An Coimisiún Pleanála

Inspector's Report

ACP-324127-26

Development	Construction of 611 dwellings, creche, and associated site works. An EIAR was submitted with this application
Location	Boherboy, Saggart, Co. Dublin
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	LRD25A/0012W
Applicant(s)	Kelland Homes Limited and Evana Developments
Type of Application	Large-Scale Residential Development
Planning Authority Decision	Grant Permission
Type of Appeal	First Party Third Party
Appellant(s)	Kelland Homes Limited and Evana Developments (First Party) Denice Mellon and Others (Third Party) Samantha and Brendan O'Sullivan (Third Party) Fintan Mc Connell and Others (Third Party)

	Wendy Lucas (Third Party) Tracy and Derek Duff & Laura and Robert Maher (Third Party) Nadia Yedid (Third Party) Rachel Green (Third Party) Sorcha Jordan and Others (Third Party) Donna O'Connor (Third Party) James and Christine Lee (Third Party) Cllr. Kay Keane and Paul Murphy (Third Party)
Observer(s)	Siobhan Jones Citywest Community Council Katrina Russell
Date of Site Inspection	20th April 2026
Inspector	Emma Nevin

Contents

1.0 Introduction

1.1. This is an assessment of an application for a proposed large-scale residential development (LRD) submitted to South Dublin County Council under the provisions of the Planning and Development Act, as amended (hereinafter referred to as 'the Act'). This application was granted permission by the Planning Authority and subsequently appealed by the first party (re: Condition No. 30) and eleven (11 no.) third parties to An Coimisiún Pleanála.

2.0 Site Location and Description

2.1. The subject site is situated on the Boherboy Road, a local road (L2008), approximately 1.3km east of Saggart Village and comprises a greenfield site with an area of approximately 18.3 ha. The site topography slopes downwards from the south of the site adjacent to the Boherboy Road to the north of the site. Site levels range from 155mOD in the southwest corner to 117.5mOD in the northwest corner, a difference of c 37 metres in elevation between the southern and northern site boundaries.

2.2. The site is bordered on all sides (north south, east, and west) by mature hedgerow and trees. There is a field boundary hedgerow and dry ditch traversing the centre of the site in a north to south axis. All boundary hedgerows along with the central hedgerow are identified on the first edition Ordnance Survey map (1843). The Corbally Stream traverses along the eastern boundary of the site in a north to south axis, turning in a westerly direction at the northeast boundary before exiting the site at the northwest corner. The southern site boundary has a c.360 metre frontage on to the Boherboy Road.

2.3. Residential developments are present to the north (Carrigmore residential areas) and east (Corbally and Verschoyle residential areas) of the site. A public park adjoins the site to the northeast while Citywest Shopping Centre is located beyond the park further to the northeast. Lands to the west of the site comprise golf lands and are zoned Open Space ('OS'). Lands to the south of the site, on the southern side of the Boherboy Road comprise rural zoned lands. Despite its proximity to Citywest and Tallaght, the Boherboy Road retains a very rural character, with mature trees and hedgerows along each side of the roadside. There are detached dwellings

located along the Boherboy Road. There is a small bridge over the Corbally Stream as the Boherboy Road traverses the stream (southeast of the site).

2.4. The Boherboy Road continues west from the site towards Saggart Village. The eastern site boundary is located 300 metres from the junction of the N81 Blessington Road and the L2008 Boherboy Road. There is a continuous white line in the centre of the road. A 60km/h speed restriction applies in this area. There are no footpaths or public lighting utilities along the Boherboy Road. There are various utilities traversing the site which includes water network pipes, and underground and over-ground electricity transmission lines.

3.0 **Proposed Development**

3.1. The proposed development comprises of the following:

Construction Works

- 611 no. dwellings, comprised of 306 no. 2, 3, 4 & 4-5 bed, 2 & 3 storey, detached, semi-detached & terraced houses, 133 no. 1, 2 & 3 bed duplex units in 12 no. 2-3 storey blocks, and 172 no. 1, 2 & 3 bed apartments in 5 no. buildings ranging in height from 4-5 & 5 storeys.
- Creche facility; and
- c. 1ha site area designated for a new school.

Ancillary and Supporting Works

- Access to the development will by via one no. new vehicular access point from the Boherboy Road, along with new vehicular connections to adjoining developments at Corbally Heath to the east and Carrigmore Green to the north.
- Pedestrian and cyclist connections throughout the proposed development and accesses into adjoining lands at Carrigmore Park, Corbally Heath and Corbally Glade to the east and Carrigmore Green to the north.
- c.2.3Ha of public open space, and c.4,750 sq. m. of communal open space associated with proposed development.

- Surface water attenuation & an underground foul sewerage pumping station at the northern end of the site,
- hard & soft landscaping and boundary treatments,
- surface car parking (861 no. car parking spaces),
- bicycle parking (711 no. bicycle parking spaces),
- bin & bicycle storage,
- diversion of all existing overhead ESB lines underground,
- Public lighting,
- plant / PV panels (M&E), utility services & 8 no. ESB sub-stations, and
- All other associated site works.

3.2. Key Development Statistics are outlined in Table 2 and Table 3 below:

Unit Type	1 bed	2 bed / 3 person	2 bed / 4 person	3 bed	4 bed	4 / 5 bed	Total No.
Houses	0	0	30	243	26	7	306
Duplexes	11	0	46	76	0	0	133
Apartments	46	1	123	2	0	0	172
Total No.	57	1	199	321	26	7	611
% mix	9%	1%	32%	53%	4%	1%	100%

Table 2 – Summary of Proposed Residential Accommodation

Proposed Development:		
Dwelling Type	**No. of Units**	**% Mix of Total**
Apartments	172	28%
Duplexes	133	22%
Houses	306	50%
Total No. Units	**611**	100%
Unit Mix (Apartments)	**No. of Units**	**% Mix of Type**
1 Bed (2 persons)	46	27%
2 Bed (3 person)	1	1.00%
2 Bed (4 Person)	123	72%
3 Bed (5 person)	2	1.00%
Total No. Apartments	**172**	**100%**
Unit Mix (Duplexes)	**No. of Units**	**% Mix of Type**
1 bed (2 person)	11	8%
2 Bed (4 Person)	46	35%
3 Bed (5 person)	76	57%
Total Duplexes	**133**	**100%**
Unit Mix (Houses)	**No. of Units**	**% Mix of Type**
2 bed	30	9.8%
3 Bed	243	79.4%
4 bed	26	8.50%
4 bed / 5 bed	7	2.29%
Total Houses	**306**	**100%**
Unit Mix (Total)	**No. of Units**	**% Mix of Total**
1 bed	57	9
2 bed	200	33
3 bed	321	53
4 bed	26	4
4 bed / 5 bed	7	1
Total Units	**611**	**100%**
Development Statistics:		
Site Area (Gross)	18.7Ha	-
Site Area (Net)	12.2Ha	-
Net Density	50	-
Building Height	2, 3, 4-5 & 5 storeys	-
Gross Residential Floor Area (sq.m)	61,050.23sq.m.	-
Gross Creche Floor Area (sq.m)	630.1	-
Total Proposed Floor Area (sq.m)	61,680.33	-
Plot Ratio	Gross = 0.33	Net = 0.50
Site Coverage	Gross = 27%	Net = 54%
Aspect - Single (Apartments / Duplexes)	117 No.	38%
Aspect - Dual (Apartments / Duplexes)	173 No.	57%
Aspect – Triple (Apartments / Duplexes)	13	4%

Amenity Space		
Public Open Space	23,654sq.m (c.2.37Ha)	
P POS as % of Net Developable Area of the Site	19%	
Communal Open Space	4,750sq.m	
Community Infrastructure		
Creche (sq.m)	630.1sq.m	
Parking	**No. of Spaces**	**Ratio / Unit**
Car Parking (Residential)	854	1.39
Car Parking (Non-Residential i.e. creche)	7	-
Total Car Parking	**861**	1.6
Bicycle Parking (Resi Long Stay – Apartments & Duplex)	544	1.78
Bicycle Parking (Non-Resi Long Stay i.e. creche)	5	-
Bicycle Parking (Resi Short Stay)	40	0.07
Bicycle Parking (Non-Resi Short Stay i.e. creche)	15	-
Bicycle Parking – Visitor / General Short Stay	107	-
Total Bicycle Parking	**711**	1.1

Table 3: Development Statistics

3.3. In addition to the drawings, the application was accompanied by the following technical reports and appendices:

- Building Life Cycle Report.
- Housing Quality Assessment Final.
- Planning Cover Letter.
- Planning Statement.
- Property Management Strategy Report.
- Social Infrastructure Assessment.
- Statement Of Consistency.
- Statement Of Response To SDCC LRD Opinion.
- Universal Design Statement.
- Daylight And Sunlight Analysis.
- Energy And Climate Action Statement.
- Photo Montages.
- Public Lighting.
- Road Safety Audit.

- Site Services.
- Universal Access Statement.
- Green Infrastructure Report.
- Landscape Design Rational.
- Marsh Report.
- Opinion Response.
- Soft Landscape Details.
- Boherboy LRD HRA.
- Boherboy LRD OWMP.
- Boherboy LRD RWMP.
- Boherboy LRD CCIA.
- Boherboy LRD CEMP.
- Appropriate Assessment Screening Report.
- Boherboy LRD EIAR Vol 3 Appendices DNV 5.12.2025.
- Boherboy LRD EIAR Vol 1 NTS DNV 5.12.25.
- Boherboy LRD EIAR Vol 2 DNV 5.12.25.
- EIA Portal Confirmation.
- P230400423 PIN RP 00 C002 V2 Traffic & Transport Impact Assessment.
- P230400423 PIN RP 00 C003 V2 Statement Of Compliance With DMURS.
- P230400423 PIN RP 00 C004 V2 Residential Travel Plan.
- P230400423 PIN RP 00 C005 V2 Construction Traffic Management Plan.
- RMA Boherboy Drainage And Water Infrastructure Report LRD Stage 3.
- Report on Site-Specific Flood Risk Assessment.

4.0 Planning Authority Pre-Application Opinion

4.1. Pre-application consultation meeting

4.1.1. I refer to pre-application ref: LRDPP001/25 in relation to the proposed LRD at Boherboy Road, Saggart, Dublin comprising 609 no. residential units ranging in height from 2 to 5 storeys, a 2 storey creche and a c. 1ha site area designated for a new school and associated vehicular and pedestrian access to the Boherboy Road and adjoining lands.

4.2. **Planning Authority Opinion**

4.2.1. The formal "LRD" meeting with the Planning Authority was held on 20th May 2025 online, via Microsoft Teams. the Planning Authority's LRD Opinion was received on 17th June 2025 under Case Reference LRDOP003/25.

4.2.2. In the Notice of LRD Opinion the Planning Authority considered that the submitted particulars alone and in their present form do constitute a reasonable basis for making an LRD planning application, subject to further consideration and amendment based on the Councils report which found certain particulars to be lacking.

4.2.3. The applicant is advised that the following is required to be submitted with the application:

- A statement of response to the issues in the LRD Opinion.
- A statement that in the applicant's opinion, the proposal is consistent with the relevant objectives of the Development Plan.

4.2.4. The applicant should address the following as part of any future planning application:

- In respect to procedural issues the applicant shall provide two versions of all large-format plans as part of the final application including one hard copy of all documents.

- In respect to Urban Design and General Layout the applicant shall provide additional documentation and clarifications are required including standalone contiguous elevations for visually prominent areas, to include the full Boherboy Road interface, the proposed site layout plan shall indicate all proposed contours and structural features such as retaining walls, gabion walls, and other site infrastructure. Elevations for each of these structural elements should also be submitted to allow for proper visual and technical assessment.

- In respect to Urban Design and General Layout the applicant shall provide

additional documentation and clarifications are required including standalone contiguous elevations for visually prominent areas, to include the full Boherboy Road interface, the proposed site layout plan shall indicate all proposed contours and structural features such as retaining walls, gabion walls, and other site infrastructure. Elevations for each of these structural elements should also be submitted to allow for proper visual and technical assessment.

- The applicant must provide longitudinal cross-sections extending across the entire site.

- The final application must include a clearly defined and consistently applied net site area, which should be verified and cross-referenced across all submitted documentation.

- The applicant shall submit a detailed Housing Quality Assessment (HQA) demonstrating full compliance with the County Development Plan and relevant Guidelines in relating to the design and amenity of each of the units on site. In addition, the applicant shall submit a complete Daylight & Sunlight Analysis Report confirming that all habitable rooms meet the necessary requirements in terms of Daylight & Sunlight and that the proposal will not cause any significant material impacts on existing development within the area.
- The applicant to confirm the dates they purchased the sites and shall continue to liaise with the SDCC Housing Team with regards to the final Part V agreements.

- Clarity shall be provided on the total number of childcare places being provided and all documentation should reflect this figure.

- The proposed school site is the preferred location as per discussion with the Department of Education and Skills.

- Community Infrastructure - The applicant is strongly encouraged to engage with the SDCC Planning Delivery Team regarding the provision of community floorspace prior to submitting the final planning application, with the aim of reaching agreement on the quantum to be levied in lieu of on-site delivery.

- To set out a clear phasing strategy for the development.

- The final application must adequately address all concerns raised by the SDCC Water Services Section and must respond in full to the requirements set out in the report submitted by Uisce Éireann.
- The applicant shall address the concerns raised by the SDCC Conservation Officer in particular the hydrogeological assessment. The final submission should include all relevant and up-to-date environmental and ecological surveys required to facilitate a thorough assessment of the potential impacts on the site's biodiversity and ecological value.
- The applicant is required to address the issues raised by SDCC's Public Realm Section, in particular the northern portion of the site, where existing access is significantly constrained by embankments and steep gradients, including level differences of up to 3m, which hinder inclusive and universal access. Concerns have also been raised regarding the location of play areas within low-lying sections, specifically relating to their usability and functionality during and after rainfall events. The final proposal should demonstrate the integration of active play elements can be achieved.
- Further consideration shall be given to the report provided by the SDCC Roads Department, in particular the Accessibility Audit as requested.
- An EIAR, AA screening assessment, and NIS, if required, shall be submitted with the final application, along with all relevant and up to-date environmental and ecological surveys required.

4.3. Applicants Response to Opinion

4.3.1. The application includes an LRD Opinion Compliance Statement. The applicant considers that the LRD planning application addresses all the issues raised in the SDCC LRD Opinion (Ref. LRDOP003/25) and contains all of the requested items of specific information as appropriate.

4.3.2. A Statement of Consistency demonstrates how the proposed development is consistent with the objectives of the relevant planning policies pertaining to the development site at local, regional, and national level. It is considered that the proposed development is consistent with national policy and with the policies and objectives of the current South Dublin County Development Plan, 2022-2028, has

been prepared by Armstrong Fenton Associates, Planning and Development Consultants.

4.3.3. The applicant considers having regard to relevant national, regional, and local planning policy, the zoning objectives attached to the site and the contextual location of the site, the development now put forward for permission is considered to represent a sustainable development and efficient use of zoned lands for new residential development, and therefore we request that the permission being sought is granted.

5.0 Planning Authority Decision

5.1. Decision

5.2. The Planning Authority granted permission on 13th February 2026, subject to 31 conditions. I note that **Condition No. 30** is the subject of the first party appeal.

5.3. The Conditions are standard in nature; however, the following Condition are of particular note:

- Condition 3 requests the application to submit details of a provision of an artistic physical feature at the subject site to improve the built environment/public realm, which could include high quality features within the environment/landscaping.
- Condition 5 relates to Environmental Mitigation Measures.
- Condition 13 relates to Sustainable Movement including footpath widths within the scheme, EV charging, and a Mobility Management Plan.
- Condition 14 relates to Taking in Charge.
- Condition 16 requests a detailed phasing programme for the development.
- Condition 27 requires Construction Consultation and Local Liaison.
- Condition 28 relates to a Contribution in lieu of the provision of community floorspace as referenced in Objective LUD1 of the expired Fortunestown LAP and supporting 2022-2028 South Dublin County Development Plan.
- Condition 29 is a standard Financial Contribution Condition.

- Condition 30 Contribution in lieu of Public Open Space relates to a financial contribution of €2,139,093.00 (Two million, one hundred and thirty-nine thousand and ninety-three euro only), in lieu of public open space provision, based on a shortfall of 15,334 sqm of public open space. **This Condition relates to the first party appeal**.
- Condition 31 relates to a bond.

5.4. **Planning Authority Reports**

5.4.1. The Planner's Report (dated 13th February 2026) is presented in sections including Section 1 procedural notes, Section 2 proposed development and site information, Section 3 relevant planning history, Section 4 National and Local Planning Policy, Section 5 Consultation and Public Participation, Section 6 Assessment of Proposed Development, Section 8 Environmental Assessments and can be summarised as follows:

Principle of Development – Zoning and Council Policy

- The site is primarily zoned RES-N, which permits new residential communities in principle, alongside supporting uses such as childcare and a future school site.
- SDCC considered the proposal generally compliant with the intent of the zoning objective and County Development Plan (CDP), despite the expiry of the Fortunestown LAP.
- The Planning Authority concluded the scheme did not constitute piecemeal development and adequately addressed the "approved area plan" requirement.
- The site is identified as a Housing Capacity Site under the CDP and considered suitable for residential growth.

Urban Design and Layout

- The development is organised into five distinct character areas with varying densities, materials and building forms to create a more coherent urban structure.

- SDCC noted that earlier iterations lacked cohesion, but the revised proposal showed significant improvement in layout integration and placemaking.
- Additional elevations, site sections, contour plans and accessibility documentation were submitted following pre-application concerns.
- Proposed density of approximately 50 units per hectare was considered appropriate and within national guideline ranges for suburban/urban extension lands.
- Building heights ranging from 2 to 5 storeys were considered acceptable due to the site's topography, with taller buildings concentrated in lower northern areas.

Housing and Residential Amenity / Unit Mix

- The scheme provides 611 units comprising houses, duplexes and apartments with a broad mix of one- to five-bedroom units.
- SDCC considered the unit mix appropriate and compliant with CDP policy, particularly the provision of over 30% three-bedroom units.
- A Housing Quality Assessment demonstrated compliance with apartment guidelines, minimum unit sizes, storage and private open space standards.
- The Planning Authority accepted the daylight and sunlight analysis, which found the majority of units and amenity spaces compliant with BRE standards.
- The scheme exceeds minimum communal open space requirements for apartments and duplexes.

Public Housing / Part V

- SDCC Housing confirmed that Part V negotiations would proceed following any grant of permission.
- The Council's preference is to acquire units on site, subject to Department approval and full Part V details being submitted.
- Final unit numbers, locations and costs remained to be agreed.

Childcare Provision

- A two-storey crèche of approximately 630 sqm is proposed in the north-eastern section of the site.
- The facility is designed to accommodate 148 childcare places, meeting the calculated requirement under the Childcare Guidelines.
- SDCC Childcare Committee identified some concerns regarding alignment with Tusla and universal design guidance but ultimately considered the crèche feasible.
- Environmental Health noted that food safety registration and Tusla compliance would be required separately.

School Site

- The proposal reserves approximately 1.03 hectares for a future school site in accordance with the County Development Plan.
- The Department of Education confirmed satisfaction with the location and engagement undertaken by the applicant.

Community Infrastructure

- No on-site community floor space is proposed.
- Instead, the applicant agreed to pay an in-lieu contribution of approximately €534,616 toward a consolidated community facility in Citywest.
- SDCC considered this approach preferable to fragmented on-site provision and consistent with CDP objectives.

Phasing Strategy

- SDCC required a phasing strategy ensuring that open spaces are delivered alongside residential phases.
- The objective was to secure balanced site development and avoid delayed delivery of amenities and public realm infrastructure.
- Infrastructure and Environmental Services
- The proposal includes significant infrastructure works including surface water attenuation, drainage infrastructure and a foul sewer pumping station.

- SDCC Water Services and Uisce Éireann required further technical compliance and confirmation of service feasibility.
- Conditions were recommended by Water Services and Irish Water.

Open Space and Green Infrastructure

- The scheme provides approximately 2.37 hectares of public open space and 4,750 sqm of communal open space.
- SDCC Public Realm raised concerns regarding steep gradients, accessibility and play area usability in low-lying areas prone to wet conditions.
- The Planning Authority sought stronger integration of active recreation and inclusive design measures.
- Existing streams, hedgerows and riparian corridors were recognised as important green infrastructure features.

Sustainable Movement (Roads)

- Vehicular access is proposed from Boherboy Road with additional connections to Corbally Heath and Carrigmore Green.
- The development also includes pedestrian and cyclist links to surrounding estates and adjoining lands.
- SDCC Roads requested additional accessibility analysis and further consideration of movement and transport impacts.
- The density strategy concentrated higher-density development closer to Luas services and public transport accessibility.

Natural Heritage

- The site contains streams, hedgerows, riparian corridors and areas within Flood Zones A and B.
- SDCC Conservation Officer required additional hydrogeological and ecological assessment to evaluate water movement, biodiversity and habitat impacts.
- Updated environmental and ecological surveys were requested to support full assessment of ecological impacts.

Appropriate Assessment

- The Planning Authority required submission of Appropriate Assessment screening and Natura Impact Statement documentation where necessary.
- The application was assessed having regard to Natura 2000 protections and ecological policy requirements under the CDP.

Environmental Impact Assessment

- Previous SHD applications on the site had been refused partly due to deficiencies in Environmental Impact Assessment reporting.
- The current application includes an EIAR and supporting environmental documentation addressing biodiversity, transport, landscape and cumulative impacts.
- The Planning Authority required comprehensive environmental surveys and updated assessments as part of the final submission.

5.4.2. It was considered that "*the proposed development would deliver 611 no. residential units, a two storey childcare facility, approximately 2.37 ha of public open space areas, and a contribution in lieu to provide for community floorspace in accordance with Policy COS 3, Objective COS3 Objective 1, Objective 2 and Objective 3 of the South Dublin County Development Plan 2022 – 2028. The overall scheme broadly aligns with the relevant policies and objectives of the South Dublin County Development Plan 2022-2028 and would assist in delivering much-needed housing stock for the county. The scheme is at an appropriate scale and density relative to the context of the site and wider receiving environment and would accord with the 'RES-N' land use zoning objective of the site, and relevant policies and objectives regarding residential consolidation and intensification, reflecting the wider objectives of the RSES.*

Having regard to the provisions of the South Dublin County Council Development Plan 2022 2028 and the overall design and scale of the development proposed it is considered that, subject to conditions set out below, 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". As such the Planning Authority recommended a grant of

planning permission for this LRD subject to the conditions as noted in Section 5.1. above.

5.4.3. Other Technical Reports

- Roads - Conditions recommended.
- Parks and Public Realm - Conditions recommended.
- Water Services - Conditions recommended.
- Housing - Conditions recommended.
- Public Lighting – Report received.
- South Dublin County Childcare Committee – Report received.
- Arts Officer – Report received.
- Heritage Officer Conditions recommended.
- Waste Management – No report received.
- Delivery Team – No report received.

5.4.4. Conditions

- Where bespoke conditions, have been recommended or attached by the internal departments these relevant conditions will be considered in my assessment of the proposed development, and consideration will be given as to whether the condition should be included in any decision to grant by the Coimisiún.
- I note that Condition No. 30 (levy in lieu of public open space) is subject to the first party appeal.

5.5. Prescribed/Other Bodies

Department of Housing, Local Government and Heritage (DAU) – Conditions recommended.

Uisce Éireann (Irish Water) – Conditions recommended.

Environmental Health Officer (EHO) – Conditions recommended.

Transport Infrastructure Ireland (TII) – Observation received.

Department of Defence Geological Survey Ireland – Observation received.

D.H.L.G - Archaeological Heritage (DAU) – Conditions recommended.

Inland Fisheries Ireland (re fish protection) – Conditions recommended.

National Transport Agency (NTA) – No report received at time of this report.
Department of Education – No report received at time of this report.

5.6. Third Party Observations

5.6.1. A total of eighty-nine (89 no.) submissions were received with regards to the proposed development. Seven (7 no.) were from elected representatives, and four (4 no.) comprised of group submissions. I note that 11 no. third party observers have appealed the decision of South Dublin County Council to An Coimisiún Pleanála.

5.6.2. Issues raised have been set out in detail in the Planning Report. The main issues raised relate to the following themes; unsafe vehicular access through existing residential estates, severe existing traffic congestion and transport capacity issues, housing delivery ahead of infrastructure provision, overdevelopment and excessive density in Citywest/Corbally area, failure of coordinated strategic planning, area deficit in community, recreational and social infrastructure, flood Risk, drainage and climate resilience concerns, biodiversity, habitat and environmental protection concerns, residential amenity and community wellbeing and strong widespread local opposition to the proposed development.

6.0 Planning History

<u>The following planning history relates to the appeal site:</u>

6.1. ABP-313145-22

6.1.1. The Commission refused permission on 23rd July 2025 for Strategic Housing Development comprising of 655 no. residential units (257 no. houses, 398 no. apartments), childcare facility and associated site works. The single reason for refusal related to the Environmental Impact Assessment Report, in that "*the documentation submitted with the application, does not identify or describe adequately the direct, indirect, secondary and cumulative effects of the proposed development on the environment, in particular the proposed works to the Boherboy*

Road, towards the junction with the N81, the extent of hedgerow removal along the Boherboy Road and the associated environmental impacts. Accordingly, the Commission is not 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, particularly with regard to biodiversity, noise, material assets: transportation, landscape and cumulative impacts".

6.2. **ABP-304828-20**

6.2.1. The Bord refused permission on the 30th of September 2019 for Strategic Housing Development comprising of 609 no. residential units (267 no. houses, 158 no. duplex units, 184 no. apartments), creche and associated site works. Access to that development was proposed from the Boherboy Road. There were three reasons for refusal:

The first reason considered that that the development as proposed results in a poor design concept that is substandard in its form and layout and lacks variety and distinctiveness. Also, the proposed development would not be in accordance with the Design Manual for Urban Roads and Streets issued by the Department of Transport, Tourism and Sport, and the Department of the Environment, Community and Local Government in 2013.

The second reason stated that "*having regard to the proximity of the Luas stops at Saggart and Fortunestown the Board considered that the proposed development with a net density of 30 number units per hectare to the south of the site would not be developed at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage and, therefore, the density proposed would be contrary to the provisions of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, as they relate to cities and towns and in particular to sites serviced by existing and planned public transport"*.

Finally, the third reason for refusal considered that the "*Environmental Impact Assessment Report, together with the documentation submitted with the application, did not identify or describe adequately the direct, indirect, secondary and cumulative effects of the proposed development on the environment"*. The Board was not satisfied that the information contained in the Environmental Impact Assessment Report complied with the provisions of European Union Directive 2014/52/EU

amending Directive 2011/92/EU, particularly with regard to biodiversity, water, traffic and landscape and visual impact.

6.3. **Reg. Ref SD15A/0388/PL06S.247074**

6.3.1. The Board refused permission on the 7th of December 2016 for a development of 216 houses on a site of 8.16ha that formed part of the current site. Access to that development was proposed from the Boherboy Road. There were two reasons for refusal:

The first reason stated that the Board was not satisfied that the site would be suitable for development having regard to the absence of a site-specific flood risk assessment. The second reason stated that the proposed development would not comply with policies in favour of high-quality design set out in the Sustainable Urban Residential Guidelines, DMURS, the Development Plan and the Local Area Plan. The reason for refusal made specific reference to the removal of hedgerows and the lack of an integrated biodiversity network, the peripheral location of the main active public open space areas, the unsatisfactory quantum of rear amenity space and that the development was contrary to guidance regarding street design, road widths, home zones and a clear hierarchy of spaces.

The Board's Direction also highlighted concerns about the lack of connectivity to the Luas stop and local centre at Fortunestown, the low density of the development, the generic and repetitive design of the houses coupled with a poor housing mix and overreliance on 3 and 4 bed semi-detached units and a distinct lack of an adequate range of alternate house types, but stated that these would be new issues in the context of the appeal.

The Direction also stated that the Board shared the concerns of the Inspector with respect to non-compliance with DMURS as expressed in the Planning Inspector's Report and considered that these concerns should be taken into account in any future application for development on the site.

7.0 Policy Context

7.1. **National Planning Policy**

National Planning Framework (2025)

7.1.1. The National Planning Framework (NPF) 2025 sets out that the 'major policy emphasis on renewing and developing existing settlements established under the NPF 2018 will be continued, rather than allowing the continual expansion and sprawl of cities and towns out into the countryside, at the expense of town centres and smaller villages'.

7.1.2. Relevant Policy Objectives include:

- National Policy Objective 7: Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements and ensure compact and sequential patterns of growth.
- National Policy Objective 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.
- National Policy Objective 9: Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints and ensure compact and sequential patterns of growth.
- National Policy Objective 10: 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.
- National Policy Objective 11 – 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 Planning and Development Act shall have regard to a broader set of considerations beyond the targets including, in particular, the receiving capacity of the environment.
- National Policy Objective 20: In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages,

subject to development meeting appropriate planning standards and achieving targeted growth.

- National Policy Objective 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.
- National Policy Objective 43 – Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.
- Implements carbon budgets and sectoral emissions ceilings and sets a roadmap for taking decisive action to halve our emissions by 2030 and reach net zero no later than 2050. By 2030, the plan calls for a 40% reduction in emissions from residential buildings and a 50% reduction in transport emissions. The reduction in transport emissions includes a 20% reduction in total vehicle kilometres, a reduction in fuel usage, significant increases in sustainable transport trips, and improved modal share.

Delivering Homes, Building Communities, 2025

7.1.3. This document aims to further accelerate the delivery of new homes, to deliver 300,000 by the end of 2030, which will be achieved through the individual and collective effort of the key delivery partners. Local authorities, together with Approved Housing Bodies, the Land Development Agency, and the construction sector, will be critical to delivering and enabling the delivery of the quantum of homes needed over the lifetime of the plan. This is a wide-ranging strategy, encompassing two pillars: Activating Supply and Supporting People.

Climate Action Plan, 2025 (referenced in conjunction with Climate Action Plan 2024)

7.1.4. Implements carbon budgets and sectoral emissions ceilings and sets a roadmap for taking decisive action to halve our emissions by 2030 and reach net zero no later than 2050. By 2030, the plan calls for a 40% reduction in emissions from residential buildings and a 50% reduction in transport emissions. The reduction in transport emissions includes a 20% reduction in total vehicle kilometres, a reduction in fuel

usage, significant increases in sustainable transport trips, and improved modal share.

7.1.5. 2025 update -Implements carbon budgets and sectoral emissions ceilings and sets a roadmap for taking decisive action to halve our emissions by 2030 and reach net zero no later than 2050. The residential sector is on track to meet its 2021-2025 sectoral emissions ceiling and is ahead of its 2025 indicative reduction target of -20%.

National Biodiversity Action Plan (NBPA) 2023-2030

7.1.6. The 4th NBAP strives for a “whole of government, whole of society” approach to the governance and conservation of biodiversity. The aim is to ensure that every citizen, community, business, local authority, semi-state and state agency has an awareness of biodiversity and its importance, and of the implications of its loss, while also understanding how they can act to address the biodiversity emergency as part of a renewed national effort to “act for nature”.

7.1.7. This National Biodiversity Action Plan 2023-2030 builds upon the achievements of the previous Plan. It will continue to implement actions within the framework of five strategic objectives, while addressing new and emerging issues:

- Objective 1 - Adopt a Whole of Government, Whole of Society Approach to Biodiversity
- Objective 2 - Meet Urgent Conservation and Restoration Needs
- Objective 3 - Secure Nature’s Contribution to People
- Objective 4 - Enhance the Evidence Base for Action on Biodiversity
- Objective 5 - Strengthen Ireland’s Contribution to International Biodiversity Initiatives

Water Framework Directive

7.1.8. The Water Framework Directive (WFD) Directive 2000/60/EC focuses on ensuring good qualitative and quantitative health, i.e., on reducing and removing pollution and on ensuring that there is enough water to support wildlife at the same time as human needs.

7.1.9. The key objectives of the WFD are set out in Article 4 of the Directive. It requires Member States to use their River Basin Management Plans (RBMPs) and Programmes of Measures (PoMs) to protect and, where necessary, restore water bodies in order to reach good status, and to prevent deterioration. Good status means both good chemical and good ecological status. It establishes a framework for the protection of all inland surface waters, transitional waters, coastal waters and groundwaters.

Section 28 Ministerial Guidelines

7.1.10. In consideration of the nature and scale of the proposed development, the receiving environment and the site context, as well as the documentation on file, including the submissions from the Planning Authority and other parties addressed below, I am satisfied that the directly relevant Section 28 Ministerial Guidelines comprise of:

Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024) (hereinafter the 'Sustainable Settlements Guidelines');

- The guidelines note "*City - Suburban/Urban Extension Suburban areas are the lower density car-orientated residential suburbs constructed at the edge of cities in the latter half of the 20th and early 21st century, while urban extension refers to the greenfield lands at the edge of the existing built up footprint that are zoned for residential or mixed-use (including residential) development8. It is a policy and objective of these Guidelines that residential densities in the range 40 dph to 80 dph (net) shall generally be applied at suburban and urban extension locations in Dublin and Cork, and that densities of up to 150 dph (net) shall be open for consideration at 'accessible' suburban / urban extension locations (as defined in Table 3.8)".*
- *Intermediate Location (Table 3.8: Accessibility) • Lands within 500-1,000 metres (i.e. 10-12 minute walk) of existing or planned high frequency (i.e. 10 minute peak hour frequency) urban bus services; and • Lands within 500 metres (i.e. 6 minute walk) of a reasonably frequent (minimum 15 minute peak hour frequency) urban bus service*".

Design Standards for Apartments, Guidelines for Planning Authorities, (2025)

- The guidelines, hereafter referred to as the Apartment Guidelines, provide quantitative and qualitative standards for apartment development across a range of thresholds depending on the number of units proposed and the site's context. It also sets out SPPRs to be adhered to across a range of parameters. Applicable standards for the proposed development include requirements in respect of minimum floor areas, and by reference to Appendix 1, minimum storage and private open space areas, % of dual aspect units, and minimum 2.7m requirement for ground level floor to ceiling height.

Urban Development and Building Heights, Guidelines for Planning Authorities (2018) (hereinafter the 'Building Heights Guidelines');

- SPPR 3: An application needs to set out how the development complies with development management criteria in relation to at the scale of the relevant city/ town, at the scale of district/ neighbourhood/ street and at the scale of the site/ building.

Design Manual for Urban Roads and Streets (DMURS) (2019);

Water Services Guidelines for Planning Authorities – Draft (2018) and Circular FPS 01/2018 issued by the Department of Housing, Planning and Local Government on the 17th day of January 2018;

Childcare Facilities – Guidelines for Planning Authorities (2001) (hereinafter the 'Childcare Guidelines').

7.1.11. Although not an exhaustive list, the following planning guidance and strategy documents are also considered relevant:

- Cycle Design Manual (2023);
- Part V of the Planning and Development Act 2000 - Guidelines (2017);
- Road Safety Audits (TII, 2017);
- Traffic and Transport Assessment Guidelines (TII, 2014);
- Building Research Establishment (BRE) 209 Guide - Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice, (2nd Edition 2011, 3rd Edition 2022);

- AA of Plans and Projects in Ireland - Guidance for Planning Authorities (2009);
- The Planning System and Flood Risk Management - Guidelines for Planning Authorities.

7.2. Regional Planning Policy

The Regional Spatial and Economic Strategy (RSES) - Eastern and Midland Regional Assembly (EMRA)

7.2.1. The 'Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy (RSES) 2019-2031' supports the 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 following regional policy objective (RPO) of the RSES is considered relevant to this application:

RPO 3.2 – in promoting compact urban growth, a target of at least 50% of all new homes should be built within or contiguous to the existing built-up area of Dublin city and its suburbs, while a target of at least 30% is required for other urban areas.

7.2.2. According to the RSES, the site lies within the Dublin metropolitan area, where it is intended to deliver sustainable growth through the Metropolitan Area Strategic Plan (MASP) to ensure a steady supply of serviced development land. Key principles of the MASP include compact sustainable growth and accelerated housing delivery, integrated transport and land use, and the alignment of growth with enabling infrastructure. The MASP identifies residential and mixed-use development through the regeneration of brownfield lands in Tallaght and the re-intensification of older industrial estates at Naas Road / Ballymount. The new district at Fortunestown is identified for residential growth.

7.3. South Dublin County Development Plan, 2022-2028

7.3.1. The site is subject to zoning objective 'RES-N' – 'New Residential', which seeks – "*To provide for new residential communities in accordance with approved plan areas"*.

7.3.2. Section 12.2.1 Land-Use Zoning Table sets out that Residential uses are identified as 'permitted in principle' on lands zoned RES-N (Table 12.3).

7.3.3. Relevant Development Plan Sections and Objectives

- Chapter 2 relates to Core Strategy and Settlement Strategy

Section 2.5.4 Planning and Construction Activity states "In terms of deliverability, between commencement of the SHD process in 2017 and Q3 2021, 23% of the permitted SHD units have either commenced construction or have been built. Delivery of these 100 plus unit developments in South Dublin County has generally occurred along the periphery of the County (Citywest / Fortunestown) and established areas (Rathfarnham) but not in the regeneration lands which account for 30% of all SHDs permitted in the County. The deliverability of SHDs / LRDs, especially within key growth areas, will form part of the Core Strategy monitoring process".

Section 2.6.4 states in order to achieve this objective a prioritised level of growth of undeveloped land (excluding units / land under construction) for each Neighbourhood Area based on past construction and deliverability was applied with a focus on the SDAs identified under the MASP; amounting to 9,613 units representing a total of 14% at 2,113 units within Fortunestown. The overall prioritised level of growth facilitates the delivery of a total of 14,527 units, or 93% of South Dublin County Council's growth, which exceeds the requirements of NPO 3b and RPO 3.2. The Plan further notes that "*the remaining balance has been allocated to the three settlements: Saggart, Newcastle and Rathcoole totalling 1,050 units (7%), providing for an overall total allocation of 15,576 units*".

Section 2.6.7 relates to Housing Strategy and includes a number of objectives which include: -

Policy CS3 Objective 6: To ensure the phased development of new housing areas in tandem with the delivery of physical and social infrastructure provision as identified within Local Area Plans or as informed by assessments carried out by the Planning Authority.

Policy CS4: Active Land Management - 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, vacant sites and under-utilised areas.

Section 2.7.1 Dublin City and Suburbs - Wider Dublin City and Suburbs area – states "The relatively new district area, in Fortunestown / Citywest has been developing over the last number of years at a significant pace and is subject to a Local Area Plan. Its proximity to the Citywest Business Park has facilitated the delivery of housing and jobs beside each other which is supported by the Red Luas Line. The level 3 District Centre of Citywest shopping centre forms the centre of the new district area within and contiguous to the Dublin City and suburbs boundary. It has been one of the most active areas in terms of the delivery of housing for the County during the 2016-2022 Development Plan period. The delivery of commensurate levels of social and physical infrastructure to match recent and continued growth will be promoted in this area".

- Chapter 4 relates to Green Infrastructure

Policy GI1: Overarching - Protect, enhance and further develop a multifunctional GI network, using an ecosystem services approach, protecting, enhancing and further developing the identified interconnected network of parks, open spaces, natural features, protected areas, and rivers and streams that provide a shared space for amenity and recreation, biodiversity protection, water quality, flood management and adaptation to climate change.

GI1 Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County.

Policy GI2 relates to Biodiversity - strengthen the existing Green Infrastructure (GI) network and ensure all new developments contribute towards GI, in order to protect and enhance biodiversity.

GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments ….

Policy GI3 relates to Sustainable Water Management

Policy GI4 relates to Sustainable Drainage Management

Section 4.2.3 relates to Climate Resilience. The Plan promotes a GI approach which frontloads South Dublin County's response to ensure a county which is resilient to current and future climate change impacts.

- Chapter 5 relates to Quality Design and Healthy Placemaking

Policy QDP1: Successful and Sustainable Neighbourhoods Support the development of successful and sustainable neighbourhoods that are connected to and provide for a range of local services and facilities.

Policy QDP2: Overarching - Successful and Sustainable Neighbourhoods Promote the creation of successful and sustainable neighbourhoods through the application of the eight key design principles to ensure the delivery of attractive, connected, and well-functioning places to live, work, visit, socialise and invest in throughout the County.

Policy QDP3: Neighbourhood Context Support and facilitate proposals which contribute in a positive manner to the character and setting of an area.

Policy QDP4: Healthy Placemaking

Policy QDP5: Connected Neighbourhoods

Section 5.2.5 refers to policies relating to Public Realm - "Key to the achievement of successful and sustainable neighbourhoods is the provision of a high-quality public realm...."

Section 5.2.6 relates to High Quality and Inclusive Development

Section 5.2.7 relates to Density and Building Heights. Section 5.2.7 states the following in relation to building height and density: …In response to such policy provisions and guidelines, in particular SPPR1, this plan is accompanied by South Dublin County's Building Height and Density Guide (Appendix 10).

Policy QDP8: High Quality Design – Building Height and Density Guide (BHDG) Adhere to the requirements set out in the Urban Development and Building Height Guidelines (2018) issued by the DHLGH through the implementation of the Assessment Toolkit set out in the South Dublin County's Building Heights and Density Guide 2021.

Policy QDP9: High Quality Design - Building Height and Density Apply a context driven approach to building heights in South Dublin, as supported by South Dublin's Building Heights and Density Guide.

Policy QDP10: Mix of Dwelling Types - Ensure that a wide variety of housing types, sizes and tenures are provided in the County in accordance with the provisions of the South Dublin County Council Housing Strategy 2022-2028.

Policy QDP11: Materials, Colours and Textures

Section 5.4.1 Local Area Plans - states that Local Area Plans will be prepared for areas where new development requires a coordinated approach and in particular for areas that are likely to experience large scale development or that are in need of regeneration. Local Area Plans must be consistent with the policies and objectives of the County Development Plan and ministerial guidelines. Policy changes will help inform the decision to review existing Local Area Plans.

QDP14 SLO 1: To ensure the sustainable long-term growth of Citywest that continues to promote and facilitate the development of the Citywest / Fortunestown area in accordance with the phasing set out in the Fortunestown Local Area Plan 2012-2022 (as extended) or any superseding LAP, and that appropriate levels of services, social and sports infrastructure, facilities and economic activity is met to meet the needs of the current and future population growth.

- Chapter 6 relates to Housing.

Policy H1: Housing Strategy and Interim Housing Need and Demand Assessment - Implement South Dublin County Council Housing Strategy and Interim Housing Needs and Demand Assessment 2022-2028 (and any superseding Housing Strategy agreed by the Council) and to carry out a review of the Housing Strategy as part of the mandatory Two-Year Development Plan review.

H1 Objective 12: Proposals for residential development shall provide a minimum of 30% 3-bedroom units, a lesser provision may be acceptable where it can be demonstrated that:

- there are unique site constraints that would prevent such provision; or
- that the proposed housing mix meets the specific demand required in an area, having regard to the prevailing housing type within a 10-minute walk of the

site and to the socioeconomic, population and housing data set out in the Housing Strategy and Interim HNDA; or

- the scheme is a social and / or affordable housing scheme.

Section 6.7.1 includes policies relating to Residential Design and Layout.

Section 6.7.2 includes policies relating to Private and Communal / Semi-Private and Public Open Space.

Section 6.7.3 includes policies relating to Private and Semi-Private Open Space

Section 6.7.4 includes policies relating to Internal Residential Accommodation

Section 6.7.5 includes policies relating to Privacy and Security

Section 6.8 includes policies relating to Residential Consolidation in Urban Area

- Chapter 7 relates to Sustainable Movement; the following policies are of relevance:

Policy SM2 relates to Walking and Cycling

Policy SM2 relates to Public Transport

Policy SM5 relates to Street and Road Design

Policy SM6 relates to Traffic and Transport Management

Policy SM7 relates to Car Parking and EV Charging

Policy SM3: Public Transport – Rail, Transport Interchange and Park and Ride: SM3 Objective 20: To support additional capacity on the Luas Red Line, to service the intensification of development in Tallaght and Fortunestown and the future development of the City Edge lands.

- Chapter 8 relates to Community Infrastructure and Open Space

Table 8.2: Public Open Space Standards

Land Use	**Public Open Space Standards (minimum)**
Overall Standard	2.4 Ha per 1,000 population
New Residential Development on Lands Zone RES-N	Minimum 15% of site area

New Residential Development on Lands in Other Zones including mixed use	Minimum 10% of site area
Institutional Lands / 'Windfall' Sites	Minimum 20% of site area

Section 8.7.4 Delivery of Public Open Space and Contributions in Lieu includes -The Council may, in certain circumstances and at its sole discretion, allow for an element of open space to be located off-site where it exceeds the minimum on-site requirements. Alternatively, the Council may in certain circumstances and at its sole discretion, determine a financial contribution in lieu of all, or part of, the public open space requirement for a particular development.

COS2 SLO 1: That Citywest / Fortunestown areas are provided (from within their own community) public, purpose built and suitable amenities including: Library; Community centre and a community café; Accessible playgrounds / playspaces, teenspaces and youth amenities (such as a skate park); Designed green spaces including a managed public park with adequate, accessible public seating and that can host festivals and community events; Greater biodiversity in the area and more tree coverage; Adequate numbers of pitches and clubhouses / pavilions for sports; Adequate public childcare and afterschool facilities; School sites.

COS3 SLO 2: To deliver a community centre / community facility within Citywest as part of the delivery of infrastructure identified in the Fortunestown Local Area Plan.

In relation to Boherboy - COS5 SLO 2 states it is an objective of the Plan "To require the provision of public open space and to ensure that the location, layout and design of the public open space facilitates the delivery of a sports pitch to facilitate multiuse within the Boherboy lands in the south part of the Fortunestown LAP lands, alongside the residential development that is permitted on these lands".

- Chapter 9 relates to Infrastructure and Environmental Service, including polices relating to Water Supply and Wastewater, Flood Risk, Waste Management, Environmental Quality and Casement Aerodrome.
- Chapter 12 relates to Implementation and Monitoring.

12.3.1 Appropriate Assessment

12.3.2 Ecological Protection

12.3.3 Environmental Impact Assessment

12.4.1 Green Infrastructure Definition and Spatial Framework

12.4.2 Green Infrastructure and Development Management

12.5.1 Universal Design

12.5.2 Design Considerations and Statements

12.5.3 Density and Building Heights 12.5.4 Public Realm: (At the Site Level)

12.6.1 Mix of Dwelling Types

12.6.7 Residential Standards

Table 12.20: Minimum Standards for Housing

Type of Unit	House Size	Private Open Space
One bedroom	50 sq m	48 sq m
Two bedrooms	80 sq m	55 sq m
Three bedrooms	92 sq m	60 sq m
Four bedroom or more	110 sq m	70 sq m

Table 12.21: Minimum Standards for Apartments

Type of Unit	Apartment	Private Open Space	Communal Open Space	Storage
Studio	37 sq m	4 sq m	4 sq m	3 sq m
One bedroom	45 sq m	5 sq m	5 sq m	3 sq m
Two bedrooms (3 person)	63 sq m	6 sq m	6 sq m	5 sq m
Two bedrooms (4 person)	73 sq m	7 sq m	7 sq m	6 sq m
Three bedrooms (5 person)	90 sq m	9 sq m	9 sq m	9 sq m

Apartment Size Safeguards – “The majority of apartments in any proposed scheme of 100 units or more shall exceed the minimum floor area standard for any combination of 1, 2 or 3 bed units, by a minimum of 10%. Any studio apartments must be included in the total but are not calculable as units that exceed the minimum by at least 10%”.

12.6.8 Residential Consolidation

12.6.10 Public Open Space

12.7.1 Bicycle Parking / Storage Standards

12.7.2 Traffic and Transport Assessments

12.7.4 Car Parking Standards:

Table 12.26: Maximum Parking Rates (Residential Development)

Dwelling Type	No. of Bedrooms	Zone 1	Zone 2
Apartment Duplex	1 Bed	1 space	0.75 space
	2 Bed	1.25 spaces	1 space
	3 Bed+	1.5 spaces	1.25 spaces
House	1 Bed	1 space	1 space
	2 Bed	1.5 spaces	1.25 spaces
	3 Bed+	2 spaces	1.5 spaces

The number of spaces provided for any particular development should not exceed the maximum provision. The maximum provision should not be viewed as a target, and a lower rate of parking may be acceptable.

Section 12.7.4 as states – 'The maximum parking standards may also be varied in particular areas by the Planning Authority through planning mechanisms such as SDZ Planning Schemes, Local Area Plans or Movement Framework Plans and Area Access Studies'.

12.7.5 Car Parking / Charging for Electric Vehicles (EVs)

12.7.6 Car Parking Design and Layout

12.10.1 Energy Performance in New Buildings

12.11.1 Water Management

12.11.3 Waste Management

12.11.4 Environmental Hazard Management

12.11.5 Aviation, Airports and Aerodrome

7.4. Natural Heritage Designations

7.4.1. There are no European sites, Natural Heritage Areas (NHAs), or proposed Natural Heritage Areas (pNHAs) in the immediate vicinity of the proposed development site.

The closest European site to the proposed development is Glenasmole Valley SAC (site code: 001209) at 4.1km. Additionally, the following European Sites should be noted:

Name	Site Code	Distance from Site
South Dublin Bay SAC	(000210)	15.5km
North Dublin Bay SAC	(000206)	18.6km
Glenasmole Valley SAC	(001209)	4.1km
Wicklow Mountains SAC	(002122)	5.3km
Rye Water Valley/ Carton SAC	(001398)	10km
Red Bog, Kildare SAC	(000397)	10.9km
Rockabill to Dalkey Island SAC	(003000)	22.3km
South Dublin Bay and River Tolka SPA	(004024)	15.6km
North Bull Island SPA	(004006)	18.6km
Wicklow Mountains SPA	(004044)	8.7km
Poulaphouca Reservoir SPA	(004063)	11km
North-West Irish Sea SPA	(004236)	19.9km

8.0 The Appeal

I note that a First Party Appeal and eleven Third Party Appeals have been lodged in respect of the LRD.

8.1. Grounds of First Party Appeal

8.1.1. The grounds of appeal relate to Condition 30 (Contribution in lieu of Public Open Space, under Section 48 of the Planning and Development Act 2000, as amended)

attached to the grant of permission under LRD25A/0012W and can be summarised as follows:

8.1.2. The main issues raised can be summarised as follows:

- This is a first party appeal against the attachment of a condition relating to the payment of a financial "contribution in lieu of public open space" only - this is not a first party appeal against the subject development as permitted under Ref. LRD25A/0012W.
- A considerable portion of the site is undevelopable due to topography, the need to retain hedgerows and provide riparian buffers, maintaining open watercourses, providing for natural surface water treatment solutions and catering for road/footpath improvements and required roads objectives/connections to adjoining lands, the reservation a site for a school within the application site and existing wayleave conditions.
- The net developable area of the site is reduced by c.6.45ha to c.12.2Ha, i.e. c.35% of the total site area is undevelopable, thus leaving c.65% of the gross site capable of accommodating housing, on a site that is zoned for new residential development.
- The subject LRD includes a public open space provision of 23,654sq.m (c.2.37 hectares) which equates to c. 13% of the gross site area (c.18.7Ha) or c.19% of the net developable area (c.12.2Ha). The Development Plan states that the overall standard for public open space is 2.4 hectares per 1,000 population and that this will be applied to all developments with a residential element. It also states that within that standard, there are specified percentages as set out in Table 8.2 which must, as a minimum, be provided on site.
- A minimum 15% public open space provision on lands zoned RES-N (which the subject site is zoned) is required. The subject LRD provides for a 19% public open space provision of the overall site area and therefore exceeds the minimum standard for public open space provision.
- c.3.15Ha of the entire site is reserved for the protection of ecological / biodiversity / riparian buffers which do not form part of the public open space

calculation, nor is there any development proposed within these reserved areas / corridors.

- The contribution in lieu of public open space relates to a shortfall of public open space provision under the South Dublin County Development Plan, 2022-2028 (hereafter "CDP") standard of 2.4Ha per 1,000 population, notwithstanding the provision of public open space in excess of the minimum standards of the both the CDP and the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities, 2024, (hereafter "Compact Settlements Guidelines").
- The CDP states "The Council's general intent is to ensure a minimum provision of public open space on site, within the relevant zoning, as set out under Table 8.2 Public Open Space Standards". It also states that "the Council may in certain circumstances and at its sole discretion, determine e financial contribution in lieu of all, or part of, the public open space requirement for a particular development" [our emphasis added]. The CDP does not state that the Council "shall" require or determine a financial contribution in lieu of the provision of public open space on site.
- The appeal sets out that the requirement to pay a financial contribution in lieu of open space provided is unwarranted as the subject LRD meets and exceeds the minimum provision of public open space on the site, under both the CDP and the Compact Settlements Guidelines.
- The Applicants have no objection to the payment of development/financial contributions but in this instance consider the requirement to pay a financial contribution in lieu of public open space to be excessive and unwarranted and it is requested that Condition No. 30 attached to the decision by South Dublin County Council to grant permission, under Ref. LRD25A/0012W be omitted.

8.2. **Grounds of Third Party Appeal**

8.2.1. Eleven (11 no.) third appeals have been lodged in respect of the proposed LRD development, including local residents, appeals on behalf of resident associations and one public representative.

8.2.2. The main issues raised have been summarised as follows:

Non-Compliance with Planning Policy

- General claims that the proposal materially contravenes the South Dublin County Development Plan.
- Concerns regarding excessive density, inappropriate scale and incompatibility with the existing character of Saggart and surrounding estates.
- Allegations that the proposal prioritises housing yield over sustainable placemaking and infrastructure-led development.

Vehicular Access Through Corbally Heath and Carrigmore

- Strong objection to opening existing cul-de-sacs and estate roads as through-routes for vehicular traffic.
- Concerns that Corbally Heath would effectively become a distributor road or “rat-run” between the N81, N82 and surrounding estates.
- Requests that all vehicular access be taken directly from the N81/Boherboy Road, with estate links restricted to pedestrian and cyclist access only.

Traffic Congestion, Road Safety and Public Transport Capacity

- Significant concerns regarding increased traffic volumes arising from over 600 new dwellings.
- Existing road infrastructure is considered congested and inadequate, particularly around the R136, N81, Citywest and surrounding junctions.
- Concerns regarding pedestrian and cyclist safety, especially for children, elderly residents and vulnerable road users within existing estates.
- Claims that the Traffic and Transport Assessment failed to adequately assess cumulative impacts, behavioural traffic rerouting and future development growth.
- Concerns that the Luas Red Line and wider public transport network are already operating at or beyond capacity.
- Claims that ongoing large-scale development in Citywest/Saggart has created unsustainable cumulative growth without matching infrastructure investment.

- Objections that further development would intensify pressure on transport systems and increase private car reliance.

Parking Overspill and Car Dependency

- Concerns that proposed parking provision would not meet actual demand due to overcrowded public transport and continued car dependency.
- Fear that overspill parking would occur within Corbally Heath and adjacent estates, obstructing roads, emergency access and pedestrian movement.
- Requests for a parking stress assessment and overspill mitigation strategy.

Residential Amenity Impacts

- Concerns regarding loss of privacy, overlooking, overshadowing and visual intrusion from higher-density development and buildings up to five storeys.
- Objections to the change in character from quiet residential cul-de-sacs to high-traffic movement corridors.
- Concerns regarding noise, air pollution, vibration and reduced quality of life for adjoining residents.

Construction Phase Impacts

- Concerns regarding prolonged construction impacts including dust, HGV traffic, vibration, noise and worker parking pressure.
- Requests for enforceable Construction Environmental Management Plans, monitored dust/noise limits and strict working hour controls.

Inadequate Community, Health and Social Infrastructure

- Claims that rapid population growth in Citywest/Saggart has not been matched by schools, healthcare, recreational facilities or community infrastructure.
- Concerns regarding overcrowded schools, GP waiting lists and pressure on Tallaght Hospital.
- Criticism that the Social Infrastructure Assessment overstated accessibility and underestimated demand, particularly for children and young people.

Lack of Recreation and Open Space Provision

- Concerning that, the scheme fails to provide sufficient usable recreational facilities, including playing pitches and child-friendly public open space.
- Objections that open spaces are fragmented, steeply sloped and lacking practical recreational value.
- References to previous Development Plan objectives requiring a full-size playing pitch prior to residential development.

Flood Risk, Drainage and Environmental Concerns

- Concerns regarding flood risk, groundwater conditions, drainage capacity and wastewater infrastructure.
- Claims that the site has historic flooding issues and marshland characteristics that were not adequately assessed year-round.
- Concerns regarding cumulative environmental impacts and insufficient climate resilience measures.

Biodiversity and Greenfield Loss

- Concerns regarding loss of greenfield land, hedgerows, marsh habitat and ecological value.
- Objections regarding potential impacts on bird species, wildlife corridors and protected habitats.
- Concerns that mitigation proposals rely excessively on future monitoring rather than demonstrated protection measures.

Failure to Address Previous ABP Refusal

- Appeals argue that the development does not adequately resolve issues identified in previous An Bord Pleanála refusals for the site.
- Concerns remain regarding environmental impacts, traffic, infrastructure capacity and cumulative effects.

Inadequate Application Documentation and Assessment

- Claims that parts of the application documentation are inconsistent, unclear or insufficiently detailed.

- Concerns regarding absence or inadequacy of certain technical assessments, mitigation details and construction impact information.
- Allegations that the deficiencies undermine meaningful public participation and proper assessment.

8.3. Observations

8.3.1. Three (3 no.) observations were received from Katrina Russell, Linda Prendergast (on behalf of Citywest Community Council) and S. Jones. The key planning issued raised are similar to those noted above and include the following:

- The Planning Application is fundamentally flawed, based on inaccurate data, and represents a significant threat to the safety and residential amenity of our community within The Corbally Heath Estate.
- The proposal creates an unacceptable traffic hazard.
- The Traffic Transport Assessment (TTA) and supporting documentation are factually unreliable and should be deemed legally invalid.
- The application fails to provide a site-specific, accurate assessment of the proposed development.
- Risks of piecemeal and uncoordinated development.
- Violation of SDCC Policy QDPI Objective 2 - risks a "half-finished" development.
- Independent delivery by separate teams will likely lead to uncoordinated, overlapping construction phases, resulting in a doubling of noise, dust, and traffic disruption for the adjoining estate.

8.4. Planning Authority Response

8.4.1. The Planning Authority responded on 9th March 2026 and noted that the Planning Authority confirms its decision. The issues raised in the appeal have been covered in the Chief Executive Order.

8.5. Applicant's Response

8.5.1. The applicant provided a detailed response on 2nd April 2026, in response to 11 no. third party appeals. I have summarised the key points as follows:

- The proposed development is put forward in compliance with the Res-N, land use zoning objective attached to the site, under the South Dublin County Development Plan, 2022-2028.
- All of the proposed dwellings are in compliance with the floor areas standards for new housing, as per the 2007 Quality Housing for Sustainable Communities Guidelines, and apartment developments as per the SPPRs of the 2023 and 2025 Sustainable Urban Housing: Design Standards for New Apartments ensuring a high-quality development and standard of living for future residents.
- The proposed development accords with the guidance set out in the "Sustainable Residential Development and Compact Settlements Guidelines", 2024.
- The proposed development achieves a net density of c.50 units per hectare in accordance with the aforementioned guidelines, and in accordance with the direction provided by the Planning Authority in their LRD Opinion.
- One of the key infrastructural requirements on the subject site is the delivery of road objectives that were first adopted as part of the 2012 Fortunestown LAP (now expired) but carried forward into the 2016 and 2022 County Development Plans. These roads objectives seek to connect the Boherboy lands to Corbally to the east and Carrigmore to the north. These roads proposals have been discussed at length and agreed in principle with the Planning Authority, as evidenced by their decision to grant permissions.
- The Applicants are fully willing to deliver these connections into the adjoining estates which have been taken in charge by the Local Authority.
- The submitted LRD application is accompanied by a suite of environmental, traffic and various roads reports all of which demonstrate that the two vehicular connections into Corbally and Carrigmore, as well as the main

vehicular connection onto the Boherboy Road are appropriate and safe and will not have a detrimental impact on the surrounding environs.

- Careful consideration has been given to the design of the proposed development to ensure integration with its environs, which is evident by the scale and building heights proposed, and the plethora of linkages to adjoining lands.
- The proposed site layout plan is also based upon the principles of DMURS and good urban design principes.
- The submitted Architectural Design Statement clearly demonstrates how the key criteria such as context, connections, inclusivity, variety and distinctiveness are catered for in the proposed development.
- It is also evident from the submitted Landscape Design Rationale and drawings, that the design aims to create a seamless and intuitive environment, with useable and meaningful open space provided, as well as the protection of key environmental and ecological assets.
- Judicious consideration has been paid to the preservation of existing vegetation and creating spaces that promote and support local flora and fauna. The landscape design has led to the overall architectural layout, having first been married with sustainable engineering and ecological requirements, from which the housing layout then took its cue.
- There is a good mix of dwelling types, building height, variation in design and character areas, with distinct character areas created, to establish a sense of place throughout the scheme.
- Good street frontage is proposed so as to create a strong urban edge along same. The enclosed landscaping details clearly demonstrate how the topography of the site is to be handled in an appropriate and soft manner.
- The subject LRD includes a public open space provision of 23,654sq.m (c.2.37 hectares) which equates to c. 13% of the gross site area (c.18.7Ha) or c.19% of the net developable area (c.12.2Ha). The site layout plan provides for the public open space provision in a variety of formats and recreational functions, with all open spaces will be passively overlooked, catering for a

range of recreation types and pedestrian and cyclist connectivity, along with linkages to adjoining lands.

- A green infrastructure strategy is applied to the proposed development, as per the enclosed Landscape Design Rationale. A significant proportion of the existing hedgerows are to be retained and have been incorporated into the site layout plan whilst, also adding to place making / character areas within the scheme.
- It is considered that the subject proposal for a proposed Large-scale Residential Development represents proper planning and sustainable development of the subject site and supports the objectives national, regional and local planning policy, with the Planning Authority concurring with same as per their notification of decision to grant permission.
- The proposed LRD aligns with the relevant policies and objectives of the South Dublin County Development Plan 2022-2028 and will assist in delivering much-needed housing stock for the county.
- This site has an extensive planning history. The subject LRD proposal satisfies the Planning Authority given their decision to grant permission. It is respectfully put forward that the design of the proposed development, as well as the content of the comprehensive LRD planning application now being assessed de novo has fully addressed all of the previous concerns and reasons to refuse permission. Taking this into account and having regard to the policies and objectives in the 2022-2028 South Dublin County Development Plan, and all guidance.
- The proposed development constitutes an acceptable quantum and density of development in this location, will not seriously injure the residential or visual amenities of the area, is acceptable in terms of urban design, height and quantum of development and is acceptable in terms of traffic and pedestrian safety.
- The applicants consider that the proposed development is in accordance with the proper planning and sustainable development of the area and request that

the permission as applied for is granted, subject to whatever conditions An Coimisiún Pleanala considers appropriate.

- Request that An Coimisiún Pleanala issue an Order to Grant Permission for the development, upholding the decision of South Dublin County Council to grant permission.

8.6. Further Responses

8.6.1. Two further responses have been received from Donna O'Connor and Fintan McConnell (on behalf of Corbally Glade Residents) on foot of the applicant's response to the appeals. The main issues raised are similar to those noted in the third party observations and observations and include the following additional and specific concerns with respect to the EIAR and Condition No. 30 of the Planning Authority Decision as follows:

- Several serious concerns regarding the accuracy, completeness, and reliability of the EIAR Chapter l4: Material Assets - Traffic & Transportation and the Traffic & Transport Assessment.
- It is noted that the EIAR Traffic Assessment was conducted before South Dublin County Council's planned rezoning of lands in the Saggart-Citywest-Fortunestown area – it is submitted that this is a critical omission that affects the validity of the EIAR's conclusion.
- Significant daily traffic increase through Corbally, which is understated in EIAR.
- The EIAR conclusion that these increases are "imperceptible" or "slight" is not credible given these figures and local conditions.
- The EIAR does not account for the well-known pattern of motorists being diverted from the N81 Blessington Road into Corbally Heath.
- The existing cut-through pattern of existing traffic from neighbouring estates is entirely omitted from the EIAR baseline.
- Existing road network is not capable of absorbing the increase the EIAR does not reflect the local reality.

- Cumulative impacts significantly understated and the EIAR consistently concludes "no significant cumulative impact", a conclusion that is not supported by the evidence.
- The Commission is requested to deem the EIAR Chapter 14 incomplete, request a revised Traffic & Transport Impact Assessment and reassess the suitability of proposed access route through Corbally Heath.
- The development the subject of LRD25A/0012W should be refused, for the planning, environmental, traffic, infrastructure, and community reasons already set out in the residents' third-party appeals.
- Only if permission is upheld, the residents respectfully request that Condition No. 30 must be upheld in full and without modification, as a necessary, lawful, and proportionate mitigation measure responding to a demonstrable public open space deficit.
- Ecological buffers are not a substitute for public open space.

9.0 **Assessment**

9.1. Having examined the application details and all other documentation on file, including the submission received in relation to the appeal, including the reports of the planning authority, inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:

- Planning Content
- Principle of Development
- Density and Height
- Transportation and Parking
- Design Strategy
- Residential Standards - including Condition 30 – subject of first party appeal
- Flooding, Drainage and Water Infrastructure
- Community Facilities and Social Infrastructure

- Material Contravention
- Other Matters

9.2. **Planning Context**

9.2.1. At the outset I draw the Commission's attention to the planning history on this site, in particular ABP-313145-22, under which permission was refused for an SHD housing scheme for one reason that the Commission was not satisfied that the information contained in the Environmental Impact Assessment Report complied with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU, particularly with regard to biodiversity, noise, material assets: transportation, landscape and cumulative impacts.

9.2.2. I also note ABP-304828-19, under which permission was refused for an SHD housing scheme for three reasons including density, layout and insufficient information in respect to the EIAR.

9.2.3. Whilst this report represents my assessment of the first and third party appeals, I will reference the previous applications on site throughout my assessment in respect to specifically how to the current application has addressed the concerns previously raised under ABP-313145-22, in particular. A number of third-party appeals/observations also consider that the current application has not adequately addressed the previous concerns raised in the planning history. I note that the LRD presented mirrors previous applications on site in response to previous reasons for refusal for an SHD housing scheme, again this will be assessed in my report.

9.3. **Principle of Development**

9.3.1. The Planning Authority had no issue in relation to residential development on this site, considering that the proposed land uses are capable of being appropriately accommodated on the site, subject to full compliance with the relevant policies and objectives of the Development Plan. Furthermore, it is considered that sufficient detail has been submitted to demonstrate compliance with the "approved area plan" requirement as intended under the RES N zoning objective. In relation to the capacity for growth the planner considered that the subject site is identified as a Housing Capacity Site under Figure 9 of the South Dublin County Development Plan

2022-2028 and is therefore identified as having the capacity to accommodate residential development.

9.3.2. The appellants/observers considered this site to be suitable site for residential development and are not opposed to housing development on the site in principle, their concerns, however, relate more to the proposed scale and density, the vehicular permeability through Corbally Heath/Carrigmore, infrastructure deficits, and the manner in which the development is proposed, rather than an outright objection to residential development itself.

Zoning

9.3.3. The subject site is zoned in the South Dublin County Development Plan 2022 – 2028 for "new residential communities in accordance with approved action plans". The subject site is well located within walking distance of the Luas red line located to the north of the site. The nearest stop is Fortunestown which is located c.500 metres to the north as the crow flies. The site is also located in close proximity to Citywest Shopping Centre which accommodates a range of retail and service facilities. To the northwest of the site, is a large District Park which accommodates play facilities. Saggart Village is located c.1.3km to the east, accessible from the Boherboy Road.

9.3.4. In respect to compact growth, the Development Plan highlights that consideration must be given to the delivery of housing to meet the needs of current and future population in line with national trends during the course of the 2022-2028 Plan period. To this end, the Plan notes a prioritised level of growth of undeveloped land (excluding units / land under construction) for each Neighbourhood Area based on past construction and deliverability was applied with a focus on the SDAs identified under the MASP; amounting to 9,613 units including land within Fortunestown (14% at 2,113). This facilitates the delivery of a total of 14,527 units, or 93% of the County's growth which exceeds the requirements of NPO 3b and RPO 3.2 (since updated and referenced below). The remaining balance has been allocated to the three settlements: Saggart, Newcastle and Rathcoole totalling 1,050 units (7%), providing for an overall total allocation of 15,576 units.

9.3.5. Section 6.2 of the Plan states that "Planned growth for the Development Plan period comprises 93% of new homes within the Dublin City and Suburbs settlement through the re-use, infill and consolidation of existing urban areas with sustainable

intensification along public transport networks at the 'REGEN' zoned lands, Adamstown and Clonburris SDZs and the new district at Fortunestown".

9.3.6. Therefore, having regard to the zoning objective pertaining to the lands and the guidance referenced in the South Dublin County Development Plan 2022 – 2028 in respect to the development of residential growth with particular reference to the Fortunestown area, the principle of residential development on the subject lands is acceptable.

School Site

9.3.7. The application site includes the reservation within the site for the future delivery of a school (c.1 hectare) in line with the provisions of the South Dublin County Development Plan, 2022–2028.

9.3.8. I reference Objective COS2 SLO 1, of the Development Plan, in this regard, which states that Citywest / Fortunestown areas are provided (from within their own community) public, purpose built and suitable amenities including: school sites.

9.3.9. I also note that the planners report references "As per discussion with the Department of Education and Skills, the site, as detailed, is the preferred location for a new school". I also note that the footprint of the school building is based upon a permitted primary school. Play facilities associated with the needs of the school are also accommodated within the site, as is car and bicycle parking, however, these numbers are indicative.

9.3.10. Having regard to the area of the site set aside for the school site and its location to the northern portion of the site, I am satisfied that the area reserved and location of same within the overall scheme to be reasonable.

National Policy and Regional Guidelines

9.3.11. In terms of national and regional guidance, I reference the NPF (First Revision), within which compact growth is identified as a National Strategic Outcome of the NPF. As required under the NPF, 50% of future population and employment growth will be focused in the existing five cities and their suburbs, as per National Policy Objective 4 of the NPF.

9.3.12. I reference the Regional Spatial and Economic Strategy - Dublin Metropolitan Area Strategic Plan (MASP), references the NPF in respect to the targets to achieve

compact growth, and identifies strategic residential and employment corridors along key public transport corridors existing and planned, that contain development opportunities, including Fortunestown near the emerging town of Saggart/Citywest, which is supported by the LUAS line, some 500m to the north of the application site. I reference Policy CS1: Strategic Development Areas of the Plan to "Prioritise housing and employment growth within the identified residential and employment growth areas set out under the Metropolitan Area Strategic Plan", and CS1 Objective 1, "To ensure a sustainable and plan led allocation of housing and employment growth within the strategic development areas of South Dublin County in line with the provisions of the MASP".

9.3.13. Moreover, the Compact Settlement Guidelines (2024), have a specific focus on the renewal of existing settlements and on the interaction between residential density, housing standards and placemaking to support the sustainable and compact growth of settlements. The Guidelines notes to achieve compact growth it will be necessary to increase the scale and density of development of sites, particularly in locations served by existing facilities and public transport. The Guidelines recommend a density range of between 40 to 80 uph, rising to up to 150 uph at 'accessible' suburban/urban extension locations. Section 3.4 of the Guidelines goes on to identify a further two-step 'refining process' for the residential density ranges based on location and accessibility. I note that higher density development is concentrated in the northern half of the site, which lies within 1 km of the Fortunestown Luas stop, in accordance with guidance to locate the greatest densities near high-capacity public transport nodes. Density The submitted documentation confirms a net density of c.50 residential units per hectare (uph) across the entire site, which is acceptable in principle, however, this will be assessed further in Section 9.4 below.

9.3.14. As the proposed scheme includes apartment units, I also reference the Apartment Guidelines (2025), which states that "*The NPF was revised in 2025, reaffirming the Government's commitment to Compact Growth. This includes a new approach to monitoring urban growth and a tool to track and compare urban development trends across the main urban settlements".*

9.3.15. Accordingly, I am satisfied that the principle of the proposed large scale residential development on these lands, in particular the density and mix of units proposed

accords with the relevant guidance noted above. Any other relevant Section 28 Guidance will be referred to in the following assessment.

Conclusion:

9.3.16. I am satisfied that the development of this site for residential and childcare uses as proposed is acceptable in principle, subject to compliance with relevant national and local planning policy and ministerial guidelines. I note that no issues were raised in the planning authority's assessment of the application or in the appeal regarding the principle of residential development on this site.

9.4. **Density and Height**

9.4.1. The issue of density and height are linked and have been raised in the appeals/observations as concerns, as it is considered that scale, height, massing, and intensity of development proposed are excessive and inconsistent with the prevailing built form in Saggart. It is further contended that the proposal constitutes "overdevelopment of the site".

9.4.2. The planning authority did not raise any concerns with respect to density or height and considered that the distribution of densities across the site is considered consistent with the site's characteristics, transport accessibility, and the recommendations of the 2024 Sustainable Residential Development Guidelines. Moreover, the Planning Authority is satisfied that detailed consideration has been given to the design and location of the proposed units across the site from a building height perspective. Reference is made to the location of the highest building in the northern end of the site and the lowest buildings in the southern end of the site

9.4.3. Section 7.6 of the planning statement accompanying the LRD states that the net density calculation excludes the following:

- Land reserved for a future school - c.1.03 Ha (10,311sq.m),
- Designated flood zone - c.0.69Ha (6,892sq.m),
- Two no. drainage wayleaves traversing the site - c.1.33Ha (13,312sq.m),
- South-western portion above the 120m contour line / steeply sloped part of the site - c.0.49 Ha (4,972sq.m),

- Hedgerow along the western boundary and its 10m buffer zone - c. 0.66Ha (6,581sq.m),
- 10m buffer from the top of the stream bank along the eastern boundary - c. 1.24Ha (12,440sq.m),
- Area occupied by central ditch - c.0.8Ha (8,044sq.m), and
- The centrally located north-south "Link Street" c. 0.4Ha (4,024sq.m).

9.4.4. The net developable area of the site is approximately 12.2 hectares, after discounting around 6.45 hectares of “undevelopable land”, as noted above, and I concur with this assertion. As noted above, proposed development of 611 no. units results in a net density of 50 units per hectare across the entire site.

9.4.5. I refer the Commission to Figure 10: South Dublin Core Strategy Map of Chapter 2 Core Strategy and Settlement Strategy of the CDP 2022 - 2028 as set out in Section 11.4 above which identifies Fortunestown as a MASP residential growth area. The CDP also states in Section 2.6.4 off Chapter 2 that “to achieve this objective a prioritised level of growth of undeveloped land (excluding units / land under construction) for each Neighbourhood Area based on past construction and deliverability was applied with a focus on the SDAs identified under the MASP; amounting to 9,613 units representing a total of 61.7% of units being within the SDZs and Regeneration Lands (47.7% at 7,500) and within Fortunestown (14% at 2,113)”.

9.4.6. Appendix 10 of the County Development Plan, 2022-2028, Building Height and Density guide, provides a toolkit for assessing the suitability of density levels thought the County, and notes that Fortunestown, given the LUAS, its main transport service, that the predominant forms of development expected in these locations, the Guide is focused on mid to higher density developments.

9.4.7. QDP8 Objective 2 of the Plan states “In accordance with NPO35, SPPR1 and SPPR3, to proactively consider increased building heights on lands zoned Regeneration (Regen), Major Retail Centre (MRC), District Centre (DC), Local Centre (LC), Town Centre (TC) and New Residential (Res-N) and on sites demonstrated as having the capacity to accommodate increased densities in line with the locational criteria of Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2020) and the Urban Design

Manual – Best Practice Guidelines (2009), where it is clearly demonstrated by means of an urban design analysis carried out in accordance with the provisions of South Dublin County's Building Height and Density Guide that it is contextually appropriate to do so".

9.4.8. While a density requirement for Fortunestown has not been explicitly stated in the Development Plan, having regard to the Core Strategy and the aims to achieve compact growth in line with national policy, I consider that the proposed density of c.50 residential units per hectare (uph) across the entire site, is within a suitable density range for this site location and, therefore, complies with the South Dublin County Development Plan, 2022 – 2028.

9.4.9. I also note the key objective of the National Planning Framework in respect to compact growth targets in particular in Dublin City and Suburbs and the Compact Settlement Guidelines in respect to density.

9.4.10. Table 3.1 of the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities, 2024 identifies three 'area types' for the larger cities based on their accessibility to existing services and proximity to high-capacity transport corridors etc. The subject site is considered to be categorised as a 'City – Suburban/Urban Extension' site per the area type categories.

9.4.11. The Guidelines recommend a density range of between 40 to 80 uph, rising to up to 150 uph at 'accessible' suburban/urban extension locations. Section 3.4 of the Guidelines goes on to identify a further two-step 'refining process' for the residential density ranges based on location and accessibility. As such, the proposed density of 50 uph is appropriate at this location and falls within the recommended range of 40 - 80 units per hectare set out in the Sustainable Residential Development and Compact Settlement Guidelines.

Height:

9.4.12. Appendix 10 Building Height and Density Guide 2022 of the Development Plan, address the requirement under SPPR1 of the Urban Development and Building Height Guidelines (2018) and the need for planning authorities to explicitly identify, through their statutory plan, areas where building height will be actively pursued for redevelopment, regeneration and infill development; and provides a toolkit for the assessment of proposed increased building heights in development application and

development management scenarios. The framework allows for the proactive consideration of increased heights within areas with specific land zoning designations as well as on sites demonstrated as having the capacity to accommodate increased densities in line with national guidance.

9.4.13. In this regard I consider that the proposed development including building heights ranging from 4, 4-5 and 5 storeys to be suitable at this location having regard to the Core Strategy and, therefore, complies with the South Dublin County Development Plan, 2022 – 2028.

Unit Mix:

9.4.14. While not specifically raised as an issue, I note with respect to **unit mix** that Section 7 of the submitted planning statement provides the following table that indicates the proposed unit mix on site, as follows:

Unit Type	1 bed	2 bed / 3 person	2 bed / 4 person	3 bed	4 bed	4 / 5 bed	Total No.	% Mix
Houses	0	0	30	243	26	7	306	50%
Duplexes	11	0	46	76	0	0	133	22%
Apartments	46	1	123	2	0	0	172	28%
Total No.	**57**	**1**	**199**	**321**	**26**	**7**	**611**	**100%**
% Mix	9%	1%	32%	53%	4%	1%	100%	-

Table 5 - Summary of Proposed Schedule of Residential Accommodation

9.4.15. The range provided as detailed in Table 5 above, ensures that the proposed development caters for a range of household types and needs. Additionally, the proposed development would exceed the minimum 30% requirement for 3-bedroom units under the South Dublin County Development Plan, 2022 – 2028. In this regard I consider that the proposed unit mix and tenure within the proposed development is acceptable and, therefore, complies with the South Dublin County Development Plan 2022 – 2028. I also note that the Planning Authority raised no concerns with respect to the proposed unit mix.

Conclusion:

9.4.16. I am satisfied that the proposal would be acceptable in the context of current Development Plan, 2022-2028 policy and objectives, and National and Regional Planning Guidance with respect to density, building height and unit mix.

9.5. Transportation and Parking

9.5.1. The core focus of the third party appeals and observations relate to traffic, safety, and access/permeability. The appeals repeatedly frame these as the principal planning concern, especially regarding the proposed vehicular links through Corbally Heath and Carrigmore from the appeal site.

9.5.2. The appeals consistently focus on vehicular permeability through existing estates, rat-running, increased traffic volumes, child safety, cul-de-sac reclassification, parking overspill, congestion, and loss of quiet residential character. The core issue is the proposed vehicular permeability through an established residential cul-de-sac and the resulting long-term impacts on residential amenity, safety, traffic distribution and policy compliance.

9.5.3. In addition, construction traffic is clearly and repeatedly raised as a significant issue in the third-party appeals, and the appellants seek a robust and enforceable Construction Environmental Management Plan (CEMP), including routing restrictions, construction traffic management, and resident protection measures.

9.5.4. The planning authority references the report received from Roads Department and notes that the department has no major concerns in terms of access and roads layout.

Proposed Access and Layout

9.5.5. In respect to the proposed access, three vehicular access points are proposed to the site via the Boherboy Road to the south of the site with connections into Corbally to the east and Carrigmore to the north, including pedestrian / cyclist connections into Carrigmore Park to the east / north-east via proposed bridge crossings. This will be the primary vehicular access to the site.

9.5.6. The proposed 10 no. houses in the south-eastern part of the site will be accessed from Corbally Glade to the east. This will not provide vehicular access to the entire development as this portion of the site is separated by the Corbally Stream, however, pedestrian and cyclist access will be provided via a bridge crossing the Corbally stream.

9.5.7. Pedestrian access will coincide with the vehicular access with additional access points onto Boherboy Road and through the Carrigmore District Park.

9.5.8. Detailed designs of the proposed connections including bridging details are enclosed and the impacts of same in terms of ecology/biodiversity and flooding are all addressed as part of this application, including the EIAR and are noted in Section 9.8 and Section 12 EIAR below.

9.5.9. The applicant has submitted a Traffic and Transport Assessment in support of the development. The assessment includes an analysis of the existing traffic conditions and an analysis of the existing road network. The appellants raise concerns regarding the baseline data used in the assessment.

9.5.10. Traffic counts were classified counts were carried out on the 10th of April 2025 at 8 different locations including:

- Junction 1 – Citywest Road/Citywest Drive Singal Controlled Junction
- Junction 2 - Carrigmore Access
- Junction 3 – Garter Lane/Church Road Singal Controlled Junction
- Junction 4 – Mill Road/Slade Road Signal Controlled Junction Pinnacle Engineering Consultants Traffic and Transport Assessment – V2 9
- Junction 5 – Site Access
- Junction 6 – Boherboy Road/N81
- Junction 7 – N81/N82 Signal Controlled Junction
- Junction 8 – N82/Corbally Roundabout.

9.5.11. The surveys were carried out on the date identified above to ensure that flows were representative of normal term time and hence not affected by school holidays or other public holidays or events. As such, I am satisfied they provide an appropriate and robust representation of a neutral month during a period of normal school and employment activity in the area.

9.5.12. The assessment also notes the existing public transport connections to the site, and I am satisfied that the existing site benefits from good levels of existing public transport and walking/cycling infrastructure, which will assist to encourage sustainable modes of travel for residents and visitors to/from the proposed development.

9.5.13. The traffic generation potential of the proposed development has been estimated using The Trip Rate Information Computer System (TRICS) software modelling database.

9.5.14. It is estimated that the total vehicle movements generated by the proposed development (|including the proposed houses, apartment and duplex units) will be 81 arrivals and 256 departures in the AM peak (two-way total of 338). The total number of vehicle movements in the PM peak hour will be 202 arrivals and 93 departures (two-way total of 295).

9.5.15. I am satisfied with the accuracy and traffic generation figures presented for the scale of the proposed development. I also note that Section 5.4 of the Traffic and Transport Assessment includes an assessment of the future school site and considers the increased trip generation, in particular the AM and PM peak period, when the school is constructed. It is understood that the school site will accommodate a 16-classroom primary school. Based on an average of 24 pupils per classroom there is a potential pupil population of 384. Based on 655 total units, it is estimated that up to 198 children from within the development will be of primary school going age. These trip rates have been used in conjunction with the proposed schedule of accommodation to determine the resultant total trips generated by the proposed development as noted above.

9.5.16. As part of the junction analysis the following scenarios were modelled – 2025 Survey Year, 2032 Opening Year, 2035 Opening Year + 5 Years and 2047 Opening Year + 15 Years. Each year was modelled with and without development at the 8 junctions referenced in Section 8.6.10 of my assessment above.

9.5.17. In respect to the junction analysis the assessment notes that junction modelling undertaken for the study network demonstrates that the majority of junctions continue to operate within, or close to, typical urban performance levels across all future-year scenarios, including the 2047 With Development (WD) design horizon. The results are fully consistent with what would be expected in a busy, expanding urban environment that has undergone significant recent development, with multiple new residential, commercial, and transport-related projects adding to background demand.

9.5.18. Overall, I am satisfied that the analysis presented confirms that the proposed development can be accommodated within the future road network, and that the proposed access arrangements could safety and adequately accommodate traffic levels as a result of the proposed development.

9.5.19. The assessment considered that there is there is a slight increase in traffic levels arising from the development and the distribution of resultant flows around the adjacent road. The results in terms of flows and movements can be accommodated by the neighbouring junctions with an anticipated slight uplift in congestion and delays at these locations.

9.5.20. Having regard to the assessment submitted with the application, I am satisfied that the proposed vehicular access points i.e., Boherhoy Road, Carrigmore and Corbally Heath, would alleviate any impact on the Boherboy Road in particular to accommodate the scale of the proposed development and that the planning application has provided appropriate access to the subject site to cater for the proposed development.

9.5.21. The majority of third-party objections relate to the provision of the proposed vehicular connection to the adjoining development at Corbally Heath to the east and Carrigmore Green to the north in respect to traffic and pedestrian safety and increase traffic movements and congestion resulting from the proposed development.

9.5.22. While expired, I note that the Fortunestown LAP stated that “Vehicular, pedestrian and cyclist access through the Boherboy Neighbourhood shall be provided to and from the Fortunestown Centre, the Saggart Abbey Estate, the Carrigmore Estate and Boherboy Road”, Objective BN4 relates to the provision of vehicular and pedestrian access through the adjoining estates to facilitate the development of lands in Boherhoy.

9.5.23. Whilst there is an existing access to the site via Boherboy Road, I consider that the provision of vehicular and pedestrian access through the adjoining estates is essential to facilitate the development of lands in Boherhoy, as the Boherboy Road does not have capacity to cater for a development of this scale and intensity. I acknowledge that there will be a greater volume of traffic as a result of the development, however, there will be a range of options provided for access into the

site as the proposed development will be served by three access points, with the proposed dwellings to the southeast corner using the existing access at Corbally Glade. I am satisfied that the potential impact of any increased traffic associated with the proposed development has been fully assessed as part of the proposed development and that the proposed access arrangements are acceptable with respect to traffic and pedestrian safety.

Construction Traffic and Impacts:

9.5.24. Construction traffic is clearly and repeatedly raised as a significant issue in the third-party appeals in particular that the scale of the development would involve prolonged construction activity, extensive HGV movements, and significant disruption immediately adjacent to existing homes. It is stated that the scale of site preparation, drainage, utilities, lighting, landscaping and road works will bring years of dust, noise, vibration, delivery/HGV traffic and worker parking pressure right along the adjoining boundary. The appellants repeatedly seek a robust and enforceable Construction Environmental Management Plan (CEMP), including with monitored noise/dust limits, working hours, routing restrictions, construction traffic management, and resident protection measures, etc.

9.5.25. The application documentation includes a detailed Construction Traffic Management Plan (CTMP) for the development, including details of wheel washing facilities, construction car parking, haul routes and so on. During construction, vehicle and HGV movements will be routed along appropriate haulage routes, mostly outside peak hours, limiting congestion and disturbance. Traffic increases are below 20%, so impacts on pedestrians, cyclists, and road safety are minimal.

9.5.26. The Construction Traffic Management Plan (CTMP) manages access, parking, and delivery times. Residual effects are shown as temporary, imperceptible, adverse, and not significant, including minor impacts on pedestrian severance, driver delay, and road safety. I also note the overall size of the appeal site and the ability to provide on site parking, for construction vehicles, etc. The Construction Plan notes that parking of construction staff vehicles on public roads will not be permitted. All construction traffic will access the site via the proposed access off the Boherboy Road. Car parking will be provided for all workers who travel to site using a car in or

adjacent to the site compounds. Additionally, construction access will be provided via Boherboy Road, only, thereby minimising impact on adjoining residential estates.

9.5.27. I acknowledge that some disruption will be expected during the construction period with respect to construction traffic, etc. however, I consider that construction traffic would have negligible impact on local network performance, human health, safety, and existing residents.

9.5.28. In respect to noise and dust the plan includes details in respect to dust and dirt control and noise control. However, should the Commission be minded to grant permission I would recommend that the applicant/developer submit a site specific Construction & Environmental Management Plan (CEMP) for the proposed development, ensuring best construction practices for the written agreement of the Planning Authority.

9.5.29. Additionally, in accordance with the decision of the planning authority (Condition 20), I would also recommend the inclusion of a condition requiring the applicant to submit an updated Construction Traffic Management Plan and Construction Management Plan for the site.

Safety

9.5.30. A number of concerns have been expressed in relation to safety in the adjoining estates as a result of the proposed development and increased traffic. While I acknowledge that there will be a greater volume of traffic as a result of the development, I am satisfied that the proposed access and egress arrangements to the site, in addition to the proposed footpath network within the scheme and externally via Corbally Heath and Carrigmore would be acceptable with respect to traffic and pedestrian safety.

9.5.31. I also note that the applicant has provided a Stage 1 & 2 Road Safety Audit. The main areas of concern are related to visibility splays, pedestrian routes and desire lines. I note that the recommendations of the audits have been accepted by the Planning Authority, and all recommendations are accepted. I am generally satisfied in this regard.

9.5.32. I note Condition No. 13 (b) of the grant of permission which requires proposed development shall be undertaken in accordance with the recommendations of the Transport (Traffic) Assessment and Road Safety Audit submitted.

9.5.33. Should the Commission be minded to grant permission, I recommend the inclusion of a condition in respect to the development being carried out in accordance with the recommendations of the Transport (Traffic) Assessment and Road Safety Audit.

9.5.34. Regarding children playing on the existing estates in both Corbally Heath and Carrigmore, the proposed development will provide green spaces within safe walking distance, which will provide a safer place for children in the vicinity to play.

9.5.35. In terms of pedestrian safety new footpath and pedestrian routes are proposed throughout the scheme.

Car Parking Provision and Public Transport Capacity:

9.5.36. Concerns regarding car parking are raised consistently throughout the appeals in particular the overspill of parking into adjoining estates, obstruction of footpaths, reduced road widths, and increased traffic conflict/safety issues.

9.5.37. I reference Table 12.26: Maximum Parking Rates (Residential Development)' of South Dublin County Development Plan, 2022-2028 in this regard.

Table 12.26: Maximum Parking Rates (Residential Development)

Dwelling Type	No. of Bedrooms	Zone 1	Zone 2
Apartment Duplex	1 Bed	1 space	0.75 space
	2 Bed	1.25 spaces	1 space
	3 Bed+	1.5 spaces	1.25 spaces
House	1 Bed	1 space	1 space
	2 Bed	1.5 spaces	1.25 spaces
	3 Bed+	2 spaces	1.5 spaces

9.5.38. The proposed development is located more than 500m from the nearest bus stop or Luas station. Therefore, the site is located in Zone 1 in relation to Table 12.26. The Plan considers that the number of spaces provided for any particular development should not exceed the maximum provision. The maximum provision should not be viewed as a target, and a lower rate of parking may be acceptable subject to several

criteria including the proximity of the site to public transport and the quality of the transport service it provides and the proximity of the development to services that fulfil occasional and day to day needs. I also note that the application includes a Traffic and Transport Assessment in this regard, as referenced above.

9.5.39. In respect of car parking, the proposed development provides 861 no. car parking spaces including 854 no. provided for in a mix of on-street and on-curtilage parking which equates to a ratio of 1.39 spaces per unit as follows:

- 584 no. car parking spaces are provided for the proposed houses in a mix of on-street and on curtilage parking.
- 155 no. spaces will be provided for the duplex units
- 115 no. spaces provided for the apartments

9.5.40. Table 12.25: Maximum Parking Rates (Non-Residential) states that for a creche land use in zone 1, space per classroom is required. The proposed development provides 7 no. parking spaces for the proposed creche.

9.5.41. The planners report raised no concerns in respect to the proposed parking and noted applicant has revised the parking allocation for the site and increased this from 837 (in the previous application) to 861 No. of on and off-street parking. The Roads Department deem the increase in parking is acceptable to help reduce the issue of illegal parking as raised in the observations by the residents.

9.5.42. The applicant considers that the parking spaces provided for the overall development, accords with local and national policy regarding reduced car parking and maximum standards for same. Having regard to the site location and the proposed provision of car parking to serve the development, I am satisfied that the proposed car parking arrangement accords with the Development Plan requirement and is considered generally acceptable.

9.5.43. The proposed development also caters for an ample provision of bicycle parking providing 711 no spaces which accords with the Development Plan requirement. I also not the provision of pedestrian and cyclist routes and infrastructure throughout the development.

9.5.44. I note however, that the proposed creche provides 8 no classrooms, as per the submitted floor plans with a stated floor area of 630.1 sq. m. However, some of these

classrooms are interlinked. Based on the development plan, a requirement of 8 no. parking spaces would be required, however, given the location of the proposed creche within the overall scheme and the proximity to alternative public transport options, I am satisfied that the proposed provision of 7 no parking spaces for the creche would be acceptable in this instance and would not materially contravene the Development Plan in this regard. Furthermore, the planning authority did not raise concerns in respect to the proposed parking to serve the creche.

9.5.45. A recurring issue raised in the third party appeals/observations relates to public transport capacity. It is argued that the public transport is at capacity and the assumption that the proximity to the LUAS will substantially reduce car use. It is also argued that there is insufficient public transport provision in the area and the development will place further pressure on already constrained public transport infrastructure.

9.5.46. I note that the Development Plan includes several objectives to expand the LUAS and BusConnect in accordance with RPO 5.2 of the RSES/MASP, “SM1 Objective 3: To support the delivery of key sustainable transport projects including DART and Luas expansion programmes, BusConnects and the Greater Dublin Metropolitan Cycle Network in accordance with RPO 5.2 of the RSES / MASP”.

9.5.47. I also note that the BusConnects Tallaght/Clondalkin Core Bus Corridor scheme has been approved (ABP- 316828-23), which will provide public transport services to the wider area, to include access to key areas such as the retail and recreational centre of the city; public transport hubs at the rail and bus station; along with the city centre hotels for example.

9.5.48. The applicant submitted a Traffic Transport Impact Assessment detailing information in relation to public transport connections local to the site.

9.5.49. In relation to bus connections, bus stops are located along Citywest Road (L2011) which is a distance approximately 600 metres from the eastern edge of the appeal site. These bus stops are served S8 BusConnects route with a frequency of 20 minutes. These also serve the 65B, 77A and 77X, thus providing a good service.

9.5.50. The site is also located 600 metres from Fortunestown Luas stop from the Carrigmore Road/Avenue entrance, with a direct pedestrian/cycle connection proposed from the site.

9.5.51. Whilst the appellants state that the LUAS is at capacity, based on the estimated number of trips undertaken by sustainable modes of travel that the proposed development could generate in the peak travel periods i.e. (0600-1000 in the AM and 1600-2000 in the PM). I do not consider the scale of impact generated on the public transport network to be significant.

9.5.52. I am satisfied that the Traffic Transport Impact Assessment provides an accurate and detailed assessment of the public transport in the locale and I consider that the location of the appeal site allows for increased mobility. This is also assessed in Section 12 EIAR of this report.

9.5.53. I also note the Residential Travel Plan, submitted with the planning application, which sets out measures to encourage future residents to use more sustainable transport modes such as bus services. The report notes that a Travel Plan Coordinator will be appointed to administer, implement, monitor and review travel plan management issues within the development. The Travel Plan Coordinator will also liaise with the local authority, public transport companies and facility managers on issues relevant to the maximisation by commuters of non-car-based journeys to work. The Travel Plan Coordinator will also promote car share within the scheme.

9.5.54. As such, I do not envisage an overflow of parking as a result of the proposed scheme, given the alternative options available in close proximity to the site. I am satisfied that adequate car parking will be provided to serve the development and complies with the Development Plan in this regard.

DMURS Compliance:

9.5.55. Reference is made in a third party appeal to the Design Manual for Urban Roads and Streets (DMURS), in respect to DMURS principles, residential street design and the balance between place and movement noting safety and the protection of existing residential amenity.

9.5.56. The applicant has submitted a Statement of Compliance with DMURS and considers that the development provides a holistic approach to the design of streets within the proposed development. The design process has been a collaborative and consultative design process involving architects, engineers, and landscape architects to provide a safer environment for pedestrians, cyclists and drivers alike. The applicant considers the integrated design approach delivers a safe, legible, and high-

quality residential environment consistent with national urban design policy and is compliant with the design principles outlined in the Design Manual for Urban Roads and Streets.

9.5.57. Having reviewed the proposed plans, I am satisfied that the proposed internal street network and associated public realm have been designed in full compliance with the principles and guidance set out in the Design Manual for Urban Roads and Streets, (2023).

9.5.58. The internal layout and hierarchy are fully consistent with the construction and operational access arrangements set out in the Construction Traffic Management Plan (PIN-RP-00-C005-V1) and the EIAR Transport and Traffic Chapter, which is discussed in Section 12 below.

Conclusion:

9.5.59. I am satisfied that the proposed road layout and proposed access points are acceptable to serve the proposed development and will not result in a traffic hazard. In general, pedestrian and cyclist provision are good within and to/ from the subject site. Adequate car parking is available on site, and the site is in close proximity to public transport options.

9.6. Design Strategy

9.6.1. The Planning Authority raise no specific concerns regarding the layout of the development and the nature of the proposed scheme. The planners considered that the revised design presents a more cohesive design approach, and the current design is considered acceptable.

9.6.2. The appeals raised concern about the impact of the development on the quiet residential character of Corbally/Carrigmore, the suburban grain of surrounding estates, the openness of the lands, and the existing identity of the area, through increased traffic, vehicular permeability, higher-density urban form, apartment blocks, and extensive urban infrastructure.

9.6.3. I have already assessed the proposed access arrangements in the forgoing Section 9.6 of this report. I have also commented on the proposed density and building height in Section 9.5.

9.6.4. As previously noted, the proposed development consists of 611 no. dwellings, comprised of 306 no. 2, 3, 4 & 4-5 bed, 2 & 3 storey, detached, semi-detached & terraced houses, 133 no. 1, 2 & 3 bed duplex units in 12 no. 2-3 storey blocks, and 172 no. 1, 2 & 3 bed apartments in 5 no. buildings ranging in height from 4-5 & 5 storeys. The proposed development also includes a 2-storey crèche (c.630m²). The Architectural Design Statement outlines the main design characteristics stating that the impact of the site constraints on the actual developable site area is significant, including difficult topography, hedgerow retention, maintaining open watercourses, road/footpath improvements and wayleave provision. The design includes a number of creative housing typologies which respond to the severe gradients across the site to ensure streets are activated on all sides and are free from blank retaining walls. Split level house types remove the need for retaining walls in back gardens, ensuring rear gardens are accessible and usable. Part 3 and 4 storey duplexes merge the varying levels between streets at either side of the block and Part 4 and 5 storey apartment block A1 gables into the slope.

9.6.5. In terms of distinctiveness the site is separated into five-character areas, all of which have been designed to their own identity with visually different building topography, unit types, materials, and finishes as follows:

- Character Area 01 – this area is located in the northern portion of the site and is characterised by 4-5 storey apartment buildings and flat roof duplex typologies which address the main link street and surrounding open spaces. At 4-5 storey the proposed building height sits between the prevailing 2-3 storey height of the development and the 6-10 storey height of City West to the north. This area includes a large 630 sqm creche. The Palette of materials include Red Brick, Buff brick, Glazed Brick, Render and Buff brick.
- Character Area 02 – this area is located from the central to south-western edge of the site. Traditional 2-storey deep-plan housing cells are proposed at this location and arranged to create strong frontages on to the western green corridor and internal pedestrian friendly homezones. End-terrace houses feature gable elevations designed to activate public realm areas at those locations and provide passive surveillance. The palette of materials includes render, red brick and grey slate tiles.

- Character Area 03 – this area is located along the central spine of the site, character Area 3 generates the main frontage of the south and central precinct overlooking both the main link road and green spine transversing the scheme north to south. This area features houses and duplexes with a variety of 2 to 3-storeys in height. The palette of materials includes buff brick facades with self-coloured render and grey slate tiles.
- Character Area 04 – this area is located south-eastern corner of the site. This area is comprised of 2-storey houses adjoining Corbally. Houses are finished in selected brown brick and render infill panelling, presenting a visual continuity with proximate character areas to the west.
- Character Area 05 – this area is centrally located within the site and is proximate to the eastern biodiversity corridor and the adjoining Corbally Estate. Housing is organised in regular 2 storey urban blocks which step down the hill to the north given the site levels. The area includes a number of dynamic house types which respond to the level changes across the site. The area includes four intimate amenity areas which provide pedestrian-only linkages through the blocks. The palette of materials includes render, brown brick, grey slate tiles, and pressed metal.

9.6.6. In respect to the design strategy, I welcome the use of the character areas, each with a unique design and unit mix which provides variety and distinctiveness within the scheme. I acknowledge the site constraints, with respect to site levels in particular, and I consider that the current proposal responds to the constraints with an appropriate design approach. In terms of materials and finishes, each character area comprises a different architectural design

9.6.7. While I acknowledge that the greenfield site will change in form, however the site is zoned for residential development, and I consider that the proposed development in terms of the proposed character areas, form, height and scale will integrate successfully into the existing area, will provide an attractive scheme at this location and, therefore will not impact on the character or visual amenity of the existing area.

9.7. Residential Standards

9.7.1. The Planning Authority raised no issues of concern in relation to impact from the development on existing residential amenity.

9.7.2. Concern was raised in the third party appeals, however, with respect to overlooking, from the proposed development in particular from the proposed apartment blocks, overshadowing, visual dominance, loss of openness, loss of views, and lighting impacts regarding the apartment blocks up to 5 storeys, and the proximity of new buildings to existing boundary homes and adjoining site boundaries. The appeals also note that no daylight/sunlight analysis was submitted.

Impact on existing residential amenity:

9.7.3. The proposed site plan indicated the proposed separation distances between the proposed development and the houses on adjoining lands. Due to the size and shape of the site, separation distances to the adjoining site boundaries vary between some 14 – 65 metres, with the exception of the proposed dwellings to the southeast corner, which adjoin the site boundary with Corbally Glade, this relationship is discussed further below.

9.7.4. The Carriagmore residential areas adjoin the development to the north of the site. The proposed separation distances to the northern site boundary are stated at some 65 metres, therefore, given the position of the apartment blocks relative to the northern site boundary, and the associated public open space at this location, I am satisfied that the development will not detract from the residential amenity to the north of the site.

9.7.5. To the west the proposed development is set back from the shared site boundary by some 14 – 26 metres, there is also an ecological corridor along the western site boundary with some pockets of public open space. As such, I do not envisage that the development would detract from the adjoining amenity to the west.

9.7.6. Residential developments to the east comprise Corbally and Verschoyle residential areas. The proposed development is set back from the eastern site boundary by some 30 metres – 59 metres, also including the ecological corridor, with the exception of the proposed housing Cell 7, which includes a terrace of 8 no. dwellings in close proximity to the eastern site boundary, which addresses the rear dwellings at Corbally Glade. The proposed houses comprise of terraced dwellings to a height of 9 metres, with a side elevation depth of 11.2 metres (House Type Bb-Ba-Ba-Bb - drawing no: BHBY-MRM-AR-ZZ-DR-P4-HB-CA4-1025). While the dwellings will be visible from the rear of the adjoining sites at Corbally Glade, I note the rear garden

depth of these dwellings and as such, I do not envisage that the proposed dwellings, would impact on the residential amenity of these dwellings.

9.7.7. I note, however, that the side elevation of the proposed Cell 7 terraced dwellings (drawing no: BHBY-MRM-AR-ZZ-DR-P4-HB-CA4-1025), include a first floor window, which appears to serve the first floor landing area within the dwelling. This window is not indicated as including obscure glazing on the proposed plans. Given that the side gable elevation addresses the rear of the adjoining sites at Corbally Glade, I would recommend in the event the Commission were minded to grant permission that these windows be fitted with obscure glazing to avoid overlooking to the east.

9.7.8. Nothing the aforementioned separation distances I am satisfied that the proposed separation distances to the adjoining dwellings are acceptable and will not give rise to overlooking or loss of privacy of the adjoining dwellings.

Separation Distances:

9.7.9. While not specifically raised in the appeals, third party appellants raise concerns that the proposal contravenes the South Dublin County Development Plan, 2022-2028.

9.7.10. As detailed in the plans and particulars submitted in support of the application, separation distances of 16m, at a minimum have been applied across the scheme which accords with the minimum standard of 16m as set out in SPPR 1 of the 'Sustainable Development and Compact Settlement Guidelines (2024) (Compact Settlement Guidelines). I am satisfied that the layout of the proposed scheme has been designed to ensure the privacy of existing and future occupants, with respect to overlooking.

9.7.11. I am also satisfied that the design and arrangement of buildings adequately fulfil the requirements of Policy H11, Objective 4 of the Development Plan, which seeks to ensure that opposing balconies and windows at above ground floor level have an adequate separation distance, design or positioning to safeguard privacy without compromising internal residential amenity.

9.7.12. Notwithstanding, regard is had to section 12.6.7 of the Development Plan which includes guidance on separation distances and block layout. The Development Plan, which predates the 2024 Guidelines, states that all proposals for residential development, particularly apartment developments and those over three storeys

high, shall provide for acceptable separation distances between blocks to avoid negative effects such as excessive overlooking, overbearing and overshadowing effects and provide sustainable residential amenity conditions and open spaces.

9.7.13. The Development Plan refers to the guidance set out in the Urban Design Manual (2009) and sets, as a benchmark for development, a requirement for a minimum clearance distance of circa 22 metres, between opposing windows.

9.7.14. As previously discussed, the proposed scheme has been designed to adhere to the requirement of the Compact Settlement Guidelines (2024) which allow for minimum separation distances of 16 metres. As such, the benchmark 22m separation distance set out in the South Development County Development Plan is not achieved in the majority of cases. Therefore, I consider this to be a material contravention of the Development Plan. This issue is discussed in Section 9.10 of this report.

9.7.15. The Plan states, under section 12.6.7, that in all instances where the benchmark separation distance is not being met, the applicant shall submit a daylight availability analysis for the proposed development and detail appropriate design measures to reduce undue overlooking. The application documentation includes a Sunlight, Daylight & Shadow Assessment which assesses the daylight and sunlight performance of the proposed dwellings as well as any potential impacts of the development on existing neighbours. This is discussed in the following subsection of my report.

9.7.16. Having regard to the overall design and layout of the scheme, which in my opinion has had due regard to the residential amenities of both existing and future residents, I consider that a reduction in the benchmark clearance distance of 22m referenced in the South Dublin County Development Plan is acceptable in this instance and should be permitted under Section 37 (2) (a) of the Act, again this is discussed in Section 9.10 of this report.

Sunlight/Daylight:

9.7.17. Section 3.2 of the Urban Development and Building Height Guidelines (2018), refers to the criteria to be considered in assessing applications at the scale of the site/building and states that the form, massing and height of proposed developments should be carefully modulated so as to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light and that

appropriate and reasonable regard should be taken of quantitative performance approaches to daylight provision outlined in guides like BRE 2009 (2nd edition 2011) or BS 8206-2: 2008. The Development Plan 2022-2028, the Apartment Guidelines (2023) and the Compact Settlements Guidelines (2024) refer to a more up-to-date version of the BRE 209 Guide from 2022.

9.7.18. I consider that this updated guidance provides a degree of flexibility and does not have a material bearing on the outcome of the assessment and that the relevant guidance documents remain those referred to in the Urban Development and Building Heights Guidelines and the Development Plan.

9.7.19. The application includes a Daylight and Sunlight Assessment Report (dated December 2025 and prepared by Digital Dimensions), which assessed the development on the most current BRE Guidelines (2022), with reference to EN 17037:2018 Daylight in buildings and National Annex (BS EN 17037).

9.7.20. In designing new development, it is important to safeguard the daylight to nearby buildings. The development will be visible from the adjoining residential dwellings to the east of the site, and from the adjoining development to the north of the site.

9.7.21. In terms of the impact on the nearest dwellings the survey assessed the neighbouring dwellings that could be affected by the proposed development in terms of both daylight and sunlight. The analysis demonstrated in Section 3 of the Daylight and Sunlight Assessment Report shows that there will be a minor to negligible reduction in daylight in neighbouring properties. Similarly, the analysis demonstrated in Section 4 of the Daylight and Sunlight Assessment Report shows that there will be a minor to negligible reduction in sunlight in neighbouring dwellings. Analysis demonstrated in Section 5 of the Daylight and Sunlight Assessment Report shows that there will be a negligible reduction in sunlight in neighbouring amenity spaces. The proposed development meets the recommendations for sunlight in the BRE guidelines BR209:2022 (third edition).

9.7.22. In this regard, I am satisfied that the development will not negatively impact the existing daylight/sunlight to the nearest residential dwellings, in terms of negatively impacting on existing outdoor recreation spaces.

<u>Sunlight/Daylight - Within the Scheme:</u>

9.7.23. The analysis indicates the proposed development would comply with BRE Guidelines BR209:2022 and BS EN 17037 standards for sunlight and daylight. Most windows would exceed the recommended Annual and Winter Probable Sunlight Hours (APSH), with minor impacts noted on a few windows, which are mitigated by other adequately sunlit windows. Private amenity spaces retain at least 2 hours of sunlight over 50% of their area or maintain at least 80% of existing levels on 21st March (spring equinox).

9.7.24. The analysis indicated that all habitable rooms in houses achieve the minimum recommended daylight and sunlight targets, and in the 305 apartments and duplexes, 96.7% of units meet the recommended 1.5 hours of direct sunlight, consistent with BRE examples.

9.7.25. In respect of the proposed public and communal amenity areas achieve at least 2 hours of sunlight over more than 50% of their area.

9.7.26. Overall, I am satisfied that the development would provide adequate sunlight and daylight for both private and communal spaces within the scheme.

Floor Areas:

9.7.27. I reference Section 12.6.7 Residential Standards, Chapter 12 Implementation and Monitoring of the CDP, which states that for Housing that "*All houses must comply with or exceed the minimum floor area standards contained in the Quality Housing for Sustainable Communities Guidelines, DEHLG (2007), or as may be superseded, as shown in the table 12.20".*

9.7.28. The applicant's Housing Quality Assessment demonstrates compliance with section 3.8 of the "Sustainable Urban Housing Design Standards for New Apartments – Guidelines for Planning Authorities (2023)", with all apartment units exceeding the minimum requirements.

9.7.29. The submitted HQA provides an overview of all units proposed against the required standards which should be met. Overall, the minimum standards have been met or in some circumstances exceeded.

Housing Quality:

9.7.30. In terms of the quality of accommodation on offer, I have assessed the plans and particulars submitted in support of the application including the Housing Quality

Assessment and I am satiated on the basis of the information provided that all residential units meet or exceed the relevant minimum requirements in terms of unit size, floor area, ceiling height and internal storage. I note that all proposed units are either dual or triple aspect and that suitable arrangements have been made within the scheme for bike and bin storage. I further note that the proposed scheme, if permitted, would be subject to an Operational Waste Management Plan.

Open Space and Recreation

9.7.31. The appellants argue that open space provision is inadequate in quality and usability. The concerns include fragmented open space, steep gradients, limited recreational usability, and inadequate child-friendly design, etc.

9.7.32. The provision of open space that is appropriately designed and located is described in the South Dublin County Development Plan as key element of high-quality residential environments. The SDCDP includes various policies, objectives and standards for private and semi-private /communal and public open space. The quantitative standards for private open space for houses and apartments are set out in Chapter 12, Tables 3.20 and 3.21, respectively.

9.7.33. In terms of open space, the proposed development provides for a total of c. 2.3Ha of public open space, and c. 4,750sq.m of communal open space associated with proposed development. A high level of landscaping is also proposed to the open spaces.

9.7.34. In terms of play the proposed development accommodates 4 no. fitness areas, 16 no. equipped and natural paly areas and 10 no. spaces where one can relax and have picnics. Drawing no. 24212_Boherboy_PA_B_PP “Play Provision” by Gannon & Associates provides details of all of the proposed play equipment, what age groups they cater for and where they are to be provided on the site.

9.7.35. The report from the Public Realm and Parks section welcomed the implementation of the suds, the network of green spaces and the retention of existing green infrastructure such as water courses and hedgerows within the proposed scheme. Additional information in respect to play, SUDS and trees and hedgerow protected is requested by way of compliance condition (Condition 8 relates).

9.7.36. Overall, I am satisfied development strategy put forward for the proposed development in terms of design, responding to the site topography, public and communal open space provision is acceptable and will provide for an attractive residential scheme at this location. If the Commission were minded to grant permission, I recommend the inclusion of a condition in respect to final details pertaining to play.

9.7.37. I also drawn the Commissions attention to the following subsection of this report with respect to Condition No. 30, the subject to the first party appeal in relation to the quantum of open space provided on site.

Private Open Space:

9.7.38. In relation to private open space to serve the proposed development in particular, I note that 'H9 Objective 1' of the Development Plan seeks to ensure that all private open spaces for houses and apartments / duplexes including balconies, patios, roof gardens and rear gardens are designed in accordance with the qualitative and quantitative standards set out in Chapter 12: Implementation and Monitoring.

9.7.39. Within the proposed scheme each house is provided with a private amenity area in the form of rear gardens while private open space for the proposed apartment units is provided in the form of ground floor terraces and upper floor balconies. Having reviewed the plans submitted, I am satisfied that the design and layout of the private amenity areas for both houses and apartments would generally accord with the qualitative standards set out in the Plan and would provide for an adequate level of privacy and amenity for residents.

9.7.40. The quantitative standards for private open space for houses and apartments are set out in Chapter 12, Tables 3.20 and 3.21 of the Development Plan, respectively. I have reviewed the plans and particulars submitted in support of the application, including the applicants Housing Quality Assessment (HQA) and I note that in the majority of cases the private amenity area for houses does not meet with the quantitative standard set out in Table 3.20 of the Plan. I consider this to be a material contravention of the South Dublin County Development Plan. However, I note that the proposed scheme in respect of private open space provision meets with the quantitative standard set out under SPPR 2 of the 2024 Compact Settlement Guidelines. This issue is discussed in Section 9.10 of this report.

9.7.41. The minimum standard for private open space for apartments is set out in Table 3.21 of the Development Plan. The standards here align with those of the 2025 Apartment Guidelines. Again, having reviewed the applicants HQA, I am satisfied that the quantitative standards for private open space for apartments is met or exceeded in all cases and that as such no material contravention issues arise.

Condition No. 30 – subject of first party appeal:

9.7.42. Condition No. 30 - Contribution in lieu of Public Open Space - of the Planning Authority decision to Grant Permission requires that "*The developer shall pay to the Planning Authority a financial contribution of €2, 139, 093.00 (Two million, one hundred and thirty-nine thousand and ninety-three euro only), in lieu of public open space provision, towards the cost of amenity works in the area of the proposed development, in accordance with policy COS5 of the South Dublin County Development Plan 2022 – 2028, and in accordance with the terms of the South Dublin County Council Development Contribution Scheme 2026 - 2028, made under Section 48 of the Planning and Development Act 2000 (as amended), and based on a shortfall of 15, 334 sqm of public open space. The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.*

REASON: The provision of such amenities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public open space benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority".

9.7.43. The planners report notes that public open space provision is stated as 23,654 sqm (c. 2.37 ha), representing approximately 19% of the net developable site area, and states that a contribution in lieu of public open space provision is provided for under the South Dublin County Development Plan 2022 – 2028 in policy COS5 Objectives 5, 6 and 7 of the Plan, and this is now underpinned by the provisions of Article 10 of the South Dublin County Council Development Contributions Scheme, 2026 – 2028.

9.7.44. The planner considers that as per policy COS5, the scheme provides a shortfall of 1.5 ha. of public open space below the achievement of the standard of 2.4 ha. per 1,000 of population and as such the condition for the contribution in lieu has been applied.

9.7.45. I note that the report from the Public Realm and Parks section welcomes the implementation of the suds, the network of green spaces and the retention of existing green infrastructure such as water courses and hedgerows. There is no assessment of the quantum of open space provided by the Public Realm and Parks section.

9.7.46. The appellant states that the condition requiring a financial contribution in lieu of public open space is unjustified, excessive and contrary to the actual level of open space being provided within the scheme. The appellant argues that the proposed LRD already meets and exceeds the minimum public open space standards required under Table 8.2 of the South Dublin County Development Plan, and Policy and Objective 5.1 – Public Open Space of the Compact Settlement Guidelines as approximately 19% of the net development area is already being delivered as public open space within the scheme. They consider that the layout and design of the scheme were intentionally structured around the delivery of substantial open space and green infrastructure, rather than being purely housing-led; there is therefore no actual shortfall in public open space provision that would justify an additional contribution payment.

9.7.47. The applicants contend that while they accept the principle of development contributions generally, and have already agreed to Section 48 development contributions, and a separate contribution of €534,616.20 in lieu of community floorspace under Condition No. 28, the additional €2.1m open space contribution amounts to an unreasonable and disproportionate burden given the scale of open space already being provided on site.

9.7.48. The appellant requests that Condition No. 30 be omitted entirely from the permission, as the development already provides a compliant and generous level of public open space on-site, and therefore an additional “contribution in lieu of public open space” is neither necessary nor justified under the Development Plan.

9.7.49. Several third parties however request that if permission is granted by the Commission that Condition 30 be included.

9.7.50. The relevant Policy, objectives and standards for public open space provision within this scheme are set out section 6.7.2; section 8.7 and section 12.6.10 of the Development Plan. In this regard I refer the Commission to H8 Objective 1 which seeks to ensure that public open space in new residential developments complies with the quantitative and qualitative standards set out in Section 8.7 of Chapter 8: Community Infrastructure and Open Space and Chapter 12: Implementation and Monitoring. I also drawn the Commissions attention to Policy COS5 Objectives 5, 6 and 7 of the Plan, which reference a contribution in lieu of public open space provision.

9.7.51. I am satisfied that the wording of the Development Plan is clear and unambiguous in its requirement that public open space in new residential developments comply with the quantitative and qualitative standards set out therein.

9.7.52. The public open space strategy for the site is set out in the applicants "*Landscape Design Rationale"* submitted with the application. The design rational proposes a landscape character which areas are divided into three main categories based on their function including 'Active Open Space' for recreation and community use, 'Ecological Riparian Corridors' that protect and enhance the site's watercourses and biodiversity, and Streetscape, which includes shared and playful streets that support safer, more inclusive movement.

9.7.53. The Open Space Landscape Plan details that the following is proposed within the scheme: Public Open Space Proposed: 16.1% (approx.. 23,654m2) and Ecological Open Space Proposed: 17% (approx.. 31,557m2). In addition, Communal Open Space Proposed: (approx.. 4,750m2) within the scheme. The open space and landscape plan states that the Total Open Space Proposed is 32.1% (approx.. 59,961m2) of the site area.

9.7.54. The overall standard for public open space in the Development Plan is 2.4 hectares per 1,000 population. Within that standard, there are specified percentages which must, as a minimum, be provided on site. In respect of new residential development on lands zoned RES-N', the minimum standard being 15% of the site area.

9.7.55. Using the calculation method outlined at Section 12.6.10 and COS5 Objective 6, of the Development Plan, the proposed development of 611 units would require an overall standard of 38,988 sq. m[1] of public open space and a minimum on site requirement of 18,300 sq. m[2]. As per the information submitted as part of the application documentation (Landscaping Plan Drawing), the public open space provision for this LRD, is as follows:

	Quantum Sq. m	**Quantum %**
Net Public Open Space (excluding 4,750 sq. m of communal open space)	23,654 sq. m.	16.1%
Communal Open Space	4,750 sq. m	3.89%
Ecological Open Space	31,557 sq. m	17%
Total Open space	59,961 sq. m	36.99%

9.7.56. The landscape proposal incorporates natural SUDS strategies to manage stormwater across the site, using techniques like permeable surfaces and green spaces to integrate water management seamlessly into the environment. I reference Policy COS5 Objective 12 in this regard, which seeks to ensure that proposed SuDS measures are only accepted as an element of public open space where they are natural in form and integrate well into the open space landscape supporting a wider amenity and biodiversity value.

9.7.57. For clarity, I would like to note that the SuDS features proposed, comprising detention basins, attenuation ponds, swales, tree pits etc are natural in form and clearly integrate well into the open space and therefore in my view are fully compliant with this requirement.

9.7.58. The ecological open space noted in the table above comprises of ecological riparian corridors to the east, west, north and south of the site, and also centrally through the site, which also provide ancillary public open space within the scheme. The

[1] Calculation of Public Open space: 257 no. 1&2 bed x 1.5 sq. m = 385.5 persons and 354 no. 3,4&5 bed units x 3.5 persons – 1239 no. persons x 24sq. m.
[2] 15% of site area

proposed ecological open space is also in accordance with Policy GI3 Objective 3 of the Development Plan, "*To promote and protect native riparian vegetation along all watercourses and ensure that a minimum 10m vegetated riparian buffer from the top of the riverbank is maintained / reinstated along all watercourses within any development site".*

9.7.59. The landscaping design statement states that this design approach "*protects and enhances the site's watercourses and biodiversity, and streetscape, which includes shared and playful streets that support safer, more inclusive movement*".

9.7.60. I also reference Section 12.3.5 Landscape Character Assessment of the Plan, which states that key components of green and blue infrastructure networks frequently functions as a buffer for rivers. In addition, Section 12.4.3 Riparian Corridors of the Plan strives to promote and protect native riparian vegetation along all watercourses and ensure that a minimum 10m vegetated riparian buffer from the top of the riverbank is maintained / reinstated along all watercourses within any development site.

9.7.61. Having considered the plans and particulars submitted in support of this application, I would be of the opinion that, the area of land that is required to meet the quantitative standard for communal open space, which equates to 4,750 sq. m, should be excluded from the calculation of public open space. However, I am satisfied that all remaining areas identified with the site for use as public open space, as detailed on the Open Space Landscape Plan Drawing: 24212_Boherboy_PA_K_OS submitted as part of the application, including those areas designated as ecological open spaces and indeed the lands utilised for SuDS (detention basins and attenuation ponds etc), which in my opinion have been successfully integrated into the scheme and would support the amenity and biodiversity value of the site and should, therefore, be included in the calculation of open space.

9.7.62. Furthermore, I am satisfied that all proposed areas of public open space are visible from the public realm, and that all spaces function as either active or passive open space, as access to, or view of, nature and /or as a mechanism for surface water drainage. There are no incidental areas of open space within the scheme and as such the proposed would not contravene COS5 Objective 17.

9.7.63. As detail in the table above, the proposed development will deliver 55,211 sq. m. public open spare (including net public open space of 23,654 sq. m. and ecological open space of 31,557 sq. m), which equates to 33% of the net site area far exceeding the minimum standard of 15% of the site area (i.e. 18,300 sq. m.).

9.7.64. Moreover, taking all the areas of public open space into account including the public open space and the ecological open space as detailed in the foregoing assessment, the proposal would in my opinion also exceed the standard of 2.4 hectares per 1,000 population stipulated in the Development Plan, which requires 38,988 sq. m. public open space to be provided.

9.7.65. Therefore, if the Commission were minded to grant permission, I recommend that Condition No. 30 – Contribution in lieu of open space **be omitted** from any grant of permission for the reasons outlined above.

Conclusion:

9.7.66. I am satisfied that the development as proposed would not impact negatively on the residential amenity of the adjoining dwellings, in particular to the east of the site and that the standards within the scheme will provide an appropriate level of accommodation for the intended occupiers with regards to amenity. I am also satisfied that the proposed development exceeds the public open space standard requirements in accordance with the South Dublin County Development Plan, and if the Commission be minded to grant permission, the applicant should not be subject to a contribution in lieu of open space condition.

9.8. Flooding, Drainage and Water Infrastructure

9.8.1. Flooding and drainage form another major area of concern raised by third parties. Residents state that the site has experienced flooding historically, marsh/wetland conditions have developed in recent years, and adjoining roads and properties have previously been affected by flooding. Specific criticisms include the groundwater assessment being undertaken during summer months, alleged underestimation of actual winter groundwater conditions, and concerns regarding attenuation, wastewater capacity, and long-term drainage performance including cumulative pressure on local watercourses.

Flooding

9.8.2. The site is located in the catchment of a tributary stream of the Camac River. It is this stream which flows along the eastern and northern boundary of the site. The stream enters the site at the southern boundary (i.e., from a culvert under the Boherboy Road), flows in a northerly direction along the eastern boundary, turns in a westerly direction upon meeting the northern boundary and discharges to a culvert at the north-western corner of the site. The site is affected by flood risk Zones A and B at its northern boundary. In the absence of mitigation measures, I acknowledge that parts of the development not compatible with water would be in a flood risk area.

9.8.3. The Site-Specific Flood Risk Assessment (SSFRA) confirms that the site is not at risk from pluvial or groundwater flooding, but identifies a potential fluvial flood risk along the northern boundary, which lies within Flood Zones A and B.

9.8.4. The applicant's SSFRA includes a Development Management Justification Test pursuant to the requirements of "The Planning System and Flood Risk Management – Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government & OPW, (2009)". The assessment notes that the land is zoned RES-N, compensatory storage is provided on site, which will slightly reduce flood risk off-site, and has been designed in accordance with the GSDS.

9.8.5. It also notes that the proposed development includes proposals for treating and controlling surface water discharge, which will minimise flood risk to people, property, the economy and the environment as far as reasonably possible; and considers that the proposed development does not impact on any existing flood protection measures and will not prevent possible future flood risk management measures.

9.8.6. The development also includes compensatory storage within the site, which is in accordance with the Flood Risk Management Guidelines (FRMG).

9.8.7. The Planning Authority has recommended conditions relating to flood risk, which are standard in nature. I am generally satisfied that the with the details of the SFRA and the proposed mitigation measured, which will reduce the risk of flooding on the subject and adjoining sites.

9.8.8. If the Commission were minded to grant permission, I recommend the inclusion of conditions in this regard. I also reference Section 12 EIAR of this report in this regard.

Stream Crossing

9.8.9. As part of the proposed development the Corbally Stream will be crossed to provide access to the east of the site. Road stream crossings will be box culverts in design due to the associated site constraints (i.e., the presence of trunk watermains at the location of the proposed crossings and the requirement for the achievement of greater than minimum vertical separation), the requirement to tie into existing roads, and the narrow width of the watercourse on site.

9.8.10. Embedded culverts will be buried to a depth of 500mm below the stream bed at the natural gradient and will be back filled with clean gravel to match the existing stream profile. The culvert will be sized to maintain the natural channel width.

9.8.11. The SSFRA, prepared by Killgallen, analysis determined that the top water level from the 100-year event at the lower northern end of the site as 118.84mOD. The Flood Risk Management Guidelines recommends that a freeboard of 500mm and 250mm be applied for the Q100 event for floors and roads, respectively. Pedestrian and vehicular access connections between the proposed development to Carrigmore, Corbally and the District Park have been set above the minimum soffit levels.

9.8.12. The stream crossings will be implemented as per a method statement developed by the appointed contractor in advance of construction works commencing and agreed with IFI as required. I also reference Section 12 EIAR of this report in this regard.

Foul Drainage and Water Supply

9.8.13. There is no foul water sewer located on the subject lands. Therefore, it is proposed to service the subject lands by providing a new gravity foul sewer across the existing park (which is in South Dublin County Council's ownership) to the northeast of the site connecting into the existing Uisce Éireann foul infrastructure in Verschoyle Green. A Confirmation of Feasibility (CoF) was received (Ref. CDS24005491) from Uisce Éireann (hereafter "UÉ") noting that the wastewater connection was "feasible subject to upgrades".

9.8.14. A foul water pumping station is proposed to the northern part of the lands to drain the proposed apartment blocks from lower north-east corner of the site into the gravity sewer to be constructed connecting into Verschoyle Green to the east.

9.8.15. In the south-east corner of the proposed development, where 10 no. dwellings adjacent to Corbally Glade are proposed, these houses are proposed to be connected into the existing foul sewer in Corbally Rise.

9.8.16. In respect to water supply, there are three existing watermains (4inch uPVC/400mmDI/600mmDI) in Boherboy Road along the site frontage, and it is proposed to make a new water connection to the Boherboy watermain in the Boherboy Road. There are a number of trunk watermains crossing the subject lands. It is noted that water supply to the Proposed Development will be from a new water connection to the 400mmDI watermain in Boherboy Road. Additionally, water supply for the 10No. “east” Corbally site will be from the existing main in Corbally Rise. These trunk watermains are in the control of Uisce Éireann. The set-back requirements from these mains are in accordance with the Uisce Éireann Code of Practice for Water Infrastructure document. Confirmation of Feasibility has been received by Uisce Eireann. Uisce Éireann have issued a Confirmation of Feasibility letter Ref.CDS24005491 for this planning application noting that the water connection is “feasible without infrastructure upgrade” and the wastewater connection is “feasible subject to upgrades”, this is noted. I also reference Section 12 EIAR of this report in this regard.

9.8.17. If the Commission were minded to grant permission, I recommend the inclusion of a condition in respect to agreements for water supply and waste water prior to the commencement of development on site.

Surface water:

9.8.18. The surface water drainage infrastructure for the development will collect and treat the rainfall on the site and convey the runoff via roadside swales, tree pits, bio-retention areas, rain garden planters, open course conveyance swales, pipes, manholes, catchpit manholes and direct the flows via 9 no. open detention basins and 1 no. below ground attenuation system towards vortex flow restricting devices (Hydrobrake or similar) and petrol interceptors before outfalling to the existing on site open watercourses. one underground attenuation tank is proposed with nine no. above ground, natural attenuation areas / detention basins proposed.

9.8.19. The SuDS features included in this proposal include the following;

- Green Roofs for the flat roof areas of the apartment blocks and the roof of the creche.
- Rain Garden planters to the rear down pipes of the houses.
- Permeable paving to all private parking areas for drainage of roads and front roofs of the houses.
- Filter Swales adjacent to roadways where feasible.
- Tree pits where practically feasible.
- Use of the existing centrally located Cooldown watercourse and hedgerow as a conveyance swale.
- Bio-Retention areas draining roads/paths and roofs.
- Silt-trap/catchpit manholes.
- Hydrobrakes limiting flow to the total Qbar greenfield rate.
- 9 no. open detention basins and 1 no. below ground retention storage system.

9.8.20. The use of SuDS is promoted throughout the South Dublin County Development Plan, 2022-2028 e.g., Policy GI4 and its associated objectives as referenced above. I note that the Water Services Department, in relation to surface water, has no objection subject to conditions. I am satisfied that SuDS has been appropriately taken into consideration in the layout and design of the proposed development and would not materially contravene the Development Plan. If the Commission were minded to grant permission I recommend the inclusion of conditions in this regard. I also reference Section 12 EIAR of this report.

9.9. **Community Facilities and Social Infrastructure:**

9.9.1. Concerns are raised by third parties in respect to the lack of existing local services to cater for the increased population i.e. school shortages, GP waiting lists, Tallaght Hospital overcrowding, lack of sports facilities, insufficient community centres, and overloaded public transport for example. The appeals argue that development should not proceed ahead of social infrastructure delivery.

9.9.2. The application includes a Social Infrastructure Assessment which reviews the existing planning policy context in relation to the provision of social and community

infrastructure. The report noted that there are a wide range and variety of existing facilities in a catchment area of the subject site to support the development. In total, 62 no. social amenities and facilities were identified, consisting of health care providers, childcare providers, primary schools, post-primary schools, further education centres, community facilities, sports and recreation facilities, and retail facilities. The applicant considers that the development proposal and its future population will be adequately supported by existing social and community infrastructure. I am satisfied with the level of information provided in the Social Infrastructure Assessment.

9.9.3. I reference the Development Plan, which includes Policy COS2: Social / Community Infrastructure to "*Support the planned provision of a range of universally accessible and well-connected social, community, cultural and recreational facilities, close to the communities they serve, consistent with RPO 9.14 of the RSES", and COS2 SLO 1: "That Citywest / Fortunestown areas are provided (from within their own community) public, purpose built and suitable amenities including:*

- *Library;*
- *Community centre and a community café;*
- *Accessible playgrounds / playspaces, teenspaces and youth amenities (such as a skate park); Designed green spaces including a managed public park with adequate, accessible public seating and that can host festivals and community events;*
- *Greater biodiversity in the area and more tree coverage;*
- *Adequate numbers of pitches and clubhouses / pavilions for sports;*
- *Adequate public childcare and afterschool facilities;*
- *School sites".*

9.9.4. I also reference COS3 SLO 2 of the Plan "*To deliver a community centre / community facility within Citywest as part of the delivery of infrastructure identified in the Fortunestown Local Area Plan".*

9.9.5. I note that the application site includes a two storey creche. The proposed creche is located at the northern boundary of the site, to the northern edge of the development, immediately adjoining the main spine road. The proposed creche has

a floor are of 630 sq. m. with a capacity for 149 no. children. There are two areas of dedicated outdoor play space for the creche, totalling 314.2sq.m.

9.9.6. The Childcare Facilities: Guidelines for Planning Authorities, 2021 requires one childcare facility per 75 dwellings in new housing developments. This is also echoed in Section 8.9 of the Development Plan and Objectives COS7: Childcare Facilities and COS7 Objective 2.

9.9.7. Having regard to the zoning objective pertaining to the site, 'new residential', I note that Childcare Facility is open for consideration under this land use zoning objective.

9.9.8. I am generally satisfied with the proposed siting, layout, design and size of the proposed creche within the scheme to accommodate the proposed development and accords with the Development Plan and the Childcare Guidelines in this regard.

9.9.9. I acknowledge both the requirements of the Development Plan, in respect to community facilities in relation to the lands in Fortunestown and the recognition that applications for large scale residential development should include proposals for social and community infrastructure. I do note however, that the Fortunestown LAP 2012 sought the provision of community facilities, including youth-specific facilities, at a minimum rate of 300 sqm per 1,000 new dwellings, however, this LAP has expired.

9.9.10. Whilst I note that the development includes the provision of a creche and a school site, no community floor space has been provided on site. Notwithstanding the expiration of the Fortunestown LAP, the planners report notes that applicants have engaged with South Dublin County Council to agree to make an appropriate contribution in lieu of on-site community provision. This was included by the planning authority as a condition of the grant of permission (Condition No. 28 relates).

9.9.11. I concur with the planning authority and the appellants, that there is a lack of community facilities and amenities in the Fortunestown area. The nearest shop to the site is the Citywest Shopping Centre. Whilst improving community facilities should be at the forefront of any subsequent LAP prepared for the area with sites identified for such uses therein. Notwithstanding, I have no objection to the inclusion of this condition, and in my opinion this arrangement satisfies the requirements of the Development Plan in respect of the provision of new community centres in new and

existing development areas and therefore I am satisfied that no material contravention issues arise in this regard.

9.10. **Material Contravention**

9.10.1. Throughout the third party appeals, reference has been given to the proposal contravening the Development Plan, where relevant this has been addressed in the foregoing assessment.

9.10.2. The applicant has provided a statement of consistency as part of the application, which I have had regard to.

9.10.3. Following my review of the plans and particulars submitted in support of this application, and as noted in the foregoing assessment, it is my opinion that the development of this site as proposed would materially contravene the provisions of the South Dublin County Development Plan (SDCC) in respect of:

- Separation Distances: As discussed in section 9.8.9 above, the SDCDP in Section 12.6.7 Residential Standards sets out a requirement for a minimum clearance distance of circa 22 metres, between opposing windows. As the proposed scheme was designed to meet the current standards as set out in the 2024, Compact Settlement Guidelines, this 22m separation distance is not achieved in most cases. Therefore, I consider that the extent of deviation from the SDCDP standard is sufficient to be deemed a material contravention of the SDCDP.
- Private Open space (quantitative standard): Having regard to H9 Objective 1 of the SDCDP, which seeks to ensure that all private open spaces for houses and apartments / duplexes including balconies, patios, roof gardens and rear gardens are designed in accordance with the qualitative and quantitative standards set out in Chapter 12: Implementation and Monitoring. As discussed in sections 9.8.33 – 9.8.37 above, the proposed scheme does not accord with the quantitative standard for private open space for houses as set out in Table 3.20 of Chapter 12 of the Plan. Therefore, I consider that the extent of deviation from m this standard is sufficient to be deemed a material contravention of the SDCDP.

9.10.4. Notwithstanding the above, I do not recommend that planning permission be refused for this scheme on the basis of material contravention, instead I consider it reasonable to recommend that the Commission invoke its powers under section 37(2)(a) of the Planning and Development Act 2000, as amended.

9.10.5. My reasoning for this is as follows:

- The proposed LRD scheme comprising 611 units in respect of both **separation distances** as indicated on the submitted site layout plans, where separation distances of 16m, at a minimum have been applied across the proposed scheme. In relation to **private open space provision** the submitted Housing Quality Assessment report indicates that each house type either meets or exceeds the minimum private open space quantitative standard set out under SPPR 2 of the 2024 Compact Settlement Guidelines. That planning authorities and An Coimisiún Pleanála, are required under Section 28 of the Planning and Development Act 2000 (as amended) to apply specific planning policy requirements (SPPRs) stipulated under Section 28 Ministerial Guidelines, and therefore the proposed LRD scheme complies with these standards.

9.10.6. I am satisfied that the development of this site as proposed would deliver a good standard of residential amenity for future residents and would not seriously detract from the residential amenities of neighbouring properties or from the visual amenities of the area. Additionally, I am satisfied that the proposed scheme would allow for the development residential zoned lands in a manner that would accord with national and regional planning policy and current ministerial guidelines, including the relevant provisions of the Sustainable Residential development and Compact Settlement Guidelines 2024 and the Urban Development and Building Heights Guidelines for Planning Authorities (2018).

9.11. **Other Matters**

This section assessing the remaining **planning relevant matters** raised in the third party appeals, observations and further responses as noted above.

<u>Biodiversity & Environmental Concerns</u>

9.11.1. Concerns have been raised in third party observations in respect to the presence of bats on site and the potential impact of the proposed development on bats.

9.11.2. The applicant submitted a Screening for Appropriate Assessment and Environmental Impact Assessment Report as part of the planning application, as such this issue is addressed in further detail in Section 12 EIAR and Appendix A below.

Phasing

9.11.3. Concerns have been raised in respect to the prolonged construction impacts over several years and that the development could remain partly completed.

9.11.4. Section 11 of the Planning Statement refers to a Site Phasing Plan which proposes the delivery of the development in three phases, commencing in the southern portion of the site and progressing northwards.

9.11.5. The application is supported by a phasing map (drawing no. BHBY-MRM-AR-ZZ-DR-P4-XX XX-0016), this map shows 7 no. phases of the development, comprising the following:

- Phase 1A- 134 no. units
- Phase 1B - 133 no. units
- Phase 2A - 45 no. units
- Phase 2B - 143 no. units
- Phase 3A - 80 no. units
- Phase 3B - 66 no. units
- Phase 4A - 10 no. units.

9.11.6. There appears to be a discrepancy, however, in the details provided in the planning statement and the submitted phasing map in that the number of units delivered in phase 1 totals 277 no. units in the planning statements whereas the phasing map identifies 267 no. units under this phase. I do note that reference is made in the planning statement to the delivery of the access to serve ten dwellings in the south-eastern corner of the site under phase 1, however the delivery of these units is detailed in Phase 4A of the phasing map, whereas the planning statement appears

to include these units in the delivery of phase 1. The creche is proposed in phase 3 the of development.

9.11.7. Within their Outline Construction Environmental Management Plan, it is stated that the construction period is expected to last 5 years.

9.11.8. The planning authority has also noted this minor discrepancy in the proposed phasing strategy, as such they have requested that a final phasing plan shall be submitted to the Planning Authority for written agreement by way of condition (Condition 16 relates).

9.11.9. I am satisfied that the proposed phasing plan is generally acceptable for a proposed scheme of this scale and if the Commission were minded to grant permission a condition could be attached to ensure agreement on the final phasing programme and/or to ensure the delivery of the proposed creche within a specific phase of development.

Conditions:

9.11.10. As noted in Section 5.3 above, the local authority recommended a grant of permission subject to 31 no. conditions. There is an extensive suite of conditions included in the Managers Order. Having regard to the extent of the proposed development, its location and to the provisions of the South Dublin County Development Plan, 2022 - 2028, I recommend the inclusion similar conditions in this regard.

9.11.11. I note that Condition 3 relates to the provision of an artistic physical feature at the subject site to improve the built environment/public realm, to be delivered in phase 3 of the development, as required by the Arts Office.

9.11.12. I reference COS11 Objective 3, of the Development Plan in this regard, which states, "*developments in excess of 500 units in the case of residential development are required to include an artistic physical feature into the scheme to improve the built environment/public realm, which could include high quality features within the environment/landscaping, in agreement with the Council, and to invite artists to participate through open competition*". Therefore, I have no objection to the inclusion of a similar condition and consider that an artistic physical feature will improve the visual amenity and interest within the public realm.

9.11.13. Notwithstanding the above assessment, Condition No. 30 forms part of the first party appeal, and this is assessed in the following section of my report.

10.0 Water Framework Directive (WFD)

10.1.1. The purpose of the Water Framework Directive (WFD) is to protect and enhance all waters as well as water dependent wildlife and habitats, with the aim to achieve 'good' water quality status for all waters subject to the WFD and to mitigate against the risk of a decline in the water body quality and quantity status.

10.1.2. The Water Framework Directive is considered in Chapter 7, Hydrology, Hydrogeology of the EIAR submitted with the application. I have assessed the proposed development having regard to the information provided in the EIAR and publicly available information on 'catchments.ie' when considering the objectives as set out in Article 4 of the Water Framework Directive to protect and, where necessary, restore surface and ground waterbodies in order to reach good status, meaning both good chemical and good ecological, and to prevent deterioration.

10.1.3. Concerns have been raised in the grounds of appeal regarding the potential impact of the proposed development with respect to flooding, drainage, hydrology and ground water conditions. It is contended that the site contains marsh/wet ground conditions, historical flooding has occurred locally, and the EIAR understates flood risk impacts. Additional concerns are raised regarding the groundwater assessments, which were undertaken during dry/summer conditions, and therefore may not accurately reflect winter groundwater levels or saturated conditions. The appeals raise concerns that development of greenfield lands will reduce natural soakage capacity and potentially increase downstream flood risk. The appeals also question whether the proposed attenuation and drainage systems are adequately sized, and whether wastewater infrastructure has sufficient capacity. These concerns are addressed in section 9.8 above.

10.1.4. The Corbally Stream/Camac River is located to the east of the site and runs along the eastern boundary of the site, which is a recorded waterbody on the EPA catchments database, i.e. River Camac (IE_EA_09C020250), which ultimately discharges to the Liffey and Dublin Bay (IE_09).

10.1.5. In terms of the groundwater bodies, the Kilcullen Site Code: (IE_EA_G_003) and the Dublin Site Code: (IE_EA_G_008) are the applicable groundwater bodies and are recorded waterbodies on the EPA catchments database.

10.1.6. As per the information provided in the EIAR, The GSI has assigned a 'Moderate' permeability rating and a groundwater vulnerability rating of 'Moderate' (M) for the bedrock aquifer beneath the southern part of the site (GSI, 2025). While a 'Low' permeability rating and 'Low' (L) groundwater vulnerability has been assigned to the bedrock aquifer beneath the northern part of the site, the potential to negatively affect the WFD status of the Kilcullen GWB and the Dublin GWB is very low, even in the absence of mitigation. Without mitigation the proposed construction works do have the potential to impact on the water quality within receiving water bodies associated with the Proposed development, specifically within the Kilcullen GWB, the Dublin GWB, the Camac_020 (i.e., the Corbally Stream, Coldwater Stream, Cooldown Stream) and locally within the Camac_030.

10.1.7. To address potential risks, the Proposed Development incorporates design avoidance and mitigation measures as outlined in this chapter of the EIAR, including the implementation of a project specific CEMP during the construction phase and the incorporation of SuDS in the design of the Proposed Development. These measures will serve to mitigate any potential effect on the receiving groundwater and surface water environment. The residual effect of the proposal is imperceptible, to the receiving water environment (hydrology and hydrogeology) and considered non-significant in the context of the EIA Directive. There will be no effect to the existing WFD Status of water bodies associated with the Proposed Development including the Kilcullen GWB, the Dublin GWB, the Camac_020 (i.e., the Corbally Stream, Coldwater Stream, Cooldown Stream) and Camac taking account of design avoidance and mitigation measures where required.

10.1.8. I have assessed the proposal having regard to the objectives as set out in Article 4 of the Water Framework Directive (Appendix B) to protect and, where necessary, restore surface and ground waterbodies in order to reach good status (meaning both good chemical and good ecological), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that there is no conceivable risk to any surface and/or ground waterbodies.

The reason for this conclusion is as follows:

- Chapter 7 - Hydrology, Hydrogeology of the EIAR submitted by the applicant, including baseline data collected in relation to the hydrogeology for the site.
- The nature and location of the development
- The design of the proposal and mitigation measures proposed.

10.1.9. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any waterbody (rivers, lakes, groundwaters, transitional and coastal) either on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives.

11.0 Appropriate Assessment

11.1.1. 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 (see Appendix A of this report), 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 the Glenasmole Valley SAC (Site Code: 001209), Wicklow Mountains SAC (Site Code: 002122), Wicklow Mountains SPA (Site Code: 004040), Rye Water Valley/Carton SAC (Site Code: 001398), Red Bog, Kildare SAC (Site Code: 000397), Poulaphouca Reservoir SPA (Site Code: 004063), South Dublin Bay SAC (Site Code: 000210), South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024), North Bull Island SPA (Site Code: 004006), North Dublin Bay SAC (Site Code: 000206), North-west Irish Sea SPA (Site Code: 004236), and the Rockabill to Dalkey Islands SAC (Site Code: 003000), in view of the conservation objectives of these sites and is, therefore, excluded from further consideration. Appropriate Assessment is, therefore, not required.

11.1.2. This determination is based on:

- The proposal including 611 no. dwelling, comprised of 306 no. 2, 3, 4 & 4-5 bed, 2 & 3 storey, detached, semi-detached & terraced houses, 133 no. 1, 2 & 3 bed duplex units in 12 no. 2-3 storey blocks, and 172 no. 1, 2 & 3 bed apartments in 5 no. buildings ranging in height from 4-5 & 5 storeys, two

storey creche, access and all associated works which is part of an overall hosing development.

- The distance from nearest European site and lack of connections.

12.0 Environmental Impact Screening

12.1. Statutory Provisions

12.1.1. This section sets out the EIA of the proposed project and should be read in conjunction with both the planning assessment and appropriate assessment sections of this report. The proposed development provides for 611 no. dwellings, 2-storey crèche, new vehicular and pedestrian access to adjoining sites and all associated site works including an area of c. 1.03Ha within the site reserved as a future school site at Boherboy, Saggart, Co. Dublin.

12.1.2. An Environmental Impact Assessment Report (EIAR) has been prepared because the cumulative size of the proposed development would breach the Schedule 5 Part 2 Paragraph 10 (b)(iv) threshold of the Planning & Development Regulations, 2001 (as amended), which is urban development involving an area greater than 10 hectares in a built-up area.

12.2. EIA Structure

12.2.1. Section 12 of this report comprises my EIA of the proposed development in accordance with the Planning & Development Act, 2000 (as amended) and the associated Planning & Development Regulations, 2001 (as amended), which incorporate the European directives on environmental impact assessment (Directive 2011/92/EU as amended by 2014/52/EU). Section 171 of the Planning & 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 Commission, the reasoned conclusions of the Commission and the integration of the reasoned conclusion into the decision of the Commission, and,

(b) includes an examination, analysis and evaluation, by the Commission, 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.

Article 94 of the Planning & Development Regulations, 2001 (as amended) and associated Schedule 6 set out requirements on the contents of an EIAR.

12.2.2. This EIA section of the report is therefore divided into two sections. The first section (Part A) assesses compliance with the requirements of Article 94 and Schedule 6 of the Regulations, 2001 (as amended). The second section (Part B) 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
- Land and Soils
- Hydrology and Hydrogeology
- Air Quality
- Climate
- Noise and Vibration
- Landscape and Visual Impact Assessment
- Archaeology and Cultural Heritage
- Material Assets: Waste and Utilities
- Material Assets: Traffic
- Risk Management
- Interactions
- Mitigation and Monitoring Measures.

12.2.3. The second EIA section also provides a reasoned conclusion and allows for integration of the reasoned conclusions into the Commission's decision, should it agree with the recommendation made. It should be noted that reasoned conclusion refers to significant effects which remain after mitigation. Therefore, while I outline

the main significant direct, indirect, and cumulative effects at the conclusion of my assessment of each environmental factor, only those effects that are not or cannot be appropriately mitigated are incorporated into my reasoned conclusion in subsection section 12.6.

12.3. Issues Raised in Respect of EIA

12.3.1. South Dublin County Council (SDCC) considered that the principal direct and indirect residual effects of the proposed development have, in general, been identified and assessed across the relevant environmental withing the EIAR, and it is considered to provide a sufficient level of detail, clarity and technical analysis in most subject areas to enable the Planning Authority to undertake an assessment of the likely significant effects of the development on the receiving environment. The planner concluded that "*The proposed development is not likely to have significant effects on the receiving environment. Notwithstanding that no significant effects have been identified; some likely effects should be mitigated by way of conditions of permission*".

12.3.2. Eleven (11 no.) third-party appeals and three (3 no.) observations have been received by the Commission. The third-party appeal raises a broad range of environmental and planning matters. For the purposes of this EIA assessment, the principal EIAR-related issues are summarised in the following table and are considered under the relevant environmental topic headings below.

Issue Theme	Relevant EIAR Chapters
Traffic, rat-running, road safety, creche drop-off, parking and public transport capacity	Chapter 4; Chapter 8; Chapter 10; Chapter 14; Chapter 16
Construction dust, noise, vibration, HGV movements and worker parking	Chapter 4; Chapter 6; Chapter 8; Chapter 10; Chapter 13; Chapter 14; Chapter 16
Flooding, drainage, surface water, wastewater and water quality	Chapter 5; Chapter 7; Chapter 13; Chapter 15; Chapter 16
Biodiversity, greenfield loss, wet grassland/marsh, birds, bats, badgers and aquatic receptors	Chapter 5; Chapter 7; Chapter 8; Chapter 10; Chapter 16
Population growth, schools, healthcare, community and recreation infrastructure	Chapter 4; Chapter 13; Chapter 14; Chapter 16
Visual impact, loss of open lands, residential amenity, privacy and character	Chapter 4; Chapter 10; Chapter 11; Chapter 16

12.3.3. I note the most recent planning history pertaining to the site ABP-313145-22, permission was refused for an SHD development, comprising 655 no. residential units for one reason that the EIAR did not identity or describe adequately the direct,

indirect, secondary and cumulative effects of the proposed development on the environment, in particular the proposed works to the Boherboy Road, towards the junction with the N81, the extent of hedgerow removal along the Boherboy Road and the associated environmental impacts. This pertained to a section of the proposal to include upgrade works to Boherboy Road to include the provision of a roadside footpath along the front of the site at the Boherboy Road, continuing eastwards to the junction with the N81 Blessington Road (for an overall distance of c.370m).

12.3.4. The appeals repeatedly argue that the revised EIAR does not sufficiently resolve issues raised in the former An Bord Pleanála refusal and that similar issues remain in respect to cumulative impacts.

12.3.5. I note that the previously proposed works to Boherboy Road have been omitted from the current proposal under the instant appeal. The completeness of the EIAR will be assessed in the foregoing subsections.

12.3.6. For reference, under ABP-304828-19, permission was refused for another SHD development (comprising 609 no. residential units) for three reasons including the information provided within the EIAR did not identify or describe adequately the direct, indirect, secondary and cumulative effects of the proposed development on the environment, particularly with regard to biodiversity, water, traffic and landscape and visual impact.

12.4. Compliance with the Requirements of Article 94 and Schedule 6 of the Planning Regulations

12.4.1. In the table below, I assess the compliance of the submitted EIAR with the requirements of article 94 and schedule 6 of the Planning and Development Regulations, 2001 (as amended).

Table 9.1 – Compliance with the Requirements of Article 94 and Schedule 6 of the Planning Regulations

Article 94(a) Information to be contained in an EIAR (Schedule 6, paragraph 1)
A description of the proposed development comprising information on the site, design, size, and other relevant features of the proposed development, including the additional information referred to under section 94(b).

A description of the proposed development is contained in Chapter 2 (Description of the Project Development) of the EIAR. This chapter provides a description of the site, design, and scale of the proposed development. I am satisfied that the development description provided is adequate to enable a decision.
A description of the likely significant effects on the environment of the proposed development, including the additional information referred to under section 94(b).
An assessment of the likely significant direct, indirect, and cumulative effects of the development is carried out for each of the technical chapters of the EIAR. I am satisfied that the assessment of significant effects is comprehensive and sufficiently robust to enable a decision on the project.
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).
Mitigation is addressed in each of the EIAR technical chapters. Chapter 17 (Mitigation and Monitoring Measures) sets out a summary of the range of methods described within the individual chapters which are proposed as mitigation and for monitoring. Relevant supporting appendices include a 5-1 Protected Sites for Nature Conservation in the Vicinity of the Proposed Development, 5-2 Desk Study Flora and Fauna Records, 5-3 Examples of Valuing Important Ecological Features, 5-4 Flora Species Lists for Habitats and Relevé Results, 5-5 Small Stream Risk Score Results, 6-1 Hydrological Risk Assessment (HRA), 10-1 Unattended Noise Measurement Results, 12-1 RMP and SMR Sites Within Study Area, 12-2 Legislation Protecting the Archaeological Resource, 12-3 Impact Assessment and the Cultural Heritage Resource, 12-4 Mitigation Measures and the Cultural Heritage, 14-1 Site Location, 14-2 Survey Data, 14-3 AADT – Development Impact, and 14-4 AADT Cumulative Development Impact. I am satisfied that proposed mitigation measures comprise standard good practices and site-specific measures that are capable of offsetting significant adverse effects identified in the EIAR.
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 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).

The EIAR provides an overview of the alternatives considered.

The Do-Nothing Alternative would see the site remain as agricultural lands over an area of 18.6ha. A "do-nothing" scenario is considered to represent an inappropriate, unsustainable and inefficient use of these residentially zoned lands.

An alternative location was not examined because the site is zoned to accommodate the uses proposed.

For another greenfield site to be developed, a similar impact would arise by siting a residential development with a crèche at this scale on such a site. The existing site of the Proposed Development lies within lands that have already been zoned for residential development and are currently underutilised in that respect.

A do-nothing alternative was not considered attractive with the site possibly remaining occupied by a tenant in the large industrial type building and associated yard on site would be an inefficient use of zoned lands. In terms of alternative uses, in light of the zoning objectives for the site of the Proposed Development, as well as the cur-rent demand for high quality residential units in Saggart and Citywest, other land uses on site would not be considered appropriate alternatives or would not be in accordance with the planning policy context pertaining to the lands.

Alternative layouts were considered before the current layout was progressed and reasons for choosing this option are set out.

I am satisfied that reasonable alternatives were considered, the main reasons have been set out for opting for the layout proposed, and potential impacts on the environment have been taken into account.

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)

A description of the baseline environment and likely evolution in the absence of the development.

Each of the environmental aspects as listed in the EIAR are examined in terms of the existing or baseline environment, identification of potential construction and operational stage impacts and where necessary proposed mitigation measures are identified and the likely evolution of the environment in the absence of the proposed development is described, with particular reference to 'do nothing' scenarios. I am satisfied with the descriptions of same.

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.
The relevant methodology employed in preparing the EIAR, including desk-based assessment, ecological field studies, consultations, impact assessment etc. is set out in Section 1 and the relevant individual chapters. Each relevant chapter of the EIAR references difficulties encountered when compiling that chapter. It is noted that no significant difficulties, such as technical deficiencies or lack of knowledge, were encountered in compiling any of the specified information contained and any specific difficulties encountered are outlined in the relevant technical chapter. Having reviewed the EIAR, no specific difficulties were identified. I am satisfied that the forecasting methods overall are adequate in respect of likely effects.
A description of the expected significant adverse effects on the environment of the proposed development deriving from its vulnerability to risks of major accidents and/or disasters which are relevant to it.
Chapter 16 (Interactions) identifies and assesses the likelihood and potential significant adverse impacts on the environment arising from the vulnerability of the proposed development to risks of major accidents and/or natural disasters. It considers whether the proposed development is likely to cause accidents and/or disasters and its vulnerability to them. I am satisfied this issue has been adequately addressed in the EIAR.
Article 94 (c) A summary of the information in non-technical language.
The EIAR submitted with the application comprises Volume I (Non-Technical Summary), Volume II (Main Report), and Volume III (Appendices). I am satisfied that the Non-Technical Summary is concise, suitably comprehensive, and would be easily understood by members of the public.
Article 94 (d) Sources used for the description and the assessments used in the report
Each chapter provides a list of documents and information used to inform the chapter assessment. I consider the sources relied upon are generally appropriate and sufficient in this regard.
Article 94 (e) A list of the experts who contributed to the preparation of the report
A list of the various experts who contributed to the EIAR, their specialist topic(s)/input, and their qualifications are set out in Table 1.1 (EIAR Project Team) of the EIAR. I am satisfied that the EIAR demonstrates the competence of the individuals who prepared each chapter of the EIAR.

Consultations

12.4.2. The application has been submitted in accordance with the requirements of the Planning and Development Act, 2000 (as amended), and the Planning and Development Regulations, 2001 (as amended), in respect of public notices. Submissions have been received from statutory bodies and third parties and are considered in this report, in advance of decision making.

12.4.3. 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

12.4.4. While reference is made to the previous surveys carried out to support the previous planning applications on site, I note that survey works were undertaken from April – September 2025 pertaining to this application, I am, therefore, satisfied that the survey work carried out as part of the EIAR is acceptable. I am satisfied there is sufficient information on file to allow the application to be determined and that documentation submitted by the applicant, provided information which is reasonable and sufficient to allow a reasoned conclusion on the significant effects of the proposed development on the environment, taking into account current knowledge and methods of assessment.

12.4.5. Having regard to the foregoing, I am satisfied that the information contained in the EIAR, and supplementary information provided by the developer is sufficient to **c**omply with article 94 of the Planning & Development Regulations, 2001 (as amended).

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

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

- Population and human health.
- Biodiversity.
- Land, soil, water, air and climate.

- Material assets, cultural heritage and the landscape.
- The vulnerability of the proposed development to risks of major accidents and/or disasters.
- The interaction between these factors.

12.5.2. 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 appeal/application.
- Examination of the EIAR.
- Analysis, Evaluation and Assessment: Direct and indirect effects.
- Conclusion: Direct and indirect effects.

12.6. **Population and Human Health**

Issues Raised

12.6.1. The submissions from the third parities raise concerns in respect to population growth and pressure on services, including schools, healthcare, community facilities and public transport. Impact on residential amenity and human health effects arising from traffic, dust, noise, construction disturbance and long-term operational activity. Adequacy of the social infrastructure assessment and whether the assessment reflects recent population growth and lived experience of existing residents.

Examination of the EIAR

Content:

12.6.2. Chapter 4 considers the potential effects of the Proposed Development on people living, working and visiting in the vicinity of the site. It identifies relevant populations as persons residing and engaging in activities near the site, persons with a stake in the local and regional economy, and persons enjoying the recreational and cultural

amenities of the area. The assessment relies primarily on desk-based demographic, socioeconomic, health and amenity information, including CSO data.

12.6.3. Chapter 4 of the EIAR deals with Population and Human Health and outlines a detailed description of the existing environment and context. Section 4.3 outlines the existing environment is considered under the following headings:

- Population and Demographics Analysis
- Population and Age
- Economic Activity and Employment
- Deprivation Indices
- Human Health
- Social Health
- Amenities, and
- Receptor Sensitivity.

12.6.4. Section 4.5 outlines the potential effect of the proposed development, both construction and operational phase under the following headings:

- Population demographics;
- Socio economic impacts;
- Water quality;
- Air quality;
- Noise and vibration;
- Traffic and transport; and
- General amenity and tourism.

12.6.5. Chapter 4 sets out a detailed demographic and socio-economic baseline using 2022 CSO Census data and the Pobal HP Deprivation Index. The baseline is methodologically sound and draws on appropriate, current data sources. The assessment is structured around the IEMA Guide to Determining Significance for Human Health in EIA, which provides a recognised framework for this environmental topic.

Baseline:

12.6.6. The EIAR records that Saggart ED increased from 4,640 persons in 2016 to 6,248 persons in 2022, an increase of 1,608 persons or 35%, while Tallaght-Jobstown ED increased from 17,824 to 18,125 persons. The EIAR identifies Tallaght University Hospital approximately 3.42km northeast of the site, Citywest Medical/Centric Health approximately 200m northeast, Cocoon Childcare Citywest approximately 602m east, St Mary's National School Saggart west of the site, Coláiste Pobail Fóla northwest of the site, Corbally Park approximately 219m east, Carrigmore Park to the north and St Mary's GAA approximately 700m west.

12.6.7. An area of c. 1.03Ha within the site is reserved as a future school site in accordance with the South Dublin County Development Plan, 2022-2028.

12.6.8. The chapter does not address population and human health as a standalone environmental receptor in the traditional sense but rather examines how other environmental stressors — air quality, noise, water quality, traffic — interact with and affect the receiving population. This cross-referencing approach is appropriate and consistent with EPA Guidelines 2022; however, it means that much of the substantive analysis for this chapter is contingent on the quality and robustness of the assessments in Chapters 7, 8, 10 and 14.

12.6.9. The identification of sensitive receptors within 50m of the site boundary, including existing residential properties, is noted. The chapter acknowledges a notable limitation at Section 4.10 — that the 2022 Census may not fully capture the statistics of people located at a halting site in close proximity to the site. This is an honest and important acknowledgment. I note that no further analysis of this receptor group is provided beyond this caveat, which is a gap in the assessment.

12.6.10. The receptor sensitivity is assessed as 'Very Low' overall. While the IEMA criteria applied support this conclusion, I note that 22.8% of the Saggart ED population returned 'Not Stated' health responses in the Census, which introduces some uncertainty into the health status baseline. The chapter does not address this uncertainty explicitly.

Potential Effects:

Project Phase	Potential Direct, Indirect and Cumulative Effects	EIAR Significance / Residual Position

Do Nothing	No new housing or associated population would be delivered; no construction employment would arise.	Neutral/negative in housing supply terms.
Construction	Temporary employment and economic benefit; temporary amenity effects through construction noise, dust, traffic and visual disturbance.	Imperceptible to slight where topic mitigation is applied.
Operation	Permanent change from greenfield lands to residential neighbourhood; contribution to housing supply; increased demand on services and transport; provision of open space, creche and future school lands.	Neutral to positive in housing supply/community terms; no significant residual human health effect identified.

Mitigation:

12.6.11. No specific mitigation measures are proposed for population and human health directly, as the chapter relies on mitigation measures in other chapters. This is acceptable given the nature of the assessment, however I note the following:

Phase / Theme	Mitigation and Control Measures Identified / Required
Construction	CEMP, construction traffic management, dust suppression, noise controls, surface water protection and standard construction management measures.
Operation	Provision of housing, open space, pedestrian/cycle links, traffic management measures, creche, future school reservation and reliance on mitigation in traffic, air, noise, hydrology and biodiversity chapters.

12.6.12. The EIAR concludes overall taking into consideration the baseline population and the sensitivity of the receiving environment, coupled with the predicted residual effects after mitigation measures are implemented, it is considered that the Proposed Development will not have a significant residual effect on the population and human health in the area.

Assessment: Direct, Indirect, and Cumulative Effects

12.6.13. The matters raised in the appeal concerning schools, healthcare and community infrastructure are planning and social-infrastructure issues, but they also fall within the broad human health assessment. The EIAR identifies key receptors and cross-refers to specialist assessments for air quality, traffic, noise, water and landscape. While the appeal disputes the adequacy of the demographic baseline, the EIAR does identify recent growth in Saggart ED and locates relevant services.

12.6.14. I note that the third party appeals raise concerns regarding the negative impact of the proposed development, in particular during construction i.e. traffic, noise, dust, etc. on the existing amenity. Based on the mobile nature of construction and the baseline assessment of economic activity, the likely effect on the economy on a local scale will be both direct and indirect, short term positive and imperceptible.

12.6.15. The EIAR identifies mitigation measures including implementation of a Construction Environmental Management Plan, dust suppression measures, construction traffic management measures, noise mitigation measures, environmental protection measures and provision of public open space and active travel infrastructure. To close off the third-party concerns, I recommend that any permission should secure a CEMP, CTMP, construction hours, dust/noise controls, community liaison and implementation of open space and permeability measures as outlined.

12.6.16. I also note that the construction phase will create short term construction related employment. Employment creation will have a direct effect on the local economy but also an indirect effect through daily spending by employees in local businesses.

12.6.17. In relation to the existing population and the baseline demographic assessment completed in Section 4.3, the Proposed Development will have a neutral, long term and slight effect on population demographics.

12.6.18. The proposed development would have an overall positive effect in terms of population and human health as it would help to consolidate the urban area, assist in achieving housing targets for the area, increased housing stock and unit mix, increased employment during both the construction and operational phase and the provision of additional childcare spaces and amenity spaces. This is considered to have a positive, long-term effect on population and human health particularly in the context of current housing demand.

12.6.19. The proposed scheme if permitted would also include the payment of development contributions towards community infrastructure and services in the area.

12.6.20. Operational effects identified also include increased residential population, changes to accessibility and mobility patterns, demand on local services and

infrastructure, and changes to residential amenity. The application is accompanied by a Social Infrastructure Assessment, which demonstrates that the application site is adequately served in terms of social and community infrastructure to serve the proposed LRD. The proposed scheme includes a childcare facility with capacity for 149 childcare places and additional amenity areas.

12.6.21. With respect to the impact of the proposed LRD on public transport in the area, I have addressed this issue in Section 9.5 of this report and I am satisfied based on the information provided, which includes a Traffic Transport Impact Assessment and a Residential Traffic Plan, that the public transport services in the area are adequate in both frequency and capacity to cater for the anticipated demand from the proposed scheme.

12.6.22. It is noted that there are numerous inter-related environmental topics described in detail throughout the EIAR document which are of relevance to population and human health. During the construction and operational phases, noise, traffic, air (dust emissions), will be the key environmental factors that will have an impact on population and human health, and each topic will be addressed in further detail in my assessment of the individual chapters of the EIAR.

Table – Assessment: Direct, Indirect and Cumulative Effects:

Effect Type	**Assessment**
Direct Effects	Direct effects include construction disturbance and operational population/housing effects.
Indirect Effects	Indirect effects arise through traffic, air quality, noise, water quality, open space and service demand.
Cumulative Effects	Cumulative effects have been considered by reference to other permitted/proposed development and the cumulative interaction assessment in the EIAR.

Conclusion: Direct, Indirect, and Cumulative Effects

12.6.23. Having regard to the information presented in 4 Population And Human Health, the third-party issues raised and the mitigation measures identified in the EIAR, I am satisfied that the likely direct, indirect and cumulative effects have been identified, described and assessed. Subject to the implementation of the mitigation and monitoring measures identified in the EIAR, and to appropriate planning

conditions securing same, I am satisfied that the proposed development would not be likely to result in significant adverse residual environmental effects under this topic.

12.7. **Biodiversity**

Issues Raised

12.7.1. The third party appeals raise concerns regarding the potential loss of habitats, wet grassland/marsh, hedgerows, treelines, and open greenfield habitat. Effects on birds, bats, badgers, otters, amphibians, white-clawed crayfish and brown trout. Potential sedimentation or pollution effects on the Corbally Stream, Coldwater Stream, Cooldown Stream and downstream aquatic environment. It is argued that there is reliance on future mitigation and monitoring, including concerns that trigger thresholds and enforcement mechanisms are not clear.

Examination of the EIAR

Content:

12.7.2. Chapter 5 is the most technically detailed chapter of the EIAR and has been prepared by Scott Cawley Ltd., a specialist ecological consultancy. The assessment is underpinned by an extensive, multi-year survey programme encompassing habitat surveys (2020, 2021, 2023, 2025), breeding bird surveys across five seasons (2020–2024), wintering bird surveys (2020–2024 and 2025), bat activity and roost surveys (2020–2025), otter surveys, badger surveys, amphibian and reptile assessments, white-clawed crayfish surveys, and detailed botanical relevé surveys including Annex I habitat assessment. Whilst the extent of survey data has been raised in the third party appeals, in my opinion the breadth and depth of this survey programme is commended.

Baseline:

12.7.3. The EIAR identifies the Corbally Stream along much of the eastern and southern boundary, the Coldwater Stream along the western boundary and the Cooldown Stream along a central field boundary. These are tributaries of the Camac River (EPA waterbody Camac_020), which ultimately flows into the River Liffey and Dublin Bay. Hedgerows and treelines surround the lands. Detailed botanical surveys were undertaken in respect of wet grassland and possible marsh habitats, including relevé

data collection in December 2024 and follow-up survey in July 2025. Downstream aquatic receptors include white-clawed crayfish and brown trout in the River Camac system. Breeding bird surveys recorded species including grey wagtail, snipe and swift as red-listed species and several amber-listed species. Bats, badger, otter, amphibians and small mammals are addressed as ecological receptors.

12.7.4. The nearest SACs are the Glenasmole Valley SAC and the River Dodder SAC. Dublin Bay SPA and Rockabill to Dalkey Island SPA are the nearest SPAs. No European designated sites fall within the site boundary.

12.7.5. I note the following:

- Designated Sites: The closest European site, Glenasmole Valley SAC is located 4.1km southeast of the proposed development. I refer the Commission to Section 11.0 and Appendix A of this report.
- Habitats and Flora: No protected plant species were identified within the proposed development site during habitat surveys.
- Plant Species: No non-native, invasive plant species listed on the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations, 2011 were recorded within the proposed development site.
- Trees & Hedgerows: An Arboricultural Assessment accompanied this application. Hedgerows were present in the north of the site along the boundary, and in a mosaic with treelines along the central and eastern boundary. The proposal provides for the retention of the majority of treeline and hedgerow habitats within the Proposed Development site, with measures to protect trees and hedgerows including the implementation of temporary fencing and root protection areas, the translocation of vegetation from the area of marsh habitat and creating a larger area of habitat than what is to be lost.
- Terrestrial Fauna (excluding bats): Badger - While no badger setts were identified within the Proposed Development site, it does contain suitable habitat for badger. Therefore, a pre-construction confirmatory check will be carried out of suitable badger habitat. Any setts identified will be protected in accordance with the appropriate guidelines.

- Fox Vulpes vulpes were observed during the surveys on four occasions. Three fox cubs were identified during surveys adjacent to these holes, and the camera trap deployed in this location during the initial surveys, confirmed fox usage of these holes. Fox hair was also identified caught on barbed wire fencing within the proposed development site during the surveys in 2025, and a fox was captured by a camera trap in 2025 walking adjacent to, but not using, the mammal holes within the central hedgerow on site. However, neither fox or rabbit are protected species within Ireland.
- Otter - No evidence of otter was noted on site, however the Corbally Stream is suitable for commuting and/or foraging otter. There are no otter holts or couch sites present within the proposed development boundary. Therefore, the proposed development will not result in the loss of any breeding or resting places and construction works will not disturb any such sites.
- The Corbally Stream, which flows to the eastern boundary of the site, has potential to be suitable for usage by otter. In the context of river systems, the Threat Response Plan Otter Lutra lutra 2009-2011 document (Department of the Environment, Heritage and the Gaeltacht, 2011) defines terrestrial otter habitat as a 10m zone of riparian habitat along the riverbanks. The proposed development will be a minimum of 15m set back from the banks of the Corbally Stream. The Corbally Stream contains c. 5.3km of suitable otter habitat, and as only c. 20-30m will be lost during construction, this is not considered a likely significant effect on any geographic scale.
- Other Mammals: All of the mammal species returned in the NBDC search or identified within the proposed development site are of “Least” conservation concern (Nelson et al., 2019). They are widely distributed throughout Ireland.
- Non-native Invasive Mammals: None identified on the proposed site.
- Breeding Birds: Breeding bird surveys were undertaken. With the exception of treelines, hedgerows and scrub, the habitats in the lands are of low suitability for nesting bird species. In the absence of mitigation to protect birds and their nests, there is potential for direct impacts on breeding birds due to loss of suitable breeding bird habitat and/or the risk of direct mortality and injury to birds, which may arise from the clearance of vegetation within the proposed

development site. Mitigation measures have been provided to ensure adherence to the Wildlife Acts.

- Wintering Birds: Wintering bird surveys were undertaken. Wintering birds will benefit of implementation of landscape planting similarly to breeding birds. Due to aforementioned factors, the effects of habitat loss on wintering bird species arising from the proposed development will not be significant at any geographic scale.

- Amphibians and reptiles: If works to clear any of the habitat features suitable to support amphibian species are to begin during the season where frogspawn or tadpoles may be present (February – mid-summer), or where breeding adult newts, their eggs or larvae may be present (mid-March – September), a pre-construction survey will be undertaken to determine whether breeding amphibians are present.

- Bats: An updated bat roost appraisal and ground-level assessment of all buildings and trees within the subject lands, to examine their suitability to support roosting bats and potential to act as important landscape features for commuting/ foraging bats, was completed on the 4th of April 2023. A subsequent bat roost appraisal and ground-level tree assessment survey was completed on the 7th of April 2025. Trees were identified within the Proposed Development site with potential bat roosting features. Prior to felling of trees containing PRFs, a bat ecologist/arborist with training in pre-felling checks for bats will check each feature via MEWP or tree-climbing. Where it is safe and appropriate to do so for both bats and humans, such trees may be felled using soft felling techniques. Where remedial works (e.g. pruning of limbs) is to be undertaken to trees deemed to be suitable for bats, the affected sections of the tree will be checked by a suitably qualified ecologist/arborist for potential roost features before removal. If any bat tree roosts are confirmed, and will be removed by the proposed felling works, then a derogation licence will be required from the NPWS, and appropriate alternative roosting sites will be provided in the form of bat boxes.

12.7.6. A notable and significant feature of this chapter is the identification of marsh habitat requiring translocation, following detailed botanical surveys including relevé data collected in December 2024 and July 2025. The EIAR confirms the proposed translocation of this marsh habitat as a specific mitigation measure. While this is a material finding, I am satisfied that the translocation methodology proposed is robust, that a monitoring programme is in place, and that this matter is the subject of an appropriate planning condition with respect to mitigation proposed in this regard.

12.7.7. The aquatic survey correctly identifies white-clawed crayfish (Austropotamobius pallipes) as a species potentially present in the downstream Camac River catchment, as confirmed by Inland Fisheries Ireland. Surveys were carried out on the Corbally, Cooldown and Coldwater Streams under appropriate NPWS licences. The EIAR notes the importance of these streams as potential pathways to the downstream environment and proposes mitigation accordingly.

12.7.8. Consultation responses from Inland Fisheries Ireland are summarised at Section 5.2.2 and include specific recommendations regarding the riparian buffer zone, clear span structures for stream crossings, and monitoring of petrol interceptors. The EIAR states that these recommendations are addressed through mitigation; I note that these IFI recommendations should be specifically reflected in a planning condition attached to any grant of permission in this regard.

12.7.9. The decision not to repeat breeding and wintering bird surveys for 2025 and 2024-2025 respectively is explained at Section 5.2.5 on the basis that habitat surveys indicated no significant change in the ecological baseline. While this explanation is reasonable, I note this may be a limitation of the survey programme to be weighed in the overall assessment.

12.7.10. The ecological valuation and impact assessment methodology follows CIEEM Guidelines for Ecological Impact Assessment (2024) and NRA (2009) guidelines, which are appropriate and recognised frameworks. The use of a Zone of Influence approach differentiated by receptor type is methodologically sound.

Potential Effects:

Project Phase	Potential Direct, Indirect and Cumulative Effects	EIAR Significance / Residual Position
Construction	Habitat loss and modification; disturbance to fauna; risk of sedimentation, accidental pollution and water quality effects; disturbance from noise, vibration, lighting and human activity.	Potentially significant before mitigation for certain receptors/pathways; reduced after mitigation.
Operation	Lighting, human activity, long-term habitat change, surface water discharge and altered ecological connectivity.	Not significant with retention, planting, SuDS, lighting controls and management.
Cumulative	Potential cumulative habitat loss and hydrological/ecological interaction with other developments.	No significant cumulative residual effect identified with mitigation and NIS recommendations.

Mitigation:

Phase / Theme	Mitigation and Control Measures Identified / Required
Construction	CEMP, protection of retained habitats, riparian buffers, water quality controls, sediment control, pollution prevention, invasive species management, vegetation clearance restrictions, ecological supervision and monitoring.
Operation	Retention and strengthening of hedgerows/treelines, landscape planting, SuDS, lighting controls, habitat creation/enhancement and post-construction monitoring including years 1, 3 and 5 where specified.

12.7.11. The EIAR concludes proposed development does not pose a risk of adversely affecting (either directly or indirectly) the integrity of any European site, either alone or in combination with any other plans or projects. The proposed development does not have the potential to result in significant negative effects on nationally designated areas for nature conservation, either alone or cumulatively, with any other plans or projects. The proposed development has the potential to affect the surface water quality or the ecology of the adjacent waterbodies during construction. The surface water systems are designed in accordance with the principles of SuDS as recommended in the Greater Dublin Strategic Drainage Study. The implementation of mitigation measures in Section 6 to avoid or minimise the effect of the proposed development with regard to water quality impacts, will ensure there is no significant effects on the local water quality. The proposed development will result in some temporary habitat loss within the proposed development boundary, but this will not result in any significant negative effects following the implementation of mitigation and enhancement measures such as planting and strengthening existing treelines and hedgerows, as detailed in this report. The landscape design will ensure that the biodiversity value of the habitats to be retained and created as part of the proposed development, are maximised. The proposed development does have the potential to result in significant negative effects on habitats, birds, white-clawed crayfish, amphibians and bats at local geographic levels and on otter at a county geographic scale prior to mitigation. Following the implementation of mitigation measures, no residual impacts on any key ecological receptors is predicted. A comprehensive suite of mitigation measures are proposed, some which have been incorporated into the design of the proposed development. All of the mitigation measures will be implemented in full and are best practice, tried and tested, and effective control measures to protect biodiversity.

Assessment: Direct, Indirect, and Cumulative Effects

12.7.12. I have examined, analysed and evaluated the information provided in Chapter 6 (as amended) and all the associated documents, and submissions on file in respect of biodiversity. I am satisfied that the applicant understanding of the baseline environment, by way of desk and site surveys, is comprehensive and that the key impacts in respect of likely effects on biodiversity, as a consequence of the development have been identified.

12.7.13. The proposed development does not pose a risk of adversely affecting (either directly or indirectly) the integrity of any European site, either alone or in combination with any other plans or projects.

12.7.14. The proposed development does not have the potential to result in significant negative effects on nationally designated areas for nature conservation, either alone or cumulatively, with any other plans or projects.

12.7.15. The EIAR identifies the Corbally Stream and associated riparian corridor as the principal ecological feature within the receiving environment. I note that the assessment places particular emphasis on hydrological connectivity and the potential for indirect impacts on downstream aquatic habitats through sedimentation or accidental pollution pathways.

12.7.16. The assessment appropriately identifies birds, bats and badgers as sensitive ecological receptors. The EIAR acknowledges that linear habitat features including hedgerows, treelines and riparian corridors provide important ecological connectivity and foraging opportunities for these species. The assessment further recognises the sensitivity of downstream aquatic receptors including white-clawed crayfish and brown trout.

12.7.17. I note that the principal ecological effects identified are associated with temporary habitat loss, habitat fragmentation, construction disturbance and potential impacts on water quality. These pathways are typical of residential development proposals of this nature and scale.

12.7.18. The proposed development has the potential to affect the surface water quality or the ecology of the adjacent waterbodies during construction. The surface water systems are designed in accordance with the principles of SuDS as

recommended in the Greater Dublin Strategic Drainage Study. The implementation of mitigation measures in Section 6 to avoid or minimise the effect of the proposed development with regard to water quality impacts, will ensure there is no significant effects on the local water quality. In particular, I note the commitment to retain and protect the Corbally Stream corridor, implement ecological buffer zones, provide SuDS infrastructure, undertake ecological monitoring and maintain ecological connectivity throughout the construction and operational phases.

12.7.19. The proposed development will result in some temporary habitat loss within the proposed development boundary, but this will not result in any significant negative effects following the implementation of mitigation and enhancement measures such as planting and strengthening existing treelines and hedgerows, as detailed in this report.

Table – Assessment: Direct, Indirect and Cumulative Effects:

Effect Type	Assessment
Direct Effects	Direct effects include habitat removal, vegetation clearance and disturbance to fauna.
Indirect Effects	Indirect effects arise primarily through hydrology, water quality, lighting, noise, dust and ecological connectivity pathways.
Cumulative Effects	Cumulative effects have been considered by reference to other permitted/proposed development and the cumulative interaction assessment in the EIAR.

Conclusion: Direct, Indirect, and Cumulative Effects

12.7.20. The proposed development does not pose a risk of adversely affecting (either directly or indirectly) the integrity of any European site, either alone or in combination with any other plans or projects.

12.7.21. Having regard to the information presented in 5 Biodiversity, the third-party issues raised and the mitigation measures identified in the EIAR, I am satisfied that the likely direct, indirect and cumulative effects have been identified, described and assessed. Subject to the implementation of the mitigation and monitoring measures identified in the EIAR, and to appropriate planning conditions securing same, I am satisfied that the proposed development would not be likely to result in significant adverse residual environmental effects under this topic.

12.8. **Land and Soil**

Issues Raised

12.8.1. Third party appeals raise concerns regarding loss of an existing greenfield site, Earthworks, site reprofiling, excavation, export/import of materials and possible impacts on adjoining lands. Potential for sedimentation and contamination arising from soil disturbance. Interaction of soil management with drainage, water quality and biodiversity.

Examination of the EIAR

Content:

12.8.2. Chapter 6 is headed Land, Soils and Geology and describes the land, soils and geology within and immediately surrounding the site. It identifies the land, soil and geological characteristics of the receiving environment, potential effects, constraints, mitigation and residual effects. This chapter has been prepared by DNV and presents a comprehensive assessment of land, soil and geological conditions. The assessment is underpinned by ground investigation data from GII (2014) and a site investigation report from DNV (2025), along with GSI web mapping and a site walkover survey. The use of site-specific ground investigation data from 2014 is noted; while supplemented by the 2025 DNV investigation, I would observe, however, that the 2014 data is over a decade old and the extent to which the 2025 investigation updates or supersedes it should be confirmed.

Baseline:

12.8.3. The EIAR describes the site location, topography, soils, quaternary sediments, bedrock geology, site investigation results, geochemical domain, radon, geohazards, geological heritage and economic geology. The baseline is used to assess the sensitivity and importance of the receiving land, soils and geological environment. The GSI has assigned a 'Moderate' permeability rating to the subsoils, which are described as cohesive sediments of low permeability (clay) to depths ranging from 3.0mbGL to 4.5mbGL across the majority of the site. The subsoils have no granular aggregate potential, though the bedrock is classified as having high potential for aggregate extraction. The overall geological importance of the site is assessed as 'medium'. The site topography slopes sharply from south (approx. 155m AOD) to north (approx. 117.5m AOD), a drop of approximately 38m. Approximately 75% of the site drains north-west and the remainder north-east to existing watercourses.

12.8.4. The chapter clearly identifies the scale of earthworks involved: excavation of approximately 184,422m3 of soil and subsoil, reuse of approximately 80,733m3 onsite, removal of approximately 103,689m3 offsite, and importation of approximately 164,654m3 of aggregate fill. This is a significant quantum of material movement, and the assessment appropriately addresses soil quality, contamination risk, and management of surplus soils.

12.8.5. The identification of a 'High' Radon Area in the southern portion of the site is noted. The EIAR states that building design will comply with current Building Regulations to address radon risk. I note this is an appropriate approach.

12.8.6. The chapter identifies a worst-case scenario of accidental release of fuels or hazardous materials as a potentially significant effect in the absence of mitigation, assessed as 'negative', 'moderate to significant' and 'long-term'. This is the only effect in this chapter assessed as potentially significant. The EIAR correctly identifies this as unlikely, but the CEMP provisions should be the subject of a specific condition.

12.8.7. The Geology at Source assessment regarding importation of aggregate materials appropriately notes that contract and procurement procedures will ensure materials are sourced from reputable, authorised suppliers. The conclusion that this effect is 'indirect', 'neutral', 'imperceptible' and 'permanent' is accepted.

Potential Effects:

Project Phase	Potential Direct, Indirect and Cumulative Effects	EIAR Significance / Residual Position
Construction	Soil stripping, excavation, earthworks, movement of materials, possible contamination and sediment generation.	Imperceptible to slight with best practice controls.
Operation	Limited effects once the development is complete; land use change from greenfield/agricultural to residential use.	Imperceptible/non-significant.
Cumulative	Potential cumulative construction-related soil disturbance with other nearby development.	Not significant with construction management measures.

Mitigation:

Phase / Theme	Mitigation and Control Measures Identified / Required
Construction	CEMP, soil handling and storage controls, pollution prevention, silt/sediment control, appropriate reuse/disposal of excavated materials and management of fuels/chemicals.

Operation	Standard maintenance of drainage and landscaped areas; no further specific operational soil mitigation identified as significant.

The EIAR concludes in Section 6.11 that "*considering the avoidance, remedial and mitigation measures, the residual effects regarding the construction phase and operational phase of the Proposed Development are considered 'imperceptible' to the receiving environment (land, soil and geology) and considered non-significant in the context of the EIA Directive*".

Assessment: Direct, Indirect, and Cumulative Effects

12.8.8. The appeal concerns regarding site reprofiling, and ground conditions are primarily addressed through Chapters 6 and 7.

12.8.9. The EIAR identifies potential direct effects associated with excavation works, soil stripping, material movement, and construction disturbance. The potential indirect effects relate principally to sedimentation pathways, runoff, contamination risks, and interactions with hydrology and biodiversity.

12.8.10. The Proposed Development will require approximately 18.7ha. of land and will change from undeveloped grasslands to residential use. As a result, the development will involve an unavoidable land take, leading to a 'negative', 'significant', and 'permanent' effect on land and soil, particularly when assessed in the context of surrounding land uses and zoning objectives. This is considered significant in the context of the EIA Directive.

12.8.11. The construction of the Proposed Development will require the excavation of 184,422m3 of soil and subsoil. Accordingly, there will be a 'negative' 'moderate' and 'permanent' effect on the underlying soils at the site and is considered non-significant in the context of the EIA Directive.

12.8.12. The potential accidental release of deleterious materials including fuels and other materials being used onsite, through the failure of secondary containment or a materials' handling accident on the Proposed Development could potentially result in a 'negative', 'moderate to significant', 'long-term' effect on the receiving soil and geology depending on the nature of the incident. It is noted that this effect is considered significant in the context of the EIA Directive due to the potential for long-

term degradation of the effected soils in the absence of mitigation. However, this worst-case scenario is deemed to be unlikely to occur.

12.8.13. The EIAR identifies mitigation measures including soil management controls, sediment controls, pollution prevention measures and implementation of a Construction Environmental Management Plan.

12.8.14. Furthermore, it is not envisaged that there will be any hazardous waste generated throughout the construction works however, in the event that hazardous soil, or historically deposited waste is encountered during the site bulk excavation phase, the contractor will notify South Dublin County Council and provide a Hazardous / Contaminated Soil Management Plan, to include estimated tonnages, description of location, any relevant mitigation, destination for disposal/treatment, in addition to information on the authorised waste collector(s).

12.8.15. I have examined the Land and Soils assessment submitted with the application. The EIAR appropriately identifies the principal environmental pathways associated with excavation, earthworks and construction activity.

12.8.16. The proposed mitigation measures are standard and appropriate to the scale and nature of the proposed development.

12.8.17. I am satisfied that the EIAR adequately identifies, describes and assesses the likely direct, indirect and cumulative effects on Land and Soils. Overall, the predicted effects on the receiving land, soil and geological environment during the operational phase of the Proposed Development are considered to be 'neutral,' imperceptible' and 'permanent' and are not significant in the context of the EIA Directive.

12.8.18. There are no other cumulative effects associated with land, soil and geology associated with the construction phase of the Proposed Development. There will be no cumulative effects on land, soil and geology during the operational phase of the Proposed Development.

Table – Assessment: Direct, Indirect and Cumulative Effects:

Effect Type	Assessment
Direct Effects	Direct effects include excavation, soil stripping, reprofiling and material movement.
Indirect Effects	Indirect effects arise through sedimentation, runoff, contamination and interactions with hydrology/biodiversity.

Cumulative Effects	Cumulative effects have been considered by reference to other permitted/proposed development and the cumulative interaction assessment in the EIAR.

Conclusion: Direct, Indirect, and Cumulative Effects

12.8.19. Having regard to the information presented in 6 Land, Soils And Geology, the third-party issues raised and the mitigation measures identified in the EIAR, I am satisfied that the likely direct, indirect and cumulative effects have been identified, described and assessed. Subject to the implementation of the mitigation and monitoring measures identified in the EIAR, and to appropriate planning conditions securing same, I am satisfied that the proposed development would not be likely to result in significant adverse residual environmental effects under this topic.

12.9. Hydrology and Hydrogeology

Issues Raised

12.9.1. Flooding, drainage and claimed historic flooding of neighbouring roads/houses. Potential effects on the Corbally Stream, Coldwater Stream, Cooldown Stream and downstream water quality. Adequacy of SuDS, wastewater and surface water infrastructure and whether assessment reflects seasonal ground conditions. Potential cumulative impacts on flood risk and water quality. I note that flooding is addressed in Section 9.8 of this report.

Examination of the EIAR

Content:

12.9.2. Chapter 7 is one of the most substantial chapters in the EIAR and has been prepared by DNV with supporting technical documents including a Hydrogeological Risk Assessment (DNV, 2025), a Site Specific Flood Risk Assessment (Kilgallen & Partners, 2025), and a Drainage and Water Infrastructure Engineering Report (Roger Mullarkey & Associates, 2025). The assessment is comprehensive and addresses surface water, groundwater, flood risk, and WFD compliance.

12.9.3. I note that Chapter 7 includes information on and consideration of the proposed development in term of the Water Framework Directive, for clarity, I have dealt with this matter separately in section 10 of this report.

Baseline:

12.9.4. The EIAR describes the site location, topography, soil/subsoil/geology, rainfall, regional hydrogeology, site investigation results, hydrology, flooding, groundwater use/source protection, water quality and WFD status.

12.9.5. Three streams cross or bound the site: the Corbally Stream (eastern and northern boundary), the Cooldown Stream (central field boundary), and the Coldwater Stream (western boundary). These are tributaries of the Camac River, which connects to the River Liffey and ultimately Dublin Bay. The existing ground topography creates a natural catchment with approximately 75% of the site draining north-west and the remainder north-east to these natural watercourses. There is currently no surface water network, wastewater drainage or water supply on the site. The site is partially located within Flood Zone A and B at its northern boundary. The relevant groundwater bodies are the Kilcullen GWB and the Dublin GWB.

12.9.6. The identification of the Ringsend WWTP as the receiving wastewater treatment facility is important in the context of this assessment. The EIAR acknowledges at Section 7.6.3.2 that the 2023 Annual Environmental Report records exceedances in effluent above the discharge licence ELVs at Ringsend WWTP, but states this does not have an observable impact on WFD status. The EIAR further notes that upgrade works are ongoing at Ringsend WWTP to increase capacity from 1.6 million PE to 2.4 million PE. I consider this an important issue and note that the Uisce Éireann Connection Offer (UE COF Reference: CDS24005491) confirms the foul water connection is feasible subject to upgrades, which the applicant is committed to funding. I recommend that this matter be the subject of a specific planning condition.

12.9.7. The SuDS drainage design is assessed as consistent with the Greater Dublin Strategic Drainage Study (GDSDS) principles. The EIAR concludes that the surface water drainage design will ensure no adverse effect on WFD status. This conclusion is supported by the detailed technical assessment in the Drainage and Water Infrastructure Engineering Report.

12.9.8. The potential for temporary dewatering during construction and its effects on groundwater levels is acknowledged and assessed as 'negative', 'slight' and 'temporary'. The dewatering strategy is committed to being maintained within the work area. This is a practical and proportionate assessment.

12.9.9. The proposed diversion of the Coldwater Stream to facilitate construction of the proposed overflow to the translocated marshland area is a specific infrastructure intervention. The EIAR assesses this as 'neutral', 'slight to moderate' and 'temporary'. I note that this intervention interacts with the biodiversity assessment in Chapter 5 and the mitigation measures proposed for the marsh translocation.

12.9.10. The proposed bridge crossings to facilitate vehicular, pedestrian and cyclist connections to adjoining developments at Corbally Heath and Corbally Glade to the east and Carrigmore Green to the north, and pedestrian/cyclist access into Carrigmore Park to the east may have the potential for some disturbance of the stream bed and increased suspended solids content of the water downstream of the works area. The EIAR assesses this as a ‘negative’, ‘moderate’, ‘short-term’ impact on the receiving surface waterbodies (i.e., Corbally, Coldwater, and Cooldown Streams) and locally within the downstream Camac River.

Potential Effects:

Project Phase	Potential Direct, Indirect and Cumulative Effects	EIAR Significance / Residual Position
Construction	Risk of sediment-laden runoff, accidental spillages, pollution of watercourses and groundwater effects from excavation/earthworks.	Potentially adverse before mitigation; imperceptible/non-significant after mitigation.
Operation	Surface water runoff, SuDS performance, floodplain interaction, water quality protection and drainage discharge.	No significant effect on water quality or WFD status with embedded design and mitigation.
Cumulative	Potential cumulative hydrological effects with other developments in the catchment.	Not significant with SuDS, attenuation and pollution prevention controls.

Mitigation:

Phase / Theme	Mitigation and Control Measures Identified / Required
Construction	CEMP, pollution prevention, sediment controls, fuel/chemical storage controls, control of concrete washout, protection of watercourses and monitoring where required.
Operation	SuDS, attenuation, drainage controls, maintenance regime, embedded design avoidance, compensatory flood storage/flood mitigation where relevant and adherence to WFD protection measures.

12.9.11. The EIAR concludes that taking into account the avoidance, remedial, and mitigation measures outlined in Section 7.7, the residual effects associated with both the construction and operational phases of the Proposed Development are considered imperceptible in terms of their impact on the receiving environment (hydrogeology). These effects are deemed non-significant within the context of the EIA Directive. Furthermore, no hydrological and hydrogeological-related constraints have been identified that would be expected to hinder or prevent the Proposed Development from proceeding as planned. There will be no effect to water quality and the existing WFD Status of water bodies associated with the Proposed Development including the Kilcullen GWB, the Dublin GWB, the Camac_020 (i.e., the Corbally Stream, Coldwater Stream, Cooldown Stream) and Camac_030 taking account of embedded design avoidance and mitigation measures where required.

Assessment: Direct, Indirect, and Cumulative Effects

12.9.12. The appeal concerns regarding flooding and drainage are noted and have been considered in the assessment. The EIAR specifically assesses hydrology, flood risk and WFD, and concludes there will be no effect to water quality and no deterioration in WFD status of the Kilcullen GWB, Dublin GWB, Camac_020 and Camac_030 when design and mitigation are implemented.

12.9.13. The EIAR identifies Flood Zones A and B within the northern section of the site, floodplain interaction pathways, surface water exceedance pathways, water quality pathways and hydrological connectivity.

12.9.14. During the construction phase there will be no direct discharges to or abstractions from surface water or groundwater at the Proposed Development. It is considered that there will be a 'negative', 'slight' and 'temporary' effect on the groundwater levels and flow regime. The overall effect is considered non-significant in the context of the EIA Directive.

12.9.15. The impact on the hydrological regime is expected to be 'neutral', 'slight' to 'moderate', and 'temporary' given the interventions will cause short-term changes in flow patterns before returning to baseline conditions with no residual impact. The overall effect is considered non-significant in the context of the EIA Directive.

12.9.16. The mains water supply will be operated in accordance with relevant existing statutory consents therefore there will be no cumulative effects associated with the

Proposed Development on the supply network and water resources. Considering the design of the surface water drainage network in accordance with the principles and objectives of SuDS and the GDSDS to treat and attenuate water prior to discharging offsite, it is considered that there will be no cumulative impacts to the water quality and WFD status of receiving hydrological receptors including the Corbally, Coldwater, and Cooldown Streams and downstream waterbodies individually or in-combination with other developments detailed in Chapter 2 of this EIAR and within the Greater Dublin Area.

12.9.17. All open waterbodies at the site including the Corbally, Coldwater, and Cooldown will be protected for the duration of the works. A 20m buffer will be retained at all open waterbodies.

12.9.18. The proposed mitigation measures including attenuation infrastructure, compensatory flood storage and SuDS measures are appropriate and consistent with current guidance and practice.

Table – Assessment: Direct, Indirect and Cumulative Effects:

Effect Type	Assessment
Direct Effects	Direct effects include construction runoff, drainage alteration and floodplain/surface water management.
Indirect Effects	Indirect effects arise through water quality, downstream hydrological connectivity, biodiversity and human health pathways.
Cumulative Effects	Cumulative effects have been considered by reference to other permitted/proposed development and the cumulative interaction assessment in the EIAR.

Conclusion: Direct, Indirect, and Cumulative Effects

12.9.19. Having regard to the information presented in 7 Hydrology And Hydrogeology, the third-party issues raised and the mitigation measures identified in the EIAR, I am satisfied that the likely direct, indirect and cumulative effects have been identified, described and assessed. Subject to the implementation of the mitigation and monitoring measures identified in the EIAR, and to appropriate planning conditions securing same, I am satisfied that the proposed development would not be likely to result in significant adverse residual environmental effects

under this topic. I also note that Flooding, Drainage and Water Infrastructure was assessed in Section 9.8 of this report.

12.9.20. There will be no effect to water quality and the existing WFD Status of water bodies associated with the Proposed Development including the Kilcullen GWB, the Dublin GWB, the Camac_020 (i.e., the Corbally Stream, Coldwater Stream, Cooldown Stream) and Camac_030 taking account of embedded design avoidance and mitigation measures where required.

12.10. **Air Quality**

Issues Raised

12.10.1. The appeals refer to construction dust from earthworks, HGVs and road formation. Traffic-related emissions and air quality/health concerns associated with increased vehicular movements through existing residential estates. Cumulative air quality impacts traffic growth and development.

Examination of the EIAR

Context:

12.10.2. Chapter 8 assesses the impact on air quality associated with construction and operational phases. It identifies construction dust and operational traffic/space-heating emissions as the principal air quality pathways and applies best practice standards using a reasonable worst-case approach. This chapter has been prepared by DNV and applies the IAQM guidance for construction dust impact assessment and the DMRB Screening Method for operational traffic-related air quality assessment. Both are recognised and appropriate methodologies for this type of development.

Baseline:

12.10.3. The EIAR assesses baseline air quality, meteorology, receptor locations and the potential traffic emissions pathway. Residential receptors adjoining and near the site are the principal sensitive receptors.

12.10.4. The baseline air quality assessment draws on EPA ambient monitoring data from the Tallaght monitoring station. Annual mean NO2 concentration recorded at the EPA monitoring station in Tallaght for 2024 is 12.1 µg/m3, and mean NOx is 25.2 µg/m3. These figures are well below the annual limit value of 40 µg/m3 for NO2

under the Air Quality Standards Regulations 2011. There are several sensitive receptors located within 50m of the site boundary, primarily existing and proposed residential developments.

12.10.5. The construction dust assessment applies the IAQM risk-based framework and concludes that the site is a 'high risk' site for earthworks, construction and trackout activities, with low risk to human health and negligible risk to ecology. This risk classification triggers the application of mitigation measures appropriate to a high-risk site, including a Dust Management Plan and regular liaison with other high-risk construction sites within 500m. The EIAR identifies one relevant permitted development within 500m (i.e. SD24A/0092W, a residential scheme of 73 units at Saggart), which could potentially overlap with the construction phase of the proposed development. I note that this is a specific and important cumulative finding.

12.10.6. The DMRB Screening Method for operational NO2 and PM10 assessment is applied at four receptor locations (R1–R4). The predicted concentrations at all receptors are within 75% of the relevant Air Quality Assessment Level with a percentage change of less than 2% of the AQAL, resulting in a 'negligible' impact descriptor at all locations. This conclusion is consistent with the relatively modest scale of traffic generation from a residential development of this size.

12.10.7. I note that the air quality assessment for the operational phase is screening-level only — a full atmospheric dispersion model was not required. The EIAR states this is justified by the existing air quality data and predicted traffic impact. This is an accepted approach under the EPUK and IAQM guidance where screening thresholds are not exceeded.

Potential Effects

Project Phase	Potential Direct, Indirect and Cumulative Effects	EIAR Significance / Residual Position
Construction	Fugitive dust, particulate matter from earthworks, materials handling, site roads and construction traffic.	Short-term, localised, negative and imperceptible/not significant with mitigation.
Operation	NO2 and PM10 impacts from increased traffic; space-heating emissions.	Imperceptible, negative and long-term.
Cumulative	Cumulative construction dust/traffic emissions with other projects.	Not significant with standard controls.

Mitigation:

Phase / Theme	Mitigation and Control Measures Identified / Required
Construction	Dust minimisation measures, wheel washing, road cleaning, damping down, covering of loads, site management and monitoring.
Operation	Sustainable mobility measures and traffic management as addressed in Chapter 14; no further significant operational mitigation required.

Including:

- Dust minimisation measures detailed in Section 8.6.
- The best practice dust mitigation measures will ensure that the impact of the development complies with all EU ambient air quality legislative limit values which are based on the protection of human health.

12.10.8. The EIAR concludes that when the dust minimisation measures detailed in the Section 8.6 are implemented, residual fugitive emissions of dust from the Proposed Development are predicted to be short-term, negative, localised and not significant/imperceptible. The best practice dust mitigation measures that will be put in place during construction of the proposed development will ensure that the impact of the development complies with all EU ambient air quality legislative limit values which are based on the protection of human health. Therefore, the impact of construction of the proposed development is likely to be short-term, localised, negative and imperceptible with respect to human health. Potential impacts to air quality during the operational phase of the proposed development are as a result of increased traffic volumes on the local road network. A screening assessment of NO2 and PM10 emissions determined that impacts to air quality will be imperceptible as a result of changes in traffic in the local area. The operational phase of the proposed development will have an imperceptible, negative and long-term impact on air quality. In conclusion, there are no significant impacts to air quality or climate predicted as a result of the proposed development once the mitigation measures outlined in this chapter are implemented.

Assessment: Direct, Indirect, and Cumulative Effects

12.10.9. The third-party appeal raises air quality concerns largely through the lens of traffic and construction disturbance. Chapter 8 screens the operational traffic pathway and concludes impacts are imperceptible. The construction dust mitigation

measures are standard and should be required in the final CEMP. The conclusion of no significant residual air quality effect is acceptable in EIA terms, subject to enforceable dust controls and complaints/liaison procedure for boundary residents.

12.10.10. The potential impact of the proposed development on ambient air quality in the operational stage is considered long-term, localised, negative and imperceptible and therefore, no mitigation is required.

12.10.11. The future predicted traffic flows on the surrounding road network due to the Proposed Development include for the cumulative impact of other Proposed Developments in the surrounding area. Due to the relatively small additional traffic volume predicted to be generated due to the Proposed Development, including other proposed developments in the area, there will be a negligible change in air quality as predicted. Therefore, the cumulative operational air quality impact of any permitted developments and the Proposed Development are predicted to cause an insignificant air quality impact during the operational phase in the short term and long term.

12.10.12. Potential impacts to air quality during the operational phase of the proposed development are as a result of increased traffic volumes on the local road network. A screening assessment of NO2 and PM10 emissions determined that impacts to air quality will be imperceptible as a result of changes in traffic in the local area. The operational phase of the proposed development will have an imperceptible, negative and long-term impact on air quality.

12.10.13. Potentially, the most significant cumulative impact may occur if the construction phase of various proposed projects overlaps with other developments in the area. However, should the construction phase of the Proposed Development and other permitted developments coincide, it is predicted that once appropriate construction mitigations are put in place during construction, construction air quality and dust impacts will not be significant.

Table – Assessment: Direct, Indirect and Cumulative Effects:

Effect Type	Assessment
Direct Effects	Direct effects include construction dust and operational road traffic emissions.
Indirect Effects	Indirect effects arise through population/human health, residential amenity and traffic interactions.

Cumulative Effects	Cumulative effects have been considered by reference to other permitted/proposed development and the cumulative interaction assessment in the EIAR.

Conclusion: Direct, Indirect, and Cumulative Effects

12.10.14. Having regard to the information presented in 8 Air Quality, the third-party issues raised and the mitigation measures identified in the EIAR, I am satisfied that the likely direct, indirect and cumulative effects have been identified, described and assessed. Subject to the implementation of the mitigation and monitoring measures identified in the EIAR, and to appropriate planning conditions securing same, I am satisfied that the proposed development would not be likely to result in significant adverse residual environmental effects under this topic.

12.11. **Climate**

Issues Raised

12.11.1. The appeals challenge the EIAR conclusions regarding cumulative health impacts. Some appeals argue Climate resilience, sustainable drainage, flood-related climate adaptation and cumulative environmental pressure. Transport emissions and car dependency associated with the scale of the development. Long-term energy efficiency and operational greenhouse gas emissions

Examination of the EIAR

Context:

12.11.2. Chapter 9 assesses greenhouse gas emissions, climate change resilience and vulnerability of the site to climate change. It identifies potential sources of emissions and considers construction, operation and climate change risk. It addresses two related but distinct matters, greenhouse gas (GHS) emissions from the development, and the vulnerability of the development to the effects of climate change. Both are addressed in line with EPA Guidelines 2022 and the ISEP (2022) guidance on assessing climate change within EIAs.

Baseline:

12.11.3. The EIAR sets out greenhouse gas emissions in Ireland, climate legislation/policy, climate baselines, future GHG baseline, current and future climate change risk baseline and a multi-climate hazard analysis for the site coordinates.

12.11.4. The GHG assessment quantifies construction and operational phase emissions. The operational phase assessment draws on the Energy and Climate Action Statement (BBSC, 2025) and applies the Near Zero Energy Building (NZEB) standard. The EIAR notes that the development will be designed to comply with NZEB requirements and includes PV panels as part of the energy strategy. I consider these are positive embedded mitigation measures.

12.11.5. The chapter's treatment of cumulative GHG effects is methodologically important. It correctly notes, in accordance with TII PE-ENV-01104 (2022), that the traditional geographically-constrained cumulative assessment approach is not applicable to GHG emissions, as these contribute to global climate change irrespective of source location. The EIAR instead contextualises the project's emissions relative to Ireland's national carbon budgets and net-zero trajectory. This is an appropriate and accepted methodological approach.

12.11.6. The vulnerability assessment considers the site's exposure to increased flood risk, higher temperatures and changing precipitation patterns. This cross-references with Chapter 7 (Hydrology) and the Flood Risk Assessment. I note that the SuDS drainage design and the Flood Risk Assessment are the primary mechanisms through which climate resilience is addressed in the detailed design.

Potential Effects:

Project Phase	Potential Direct, Indirect and Cumulative Effects	EIAR Significance / Residual Position
Construction	Embodied carbon and construction activity emissions from materials, plant and transport.	Not significant with embedded and prescribed mitigation.
Operation	Operational energy and transport-related emissions; resilience to future climate hazards.	No significant effect; energy strategy contributes to efficiency over the long term.
Cumulative	Contribution to cumulative GHG emissions and climate resilience demands.	No significant cumulative effect identified.

Mitigation:

Phase / Theme	Mitigation and Control Measures Identified / Required
Construction	Efficient construction practices, waste/material management, CEMP measures and construction phase best practice.
Operation	Energy strategy, sustainable transport measures, SuDS/climate adaptation measures and operational best practice.

12.11.7. The EIAR concludes that assessment of potential adverse effects resulting from the Proposed Development on climate change in this chapter has identified the potential sources of greenhouse gas emissions and vulnerability of the site to climate change. It is reasonably considered that following all mitigation measures including design embedded and prescribed, adequate implementation of construction phase mitigation, and adherence to EIAR operational best practice that no significant effects to climate change will arise from the Proposed Development during the construction or operational phases. Additionally, the operational and maintenance plan for the Proposed Development and the prescribed energy strategy will provide enhancement to energy efficiency over the long term.

Assessment: Direct, Indirect, and Cumulative Effects

12.11.8. The appeal links climate with flood risk, SuDS and car dependency. These matters are addressed across Chapters 7, 9 and 14. The climate chapter identifies emissions and vulnerability and concludes no significant climate effect subject to mitigation. I consider that climate-related conditions should focus on implementation of SuDS, sustainable transport measures, energy efficiency measures and final construction management commitments.

12.11.9. Regarding the requirement for a cumulative assessment, TII PE-ENV-01104 (2022) indicates that "*since the GHG assessment pertains to global climate and the impacts on the receptor from a project are not geographically constrained, the typical approach for cumulative assessment in EIA is not deemed applicable*." However, by evaluating the GHG impact of a project in relation to its alignment with Ireland's trajectory towards net zero and sectoral carbon budgets, this assessment will demonstrate the project's potential influence on Ireland's ability to meet its national carbon reduction targets. Consequently, the assessment approach is inherently cumulative.

12.11.10. In accordance with IEMA guidance, all GHG emissions are considered cumulatively significant as they contribute to global climate change. The assessment therefore quantifies the project's emissions, places them in the context of relevant carbon budgets, and identifies mitigation measures. For climate change risk assessment, the approach differs: it is a risk-based process focused on the project's

resilience to future climate conditions rather than additive impacts. Cumulative assessment in the traditional sense is not generally applicable because climate risks are external drivers, not project-generated effects.

Table – Assessment: Direct, Indirect and Cumulative Effects:

Effect Type	Assessment
Direct Effects	Direct effects include construction and operational greenhouse gas emissions.
Indirect Effects	Indirect effects arise through transport, flood resilience, energy demand and land-use change.
Cumulative Effects	Cumulative effects have been considered by reference to other permitted/proposed development and the cumulative interaction assessment in the EIAR.

Conclusion: Direct, Indirect, and Cumulative Effects

12.11.11. The assessment of potential adverse effects resulting from the Proposed Development on climate change in this chapter has identified the potential sources of greenhouse gas emissions and vulnerability of the site to climate change.

12.11.12. Having regard to the information presented in 9 Climate, the third-party issues raised and the mitigation measures identified in the EIAR, I am satisfied that the likely direct, indirect and cumulative effects have been identified, described and assessed. Subject to the implementation of the mitigation and monitoring measures identified in the EIAR, and to appropriate planning conditions securing same, I am satisfied that the proposed development would not be likely to result in significant adverse residual environmental effects under this topic.

12.12. Noise and Vibration

Issues Raised

12.12.1. The appeals challenge the EIAR conclusions regarding noise and human health impacts. Specific concerns include construction noise and vibration affecting boundary houses, operational noise from estate roads and vehicular links into Corbally Heath and traffic noise and human health impacts, including disturbance and residential amenity.

Examination of the EIAR

Context:

12.12.2. Chapter 10 assesses noise and vibration effects during construction and operation, using established best-practice guidance including BS 5228 and EPA NG4 as the principal assessment frameworks. These are the appropriate standards for this type of assessment. The methodology is clearly set out, and the baseline survey programme is proportionate and well-documented. It identifies Noise Sensitive Locations and assesses construction activity, construction traffic, operational traffic and inward noise impacts.

Baseline:

12.12.3. The EIAR describes the site, measurement locations, survey methodology, survey period, subjective noise environment, measurement equipment, results and weather conditions during monitoring.

12.12.4. A baseline noise survey was conducted with both attended and unattended measurements. Unattended monitoring was deployed from 29 January 2025 to 5 February 2025 at location L1. Attended measurements were taken at locations A1, A2 and A3 on 29 January and 5–6 February 2025. Seven Noise Sensitive Locations (NSLs) were identified in the surrounding area, primarily comprising existing residential properties to the north and east. The site is bounded by residential dwellings to the north and east, with predominantly undeveloped agricultural lands to the west and south. Dominant noise sources in the baseline environment are road traffic on local roads.

12.12.5. The chapter identifies seven Noise Sensitive Locations (NSLs) in the surrounding area and assesses construction and operational noise at each. The unmitigated construction noise assessment at all NSLs exceeds the project criteria of 65 dB(A) LAeq,T, particularly during substructure works. This is a significant finding, and the chapter correctly identifies this as a significant temporary effect. The mitigation measures proposed — primarily a Construction Noise and Vibration Management Plan (CNVMP) — are standard and accepted measures for residential developments of this scale.

12.12.6. The assessment of operational noise sources is thorough. The crèche outdoor play area and public and communal open spaces are specifically assessed as noise sources, in addition to road traffic. The conclusion that these sources will not

generate significant noise over and above existing residential environment noise levels is reasonable.

12.12.7. The assessment of road traffic noise impacts on future residents of the proposed development is addressed through a building envelope performance specification, including external walls, glazing, roof and ventilation requirements.

12.12.8. The vibration assessment correctly identifies piling as the principal risk activity during construction. The conclusion of 'slight' significance (not significant) is supported by the limited duration of intensive vibration-generating activities and the distances involved.

Potential Effects:

Project Phase	Potential Direct, Indirect and Cumulative Effects	EIAR Significance / Residual Position
Construction	Unmitigated construction noise from plant, excavation/substructure and site activity may be significant and temporary at surrounding NSLs; vibration effects are assessed separately.	Significant temporary before mitigation; reduced to acceptable levels with mitigation.
Operation	Traffic and residential activity noise; inward noise environment for future residents.	Not significant following design/management measures.
Cumulative	Cumulative construction/traffic noise with other developments.	Not significant with mitigation and controls.

Mitigation:

Phase / Theme	Mitigation and Control Measures Identified / Required
Construction	Construction noise/vibration management, best practicable means, working hours, selection/maintenance of plant, screening where appropriate, liaison and monitoring.
Operation	Road design/traffic management measures and inward noise design measures where required.

12.12.9. The EIAR concludes that this chapter provides a comprehensive assessment of the potential noise and vibration effects associated with the Proposed Development. It examines both the construction and operational phases, analyses the impacts on human receptors and outlines the necessary mitigation measures to ensure that the project complies with all relevant noise and vibration criteria. The

methodology is based on established best-practice guidance from sources such as BS 5228 and the EPA's NG4. Section 10.11.1 notes the construction phase is expected to have a significant, temporary effect on surrounding Noise Sensitive Locations (NSLs). Without mitigation, the predicted noise levels from on-site activities, such as substructure works, are likely to exceed the project criteria of 65 dB(A) LAeq,T at all NSLs.

12.12.10. However, with the implementation of the mitigation measures outlined in Section 10.6, these effects will be properly managed and reduced to acceptable levels. The assessment of construction traffic noise concludes that the projected increase in vehicle numbers is negligible and will not cause a perceptible or significant increase in noise levels.

12.12.11. Section 10.11.1.2 notes the potential for unmitigated construction vibration is also assessed. While vibration is not anticipated to be a major concern for the majority of the construction period, it is a possibility during the substructure phases due to activities like piling. The effect is determined to be slight in significance, which, according to the binary judgment framework, means it is not significant. This is a temporary effect that is likely to occur. The lack of a major vibration effect is further supported by the sequencing of works, where demolition is completed before the main construction phase begins. It is deemed to be a neutral, not significant (Slight), temporary effect.

Assessment: Direct, Indirect, and Cumulative Effects

12.12.12. The appeal concerns are credible for properties immediately adjoining the site. The EIAR acknowledges significant temporary unmitigated construction noise but relies on mitigation to reduce effects. The construction phase is expected to have a significant, temporary effect on surrounding Noise Sensitive Locations (NSLs).

12.12.13. The cumulative construction noise effects of the proposed development in conjunction with other projects are considered not significant, provided the recommended mitigation measures are fully implemented. While a worst-case scenario of simultaneous construction could lead to potential adverse effects, this is considered unlikely due to the varying timelines and distances of the other developments. The staggered construction phases of the proposed development and the distance from the other proposed residential developments and BusConnects

projects (approximately between 240 meters to 4.9 kilometers from the site) are expected to minimise cumulative effects.

12.12.14. The cumulative construction vibration effects of the proposed development are also deemed not significant.

12.12.15. The operational noise from the proposed development's on-site sources such as the crèche, public and communal open spaces assessed as having an imperceptible effect on surrounding sensitive receptors. The cumulative residual vibration effects during the long-term operational phase are assessed as not significant. There will be no adverse vibration conditions on the surrounding area from the combined operation of these developments.

12.12.16. In my view any permission should include strict hours, noise/vibration limits, monitoring at agreed receptors, advance notice to residents and a complaints procedure. Subject to such controls, the noise and vibration effects are capable of being managed and do not require refusal on EIA grounds.

Table – Assessment: Direct, Indirect and Cumulative Effects:

Effect Type	Assessment
Direct Effects	Direct effects include construction noise, vibration and operational traffic/residential noise.
Indirect Effects	Indirect effects arise through human health, residential amenity and biodiversity disturbance pathways.
Cumulative Effects	Cumulative effects have been considered by reference to other permitted/proposed development and the cumulative interaction assessment in the EIAR. The operational noise from the proposed development's on-site sources such as the crèche, public and communal open spaces assessed as having an imperceptible effect on surrounding sensitive receptors.

Conclusion: Direct, Indirect, and Cumulative Effects

12.12.17. The comprehensive noise and vibration assessment concludes that the proposed development's unmitigated construction activities will have a significant adverse effect on surrounding sensitive receptors. However, these impacts are temporary and can be effectively mitigated through the measures detailed in this chapter, reducing the final effect to a not significant level.

12.12.18. During the operational phase, the development is not expected to cause any adverse noise or vibration effects on external receptors. The performance

specification for the building envelope has been provided in this report which includes the external walls, glazing, roof and ventilation requirements and has taken into consideration road noise, aircraft noise and the internal road within the development.

12.12.19. Having regard to the information presented in 10 Noise And Vibration, the third-party issues raised and the mitigation measures identified in the EIAR, I am satisfied that the likely direct, indirect and cumulative effects have been identified, described and assessed. Subject to the implementation of the mitigation and monitoring measures identified in the EIAR, and to appropriate planning conditions securing same, I am satisfied that the proposed development would not be likely to result in significant adverse residual environmental effects under this topic.

12.13. **Landscape and Visual Impact**

Issues Raised

12.13.1. The third party appeals/observations with respect to the visual impact, scale, massing, loss of open land, lighting and impact on the established character of adjoining estates. Overlooking, loss of privacy, shadowing and transition from greenfield to urban residential form and quality and usability of open spaces and the effect of hard boundaries/roads on the “green edge”.

Examination of the EIAR

Context:

12.13.2. Chapter 11 is the Landscape and Visual Impact Assessment. It assesses the receiving landscape appearance and character, planning designations, views and prospects, construction and operational visual effects and cumulative landscape/visual effects.

12.13.3. Chapter 11 has been prepared by Gannon & Associates Landscape Architecture. The assessment follows the Guidelines for Landscape and Visual Impact Assessment 3rd edition (GLVIA, 2013), the EPA Guidelines 2022, and the TII Publication PE-ENV-01101 (2020). A total of 13 viewpoints (V1–V13 and P9) are assessed, covering approaches from Boherboy Road, views from adjacent residential areas, and more distant prospects.

Baseline:

12.13.4. The EIAR describes landscape appearance and character, planning designation/zoning and views/prospects. The site is a greenfield/agricultural parcel adjoining existing residential development and zoned for residential development. The fields slope downwards from south to north with the Boherboy Road forming the southern boundary. The site is split into two distinct parts by a north-south hedgerow. Medium scale agricultural sheds are present on site. An electricity pylon and high-powered overhead cables cross the site east-west mid-slope. The Boherboy Road has a rural character with native hedgerows and no footpath along the site frontage. The proposed development is located within the Athgoe and Saggart Hills Landscape Character Area, which the South Dublin County Development Plan, 2022-2028 (SDCC) classifies as having medium to high landscape sensitivity with limited capacity to accommodate significant change without adverse effects on its character. The site is zoned Res-N (New Residential) in the SDCC. There are no protected views or prospects within or immediately adjacent to the site.

12.13.5. The classification of the site within the Athgoe and Saggart Hills Landscape Character Area as 'medium to high sensitivity' is a material consideration. The EIAR acknowledges this classification and the limited capacity for change without adverse effects. I note that the assessment must be read in the context of the Res-N zoning of the site, which the EIAR correctly treats as the relevant planning policy context.

12.13.6. The construction phase impacts at some viewpoints (notably V6a from Boherboy Road) are assessed as 'moderate' to 'major/significant' in magnitude and significance during construction. The EIAR notes these are short-term (less than 7 years). I note that the construction period for a development of 611 units is likely to be extended and the duration of visual impacts should be considered in the round.

12.13.7. The overhead power lines crossing the site are to be diverted underground as part of the proposed development. The EIAR identifies this as a positive design element that will reduce visual clutter during the operational phase. This is noted as a beneficial change to the landscape character of the site.

12.13.8. The cumulative landscape and visual impact assessment references the GLVIA guidance on cumulative effects. The conclusion that Development Plan standards will ensure orderly and legible development mitigating visual impacts to

minor or below is consistent with the zoning context, though the I note this assessment is somewhat generalised.

Potential Effects:

Project Phase	Potential Direct, Indirect and Cumulative Effects	EIAR Significance / Residual Position
Construction	Temporary visual disturbance from site works, machinery, earthworks, construction compounds and incomplete built form.	Negative to neutral; magnitude from very low to very high; negligible to moderate/major depending on receptor; short-term.
Operation	Permanent change to residential urban form; landscape planting and open space mature over time.	Negative to neutral; very low to medium magnitude; negligible to moderate; long-term.
Cumulative	Cumulative urbanisation with existing and emerging residential development.	Consistent with planning context; moderate long-term landscape impact.

Mitigation:

Phase / Theme	Mitigation and Control Measures Identified / Required
Construction	Good site management, hoarding where appropriate, protection of retained landscape features and CEMP controls.
Operation	Landscape design, planting, open space, boundary treatments, retention/enhancement of features and integration of built form.

12.13.9. The EIAR concludes that the proposed development will not result in and significant landscape or visual impacts. Considering the zoning and emerging trends for such zonings, the construction stage landscape and visual impacts for the Proposed Development can be considered negative to neutral in quality, very low to very high in magnitude, negligible to moderate/major in significance and short term impacts (less than 7 years). The operational stage landscape and visual impacts can be considered to reduce to, negative to neutral in quality, very low to medium in magnitude and negligible to moderate in significance and long term impacts. There is an impact on landscape, but it is consistent with the prevailing planning policy context and sustainable development objectives enunciated in international, national, regional and local policy and the impact can be considered neutral in quality, medium in magnitude, moderate in significance, and long term impacts.

Assessment: Direct, Indirect, and Cumulative Effects

12.13.10. I have examined, analysed and evaluated Chapter 15 of the EIAR, the

associated Verified Views Photomontages. I have inspected the site and the surrounding area. I also had regard to relevant policy and objectives of the South Dublin County Development Plan, 2022-2028. I am satisfied that the applicants understanding of the baseline environment is comprehensive and that the key impacts in respect of likely effects on the landscape and visual amenity of the area, as a consequence of the development have been identified.

12.13.11. The appeals correctly identify that the development will change the experience of existing boundary residents from open land to residential development. However, the EIA question is whether that change gives rise to significant environmental effects after mitigation, having regard to the zoning and receiving context.

12.13.12. As discussed in Section 9.4 of this report, I am satisfied that the density, height and scale of the development is appropriate for this location and is consistent with the prevailing pattern and character of development in the area. The proposed development will alter the landscape fabric within the boundaries of the site; however, I do not anticipate that this alteration would rise to any significant negative townscape or visual impacts as detailed and discussed in Section 9.6 of this report.

12.13.13. In my opinion the proposed development once completed would read as part of the established built-up-area at this location and as such would not have a significant impact. The proposed development will alter the outlook from existing residential properties / estates, replacing the open character of the lands with a new built form; however, this is to be expected in the context of a developing area which has been identified for new residential development in the South Dublin County Development Plan, 2022-2028. In this regard it is noted that the surrounding area within Saggart and Citywest in particular has undergone significant change in the last few decades, the proposed scheme should be considered within this context.

12.13.14. The EIAR concludes no significant landscape or visual impacts, while acknowledging moderate long-term landscape change consistent with planning policy.

12.13.15. Conditions should secure the landscape plan, boundary treatments, lighting controls and phasing/maintenance of planting.

Table – Assessment: Direct, Indirect and Cumulative Effects:

Effect Type	Assessment

Direct Effects	Direct effects include visual change, altered landscape character and construction-stage visual disturbance.
Indirect Effects	Indirect effects arise through residential amenity, open space perception and cumulative urbanisation.
Cumulative Effects	Cumulative effects have been considered by reference to other permitted/proposed development and the cumulative interaction assessment in the EIAR.

Conclusion: Direct, Indirect, and Cumulative Effects

12.13.16. The proposed development comprises the extension of the established urban area at the periphery of Dublin City on residentially zoned lands, therefore, changes to the landscape and views would not be out of character or unexpected. Having regard to the examination of environmental information in respect of Landscape and Visual, including photomontages, I am satisfied that there is no potential for any significant direct, indirect or cumulative effects on landscape or visual amenity as a result of the proposed development.

12.13.17. Moreover, having regard to the information presented in 11 Landscape And Visual Impact Assessment, the third-party issues raised and the mitigation measures identified in the EIAR, I am satisfied that the likely direct, indirect and cumulative effects have been identified, described and assessed. Subject to the implementation of the mitigation and monitoring measures identified in the EIAR, and to appropriate planning conditions securing same, I am satisfied that the proposed development would not be likely to result in significant adverse residual environmental effects under this topic.

12.14. **Archaeology and Cultural Heritage**

Issues Raised

12.14.1. Third parties' express concerns regarding the potential impacts on archaeological features and historic boundaries, and the adequacy of archaeological assessment. Construction ground disturbance and potential for previously unrecorded archaeology.

Examination of the EIAR

Content:

12.14.2. Chapter 12 assesses archaeology and cultural heritage, including desk study, archaeological test trenching, cartographic analysis, townland/placename analysis, aerial photography, field inspection and previous fieldwork. Chapter 12 presents a standard archaeological and cultural heritage impact assessment. The desk-based assessment draws on the Sites and Monuments Record, NIAH records, the National Museum of Ireland Topographical Files, and historical mapping. A previous test trenching investigation was carried out on all parcels within the application site boundary in 2018 (Purcell, 2018, Licence No. 18E0246), which revealed no archaeological finds, features or architectural fragments. This is a material baseline finding that informs the assessment.

Baseline:

12.14.3. Section 12.3 notes the proposed development site comprises two fields of agricultural farmland measuring c.18.5 hectares in the townland of Boherboy, within the Parish of Saggart and barony of Newcastle, South Co. Dublin. The easternmost boundary comprises a parish, barony and townland boundary of historic significance separating Boherboy from the townlands of Corbally and Fortunestown. No recorded archaeological, cultural or built heritage records exist within the bounds of the proposed development site. Within the 500m search area, nine records are identified comprising two recorded monuments (DU021-044 — Standing Stones/'Adam and Eve' Stones, 420m south-west; DU021-045 — St Patrick's Holy Well, 319m west), four NIAH records, one previous excavation (Licence No. 18E0246), and two South Dublin Local Heritage Features. The village of Saggart, a recorded historic town (DU021-034), is located c.610m to the north-west.

12.14.4. The EIAR correctly identifies that the absence of recorded remains within the site does not preclude the survival of previously unrecorded remains. The assessment is honest in acknowledging that ground works could have a significant direct negative impact on any such remains. The proposed mitigation — archaeological monitoring of all topsoil stripping by a qualified archaeologist under NPWS licence — is the standard and appropriate response to this risk and is consistent with National Monuments Services requirements.

12.14.5. The recording of the historic townland, parish and barony boundary along the eastern extent of the site is appropriately identified. The EIAR notes that any limited

intervention points will be subject to written and photographic record prior to construction.

12.14.6. I note the absence of designated cultural heritage assets within the site boundary and the generally low archaeological potential based on the 2018 test trenching results. The assessment conclusion that no significant archaeological impacts are predicted (subject to the monitoring condition) is considered reasonable on the basis of the evidence presented.

Potential Effects:

Project Phase	Potential Direct, Indirect and Cumulative Effects	EIAR Significance / Residual Position
Construction	Ground disturbance may affect previously unrecorded archaeological remains; limited interventions at the historic boundary may affect cultural heritage fabric.	Potential adverse effect mitigated by recording/monitoring.
Operation	No significant operational effect on archaeology/cultural heritage identified.	Not significant.
Cumulative	No significant cumulative archaeology/cultural heritage effects identified.	Not significant.

Mitigation:

Phase / Theme	Mitigation and Control Measures Identified / Required
Construction	Written/photographic record of limited intervention points, archaeological monitoring/testing as required and preservation by record/consultation if remains are found.
Operation	No specific operational mitigation required.

12.14.7. The EIAR concludes no recorded archaeological, cultural or built heritage records exist within the bounds of the proposed development site. However, the easternmost site boundary comprises a townland, parish and barony delineation and is therefore of historic significance. Any limited intervention points will be subject to a written and photographic record prior to construction. While no archaeological remains have been identified within the proposed development site, it is possible that previously unrecorded small-scale remains survive beneath the current ground surface, outside the footprint of the excavated test trenches. If present, ground works associated with the proposed development may have a significant direct negative impact on any such remains. It is recommended that all topsoil stripping be subject

to archaeological monitoring by a qualified archaeologist under licence from National Monuments Service. Where possible topsoil should be stripped using a flat-edged bucket to facilitate the identification of any potential archaeological remains. This is a requirement of the National Monuments Services licencing process

Assessment: Direct, Indirect, and Cumulative Effects

12.14.8. I have examined, analysed and evaluated the information provided in Chapter 12 and all the associated documents, and submissions on file in respect Archaeology and Cultural Heritage. I am satisfied that the information submitted in the EIAR adequately demonstrates an understanding of the potential impacts and provides suitably comprehensive range of mitigation and monitoring measures to reduce any potential impacts. The EIAR identifies no recorded monuments within the site but recognises the historic significance of the eastern boundary.

Archaeology: There are no known archaeological features within the site or immediately adjacent to the site. To mitigate against the risk to unknown archaeological features the EIAR recommends a programme of archaeological testing. I am satisfied that this mitigation measure would ensure that any features uncovered could be preservation in situ or by recorded, subject to the agreement of the planning authority.

Architectural Heritage: There are no structures of architectural within or in the immediate vicinity of the site. Therefore, I am satisfied that the proposed development would not have a significant impact on architectural heritage.

Cultural Heritage: The easternmost site boundary comprises a townland, parish and barony delineation and is therefore of historic significance. Any limited intervention points will be subject to a written and photographic record prior to construction. I am satisfied that subject to the proposed mitigation measure the impact of the proposed development would not be significant.

12.14.9. No negative impacts upon the archaeological or cultural heritage resource are predicted during the operational phase of the proposed development.

12.14.10. After reviewing the nearby projects in relation to the proposed development site, there are no predicted cumulative effects to note during the operational phase of the proposed development.

Table – Assessment: Direct, Indirect and Cumulative Effects:

Effect Type	Assessment
Direct Effects	Direct effects include ground disturbance and potential impact on previously unknown archaeological remains.
Indirect Effects	Indirect effects relate to setting, historic boundary recording and landscape/cultural context.
Cumulative Effects	Cumulative effects have been considered by reference to other permitted/proposed development and the cumulative interaction assessment in the EIAR.

Conclusion: Direct, Indirect, and Cumulative Effects

12.14.11. Having regard to the information presented in 12 Archaeology And Cultural Heritage, the third-party issues raised and the mitigation measures identified in the EIAR, I am satisfied that the likely direct, indirect and cumulative effects have been identified, described and assessed. Subject to the implementation of the mitigation and monitoring measures identified in the EIAR, and to appropriate planning conditions securing same, I am satisfied that the proposed development would not be likely to result in significant adverse residual environmental effects under this topic.

12.15. **Material Assets: Waste and Utilities**

Issues Raised

12.15.1. Third party appeals/observations raised concerns regarding Water supply, wastewater capacity, surface water infrastructure and utility capacity. Construction and operational waste management and servicing impacts and cumulative infrastructure demand in Saggart/Citywest.

Examination of the EIAR

Context:

12.15.2. Chapter 13 addresses surface water drainage, wastewater drainage, water supply, electrical supply, gas supply, telecommunications and waste. The chapter is supported by a detailed Drainage and Water Infrastructure Engineering Report (Roger Mullarkey & Associates, 2025), a Construction Environmental Management Plan (DNV, 2025), a Resource and Waste Management Plan (DNV, 2025) and an Operational Waste Management Plan (DNV, 2025).

Baseline:

12.15.3. Section 13.3 notes that there is currently no surface water network, wastewater management, or water supply on the site. Five existing trunk watermains (ranging from 24-inch to 1.2m diameter, dated 1938–1983) cross the site and are in the control of Uisce Éireann. Three watermains are located in the northern third of the site and two approximately mid-site. A Statement of Design Acceptance (Ref: CDS20004359) was previously obtained from Uisce Éireann in relation to development in proximity to these mains. The electrical supply infrastructure is addressed through 8 no. proposed ESB sub-stations and the diversion of all existing overhead ESB lines underground.

12.15.4. The presence of five existing trunk watermains crossing the site is a significant infrastructure constraint. The EIAR notes that detailed consultations were previously held with Uisce Éireann and that GPR surveys and excavation of test trenches were carried out to precisely locate these mains. The set-back requirements from the mains are to be applied in accordance with Uisce Éireann's Code of Practice. I note that this constraint requires careful management and should be the subject of a pre-commencement condition.

12.15.5. The foul water connection to the Ringsend WWTP (as noted in Chapter 7) is confirmed by a Uisce Éireann Connection Offer subject to upgrades. The EIAR states the applicant will fund all upgrade works. I consider this to be a critical infrastructure dependency that should be the subject of a specific planning condition requiring confirmation of connection feasibility and funding prior to commencement.

12.15.6. The waste assessment draws on the Eastern-Midlands Region Waste Management Plan 2015-2021 and relevant EPA guidance. Construction waste management is addressed through the RWMP and operational waste through the OWMP. The quantum of surplus materials to be removed from site (approximately 103,689m3) is significant and the EIAR addresses this through the RWMP provisions.

Potential Effects:

Project Phase	Potential Direct, Indirect and Cumulative Effects	EIAR Significance / Residual Position
Construction	Construction waste generation, demand on utilities, diversions/connections and resource use.	Not significant with CEMP and RWMP.

Operation	Operational waste, water demand, wastewater discharge, electricity/utility demand and servicing.	No significant effect with OWMP and utility coordination.
Cumulative	Cumulative demand on built services and waste management with other development.	No significant cumulative effect identified.

Mitigation:

Phase / Theme	Mitigation and Control Measures Identified / Required
Construction	CEMP, Resource and Waste Management Plan, segregation/reuse/recycling of waste, licensed contractors and utility coordination.
Operation	Operational Waste Management Plan, waste storage/collection arrangements, utility design/coordination and SuDS/drainage measures as relevant.

12.15.7. The EIAR concludes that the assessment of likely effects resulting from the Proposed Development on built services and waste in this chapter has identified the existing infrastructure in the surrounding area in relation to surface water, wastewater, water supply, electrical supply, gas supply, telecommunications and waste. Where relevant, appropriate mitigation and monitoring measures have been detailed. It is reasonably considered that following all mitigation measures including design embedded and prescribed, adequate implementation of the CEMP, RWMP and OWMP and adherence to construction best practice that no significant effects to built services and waste will arise from the Proposed Development during the construction or operational phases. Accordingly, the site is considered suitable for development as proposed.

Assessment: Direct, Indirect, and Cumulative Effects

12.15.8. I have examined, analysed and evaluated Chapter 13 of the EIAR and all of the associated documentation and submissions on file in respect of material assets – waste and utilities. The EIAR identifies the relevant infrastructure and concludes that no significant effects arise following implementation of mitigation and management plans.

12.15.9. Having regard to the nature and the application documentation, it is considered that the Chapter adequately demonstrates an understanding of the potential impact of the proposed development on material assets - water and utilities

and I am satisfied that the subject development will not give rise to significant direct, indirect, or cumulative effects.

12.15.10. Regarding water service connections, Uisce Éireann have reviewed the current application. The applicant has engaged with Uisce Éireann via a Pre-Connection Enquiry and Uisce Éireann can confirm that a Confirmation of Feasibility CDS24005491 has been issued to the applicant advising that water and wastewater connections are feasible. Water Connection is feasible without infrastructure upgrade by Uisce Éireann. Water Connection is feasible subject to upgrades as detailed by Uisce Éireann in their report. In this regard I am satisfied that connection to both water supply and foul water drainage infrastructure in the area is feasible, subject to agreement with Uisce Éireann. This can be addressed by way of standard condition should the Commission be of mind to grant permission.

12.15.11. On the issue of capacity, I note that no issues of concern were raised by Uisce Éireann in their CoF or in their report to the planning authority. I have consulted Uisce Éireann's on-line capacity registers which indicates that capacity is available in both water and wastewater services in the area to facilitate the development. This is I consider sufficient for assessment purposes.

12.15.12. Regarding electricity supply, the EIAR states that the Main Contractor will apply for a power supply from ESB Networks to power both the compound and the construction site. Detailed design will be undertaken at the appropriate stage with ESB networks.

12.15.13. There is no gas supply at present on site, and none is proposed in the context of the Proposed Development.

12.15.14. In respect to waste A Resource Waste Management Plan (RWMP) and An Operational Waste Management Plan (OWMP) has been prepared for the proposed development.

Table – Assessment: Direct, Indirect and Cumulative Effects:

Effect Type	Assessment
Direct Effects	Direct effects include waste generation and utility demand.
Indirect Effects	Indirect effects arise through traffic, water quality, infrastructure capacity and service provision.
Cumulative Effects	Cumulative effects have been considered by reference to other permitted/proposed development and the cumulative interaction assessment in the EIAR.

Conclusion: Direct, Indirect, and Cumulative Effects

12.15.15. Having regard to the information presented in 13 Material Assets – Waste And Utilities, the third-party issues raised and the mitigation measures identified in the EIAR, I am satisfied that the likely direct, indirect and cumulative effects have been identified, described and assessed. I also note the assessment in Section 9.8 of this report regarding drainage and water infrastructure. Subject to the implementation of the mitigation and monitoring measures identified in the EIAR, and to appropriate planning conditions securing same, I am satisfied that the proposed development would not be likely to result in significant adverse residual environmental effects under this topic.

12.16. **Material Assets: Traffic and Transportation**

Issues Raised

12.16.1. This is the most significant and consistently raised EIAR issue. The appeals argue that the EIAR Chapter 14 and Traffic & Transport Assessment are incomplete, unreliable, and materially deficient. Specific concerns raised include underestimation of traffic volumes, failure to account for existing rat-running resulting in an inaccurate baseline condition and failure to properly assess residential street function. The appellants argue that the EIAR focuses excessively on junction capacity and percentage traffic increases, but fails to properly assess residential amenity, child safety, street character, and behavioural traffic redistribution. The appeals contend that cumulative traffic effects are significantly understated particularly in light of wider Citywest/Saggart growth, future rezonings, and long-term population expansion.

12.16.2. The appellants specifically request the Commission deem the EIAR Chapter 14 incomplete and require a revised Traffic & Transport Impact Assessment.

12.16.3. The appeals argue that the EIAR understates the significance of prolonged construction activity adjacent to existing homes.

12.16.4. I note that several issued raised have been assessed in detail in my assessment in Section 9.5 above.

Examination of the EIAR

Context:

12.16.5. Chapter 14 is headed Material Assets: Traffic and Transportation. It assesses likely significant effects on traffic and transport from construction and operation, alone and cumulatively. The study area includes Boherboy Road as the primary site access route, the N81 corridor and adjacent Carrigmore and Corbally residential estates, with the wider context including Fortunestown/Citywest, Luas Red Line and bus services.

12.16.6. Chapter 14 has been prepared by DNV and applies the IEMA Environmental Assessment for Road Traffic (2023) and the EPA Guidelines 2022. The chapter provides a comprehensive assessment including junction capacity analysis, pedestrian and cyclist impact assessment, road safety assessment, and travel planning.

Baseline:

12.16.7. Section 14.3 notes the site lies south of the Carrigmore residential estate and north of Boherboy Road (L2008), which forms the principal access route. Boherboy Road is a local country road with a carriageway width of approximately 6.0m along the site frontage, no footpath, no cycle facilities, and a 60km/h speed limit. The site is approximately 1.2km west of the Fortunestown Luas stop and the Citywest employment and retail centre. Traffic surveys were conducted to establish baseline AADT flows on the surrounding road network. The assessment year of opening is 2032.

12.16.8. The proposed access strategy is a material consideration. Access is proposed via one new vehicular access from Boherboy Road, along with connections to the adjoining Corbally Heath and Carrigmore Green estates. I note that Boherboy Road has no footpath along the site frontage — a significant deficiency for a development of this scale. However, the EIAR addresses this through proposed footpath provision as part of the development. I note that the works previously proposed under the previous SHD (ABP-313183-22) to extend the footpath connections along the Boherboy Road towards the N81 have been omitted from the proposed development.

12.16.9. The assessment notes that the site is approximately 1.2km from the Fortunestown Luas stop, which exceeds the generally accepted 800m walking

threshold for Luas access. The Travel Plan and sustainable transport measures proposed are therefore particularly important in the context of this location.

12.16.10. The junction capacity analysis for the 2032 design year 'Do Maximum' cumulative scenario is noted. The conclusion that no link or junction within the study area will experience an uplift in traffic flows exceeding 10% as a result of cumulative development is a significant finding that supports the overall non-significant assessment. I note that the 'Do Maximum' scenario is the appropriate basis for the cumulative assessment and that its application here is methodologically correct.

12.16.11. The chapter identifies 861 car parking spaces and 711 bicycle parking spaces. The car parking provision should be assessed against SDCC Development Plan standards.

Potential Effects:

Project Phase	Potential Direct, Indirect and Cumulative Effects	EIAR Significance / Residual Position
Construction	Increase in vehicle and HGV movements for workforce, materials, equipment, waste and plant servicing; potential delay, amenity and road safety effects.	Imperceptible negative, likely, direct, reversible, short-term and temporary after CTMP.
Operation	Additional vehicle trips, pedestrian/cycle movement, use of vehicular/pedestrian/cycle connections, driver delay, severance, fear/intimidation and road safety.	Imperceptible negative, likely, direct, reversible, long-term and permanent.
Cumulative	Cumulative traffic generation and network effects with other development.	Assessed conservatively; no significant residual effect identified.

Mitigation:

Phase / Theme	Mitigation and Control Measures Identified / Required
Construction	Construction Traffic Management Plan, defined access routes, restrictions on delivery hours, on-site construction worker parking and management of HGVs.
Operation	DMURS-based design, pedestrian/cycle infrastructure, internal permeability, parking/cycle provision, traffic management and sustainable mobility measures.

12.16.12. The EIAR concludes that following implementation of the identified mitigation measures, residual traffic and transport effects would be slight and not significant.

Assessment: Direct, Indirect, and Cumulative Effects

12.16.13. Traffic, access and parking is the central appeal issue. The EIAR assesses traffic and transport effects and concludes that construction and operational residual effects are imperceptible. The appeals raise a more qualitative street-function concern i.e. the proposed access from the site into the Corbally Heath estate, this, however, is assessed in Section 9.5 of my report.

12.16.14. I have examined, analysed and evaluated Chapter 13 of the EIAR, all of the associated documentation and submissions on file in respect of Traffic and Transport. I am satisfied that the applicants understanding of the baseline environment is comprehensive and that the key impacts in respect of likely effects on Traffic and Transport, as a consequence of the development have been identified.

12.16.15. The EIAR identifies construction traffic, including HGV movements associated with excavation and material transport, as the principal construction phase transport impact. The assessment considers the temporary effects of construction traffic on the surrounding road network and identifies appropriate management measures through implementation of a Construction Traffic Management Plan.

12.16.16. I note that the operational assessment considers the transport implications of a residential development comprising 611 residential units and evaluates the impact of additional vehicular, pedestrian and cyclist movements on the receiving transport network.

12.16.17. The assessment appropriately places emphasis on sustainable mobility and demonstrates that the development has been designed to facilitate walking, cycling and public transport use. I note in particular the incorporation of pedestrian and cycle infrastructure, internal permeability measures and connectivity to the wider transport network.

12.16.18. The Residential Travel Plan submitted with the application demonstrates that there is sufficient capacity in existing bus services to accommodate the demand generated by this development.

12.16.19. Regarding the quantum of parking proposed the provision of parking below the maximum standard is supported by national and local policy and by the findings and conclusions of the applicant’s mobility management plan. Impacts arising will be mitigated though measures which support the use of more sustainable modes of transport which in turn contribute to a reduction in car dependency.

12.16.20. The assessment has considered recent and relevant residential, commercial, and mixed-use schemes within the Saggart-Citywest area that may contribute to cumulative effects on the surrounding transport network, land use patterns, or local amenity. These include Strategic Housing Developments (SHDs), Large-Scale Residential Developments (LRDs), and standard planning applications determined by both An Coimisiún Pleanála and South Dublin County Council (SDCC).

12.16.21. Based on the traffic modelling results, no link or junction within the study area is forecast to experience an uplift in traffic flows exceeding 10 percent as a result of cumulative development. Given the high quality of the local road network and the modest increase in traffic volumes, the impact on road safety is considered negligible, and there are no predicted perceptible changes in journey times or travel conditions for any transport mode.

12.16.22. In accordance with the IEMA Environmental Assessment for Road Traffic (2023), projected changes in traffic flows of less than 30 percent are unlikely to result in perceptible environmental effects, while changes of less than 10 percent, even in sensitive areas, are regarded as not discernible. On this basis, the cumulative operational effects of the Proposed Development are assessed as imperceptible to slight, long-term, adverse, and not significant in EIA terms.

Table - Assessment: Direct, Indirect and Cumulative Effects:

Effect Type	**Assessment**
Direct Effects	Direct effects include construction traffic, HGV movements, operational trip generation and parking/cycle provision.
Indirect Effects	Indirect effects arise through air quality, noise, human health, road safety and residential amenity.
Cumulative Effects	Cumulative effects have been considered by reference to other permitted/proposed development and the cumulative interaction assessment in the EIAR.

Conclusion: Direct, Indirect, and Cumulative Effects

12.16.23. Having regard to the information presented in 14 Material Assets: Traffic And Transportation, the third-party issues raised and the mitigation measures identified in the EIAR, I am satisfied that the likely direct, indirect and cumulative effects have been identified, described and assessed. Subject to the implementation of the mitigation and monitoring measures identified in the EIAR, and to appropriate planning conditions securing same, I am satisfied that the proposed development

would not be likely to result in significant adverse residual environmental effects under this topic.

12.17. **Risk Management**

Issues Raised

12.17.1. Third-party flood-risk concerns overlap with Chapters 7 and 15. Third party appellants and objectors raise concerns in respect to flooding and argue that the EIAR underestimates the flood risk impacts as the site contains marsh/wet ground conditions and historical flooding has occurred locally.

Examination of the EIAR

Context:

12.17.2. Chapter 15 assesses the vulnerability of the Proposed Development to risks of major accidents and/or disasters. It considers flooding, fire, industrial accidents, air quality, waste management and infrastructure vulnerabilities, and draws on mitigation in other chapters. Chapter 15 also fulfils the requirement of Article 3(2) of the EIA Directive to assess the expected effects deriving from the vulnerability of the proposed development to risks of major accidents and/or disasters. The chapter consolidates risk findings from across the EIAR rather than presenting new technical analysis.

Baseline:

12.17.3. Section 15.2 notes the site is located in Flood Zone A and B at its northern boundary, as identified in the Site Specific Flood Risk Assessment (Kilgallen & Partners, 2025). The nearest Seveso sites are located at sufficient distance and with appropriate containment protocols. There are no industrial installations on the site. The site is located in a 'High' Radon Area in its southern portion. The risk assessment draws on a National Risk Assessment for Ireland 2020 (Office of Emergency Planning) and relevant EU legislation including S.I. No. 296/2018.

12.17.4. The flood risk assessment is a key input to this chapter. The site's location in Flood Zone A and B at its northern boundary is acknowledged and the Site Specific Flood Risk Assessment (Kilgallen & Partners, 2025) concludes the site is not considered vulnerable to significant flood risk. I note that this conclusion must be

read in the context of the SuDS drainage design and the projected climate change scenarios addressed in Chapter 9.

12.17.5. The assessment of nearby Seveso sites concludes no risk to the proposed development due to distance and containment protocols. This conclusion is accepted. The radon risk is addressed through Building Regulation compliance, as noted in Chapter 6. The fire risk management through a site-specific Emergency Response Plan is noted.

Potential Effects:

Project Phase	Potential Direct, Indirect and Cumulative Effects	EIAR Significance / Residual Position
Major accident/disaster risk	Flooding is the principal environmental risk identified; other risks include fire, industrial accidents, dust/noise, spills, waste and infrastructure vulnerabilities.	Risks appropriately identified and mitigated; site suitable for development.
Cumulative	Potential for combined risk with infrastructure failure, flooding or construction incidents.	No significant residual risk effect identified.

Mitigation:

Phase / Theme	Mitigation and Control Measures Identified / Required
Flood risk	Flood risk assessment, SuDS/drainage design, attenuation, flood storage/avoidance and adherence to flood risk guidance.
Emergency/risk management	Emergency response plan, fire safety measures, spill response, dust/noise management, invasive species measures and implementation of management plans.

12.17.6. The EIAR concludes that risk assessment undertaken as part of this EIAR has considered a comprehensive range of potential risks, including flooding, fire, industrial accidents, air quality, waste management, and infrastructure vulnerabilities. Each relevant chapter has identified specific risks and outlined appropriate mitigation measures in accordance with national and local planning guidance, including the Planning System and Flood Risk Management Guidelines and the South Dublin County Development Plan 2022–2028. The site is located in Flood Zone A & B at its northern boundary and is not considered vulnerable to significant flood risk. Nearby Seveso sites has been assessed and are not deemed to pose a risk to the Proposed Development due to their distance and containment protocols. Fire risk is low and

will be managed through a site-specific Emergency Response Plan. Air quality, waste, water, and utility infrastructure have been addressed through coordinated planning and design. Taking all of the above into account, the site is considered suitable for development, with risks appropriately identified, assessed, and mitigated to ensure the safety, resilience, and sustain- ability of the Proposed Development.

Assessment: Direct, Indirect, and Cumulative Effects

12.17.7. I have examined the Risk Management assessment submitted with the application. The appeal concerns regarding flooding are directly relevant to Chapter 15 and should be cross-read with Chapter 7. I note the EIAR expressly identifies Flood Zone A and B at the northern boundary but concludes the site is not vulnerable to significant flood risk with the proposed mitigation. I am satisfied that the proposed mitigation measures including compensatory flood storage, attenuation infrastructure, SuDS measures and climate change allowances are appropriate and consistent with current guidance and practice.

12.17.8. I am satisfied that the EIAR adequately identifies, describes and assesses the likely direct, indirect and cumulative flood-related and disaster-related effects arising from the proposed development.

12.17.9. Cumulative effects have also been considered within this EIAR in addition to the standalone risk assessment. The assessment concludes that the residual risks, following implementation of mitigation measures, are not significant.

Assessment: Direct, Indirect and Cumulative Effects:

Effect Type	Assessment
Direct Effects	Direct effects include vulnerability to flooding, fire and emergency/risk events.
Indirect Effects	Indirect effects arise through hydrology, infrastructure resilience, human health and biodiversity pathways.
Cumulative Effects	Cumulative effects have been considered by reference to other permitted/proposed development and the cumulative interaction assessment in the EIAR.

Conclusion: Direct, Indirect, and Cumulative Effects

12.17.10. Having regard to the information presented in 15 Risk Management, the third-party issues raised and the mitigation measures identified in the EIAR, I am satisfied

that the likely direct, indirect and cumulative effects have been identified, described and assessed.

12.17.11. The risk assessment undertaken as part of this EIAR has considered a comprehensive range of potential risks, including flooding, fire, industrial accidents, air quality, waste management, and infrastructure vulnerabilities. Each relevant chapter has identified specific risks and outlined appropriate mitigation measures in accordance with national and local planning guidance, including the Planning System and Flood Risk Management Guidelines and the South Dublin County Development Plan, 2022-2028.

12.17.12. The site is located in Flood Zone A and B at its northern boundary and is not considered vulnerable to significant flood risk. Nearby Seveso sites have been assessed and are not deemed to pose a risk to the Proposed Development due to their distance and containment protocols. Fire risk is low and will be managed through a site-specific Emergency Response Plan. Air quality, waste, water, and utility infrastructure have been addressed through coordinated planning and design.

12.17.13. The EIAR identifies mitigation measures including compensatory flood storage, SuDS infrastructure, attenuation measures, climate change allowances and drainage controls. Subject to the implementation of the mitigation and monitoring measures identified in the EIAR, I am satisfied that the proposed development would not be likely to result in significant adverse residual environmental effects under this topic.

12.18. **Interactions**

Issues Raised

12.18.1. This chapter addresses the principle of combined effects, but it largely relies on the conclusions of the individual technical chapters, which have addressed the third party concerns raised.

Examination of the EIAR

Context:

12.18.2. Chapter 16 addresses the requirement of Article 3(1)(e) of the EIA Directive to assess the interaction between the factors referred to in points (a) to (d) of Article

3(1). The chapter produces a matrix of interactions between environmental factors across all phases of the proposed development.

Baseline:

12.18.3. The baseline for interactions is derived from the environmental baseline in Chapters 4 to 15, including population and human health, biodiversity, land/soils, hydrology, air quality, climate, noise, landscape, archaeology, material assets, traffic and risk management.

12.18.4. I note that close co-ordination between EIAR authors is described and that interactions have been addressed throughout the individual chapters. The most significant interactions identified across the EIAR are the interdependence between the hydrology assessment (Chapter 7) and the biodiversity assessment (Chapter 5) in relation to the three on-site streams and the downstream Camac catchment; the relationship between air quality (Chapter 8) and population and human health (Chapter 4); and the relationship between noise and vibration (Chapter 10) and population and human health (Chapter 4). These interactions are addressed within the respective chapters and the cumulative mitigation framework of the CEMP.

12.18.5. This chapter specifically identified interactions including environmental topic and key interactions, and this is presented in Table 16-1: Interactions between Factors of the EIAR.

12.18.6. Chapter 16 records that traffic may cause nuisance to the local population but relies on Chapter 14 mitigation and conclusions that traffic effects will not be significant. It also records biodiversity interactions with soil contamination, water quality, dust and construction noise, but concludes these will not be significant following CEMP and chapter-specific mitigation.

Table 16-1: Interactions between Factors

Interaction	4. Population and Human Health	5. Biodiversity	6. Land and Soils	7. Hydrology and Hydrogeology	8. Air Quality	9. Climate	10. Noise and Vibration	11. Landscape and Visual	12. Archaeology and Cultural Heritage	13. Material Assets: Waste and Utilities	14. Material Assets: Traffic and Transport
Population and Human Health		x	✓	✓	✓	✓	✓	✓	x	✓	✓
Biodiversity	x		✓	✓	✓	✓	x	✓	x	x	x
Land and Soils	x	✓		✓	✓	✓	x	x	x	✓	✓
Hydrology and Hydrogeology	✓	✓	✓		x	✓	x	x	x	✓	x
Air Quality	✓	✓	✓	x		✓	x	x	x	x	✓
Climate	x	x	✓	x	x		x	x	x	✓	x
Noise and Vibration	✓	✓	x	x	x	x		x	x	x	✓
Landscape and Visual Amenity	✓	x	✓	x	x	x	x		x	x	x
Archaeology, Architectural and Cultural Heritage	x	x	x	x	x	✓	x	✓		x	x
Material Assets: Waste and Utilities	x	x	✓	✓	x	✓	x	x	x		x
Material Assets: Traffic and Transport	x	x	✓	x	✓	✓	✓	x	x	✓	

x	No Interaction
✓	Potential Interaction
	N/A

Mitigation:

Phase / Theme	Mitigation and Control Measures Identified / Required
All phases	Implementation of mitigation in individual chapters, including CEMP, CTMP, SuDS, ecological mitigation, dust/noise controls, landscape measures and monitoring.

12.18.7. The EIAR concludes that while individual environmental factors have been addressed in detail within their respective chapters of this EIAR, their combined and cumulative interactions have also been considered in this chapter to ensure a holistic understanding of potential impacts. Mitigation measures put in place throughout the construction and operation stages of the Proposed Development aim to minimise these interactions.

Assessment: Direct, Indirect, and Cumulative Effects

12.18.8. No new standalone direct effects are identified in Chapter 16; it draws together direct effects already assessed in Chapters 4–14.

12.18.9. In respect to indirect effects, the key indirect pathways are construction dust/noise/traffic effects on residents; soil or water pollution effects on biodiversity; and traffic-related effects on air quality/noise/human health.

12.18.10. Chapter 16 states that combined and cumulative interactions have been considered holistically, and that mitigation during construction and operation is intended to minimise such interactions.

12.18.11. Having regard to the foregoing assessment, I am satisfied that the potential for any significant adverse impact has been appropriate mitigated through the measures identified in each Chapter of the EIAR. I consider that the EIAR has adequately identified the potential for interactive impacts with other environmental factors, and I am satisfied that the proposed mitigation measures will similarly ensure that there will be no unacceptable interactive impacts.

Conclusion: Direct, Indirect, and Cumulative Effects

12.18.12. While individual environmental factors have been addressed in detail within their respective chapters of this EIAR, their combined and cumulative interactions have also been considered in this chapter to ensure a holistic understanding of potential impacts. Mitigation measures put in place throughout the construction and operation stages of the Proposed Development aim to minimize these interactions.

12.18.13. I am satisfied that the EIAR has considered the potential for interactive impacts of all of the proposed development works and as such presents an adequate assessment on the interactions of proposed development. I am, therefore, satisfied that the proposed development would not be likely to result in significant adverse residual environmental effects under this topic.

12.19. **Cumulative Impacts**

12.19.1. I note that each individual chapter provides an assessment of the cumulative impact of the development.

12.19.2. The proposed development could occur in tandem with the development of other sites that are zoned in the area. Such development would be unlikely to differ from that envisaged under the South Dublin County Development Plan, 2022 – 2028, which has been subject to Strategic Environment Assessment. Its scale may be

limited by the provisions of those plans, and its form and character would be similar to the development proposed in this application.

12.20. **Mitigation and Monitoring**

12.20.1. Chapter 17 of the EIAR collates the mitigation and monitoring measures from Chapters 4–14. Volume 1 states that the proposed development will be carried out to avoid environmental effects where possible, and where effects are identified, mitigation and monitoring measures are proposed for both construction and operational phases.

12.20.2. Key mitigation/monitoring mechanisms include:

Topic	Main mitigation / monitoring mechanism
Population & Human Health	Reliance on air, noise, traffic, water and landscape mitigation
Biodiversity	Ecological mitigation, ECoW, BMP, seasonal restrictions, invasive species control
Land & Soils	CEMP, RWMP, soil handling, stockpile and contamination controls
Hydrology	SuDS, attenuation, pollution prevention, drainage maintenance
Air Quality	Dust suppression, wheel washing, monitoring/complaints response
Climate	Energy strategy, climate resilience, drainage/green infrastructure
Noise & Vibration	Construction noise controls, working hours, monitoring and complaints procedures
Traffic	CTMP, haul routes, delivery timing, parking controls
Waste & Utilities	RWMP, OWMP, utility coordination
Risk	Emergency Response Plan and operational maintenance

12.21. **Reasoned Conclusion on the Significant Effects**

12.21.1. Having regard to the examination of the environmental information contained above, and in particular to the EIAR and the submissions from the Planning Authority, prescribed bodies, third party appellants and observers in the course of the appeal, it is considered that the main significant direct and indirect effects of the proposed development on the environment are as follows:

- **Population and Human Health:** Positive socioeconomic effects on population and human health associated with increased employment and demand for services during the construction phase, the consolidation of the urban area, the availability of additional housing and a childcare facility when complete and the provision of public open space areas and an area on site reserved for a school.
- **Biodiversity:** Construction stage would result in the loss and / or damage of trees, hedgerow and habitat however, this would be compensated by additional planting, and the protection of existing habitats were feasible, notably the provision of 10m riparian buffers along water courses. Direct / indirect effects from the disturbance and/or displacement of fauna during construction and operational stage, would be mitigated by further pre-comment surveys, a suite of appropriate construction phase management (included in a Construction and Environmental Management Plan), lighting design, existing and proposed landscaping, the appropriate timing of works and various enhancement measures including the provision of bat boxes.
- **Land, Soil, Water, Air and Climate:** Loss of land and soil, which would be replaced by appropriate development and improved amenities in accordance with the proper planning and sustainable development of the area.

  Impacts on groundwater and surface water quality, would be mitigated by standard good practice construction stage measures including a Construction Environmental Management Plan, and by the implementation of suitably designed drainage infrastructure and Sustainable Urban Drainage System (SuDS) measures.

  Potential effects arising from noise and vibration during construction which will be mitigated by appropriate construction management measures. Potential effects on air during construction which will be mitigated by a dust management plan, including a monitoring programme.
- **Material Assets, Cultural Heritage and the Landscape:** Potential effects on waste management during construction and operation will be mitigated by a Construction and Environmental Management Plan, a Construction Demolition Waste Management Plan and an Operational Waste Management

Plan Potential for moderate short-term negative impacts in terms of construction traffic will be mitigated as part of a Construction and Environmental Management Plan. There will be no significant negative impact on traffic junctions in the immediate area in the operational phase and any potential impact will be mitigated by way of design.

The development will provided additional critical mass to support existing public transport services and bus routes. The site is not highly visible from the surrounding area and is not located within any sensitive landscape. Having regard to the surrounding context of the existing facility and adjacent residential uses, the proposed development would have no significant direct or indirect effects on the landscape, visual amenity of the area or on any protected view Archaeology and Architectural Heritage would be mitigated by landscaping/design and the conducting of pre-construction testing, given the location of the site adjacent to an urban area no significant adverse direct, indirect or cumulative effects are likely to arise.

12.21.2. The EIAR has considered that the main significant direct and indirect effects of the proposed development on the environment would be primarily mitigated by environmental management measures, as appropriate. The assessments provided in many of the individual EIAR chapters are satisfactory to enable the likely significant direct environmental effects arising as a consequence of the proposed development to be satisfactorily identified, described and assessed. The environmental impacts identified are not significant and would not justify refusing permission for the proposed development or require substantial amendments.

12.21.3. Having examined the EIAR, including the topic chapters, the mitigation and monitoring measures, and the interaction assessment, I am satisfied that the EIAR identifies, describes and assesses the likely direct, indirect and cumulative effects of the proposed development on the relevant environmental factors and, therefore, I am satisfied that the concerns raised under the previous planning application (ABP-313145-22) with respect to EIAR have been addressed.

13.0 Conclusion

13.1. The application is for the construction Construction of 611 no. dwellings, 2-storey crèche, new vehicular and pedestrian access to adjoining sites and all associated site works including an area of c. 1.03Ha within the site reserved as a future school site at Boherboy, Saggart, Co. Dublin. One first party appeal, eleven (11 no.) third party appeals were received, three (3 no.) observations and two (2 no.) further responses, were received and their concerns have been summarised and considered as part of my assessment.

13.2. The planners report considered that the overall scheme broadly aligns with the relevant policies and objectives of the South Dublin County Development Plan 2022-2028 and would assist in delivering much-needed housing stock for the county. The scheme is at an appropriate scale and density relative to the context of the site and wider receiving environment and would accord with the 'RES-N' land use zoning objective of the site, and relevant policies and objectives regarding residential consolidation and intensification, reflecting the wider objectives of the RSES, 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, and permission was granted on 13th February 2025, subject to 31 no. conditions.

13.3. Having regard to the first party appeal and the foregoing assessment regarding the quantum of open space provided within the scheme, I recommend that Condition No. 30 of the planning authority decision to grant permission, in respect to a Contribution in lieu of Public Open Space be omitted.

13.4. The overall layout and design of the proposed scheme on these lands is acceptable and generally accords with the standards within the current Plan, and the zoning objective pertaining to the site. Furthermore, the proposed access and egress arrangements to the site are acceptable and will not impact on the existing traffic flows or result in a traffic hazard at this location.

13.5. I consider that the proposed development is consistent with relevant updated section 28 guidance i.e., Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024, the National Planning Framework, and the Sustainable Urban Housing: Design Standards for New Apartments, 2025.

13.6. The AA concluded that adverse effects on the site integrity of the Glenasmole Valley SAC (001209), Wicklow Mountains SAC (002122), Wicklow Mountains SPA (004040), Rye Water Valley/Carton SAC (001398), Red Bog, Kildare SAC (000397), Poulaphouca Reservoir SPA (004063), South Dublin Bay SAC (000210), South Dublin Bay and River Tolka Estuary SPA (004024), North Bull Island SPA (004006), North Dublin Bay SAC (000206), North-west Irish Sea SPA (004236), and the Rockabill to Dalkey Islands SAC (003000), and the proposed development can be excluded at Stage 1 Screening.

13.7. Having examined the EIAR, including the topic chapters, the mitigation and monitoring measures, and the interaction assessment, I am satisfied that the EIAR identifies, describes and assesses the likely direct, indirect and cumulative effects of the proposed development on the relevant environmental factors.

13.8. The WFD assessment concluded that the proposed development would not result in a risk of deterioration on any water body either qualitatively or quantitatively or on a temporary or permanent basis or otherwise effect any water body in reaching its WFD objectives.

14.0 Recommendation

14.1. Having considered the contents of the application the provision of the Development Plan, the grounds of the first and third party appeals, the observations and further responses thereto, my site inspection and my assessment of the planning issues, I recommend that permission be GRANTED for the following reason and considerations and subject to the conditions outlined below.

15.0 Recommended Commission Order

Planning and Development Act 2000, as amended

Planning Authority: South Dublin County Council

Planning Register Reference Number: LRD24A/0012W

Appeal

First Party Appeal by Kelland Homes Ltd & Evara Developments Ltd against Condition No. 30 of the grant of permission made on the 2nd day of September 2025, by South Dublin County Council to grant permission for the proposed development.

Third Party Appeals by James and Christine Lee, Donna O'Connor, Sorcha Jordan, Samantha and Brendan O'Sullivan, Rachel Greene, Tracy & Derek Duff, Wendy Lucas, Nadina Yedid, Fintan McConnell, Cllr. Kay Keane & Paul Murphy, and Denise Mellon against the decision made on the 2nd day of September 2025, by South Dublin County Council to grant permission for the proposed development.

Proposed Development

Large-scale Residential Development (LRD) consisting of the construction of 611 no. units:

(i) 306 no. 2, 3, 4 & 4-5 bed, 2 & 3 storey, detached, semi-detached & terraced houses,
(ii) 133 no. 1, 2 & 3 bed duplex units in 12 no. 2-3 storey blocks,
(iii) 172 no. 1, 2 & 3 bed apartments in 5 no. buildings ranging in height from 4-5 & 5 storeys.
(iv) Access to the development will by via one no. new vehicular access point from the Boherboy Road, along with new vehicular connections to adjoining developments at Corbally Heath to the east and Carrigmore Green to the north.
(v) Pedestrian and cyclist connections throughout the proposed development and accesses into adjoining lands at Carrigmore Park, Corbally Heath and Corbally Glade to the east and Carrigmore Green to the north.
(vi) surface car parking (861 no. car parking spaces), bicycle parking (711 no. bicycle parking spaces),
(vii) A standalone single storey Creche facility and c. 1ha site area designated for a new school.

The proposed development also includes public and communal open space, all hard and soft landscaping, boundary treatments, surface water and foul drainage connections and all associated site and development works at Boherboy, Saggart, Co. Dublin.

An Environmental Impact Assessment Report and an Appropriate Assessment Screening have been prepared in respect of the development proposal and accompanies the application.

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.

Matters Considered:

In making its decision, the Coimisiún had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions. In coming to its decision, the Coimisiún had regard to the following:

(i) Policies and objectives set out in the National Planning Framework 2040 (First Revision, 2025) and the Regional Spatial and Economic Strategy for the Southern Region 2020-2032,

(ii) Policies and objectives set out in the South Dublin Development Plan 2022 – 2028, including the location of the site on lands subject to Zoning Objective New Residential where the objective is to provide for new residential development in tandem with the provision of the necessary social and physical infrastructure,

(iii) Delivering Homes Building Communities 2025 - 2030, issued by the Department of Housing, Local Government and Heritage in November 2025,

(iv) the provisions of the Sustainable Residential and Compact Settlement Guidelines for Planning Authorities (January 2024),

(v) The Planning Design Standards for Apartments Guidelines for Planning Authorities, 2025,

(vi) the Climate Action Plan 2024 and the Climate Action Plan 2025,

(vii) Urban Development and Building Heights, Guidelines for Planning Authorities, 2020,

(viii) Design Manual for Urban Roads and Streets, 2013, updated 2019,

(ix) Childcare Facilities, Guidelines for Planning Authorities, 2001,

(x) Development Management, Guidelines for Planning Authorities, 2007,

(xi) The availability in the area of a wide range of social and transport infrastructure,

(xii) To the pattern of existing and permitted development in the area,

(xiii) Planning Report and supporting technical reports of South Dublin County Council,

(xiv) To the submissions and observations received,

(xv) The grounds of appeal, observations and further responses on appeal,

(xvi) The report and recommendation of the planning inspector including the examination, analysis and evaluation undertaken in relation to appropriate assessment, environmental impact assessment, and water status impact assessment.

Appropriate Assessment (AA):

An Coimisiún Pleanála completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites, taking into account the nature, scale and location of the proposed development within a suitably zoned and adequately serviced urban site, the Appropriate Assessment Screening Reports submitted with the application, the Inspectors' Reports, and submissions on file.

In completing the screening exercise, An Coimisiún Pleanála adopted the reports of

the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European site in view of the conservation objectives of such sites.

Environmental Impact Assessment (EIA):

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,

(c) The submissions from the planning authority, applicant, third parties and prescribed bodies in the course of the application; and

(d) The report of the Planning Inspector's.

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

Having regard to the examination of environmental information contained above, and in particular in the EIAR and supplementary information provided by the applicant, and the submissions form the planning authority, prescribed bodies and the third party appellant, the Commission considered and agreed with the Planning Inspector's reasoned conclusions, that the main significant direct and indirect effects of the proposed development on the environment are:

Population and Human Health: Positive socioeconomic effects on population and human health associated with increased employment and demand for services

during the construction phase, the consolidation of the urban area, the availability of additional housing and a childcare facility when complete and the provision of public open space areas

Biodiversity: - Construction stage would result in the loss and / or damage of trees / hedgerow and habitat, however, this would be compensated by additional planting, and the protection of existing habitats were feasible, notably the provision of 10m riparian buffers along water courses. Direct / indirect effects from the disturbance and/or displacement of fauna during construction and operational stage, would be mitigated by further pre-comment surveys, a suite of appropriate construction phase management (included in a Construction and Environmental Management Plan), lighting design, existing and proposed landscaping, the appropriate timing of works and various enhancement measures including the provision of bat boxes, if necessary.

Land, Soil, Water, Air and Climate: - Loss of land and soil, which would be replaced by appropriate development and improved amenities in accordance with the proper planning and sustainable development of the area.

Impacts on groundwater and surface water quality, would be mitigated by standard good practice construction stage measures including a Construction Environmental Management Plan, and by the implementation of suitably designed drainage infrastructure and Sustainable Urban Drainage System (SuDS) measures.

Potential effects arising from noise and vibration during construction which will be mitigated by appropriate construction management measures. Potential effects on air during construction which will be mitigated by a dust management plan, including a monitoring programme.

Material Assets, Cultural Heritage and the Landscape: Potential effects on waste management during construction and operation will be mitigated by a Construction and Environmental Management Plan, and an Operational Waste Management Plan

Potential for short-term negative impacts in terms of construction traffic will be

mitigated as part of a Construction and Environmental Management Plan. There will be no significant negative impact on traffic junctions in the immediate area in the operational phase and any potential impact will be mitigated by way of design. The development will provide additional critical mass to support existing public transport services and bus routes.
The site is not highly visible from the surrounding area and is not located within any sensitive landscape. Having regard to the surrounding context of the existing facility and adjacent residential uses, the proposed development would have no significant direct or indirect effects on the landscape, visual amenity of the area or on any protected view

Archaeology and Architectural Heritage would be mitigated by landscaping/design and the conducting of pre-construction testing, given the location of the site adjacent to an urban area no significant adverse direct, indirect or cumulative effects are likely to arise.

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

Water Status Impact Assessment Screening
An Coimisiún Pleanála completed a Water Status Impact Assessment screening exercise with regard being had to the objectives of Article 4 of the Water Framework Directive, taking into account the nature of the proposed development, site and receiving environment, the hydrological and hydrogeological characteristics of proximate waterbodies, the absence of any meaningful pathways to any waterbody,

the standard pollution controls and project design features, the information and reports submitted as part of the application and appeal, and the Planning Inspector's report.

In completing the screening exercise, the Coimisiún adopted the report of the Planning Inspector, and concluded that proposed development will not result in a risk of deterioration to any waterbody (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any waterbody in reaching its Water Framework Directive objectives, and that a Water Status Impact Assessment would not, therefore, be required.

Conclusions on Proper Planning and Sustainable Development:

The Coimisiún considers that, subject to compliance with the conditions set out below, the proposed development would be consistent with the applicable Zoning Objective New Residential and other policies and objectives of the South Dublin Development 2022 – 2028, would result in an appropriate density of residential development, would constitute an satisfactory mix and quantum of residential development, would provide acceptable levels of residential amenity including public open space, for future occupants, would not seriously injure the residential or visual amenities of property in the vicinity, would not cause adverse impacts on or result in serious pollution to biodiversity, lands, water, or air, would be acceptable in terms of water and surface water proposals.

Moreover, having regard to the proposed access and egress arrangements to Boheryboy Road, including proposed access via Corbally Heath, Carrigmore Green, and adjoining estates, the proposed additional traffic volumes and the location of the site within an existing residential area that the development as proposed would be acceptable in terms of pedestrian, cyclist and traffic safety and convenience, and would not impact negatively on the immediate vicinity of the site. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

16.0 **Conditions**

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 11th day of December, 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, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination. Reason: in the interest of clarity.
2.	The development hereby permitted shall contain 611 number residential units. Each residential unit shall be used and occupied as a single unit for residential purposes and shall not be sub-divided or used for any commercial purpose (including short-term letting) without a separate planning permission. Reason: in the interest of clarity and to ensure the maintenance of a residential community.
3.	The mitigation and monitoring measures contained in the submitted Environmental Impact Assessment Report (EIAR), received by the Planning Authority on 11th day of December, 2025, shall be implemented. Reason: To protect the environment.
4.	Prior to the commencement of development, the developer shall submit, for the written agreement of the planning authority, a Biodiversity Management Plan for both construction and operational phases of the development. this plan shall be prepared by a suitably qualified Ecologist. Reason: To protect biodiversity.
5.	Three (3) years of annual Bat monitoring shall be undertaken by an Ecologist or other suitably qualified professional with bat expertise, to evaluate the effectiveness or otherwise of the mitigation measures

	undertaken to protect bats availing of the linear green infrastructure corridors. Any amendments required to adjust effectiveness of bat protection measures will be proposed and agreed in conjunction with the Heritage Officer of South Dublin County Council. Reason: For the protection of bats, a protected species
6.	All works shall be supervised by an on-site Ecological Clerk of Works who will report on compliance with the relevant mitigation measures. The Ecological Clerk of Works shall be empowered to halt works where they consider that the continuation of the works is likely to result in a significant pollution or siltation incident or impact on protected habitats or species, and on-site works will cease until authorised to continue by the planning authority. A compliance monitoring report shall be prepared by the Ecological Clerk of Works and shall be submitted to the planning authority at the end of the main construction period. Reason: To ensure compliance with mitigation measures and to protect biodiversity
7.	The development shall be carried out on a phased basis. Prior to the commencement of development, the phasing scheme for the development, inclusive of all associated infrastructure, shall be submitted for the written agreement of the planning authority. Prior to commencement of any development on the overall site, details of the first phase shall be submitted to, and agreed in writing with, the planning authority. The phasing plan shall include for the timely delivery of the proposed Creche facility in line with the requirements of Condition 8 of this grant of permission. Reason: To ensure the timely provision of services, for the benefit of the occupants of the proposed dwellings
8.	Unless otherwise agreed in writing with the planning authority, no more than 100 number residential units hereby permitted shall be made available for occupation prior to the completion, to an operational standard, of the childcare facility. Reason: To ensure that childcare facilities are provided in association with residential units, in the interest of residential amenity.

9.	Prior to the completion of the final phase of development, the developer/applicant shall submit details for the written agreement of the Planning Authority (Arts Office) of the provision of an artistic physical feature at the subject site to improve the built environment/public realm, which could include high quality features within the environment/landscaping. The agreed physical feature shall be completed prior to the completion of the third phase of development. The developer is advised to liaise with the South Dublin County Council Arts Office in relation to the commissioning process and a potential open competition to artists. Reason: In the interests of orderly development, and to comply with COS11 Objective 3 of the South Dublin County Development Plan 2022 - 2028.
10.	Prior to the commencement of development, the following shall be submitted to, and agreed in writing with, the planning authority: (a) Details of the materials, colours and textures of all the external finishes to the proposed dwellings and creche. (b) Details of any advertisements / signage relating to the creche facility. Reason: in the interest of visual amenity and to ensure an appropriate high standard of development.
11.	The first floor windows to the side elevation of the proposed Cell 7 dwellings (serving the first floor landing area within the dwelling), addressing the rear of the adjoining sites at Corbally Glade shall be fitted with permanently obscure fixed glazing. Reason: In the interest of protecting the residential amenity of neighbouring properties.
12.	Proposals for a naming / numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs, and house/apartment numbers, shall be provided in accordance with the agreed scheme. The proposed names shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of

	the 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 place names for new residential areas.
13.	Prior to the commencement of development, the developer shall enter into Connection Agreements with Uisce Eireann (Irish Water) to provide for a service connection to the public water supply and wastewater collection network. Reason: in the interest of public health and to ensure adequate water/wastewater facilities.
14.	Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services, and details of same shall be submitted by the developer, for the written agreement of the planning authority. Reason: in the interest of public health and surface water management.
15.	All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works. Reason: in the interests of visual and residential amenity.
16.	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. Reason: in the interest of amenity and public safety.
17.	Artificial lighting shall be designed in accordance with the 2023 BCT Lighting Guidance (GN08/23 Bats and Artificial Lighting at Night). A lighting plan shall be submitted to, and agreed in writing, with the planning authority for approval, prior to commencement of development. Reason: To minimise disturbance-related impacts on protected species.
18.	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). Reason: in the interest of amenity and of traffic and pedestrian safety.
19.	All roads and footpaths and cycleways shown to adjoining lands shall be constructed up to the boundaries to provide access to adjoining lands with no obstruction including the erection of any structure which would otherwise constitute exempted development under the Planning and Development Regulations 2001, as amended. These areas shall be shown in a revised taking in charge drawing which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Reason: in the interest of permeability and proper planning and sustainable development.
20.	(a) All the communal parking areas serving the residential units shall be provided with functional electric vehicle charging points, and all of the in-curtilage car parking spaces serving residential units shall be provided with electric connections to the exterior of the houses to allow for the provision of future electric vehicle charging points. (b) 5% of vehicular parking spaces shall be for mobility impaired users. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Reason: in the interest of sustainable transportation.
21.	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 residential amenities of property in the vicinity.

22.	Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a detailed Construction Environmental Management Plan (CEMP) for the written agreement of the planning authority. This plan shall provide details of intended construction practice for the development with measures to reflect mitigation described in the submitted EIAR and NIS for the application. A record of daily checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the planning authority. The agreed CEMP shall be implemented in full in the carrying out of the development. Reason: in the interest of residential amenities, public health and safety and environmental protection.
23.	Construction operations during the hours of darkness shall be kept to a minimum. If construction lighting is required during the bat activity period (April to September), lighting shall be directed away from all woodland /trees /hedgerow habitat that is to be retained. Artificial lighting shall be designed in accordance with the 2023 BCT Lighting Guidance (GN08/23 Bats and Artificial Lighting at Night). Reason: To minimise disturbance-related impacts on protected species.
24.	Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a Construction Traffic Management Plan (CTMP) for the construction phase of the development for the written agreement of the planning authority. The Plan shall incorporate details of the road network to be used by construction traffic including oversized loads, detailed proposals for the protection of bridges, culverts and other structures to be traversed, as may be required. The agreed CTMP shall be implemented in full during the course of construction of the development. Reason: in the interest of traffic safety and convenience and residential amenity.
25.	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 Environmental Protection Agency'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 the site office at all times. Reason: In the interest of proper planning and sustainable development.
26.	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 within each house plot and for each apartment unit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained, and 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.
27.	The site shall be landscaped in accordance with the plans and particulars, including the Landscape Design Rational lodged with the application, and as amended by the further plans and particulars received by the planning authority on the 15th day of December 2025, and shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within

	the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority. Reason: In the interest of residential and visual amenity.
28.	Prior to the commencement of the development, detailed design of the play areas to be agreed with Public Realm including mounding, edging, natural play features, surfacing etc. to ensure that the playspaces are functional, accessible, and easily maintainable. Reason: In the interest of residential amenity.
29.	No dwelling unit shall be occupied until all services (drainage, water supply, electricity and / or other energy supply, public lighting and roads) for each dwelling unit have been completed and are operational. Reason: in the interests of residential amenity and the proper planning and sustainable development of the area.
30.	(a) All areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company. (b) Details of the 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.
31.	(a) The developer shall engage a suitably qualified archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the Planning Authority (following consultation with the Development Applications Unit of the Department of Housing, Local Government and Heritage). The testing shall take place in advance of any site preparation works or groundworks (other than those which may be necessary to fulfil this condition, e.g. demolition) including site investigation works / topsoil stripping / site clearance / dredging / underwater works and

	/ or construction works. The report shall include an archaeological impact statement and mitigation strategy. (b) Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record [archaeological excavation] and/or monitoring may be required. (c) Any further archaeological mitigation requirements specified by the planning authority, following consultation with the Department, shall be complied with by the developer. No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to the National Monuments Service and the Planning Authority and approval to proceed is agreed in writing with the planning authority. (d) The planning authority and the Department of Housing, Local Government and Heritage shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post excavation work. All resulting and associated archaeological costs shall be borne by the developer. Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.
32.	Prior to commencement of development, the developer or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any

	other prospective party to the agreement to An Coimisiún Pleanála for determination. Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.
33.	(a) Prior to the commencement of the development as permitted , the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant residential units permitted, to first occupation by individual purchasers, that is, those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing. (b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing. (c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit. Reason: To restrict new housing development to use by persons of a

	particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.
34.	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.
35.	Prior to commencement of development, the developer shall pay to the planning authority a financial contribution of €534, 616.20 (five hundred and thirty-four thousand, six hundred and sixteen euro and twenty cent) towards the delivery of a new community centre in the area. The financial contribution is in lieu of the provision of community floorspace on-site. Reason: To provide for community floorspace in accordance with Policy COS 3, Objective COS3 Objective 1, Objective 2 and Objective 3 of the South Dublin County Development Plan 2022 - 2028.
36.	The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be

	agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme. Reason: it is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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

Emma Nevin

Planning Inspector

8th June 2026

Appendix A – Screening for Appropriate Assessment

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	Construction of 611 no. dwellings, 2-storey crèche, new vehicular and pedestrian access to adjoining sites and all associated site works including an area of c. 1.03Ha within the site reserved as a future school site at Boherboy, Saggart, Co. Dublin.
Brief description of development site characteristics and potential impact mechanisms	The subject site with a stated gross area of 18.3 hectares (net area is 17.6 hectares), comprises an almost rectangular shaped area of land located to the north of Boherboy Road, approximately 1.3km east of Saggart village. The site topography slopes downwards from the south of the site adjacent to the Boherboy Road to the north of the site. Site levels range from 155mOD in the southwest corner to 117.5mOD in the northwest corner. The site is vacant and is currently a greenfield site. The site is bordered on all sides (north south, east, and west) by mature hedgerow and trees. There is a field boundary hedgerow and dry ditch traversing the centre of the site in a north to south axis. The Corbally Stream traverses along the eastern boundary of the site in a north to south axis, turning in a westerly direction at the northeast boundary before exiting the site at the northwest corner. The southern site boundary has a c.360 metre frontage on to the Boherboy Road with an existing entrance to the site at this location. In relation to hydrology, the Corbally Stream runs from south to north along the eastern boundary of the proposed development site. It then flows along the northern boundary westwards where two drainage ditches within the site, the Cooldown and the Coldwater, flow into the Corbally. The Corbally then merges into the Camac River c. 2.5km, before joining the River Liffey c. 9.6km northeast of the proposed development and discharging into the Dublin Bay, therefore hydrologically linking the proposed development to European sites therein, including; South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, and North Bull Island SPA.
Screening report	Yes
Natura Impact Statement	No

Relevant submissions	No

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

Sites within **zone of influence** of project.

European Site (code)	Qualifying interests[1] Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections[2]	Consider further in screening[3] Y/N
001209 – Glenasmole Valley SAC	CO001209.pdf	Located c. 4.0km south east of the proposed development.	No hydrological connectivity and sufficient geographical separation, so no potential for impacts	No
002122 - Wicklow Mountains SAC	ConservationObjectives.rdl	Located c. 5.3km south east of the proposed development.	No hydrological connectivity and sufficient geographical separation, so no potential for impacts.	No
001398 - Rye Water Valley/Carton SAC	CO001398.pdf	Located c. 9.9km north west of the proposed development.	No hydrological connectivity and sufficient geographical separation, so no potential for impacts.	No
000397 - Red Bog SAC	ConservationObjectives.rdl	Located c. 10.7km south west of the proposed development.	No hydrological connectivity and sufficient geographical separation, so no potential for impacts.	No
000210 - South Dublin Bay SAC	ConservationObjectives.rdl	Located c. 15.4km north east of the proposed development.	No hydrological connectivity and sufficient geographical separation, so no potential for impacts. The site is also located some 537 metres south of the Ringsend WWTP outfall.	No
000206 - North Dublin Bay SAC	ConservationObjectives.rdl	Located c. 18.7km north east of the proposed development.	No hydrological connectivity and sufficient geographical separation, so no potential for impacts.	No

			The site is also located some 2.3km north east of the Ringsend WWTP outfall.	
003000 - Rockabill to Dalkey Island SAC	ConservationObjectives.rdl	Located c. 22.3km north east of the proposed development.	No hydrological connectivity and sufficient geographical separation, so no potential for impacts. The site is also located some 6km east of the Ringsend WWTP outfall.	No
004040 - Wicklow Mountains SPA	CO004040.pdf	Located c. 8.6km south east of the proposed development.	No hydrological connectivity and sufficient geographical separation, so no potential for impacts.	No
004063 - Poulaphouca Reservoir SPA	CO004063.pdf	Located c. 11.0km south west of the proposed development.	No hydrological connectivity and sufficient geographical separation, so no potential for impacts.	No
004024 - South Dublin Bay and River Tolka Estuary SPA	ConservationObjectives.rdl	Located c. 15.4km north east of the proposed development.	No hydrological connectivity and sufficient geographical separation, so no potential for impacts. The site is also located some 450 metres north of the Ringsend WWTP outfall.	No
004006 - North Bull Island SPA	ConservationObjectives.rdl	Located c. 18.6km north west of the proposed development.	No hydrological connectivity and sufficient geographical separation, so no potential for impacts. The site is also located some 469 metres north of the Ringsend WWTP outfall.	No
004236 - North-West Irish Sea SPA	CO004236.pdf	Located c. 19.9km north east of the proposed development.	No hydrological connectivity and sufficient geographical separation, so no potential for impacts. The site is also located some 3.3km west of the Ringsend WWTP outfall.	No
Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites				

(a) Identify potential direct or indirect impacts (if any) arising from the project alone that could have an effect on the European Site(s) taking into account the size and scale of the proposed development and all relevant stages of the project (See Appendix 9 in Advice note 1A).

(b) Are there any design or standard practice measures proposed that would reduce the risk of impacts to surface water, wastewater etc. that would be implemented regardless of proximity to a European Site?

(c) Identify possible significant effects on the European sites in view of the conservation objectives (alone or in combination with other plans and projects)

AA Screening matrix

Site name **Qualifying interests**	**Possibility of significant effects (alone) in view of the conservation objectives of the site***	
	Impacts	**Effects**
Site 1: **Glenasmole Valley SAC (Site Code: 001209)** Qualifying Interest: • Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210] • Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410] • Petrifying springs with tufa formation (Cratoneurion) [7220]	Direct: None Indirect: None	There are no European sites, or ex-situ sites which support QI/SCI habitats or species of nearby European sites, within the proposed development boundary. There are no European sites at risk of hydrological effects associated with the proposed development. There are no European sites at risk of hydrogeological effects associated with the proposed development. No pathway exists between the proposed development site and downstream European sites. There are no European sites, or ex-situ sites which support QI/SCI habitats or species of nearby European sites, within the potential zone of influence of disturbance effects associated with the construction or operation of the proposed development. There are no European sites at risk of mortality risk impacts associated with the proposed development.
	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?	

	There are no projects that can act in combination with this proposal, and which may result in significant effects to Natura 2000 areas.	
	Possibility of significant effects (alone) in view of the conservation objectives of the site*: No.	
	Impacts	**Effects**
Site 2: **Wicklow Mountains SAC (Site Code:002122)** Qualifying Interest: • Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110] • Natural dystrophic lakes and ponds [3160] • Northern Atlantic wet heaths with Erica tetralix [4010] • European dry heaths [4030] • Alpine and Boreal heaths [4060] • Calaminarian grasslands of the Violetalia calaminariae [6130] • Species-rich Nardus grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) [6230] • Blanket bogs (* if active bog) [7130] • Siliceous scree of the montane to snow levels (Androsacetalia alpinae and Galeopsietalia ladani) [8110]	Direct: None Indirect: None.	As above.

• Calcareous rocky slopes with chasmophytic vegetation [8210] • Siliceous rocky slopes with chasmophytic vegetation [8220] • Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] • Lutra lutra (Otter) [1355]		
	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? There are no projects that can act in combination with this proposal, and which may result in significant effects to Natura 2000 areas.	
	Possibility of significant effects (alone) in view of the conservation objectives of the site*: No.	
	Impacts	**Effects**
Site 3: **Rye Water Valley/Carton SAC (Site Code: 001398)** Qualifying Interest: • Petrifying springs with tufa formation (Cratoneurion) [7220] • Vertigo angustior (Narrow-mouthed Whorl Snail) [1014] • Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016]	Direct: None Indirect: None.	As above.

	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? There are no projects that can act in combination with this proposal, and which may result in significant effects to Natura 2000 areas.	
	Possibility of significant effects (alone) in view of the conservation objectives of the site*: No.	
	Impacts	**Effects**
Site 4: **Red Bog, Kildare SAC (Site Code:000397)** Qualifying Interest: • Transition mires and quaking bogs Cormorant [7140]	Direct: None Indirect: None.	As above.
	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? There are no projects that can act in combination with this proposal, and which may result in significant effects to Natura 2000 areas.	
	Possibility of significant effects (alone) in view of the conservation objectives of the site*: No.	
	Impacts	**Effects**
Site 5: **South Dublin Bay SAC (Site Code: 000210)** Qualifying Interest: • Mudflats and sandflats not covered by seawater at low tide [1140]	Direct: None Indirect: None.	As above.

• Annual vegetation of drift lines [1210] • Salicornia and other annuals colonising mud and sand [1310]		
	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? There are no projects that can act in combination with this proposal, and which may result in significant effects to Natura 2000 areas.	
	Possibility of significant effects (alone) in view of the conservation objectives of the site*: No.	
	Impacts	**Effects**
Site 6: **North Dublin Bay SAC (Site Code: 000206)** Qualifying Interest: • Mudflats and sandflats not covered by seawater at low tide [1140] • Annual vegetation of drift lines [1210] • Salicornia and other annuals colonising mud and sand [1310] • Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] • Mediterranean salt meadows (Juncetalia maritimi) [1410] • Embryonic shifting dunes [2110] • Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120] • Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] • Humid dune slacks [2190]	Direct: None Indirect: None.	As above.

• Petalophyllum ralfsii (Petalwort) [1395]		
	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? There are no projects that can act in combination with this proposal, and which may result in significant effects to Natura 2000 areas.	
	Possibility of significant effects (alone) in view of the conservation objectives of the site*: No.	
	Impacts	**Effects**
Site 7: **Rockabill to Dalkey Island SAC (Site Code: 003000)** Qualifying Interest: • Reefs [1170] • Phocoena phocoena (Harbour Porpoise) [1351]	Direct: None Indirect: None.	As above.
	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? There are no projects that can act in combination with this proposal, and which may result in significant effects to Natura 2000 areas.	
	Possibility of significant effects (alone) in view of the conservation objectives of the site*: No.	
	Impacts	**Effects**
Site 8: **Wicklow Mountains SPA (Site Code: 004040)**	Direct: None Indirect: None.	As above.

Qualifying Interest: • Merlin (Falco columbarius) [A098] • Peregrine (Falco peregrinus) [A103]		
	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? There are no projects that can act in combination with this proposal, and which may result in significant effects to Natura 2000 areas.	
	Possibility of significant effects (alone) in view of the conservation objectives of the site*: No.	
	Impacts	**Effects**
Site 9: **Poulaphouca Reservoir SPA (Sire Code: 004063)** Qualifying Interest: • Greylag Goose (Anser anser) [A043] • Lesser Black-backed Gull (Larus fuscus) [A183]	Direct: None Indirect: None.	As above.
	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? There are no projects that can act in combination with this proposal, and which may result in significant effects to Natura 2000 areas.	
	Possibility of significant effects (alone) in view of the conservation objectives of the site*: No.	
	Impacts	**Effects**

Site 10: **South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024)** Qualifying Interest: • Light-bellied Brent Goose (Branta bernicla hrota) [A046] • Oystercatcher (Haematopus ostralegus) [A130] • Ringed Plover (Charadrius hiaticula) [A137] • Grey Plover (Pluvialis squatarola) [A141] • Knot (Calidris canutus) [A143] • Sanderling (Calidris alba) [A144] • Dunlin (Calidris alpina) [A149] • Bar-tailed Godwit (Limosa lapponica) [A157] • Redshank (Tringa totanus) [A162] • Black-headed Gull (Chroicocephalus ridibundus) [A179] • Roseate Tern (Sterna dougallii) [A192] • Common Tern (Sterna hirundo) [A193] • Arctic Tern (Sterna paradisaea) [A194] • Wetland and Waterbirds [A999]	Direct: None Indirect: None.	As above.
	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? There are no projects that can act in combination with this proposal, and which may result in significant effects to Natura 2000 areas.	
	Possibility of significant effects (alone) in view of the conservation objectives of the site*: No.	
	Impacts	**Effects**
Site 11: **North Bull Island SPA (Site Code: 004006)** Qualifying Interest: • Light-bellied Brent Goose (Branta bernicla hrota) [A046] • Shelduck (Tadorna tadorna) [A048] • Teal (Anas crecca) [A052] • Pintail (Anas acuta) [A054] • Oystercatcher (Haematopus ostralegus) [A130] • Golden Plover (Pluvialis apricaria) [A140] • Grey Plover (Pluvialis squatarola) [A141] • Knot (Calidris canutus) [A143] • Sanderling (Calidris alba) [A144] • Dunlin (Calidris alpina) [A149] • Black-tailed Godwit (Limosa limosa) [A156] • Bar-tailed Godwit (Limosa lapponica) [A157]	Direct: None Indirect: None.	As above.

• Curlew (Numenius arquata) [A160] • Redshank (Tringa totanus) [A162] • Turnstone (Arenaria interpres) [A169] • Black-headed Gull (Chroicocephalus ridibundus) [A179] • Shoveler (Spatula clypeata) [A857] • Wetland and Waterbirds [A999]		
	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? There are no projects that can act in combination with this proposal, and which may result in significant effects to Natura 2000 areas.	
	Possibility of significant effects (alone) in view of the conservation objectives of the site*: No.	
	Impacts	**Effects**
Site 12: **North-West Irish Sea SPA (Site Code: 004236)** Qualifying Interest: • Red-throated Diver (Gavia stellata) [A001] • Great Northern Diver (Gavia immer) [A003] • Fulmar (Fulmarus glacialis) [A009] • Manx Shearwater (Puffinus puffinus) [A013] • Cormorant (Phalacrocorax carbo) [A017]	Direct: None Indirect: None.	As above.

• Shag (Phalacrocorax aristotelis) [A018] • Common Scoter (Melanitta nigra) [A065] • Black-headed Gull (Chroicocephalus ridibundus) [A179] • Common Gull (Larus canus) [A182] • Lesser Black-backed Gull (Larus fuscus) [A183] • Herring Gull (Larus argentatus) [A184] • Great Black-backed Gull (Larus marinus) [A187] • Kittiwake (Rissa tridactyla) [A188] • Roseate Tern (Sterna dougallii) [A192] • Common Tern (Sterna hirundo) [A193] • Arctic Tern (Sterna paradisaea) [A194] • Guillemot (Uria aalge) [A199] • Razorbill (Alca torda) [A200] • Puffin (Fratercula arctica) [A204] • Little Gull (Hydrocoloeus minutus) [A862] • Little Tern (Sternula albifrons) [A885]		
	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? There are no projects that can act in combination with this proposal, and which may result in significant effects to Natura 2000 areas.	
	Possibility of significant effects (alone) in view of the conservation objectives of the site*: 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 the following European Sites as noted above: Glenasmole Valley SAC (001209), Wicklow Mountains SAC (002122), Wicklow Mountains SPA (004040), Rye Water Valley/Carton SAC (001398), Red Bog, Kildare SAC (000397), Poulaphouca Reservoir SPA (004063), South Dublin Bay SAC (000210), South Dublin Bay and River Tolka Estuary SPA (004024), North Bull Island SPA (004006), North Dublin Bay SAC (000206), North-west Irish Sea SPA (004236), and the Rockabill to Dalkey Islands SAC (003000). The proposed development would have no likely significant effect in combination with other plans and projects on any European sites. No further assessment is required for the project. No mitigation measures are required to come to these conclusions.

Appendix B: WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	ACP-324127-26	**Townland, address**	In the townland of Boherboy, Saggart Road, Co. Dublin
Description of project		Construction of 611 no. dwellings, 2-storey crèche, new vehicular and pedestrian access to adjoining sites and all associated site works including an area of c. 1.03Ha within the site reserved as a future school site at Boherboy, Saggart, Co. Dublin.	
Brief site description, relevant to WFD Screening,		Site is cleared of all structures aside from small farm building near Boherboy Road and consists of a greenfield site. The Corbally Stream runs from south to north along part of the eastern boundary of the proposed development site, intersecting the eastern agricultural field to the west and a small area of disturbed ground in the southeast of the lands. It then flows along the northern boundary westwards where two drainage ditches within the site, the Cooldown and the Coldwater, flow into the Corbally. The Corbally then merges into the Camac River c. 2.5km downstream, before joining the River Liffey c. 9.6km northeast of the proposed development and discharging into the Dublin Bay.	

	There are no known public drainage services on the subject lands, and therefore the proposed surface water outfall will be into the existing open watercourses of the site, following SuDS interception, treatment, attenuation and storage. There is no foul water sewer located on the subject lands. Therefore is it proposed to service the subject lands by providing a new gravity foul sewer across the SDCC park to the south east of the site connecting into the existing SDCC/IW foul infrastructure in Verschoyle Green. Foul waters from the proposed development will then be discharged to Ringsend WWTP for treatment.
Proposed surface water details	Surface runoff will be managed during construction and there will be no unauthorised discharges of water from the site. During operation, the site will have increased impermeable surfaces due to the access roads and houses. Surface water from the Proposed Development will be managed in accordance with the principles and objectives of Sustainable Drainage Systems (SuDS), including surface water attenuation & an underground foul sewerage pumping station at the northern end of the site.
Proposed water supply source & available capacity	Confirmation of Feasibility (COF) has been issued to the applicant advising that (water/ wastewater) connections are feasible without infrastructure upgrade by Uisce Eireann. A condition has been attached to the local authority grant of permission in respect to Confirmation of Feasibility and connection agreements with Uisce Eireann.

	Uisce Eireann mains water connection. Public Water Supply i.e. 'Greater Dublin Area', which has a green status – 'Potential Capacity Available - LoS improvement required' rating.
Proposed wastewater treatment system & available capacity, other issues	Confirmation of Feasibility (COF) has been issued to the applicant by Uisce Eireann advising that (water/ wastewater) connections are feasible. A condition has been attached to the local authority grant of permission in respect to Confirmation of Feasibility and connection agreements with Uisce Eireann. Public foul drainage system 'Ringsend WWTP', which has a Green rating – 'Spare Capacity Available'. This means that potential capacity is available to meet 2035 population targets, however a level of service (LoS) improvement is required. Capacity constraints exist and additional analysis of Pre-connection Enquiries and Connection Applications will be undertaken as required by Uisce Eireann on an individual basis considering their specific load requirements. As noted above the applicant has engaged with Uisce Eireann with respect to a pre-connection enquiry, which has confirmed that connections are feasible.
Others?	N/A
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection	

Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
Transitional waterbody	To the eastern boundary of the site	River Camac_020 (IE_EA_09C020250)	Moderate	At Risk	Urban waste water	Surface water run off and wastewater
Groundwater body	Underlying site	Kilcullen (Site Code: IE_EA_G_003)	Good	At Risk	Surface water drainage in storm events	Drainage to groundwater
Groundwater body	Underlying site – to northern boundary	Dublin (Site Code: IE_EA_G_008)	Good	Not at Risk	Surface water drainage in storm events	Drainage to groundwater
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.						
CONSTRUCTION PHASE						

No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	**Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.**
1.	Site clearance & Construction	River Camac_020 (IE_EA_09C 020250)	None	Water Pollution - Deterioration of surface water quality from pollution of surface water run-off during site construction	Use of Standard Construction Practice and CEMP	No	Screen out at this stage.
2.	Site clearance & Construction	Kilcullen (Site Code: IE_EA_G_00 3)	Drainage through soil / bedrock	Reduction in groundwater quality from pollution of surface water run-off	Use of Standard Construction Practice and CEMP	No	Screen out at this stage.

3.	Site clearance & Construction	Dublin (Site Code: IE_EA_G_008)	Drainage through soil / bedrock	Reduction in groundwater quality from pollution of surface water run-off	Use of Standard Construction Practice and CEMP	No	Screen out at this stage.
OPERATIONAL PHASE							
1.	Surface Water Run-off	River Camac_020 (IE_EA_09C020250)	None	None	Several SuDS features incorporated into proposal	No	Screen out at this stage.
2.	Surface Water Run-off	Kilcullen (Site Code: IE_EA_G_003)	Drainage through soil/ bedrock	Reduction in groundwater quality	SUDS and greenfield discharge rates	No	Screened out at this stage
3.	Surface Water Run-off	Dublin (Site Code: IE_EA_G_008)	Drainage through soil/ bedrock	Reduction in groundwater quality	SUDS and greenfield discharge rates	No	Screened out at this stage
DECOMMISSIONING PHASE							
1.	N/A	N/A	N/A	N/A	N/A	N/A	N/A