends inclusion of Part V condition.

South Dublin County Childcare Committee – Outlines comments in relation to the design and capacity of the proposed childcare facility.

Water Services – Recommends conditions in relation to surface water and flooding.

Environmental Health – Proposals are acceptable subject to conditions.

Public Lighting – Proposals are not acceptable.

Roads – The initial report had no objection subject to standard conditions. The report on the further information response does not raise any objections.

Parks and Public Realm – Recommends conditions relating to Green Space Factor (GSF), play space, and taking in charge.

Delivery Team – No objections.

3.4. Prescribed Bodies

TII - Requests that the planning authority has regard to the provisions of official policy for development proposals.

NTA – Recommends that the design interface with the Bus Connects CBC Scheme shall be in accordance with drawings submitted and works shall be co-ordinated with the NTA.

Dept. of Defence – Advises that operation of cranes should be coordinated with Air Corps Air Traffic Services.

HSE (NEHS) – The initial submission recommended conditions to be included. It also recommended further information/assessment in relation noise and odour impacts and associated mitigation measures. The subsequent submission on the further information response highlights the need for the planning authority to be satisfied in respect of noise and odour impacts.

Uisce Eireann – The initial submission highlighted significant wastewater network constraints and the need to consider alternative options. The subsequent submission confirms that there are no objections subject to infrastructure upgrades and protection of existing assets.

3.5. Third Party Observations

- Three observations were received during the initial 5-week consultation period, which can be summarised as follows.

KeyWaste

Highlights the need to protect the existing commercial operations, including the close proximity of proposed residential units (Block D) and potential for complaints relating to noise, odour/dust, and site access.

James O'Dowd (Director Ravensburg Unlimited Company)

Contends that land owned by the company has been included without consent.

Ravensburg Unlimited Company

Highlights concern about the proximity of residential development to the ongoing operation of their premises (Concrete Pumping Ltd to the west) and the future development potential of the site. Requests alterations to the development to address: reduced height of Block C by 2 storeys; proposals for pedestrian and cycle connections; overlap of site boundaries; and preservation or diversion of existing combined foul and surface water outfall that passes under Block D.

- There was one submission on the further information as follows.

KeyWaste

Reiterates outstanding concerns about the noise impacts of their facility on the proposed development, including potential for complaints and the commercial viability of the existing facility. Also raises the potential for conflict with vehicular movements.

4.0 Planning History

ABP Ref. 313129-22: SHD application for demolition of the former Chadwick's Builders Merchant development, construction of 633 no. Build to Rent apartments, creche and associated site works. Refused by the Board on 27th July 2022 for the following reasons:

1. *Having regard to the relevant provisions of the South Dublin County Development Plan 2016-2022, the zoning objective REGEN and where residential development is open for consideration subject to retaining an appropriate mix of uses, and the provisions of the Guidelines for Sustainable Residential Developments in Urban Areas and the accompanying Urban Design Manual, A Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May 2009, to accompany the Sustainable Urban Housing; Design Standards for New Apartments, Guidelines for Planning Authorities issued by the Department of Housing, Planning and Local Government in December 2020, and the design and layout of the proposed development, it is considered that the proposed development by reason of a lack of active frontages to Greenhills Road and the car dominated environment at this part of the development, the poor quality of the public realm at Greenhills Road, the potential conflict with the proposed Bus Connects Core Bus Corridor 9 Tallaght and Clondalkin to City Centre including a potential traffic hazard at the junction between the proposed Calmount Link Road and Greenhills Road and the potential traffic hazard adjacent to the childcare facility at the southern side of the development, it is considered that the proposed development in its current form would be contrary to the REGEN zoning objective for the site.*

Furthermore the proposed development would contravene development plan Policy H7 Urban Design in Residential Developments, which seeks to ensure that all new residential development within the County is of high quality design and complies with Government guidance on the design of sustainable residential development and residential streets, and would contravene development plan Policy H11 Residential Design and Layout, to promote a high quality of design and layout in new residential development and to ensure a high quality living environment for residents, in terms of the standard of individual dwelling units and the overall layout and appearance of the development. The development would also be contrary to the provisions of the "Urban Design Manual - a Best Practice Guide" issued by the Department of the Environment, Heritage and Local Government in 2009, to accompany the Guidelines for Planning Authorities on Sustainable Residential

Development in Urban Areas, in particular Criteria Number 1 Context, 6 Distinctiveness, 7 Layout, 8 Public Realm and 12 Detailed Design. The development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. *The proposed development would materially contravene the relevant policies and objectives of the South Dublin County Development Plan 2016-2022 in respect of building height. Having regard to the design and layout of the proposed development along and adjoining the site boundary with Greenhills Road, it is considered that the proposed development fails to meet the criteria set out in 3.2 of the Urban Development and Building Heights, Guidelines for Planning Authorities, published by the Department of Housing, Planning and Local Government in December 2018, in that at both town and streetscape level, the development does not make a satisfactory contribution to the public realm at Greenhills Road, and given the potential conflict with the layout of the proposed Bus Connects Core Bus Corridor 9 Tallaght and Clondalkin to City Centre. In this regard, the provisions of Specific Planning Policy Requirement 3 of these Guidelines do not apply, and the proposed development would, therefore, be contrary to the provisions of the Urban Development and Building Heights, Guidelines for Planning Authorities, published by the Department of Housing, Planning and Local Government in December 2018. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.*

ABP Ref. 316828-23: On 17th October 2024 the Board decided to grant permission for the Tallaght/Clondalkin to City Centre BusConnects Core Bus Corridor Scheme. The site includes the Greenhills Road to the north and overlaps with northeastern corner of the appeal site.

5.0 Policy Context

5.1 National Policy and Guidelines

5.1.1. 'Delivering Homes, Building Communities 2025-2030' is the Government's 'Action Plan on Housing Supply and Targeting Homelessness'. The plan targets the construction of 300,000 homes. To accelerate progress, the plan includes regulatory reforms, tax incentives, and the largest ever investment in infrastructure in the history of the State - €275 billion over ten years through the National Development Plan. It is a wide-ranging strategy encompassing two pillars:

Pillar 1 – Focuses on activating the supply of 300,000 homes.

Pillar 2 - Details how people will be supported, including key actions that work towards ending homelessness, support affordability, and address housing needs.

5.1.2. The National Planning Framework (NPF), First Revision, April 2025 is the Government's high-level strategic plan for shaping the future growth and development of the country to the year 2040. Key elements of the NPF include commitments towards 'compact growth', 'sustainable mobility', 'sustainable management of environmental resources', 'transition to a carbon neutral and climate resilient society', and 'enhanced amenity and heritage'.

5.1.3. It contains several relevant policy objectives that articulate the delivery of key elements, including:

- NPO 8 - Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints and ensure compact and sequential patterns of growth.
- NPO 10 is to deliver Transport Orientated Development (TOD) at scale at suitable locations, served by high capacity public transport and located within or adjacent to the built up footprint of the five cities or a metropolitan town and ensure compact and sequential patterns of growth.
- NPO 11 outlines that planned growth at a settlement level shall be determined at development plan-making stage and addressed within the objectives of the plan. The consideration of individual development proposals on zoned and serviced development land subject of consenting processes under the Act shall have

regard to a broader set of considerations beyond the targets including, in particular, the receiving capacity of the environment.

- NPO 12 - Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.
- NPO 22 - In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth.
- NPO 37: Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages.
- NPO 43 is to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale.
- NPO 45: Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration, increased building height and more compact forms of development.

5.1.4. The NPF also highlights the City Edge Project as a transformative initiative to reimagine the Naas Road, Ballymount and Park West areas of Dublin as a new urban quarter providing up to 40,000 homes and 75,000 jobs. It is acknowledged as a unique opportunity to achieve Government policies of compact growth and transport-orientated development at scale, to reach national climate targets, and to make a significant contribution to resolving the housing crisis, while also generating substantial employment opportunities.

5.1.5 The [Climate Action Plan 2025](#) builds upon and should be read in conjunction with the [Climate Action Plan 2024](#). It refines and updates the measures and actions required to deliver carbon budgets and sectoral emissions ceilings and provides a roadmap for taking decisive action to halve Ireland's emissions by 2030 and achieve climate neutrality by no later than 2050. All new dwellings will be designed and constructed to Nearly Zero Energy Building (NZEB) standard by 2025, and Zero Emission

Building standard by 2030. In relation to transport, key targets include a 20% reduction in total vehicle kilometres travelled, a 50% reduction in fossil fuel usage, and significant increases to sustainable transport trips and modal share. The Commission is required to perform its functions in a manner consistent with the Climate & Low Carbon Development Act.

5.1.6. The National Biodiversity Action Plan 2023-2030 includes five strategic objectives aimed at addressing existing challenges and new and emerging issues associated with biodiversity loss. Section 59B(1) of the Wildlife (Amendment) Act 2000 (as amended) requires the Commission to have regard to the objectives and targets of the NBAP in the performance of its functions, to the extent that they may affect or relate to the functions of the Commission. The impact of development on biodiversity, including species and habitats, can be assessed at a European, National and Local Level and is taken into account in decision-making having regard to the Habitats and Birds Directives, EIA Directive, Water Framework Directive and Marine Strategy Framework Directive, and other relevant legislation, strategy and policy where applicable. Biodiversity is addressed in sections 9 and 10.7 of this report.

5.1.7. Having considered the nature of the proposal, the receiving environment, and the documentation on file, including the submissions received, I am of the opinion that the directly relevant section 28 Ministerial Guidelines are:

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024), Department of Housing, Local Government and Heritage (hereafter referred to as the ‘Compact Settlement Guidelines’).
- Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, (July 2023) (hereafter referred to as the ‘Apartments Guidelines’)¹.
- The Planning System and Flood Risk Management including the associated Technical Appendices, 2009 (the ‘Flood Risk Guidelines’).

¹ The 2025 update of the Guidelines does not apply to applications (and any subsequent appeals) submitted before 9th July 2025. Application lodged on 15th May 2025.

- Urban Development and Building Heights – Guidelines for Planning Authorities, 2018 (hereafter referred to as the ‘Building Height Guidelines’).
- Childcare Facilities – Guidelines for Planning Authorities (June 2001) and Circular PL3/2016 – Childcare facilities operating under the Early Childhood Care and Education Scheme (the ‘Childcare Guidelines’).

5.1.8. Other relevant national Guidelines include:

- Design Manual for Urban Roads and Streets (DMURS) (2019).
- Guidance for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, (Department of Housing, Local Government and Heritage) (August 2018).
- Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (Department of Environment, Heritage and Local Government, 2009).

5.2 Regional Plans/Policies

5.2.1. The primary statutory objective of the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031 (RSES) is to support implementation of Project Ireland 2040 and the economic and climate policies of the Government by providing a long-term strategic planning and economic framework for the Region. The Dublin Metropolitan Area Strategic Plan (MASP), which is part of the RSES, seeks to focus on several large strategic sites, based on key corridors that will deliver significant development in an integrated and sustainable fashion. As part of the ‘South west corridor (DART / LUAS redline)’, the Naas Road/Ballymount lands are identified as significant brownfield lands with potential for residential development and more intensive employment/ mixed uses.

5.2.2. The following RPOs (as summarised) are of relevance:

RPO 4.3 supports the consolidation and re-intensification of infill/brownfield sites to provide high density and people intensive uses within Dublin City and suburbs and ensure that future development areas are co-ordinated with infrastructure.

RPO 5.5: Residential development shall follow a clear sequential approach, with a primary focus on the consolidation of Dublin and suburbs, supported by the development of Key Metropolitan Towns in a sequential manner.

5.2.3. The Greater Dublin Area Transport Strategy 2022-2042 (NTA) sets out a framework aiming to provide a sustainable, accessible, and effective transport system for the area which meets the region's climate change requirements, serves the needs of urban and rural communities, and supports the regional economy.

5.3 South Dublin County Council Development Plan 2022-2028

5.3.1. The SDCCDP 2022-2028 was made on 22nd June 2022 and became the operational plan on 3rd August 2022.

Variation 1 - Clondalkin Local Planning Framework was made on 9th March 2026 (not relevant to the appeal site).

Variation 2 - NPF Implementation: Housing Growth Requirements (2025), and Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024). This was on public consultation up to 13th March 2026 but had not been adopted at the time of writing.

Variation 3 - City Edge Strategic Urban Regeneration Framework 2026. The Draft City Edge Strategic Urban Regeneration Framework (SURF) has been prepared to deliver on Policy CS2 of the South Dublin County Development Plan 2022-2028 (CDP). It is proposed as an appendix to the CDP and will comprise a planning framework for the purpose of Candidate UDZ (Urban Development Zone) designation under the Planning and Development Act 2024.

This variation is on public consultation until 12th of May 2026. The main relevant provisions relating to the appeal site include:

- Greenhills (including the appeal site) has been identified as a Priority Development Area (PDA) with the aim of channelling development into the most appropriate areas in the short to medium term.
- The Greenhills PDA has an identified area of 53ha with the capacity to accommodate a population of 11,645 (4,250 units) and 5,364 jobs.
- Section 3.5 of the SURF outlines details of the Greenhills PDA relating to the appeal site, including:
 - Identified as 'Residential-led Mixed Use'.
 - Inclusion of a 'Greenway' along the northern end of the site.

- Building Height Concept - 'Up to 30m (approximately 9 residential storeys)'. Some taller elements may also be appropriate to define the extension to the Walkinstown local centre which will function as a gateway to the area.
- The appeal site is within 'Neighbourhood 3' which includes the Walkinstown local centre extension and residential-led mixed use. Targets for residential and employment uses include: 650 residential units (+/- 15%), 1287 jobs (minimum, and 45,055m² of Employment Floorspace.

5.3.2. Core Strategy

The Core Strategy acknowledges the potential of the 'City Edge' area for residential development and more intensive employment / mixed uses. The development of the area requires significant investment and site assembly and will be subject to a Statutory Plan which will be informed by a Strategic Framework. Relevant policies / objectives include (as summarised):

Policy CS2 - Deliver a development framework for the regeneration of the City Edge lands which underpins the strategic aims of the NPF and RSES.

CS2 Objective 1: To prepare a Local Area Plan or other appropriate mechanism for the zoned Regeneration (REGEN) lands and other lands at Naas Road / Ballymount as defined by the City Edge Project boundary.

CS2 Objective 2: To facilitate a co-ordinated approach and vision to the City Edge area in collaboration with all relevant stakeholders, including the local community and existing businesses having regard to their operational needs, and ensure that the needs of the existing and new community will be met, and the provision of necessary community and physical infrastructure is delivered in tandem with any new development.

CS4 Objective 2: To promote the delivery of residential development through active land management measures and a co-ordinated planned approach to developing appropriately zoned lands at key locations, including regeneration areas.

Policy CS6 promotes the consolidation and sustainable intensification of development within the urban settlements.

Policy CS6 Objective 4 promotes higher densities (50+uph) subject to meeting qualitative standards at appropriate locations, in urban built-up areas, especially near

urban centres and / or high-capacity public transport nodes in line with prevailing Section 28 Ministerial Guidelines and where it can be demonstrated that the necessary infrastructure is in place or can be provided to facilitate the development.

Policy CS7 promotes the consolidation and sustainable intensification of development within the Dublin City and Suburbs settlement boundary.

CS7 Objective 2: To promote and support the regeneration of underutilised industrial areas designated with the regeneration Zoning Objective 'REGEN'.

5.3.3. Natural, Cultural, and Built Heritage

Chapter 3 'Natural, Cultural and Built Heritage' aims to protect and enhance the key heritage assets which have shaped the County, including diverse landscapes, varied flora and fauna, historic buildings and streetscapes, and rich archaeological history. There are no conservation objectives that relate specifically to the site or the existing buildings thereon. The site is within the 'Urban' landscape character area, which is not defined as an 'area of sensitivity'.

5.3.4. Green Infrastructure

Chapter 4 'Green Infrastructure' (GI) promotes the development of an integrated GI network working with and enhancing existing biodiversity and natural heritage, improving resilience to climate change and enabling the role of GI in delivering sustainable communities to provide environmental, economic and social benefits. Policies for the 5 key themes can be summarised as follows:

GI2: Biodiversity - Strengthen the existing GI network and ensure all new developments contribute towards GI, in order to protect and enhance biodiversity.

GI3: Sustainable Water Management - Protect and enhance the natural, historical, amenity and biodiversity value of watercourses. Accommodate flood waters as far as possible during extreme flooding events and enhance biodiversity and amenity through the designation of riparian corridors and appropriate restrictions.

GI4: Sustainable Drainage Systems (SuDS) - Require the provision of SuDS and maximise the amenity and biodiversity value of these systems.

GI5: Climate Resilience - Strengthen GI to improve resilience against future shocks and disruptions arising from a changing climate.

GI6: Human Health and Wellbeing - Improve accessibility and recreational amenity in order to enhance human health and wellbeing while protecting the environment.

GI7: Landscape, Natural, Cultural and Built Heritage - Protect, conserve, and enhance landscape, natural, cultural and built heritage features, and support the objectives and actions of the County Heritage Plan.

5.3.5. Quality Design and Healthy Placemaking

Chapter 5 aims to create a leading example in sustainable urban design and healthy placemaking that delivers attractive, connected, vibrant and well-functioning places to live, work, visit, socialise and invest in. It aims (Policy QDP 2) to deliver sustainable neighbourhoods through 'The Plan Approach' based on 8 key design principles. It outlines that the Plan (Appendix 10) includes a Building Height and Density Guide (BHDG) with performance-based criteria for the assessment of developments of greater density and increased height. The approach to building heights will be driven by context. Relevant policies/objectives include (as summarised):

QDP 8 Objective 1 - Assess development proposals in accordance with the BHDG and associated planning guidelines. All medium to large scale and complex planning applications (30 + residential units, commercial development over 1,000 sq m or as otherwise required by the Planning Authority) shall be accompanied by a 'Design Statement' including a detailed analysis of the proposal and statement based on the guidance, principles and performance-based design criteria.

QDP8 Objective 2 - Proactively consider increased building heights within a range of zonings, including Regeneration (Regen), and on sites with the capacity to accommodate increased densities in line with national guidance and the BHDG.

QDP10 Objective 1 - Ensure that all new residential developments provide a wide variety of housing types, sizes and tenures in line with the Housing Strategy.

QDP16 Objective 2: To support the City Edge Strategic Framework and any future framework for the area.

5.3.6. Housing

Chapter 6 aims to ensure the delivery of high quality and well-designed homes in sustainable communities to meet a diversity of housing needs. Section 6.7 promotes

high quality design and layout in new residential developments and includes a range of objectives in this regard. Other relevant policies and objectives include:

H1 Objective 12: Provide a minimum of 30% 3-bedroom units. A lesser provision may be acceptable subject to compliance with stated criteria.

H1 Objective 15: To ensure that a balanced mix of tenure is provided for in the areas zoned for Regeneration in the Tallaght LAP lands and the City Edge area, taking account of the existing or permitted tenure within a ten-minute walking distance.

Policy H13 promotes residential consolidation and sustainable intensification at appropriate locations.

5.3.7. Sustainable Movement

Chapter 7 aims to increase the number of people walking, cycling and using public transport and reduce the need for car journeys. It includes a range of policies and objectives aimed at integrating sustainable transport and land-use planning and promoting sustainable/active transport modes. It includes a range of provisions to support improved public transport/movement in the City Edge area, including SM3 Objectives 8, 12, 14, 20, & 23.

SM1 Objective 5 is to ensure that future development is planned and designed in a manner that maximises the efficiency and protects the strategic capacity of the metropolitan area transport network, both existing and planned.

SM3 Objective 11 facilitates the delivery of the BusConnects Core Bus Corridors.

SM4 Objective 7 is to implement the Six Year Roads Programme set out under Table 7.5, which includes the City Edge Strategic Framework Area Street Network and Greenhill Road Upgrade and Links.

SM7 is to implement a balanced approach to the provision of car parking with the aim of using parking as a demand management measure to promote a transition towards more sustainable travel.

5.3.8. Community Infrastructure and Open Space

Chapter 8 aims to create healthy, inclusive and sustainable communities where all generations have local access to social, community and recreational facilities, and parks and green spaces. Relevant policies can be summarised as follows:

COS5 Objectives 4 & 5: Require public open space as part of a proposed development site area in accordance with the Public Open Space Standards (minimum) set out in Table 8.2. The Plan also outlines discretionary options for the remaining open space requirement to achieve the overall standard of 2.4 ha per 1,000 population.

COS5 Objective 20: Ensure that children's play areas are provided as an integral part of the design and delivery of new residential and mixed-use developments.

COS7 Objective 2: Require appropriate childcare facilities as an essential part of new residential developments in accordance with the provisions of the Childcare Facilities Guidelines for Planning Authorities (2001).

5.3.9. Economic Development and Employment

Chapter 9 sets out a broad spatial framework for enterprise and employment including the retail strategy. Relevant policies and objectives include (as summarised):

EDE1 Objective 5: To support the implementation of the MASP to support the objectives for the South - West Corridor, including intensification of industrial lands and mixed-use development at the City Edge while ensuring, to the greatest extent possible, the sustainability of existing businesses and employment.

EDE3 Objective 7: To promote the provision of workspace as part of any mixed-use development on REGEN zoned land.

EDE4 Objective 1: Ensure that economic and employment development is located to optimise existing infrastructure and to support development and investment in the County's urban centres supporting orderly growth and placemaking.

EDE4 Objective 5: Ensure that proposals to diversify or densify underutilised industrial lands support the overarching goals of placemaking, consolidating growth centres along public transport corridors in a planned and / or sequential basis, and ensuring realisable linkages with nearby services and amenities.

5.3.10. Infrastructure and Environmental Services

Chapter 11 highlights the importance of high-quality infrastructure networks and environmental services. It outlines policies on a range of issues including water

supply and wastewater, flood risk management, waste management, and environmental quality.

5.3.11. Implementation and Monitoring

Chapter 12 sets out development standards and criteria that arise out of the policies and objectives, including 12.2 – Land Use Zoning Objectives.

The site is part of the larger City Edge area zoned as 'REGEN', the objective for which is '*To facilitate enterprise and/or residential-led regeneration subject to a development framework or plan for the area incorporating phasing and infrastructure delivery*'.

Other notable standards are outlined as follows:

12.3 Natural, Cultural and Built Heritage

12.4 Green Infrastructure

12.5 Quality Design and Healthy Placemaking

12.6 Housing / Residential Development

12.7 Sustainable Movement

12.8 Community Infrastructure and Open Space

12.9 Economic Development and Employment

12.10 Energy

12.11 Infrastructure and Environmental Services (incl. Aviation).

5.4 City Edge Strategic Framework Plan (SFP)

- 5.4.1. The non-statutory City Edge Strategic Framework was noted by the Elected Members of South Dublin County Council and Dublin City Council in May and June 2022 respectively. It was prepared to inform the statutory plan making processes at the next stage of the City Edge Project (i.e. CDP Variation 3, as previously discussed).
- 5.4.2. The City Edge Project is described as a transformative initiative, re-imagining the Naas Road, Ballymount and Park West areas. Creating a new urban quarter over an

area of c. 700 hectares, it is stated to have the potential for 40,000 new homes and 75,000 jobs, making it one of the largest regeneration schemes in Europe.

- 5.4.3. The appeal site is within the 'Greenhills' District of the Framework and is envisaged as part of a 'Residential Led Mixed Use neighbourhood' where existing industrial and retail plots will be renovated over time. The site is also within an area which is envisaged to be developed over the first 0-15 years of the project.

5.5 Natural Heritage Designations

- 5.5.1. There are no Natura 2000 sites within 5km of the appeal site. The Grand Canal pNHA is c. 2km to the north, while the Dodder Valley pNHA is c. 3km to the south.

6.0 The Appeal

6.1. Grounds of Appeal

The SDCC decision to grant permission has been appealed by KeyWaste (adjoining premises to southwest corner of the site). The appeal outlines a background to the company's operations as follows:

- Operates a busy 24-hour strategically important waste processing facility.
- In addition to waste processing, accommodates essential logistical and support functions including HGV parking, vehicle maintenance facilities, storage/logistics, and staff parking.

The grounds of appeal can be summarised as follows:

- Serious concerns that the introduction of residential development in proximity to their facility would result in an inappropriate juxtaposition of sensitive residential uses and an established 24-hour waste facility.
- Significant risk of land-use conflict with the potential to undermine the continued and lawful operation and commercial viability of the facility, which operates in accordance with its environmental permissions.
- The Commission should further consider the appropriateness of the proposed development in terms of proper planning and sustainable development.

- Particular consideration should be given to:
 - The adequacy of separation distances.
 - The effectiveness and enforceability of proposed mitigation measures.
 - Whether the residential development would prejudice the ongoing operation of the existing waste facility.

6.2. Applicant Response

The applicant's response to the appeal can be summarised under the headings below.

Noise and Odour Concerns

- These were identified as key issues in the planning authority's assessment. Further Information was requested on these matters, and the appeal response outlines how the further information was submitted and comprehensively assessed as being acceptable to the planning authority.
- Regarding queries relating to air/odour, the appeal response highlights that the waste facility is required to operate in accordance with EPA Waste Licence Reg No. W0045-01. Conditions 6.2, 6.6, and 6.9 regulate dust and odour emissions, while Schedule E outlines monitoring requirements. Compliance records do not indicate any significant problems and any issues arising would rest with the facility operator under EPA oversight.
- Any other potential odour sources are limited to the Brennan's Bread facility, which is classified as 'less offensive' in the EIAR.
- The building design will ensure mitigation against odour ingress, including airtightness and ventilation measures.
- The proposed mitigation measures and the conditions of the permission standard, well understood, and are enforceable under legislation.

Zoning Objective

- The proposed residential use is consistent with the regeneration objective for the site as per the SDCDP 2022-2028.

Urban Growth, Regeneration, Placemaking

- The appeal response outlines how the proposed uses and the design and layout of the proposed development align with relevant CDP policies and objectives.

City Edge

- The appeal response outlines how the proposed development fully complies with the objectives of City Edge and does not threaten the lawful operation of the KeyWaste facility.

Regeneration Objectives and City Edge

- The CDP does not provide minimum separation distances between such sensitive uses. However, it outlines requirements for the planned and managed regeneration of such lands while protecting existing employment and enterprise uses.
- The REGEN objective does not create inherent or unavoidable land-use conflict but provides a robust and flexible policy framework for regeneration.
- The proposed development complies with all relevant requirements and does not prejudice any employment or enterprise uses.

Precedent Cases

- The response highlights the quantum of older housing already located adjacent to the KeyWaste facility.
- Under ABP Ref. 318683, permission was granted for a 24-hour waste processing facility adjacent to existing residential properties.
- Under ABP Ref. 307804, permission was granted for 1000 residential units. The Board was satisfied that the development could take place and noted that the Health and Safety Authority had no objections, as is the case with the current appeal case.

6.3. Planning Authority Response

The response outlines that the reasoning for the decision is set out in the planning report which comprehensively deals with the issues raised. There is no further comment with regard to same.

7.0 Assessment

7.1. Introduction

- 7.1.1. I have examined the application and appeal details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority and prescribed bodies, and I have inspected the site and had regard to the relevant local/regional/national policies and guidance.
- 7.1.2. I note that the Planning Authority has carried out an assessment of the development (as outlined in Section 3 of this report) and has concluded that the proposal would be in accordance with the proper planning and sustainable development of the area. Having regard to the grounds of appeal, I consider that the substantive issues to be considered in this case are as follows:
- The Principle of Development & Compatibility of Uses
 - Building Height, Density, Design & Visual Amenity.
- 7.1.3. Issues relating to the Water Framework Directive, Appropriate Assessment, and Environmental Impact Assessment will be addressed separately in sections 8 to 10 of this report respectively.

7.2. The Principle of Development & Compatibility of Uses

- 7.2.1. The appeal primarily questions the principle of residential at this location having regard to its current industrial/commercial context. In particular, it questions the development's compatibility with, and proximity to, the appellant's waste management business and outlines serious concerns that the sensitivity of the residential use would prejudice the ongoing operation of the business. The pertinent matters with the regard to the principle of the development and the related grounds of appeal are considered in this section.

Zoning

- 7.2.2. The site is part of a much larger area that is zoned in the CDP as 'REGEN', the objective for which is '*To facilitate enterprise and/or residential-led regeneration subject to a development framework or plan for the area incorporating phasing and infrastructure delivery*'.

- 7.2.3. In the first instance, I am satisfied that the development represents '*residential-led regeneration*' which is to be facilitated within this zone. The second part of the objective relates to the preparation of a '*development framework or plan for the area incorporating phasing and infrastructure delivery*', and in this regard I note that the City Edge Strategic Framework Plan (SFP) has been prepared. I acknowledge that it is a non-statutory plan but would highlight that it is supported by Policy QDP16 Objective 2 of the CDP. Accordingly, I am satisfied that the SFP is a relevant consideration in this case. I have also outlined the provisions of the proposed City Edge SURF (i.e. proposed CDP Variation No. 3). However, given that CDP Variation No. 3 will not be adopted at the time of the Commission's decision, I do not propose to apply any of its provisions in the assessment of this case.
- 7.2.4. Consistent with the CDP, the SFP envisages the site as being part of a 'Residential Led Mixed Use neighbourhood' where existing industrial and retail plots will be renovated over time. The SFP also considers phasing and infrastructure delivery and in that context includes the appeal site as part of an area to be developed in the first phase of the project (i.e. 0-15 years).
- 7.2.5. Accordingly, I am satisfied that the development would represent '*residential-led regeneration*' that would be in accordance with the City Edge SFP, including phasing and infrastructure delivery, and that this would be consistent with the 'REGEN' zoning objective for the site.
- 7.2.6. Table 12.4 of the CDP also addresses the suitability of various 'use classes' within the 'REGEN' zone. It confirms that 'residential' and 'childcare facilities' are 'permitted in principle' in the zone. The proposed development also includes 7 no. commercial units which are intended to provide a mix of retail, commercial, and employment-supportive uses according to the Planning Report submitted with the application. In this regard I note that Table 12.4 of the CDP outlines that commercial uses such as 'Industry-Light', 'Office-Based Industry', 'Offices 100 sq m-1,000 sq m', and 'Restaurant / Café' are also 'permitted in principle', and I am satisfied that these uses are consistent with those proposed in the application.
- 7.2.7. Related to the question of zoning, I also note that Policy CS7 Objective 2 of the CDP is to promote and support the regeneration of underutilised industrial areas designated with the regeneration Zoning Objective 'REGEN'.

7.2.8. Having regard to the foregoing, I am satisfied that the proposed development would be consistent with the 'REGEN' zoning provisions of the CDP. Residential development is acceptable in principle consistent with the aims of the CDP to densify the area with large scale residential development.

Infrastructure and Services

7.2.9. In accordance with CDP policy, it is important to ensure that the proposed development contributes to an appropriate balance of infrastructure and services, both within the appeal site and in the context of the wider surrounding area.

7.2.10. CDP Policy CS2 Objective 2 aims to facilitate a co-ordinated approach and vision to the City Edge area in collaboration with all relevant stakeholders, including the local community and existing businesses having regard to their operational needs, and to ensure that the needs of the existing and new community will be met, and the provision of necessary community and physical infrastructure is delivered in tandem with any new development.

7.2.11. In response to the above, the application includes a 'Social & Community Infrastructure Audit'. In summary, the main findings of the report demonstrate that:

- The proposed childcare facility is adequate given the extensive availability of existing/incoming facilities within the immediate and wider area.
- The likely demand for school places resulting from the proposed development can be adequately absorbed by the existing and future school places in the Walkinstown School Planning Area.
- There are a large number (26) and wide-ranging variety of healthcare facilities in the area with the capacity to serve the new residential population.
- Religious, community and sports/recreational facilities are well represented.
- Future residents will have easy access to a range of retail centres offering essential and non-essential items.
- The proposed development will provide residents with supporting services including childcare, commercial/retail units, and improvements to public realm.

7.2.12. In relation to physical infrastructure, it is noted that aspects of the development including roads/movement, public transport, water supply, wastewater disposal, and surface water disposal have been assessed by the planning authority in conjunction

with relevant bodies such as the TII, NTA, and Uisce Eireann. Subject to the conditions of any permission, it has been concluded that physical infrastructure is adequate to facilitate the proposed development.

- 7.2.13. Consistent with the planning authority's conclusions, I am satisfied that the proposed development would facilitate a co-ordinated approach to the development of part of the City Edge area in tandem with the availability of adequate community and physical infrastructure. This would be acceptable in accordance with CDP Policy CS2 Objective 2.
- 7.2.14. With regard to business and employment services, I note that CDP Policy EDE1 Objective 5 supports the intensification of industrial lands and mixed-use development at the City Edge while ensuring, to the greatest extent possible, the sustainability of existing businesses and employment. In terms of the appeal site itself, I note that it has been vacant for c. 10 years and that the existing buildings offer little or no economic contribution, commercial viability, or employment opportunities. The applicant's 'Statement of Response to Pre-Application Consultation Opinion' confirms that the proposed development would provide 63-69 jobs in comparison to the current situation of zero on-site employment. Accordingly, I am satisfied that the proposal would strengthen business and employment on the appeal site in accordance with CDP Policy EDE1 Objective 5. The potential implications for other business and employment (i.e. the appellant's business) are considered later in this section of my report.
- 7.2.15. In response to CDP Policy EDE4 (Objective 1 & 5), I consider that the proposed economic/employment development would be appropriately located within a designated mixed-use/regeneration area along a planned Bus Connects Core Bus Corridor and where water services infrastructure can be adequately provided. It would optimise existing infrastructure and support investment, orderly growth, placemaking, and improved linkages with local services and amenities.
- 7.2.16. Having regard to the foregoing, I am satisfied that the proposed development would positively contribute to the creation/retention of an appropriate balance between the nature and scale of the proposed uses and the availability of physical, social, and employment services in the area.

Compatibility of existing and proposed uses

7.2.17. The appeal itself does not specify the particular basis for concerns regarding the compatibility of existing and proposed uses. However, having regard to the submissions and assessment at planning application stage, I consider that the main issues relate to the proximity of the development to the existing business and the potential for adverse noise, odour, and traffic impacts for future residents. These matters are considered in the following paragraphs.

- Noise

7.2.18. This matter was specifically addressed by the applicant in response to the planning authority's request for further information. It includes a report prepared by AWN Consulting Ltd which addresses the concerns raised by KeyWaste.

7.2.19. A 24-hour environmental noise survey was conducted in order to quantify noise levels in the vicinity of the KeyWaste site. The survey was conducted in general accordance with *ISO1996-2:2017 Acoustics - Description, Measurement and Assessment of Environmental Noise - Determination of Sound Pressure Levels*. The monitoring location was along the south-western boundary of the appeal site, overlooking the KeyWaste site at a height of 4 metres.

7.2.20. During the survey, birdsong, distant road traffic noise from the R819, and industrial operational activities at nearby facilities were noted. These included welding, vehicle movements, metallic impact noises, and mechanical drilling, which were the dominant sources of noise at this location. Noise from KeyWaste was not specifically identified, likely due to the general industrial nature of the surrounding noise environment. Additional noise influences included intermittent activity within the nearby car park and occasional local road traffic passing through the industrial estate, including HGVs.

7.2.21. Average daytime values measured 57 dB $L_{Aeq, 15min}$ with average daytime background noise levels measuring 50 dB $L_{A90, 15min}$ over the duration of the survey period. Average night-time values measured 48 dB L_{Aeq} with average night-time background noise levels measuring 40 dB L_{A90} . The lowest recorded L_{AFMAX} during the night-time period was 49 dB L_{AFMAX} whilst the highest recorded was 76 dB L_{AFMAX} . Both the lowest and highest recorded only occurred once, with the highest commonly occurring L_{AFMAX} being 63 dB.

- 7.2.22. The AWN report assesses the impacts of the KeyWaste facility with reference to both *British Standard BS 8233:2014 Guidance on sound insulation and noise reduction for buildings (hereafter referred to as BS8233) (BSI 2014c)* and *The Professional Practice Guidance on Planning & Noise (ProPG)*.
- 7.2.23. BS 8233 recommendations for internal noise levels were considered for daytime (35 dB $L_{Aeq,16hr}$) and night-time (30 dB $L_{Aeq,8hr}$). External limits (50 dB $L_{Aeq,16hr}$ (daytime) and (45 dB $L_{Aeq,8hr}$ (night-time)) were then derived by factoring in noise reduction afforded by a partially open window and typical 15dB attenuation as per BS 8233.
- 7.2.24. ProPG guidance sets out recommended internal noise targets derived from BS 8233. The recommended indoor ambient noise levels are based on annual average data. The daytime levels are 35 dB $L_{Aeq,16hr}$ (living rooms and bedrooms) and 40 dB $L_{Aeq,16hr}$ (dining room), while night-time levels are 30 dB $L_{Aeq,8hr}$. ProPG states that the internal $L_{AFmax,T}$ noise level may be exceeded no more than 10 times per night without a significant impact occurring. It also provides guidance on flexibility on these internal noise level targets. For instance, in cases where the development is considered necessary or desirable, and noise levels exceed the external noise guidelines, then a relaxation of the internal L_{Aeq} values by up to 5 dB can still provide reasonable internal conditions. It also advises that external noise levels for amenity areas should ideally not be above the range 50 – 55 dB $L_{Aeq,16hr}$.
- 7.2.25. The AWN report highlights that the appeal site has been classified within Section 8.6.4 of the EIAR as Medium to High noise risk. Having regard to the above and baseline noise data presented, it concludes that the southwest of the development site bordering KeyWaste can be categorised as Medium Risk and in line with the findings of the EIAR. The EIAR indicates that to the southwest portion of the site that border KeyWaste, the predicted noise levels at a 4m height are approximately 55 dB $L_{Aeq, 16 hour}$ during the daytime period and 45 dB $L_{Aeq, 8 hour}$ during the night-time period. With reference to the measured noise levels within the updated survey, the AWN report considers that there is good agreement for the daytime period when looking at the average measured levels. However, it notes that the predicted night-time levels within the EIAR are lower than the measured average night-time noise level of 50 dB $L_{Aeq, 8 hour}$.

7.2.26. Therefore, it is proposed to increase the glazing and ventilation acoustic specification along the facades of Block D facing the KeyWaste facility. Whilst the AWN report considers that implementing standard glazing as recommended within the EIAR would likely achieve the recommended internal noise levels, it states that the upgraded glazing configuration along the specified facades will ensure that a compatible and acceptable relationship between the proposed residential development and the existing waste facility can exist and will mitigate against any varying activities within the KeyWaste facility.

7.2.27. In conclusion I would acknowledge that the guidance contained in ProPG does not preclude residential development on sites that are identified as having medium or high noise levels. It merely identifies the fact that a more considered approach will be required to ensure that developments on the higher risk sites are suitably designed to mitigate the noise levels. The primary goal of the approach outlined in ProPG is to ensure that the best possible acoustic outcome is achieved for a particular site.

7.2.28. In this case I am satisfied that the baseline situation has been appropriately surveyed and the results are consistent with my general observations at the time of site inspection (daytime). I acknowledge that there are elevated noise levels in some instances, but I consider that this is to be expected in the comprehensive regeneration of such industrial/commercial, which is strongly supported in the CDP. Predicted impacts have been adequately considered in accordance with relevant guidance and appropriate mitigation measures have been included to address the potential noise impacts for future residents. I am satisfied that these are standard measures which can be appropriately enforced. Accordingly, I would have no objection with regard to noise impacts for future residents or any associated impacts on the operation of the KeyWaste facility.

- Odour

7.2.29. This matter was also specifically addressed in an AWN report submitted in response to the planning authority's further information request. The report highlights that the KeyWaste facility operates under its Waste Licence Permit (Licence Reg. No. W0045-01) and is regulated by the Environmental Protection Agency (EPA); that odour is addressed in Condition 6 of the licence; and that odour is typically mitigated at source (e.g. the waste facility) rather than at the receptor (e.g. residential unit).

- 7.2.30. In terms of odour assessment methodology, the report outlines that a detailed odour dispersion modelling exercise would require detailed data from the waste facility itself, which is not available. Accordingly, two 'sniff surveys' were carried out by AWN in line with the methodology in *Air Guidance Note 5 (AG5) Odour Impact Assessment Guidance for EPA Licensed Sites* published by the EPA. Daytime and night-time surveys were undertaken at 3 no. locations including proximity to the KeyWaste facility.
- 7.2.31. The surrounding area was classified as 'high sensitivity' in line with the AG5 criteria due to the presence of commercial/industrial premises. On the 1st July 2025, the survey observed only a faint and intermittent waste odour at 'survey location 2' (southwest site corner). On the 2nd July 2025, a faint and intermittent waste odour was again detected at 'survey location 2' when the wind was blowing, but the more obvious odour in the area was that of bread/toast associated with Brennan's Bakery to the southeast of the site. The report outlines that odours related to bread are ranked in the 'Less Offensive' category as per the EPA AG9 guidance document – *Odour Emissions Guidance Note 1*, while odours related to waste facilities or waste transfer stations are ranked in the 'Most Offensive' category. However, it states that no significant odours that would constitute a nuisance according to the EPA AG5 criteria were detected during the odour surveys undertaken.
- 7.2.32. The AWN report also outlines that EPA compliance reports for the KeyWaste facility were reviewed in order to establish if the facility is leading to odour nuisance issues in the area. There have been 2 no. non-compliance events in relation to odour. However, the report concludes that odour nuisance is assessed at a 98th percentile of hourly averages at the worst-case receptors as per the EPA AG9 guidance, and therefore, that one or two detections of odour throughout a year period do not necessarily indicate there is a persistent odour nuisance issue.
- 7.2.33. In consultation with the project architects in terms of building design (ventilation etc.) the report concludes that the potential for external odours from the Keywaste facility to penetrate the building envelope is negligible. Any transient odours detectable externally would only be perceptible to residents if windows were open at the specific time such odours occur. It concludes that the design and construction standards applied to the proposed development provide robust mitigation against any odour

intrusion, ensuring that internal residential environments remain unaffected and that any potential impacts on amenity are insignificant.

7.2.34. Having regard to the above, I am satisfied that the baseline situation has been appropriately surveyed and the results are consistent with my general observations at the time of site inspection (daytime). Predicted impacts have been adequately considered in accordance with relevant guidance and appropriate mitigation measures have been included to address the potential odour impacts for future residents. I am satisfied that these are standard measures which can be appropriately enforced. Accordingly, I would have no objection with regard to odour impacts for future residents or any associated impacts on the operation of the KeyWaste facility.

- Traffic

7.2.35. Similar to the nature of previous concerns about noise and odour, the appellant's traffic concerns appear to be based on a conflict between heavy traffic associated with established commercial uses and the proposed residential traffic movements.

7.2.36. In terms of the nature and extent of established 'heavy' commercial traffic, I have reviewed the Traffic Survey Data Output² submitted with the application. In particular, I have considered data for the two junctions most closely associated with the appeal site, i.e., Site 3 (Greenhills Road junction adjoining Chadwicks) and Site 4 (internal estate junction to east of site). The data indicates that Heavy Goods Vehicle (HGV) traffic accounts for only a small portion of total movements, which are predominantly cars or Light Goods Vehicles (LGVs). For example, at Site 4, HGV movements in the AM period (07:30 – 10:00) accounted for just c. 9.6% (52) of total movements (539), and in the PM period (16:00 – 18:30) accounted for just c. 2.6% (14) of total movements (529). These low levels of HGV traffic were consistent with my observations on inspection of the site, including arrangements whereby HGVs associated with the Key Waste facility appear to use the higher capacity Greenhills Road and not the estate road to the south of the appeal site. Accordingly, I do not consider that there is a reasonable basis for concerns about the principle of additional residential traffic at this location.

² Appendix B of applicant's Traffic and Transport Assessment

- 7.2.37. In addition to the above, the applicant's Traffic and Transport Assessment (TTA) comprehensively addresses the traffic and transportation issues associated with the proposed development and the capacity of the existing and future road network. I am satisfied that the report has been prepared in accordance with TII's Traffic & Transport Assessment Guidelines and addresses the worst-case traffic impact of the development. The TTA confirms that the road network and the vehicular access junction are more than adequate to accommodate the worst-case traffic associated with the development. The assessment confirms that the full occupation of the scheme will have a negligible and unnoticeable impact on the operation of the adjacent road network.
- 7.2.38. Appendix K of the TTA includes a DMURS Statement of Consistency which outlines design features to demonstrate that the proposal is consistent with the relevant principles and guidance.
- 7.2.39. Appendix L of the TTA includes a Stage 1 Quality/Safety Audit by Bruton Consulting Engineers. It identified 7 potential safety problems, all of which have been accepted and remediated as part of the proposed design.
- 7.2.40. Having regard to the foregoing, I am satisfied that there would be no significant conflict between the nature of existing traffic in the area and the traffic associated with the proposed development. The application has satisfactorily demonstrated that the volume of traffic associated with the development can be accommodated on the local road network, and that the proposed design and layout has considered road safety to avoid any significant traffic hazards. Accordingly, I would have no objection with regard to traffic impacts for future residents or any associated impacts on the operation of the KeyWaste facility.

Conclusion

- 7.2.41. In conclusion I would highlight that the appeal site is part of the larger City Edge area that is promoted for significant regeneration in the NPF, the RSES, and the CDP. As with any such phased regeneration, it is inevitable that there will be some temporary conflicts between established and new uses as the project develops. However, in this case I am satisfied that the proposed development has been suitably designed and mitigated to avoid any unacceptable impacts for future residents or any associated impacts on the operation of the KeyWaste facility. Accordingly, I am

satisfied that the principle of the proposed development and the compatibility of existing and proposed uses would be acceptable in accordance with the proper planning and sustainable development of the area.

7.3. **Building Height, Density, Design & Visual Amenity**

Introduction

- 7.3.1. Although the appeal has not raised specific objections in this context, I consider it appropriate to revisit these matters in terms of the overall quality of the scheme and in light of the Board's previous refusal of the SHD application (see Section 4 of this report).
- 7.3.2. At the outset I would note that there have been significant policy changes in the intervening period, including the introduction of: the new CDP 2022-2028; a revised NPF; updated Apartments Guidelines (2023); and the Compact Settlement Guidelines (2024). The Planning Report accompanying the application also highlights how the scheme has been redesigned to address the Board's reasons for refusal of the previous application. The applicant's arguments in this regard can be summarised as follows:

Refusal Reason No. 1

- Active Frontages to Greenhills Road
 - Introduction of active frontages incorporating commercial units, residential entrances, and enhanced glazing at ground level.
 - Mix of retail and community spaces has been introduced, ensuring a more vibrant and interactive frontage.
- Car-Dominated Environment
 - Surface parking significantly reduced and relocated to underground and structured parking areas, minimizing visual clutter and prioritizing pedestrian movement.
 - Pedestrian and cycle-friendly routes have been enhanced, ensuring improved permeability and accessibility.
 - A comprehensive landscaping strategy has been integrated to soften the urban environment and improve the overall aesthetic appeal.
- Enhancement of Public Realm at Greenhills Road

- The streetscape has been upgraded with widened footpaths, pedestrian crossings, improved lighting, and additional landscaping.
- Public seating and gathering areas have been introduced to encourage community interaction and social engagement.
- Potential Conflicts with Bus Connects Core Bus Corridor 9
 - Layout refined to ensure alignment with the now-approved Bus Connects Core Bus Corridor 9, accommodating necessary setbacks and design elements to support future transportation infrastructure, all of which have been agreed with the NTA.
 - Revised traffic flow and access points have been incorporated to minimize conflicts between vehicular movements and bus operations, enhancing overall road safety.
- Traffic Hazards Near Childcare Facility
 - A dedicated drop-off and pick-up zone has been introduced adjacent to the childcare facility to prevent congestion and improve safety.
 - Traffic calming measures, such as raised pedestrian crossings and reduced-speed zones, have been implemented.

Refusal Reason No. 2

- Building Height
 - Development revised to comply with CDP policies regarding building height and to ensure that the scale and massing of the buildings align and transition with the established urban context appropriately.
- Contribution to Public Realm
 - Additional architectural detailing and façade articulation incorporated to improve the visual quality of the development at the town and streetscape level and to ensure a stronger connection between the buildings and the surrounding urban fabric.
 - Pocket parks and landscaped courtyards provide an enhanced public realm experience for residents and the wider community.
- Alignment with Bus Connects Core Bus Corridor 9
 - Refinements ensure no conflict with the Bus Connects Core Bus Corridor 9. Building setbacks and road alignments have been adjusted to facilitate seamless integration and have been agreed with the NTA.

- SPPR3 Compliance
 - Given the revised design enhancements, the provisions of SPPR3 now apply. The modifications ensure that the development adheres to the Building Height Guidelines (2018), facilitating a more sustainable and contextually appropriate outcome.

Proposed Height and Density

- 7.3.3. The proposed development includes four blocks with a maximum height of 5-12 storeys, including Block A (5-8 storeys), Block B (7-10 storeys), and Blocks C & D (7-12 storeys).
- 7.3.4. It is proposed to construct 588 residential units and the applicant's further information response has clarified that the net site area is 2.79ha, which would result in a density of c. 210 uph. However, in accordance with Appendix B of the Compact Settlement Guidelines, the site area for density purposes should be reduced commensurate with the non-residential GFA (i.e. creche and commercial units (2370m²)) as a proportion (i.e. 5.7%) of the overall GFA (41,074m²). Therefore, I consider that a reduced net site area of c. 2.63 ha would result in an increased net density of 223 uph.

Policy on Building Height and Density

- 7.3.5. Chapter 3 of the *Building Height Guidelines* (2018) outlines a presumption in favour of buildings of increased height in urban locations with good public transport accessibility. It outlines broad principles for the consideration of proposals which exceed prevailing building heights, including the extent to which proposals positively assist in securing National Planning Framework objectives of focusing development in key urban centres, and the extent to which the Development Plan/LAP comply with Chapter 2 of the Guidelines and the NPF. SPPR 3 outlines that, subject to compliance with the criteria outlined in section 3.2 of the Guidelines, the planning authority may approve such development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise.
- 7.3.6. The *Apartments Guidelines* (2023) states that 'Central and/or Accessible Urban Locations' are generally suitable for small- to large-scale (will vary subject to location) and higher density development (will also vary), that may wholly comprise apartments.

- 7.3.7. More recently, the *Compact Settlement Guidelines (2024)* set out policy and guidance in relation to the planning and development of urban and rural settlements, with a focus on sustainable residential development and the creation of compact settlements. It is intended that the Guidelines should be read in conjunction with other guidelines (including the Building Height Guidelines and the Apartments Guidelines) where there is overlapping policy and guidance. Where there are differences between these Guidelines and Section 28 Guidelines issued prior to these guidelines, it is intended that the policies and objectives and specific planning policy requirements of these Guidelines will take precedence.
- 7.3.8. At the local policy level, the *SDCDP 2022-2028* generally supports consolidation/intensification of development through height and density in accordance with national policy and subject to detailed assessment of impacts. Policy CS6 Objective 4 promotes higher densities (50+ units per hectare) subject to meeting qualitative standards at appropriate locations, in urban built-up areas, especially near urban centres and / or high-capacity public transport nodes.
- 7.3.9. Section 5.2.7 of the CDP outlines that the Building Height and Density Guide (BHDG) forms the primary policy basis and toolkit to employ the delivery of increased building height and density within the County in a proactive but considered manner. It contains a detailed set of performance-based criteria for the assessment of developments of greater density and increased height and provides a series of detailed notional development scenarios for various site contexts providing for specific guidance criteria around contextual appropriateness. It states that the approach to building height and the BHDG will be driven by its context.
- 7.3.10. Policy QDP8 Objective 1 outlines that proposals will be assessed in accordance with the BHDG, and Policy QDP8 Objective 2 is to proactively consider increased building heights in a range of zones (including 'REGEN') in line with national guidance and the BHDG.

Assessment

- 7.3.11. Having regard to the policy context outlined above, I consider that the CDP has appropriately had regard to the Apartments Guidelines and the Building Height Guidelines and does not place any maximum limit on height or density for the subject site. Policy CS6 Objective 4 does promote higher densities (50+ units per hectare),

which the proposed density (223 uph) would significantly exceed. And while QDP8 Objective 2 proactively supports increased building heights on lands zoned 'REGEN', the CDP ultimately supports a contextual approach to assessment based on the performance-based criteria set out in the BHDG. Therefore, the height and density of the development should be assessed in accordance with the CDP BHDG, as well as the provisions of the Compact Settlement Guidelines (2024) which replaced the Sustainable Residential Development Guidelines (2009) after the CDP was adopted. Other relevant CDP design assessment criteria will be considered, including the 'Plan Approach' and Section 12.9.1 criteria for regeneration zones.

- 7.3.12. Policy and Objective 3.1 of the Compact Settlement Guidelines is that the recommended residential density ranges are applied within statutory development plans and in the consideration of individual applications, and that these density ranges are refined further at a local level using the criteria set out in Section 3.4 where appropriate.
- 7.3.13. The site is part of the Dublin City Suburbs area; is within a strategic and sustainable development location identified for comprehensive regeneration; and is within 500 metres of a planned BusConnects 'Core Bus Corridor' stop. Accordingly, I consider that it comes within the classification of 'City – Urban Neighbourhoods' as per Table 3.1 of the Guidelines. It is a policy and objective of the Guidelines that residential densities in the range 50 dph to 250 dph (net) shall generally be applied at such locations. Therefore, the proposed density of 223 uph would be in accordance with this range.
- 7.3.14. Section 3.4 of the Guidelines recommends that the recommended ranges should be refined having regard to: (Step 1) Proximity and Accessibility to Services and Public Transport; and (Step 2) Considerations of Character, Amenity and the Natural Environment.
- 7.3.15. Regarding 'Step 1', the Guidelines outline that planning authorities should encourage densities at or above the mid-density range at the most central and accessible locations in each area, densities closer to the mid-range at intermediate locations and densities below the mid-density range at peripheral locations. Having regard to the location of the site adjoining a planned BusConnects Core Bus Corridor, I am

satisfied that this is an 'accessible' location where the proposed density (223 dph) should be encouraged at the upper end of the range (i.e. up to 250 dph).

7.3.16. Regarding the 'Step 2' considerations, I would state the following:

(a) Local Character

The existing site and the immediate surrounding area are mainly characterised by low-rise industrial/commercial development which does not positively contribute to the character of the area. Consistent with this view, the area has been identified for comprehensive regeneration which would see the existing character being replaced by higher-density residential-led mixed uses. Therefore, while I acknowledge that the proposed development is of a significantly different scale and character to its existing context, I consider that this change would positively contribute to the character of the area and would be in accordance with proper planning and sustainable development.

(b) Historic Environments (built and landscape heritage)

The proposed development involves demolition of existing buildings which do not positively contribute to the character, setting, or amenity value of the area. The site is not located within or adjoining any designated Architectural Conservation Areas and there are no Protected Structures within the zone of influence of the development. Similarly, there are no previously identified monuments of archaeological interest or features of archaeological potential interest located within or adjoining the subject site. The site is within the 'Urban' landscape character area as per the CDP, which is not defined as an 'area of sensitivity'.

Having regard to the above, I do not consider that the proposed development has the potential to adversely impact on the historic environment.

(c) The Environment and Protected Habitats and Species

As will be outlined in sections 9 and 10.7 of this report, I am satisfied that the proposed development would not result in any unacceptable impacts on protected habitats and species.

(d) Residential Amenities

The site is effectively surrounded by long-established commercial/industrial development. Any significant concentrations of residential development to the south (off St. James' Road) and east (Walkinstown Cross/St. Peter's Road) are suitably

distanced, screened, and orientated in relation to the proposed development to avoid any significant impacts in terms of privacy, daylight/sunlight, or microclimate.

(e) Water Supply and Wastewater Networks

Consistent with the Uisce Eireann submissions on file, I am satisfied that water supply and wastewater networks (including treatment works) can service the new development.

7.3.17. In addition to the 'Step 1' and 'Step 2' considerations outlined above, Section 4.4 and Appendix D of the Compact Settlements Guidelines outline 'Key Indicators of Quality Design and Placemaking' to be applied in accordance with Policy and Objective 4.2. The 'Key Indicators' are considered under the following headings.

i. Sustainable and Efficient Movement

As previously outlined, I am satisfied that this is an 'accessible' location adjoining a planned Core Bus Corridor. The development includes a street network that creates a permeable and legible urban environment and optimises movement for sustainable modes. The layout connects to the Greenhills Road and existing estate road to the south, thereby improving connections to existing/planned transport networks and other local communities, services, and amenities. Active travel is prioritised with the majority of the proposed routes dedicated to pedestrian/cycle or shared surfaces, and the quantum of car parking has been minimised to a rate of 0.42 spaces per apartment. The application also includes a report which satisfactorily demonstrates compliance with DMURS in accordance with Policy and Objective 4.1 of the Guidelines.

ii. Mix and Distribution of Uses

As outlined in section 7.2 of this report, I am satisfied that the proposed mix of uses is acceptable having regard to: the underutilised nature of the existing site; the 'REGEN' zoning objective for the site; the planned 'residential led' nature of the site; and the availability of other existing/planned supporting uses in the environs of the site. The proposed non-residential uses/spaces are appropriately distributed throughout the site to provide active frontages and outdoor spaces at street level which will appropriately integrate with public transport.

I acknowledge that the proposed mix of units fails to provide a minimum of 30% 3-bed units in accordance with CDP Policy H1 Objective 12 (10% is proposed). However, this objective also allows a lesser provision where it meets a specific demand, and I am satisfied that the Planning Report accompanying the application has justified this specific demand in accordance with the provisions of Policy H1 Objective 12. Consistent with the planning authority's approach, I do not consider that there would be a material contravention of the CDP in this regard. Furthermore, the proposed mix would be acceptable in accordance with SPPR1 of the Apartments Guidelines.

iii. Green & Blue Infrastructure (GBI)

The appeal site does not include any significant GBI features. This existing situation would be significantly improved through the proposed network of multifunctional and interlinked urban green spaces and landscaping. The increased green space within the site also facilitates the use of the proposed nature-based/SuDS measures for the management of surface water within the scheme.

iv. Public Open Space

It is proposed to provide 6,650m² public open space. This represents 23.8% of the net site area and the planning authority was satisfied that this is acceptable in accordance with CDP requirements. Furthermore, I am satisfied that the proposal would comfortably exceed the minimum 10% requirement as per Policy and Objective 5.1 of the Compact Settlement Guidelines.

The application includes a Green Infrastructure Report and a Landscape Design and Access Statement. These illustrate the development would provide a range of public and communal space to cater for a range of active and passive recreational needs and which would significantly improve the nature and extent of biodiversity on site.

v. Responsive Built Form

The application includes an Architectural Design Statement (ADS). In response to the 'key principles' cited in the Guidelines, I would highlight the following:

- The proposal is located at a key node. The inclusion of a large public open space to the north of the scheme will provide suitable activity which will connect to various external amenity spaces within the public realm. The building form

provides a legible and coherent structure of blocks separated by open spaces, and Block C (12 Storeys) will provide a landmark feature.

- The established pattern and form of development will be subject to comprehensive regeneration and the height, scale and massing of the proposed development, including the provision of new streets and spaces, will respond positively to this objective.
- The proposed urban structure provides a coherent network of streets/spaces and will significantly improve linkages within and around the appeal site.
- The northern end of the site will be dominated by a large linear open space facilitating a range of activities, which will be suitably overlooked by the well-defined edges of the proposed blocks including commercial units and internal resident amenity spaces at street level. The southern edge of the site will also be well-defined by a range of commercial and communal units in a set-back facade providing dedicated cycle path, pedestrian footpath and enhanced public realm.
- In the absence of local architectural distinctiveness or heritage value, the proposed design embraces modern architecture. The design endeavours to break down the overall massing through thoughtful elevation treatment and height articulation, creating dynamic spaces within the development. The massing has been carefully stepped to introduce a sense of permeability between buildings, fostering unity among the elements to establish a cohesive and robust community development.
- The selection of durable materials provides low maintenance requirements. Robust materials such as brickwork, stone and cladding will be combined with quality detailing. The principal of high durability will follow through to internal spaces with hard-wearing materials being utilised in communal areas.

Having regard to the above and the other drawings and details submitted with the application, I am satisfied that the proposed design strategy and built form is appropriate for the appeal site.

7.3.18. Having regard to the foregoing and the other drawings and details submitted with the application, I am satisfied that the proposed height and density can be appropriately accommodated on the site in accordance with the provisions of the Compact Settlement Guidelines.

7.3.19. Following the consideration of the Compact Settlement Guidelines, the relevant provisions of the CDP are now considered. It should be noted that much of the relevant assessment criteria is similar in both policy documents. Therefore, where appropriate, reference will be made to my foregoing assessment.

7.3.20. Section 12.5.2 and Policy QDP2 Objective 1 of the CDP outlines that applications for new development shall be accompanied by a statement detailing how ‘the plan approach’ has been taken into consideration and incorporated into the design of the development, including the materials and finishes proposed, and demonstrating how the eight overarching principles for the achievement of successful and sustainable neighbourhoods have been addressed.

7.3.21. Section 12.14 of the applicant’s Architectural Design Statement addresses this requirement, as is summarised and assessed in the following table.

Table 2 - Compliance with the CDP ‘Plan Approach’

Principle	Applicant’s Proposals	Assessment
Context	Responds to unique context, including features along Greenhills Road, existing wayleaves, topographical challenges, and the evolving nature of the area. Integrates with surroundings and creates a cohesive urban character while addressing site constraints such as Uisce Éireann infrastructure and the proposed BusConnects route.	Acceptable. See s. 7.3.16 (a) of this report.
Healthy Placemaking	Open spaces promote social interaction, well-being, and a sense of community. Strong focus on pedestrian-friendly streetscapes enhances social cohesion.	Acceptable. See s. 7.3.17 of this report.
Connected Neighbourhoods	Supports 10-minute settlement principles. Integrates seamlessly with BusConnects Core Bus Corridor proposals. Promotes active travel through cycle paths and pedestrian routes.	Acceptable. See s. 7.3.17 (i) of this report.

Public Realm	Significant proportion of public and communal open spaces, which foster a strong sense of place and contribute to the public realm.	Acceptable. See s. 7.3.17 of this report.
Delivery of High Quality & Inclusive Development	Prioritises universal design ensuring all spaces are accessible and inclusive for residents and visitors. Public spaces are well-lit and designed for safety and ease of movement.	The development is of an appropriate quality and is accessible and inclusive for all.
Appropriate Density & Building Heights	N/A	Acceptable. See sections 7.3.11 – 7.3.18 of this report.
Mix of Dwelling Types	Includes a diverse mix of residential units catering to a variety of household types.	Acceptable. See s. 7.3.17 (ii) of this report.
Materials Colours & Textures	High-quality, durable materials will enhance the aesthetic and functional value of the development, creating a timeless and attractive urban environment.	Acceptable. See s. 7.3.17 (v) of this report.

7.3.22. In addition to ‘the plan approach’, the CDP outlines the need to consider Appendix 10 - ‘Building Height and Density Guide’ (BHDG). Section 4 of the BHDG outlines a contextual analysis toolkit which establishes a set of assessment criteria. The toolkit is intended to facilitate the structuring of a context-led discussion around the design process and assessment of the design excellence of individual projects. An analysis of the criteria follows in the table below. Again, there are overlaps between these criteria and the criteria outlined in the Compact Settlement Guidelines and the CDP ‘Plan Approach’. Therefore, where appropriate, reference will be made to my foregoing assessment.

Table 3 – Compliance with the CDP BHDG Contextual Analysis Toolkit

Criteria	Assessment
<p>Context</p> <p>Is the site well served by public transport with high capacity, frequent service and good links to other modes of public transport by which it links to the wider city and region?</p> <p>Has the proposal adopted an approach to urban intensification proportionate to its setting?</p> <p>Is the increased height proposed required for density?</p>	<p>The site is currently served by bus routes 27 & 77a which have peak frequencies of 10 mins. There are other bus routes (F3 & 56a) within 500m of the site. As previously outlined, the site will be served by a planned BusConnects CBC with a frequency of 4 mins. Accordingly, I am satisfied that the site is served by a high capacity, frequent service with good links.</p> <p>Acceptable having regard to the REGEN zoning and the surrounding character context. See s. 7.3.16 (a) of this report.</p> <p>Given the site size / constraints and the need to incorporate non-residential uses and open space, increased height is required.</p>
<p>Setting</p> <p>How does the proposal respond positively to its surroundings?</p> <p>Are there specific issues of character, topography or visual impact to which the proposal should respond?</p> <p>How does the proposal make a positive contribution to its context?</p>	<p>As previously outlined, the proposal is of a different character to its surroundings, which is consistent with the REGEN zoning objectives. The proposed design successfully addresses topography challenges at the northern end of the site. It would make a positive contribution by redeveloping this underutilised site and providing a landmark development to serve local needs. See s. 7.3.16 (a) of this report.</p>
<p>Connections</p> <p>Do proposals incorporate new streets to facilitate new links at the local level or</p>	<p>As per s. 7.3.17 (i) of this report, the development includes a street network that creates a permeable and legible urban environment. The layout connects to the</p>

<p>improve existing streets and links to local amenities? How does the proposed layout respond to existing streetscape and patterns of development and how are increased heights located in relation to these patterns?</p>	<p>Greenhills Road and existing estate road to the south, thereby improving connections to existing/planned transport networks and other local communities, services, and amenities.</p> <p>As per s. 7.3.17 (v), the building form provides a legible and coherent structure of blocks separated by open spaces, and Block C (12 Storeys) will provide a landmark feature.</p>
<p>Inclusivity</p> <p>Does the proposal provide equitable, people-friendly streets, spaces and uses? Are routes appropriately-scaled and properly located within the urban environment to encourage maximum use by as many people as possible?</p>	<p>The Architectural Design Statement includes a Universal Design Statement which demonstrates compliance with the principles of Universal Design. The development provides a variety of streets and spaces which are accessible and inclusive for all. The routes and spaces are of an appropriate scale relative to the site. They are appropriately located and overlooked to encourage maximum use in a safe and accessible manner.</p>
<p>Variety</p> <p>Does the form of development at higher densities proposed complement or compete with existing built form and local variations of height? Does the increased height proposed facilitate and encourage a wider mix of uses in the development?</p>	<p>The increased density and building height would be consistent with the REGEN zoning objective for the site.</p> <p>Non-residential uses are necessarily provided at ground/lower levels. The increased height on the upper floors facilitates the achievement of an appropriate residential density while also accommodating an appropriate mix of uses through the ground / lower floor non-residential uses.</p>
<p>Efficiency</p> <p>Is the proposed increase in height enabling the optimal use of the land at a sustainable density?</p>	<p>The proposal would achieve a sustainable density as outlined in sections 7.3.11 – 7.3.18 of this report.</p>

<p>Distinctiveness</p> <p>How does the development preserve, complement or enhance the character of the area and contribute in a positive manner to the visual setting or built heritage of the area?</p>	<p>See sections 7.3.16 (a) and (b) of this report. The development would be distinct from existing development and would form a positive landmark feature at this prominent location.</p>
<p>Layout</p> <p>Is the overall layout making use of forms of development appropriate to higher densities?</p>	<p>See section 7.3.17 (v) of this report. The development would provide responsive built form which is appropriate to higher densities.</p>
<p>Public Realm</p> <p>How safe, secure and enjoyable are the public areas adjacent to higher buildings, and how has the human scale been taken into account?</p>	<p>See sections 7.3.17 (iv) and (v) of this report. The public spaces are appropriately designed based on the human scale.</p>
<p>Adaptability</p> <p>Are the buildings and layouts designed to accommodate future change?</p>	<p>The layout facilitates future change relating to the BusConnects project and the development potential of adjoining sites. The commercial units are adaptable to accommodate a variety of uses. The development provides a mix of units which can be reconfigured to adapt to the changing life cycles and personal needs of residents.</p>
<p>Privacy & Amenity</p> <p>Has the proposal addressed recognised potential impacts</p>	<p>As previously outlined, adjoining commercial/industrial uses are not sensitive to privacy/amenity impacts and any</p>

of increased height and densities?	residential uses are adequately distanced to avoid any significant impacts.
Parking Has parking been considered from a people-first perspective?	As previously outlined, I am satisfied that parking has been appropriately minimised and designed to prioritise pedestrian and cycle movement on site.
Detailed Design Have external material finishes and assembly been well considered? Has the relationship between street width and building height been considered?	The detailed design has been considered throughout this report, particularly in sections 7.3.16, 7.3.17, and Table 2. Proposals for material finishes and the relationship between street width and building height are considered acceptable.

7.3.23. Finally, I note that Section 12.9.1 of the CDP outlines that development in Regeneration Zones will be assessed against the relevant criteria within the Urban Design Manual³, the Design Manual for Urban Roads and Streets and / or the Retail Design Manual as appropriate. In this regard I am satisfied that the foregoing sections of this report have already adequately addressed the relevant criteria within the Urban Design Manual and DMURS, and that the Retail Design Manual is not applicable given the nature of the scheme.

7.3.24. Section 12.9.1 also states that a Design Statement accompanying development proposals in Regeneration (REGEN) zones should also address stated criteria which are assessed in the following table.

³ Taken to mean the Urban Design Manual accompanying the Guidelines for Sustainable Residential Development in Urban Areas (2009), since replaced by the Compact Settlement Guidelines (2024).

Table 4 – Compliance with CDP (s. 12.9.1) criteria for Regeneration Zones

Criteria	Assessment
Transition towards a more urban form of development and a traditional street network	As previously outlined, the development includes a street network and building forms that create a permeable and legible urban environment.
Connectivity and linkages	The development would improve connections to existing/planned transport networks and other local communities, services, and amenities.
Ground level residential development	The main roads in the area are to the north and south of the site. The majority of ground/street level development at the northern and southern ends of the site consists of non-residential uses. In the limited cases they occur, the residential units are suitably distanced from busy roads to protect residential amenity.
Nuisance	As outlined in section 7.2 of this report, I am satisfied that the proposed development has been suitably designed and mitigated to avoid any unacceptable impacts in relation to noise, air, or other nuisances.
Road and street network	The proposed design includes improvements to pedestrian and cycle networks within the site and along the Greenhills Road and the adjoining estate road to the south.

Conclusion

7.3.25. Having considered local and national policy and the relevant associated assessment criteria, I am satisfied that the height and scale of the proposed development would be appropriate for the site having regard to the planned regeneration of the area. The proposed density of 223 uph would be in accordance with the recommendations of the Compact Settlements Guidelines and the development would satisfactorily address local and national density policy based on the consideration of performance-based criteria and contextual analysis. Otherwise, I am satisfied that the detailed design and layout of the proposed development has been appropriately considered

to ensure that the proposed development would satisfactorily integrate with the surrounding area and its existing/planned infrastructure and amenities. Accordingly, I conclude that the scheme has satisfactorily addressed the reasons for refusal in the previous SHD application and that the proposed building height, density, design and visual impacts would be acceptable in accordance with local and national policy.

8.0 Water Framework Directive

- 8.1. The impact of the proposed development in terms of the WFD is set out in Appendix 3 of this report. There are no watercourses within or bounding the site. The nearest is the Walkinstown Stream c. 230m to the north, which is linked to the Liffey and Dublin Bay via the Camac River. The surface water sewer to the east of the site discharges to the Liffey Estuary via the River Poddle. The foul sewer discharges to Ringsend WWTP. The site is underlain by the Dublin groundwater body.
- 8.2. The application is accompanied by a Site-Specific Flood Risk Assessment. As outlined in section 10.9 of this report, I am satisfied that the development is acceptable & appropriate from a flood risk assessment perspective.
- 8.3. The application is also accompanied by an Environmental Impact Assessment Report (EIAR) and an Appropriate Assessment Screening Report. As outlined in sections 9 and 10.7 of this report, I am satisfied that the proposed development would not have any unacceptable ecological effects and would not have the potential for significant effects on any European Sites, either alone or in combination with other plans or projects.
- 8.4. As per Appendix 3, I have outlined the potential pathways between the site and the relevant waterbodies and potential impacts at construction and operational stages. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration.
- 8.5. Having considered the nature, scale and location of the project and associated mitigation measures, I am satisfied that it can be eliminated from further assessment

because there is no residual risk to any surface and/or groundwater water bodies, either qualitatively or quantitatively.

8.6. The reasons for this conclusion are as follows:

- The nature and scale of the proposed works;
- The distance between the proposed development and relevant bodies, and/or the limited hydrological connectivity;
- The mitigation measures included as part of the application to address surface water and wastewater emissions.

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

9.0 Appropriate Assessment Screening

9.1. Introduction

9.1.1. The requirements of Article 6(3) of the Habitats Directive as related to appropriate assessment of a project under part XAB, section 177U of the Planning and Development Act 2000 (as amended) are considered fully in this section.

9.2. Compliance with Article 6(3) of the EU Habitats Directive

9.2.1. The Habitats Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) of this Directive requires that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. The competent authority must be satisfied that the proposal will not adversely affect the integrity of the European site before consent can be given.

9.2.2. The proposed development is not directly connected to or necessary to the management of any European site and therefore is subject to the provisions of Article 6(3).

9.3. **Screening the need for Appropriate Assessment**

9.3.1. An AA Screening exercise has been completed (See Appendix 1 of this report). In accordance with Section 177U of the Planning and Development Act 2000 (as amended), and on the basis of objective information provided by the applicant, 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 South Dublin Bay SAC, North Dublin Bay SAC, North Bull Island SPA, or South Dublin Bay and River Tolka Estuary SPA, in view of the conservation objectives of these sites, which are therefore excluded from further consideration. Appropriate Assessment is not required.

9.3.2. This determination is based on:

- The nature and scale of the proposed works and the standard construction and operational practice measures that would be implemented regardless of proximity to a European Site.
- The limited connectivity between the application site and the nearest European Sites as a result of significant distance, dispersal and dilution factors.

9.3.3. The possibility of significant effects on any other European Sites has been excluded on the basis of objective information.

9.3.4. No measures intended to avoid or reduce harmful effects on European Sites were taken into account in reaching this conclusion.

10.0 **Environmental Impact Assessment**

10.1. **Statutory Provisions**

10.1.1. The proposed development mainly involves the demolition of existing structures (11,120 m²); the construction of 588 no. residential apartments, a childcare facility, and 7 no. commercial units; and the carrying out of all associated site works and services. The site has a stated overall gross area of 3.09 hectares.

10.1.2. 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 Environmental Impact Assessment (EIA) is required for projects that involve:

i) Construction of more than 500 dwelling units

iv) Urban Development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

10.1.3. The application acknowledges that the proposal for 588 no. residential units would exceed the relevant 500-unit threshold and would, therefore, be a project as described at 10(b)(i) above. Accordingly, EIA is required, and an Environmental Impact Assessment Report (EIAR) has been submitted with the application.

10.2. EIA Structure

10.2.1. This section of the report comprises the EIA of the proposed development in accordance with the Planning and Development Act 2000 (as amended) and the associated Regulations, which incorporate the European directives on EIA (Directive 2011/92/EU as amended by 2014/52/EU). Section 171 of the Planning and Development Act, 2000 (as amended) defines EIA as:

(a). consisting of the preparation of an EIAR by the applicant, the carrying out of consultations, the examination of the EIAR and relevant supplementary information by the Board, the reasoned conclusions of the Board and the integration of the reasoned conclusion into the decision of the Board, and

(b). includes an examination, analysis and evaluation, by the Board, that identifies, describes and assesses the likely direct and indirect significant effects of the proposed development on defined environmental parameters and the interaction of these factors, and which includes significant effects arising from the vulnerability of the project to risks of major accidents and/or disasters.

10.2.2. Article 94 of the Planning and Development Regulations, 2001 and associated Schedule 6 set out requirements on the contents of an EIAR.

10.2.3. This EIA section of the report is therefore divided into two sections. The first section assesses compliance with the requirements of Article 94 and Schedule 6 of the Regulations. The second section provides an examination, analysis and evaluation of the development and an assessment of the likely direct and indirect significant effects of it on the following defined environmental parameters, having regard to the EIAR and relevant supplementary information:

- population and human health,
- biodiversity, with particular attention to species and habitats protected under the Habitats Directive and the Birds Directive,
- land, soil, water, air and climate,
- material assets, cultural heritage and the landscape,
- the interaction between the above factors, and
- the vulnerability of the proposed development to risks of major accidents and/or disasters.

10.2.4. The assessment provides a reasoned conclusion and allows for integration of the reasoned conclusions into the Commission’s decision, should they agree with the recommendation made.

10.3. Issues raised in respect of EIA

10.3.1. Any issues raised in third-party submissions and prescribed body submissions are considered later in this report under each relevant environmental parameter.

10.4. Compliance with the Requirements of Article 94 and Schedule 6 of the Regulations 2001

10.4.1. Compliance with the requirements of Article 94 and Schedule 6 of the Regulations is assessed in the table below.

Table 5 - Requirements of Article 94 and Schedule 6 of the Regulations

Article 94 (a) Information to be contained in an EIAR (Schedule 6, paragraph 1)	
Requirement	Assessment
A description of the proposed development comprising	Chapter 2 of the EIAR describes the development, including a detailed description of the nature and extent

<p>information on the site, design, size and other relevant features of the proposed development (including the additional information referred to under section 94(b)).</p>	<p>of demolition, the proposed blocks, and proposed services/infrastructure works. The description is adequate to enable a decision on EIA.</p>
<p>A description of the likely significant effects on the environment of the proposed development (including the additional information referred to under section 94(b)).</p>	<p>Chapters 4-17 of the EIAR describe the likely significant direct, indirect, interactive, and cumulative effects on the environment, including the factors to be considered under Article 3 of Directive 2014/52/EU. I am satisfied that the assessment of significant effects relating to the proposed development and other interactive and cumulative effects is comprehensive and robust and enables decision making.</p>
<p>A description of the features, if any, of the proposed development and the measures, if any, envisaged to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment of the development (including the additional information referred to under section 94(b)).</p>	<p>The individual chapters in the EIAR outline the proposed mitigation and monitoring measures, and these are collectively presented in Chapter 18 of the EIAR. They include 'designed in' measures and measures to address potential adverse effects at construction and operational stages. The mitigation measures include standard good practices as well as site-specific measures and are capable of offsetting any significant adverse effects identified in the EIAR.</p>
<p>A description of the reasonable alternatives studied by the person or persons who prepared the EIAR, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons</p>	<p>Section 2.4 of the EIAR outlines the alternatives examined. Having regard to the zoning of the site, no reasonable alternative locations were identified. Having regard to the urgent need for housing in accessible locations, alternative uses were not considered appropriate. Given the zoning of the site and the nature of the development, no reasonable alternative processes were identified. A 'do-nothing scenario' was found to</p>

<p>for the option chosen, taking into account the effects of the proposed development on the environment (including the additional information referred to under section 94(b).</p>	<p>represent an unsustainable and inefficient use of the land.</p> <p>The main alternatives considered (four options) relate to the evolution of the design and layout as part of the planning history of the site. The EIAR indicates that the main reasons for opting for the current proposal are to address permeability, car-dominance, apartment design, landscaping, open space, daylight, and mix of uses. I am satisfied, therefore, that the applicants have studied reasonable alternatives and that the main reasons for opting for the current proposal have taken into account potential impacts on the environment.</p>
<p>Article 94(b) Additional information, relevant to the specific characteristics of the development and to the environmental features likely to be affected (Schedule 6, Paragraph 2).</p>	
<p>A description of the baseline environment and likely evolution in the absence of the development.</p>	<p>The EIAR includes detailed descriptions of the receiving/baseline environment and considers 'do-nothing effects' in the absence of the development. This enables a comparison with the predicted impacts of the proposed development.</p>
<p>A description of the forecasting methods or evidence used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information, and the main uncertainties involved.</p>	<p>Each chapter of the EIAR outlines the assessment methodology employed, including relevant legislation/guidance; data sources; surveys; and investigations. Section 1.11 of the EIAR confirms that no exceptional difficulties were experienced in compiling the necessary information and that any specific difficulties are outlined in the relevant chapter of the EIAR. I am satisfied that the forecasting methods are satisfactory, as will be discussed throughout this assessment.</p>
<p>A description of the expected significant adverse effects on</p>	<p>Section 4.9 of the EIAR assesses the development in respect of major accidents and disasters. It considers</p>

the environment of the proposed development deriving from its vulnerability to risks of major accidents and/or disasters which are relevant to it.	the location of Seveso Sites and potential impacts at construction and operational stages. Having regard to the nature, scale, and location of the project, I consider the approach to be reasonable, and the risks will be assessed in my report where relevant.
Article 94 (c) A summary of the information in non-technical language.	The EIAR includes a Non-Technical Summary (Volume 1). I am satisfied that it is concise and comprehensive and is written in a language that is easily understood by a lay member of the public.
Article 94 (d) Sources used for the description and the assessments used in the report.	The sources used to inform the description and assessment of the potential environmental impacts are set out in each chapter, including references. I consider the sources to be appropriate and sufficient.
Article 94 (e) A list of the experts who contributed to the preparation of the report.	Section 1.7 of the EIAR outlines the competency of the EIAR Project Team, including details of their qualifications. Further details of experience are provided at the outset of individual EIAR chapters. I am satisfied that the EIAR has been prepared by experts with competency in the technical subject areas.

Consultations

10.4.2. Section 1.10 of the EIAR outlines the nature and extent of pre-planning consultation undertaken with South Dublin County Council. The required information has also been issued to the Department of Housing, Planning and Local Government's EIA Portal. It is also stated that subsequent consultation with the public was facilitated following the lodgement of the application to South Dublin County Council. Pursuant to the requirements of the Planning and Development Act, 2000 (as amended), site notices have been erected on site, and a newspaper notice was published.

10.4.3. I am satisfied, therefore, that appropriate consultations have been carried out and that third parties have had the opportunity to comment on the proposed development in advance of decision making.

Compliance

10.4.4. Having regard to the foregoing, I am satisfied that the information contained in the EIAR, and supplementary information provided by the applicant is sufficient to comply with article 94 of the Planning and Development Regulations, 2001. Matters of detail are considered in the following assessment of likely significant effects.

10.5. **Assessment of the likely significant direct and indirect effects**

10.5.1. This section of the report sets out an assessment of the likely environmental effects of the proposed development under the environmental factors as set out in Section 171A of the Planning and Development Act 2000, as amended:

- population and human health,
- biodiversity, with particular attention to species and habitats protected under the Habitats Directive and the Birds Directive,
- land, soil, water, air and climate,
- material assets, cultural heritage and the landscape,
- the interaction between the above factors, and
- the vulnerability of the proposed development to risks of major accidents and/or disasters.

10.5.2. In accordance with section 171A of the Act, which defines EIA, this assessment includes an examination, analysis and evaluation of the application documents, including the EIAR and submissions received, and identifies, describes and assesses the likely direct and indirect significant effects (including cumulative effects) of the development on these environmental parameters and the interaction of these. Each topic section is therefore structured around the following headings:

- Issues raised in the application.
- Examination of the EIAR.
- Analysis, Evaluation and Assessment: Direct and indirect effects.
- Conclusion: Direct and indirect effects.

10.6. Population and Human Health

10.6.1. Issues Raised

Third-party submissions, the HSE, and the planning authority highlighted the need to consider noise, odour, and traffic impacts from existing commercial development on future residents.

Submissions from Uisce Eireann and the planning authority highlighted the need to investigate solutions to wastewater disposal constraints.

The planning authority also questioned the capacity of the childcare facility to serve the needs of the development and the standards of dual/single-aspect units in the development.

The Dept. of Defence advised that the operation of cranes should be coordinated with Air Corps Air Traffic Services.

10.6.2. Examination of the EIAR

Chapter 4 of the EIAR deals with Population and Human Health. It has been prepared having regard to *Guidelines on the Information to be Contained in Environmental Impact Assessment Reports* (EPA, 2022) and *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment* (DoHPL, 2018). Several site visits were carried out and desktop studies considered relevant data from the CSO, ESRI, the RSES, and the CDP. It sets out a detailed assessment of the baseline scenario, including population, employment/economy, land use and settlement patterns, housing, community/social infrastructure, health and safety, and major accidents/disasters.

Construction Impacts

The main construction stage impacts can be summarised as follows:

- Positive employment impacts (c. 80 employees over 3-year period) and associated spin-off effects.
- Negative but insignificant impacts relating to noise, dust, waste, and traffic.

Construction Mitigation/Monitoring and Residual Effects

The EIAR highlights other related measures throughout the EIAR, and the main measures can be summarised as:

- Compliance with health and safety legislation / building regulations.
- Adherence to management plans for construction, traffic, waste, demolition, and environmental management.

Residual impacts on population and human health are not anticipated to be significant and will have an imperceptible and neutral impact on health and safety.

Operational Impacts

The main operational impacts can be summarised as follows:

- Significant positive impact regarding the supply of housing to meet growing population needs (capacity of c. 1,405 persons) in accordance with planning policy, together with associated support for the local economy and community/social services.

Operational Mitigation/Monitoring and Residual Effects

The EIAR highlights that measures throughout the EIAR will minimise impacts population and human health. The residual effects are considered to be significant and positive in relation to the provision of housing and associated social and economic benefits.

Other Effects

- Cumulative – The EIAR has considered the planning history of the area and does not identify any other such major permitted development in the area. Cumulative effects are considered positive with regard to increased employment and the creation of a high-quality neighbourhood.
- ‘Do Nothing’ – The additional housing and associated facilities and benefits would not be provided in accordance with policy objectives for the area. The site would remain underutilised and would have adverse effects on the area.

10.6.3. Analysis, Evaluation and Assessment: Direct and Indirect Effects

I have acknowledged the identified impacts and the associated mitigation measures, as well as the potential for interactive impacts with other factors discussed in the EIAR, which will be addressed in later sections of this report (including land, soil, water, air, climate, and material assets). I have also already considered a range of

impacts on population and human health in section 7 of this report and I am satisfied that:

- The development would be supported by a suitable range of existing and planned infrastructural services and supporting facilities.
- Surrounding commercial uses would not result in significant adverse impacts on future residents, including noise, odour, or traffic.
- The development would result in a suitable level of residential amenity for future residents and would not significantly detract from the amenities or health of the existing population.

I acknowledge that the construction stage has the potential to impact on the local community, including noise, dust, and traffic. However, the surrounding area is not of residential character; the impacts would be short-term in duration; and I am satisfied that the proposed mitigation measures are acceptable.

I am also satisfied that any aviation health/safety issues relating to the operation of cranes can be addressed through co-ordination with the Air Corps Traffic Services.

10.6.4. **Conclusion: Direct and Indirect Effects**

Having regard to the examination of environmental information as outlined above, it is considered that the main significant direct, indirect, and cumulative effects on Population and Human Health, after the application of mitigation measures, are:

- Significant positive effects on population and human health associated with the provision of additional housing and supporting commercial, community and social facilities in accordance with prevailing planning policy.

10.7. **Biodiversity**

10.7.1. **Issues Raised**

None.

10.7.2. **Examination of the EIAR**

Chapter 5 of the EIAR deals with Biodiversity. It has been prepared having regard to the European Commission's guidance on the preparation of the EIA Report (2017), the EPA EIA Report Guidelines (2022), and relevant legislation including the Habitats Directive. Desktop research was carried out using sources such as the

NPWS, NBDC, OSI, EPA, and the CDP. Ecological site surveys were carried out for habitats, mammals, bats, otters, and birds. Based on the above, the receiving environment can be summarised as follows:

- There are no significant connections to designated sites in the area.
- There are no records of rare plants or invasive species.
- The site is of lower importance for bats having regard to the limited activity and roosting potential recorded in surveys.
- There is no potential for otters or badgers.
- There is limited habitat suitability for birds.
- Habitats are of low local ecological value.

Construction Impacts

The EIAR does not identify any potential for significant impacts on biodiversity at construction stage.

Construction Mitigation/Monitoring and Residual Effects

The main measures can be summarised as:

- Best practice guidelines for prevention of invasive species spread.
- Bat protection measures including pre-demolition surveys; careful phasing and timing of demolition; bat boxes; and sensitive lighting.

Residual impacts on biodiversity are anticipated to be neutral, imperceptible and long-term.

Operational Impacts

The EIAR does not identify any potential for significant impacts on biodiversity at operational stage.

Operational Mitigation/Monitoring and Residual Effects

The main measures can be summarised as:

- Retention of green areas and additional landscaping.
- Sensitive lighting to minimise disturbance to bats and nocturnal wildlife.

No residual effects are predicted.

10.7.3. **Analysis, Evaluation and Assessment: Direct and Indirect Effects**

I would concur with the EIAR classification of the site and surrounding area as being of low ecological importance. I consider that the project has most potential to impact on bats associated with the existing buildings, but I am satisfied that adequate mitigation measures have been included to address this matter.

Having regard to the nature and limited extent of potential impacts, I am satisfied that there would be no significant cumulative impacts with other plans or projects. I am also satisfied that the proposed open space and landscaping would improve the biodiversity value of the site compared to a 'do nothing' scenario.

As outlined in Section 9 of this report, I am satisfied that there would be no potential for significant effects on any Natura 2000 sites, and this can be applied equally to any other designated sites.

10.7.4. **Conclusion: Direct and Indirect Effects**

Having regard to the examination of environmental information as outlined above, it is considered that by virtue of the limited/local biodiversity importance of the site and surrounding lands; the distance of the site from sensitive receptors; the predicted levels of disturbance; and after the application of mitigation and monitoring measures; there is no potential for significant environmental effects on biodiversity.

10.8. **Land, Soils, and Geology**

10.8.1. **Issues Raised**

The planning authority highlighted the need to clarify the proposed density on site, which is relevant to the efficient use of land as a resource.

10.8.2. **Examination of the EIAR**

Chapter 6 of the EIAR deals with land, soils, geology and hydrogeology. As well as standard EIA guidance documents, it has been prepared having regard to Institute of Geologists of Ireland (IGI) '*Geology in Environmental Impact Statements, a Guide*', (IGI, 2002), '*Guidelines for the Preparation of Soils, Geology and Hydrogeology Chapters of Environmental Impact Statements*' (IGI 2013), and '*Guidelines on Procedures for Assessment and Treatment of Geology, Hydrology and Hydrogeology for National Road Schemes*' by Transport Infrastructure Ireland (TII,

2009). A desktop study was also carried out using sources such as GSI, Teagasc, OSI, EPA, NPWS, and other ground investigation reports.

The EIAR outlines a comprehensive analysis of the receiving environment. Based on TII methodology (2009), bedrock and soil features at the site are rated as 'Low Importance' with low quality, significance or value on a local scale, while hydrogeological features are rated as 'Medium Importance' based on the assessment that the attribute has a medium quality significance or value on a local scale. The aquifer is a Locally Important aquifer but is not widely used for public water supply or generally for potable use.

Construction Impacts

In summary, the main construction impacts relate to potential groundwater contamination due to accidental spillage/discharge, exposure of subsoil, soil run-off, and soil contamination.

Construction mitigation/monitoring and residual effects

A Construction Environmental Management Plan (CEMP) will be finalised in accordance with best practice guidance to address:

- Soil management.
- Run-off suspended solids.
- Sources of fill and aggregates.
- Cement/concrete works.
- Hydrocarbons and other construction chemicals.
- Control of water.
- Regular monitoring and inspection.

Following these measures, the construction impacts are predicted to be imperceptible and neutral.

Operational Impacts

The main operational impacts can be summarised as:

- Localised and minor accidental emissions to ground from vehicles.
- Modification of land resulting in a localised reduction in recharge to the aquifer.

Operational mitigation/monitoring and residual effects

The EIAR outlines that the proposed development includes a sustainable urban drainage system designed in accordance with the Greater Dublin Regional Code of Practice for Drainage Works and Sewers. It states that any localised vehicle leaks will therefore discharge to the stormwater drainage and be intercepted by petrol / hydrocarbon / oil interceptors.

Following these measures, the operational impacts are predicted to be imperceptible and neutral.

Other Impacts

- Cumulative – The EIAR considers other plans and projects in the area. Any potential cumulative construction/operational impacts are deemed to be neutral and imperceptible.

10.8.3. Analysis, Evaluation and Assessment: Direct and Indirect Effects

In relation to land as a resource, I have considered the principle and density of the proposed development in sections 7.2 and 7.3 of this report, and I am satisfied that the proposal would make appropriate and efficient use of the land.

I would also accept that the loss and/or disturbance of land, soil, geology and hydrogeology is an inevitable aspect of such planned urban development, and I am satisfied that appropriate mitigation measures have been incorporated to prevent significant impacts.

10.8.4. Conclusion: Direct and Indirect Effects

Having regard to the examination of environmental information as outlined above, it is considered that by virtue of the limited/local geological importance of the site; the location of the site within a built-up area; and after the application of mitigation and monitoring measures; there is no potential for significant environmental effects on land, soil and geology.

10.9. Water

10.9.1. Issues Raised

Submissions from Uisce Eireann and the planning authority highlighted the need to investigate solutions to wastewater disposal constraints.

10.9.2. Examination of the EIAR

Chapter 7 of the EIAR deals with Water and Hydrology. In addition to standard EIA guidance, it has been prepared having regard to '*Guidelines on Procedures for Assessment and Treatment of Geology, Hydrology and Hydrogeology for National Road Schemes*' (TII, 2009), as well as relevant legislation including the Water Framework Directive. A desktop study was carried out using sources including the EPA, CDP, Uisce Eireann, OPW, and NPWS, as well as other ground investigation reports.

The EIAR outlines a comprehensive analysis of the receiving environment, noting:

- The absence of watercourses within, traversing or bounding the site. The nearest is the Walkinstown Stream c. 230m to the north, which is linked to the Liffey and Dublin Bay via the Camac River.
- The surface water sewer to the east of the site which discharges to the Liffey Estuary via the River Poddle.
- The 'poor' and 'at risk' WFD status of the Camac and Poddle.
- The foul sewer discharges to Ringsend WWTP.
- The absence of connections to designated areas of conservation.
- Flood risk mapping and records relating to the site.

Based on the above and TII methodology (2009), the importance of the hydrological features at this site are rated as 'Low Importance'. The attribute has a low quality or value on a local scale.

Construction Impacts

In summary, the main potential construction impacts are:

- Contamination of the surface water drainage system (linked to River Poddle) from suspended solids, cement/concrete, hydrocarbons and other chemicals, and wastewater.

- Increased rate of flow to surface water drainage system.

Construction mitigation/monitoring and residual effects

A Construction Environmental Management Plan (CEMP) will be finalised in accordance with best practice guidance to address:

- Sediment and sediment run-off.
- Cement/concrete works.
- Hydrocarbons and other construction chemicals.
- Rainwater Run-off.
- Wastewater Management.
- Surface Water flow and quantity.
- Regular monitoring and inspection.

Following these measures, the construction impacts are predicted to be imperceptible and neutral.

Operational Impacts

The main operational impacts can be summarised as:

- Contamination of surface water quality from hydrocarbons etc.
- Increased run-off to surface water drainage.
- Increased loading on wastewater network, including Ringsend WWTP.

Operational mitigation/monitoring and residual effects

The EIAR outlines that the proposed development includes a sustainable urban drainage system designed in accordance with the Greater Dublin Regional Code of Practice for Drainage Works and Sewers. It states that the system will treat runoff and remove pollutants, while also restricting the outflow and controlling quantity. The system will be monitored and maintained as required.

Following these measures, the operational impacts are predicted to be imperceptible and neutral.

Other Impacts

Cumulative – The EIAR considers other plans and projects in the area. Any potential cumulative construction/operational impacts are deemed to be neutral and imperceptible.

‘Do Nothing’ – There would be neutral effects, or another form of development would be likely to have similar effects.

‘Worst-case scenario’ - Given the scale of the site, low risk flood zoning, absence of a stream, river on or adjacent to the site and relatively standard nature of the works involved, the likelihood of a “worst case” event is extremely low.

10.9.3. Analysis, Evaluation and Assessment: Direct and Indirect Effects

I would concur with the EIAR classification of the hydrological features at this site and the immediate surrounding area as being of ‘Low Importance’.

I acknowledge that the main potential for impacts relates to increased risk of contamination and loading of the surface water network at construction and operational stages. However, I am satisfied that appropriate surface water management measures have been included for the construction and operational stages to appropriately mitigate these risks.

As outlined in Section 7 of this report, I am also satisfied that the wastewater network has adequate capacity to accommodate the development in accordance with the Uisce Eireann submissions.

The application is accompanied by a Flood Risk Assessment which has adequately considered flood risk from all sources. The main risks (low) relate to pluvial and groundwater flooding, and I am satisfied that the scheme has been appropriately assessed and designed to mitigate any such risks through SuDS measures.

10.9.4. Conclusion: Direct and Indirect Effects

Having regard to the examination of environmental information as outlined above, it is considered that by virtue of the limited/local hydrological importance of the site; the location of the site within a built-up area; and after the application of mitigation and monitoring measures; there is no potential for significant environmental effects on water.

10.10. Air

10.10.1. Issues Raised

Third-party submissions and the planning authority highlighted the need to consider odour impacts from existing commercial development on future residents.

10.10.2. Examination of the EIAR

Chapter 9 of the EIAR deals with Air Quality. It has been prepared having regard to *inter alia* European and national legislation on air quality standards; EPA guidance on dust deposition; TII guidance on air quality assessment; and the Institute of Air Quality Management in the UK (IAQM) '*Guidance on the Assessment of Dust from Demolition and Construction*'.

The EIAR outlines an analysis of the receiving environment, concluding:

- Air quality in the suburban Dublin area is generally good. However, concentrations at some monitoring sites are not in compliance and the EPA has outlined concerns about road transport emissions (increased levels of NO₂) and burning of solid fuels (increased levels of PM₁₀ and PM_{2.5}).
- Based on IAQM criteria, the sensitivity of the area for the construction stage is rated as 'medium' for dust soiling; 'low' for human health; and there is no ecological sensitivity in the area.
- Based on TII guidance, one residential receptor (R1) was included in the modelling assessment for operational traffic.

Construction Impacts

In summary, the main potential construction impacts are:

- There is at most a medium risk of dust soiling impacts and a low risk of dust-related human health impacts.
- Construction stage traffic will have an imperceptible impact.

Construction mitigation/monitoring and residual effects

Dust mitigation measures will be implemented to include:

- Communications with stakeholders about proposed works.

- Site management of working hours, weather conditions etc.
- Preparation and maintenance of the site to manage dust.
- Vehicles/machinery operation will be minimised and managed.
- Waste will be properly managed.
- Specific measures will be applied for demolition, earthworks, construction, and trackout works to minimise dust.
- Daily on-site and off-site monitoring on receptors.

Following these measures, the construction impacts are predicted to be short-term, direct, negative, localised and not significant.

Operational Impacts

The main operational impacts can be summarised as:

- In relation to NO₂, PM₁₀ and PM_{2.5}, the predicted changes in concentrations are all 'neutral' at the worst-case receptor assessed. Therefore, according to the TII criteria the impact is not significant. The assessment does not take into account future predicted improvements to background air quality and therefore the predicted results are conservative.
- Odour impacts from the Brennan's Bread factory were also considered. Based on EPA guidance, odour associated with such development would fall under the 'less offensive' category and is not predicted to cause significant nuisance.

Operational mitigation/monitoring and residual effects

No site-specific mitigation measures are proposed for the operational phase.

The residual operational impacts are predicted to be localised, direct, long-term, negative and imperceptible.

Other Impacts

Cumulative – The EIAR considers other plans and projects in the area. Any potential cumulative construction/operational impacts are not deemed to be significant.

10.10.3. **Analysis, Evaluation and Assessment: Direct and Indirect Effects**

Consistent with the EIAR, I would accept that the main air impacts at construction stage will be restricted to dust emissions and that this would not be significant when the proposed mitigation measures are implemented.

At operational stage, I would acknowledge that increased traffic emissions would occur. However, I am satisfied that the EIAR has carried out a comprehensive assessment of modelled traffic emissions and that these emissions will be acceptable in accordance with relevant air quality standards.

In addition to the odour assessment of the Brennan's Bread premises, section 7.2 of this report has outlined further information submitted regarding odour impacts associated with the adjoining KeyWaste premises. In accordance with the proposed mitigation measures I am satisfied that there would be no significant odour impacts.

10.10.4. **Conclusion: Direct and Indirect Effects**

Having regard to the examination of environmental information as outlined above, it is considered that by virtue of the limited air sensitivity of the area and the mitigation measures to minimise dust and traffic-related emissions, there is no potential for significant environmental effects on air.

10.11. **Climate**

10.11.1. **Issues Raised**

None.

10.11.2. **Examination of the EIAR**

Chapter 10 of the EIAR deals with Climate and comprises a greenhouse gas assessment (GHGA) and a climate change risk assessment (CCRA). In addition to standard EIA guidance, it has been prepared having regard to guidance from *inter alia* TII, Institute of Environmental Management & Assessment (IEMA), the European Commission, the Climate Action and Low Carbon Development (Amendment) Act 2021, and relevant policy including the Climate Action Plan.

The EIAR outlines an analysis of the receiving environment as follows:

GHG Baseline

- Data published in July 2024 (EPA, 2024) indicates that Ireland exceeded, without the use of flexibilities, its 2023 annual limit set under EU's Effort Sharing Decision (ESD) (EU 2018/842).
- The future baseline with respect to the GHGA can be considered in relation to the future climate targets, i.e., a trajectory towards net zero by 2050.

CCRA Baseline

- Met Éireann data from 2023 indicates further warming in the future, including warmer winters, increased likelihood of extreme weather events, longer dry periods and heavy rainfall events, storm surges and coastal flooding due to sea level rise.
- An assessment of the future baseline reinforces the existing and future risks arising from climate change.

Construction Impacts

The main potential construction impacts can be summarised as:

- Embodied carbon of 23,074 tonnes CO₂e. When annualised over the 50-year lifetime of the development, this is equivalent to 0.0008% of Ireland's total GHG emissions in 2023 and 0.001% of Ireland's non-ETS 2030 emissions target.
- Climate change hazards including flood risk, increased temperatures, reduced temperatures, and major storm damage.

Construction mitigation/monitoring and residual effects

The main construction mitigation measures include:

- Management and maintenance of all vehicles and plant/machinery.
- Waste minimisation and sourcing of appropriate local materials.
- Mitigation of climate hazard through risk assessment and method statements.

Following these measures, no significant effects are predicted.

Operational Impacts

The main operational impacts can be summarised as:

- Operational energy use.
- Operational traffic - Predicted concentrations of CO₂e for 2026 equate to 0.00004% of the 2026 national emission ceiling or 0.0002% of the 2030 Transport sector emissions ceiling, and for 2041 equate to 0.00003% of the 2030 national emission ceiling or 0.0002% of the 2030 Transport sector emissions ceiling.
- Non-significant vulnerabilities to climate hazards including flooding, extreme wind and lightning, and extreme temperatures.

Operational mitigation/monitoring and residual effects

The main operational measures can be summarised as:

- Design of the development in compliance with the requirements of the Near Zero Energy Building (NZEB) Standards.
- Design of the development to account for adequate attenuation and drainage to avoid potential flooding impacts; below ground drainage services designed with adequate cover over all pipework to protect against extreme temperatures and drought; and buildings designed to account for climate change hazards such as extreme temperatures, snow loadings and increased wind loadings.

Following these measures, no significant effects are predicted.

Other Impacts

Cumulative – The EIAR considers other plans and projects in the area. Any potential cumulative construction/operational impacts are not deemed to be significant.

‘Do Nothing’ - The site will remain as per the baseline and will have a neutral effect.

10.11.3. **Analysis, Evaluation and Assessment: Direct and Indirect Effects**

I acknowledge that the main potential construction impacts relate to embodied carbon in the proposed development and the associated construction activities and GHG emissions. However, consistent with the EIAR, I am satisfied that the proposed construction methods and practices have been appropriately designed to avoid significant effects.

The operational stage involves potential effects associated with energy use and traffic emissions. However, having considered the EIAR calculations and the mitigation measures, I consider that emissions will not result in significant effects.

Similarly, I am satisfied that the construction and operational stages do not involve significant vulnerability to climate impacts such as flooding or otherwise, and that any such potential impacts will be satisfactorily mitigated.

10.11.4. **Conclusion: Direct and Indirect Effects**

Having regard to the examination of environmental information as outlined above, it is considered that by virtue of the nature and scale of the proposed development involving limited emissions, together with the application of the proposed mitigation measures, there is no potential for significant environmental effects on climate.

10.12. **Material Assets**

10.12.1. **Issues Raised**

Submissions from Uisce Eireann and planning authority highlighted the need to investigate solutions to wastewater disposal constraints.

The TII requested that the planning authority has regard to the provisions of official policy for the protection of national roads relating to development proposals.

The NTA recommended that the design interface with the Bus Connects CBC Scheme shall be in accordance with drawings submitted and works shall be coordinated with the NTA.

10.12.2. **Examination of the EIAR**

Waste

Chapter 12 considers impacts on waste management and has been prepared having regard to relevant policy, legislation and guidance, including the Waste Framework Directive and Waste Action Plan for a Circular Economy – Waste Management Policy in Ireland.

It acknowledges that waste generated at the construction and operational stages, including cumulative impacts, has the potential for significant negative impacts, including littering, vermin, and pollution, in the absence of proper management.

The proposed construction stage mitigation measures include:

- Finalisation and implementation of a Resource and Waste Management Plan.
- Correct classification and segregation of excavated material.
- Materials chosen to 'design out' waste.
- Appointment of a Resource Manager by the main contractor.
- Reuse of materials where possible.

The proposed operational stage measures are based on the finalisation and implementation of an Operational Waste Management Plan.

Following the implementation of mitigation measures, the effects, including cumulative effects, are predicted to be imperceptible and neutral.

Traffic

Chapter 13 deals with traffic and is intended to be read in conjunction with the TTA and Travel Plan. It has been prepared in accordance with TII's Traffic & Transport Assessment Guidelines. An analysis of the baseline and future baseline environments provides a detailed account of existing/planned roads, pedestrian/cycle facilities, and public transport (including BusConnects).

The potential construction stage impacts relate to principal construction traffic (including c. 1,900 HGV trips) and staff traffic (c. 30 2-way trips). A Construction Traffic Management Plan will be implemented as mitigation to control vehicular access, HGV haul routes, minimisation of vehicle movements, parking, sustainable travel modes, and deliveries. The effects of the construction traffic volumes are expected to be negligible and unnoticeable.

The predicted operational traffic impacts are based on the applicant's TTA carried out in accordance with TII guidelines. The TTA confirms that the road network and the vehicular access junction are more than adequate to accommodate the worst-case traffic associated with the development. The assessment confirms that the full occupation of the scheme will have a negligible and unnoticeable impact on the operation of the adjacent road network.

Utilities

Chapter 14 of the EIAR deals with the impacts of the development on utilities such as land use, property, and access; electricity; telecommunications; surface water; foul drainage; water supply; and gas.

It acknowledges the potential for construction stage impacts on such utilities which will be generally short term, neutral, and imperceptible, although potential impacts on surface water are deemed moderate and negative. Mitigation measures include ongoing consultation with relevant providers and temporary measures to manage water services. Following these measures the effects, including cumulative impacts, are predicted to be neutral and imperceptible.

The potential operational impacts are considered to be neutral and imperceptible for electricity and moderate and negative for surface water. Mitigation measures include consultation with relevant providers and design measures and connection agreements for water services in accordance with the requirements of SDCC and Uisce Eireann. Following these measures the effects, including cumulative impacts, are predicted to be neutral and imperceptible.

10.12.3. **Analysis, Evaluation and Assessment: Direct and Indirect Effects**

I am satisfied that the EIAR and the associated TTA have been prepared in accordance with TII Guidelines and that it has demonstrated that impacts on the operation of the local road network will be negligible and unnoticeable. And consistent with TII and NTA submissions, I am satisfied that the proposal will suitably protect national roads and appropriately integrate with the planned BusConnects Core Bus Corridor.

I consider that an increased demand for 'waste management' and 'built services' such as water services and other utilities is an inevitable effect of new residential/mixed-use development. However, Uisce Eireann and SDCC have confirmed that water, surface water, and wastewater networks can accommodate the proposed development. Similarly, I am satisfied that there would be no unacceptable impacts on other services such as waste, electricity, gas and telecommunications, subject to agreement with the relevant service providers as will be required as part of the connection process.

10.12.4. **Conclusion: Direct and Indirect Effects**

Having regard to the examination of environmental information as outlined above, it is considered that by virtue of the nature and scale of the proposed development; the location of the site within the built-up area and the capacity of existing services and infrastructure; together with the application of the proposed mitigation measures; there is no potential for significant environmental effects on material assets.

10.13. **Cultural Heritage**

10.13.1. **Issues Raised**

None.

10.13.2. **Examination of the EIAR**

Chapter 15 of the EIAR deals with Archaeology and Architectural and Cultural Heritage. It is based on a site inspection and a desktop survey of relevant sources including the RMP, SMR, OSI, NIAH, and CDP. It outlines a detailed analysis of the receiving environment, which can be summarised as:

- Site has been the subject of sand and gravel quarrying since the early nineteenth century, resulting in significant disturbance and ground reductions.
- There are two previously recorded archaeological monuments located within the wider Study Area, the nearest being c. 100m to east of the site.
- There are no Protected Structures within the Study Area.
- There is 1 structure on the NIAH in the Study Area, c. 430m to northeast.

Construction Impacts

The potential for any construction impacts is considered unlikely and of imperceptible significance. Consequently, no mitigation measures are deemed necessary.

Operational Impacts

The development will not impact on the views or setting of any monuments or structures of Cultural Heritage interest, resulting in an impact of unlikely probability, of neutral quality and of imperceptible significance. Consequently, no mitigation measures are deemed necessary.

Other Impacts

Cumulative – The EIAR considers other plans and projects in the area. It is not envisaged that any negative cumulative effects will occur.

‘Do Nothing’ - The site will remain in its current condition.

10.13.3. **Analysis, Evaluation and Assessment: Direct and Indirect Effects**

I would concur with the EIAR analysis of the baseline scenario. There are no features of cultural heritage interest on the appeal site and any features in the surrounding study area are of limited significance and would not be significantly affected. Accordingly, I would concur that no mitigation measures are required.

10.13.4. **Conclusion: Direct and Indirect Effects**

Having regard to the examination of environmental information as outlined above, it is considered that by virtue of the absence of cultural heritage features on the site and the distance of the site from any limited/locally important cultural heritage features in the wider study area, there is no potential for significant environmental effects on cultural heritage.

10.14. **Landscape**

10.14.1. **Issues Raised**

None.

10.14.2. **Examination of the EIAR**

Chapter 16 of the EIAR deals with Landscape and Visual Amenity. It is based on a Townscape and Visual Impact Assessment (TVIA) and associated visualisations and photomontages. The overall approach and methodology for this TVIA is based on the *Guidelines for Landscape and Visual Impact Assessment* (3rd Edition) by The Landscape Institute and the Institute of Environmental Assessment (2013) (GLVIA).

The EIAR outlines a comprehensive analysis of the baseline landscape/townscape character, having regard to relevant guidance and policy. The site and immediate surrounding area are rated as having ‘low’ townscape sensitivity and ‘poor’

quality/value, while the wider Walkinstown/Greenhills area is rated as 'good to ordinary' townscape of 'medium' sensitivity.

Construction Impacts

In summary, the main potential construction impacts are deemed to result in temporary slight adverse effects on local townscape and negligible effects across the wider city.

Operational Impacts

The main operational impacts can be summarised as:

- Appeal Site – Moderate positive effects on townscape character.
- Greenhills / Walkinstown – Slight positive effects in the wider area.
- Dublin City – Slight positive effects on the wider city.
- Visual Assessment – An assessment has been carried out comparing the baseline scenario with the proposed development at 13 viewpoints in the surrounding area. Impacts are generally deemed to be 'slight neutral' while there will be slight positive effects from the closest viewpoints at Greenhills Road and the adjoining estate road to the south of the site (i.e. VPs 2, 12, and 13).

Operational mitigation/monitoring and residual effects

The EIAR outlines that the mitigation measures have been designed into the proposed development, including the proposed connectivity, open spaces, public realm, and landscaping. The residual operational impacts are predicted to be long-term and significant, but which will positively contribute as a landmark development with notable architectural status.

Other Impacts

Cumulative – The EIAR considers other plans and projects in the area. No significant cumulative effects are predicted in townscape / landscape and visual amenity terms.

Do Nothing - The site would be subject to minimal landscape management and usage and continue to contribute negatively to the character of the area.

10.14.3. **Analysis, Evaluation and Assessment: Direct and Indirect Effects**

I would concur with the EIAR assessment of the baseline environment as not being of significant sensitivity or quality/value.

In s. 7.3 of this report, I have already considered the height, scale, and design of the development and have concluded that it has been appropriately considered to ensure that the proposed development would satisfactorily integrate with the surrounding area having regard to its existing character and its planned regeneration.

I consider that the proposed development would transform the site with more appropriate high-density residential-led development. I have acknowledged that the proposed development would be of a significantly different height, scale, and character compared to the predominant character of existing development. However, I consider that it would be in accordance with planned regeneration of the area and would positively contribute to the character of the area through built form and associated open spaces.

In relation to visual impacts, I have considered the EIAR and the accompanying Photomontages in Appendix 16.2. I am satisfied that the TVIA considers an appropriate range of visual receptors and I would concur its findings that there would be no significant adverse effects at construction or operational stages.

I have also considered the potential interactive and cumulative impacts, and I am satisfied that there would be no significant effects.

10.14.4. **Conclusion: Direct and Indirect Effects**

Having regard to the foregoing, it is considered that the main significant direct, indirect, and cumulative effects on Landscape, after the application of mitigation measures, are:

- Long-term positive townscape/visual effects as a result of the redevelopment of the site through landmark built form and associated open spaces which will contribute to the regeneration of the wider area.

10.15. Interactions

Chapter 17 of the EIAR considers the interaction of the foregoing environmental factors. A summary of the potential interactions is outlined in Appendix 2 of this report. However, consistent with the EIAR, I am satisfied that appropriate mitigation measures have been included to ensure that any interactions will not result in significant effects on the environment.

Chapter 17 of the EIAR also outlines that any predicted specific cumulative impacts are outlined in the various EIAR chapters and tend to be temporary; related to the construction period; and manageable by way of mitigation. I would concur that no significant interactions are envisaged in terms of interactions arising from cumulative impacts.

10.16. Reasoned Conclusion

10.16.1. Having regard to the examination of environmental information contained above, and in particular to the EIAR and supplementary information provided by the applicant, as well as the submissions received from the prescribed bodies and observers in the course of the application and appeal, I consider that the main significant direct and indirect effects of the proposed development on the environment, with the implementation of the proposed mitigation measures, are:

- Significant positive effects on population and human health associated with the provision of additional housing and supporting commercial, community and social facilities in accordance with prevailing planning policy.
- Long-term positive townscape/visual effects as a result of the redevelopment of the site through landmark built form and associated open spaces which will contribute to the regeneration of the wider area.

10.16.2. Having regard to the foregoing, I am satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative effects on the environment.

11.0 Conditions of the SDCC Decision

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

Table 6 – Consideration of Planning Authority Conditions

No.	Summary of Condition(s)	Comment
1	Documents and drawings	Standard condition to apply
2	Mitigation Measures	Standard condition to apply
3	Uisce Eireann Connections	Standard condition to apply
4	Roads details to be agreed	Agreed.
5	Interface with BusConnects to be in accordance with NTA details.	Agreed
6	Car Parking Management Plan to be agreed.	Agreed
7	Operation and signage for non-residential uses to be agreed.	Agreed.
8	Surface water proposals.	Standard condition to apply.
9	Part V	Standard condition to apply.
10	Materials and Finishes	Standard condition to apply.

11	Public Realm	Agreed.
12	Retention of Landscape Architect	Standard landscaping condition will suffice.
13	Landscaping to be implemented.	Standard condition to apply.
14	Defects Liability	To be covered by standard condition.
15	Lighting	Standard condition to apply.
16	Phasing	Standard condition to apply.
17	Aviation Safety	Standard condition to apply.
18	<p>Environmental Health</p> <p>(a) Construction Noise</p> <p>(b) Air Quality (construction dust)</p> <p>(c) Outward Noise (general)</p> <p>(d) Fumes and Noise (commercial)</p> <p>(e) General Impact</p> <p>(f) Bin storage</p> <p>(g) External lighting</p> <p>(h) Pest control</p> <p>(i) Grease traps</p>	<p>(a) Standard hours of construction to apply.</p> <p>(b) Covered by EIAR mitigation measures.</p> <p>(c) Standard condition to apply.</p> <p>(d) Standard condition to apply.</p> <p>(e) Covered by EIAR.</p> <p>(f) To be agreed in operational waste management plan.</p> <p>(g) To be agreed in lighting (see 15 above).</p> <p>(h) Covered by EIAR.</p> <p>(i) To be agreed (as per 7 above).</p>
19	Asbestos	To be addressed in Resource and Demolition Waste Management Plan
20	Underground services	Standard condition to apply.

21	Use and occupancy	This is covered by the nature of any permitted development and relevant legislation.
22	Occupation	Standard condition to apply.
23	Naming and Numbering	Standard condition to apply.
24	Signage Restrictions	Standard condition to apply.
25	Air Blown Dust	Covered by EIAR mitigation measures.
26	Operational Noise	As per 18 (above).
27	Above parapet development	This is adequately covered by the terms of the permission and legislation.
28	Regulation of Institutional Investment in Housing	Does not apply – no houses or ‘own door’ duplex units.
29	Spills/debris on public roads during construction	Will be covered by EIAR measures and conditions of any permission.
30	Construction and Demolition Resource Waste Management Plan	Standard condition to apply.
31	Construction & Environmental Management Plan	Standard condition to apply.
32	Construction Traffic Management Plan	Standard condition to apply.
33	Management of operational waste	Standard condition to apply.

& 34		
35	Development Contribution	Standard condition to apply.
36	Security	Standard condition to apply.

12.0 Recommendation

I recommend that permission be GRANTED for the proposed development, subject to conditions, and for the reasons and considerations set out in the following Draft Order.

13.0 Recommended Draft Commission Order

Planning and Development Acts 2000, as amended

Planning Authority: South Dublin County Council

Planning Register Reference Number: LRD25A/0005W

Appeal by KeyWaste of 20b Greenhills Industrial Estate, Walkinstown, Dublin 12, c/o Horan Rainsford Architects Ltd of 36 Main Street, Blackrock, Co. Dublin A94 E8H1; against the decision made on the 15th day of December 2025, by South Dublin County Council to grant subject to conditions a permission to Steeplefield Limited, c/o Hughes Planning, 85 Merrion Square South, Dublin 2, D02 FX60, in accordance with plans and particulars lodged with the said Council:

Proposed Development:

- (i) The development will consist of the demolition of the former Chadwicks Builders Merchant development comprising 1 no. two storey office building and 9 no. storage/warehouse buildings ranging in height from 3m - 9.9m as follows: Building A (8, 764 sq.m.), Building B (1, 293 sq.m.), Building C (two-storey office building) (527 sq.m.), Building D (47 sq.m.), Building E

- (29 sq.m.), Building F (207 sq.m.), Building G (101 sq.m.), Building H (80 sq.m.), Building I (28 sq.m.), and Building J (44 sq.m.), in total comprising 11, 120 sq.m.;
- (ii) the construction of a mixed-use residential and commercial development comprising 588 no. residential apartment units (291 no. one-beds, 238 no. two-beds and 59 no. three-beds), 1 no. 570.91 sq.m. (443 sq.m. indoor space) childcare facility and 6 no. commercial/retail units in 4 no. blocks (A-D) ranging in height from 5 to 12 storeys as follows: a. Block A comprises 170 no. apartments (103 no. 1 bed-units, 59 no. 2 bed-units and 8 no. 3- bed units) measuring 8 storeys in height. b. Block B comprises 197 no. apartments (89 no. 1 bed-units, 92 no. 2 bed-units and 16 no. 3 bed-units) measuring 10 storeys in height. c. Block C comprises 81 no. apartments (44 no. 1-bed units, 16 no. 2-bed units and 21 no. 3-bed units) measuring 12 storeys in height. d. Block D comprises 140 no. apartments (55 no. 1 bed-units, 71 no. 2 bed-units and 14 no. 3 bed-units) measuring 8 storeys in height. All apartments will be provided with private balconies/terraces;
 - (iii) provision of indoor communal residential amenity (614.14 sq.m.) at ground and first floors of Block A, B & C, ;
 - (iv) the construction of 1 no. childcare facility comprising 443 sq.m. with dedicated outdoor play area (128 sq.m.) located at ground floor of Block B;
 - (v) the construction of 6 no. commercial units at ground floor level of Blocks A, B and D, and 1 no. commercial unit at first floor level of Block A as follows: 2 Block A has 1 no. unit at ground floor comprising 455.8 sq.m. and 1 no. unit at first floor level comprising 160.79 sq.m., Block B has 1 no. unit at ground floor comprising 190.96 sq.m. and Block D has 4 no. units at ground floor comprising 361.6 sq.m., 232.3 sq.m., 238 sq.m. and 174.9 sq.m.;
 - (vi) the construction of 4 no. vehicular entrances; a primary entrance via vehicular ramp from the north (access from Greenhills Road) and 3 no. secondary entrances from the south for access, emergency access and services (access from the existing road to the south of the site) with additional pedestrian accesses proposed along Greenhills Road;

- (vii) provision of 270 no. car parking spaces comprising 240 no. standard spaces (including 6 no. car club spaces) and 13 no. mobility spaces, and 8 no. motorbike spaces located at surface level and within undercroft car parks within Blocks A, B , C and D, 17 no. commercial/ unloading/ drop-off parking spaces at ground level;
- (viii) provision of 1, 269 no. bicycle parking spaces comprising 952 no. residents' bicycle spaces, 10 no. cargo/accessible bicycle spaces in 14 no. bicycle storerooms in surface and undercroft parking areas and 307 no. visitors' bicycle spaces located externally at ground floor level throughout the development;
- (ix) provision of outdoor communal amenity space (3, 130.3 sq.m) comprising landscaped courtyards that include play areas, seating areas, grass areas, planting and scented gardens located on podiums at first floor level; provision of communal amenity roof gardens in Block A & B with seating area and planting (746.1 sq.m.) and inclusion of centrally located public open space (6, 650 sq.m.) adjacent to Blocks A, B, C and D comprising grassed areas, planting, seating areas, play areas, water feature, flexible use space and incidental open space/public realm;
- (x) provision of toucan crossing and all associated road markings and signage from the subject site to a new footpath on northern side of Greenhills Road;
- (xi) development also includes landscaping and infrastructural works, foul and surface water drainage, bin storage, ESB substations, plant rooms, pv panels, boundary treatments, internal roads, cycle paths and footpaths and all associated site works to facilitate the development.

Decision

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

Reasons and Considerations

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

- (a) The location of the site within the established 'Dublin City and Suburbs' area on lands with the regeneration zoning objective 'REGEN' as per the South Dublin County Development Plan 2022-2028;
- (b) The nature, scale and design of the proposed development;
- (c) The pattern of existing and permitted development and the availability of adequate social and physical infrastructure in the area;
- (d) The provisions of 'Delivering Homes, Building Communities 2025-2030';
- (e) The provisions of the National Planning Framework First Revision, April 2025;
- (f) The provisions of the Urban Development and Building Heights Guidelines for Planning Authorities issued by the Department of Housing, Planning and Local Government in December 2018;
- (g) The provisions of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage in July 2023;
- (h) The provisions of Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, issued by the Department of Housing, Local Government and Heritage in January 2024;
- (i) The provisions of the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of Environment, Community and Local Government in 2019;
- (j) The provisions of the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031;
- (k) The provisions of the Greater Dublin Area Transport Strategy 2022-2042 prepared by the National Transport Authority;
- (l) The Planning System and Flood Risk Management Guidelines for Planning Authorities (including the associated Technical Appendices), issued by the Office of Public Works and Department of Environment, Heritage and Local Government, 2009;

- (m) The Childcare Facilities Guidelines for Planning Authorities, issued by the Government of Ireland, 2001;
- (n) The Climate Action Plan 2024 and the Climate Action Plan 2025;
- (o) The National Biodiversity Plan 2023-2030;
- (p) The submissions and observations received;
- (q) The reports from the Planning Authority; and
- (r) The reports of the Planning Inspector.

Appropriate Assessment Stage 1

The Commission completed an Appropriate Assessment Screening exercise (Stage 1) in relation to the potential effects of the proposed development on European Sites, taking into account the nature, scale and location of the proposed development, the documents submitted with the planning application and appeal, the Inspector's report, and the submissions and observations on file. In completing the screening exercise, the Commission agreed with and adopted the report of the Inspector and concluded that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on South Dublin Bay SAC, North Dublin Bay SAC, North Bull Island SPA, or South Dublin Bay and River Tolka Estuary SPA, or any other European Sites, in view of the conservation objectives of these sites, and that a Stage 2 Appropriate Assessment is not, therefore, required.

Environmental Impact Assessment

The Commission completed an environmental impact assessment of the proposed development, taking into account:

- (a) the nature, scale, location, and extent of the proposed development;
- (b) the Environmental Impact Assessment Report and associated documentation submitted with the application, including the further information submitted;

(c) the submissions received from the applicant, the planning authority, observers and prescribed bodies in the course of the application and appeal; and

(d) the report of the Planning Inspector.

The Commission considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, adequately identifies and describes the direct, indirect, and cumulative effects of the proposed development on the environment. The Commission is satisfied that the information contained in the Environmental Impact Assessment Report complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU.

The Commission completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures proposed as set out in the Environmental Impact Assessment Report, and subject to compliance with the conditions set out below, the effects of the proposed development on the environment, by itself and in combination with other plans and projects in the vicinity, would be acceptable. In doing so, the Commission adopted the report and conclusions of the Inspector.

Reasoned Conclusion on Significant Effects:

The Commission considered that the main significant direct and indirect effects of the proposed development on the environment, after mitigation, would be as follows:

- Population and Human Health: Significant positive effects on population and human health associated with the provision of additional housing and supporting commercial, community and social facilities in accordance with prevailing planning policy.
- Landscape: Long-term positive townscape/visual effects as a result of the redevelopment of the site through landmark built form and associated open spaces which will contribute to the regeneration of the wider area.

Conclusions on Proper Planning and Sustainable Development:

The Commission considered that, subject to compliance with the conditions set out below, the proposed development would be consistent with the zoning and other relevant development objectives of the South Dublin County Development Plan 2022-2028, would provide of an acceptable quantum of development at this location which would be served by an appropriate level of public transport, social and community infrastructure, would provide an acceptable form of residential amenity for future occupants, would not seriously injure the residential amenities or commercial viability of property in the vicinity, would not seriously injure the visual amenities of the area, would be acceptable in terms of urban design, height and scale of development, would be acceptable in terms of traffic safety and convenience, would not be at risk of flooding or increase the risk of flooding to other lands, would not result in any unacceptable ecological or biodiversity impacts, and would be capable of being adequately served by wastewater, surface water, and water supply networks. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 22nd day of October 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The mitigation measures contained in the submitted Environmental Impact Assessment Report (EIAR) shall be implemented.

Reason: To protect the environment.

3. The inward noise mitigation measures included in the further information submitted to the planning authority on the 22nd day of October 2025 shall be implemented.

Reason: In the interest of residential amenity.

4. The following shall be submitted to, and agreed in writing with, the planning authority prior to the occupation of any relevant unit:
 - (a) Details of the commercial units including professional activities/services, number of staff, hours of operation, and any requirement for grease traps.
 - (b) Details of the opening hours (including sessions) and number of staff in the childcare facility.
 - (c) Details of all signage to be provided to commercial/non-residential units.

Reason: In the interest of clarity and orderly development.

5.
 - (a) The development shall be carried out on a phased basis, in accordance with a phasing scheme which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of any development.
 - (b) Work on any subsequent phases shall not commence until such time as the written agreement of the planning authority is given to commence the next phase.
 - (c) No unit shall be occupied until all the services (drainage, water supply, energy supply, public lighting and roads) for each unit have been completed to the satisfaction of the planning authority.

Reason: To ensure the timely provision of services, for the benefit of the occupants of the proposed development.

6. Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

7. Proposals for an estate/street name, house/apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house/apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

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

8. Public lighting shall be provided in accordance with a scheme which shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The scheme shall include lighting along pedestrian routes through open spaces and shall take account of the requirements of the Environmental Impact Assessment Report mitigation measures. Such lighting shall be provided prior to the making available for occupation of any apartment unit.

Reason: In the interests of amenity, public safety, and nature conservation.

9. 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.

10. (a) The residential car parking facilities hereby permitted shall be reserved solely to serve the proposed residential units.
- (b) The car parking facilities for the childcare and commercial units shall be reserved for these units and shall not be available to other users.
- (c) Parking shall be managed in accordance with a management plan which shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

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

11. (a) The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths, and kerbs, shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS), details of which shall be submitted to and agreed in writing with the planning authority prior to commencement of development.
- (b) Construction details of all roads items to be taken in charge shall be submitted to and agreed in writing with the planning authority prior to commencement of development.
- (c) The road design and interface with the Bus Connects CBC Scheme shall be in accordance with the drawings and details submitted with the application and shall be co-ordinated with the National Transport Authority.

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

12. A total of 1,269 no. bicycle parking spaces (952 long term and 307 short term) shall be provided within the site. Details of the layout, marking demarcation and security provisions for these spaces shall be in accordance with the

details submitted with the 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.

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

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

14. (a) Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the Planning Authority for such works and services.

(b) Full details of surface water drainage proposals, including a management and maintenance plan, shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development.

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

15. Prior to the commencement of development, the developer shall enter into Connection Agreements with Uisce Éireann (Irish Water) to provide for service connections to the public water supply and wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

16. All plant, including extract ventilation systems, shall be sited in a manner so as not to cause nuisance at sensitive locations due to emissions. All mechanical plant and ventilation inlets and outlets shall be sound insulated and or fitted with sound attenuators to ensure that noise levels do not pose a nuisance at noise sensitive locations. Basement ventilation shall not be positioned adjacent to apartment terraces.

Reason: In the interests of residential amenity.

17. (a) The site shall be landscaped in accordance with the details submitted with the application, unless as otherwise stated by (b) or (c) below.

(b) A Green Space Factor calculation for the development shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of the development.

(c) Details of accessible play spaces and equipment shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of the development.

Reason: In the interest of amenity and biodiversity.

18. The operation of cranes at the construction stage shall be coordinated with the Air Corps Air Traffic Services and the Irish Aviation Authority.

Reason: In the interest of aviation safety.

19. 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, shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.

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

20. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at site offices at all times.

Reason: In the interest of sustainable waste management.

21. The construction of the development shall be managed in accordance with a Construction Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development with measures to reflect mitigation described in the submitted Environmental Impact Assessment Report for the application, in addition to the following:

- a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
- b) Location of access points to the site for any construction related activity;
- c) Location of areas for construction site offices and staff facilities;
- d) Details of site security fencing and hoardings;
- e) Details of on-site car parking facilities for site workers during the course of construction;

- f) 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;
- g) Measures to obviate queuing of construction traffic on the adjoining road network;
- h) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network and for the cleaning of the same;
- i) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- k) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- l) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- n) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

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

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

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

23. (a) No signage, advertising structures/advertisements, security shutters, or other projecting elements, including flagpoles, shall be erected within the site and adjoining lands under the control of the applicant unless authorised by a further grant of planning permission.

(b) The windows to the proposed childcare and commercial units shall not be obscured by adhesive material or otherwise, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

24. (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.

25. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute

(other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Coimisiún Pleanála for determination.

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

26. 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.

27. 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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Stephen Ward
Senior Planning Inspector

14th of April 2026

Appendix 1

Appropriate Assessment Screening Determination

Screening for Appropriate Assessment Test for likely significant effects			
Step 1: Description of the project and local site characteristics			
Brief description of project	Mixed-use residential and commercial development comprising 588 no. residential apartments units, 7 no. commercial units, and a childcare facility.		
Brief description of development site characteristics and potential impact mechanisms	<p>The subject site has a stated net area of c. 2.79 ha and is located c. 300m southwest of the Walkinstown roundabout (c. 6km southwest of Dublin City Centre).</p> <p>The nearest Natura 2000 site is the Glenasmole Valley SAC, c. 6.5km southwest of the site.</p> <p>The proposed surface water system includes a range of SuDs measures and will discharge into the existing 225mm surface water sewer located on the access road parallel to Chadwicks Plumb Centre, south-east of the proposed development.</p> <p>Foul sewerage will connect to the existing Uisce Eireann sewer to the south of the site and will be treated at Ringsend WWTP.</p> <p>Water supply will be provided via a connection to the Uisce Eireann network.</p>		
Screening report	Yes (Prepared by Moore Group)		
Natura Impact Statement	No		
Relevant submissions	Any submissions received do not raise the issues of Natura 2000 sites or Appropriate Assessment.		
Step 2. Identification of relevant European sites using the Source-pathway-receptor model			
European Site (code) Qualifying interests and Link to conservation objectives available at NPWS website	Distance from proposed development (km)	Ecological connections	Consider further in screening Y/N
South Dublin Bay SAC (000210)	8.2	Via surface water discharges at construction and operational stages to River Poddle, and subsequent downstream connections to Dublin Bay via the River Liffey. Via wastewater discharge to Ringsend and subsequent outfall to Liffey Estuary and Dublin Bay.	Yes
North Dublin Bay SAC (000206)	11.2		
South Dublin Bay and River Tolka Estuary SPA (004024)	8.2		
North Bull Island SPA (004006)	11.2		

Wicklow Mountains SAC (002122)	8.8	Located in a separate hydrological catchment, therefore there is no connectivity.	No
Glenasmole Valley SAC (001209)	6.3		
Wicklow Mountains SPA (004040)	8.7		

Other than the sites identified for further consideration in the above table, I do not consider any other sites to be within the zone of influence due to lack of connectivity and/or significant distance/dilution factors.

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

Surface Water

During the Construction Phase, emissions to surface water arising during the site clearance and construction stage could contain pollutants (silt, dust, hydrocarbons and other substances). During the Operational Phase, surface water will be discharged to the existing storm sewer following on-site SuDS treatment, attenuation, and interception.

Such contaminated water (construction and operational) could potentially be indirectly linked to the Dublin Bay Natura 2000 sites via the existing storm sewer network and the River Poddle. However, the application includes standard best practice measures to control such risks. Furthermore, a worst-case scenario of any such contamination is likely to have only localised effects. The appeal site is distanced more than 8km from the nearest downstream Natura 2000 site at Dublin Bay, with the actual hydrological link being greater (c.12km). Accordingly, having regard to these significant distance and dilution factors, I am satisfied that any risk of surface water contamination would result in only localised effects which would not have potential for significant effects on the Natura 2000 sites in Dublin Bay.

Wastewater

The site will also be connected to the public foul water sewer network at operational stage, which will discharge to the Liffey estuary from Ringsend WwTP. As such, there is an indirect hydrological link to the Natura 2000 sites in Dublin Bay as outlined above. However, the potential for effects is not considered significant given that:

- There will be adequate hydraulic and organic capacity available in the WWTP.
- Uisce Eireann has confirmed that wastewater connection is feasible.
- Dry Weather Flow associated with the proposed development (288m³ per day based on Engineering Services Report) would not be significant when equated as a percentage (i.e. c. 0.07%) of the DWF to Ringsend WWTP (397,440m³ per day according to 2024 Uisce Eireann Annual Environmental Report).
- Evidence suggests that in the current situation, some nutrient enrichment is benefiting wintering birds for which the SPAs have been designated in Dublin Bay. The coastal waters in Dublin Bay are classed as 'unpolluted' by the EPA and enriched water entering Dublin Bay has been shown to rapidly mix and become diluted such that the plume is often indistinguishable from the rest of bay water.

Disturbance / Ex-situ Impacts

Although the construction and operational stages will lead to increased disturbance, there are no designated sites within the disturbance Zone of Influence. The Site does not provide suitable ex-situ habitat for any of the bird species associated with the surrounding European sites. No such species were recorded in the bird surveys carried out on site.

Invasive Species

No invasive species were recorded on site, and the application includes standard best practice measures to address the potential risk of importation and spread of any such invasive species.

Cumulative / in-combination effects

The applicant's AA Screening Report (Section 5.2) has considered cumulative / in-combination impacts, including other proposed and permitted developments in the vicinity of the site. It concludes that no significant effects on Natura 2000 sites will occur due to the proposed development in combination with other projects.

Consistent with the absence of likely effects associated with the proposed development as outlined above, I do not consider that there would be significant cumulative/in-combination effects associated with other developments.

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
<p>Site 1: South Dublin Bay SAC (000210)</p> <p><u>QI list</u> Mudflats and sandflats not covered by seawater at low tide; Annual vegetation of drift lines; Salicornia and other annuals colonising mud and sand; Embryonic shifting dunes.</p>	<p>During construction, there is the potential for dust, silt, and contaminated surface water runoff to enter the Poddle River via the existing storm network.</p> <p>During the Operational Phase, surface water will be discharged to the Poddle River via the existing storm network and there is potential for dust, silt, hydrocarbon, or other pollution.</p> <p>Wastewater will be routed to the Ringsend WWTP which discharges to the Liffey Estuary and then Dublin Bay.</p>	<p>Significant effects on habitat and species as a result of surface water quality impacts are not likely having regard to the standard construction and operational practice measures that would be implemented regardless of proximity to a European Site, as well as the significant distance, dispersal and dilution factors between the application site and the Natura 2000 site.</p> <p>There is adequate wastewater treatment capacity to ensure that there will be no significant effects on the water quality of the Natura 2000 site.</p>
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
	Impacts	Effects
<p>Site 2: North Dublin Bay SAC</p> <p><u>QI list</u> Mudflats and sandflats not covered by seawater at low tide; Annual vegetation of drift lines; Salicornia and other annuals colonising mud and sand; Embryonic shifting dunes; Shifting dunes along the shoreline with Ammophila arenaria (white dunes); Fixed coastal dunes with herbaceous vegetation (grey dunes); Humid dune</p>	<p>During construction, there is the potential for dust, silt, and contaminated surface water runoff to enter the Poddle River via the existing storm network.</p> <p>During the Operational Phase, surface water will be discharged to the Poddle River via the existing storm network and there is potential for dust, silt, hydrocarbon, or other pollution.</p> <p>Wastewater will be routed to the Ringsend WWTP which discharges to the Liffey Estuary and then Dublin Bay.</p>	<p>Significant effects on habitat and species as a result of surface water quality impacts are not likely having regard to the standard construction and operational practice measures that would be implemented regardless of proximity to a European Site, as well as the significant distance, dispersal and dilution factors between the application site and the Natura 2000 site.</p> <p>There is adequate wastewater treatment capacity to ensure that there will be no significant effects on the water quality of the Natura 2000 site.</p>

slacks; Atlantic salt meadows; Mediterranean salt meadows; Petalwort.		
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
	Impacts	Effects
Site 3: South Dublin Bay & River Tolka Estuary SPA (004024) <u>QI list</u> Light-bellied Brent Goose, Oystercatcher, Ringed Plover, Grey Plover (proposed for removal), Knot, Sanderling, Dunlin, Bar-tailed Godwit, Redshank, Black-headed Gull, Roseate Tern, Arctic Tern, Common Tern, Wetlands.	<p>During construction, there is the potential for dust, silt, and contaminated surface water runoff to enter the Poddle River via the existing storm network.</p> <p>During the Operational Phase, surface water will be discharged to the Poddle River via the existing storm network and there is potential for dust, silt, hydrocarbon, or other pollution.</p> <p>Wastewater will be routed to the Ringsend WWTP which discharges to the Liffey Estuary and then Dublin Bay.</p>	<p>Significant effects on habitat and species as a result of surface water quality impacts are not likely having regard to the standard construction and operational practice measures that would be implemented regardless of proximity to a European Site, as well as the significant distance, dispersal and dilution factors between the application site and the Natura 2000 site.</p> <p>There is adequate wastewater treatment capacity to ensure that there will be no significant effects on the water quality of the Natura 2000 site.</p>
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
	Impacts	Effects
Site 4: North Bull Island SPA (004006) <u>QI list</u> Light-bellied Brent Goose, Shelduck, Teal, Pintail, Shoveler, Oystercatcher, Golden Plover, Grey Plover, Knot, Sanderling, Dunlin, Black-tailed Godwit, Bar-tailed Godwit, Curlew, Redshank, Turnstone, Black-headed Gull, Wetlands.	<p>During construction, there is the potential for dust, silt, and contaminated surface water runoff to enter the Poddle River via the existing storm network.</p> <p>During the Operational Phase, surface water will be discharged to the Poddle River via the existing storm network and there is potential for dust, silt, hydrocarbon, or other pollution.</p> <p>Wastewater will be routed to the Ringsend WWTP which discharges to the Liffey Estuary and then Dublin Bay.</p>	<p>Significant effects on habitat and species as a result of surface water quality impacts are not likely having regard to the standard construction and operational practice measures that would be implemented regardless of proximity to a European Site, as well as the significant distance, dispersal and dilution factors between the application site and the Natura 2000 site.</p> <p>There is adequate wastewater treatment capacity to ensure that there will be no significant effects on the water quality of the Natura 2000 site.</p>
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	

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 South Dublin Bay SAC, North Dublin Bay SAC, North Bull Island SPA, or South Dublin Bay and River Tolka Estuary 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 South Dublin Bay SAC, North Dublin Bay SAC, North Bull Island SPA, or South Dublin Bay and River Tolka Estuary SPA in view of the conservation objectives of these sites, which are therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The nature and scale of the proposed works and the standard construction and operational practice measures that would be implemented regardless of proximity to a European Site.
- The limited connectivity between the application site and the nearest European Sites as a result of significant distance, dispersal and dilution factors.

The possibility of significant effects on any other European Sites has been excluded on the basis of objective information.

No measures intended to avoid or reduce harmful effects on European Sites were taken into account in reaching this conclusion.

Appendix 2

Summary of Interactions Between Environmental Factors

	Population & Health	Biodiversity	Land & Soil	Water	Air	Climate	Ma (Waste)	MA (Traffic)	MA (Utilities)	Cultural Heritage	Landscape
Population & Health		✓		✓	✓	✓					✓
Biodiversity											
Land & Soil				✓	✓			✓			
Water		✓	✓			✓					
Air	✓	✓	✓			✓		✓			
Climate			✓		✓		✓	✓			
MA (Waste)	✓										
MA (Traffic)	✓				✓	✓					
MA (Utilities)	✓										
Cultural Heritage											
Landscape											

Appendix 3
Water Framework Directive Screening Determination

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	324035-26	Townland, address	Lands located at the former Chadwicks Builders Merchant site, South of Greenhills Road, North of the existing access road serving Greenhills Industrial Estate, Greenhills Industrial Estate, Walkinstown, Dublin 12, D12 HD51, D12 N523, D12 C602
Description of project		Mixed-use residential and commercial development comprising 588 no. residential apartments units, 7 no. commercial units, and a childcare facility.	
Brief site description, relevant to WFD Screening,		<p>The subject site has a stated net area of c. 2.79 ha and is located c. 300m southwest of the Walkinstown roundabout (c. 6km southwest of Dublin City Centre).</p> <p>There are no watercourses within or bounding the site. The nearest is the Walkinstown Stream c. 230m to the north, which is linked to the Liffey and Dublin Bay via the Camac River. The surface water sewer to the east of the site discharges to the Liffey Estuary via the River Poddle. The foul sewer discharges to Ringsend WWTP. The site is underlain by the Dublin groundwater body.</p>	
Proposed surface water details		The proposed system includes a range of SuDs measures. Surface water collected from within the site boundary will flow via a new 225mm diameter pipe to discharge into the existing 225mm surface water sewer located on the access road parallel to Chadwicks Plumb Centre, south-east of the proposed development.	

<p>Proposed water supply source & available capacity</p>	<p>Water supply will be provided via a connection to the Uisce Eireann network.</p> <p>A review of the Uisce Eireann Capacity Register (Published August 2025) on 02/03/2026 indicated that water supply capacity status for the 'Dublin City and suburbs' area to support 2034 population targets is 'Potential Capacity Available – Level of Service improvement required'.</p>
<p>Proposed wastewater treatment system & available capacity, other issues</p>	<p>Foul sewerage will connect to the existing Uisce Eireann sewer to the south of the site and will be treated at Ringsend WWTP, which ultimately discharges to the Liffey Estuary and Dublin Bay.</p> <p>A review of the Uisce Eireann Capacity Register (Published August 2025) on 02/03/2026 indicated that capacity is available at the Ringsend WWTP.</p>
<p>Others?</p>	<p>The application is accompanied by a Site-Specific Flood Risk Assessment. As outlined in section 10.9 of this report, I am satisfied that the development is acceptable & appropriate from a flood risk assessment perspective.</p> <p>The application is also accompanied by an Environmental Impact Assessment Report (EIAR) and an Appropriate Assessment Screening Report. As outlined in sections 9 and 10.7 of this report, I am satisfied that the proposed development would not have any unacceptable ecological effects and would not have the potential for significant effects on any European Sites, either alone or in combination with other plans or projects.</p>

Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status (2019 – 2024)	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
River (Camac)	230m to north of site	CAMAC_040 (IE_EA_09C020500)	Poor	At risk	Hydromorphology, Urban run-off, urban wastewater	None.
River (Poddle)	C. 1.1km to south	Poddle_010 (IE_EA_09P030800)	Poor	At risk	Urban run-off	Indirect via surface water sewer discharge from site.
Transitional	5km to the northeast	Liffey Estuary Lower (IE_EA_090_0300)	Moderate	At risk	Urban Wastewater	Surface water impacts as above via the Poddle. Wastewater discharge via Ringsend WWTP.
Coastal	8.5km to the east	Dublin Bay (IE_EA_090_0000)	Good	Not at Risk	None Identified	Surface water impacts as above via the Poddle. Wastewater discharge via Ringsend WWTP and Liffey Estuary.
Groundwater	Underlying site	Dublin (IE_EA_G_008)	Good	Review	None Identified	Via the overlying soil.

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

CONSTRUCTION PHASE

No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	Poddle_010 (IE_EA_09P030800) Liffey Estuary Lower (IE_EA_090_0300) Dublin Bay (IE_EA_090_0000)	Existing surface water sewer connects to Poddle. Surface water discharges from the Poddle. Downstream connections via the Liffey.	Siltation, pH (Concrete), hydrocarbon spillages. See section 10.9 of this report for further details.	No direct run-off as outlined in the CEMP and EIAR. See section 10.9 of this report for further details.	No. As outlined in section 10.9 of this report, I am satisfied that the proposed measures will prevent any significant impacts on water quality or regime.	Screened out.
2.	Ground	Dublin (IE_EA_G_008)	Via the overlying soil.	As above. See sections 10.8 and 10.9 of this report for further details.	No direct run-off as outlined in the CEMP and EIAR. See sections 10.8 & 10.9 of this report for further details.	As above and sections 10.8 and 10.9 of this report.	Screened out.

OPERATIONAL PHASE							
No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	Poddle_010 (IE_EA_09P030800) Liffey Estuary Lower (IE_EA_090_0300) Dublin Bay (IE_EA_090_0000)	Surface water will be discharged to Poddle via existing sewer, with further downstream connections to the Liffey and Dublin Bay. Wastewater discharges to Liffey Estuary and on to Dublin Bay.	Hydrocarbon spillage / pollution associated with surface water. Pollution associated with wastewater discharge. See section 10.9 of this report for further details.	SUDs features and storm water management. Compliance with Uisce Eireann (UE) wastewater requirements. Discharge licence conditions. See section 10.9 of this report for further details.	No. As outlined in section 10.9 of this report, I am satisfied that the proposed measures will prevent any significant impacts on water quality or regime.	Screened out.
2.	Ground	Dublin (IE_EA_G_008)	Via the overlying soil.	Hydrocarbon spillage / pollution. See sections 10.8 and 10.9 of	SUDs features, storm water management.	No. As outlined in sections 10.8 and 10.9 of this report, I am satisfied that the proposed	Screened out.

				this report for further details.	See sections 10.8 and 10.9 of this report for further details.	measures will prevent any significant impacts on water quality or regime.	
DECOMMISSIONING PHASE							
	N/A	N/A	N/A	N/A	N/A	N/A	N/A