



An
Coimisiún
Pleanála

Inspector's Report

ACP-324275-26

Development

Large-Scale Residential Development:
Demolition of existing structures on site, refurbishment and reuse of Tabor House and the Chapel, provision of 562 No. residential units comprising 6 courtyard houses and 556 No. apartment units, a café/restaurant and a creche. An Environmental Impact Assessment Report has been prepared in respect of the proposed development.

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Location

Milltown Park, Sandford Road, Dublin 6, D06V9K7

Planning Authority

Dublin City Council South

Planning Authority Reg. Ref.

WEBLRD6093/26-S3B

Applicant(s)

Sanford Living Limited.

Type of Application

Large Scale Residential Development.

Planning Authority Decision

Grant

Type of Appeal	Third Party
Appellants	Norwood Park Residents Association Cherryfield Avenue Residents Association.
Observer(s)	Mary Lane Gwenda McInerney
Date of Site Inspection	5 th July 2026.
Inspector	Peter Nelson

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1.0 Context

- 1.1. This application pertains to a large-scale residential development comprising 562 residential units, a café/restaurant, community and cultural spaces, and a creche. Until 2019, the existing buildings and lands at the site were utilised by the Jesuit Community for institutional purposes.
- 1.2. A Strategic Housing Development (SHD) was previously permitted by An Coimisiún Pleanála on 23rd December 2021 on the subject site consisting of 667 No. dwellings (principally Build-to-Rent), a creche, communal internal amenity and facilities and public and communal open spaces, with heights ranging from part 2 No. to part 10 No. storeys (ACP Reg. Ref. 311302-21). The Grant of Permission was subsequently Judicially Reviewed and has now been remitted to An Coimisiún Pleanála. A decision has yet to be made. (ACP Reg. Ref. ABP-322160-25)
- 1.3. Since the SHD application, the zoning of the site changed with the adoption of the new Dublin City Development Plan 2022-2028, changing from Objective Z15 'Institutional and Community' in the Dublin City Development Plan 2016 – 2022 to Objective Z12 'Institutional Land (Future Development Potential)'.
- 1.4. Following a Third-Party Appeal, a Large-Scale Residential Development consisting of 636 No. dwellings, a creche, cultural/community space, with heights ranging from part 2 No. to part 10 No. storeys was granted by An Coimisiún Pleanála on 19th December 2023 (ACP Reg. Ref. 317921-23). This was subsequently Judicially Reviewed, and a decision from the High Court is awaited at the time of writing this report.
- 1.5. A summary of the key changes in the current LRD from the first LRD (ACP Reg. Ref. 317921-23) as follows:

The total number of residential units has reduced from 636 No. to 562 No. (74 No. fewer units).

- Block A1 reduced from a maximum height of 10 No. storeys to 8 No. storeys.
- Block C changed from part 2 No. storeys to Part 8 No. storeys (including part double height at ground floor level) to part 4 No. storeys to part 7 No. storeys (including a mezzanine at ground floor level).

- Block E changed from 24 No. 3-storey duplexes and apartments to 6 No. 2-storey courtyard houses. The lower Block E has also been setback further from the western boundary, providing greater separation from the dwellings along Cherryfield Avenue, Lower and Upper. This has also allowed the retention of a large portion of the treeline located towards the western boundary.
- The current LRD will introduce a new commercial use, which was not included in the previous LRD 1 scheme, in the form of a café/restaurant (c. 179 sq m). The total non-residential floor space has increased from 2,569 sq m to 2,949 sq m.
- The current LRD omits any works relating to the separation works and provision of a new boundary wall between the subject site and the Jesuit lands, including the demolition of the red-brick link building.

2.0 Site Location and Description

- 2.1. The site is situated at Milltown Park, southeast of Ranelagh, and is bordered by Sandford Road to the north and Milltown Road to the southeast. The application site extends to 4.74 hectares, including works on the public road. The development site is stated to cover 4.26 hectares. The site was formally used by the Jesuit Community for institutional purposes. The Jesuit Community still occupy a complex of buildings adjoining the subject site to the southwest.
- 2.2. The site is located approximately less than 1km from the triangle at Ranelagh and less than 0.7km from Donnybrook village. This site is c. 0.7km from Alexander College and Gonzaga College. The site is located within c. 0.35km walking distance from Clonskeagh Hospital, c. 1.4 km from The Royal Hospital Donnybrook and c. 1.2 km distance from University College Dublin.
- 2.3. The site is c.1km from the Beechwood Green Line Luas stop and c.1.1km from the Ranelagh Stop. The nearest bus stop is directly opposite the subject site on the Sandford. This bus stop provides a c. 2–15-minute peak-frequency bus service by serving the No. 11, 44 & 44D bus routes. There are additional bus stops adjacent to the site on Milltown Road.

- 2.4. Adjoining developments consist of two-storey housing in Norwood Park, Cherryfield Avenue Lower, and Cherryfield Avenue Upper, to the north and west, respectively. The surrounding area features mature housing stock, including detached, semi-detached, and terraced houses, as well as apartment blocks. Milltown Road is a wide, sweeping road with footpaths on both sides and broad grass margins on its southern side and near the site entrance. Sandford Road is also wide, with cycle lanes and footpaths on both sides. The roadside boundaries are generally formed by high stone-and-rendered walls. The eastern and northern edges of the site are lined with mature trees and woodland, while the western edge has lower-level planting and trees. Most of the site consists of open grassland. The southern part of the site currently hosts several structures, including the 18th-century Milltown Park House and its extensions, a Chapel Building from the 1860s, and Tabor House from 1875. These buildings are not included in the Dublin City Council's record of protected structures. The site also features the Archive Building, built in the 1930s, and a purpose-built facility to house the Jesuits' private archive. Several protected structures are located to the north and east of the site on Sandford Road and Clonskeagh Road.
- 2.5. The main access to the site is from Sandford Road, via vehicle and pedestrian gates, stone entrance walls, and piers. The other institutional lands to the south are accessed through a modern entrance on Milltown Road. Internal access between the subject site and these lands has been closed off.

3.0 Proposed Development

- 3.1. Permission is sought for a Large-Scale Residential Development at a site in Milltown. The development site area, road works and drainage works areas will provide a total application site area of c. 4.74 hectares. Works are also proposed on Milltown Road and Sandford Road to facilitate access to the development, including improvements to pedestrian facilities on an area of c. 0.16 hectares. The development's surface water drainage network shall discharge from the site via a proposed 300mm diameter pipe along Milltown Road through the junction of Milltown Road and Sandford Road prior to outfalling to the existing drainage network on Eglinton Road (approximately 200 metres from the Sandford Road and Eglinton Road junction), with these works incorporating an area of c. 0.32 hectares.

- 3.2. The net site area is stated as 4.26 hectares. The development will principally consist of: the provision of 562 No. residential units comprising 6 No. three-bed courtyard houses and 556 No. apartment units (70 No. studios, 176 No. one-bed units, 267 No. two-bed units and 43 No. three-bed units), the refurbishment and reuse of Tabor House (1,575 sq m) and the Chapel (768 sq m) and the provision of a single-storey glass entrance lobby to the front and side of the Chapel (52 sq m).
- 3.3. The development also includes the provision of: a cultural/community space within Tabor House and the Chapel (1,698 sq m) with associated outdoor area (248 sq m); a café/restaurant (179 sq m) and a creche (375 sq m) within Block F, with a dedicated outdoor play area for the creche; ancillary residents' amenities and facilities (324 sq m) within Blocks B and C; and a single-storey bin store and substation adjacent to Block F (101 sq m).
- 3.4. The development provides new access from Milltown Road (which will be the main vehicular entrance to the site), along with the enhancement and upgrade of the existing access from Sandford Road for secondary use, primarily for deliveries, emergencies, and taxis. It includes new pedestrian access points, pedestrian and bicycle connections through the site, 319 car parking spaces (288 in the basement and 31 on the surface), a set-down area for deliveries, bicycle parking, 22 motorcycle spaces, bin storage, boundary treatments, private balconies and terraces facing all directions, hard and soft landscaping such as public and communal open spaces, green and blue roofs, PV panels, substations, lighting, plant, lift cores and overruns, and all other associated site works above and below ground.
- 3.5. The development includes for the demolition of c. 4,847.5 sq m of existing structures on site including Milltown Park House (880 sq m), Milltown Park House Rear Extension (2,031 sq m), the Finlay Wing (622 sq m), the Archive (1,240 sq m) and the Link Building between Tabor House and Milltown Park House Rear Extension to the front of the Chapel (74.5 sq m).
- 3.6. The proposed development has a gross floor space of c.50,196 sq m above ground level over a partial basement measuring c. 10,550 sq m, which includes parking spaces, bin storage, bike storage and plant.
- 3.7. Key Site Statistics

Total Site Area (Gross)	c. 4.74 Ha (c. 47,335 sq m)
Net Site Area	c. 4.26 Ha (c. 42,547 sq m)
Existing Gross Floor Area	c. 7,190.5 sq m
Demolition Gross Floor Area	c. 4,847.5 sq m including: • Milltown Park House (880 sq m) Milltown Park House Rear Extension (2,031 sq m); • the Finlay Wing (622 sq m); • the Archive (1,240 sq m); • and the link building between Tabor House and Milltown Park House rear extension to the front of the chapel (74.5 sq m).
Retained Gross Floor Area	c. 2,343 sq m: • Tabor House (1,575 sq m); and • The Chapel (768 sq m)
Gross Floor Area (Above Ground)	50,196 sq m
Basement Gross Floor Area	10,550 sq m
Site Coverage	20.65%
Plot Ratio	1.18
No. of Units Proposed	562 No. units (70 No. studios, 176 No. 1-bed units, 267 No. 2-bed units and 49 No. 3-bed units)
No. of Units per Hectare	140.3 uph based on a pro rata site area of 40,047sq 201m
Mix of Units	70 no. Studios (12.5%) 176 no. 1-bed units (31.3%)

	267 no. 2-bed units (47.5%) 49 no. 3- bed units (8.7%)
Creche	375 sq m
Café/Restaurant	179 sq m
Community/Cultural (Net Floor Space)	1,946 sq m (1,698 sq m internally and 248 sq m externally)
Building Height	From 1 to 8 No. storeys plus lift overruns
Car Parking Spaces	319 No. car parking spaces - 288 No. at the basement and 31 No. at the surface level
Bicycle Parking Spaces	1,343 No. spaces
Motorcycle Spaces	22 No.
Public Open Spaces	35.3% (15,023 sq m) of developable site area. This includes: Public Park & Plaza connected through the undercroft of Block A1: 10,879 sq m (25.57%) Northern Woodland Glade: c. 3,000 sq m (7.05%) Green Boulevard between Blocks A and B: c. 575 sq m (1.4%) Forecourt / In front of Café/Restaurant: 569 sq m (1.3%)
Communal Open Space	10.4% (4,423 sq m) of developable site area: This includes:

	Belvedere Garden (North of Block C): 120 sq m Walled Garden (Proximate to the Chapel/Block D/Block F): 2,631 sq m Courtyard between Block B and C: 1,563 sq m Upper Floor Terrace on Block A1: 109 sq m
Internal Communal Facilities	c. 324 sq m provided as follows: Management Suite in Block B (c.76 sq m) Gym in Block C (c. 124 sq m) Co-Working Space in Block C (mezzanine level) (c. 124 sq m)

Table 3.1 Key Statistics

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

- Planning Report & Statement of Consistency
- Response to Dublin City Council's LRD Opinion
- Environmental Impact Assessment Report.
- Part V Proposal and Costings
- Masterplan + Architectural Design Statement, including:
 - Appendix A – North Facing & Dual Aspect Units
 - Appendix B – Part V Provision
 - Appendix C – Housing Quality Assessment
 - Appendix D – Schedule of Areas
 - Appendix E – Existing Buildings Feasibility

- Landscape Design and Access Statement
- Landscape Management and Maintenance Plan
- Basement Impact Assessment (BIA)
- Site Specific Flood Risk Assessment
- Infrastructure Design Report, including:
 - Appendix A: Uisce Eireann Network Plans
 - Appendix B: Attenuation Calculations
 - Appendix C: Surface Water Drainage Calculations
 - Appendix D: Correspondence with Uisce Eireann
 - Appendix E: Foul Drainage Calculations
 - Appendix F: Extracts from Site Investigation Report
 - Appendix G: Green/Blue Roof Calculations
 - Appendix H: Surface Water Outfall Calculations.
- Traffic and Transportation Assessment
- Bicycle Design Statement (BDS)
- DMURS Design Statement
- Mobility Management Plan
- Parking Strategy
- Public Transport Capacity Assessment
- Preliminary Design Stage Quality Audit
- Arboricultural Assessment & Impact Report
 - Appendix i – Tree Survey Data
 - Appendix ii – Tree Protection Method Statement
 - Appendix iii – Woodland Management Plan
- Lighting Report
- Appropriate Assessment Screening Report

- Biodiversity Enhancement Plan
- Habitat Management Plan
- Invasive Alien Plant Species: Site Assessment Report & Management Plan
- Hydrological and Hydrogeological Qualitative Risk Assessment
- Telecommunications Impact Assessment Report
- Aviation Glint and Glare Assessment
- Energy & Sustainability Report
- Daylight and Sunlight Assessment Report
- Justification for Demolition
- Cultural Infrastructure Assessment
- Universal Access Statement
- Preliminary Construction Management Plan
- Construction Environmental Management Plan
- Property Management Strategy Report
- Building Lifecycle Report
- Community and Social Infrastructure Audit

4.0 Planning Authority Opinion

A section 247 meeting was held with the Planning Authority on 10/01/25, and an LRD Opinion meeting was held on 12th August 2025.

Following consideration of the issues raised during the LRD meeting, the Planning Authority was of the opinion that the documentation submitted in accordance with Section 32B of the Act constitutes a reasonable basis for an application for Large

scale Residential Development, subject to the applicant addressing the issues outlined below in any future application.

- Submit revised drawings for Block E addressing the Planning Authorities concerns with regard to the size of the rear garden and appropriate screening to this open space to provide adequate privacy.
- Submit further details for the retail, café and medical use, in relation to the location of the bin storage, signage, hours of operation and any ventilation required to deal with fumes and odours from cooking for the café.
- Ensure that the demolition justification report adequately addresses sustainability in terms of embodied carbon in accordance with section 15.7.1 of the 2022-2028 Dublin City Development Plan.
- Submit revised site layout plan with additional separation distances included.
- Submit a Daylight and Sunlight Assessment in accordance with Appendix 16, section 4.0 of the 2022-2028 Dublin City Development Plan.
- Submit a revised HQA, including compliance with private and communal open space.
- Demonstrate that all units comply with housing/apartment guidelines.
- Submit all relevant supporting documents in accordance with section 15.1 of the 2022-2028 Dublin City Development Plan.
- Clearly discuss compliance with CUO25

Further details were required from the Transportation Planning Division and the Parks Department. Details relating to Surface Water Management, Archaeology and Conservation were also requested.

5.0 Planning Authority Decision

5.1. Decision

- 5.1.1. By Order dated 17th April 2026, Dublin City Council made a decision to grant permission subject to 26 no. conditions.

5.1.2. Conditions

The conditions are mainly of standard nature and scope, however condition no.4 is of note:

‘4. The development shall be revised as follows:

(a) The proposed bike store structure directly adjacent to the boundary with properties on Cherryfield Avenue Lower shall be omitted and Tree no. 22 shall be retained. The landscape plan and hard-surfacing proposed in that area shall be modified accordingly.

(b) Bicycle parking proposed in lieu of Tree no. 91 shall be redesign/relocated to maintain tree no. 91.

Development shall not commence until revised plans, drawings and particulars showing the above amendments have been submitted to, and agreed in writing by the Planning Authority, and such works shall be fully implemented prior to the occupation of the buildings.

Reason: In the interests of orderly development, residential and visual amenity’

5.2. Planning Authority Reports

5.2.1. Planning Reports

The main points of the Planners' Report dated 15th April 2026 can be summarised as follows:

- The planning history of the site is noted.
- It is noted that the development principles for this site, including density, unit mix, height, visual impact, design, and residential amenity, were previously considered acceptable by both Dublin City Council and An Coimisiún Pleanála.
- The public open space provided significantly exceeds the requirement of 25%
- The triple-height linked archway through Block A1 will create a strong connection between the public park and the public plaza, and it is clear that the required 25% public open space has not been split up.
- The demolition justification and Life Cycle Assessment conclusions are deemed robust, and the demolition of the structures is regarded as acceptable.
- The layout is largely the same as previously proposed.
- The arrangement of the blocks and open spaces on the site aligns with the existing context and enhances connectivity in the area.
- The scheme strikes a balance between respecting the surrounding environment and ensuring the development potential of this strategically located and underutilised plot.
- The closest residential areas that could potentially be affected by the proposal include Cherryfield Avenue Lower and Norwood Park.
- The lower Block E has been moved further back from the western boundary, allowing for the preservation of a significant part of the treeline near this boundary. This is welcome.
- The issue of overlooking has been addressed by omitting any windows above ground floor directly facing the rear gardens of the properties on Cherryfield Avenue Lower.
- Concerning the properties in Norwood Park to the north of the site, the planning authority considers the retention of the mature trees along this boundary a crucial feature for reducing the visual impact of the development.

- The applicants' sunlight and daylight assessment report concluded that the development will not cause a significant reduction in daylight and sunlight levels for the existing properties, and that the future occupants will enjoy good levels of daylight in the majority of the units.
- The proposed plot ratio and site coverage comply with the development plan.
- The density of 140 units per hectare is acceptable given the site's accessibility to public transport and the ample public and communal open space provided.
- The proposed apartments adhere to the residential quality standards outlined in the Planning Design Standards for Apartments – Guidelines for Planning Authorities 2025.
- The proposed reuse of the older structures on site for cultural infrastructure is welcomed. Although the final user or occupant of this element of the proposal is not specified, it is considered that this can be addressed through a condition.
- The applicant has satisfied their requirement regarding the provision of childcare facilities.
- The proposed café will be located in the forecourt near the Milltown Road entrance and will encourage public access to the site, enhancing the ground floor public realm.
- While the removal of low-quality U and C trees is acceptable, the loss or removal of A-rated trees, in particular, is regrettable. A condition should be attached requiring the relocation of the bicycle parking to a protected area near 3 no. A-rated trees.
- The replacement planting of trees is considered acceptable, subject to the conditions recommended by the Parks Department.
- The Transport Planning Division report is noted, as is their recommendation to grant permission for the proposed development subject to conditions.
- The comments from the Conservation Officer are included. They note that 'it is accepted in principle that this large sylvan site has the capacity to accommodate high-quality residential development and associated amenities.'

- The Planner notes that the Conservation Officer has raised concerns regarding elements of the design and layout of the development; however, the planner considers that a precedent was set in the previous approval, and in the interest of clarity, further design alterations will not be conditioned.
- It is noted that the Conservation Officer has recommended granting permission subject to several conditions.
- After AA screening, the planning officer was satisfied with the screening report for AA and confirmed that no mitigation measures were necessary to ensure that European sites would not be effected. Therefore, the screening determination was that no AA was required.
- The Planner considers that based on the information contained in the EIAR, the proposed development is unlikely to cause unacceptable negative impacts on the receiving environment, as any potential impacts identified are relatively minor, and mitigation measures are proposed.
- The proposed development is considered acceptable and in line with the site's revised Z12 zoning and the proper planning and development of the area.

5.2.2. Other Technical Reports

- Conservation Section: The report dated 9 April 2026 states that the proposed extensive demolition of historic structures is highly regrettable from a built heritage perspective. They also consider the loss of trees regrettable. Notwithstanding this, they recommend a grant of permission, subject to conditions including the employment of a conservation expert, the recording of existing buildings, and the agreement of a Salvage Strategy.
- Drainage Division: Report dated 25 March 2026. No objection, subject to standard conditions
- Environmental Health: Report dated 30 March 2026. No objection, subject to standard conditions
- Transport Planning Division: The report dated 18 March 2026 details general acceptance of the proposed development and framework and mitigation

measures in relation to the impact of the construction stage of the project.

There is no objection, subject to conditions.

- Archaeology: The report dated 19 March 2026 notes that the development is not located within any Zone of Archaeological Constraint for any Recorded Monuments. It is noted that the archaeological assessment in the EIAR concludes that the site retains 'moderate' archaeological potential given that human remains were found in the vicinity. It recommends that the groundworks for the new development be archaeologically monitored. There is no objection, subject to conditions, including the agreement of further archaeological resolution of the site to be agreed in writing.
- Parks: The report dated 8 April 2026, states reservations on this application due to the high arboricultural impact proposed under the scheme. Conditions are proposed subject to a grant of permission for the application, including the employment of a Landscape Architect and Arboriculturist and Tree Protection and Management.

5.3. Prescribed Bodies

- Uisce Eireann: Report dated 30 March 2026, recommends conditions.

5.4. Third Party Observations To Planning Authority

The planning authority received 31 no. submissions. The main points raised can be summarised as follows:

Principle of Development

- The site is not specifically zoned for housing.
- Proposed development is contrary to the National Climate Plan 2023.
- The proposed density is a material contravention of the Development Plan
- Negative impact on the character of Ranelagh.

Residential Amenity

- The impact of privacy on properties on Cherryfield Avenue Upper.
- Block E should be removed to prevent the loss of privacy.
- Gardens proposed for the Units in Block E are inadequate, and the first-floor terraces will result in overlooking.
- Balconies and windows overlooking Norwood Park should be fitted with obscured glazing.
- Impact of construction on structure of existing properties.
- Noise impact on existing dwellings during construction.
- The boundary with Cherryfield Avenue Upper and Lower should be a 2m dry-stone wall instead of the proposed 1.8m timber fence.

Building Height

- The 7-storey section of Block C should be reduced to 4 or 5 storeys, and Block D to 2 storeys, to ensure there is no impact on sunlight and daylight to the existing property.
- The height of Block A is excessive and will result in overlooking.

Biodiversity

- The removal of trees will affect biodiversity.
- The proposed bike parking at the north-western corner of the site would lead to the removal of trees, which are necessary to maintain privacy for properties on Cherryfield Avenue.
- Tree removal should be carried out gradually to minimise the impact on wildlife in Milltown Park.
- Unjustified removal of eight healthy mature trees in the western tree belt.
- Tree removal and replacement along the established Millennium Walk pathway.
- The extent of habitat destruction is excessively and unnecessarily harsh.
- The City Parks Department has concerns about the loss of trees on site.
- The site is among the few green spaces in the surrounding area.

Density and Housing Mix

- The proposed density indicates an excessive overdevelopment of the site.
- The density figure exceeds the density range outlined in the Dublin City Development Plan for outer suburb areas.
- The proposed density will not meet the needs of an ageing nation.
- The mix of units will not attract families.
- Relying on social housing alone will not promote fair and socially equitable development.

Transport and Movement

- There are no plans to upgrade the water infrastructure in the nearby area.
- Public transport in the area is already over-subscribed.
- The existing road network is at capacity during peak hours.
- Increased traffic congestion.
- Through traffic should be prevented from Milltown Road to Sanford Road.
- The drop-off delivery area near the Sandford Road entrance should be relocated, as it will cause disturbance to the Norwood Park properties.
- The roadway around the site should be widened, and a relief road through the site should be considered.
- Insufficient car parking space will result in overspill parking.
- Fire risk from electric car charging points in the basement.
- Inconsistencies with the 'Public Transport Capacity Assessment'.
- The development does not allow for the development of cycle lanes on Milltown Road.

Social Infrastructure

- Increased demand for school spaces in the area.
- A school is needed in the area, and building one on this site would be consistent with the zoning.

- Insufficient social infrastructure in the area.
- The creche does not meet the educational needs of the area.
- Loss of an educational amenity in Z12 Institutional Lands.
- No detailed plan for the cultural/amenity space.

Flooding

- Need to ensure there is no risk of increased flooding to neighbouring properties.
- Potential flooding risk.

Layout and Design

- The masterplan allows for the open space to be adjacent to the public roads instead of the existing residential developments.
- The colour of the brickwork on Block A1 is too obtrusive and should be changed to a less obtrusive colour.
- Question the architectural character of the units in Block E.

Others

- Appropriate Assessment and EIAR concerns.
- Construction phase concerns.
- Devaluation of existing property values.
- Water pressure is already a problem in the area.

6.0 Planning History

ACP Ref: 322160-25

Permission sought for a Strategic Housing Development including the demolition of existing structures on the site and the construction of 671no Built to Rent apartments, creche and associated site works. This is a remitted case and yet to be decided.

ACP Ref: 317921-23

Permission granted on the 6th December 2023 for a Large Residential Development consisting of the construction of 636 apartments and associated site works and the demolition of structures on the site. This decision is currently the subject of judicial review proceedings.

ACP Ref: 311302-21

The decision of the Commission for the demolition of the existing structures on site and for 671 no. Built to Rent apartments, creche and associated site works was quashed by order of the High Court (Perfected on 12 June 2024). New case number ACP-322160-25.

7.0 Policy Context

7.1. Development Plan

The Dublin City Development Plan (CDP) 2022-2028 came into effect on 14th December 2022. At the time of writing, the Plan had been subject to 10 adopted variations. Variation No.10 is of relevance as it gives effect to the First Revision of the National Planning Framework, April 2025, and to incorporate the housing growth requirements set out in the Ministerial Guidelines - National Planning Framework NPF Implementation: Housing Growth Requirements, Guidelines for Planning Authorities, 2025.

- 7.1.1. Currently, Proposed Variation 10, Kylemore Masterplan is ongoing. This does not impact the proposed development site.

Zoning

- 7.1.2. The site is zoned Z12 'Institutional Land (Future Development Potential)'. The Land-Use Zoning Objective is 'To ensure existing environmental amenities are protected in the predominantly residential future use of these lands.'
- 7.1.3. Where lands zoned Z12 are to be developed, a minimum of 25% of the site will be required to be retained as accessible public open space to safeguard the essential open character and landscape features of the site. Where such lands are redeveloped, the predominant land use will be residential.
- 7.1.4. In considering any proposal for development on lands subject to zoning objective Z12, other than development directly related to the existing community and institutional uses, Dublin City Council will require the preparation and submission of a masterplan setting out a clear vision for the future development of the entire landholding.
- 7.1.5. In considering any proposal for development on lands subject to zoning objective Z12, other than development directly related to the existing community and institutional uses, Dublin City Council will require the preparation and submission of a masterplan setting out a clear vision for the future development of the entire landholding.
- 7.1.6. In particular, the masterplan will need to identify the strategy for the provision of the 25% public open space requirement associated with any residential development, to ensure a coordinated approach to the creation of new high-quality public open space linked to the green network and/or other lands, where possible. In addition, development shall have regard to the standards in Chapter 15. On Z12 lands, the minimum 25% public open space shall not be split up into sections/fragmented and shall comprise soft landscape suitable for relaxation and children's play, unless the incorporation of existing significant landscape features and the particular recreational or nature conservation requirements of the site and area dictate that the 25% minimum public open space shall be apportioned otherwise.
- 7.1.7. A childcare facility, a community facility, a café/tea room, a restaurant and cultural/recreational buildings are all permitted uses in lands zoned Z12.

Strategy

- 7.1.8. The overarching strategic approach of the plan is to develop a low-carbon, sustainable, climate-resilient city. The housing demand calculated sets a requirement for the development plan to provide for approximately 40,000 housing units between 2022 and 2028. The Core Strategy outlines that compact growth will be promoted throughout the city through appropriate infill development, the consolidation of brownfield sites, and targeted growth along key transport corridors.

Climate

- 7.1.9. Chapter 3 deals with 'Climate Action' and sets out a strategic approach to integrate climate mitigation and adaptation principles in order to ensure that Dublin becomes a low-carbon and climate-resilient city. Relevant policies and objectives relating to sustainable settlement patterns, the built environment, and sustainable transport include the following (as summarised):

CA3 - Support the transition to a low carbon, climate resilient city by seeking sustainable settlement patterns, urban forms and mobility.

CA4 - Support retrofitting of existing built-up areas including reopening closed walking and cycling links and providing new links.

CA6 - To promote and support the retrofitting and reuse of existing buildings rather than their demolition and reconstruction, where possible.

CA8 - To require low carbon development which will seek to reduce carbon dioxide emissions, and which will meet the highest feasible environmental standards during construction and occupation.

CA9 - Development proposals must demonstrate sustainable, climate adaptation, circular design principles for new buildings / services / site.

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

CA17 further requires that such Statements shall include an assessment of the technical, environmental and economic feasibility of district or block heating or

cooling, particularly where it is based entirely, or partially on energy from renewable and waste heat sources.

City Shape and Structure

- 7.1.10. Chapter 4 sets out the overarching framework and strategy to guide the future sustainable development of the city. The vision for the urban form and structure of the city is to achieve a high-quality, sustainable urban environment, which is attractive to residents, workers and visitors. A key objective will be to ensure that large suburban areas are integrated into the city's structure, both in relation to the city centre and the metropolitan area. Relevant policies and objectives include the following (as summarised):

SC8 - Supports the development of the inner suburbs and outer city in accordance with the strategic development areas and corridors set out under the Dublin Metropolitan Area Strategic Plan and fully maximise opportunities for intensification of infill, brownfield and underutilised land.

SC10 – Ensure appropriate densities in accordance with national policy.

SC11 - Promote compact growth through consolidation and intensification of infill and brownfield lands, particularly on public transport corridors.

SC12 - Promote a variety of housing and apartment types and sizes, as well as tenure diversity and mix.

- 7.1.11. Section 4.5.4 deals with increased building height and outlines that Appendix 3 sets out specific guidance regarding the appropriate locations where enhanced density and scale including increased height will be promoted. Appendix 3 also outlines performance criteria for the assessment of such development and details the different classifications of building height in the city. The spatial approach is generally to protect the vast majority of the city as a predominantly low-rise city, including established residential areas and conservation areas within the historic core, while also recognising the potential and the need for taller landmark buildings to deliver more sustainable compact growth, including areas identified for large scale regeneration and redevelopment. Relevant policies and objectives include the following (as summarised):

SC14 – Strategic approach to accord with the Building Height Guidelines.

SC15 – Promotes a mix of uses in large-scale development with increased height.

SC16 – Recognises the need for increased building height in identified locations, subject to the protection of existing amenities and sensitivities.

SC17 – Sets out guidance for proposals with increased scale/height in order to protect and enhance the skyline of the city.

SC18 - Promote a coordinated approach to the provision of landmark/tall buildings.

- 7.1.12. Sections 4.5.5 and 4.5.6 of the Plan set out policies and guidance in relation to Urban Design, Architecture, and the Public Realm.

Housing

- 7.1.13. Chapter 5 deals with 'Quality Housing and Sustainable Neighbourhoods' and the strategic approach aims to deliver quality homes and sustainable communities in the compact city. Based on national and regional policy guidance, it outlines a range of policies and objectives aimed at promoting regeneration, urban consolidation, densification, and healthy placemaking. A core objective of the plan is to promote the realisation of the 15-minute city, which envisages that people should have the ability to access most of their daily needs within 15 minutes on foot or by bike from where they live. It promotes a range of house types and tenures to cater for social inclusion and particular housing needs. The Plan also promotes high-quality standards and design for housing and apartment developments, including high standards of residential amenity, housing mix, and social/community infrastructure. Relevant policies and objectives include the following (as summarised):

QHSN11 - To promote the realisation of the 15-minute city.

QHSN21 - Support the creation of a permeable, connected and well-linked city and to avoid gated residential developments.

QHSNO15 - Housing developments over 100 units shall include a community safety strategy for implementation.

QHSN48 - To ensure that all residential applications comprising of 50 or more units shall include a community and social audit.

Transport

7.1.14. Chapter 8 deals with 'Sustainable Movement and Transport' and presents an integrated strategy that supports and prioritises the use of sustainable modes of transport and promotes active travel and a proactive and collaborative approach to influencing travel behaviour. The Plan aims towards the effective integration of land use and transportation and encourages higher-density development along public transport routes. It also aims to improve the public realm and accessibility for all.

SMT010 - Permission for major development (>100 units for example) will only be granted by the City Council, once a full audit of the walking and cycling facilities in the environs of a development is undertaken.

7.1.15. Section 8.5.7 emphasises that a strong car-parking policy in the city has been instrumental in changing travel behaviour and promoting sustainable development and confirms that policies to discourage commuter car parking are further strengthened in the plan. Section 8.5.9 highlights the need to keep all road users interacting safely and efficiently, as is supported in policies SMT 33, SMT 34, and SMT 35.

Sustainable Environmental Infrastructure and Flood Risk

7.1.16. The policies and objectives in Chapter 9 address a broad range of supporting infrastructure and services, providing for improvements in water quality and water services, sustainable waste management, greater energy security and efficiency, enhanced digital connectivity, and a more holistic and nature-based approach to flood risk and surface water management, all while safeguarding environmental quality and providing for climatic resilience. Relevant provisions include (as summarised):

SI23 - To require all new developments with roof areas in excess of 100 sq. metres to provide for a green blue roof designed in accordance with the requirements of Dublin City Council's Green & Blue Roof Guide (2021) which is summarised in Appendix 11.

SI25 - To require the preparation of a Surface Water Management Plan as part of all new developments in accordance with the requirements of Appendix 13.

Green Infrastructure and Recreation

- 7.1.17. Chapter 10 sets out a strategy to seek more urban greening, healthy placemaking and development which works with nature in order to lessen the impacts of climate change, improve air and water quality, provide effective flood management, encourage walking, cycling and physical activity generally and also to protect and improve biodiversity and ecological resilience.
- 7.1.18. Policy GI26 is to give priority to acquiring new public open space on-site. Where it is not feasible or realistic on site, the Council will require a financial contribution in lieu of provision to provide appropriate open space in the vicinity.

Built Heritage and Archaeology

- 7.1.19. Chapter 11 recognises the importance of protecting built heritage and archaeology in quality place-making and urban design. The strategic approach aims to protect these heritage assets primarily through sensitive development and high-quality architecture; the inclusion of structures on the Record of Protected Structures (RPS); the designation of Architectural Conservation Areas and Areas of Special Planning Control; safeguarding zones of archaeological interest; implementing the City Heritage Plan; and promoting the re-use of heritage buildings. Relevant provisions include the following (as summarised):
- 7.1.20. BHA9 aims to protect the special interest and character of all Dublin's Conservation Areas and states that development within or affecting a Conservation Area must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and setting, wherever possible.
- 7.1.21. BHA10 outlines a presumption against the demolition or substantial loss of a structure that positively contributes to the character of a Conservation Area, except in exceptional circumstances contributing to a significant public benefit.
- 7.1.22. BHA11 is to retain, where appropriate, and encourage the rehabilitation and suitable adaptive reuse of existing older buildings/structures/features which make a positive contribution to the character and appearance of the area and streetscape, in preference to their demolition and redevelopment.

Culture

7.1.23. Chapter 12 acknowledges that cultural infrastructure is a key social asset that must be planned for in the same way as we do for our water supply, our transport, our parks and our built heritage. Relevant Objectives include the following:

CUO25 - SDRAs and large Scale Developments

All new regeneration areas (SDRAs) and large scale developments above 10,000 sq. m. in total area* must provide at a minimum for 5% community, arts and culture spaces including exhibition, performance, and artist workspaces predominantly internal floorspace as part of their development at the design stage. The option of relocating a portion (no more than half of this figure) of this to a site immediately adjacent to the area can be accommodated where it is demonstrated to be the better outcome and that it can be a contribution to an existing project in the immediate vicinity. The balance of space between cultural and community use can be decided at application stage, from an evidence base/audit of the area. Such spaces must be designed to meet the identified need.

*Such developments shall incorporate both cultural/arts and community uses individually or in combination unless there is an evidence base to justify the 5% going to one sector.

CUO30 – Co-Design and Audits

Large development applications (over 10,000 sq. m., either in phases or as one application) will, in the absence of a DCC local area culture audit (CUO44 refers), be required to undertake a cultural audit for the local area to identify shortcomings within the area; and to work with DCC Arts Office to identify and agree appropriate arts or cultural uses, preferably as part of a co-design process in advance of lodging an application, for inclusion in the development. Such audits shall be informed by the existing cultural mapping resources in the Dublin City Cultural Infrastructure Study and by Culture Near You maps.

Development Standards

Chapter 15 sets out the standards and criteria to be considered in the development management process, as well as guidance on the information to be submitted for various applications. Relevant aspects include the following (as summarised):

15.2.3 & Table 15-1 outlines the thresholds for the requirement of documentation / reports for different types of planning applications.

15.7.1 outlines requirements to submit a demolition justification report.

15.8.6 outlines public open space requirements for residential development, including a minimum requirement for 25% of the site area in Z12 zones.

15.8.8 outlines that applications which include the provision of public open space shall be subject to a requirement to provide for appropriate playground facilities.

15.9.8 outlines requirements for 'communal amenity space' (also referred to in this section as 'communal open space'), including the size, nature, design, and quality of such spaces.

15.9.17 outlines that traditionally a minimum distance of 22m is required between opposing first floor windows. In taller blocks, a greater separation distance may be prescribed. In certain instances, reduced separation distances may be acceptable.

15.15.2.3. outlines that the planning authority will actively seek the retention and re-use of buildings and other structures of architectural, historical, archaeological, artistic, cultural, scientific, technical, social and/or local interest or those that make a positive contribution to the character and identity of streetscapes and the sustainable development of the city

15.18.4 outlines the policy to generally discourage any significant underground or basement development or excavations below ground level of, or adjacent to, residential properties in Conservation Areas or to protected structures. It is also policy that a Basement Impact Assessment (BIA) shall accompany all planning applications that include a basement (Further guidance on this is outlined in Appendix 9 of the Plan).

15.18.11 outlines that any development containing significant excavation including the construction of a basement or any development on brownfield lands should include a ground investigation report to be submitted with an application.

Appendices

Volume 2 contains a range of Appendices. Relevant provisions include the following (as summarised):

Appendix 1 – ‘Housing Strategy’.

Appendix 3 – ‘Achieving Sustainable Compact Growth’ outlines policy and criteria in relation to building height, density, plot ratio, and site coverage, as well as Table 3 - Performance Criteria in Assessing Proposals for Enhanced Height, Density and Scale.

Appendix 5 - ‘Transport and Mobility: Technical Requirements’ expands on the Sustainable Movement and Transport framework and sets out technical development standards which are applicable to all developments, including cycle/car parking.

Appendix 9 – Basement Development Guidance.

Appendix 11 - Technical Summary of Dublin City Council Green & Blue Roof Guide (2021).

Appendix 16 – ‘Sunlight and Daylight’ outlines guidance and standards.

7.2. National Policies

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

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

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

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

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

NPO 8 - Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints and ensure compact and sequential patterns of growth.

NPO 10 is to deliver Transport Orientated Development (TOD) at scale at suitable locations, served by high capacity public transport and located within or adjacent to the built up footprint of the five cities or a metropolitan town and ensure compact and sequential patterns of growth.

NPO 11 outlines that planned growth at a settlement level shall be determined at development plan-making stage and addressed within the objectives of the plan. The consideration of individual development proposals on zoned and serviced development land subject of consenting processes under the Act shall have regard to a broader set of considerations beyond the targets including, in particular, the receiving capacity of the environment.

NPO 12 - Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.

NPO 22 - In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth.

NPO 37: Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages.

NPO 43 is to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale.

NPO 45: Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration, increased building height and more compact forms of development.

NPO 83: Identify and strengthen the value of greenbelts and green and blue spaces at regional, city and local scales.

- 7.2.3. The Climate Action Plan 2025 builds upon and should be read in conjunction with the Climate Action Plan 2024. It refines and updates the measures and actions required to deliver carbon budgets and sectoral emissions ceilings and provides a roadmap for taking decisive action to halve Ireland's emissions by 2030 and achieve climate neutrality by no later than 2050. All new dwellings will be designed and constructed to Nearly Zero Energy Building (NZEB) standard by 2025, and Zero Emission Building standard by 2030. In relation to transport, key targets include a 20% reduction in total vehicle kilometres travelled, a 50% reduction in fossil fuel usage, and significant increases to sustainable transport trips and modal share. The Commission is required, in so far as practicable, to perform its functions in a manner consistent with the Climate & Low Carbon Development Act.
- 7.2.4. The National Biodiversity Action Plan 2023-2030 includes five strategic objectives aimed at addressing existing challenges and new and emerging issues associated with biodiversity loss. Section 59B(1) of the Wildlife (Amendment) Act 2000 (as amended) requires the Commission to have regard to the objectives and targets of the NBAP in the performance of its functions, to the extent that they may affect or relate to the functions of the Commission. The impact of development on biodiversity, including species and habitats, can be assessed at a European, National and Local Level and is taken into account in decision-making having regard to the Habitats and Birds Directives, EIA Directive, Water Framework Directive and Marine Strategy Framework Directive, and other relevant legislation, strategy and policy where applicable.

7.3. National Guidance

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

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024), Department of Housing, Local Government and Heritage (hereafter referred to as the 'Compact Settlement Guidelines').

- Planning Design Standards for Apartments – Guidelines for Planning Authorities, 2025 (hereafter referred to as the ‘Apartments Guidelines’).
- The Planning System and Flood Risk Management, including the associated Technical Appendices, 2009 (the ‘Flood Risk Guidelines’).
- Urban Development and Building Heights – Guidelines for Planning Authorities, 2018 (hereafter referred to as the ‘Building Height Guidelines’).
- Childcare Facilities – Guidelines for Planning Authorities (June 2001) and Circular PL3/2016 – Childcare facilities operating under the Early Childhood Care and Education Scheme (the ‘Childcare Guidelines’).
- Architectural Heritage Protection Guidelines for Planning Authorities (2011).

Other relevant national Guidelines include:

- Design Manual for Urban Roads and Streets (DMURS) (2019)
- Guidance for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, (Department of Housing, Local Government and Heritage) (August 2018).
- Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (Department of Environment, Heritage and Local Government, 2009).
- Framework and Principles for the Protection of the Archaeological Heritage, Department of Arts, Heritage, Gaeltacht and the Islands (1999).

7.4. Regional Plans/Policies

- 7.4.1. The primary statutory objective of the Eastern and Midland Regional Assembly's Regional Spatial and Economic Strategy 2019-2031 (RSES) is to support 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 Dublin Metropolitan Area Strategic Plan (MASP), which is part of the RSES, seeks to focus on ‘Strategic Development Areas and Corridors’ that will deliver significant development in an integrated and sustainable fashion. The appeal

site is within the 'City Centre Within the M50' (Multi modal) area and is close to the 'South west corridor (DART / LUAS redline)'.

The following RPOs (as summarised) are of relevance:

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

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

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

7.5. Natural Heritage Designations

The South Dublin Bay Special Area of Conservation is c. 2.5km from the subject site.

The South Dublin Bay and River Tolka Estuary Special Protection Area is c. 2.5km from the subject site.

The Northwest Irish Sea Special Protection Area is c. 7.2km from the subject site.

The South Dublin Bay proposed Natural Heritage Area is c. 2.5km from the subject site.

The Grand Canal proposed Natural Heritage Area is c.1.6km from the subject site.

8.0 The Appeal

8.1. Grounds of Appeal

- 8.1.1. The appeal submitted by BPS Planning Consultants Ltd on behalf of the Cherryfield Avenue Residents' Association concerns a request for their list of revisions necessary for the scheme to be acceptable to them. The list is as follows:

- A revised masterplan is required which:
 - Retains the western tree belt.
 - Retains more trees and large shrubs.
 - Provides a better distribution of public open space and/or open space across the site, including to the west of the site.
 - Removes Block E.
 - Reduces D to 2 and 3 storeys.
 - Reduces Block C to 4,5 and 6 storeys.
 - Addressed the excessive number of north-facing units in the scheme.
 - Provides a better mix of uses and offers fixed details as to the cultural/community floor area.
- There remains a need to reduce the scheme's density.
- Retain the western tree belt or add a tree-filled open space/public open space corridor to the western site boundary.
- Block C should be amended – storeys 6 and 7 are unacceptable.
- Block E should be removed or, at a minimum, reduced to a single storey with no overlooking terrace.
- Block B should be amended
- The bike/bin store building to the north of Block E should be removed and relocated to the basement.
- The works may cause damage to adjoining properties – a scheme of indemnity needs to be put in place.

A number of reasons for refusal have been suggested by the Appellant.

8.1.2. The appeal includes comments from FPLogue Solicitors. These can be summarised as follows:

- The applicant's density assumptions are incorrect.

- The site is in the 'Outer Suburbs' as it is outside the 19th-century built-up area, as demonstrated by Appendix 7.1 of the EIAR, where the maps show that even as late as 1936, the site was outside the built-up area of Dublin.
- Therefore, the location cannot be an inner suburb.
- The site is some distance from the key urban villages and is adjacent to the Dublin City Council administrative area boundary, which supports that the location is in the 'outer suburbs'.
- The density of 140 units, therefore, contravenes the Dublin City Development Plan 2022-2028 (CDP).
- The contravention is material as it is 17% greater than the maximum density for the area.
- The NTA's Public Transport Accessibility Level (PTAL) tool shows that the site only has a medium level of service, indicating that it is not one which is suitable for increased height and/or high-density development.
- Material Contravention of the CDP would be contrary to EU law since the CDP is within the scope of Article 3(2)(a) of the SEA Directive and therefore it is a binding plan which sets the framework for development consents under the EIA Directive.
- Reliance is placed on the 2025 Apartment Guidelines, which were not subject to SEA and therefore cannot be used to derogate from the CDP.
- These guidelines do not form part of the 'hierarchy' within the meaning of article 4(3) of the SEA Directive and cannot be used to justify the environmental effects of the project.
- The issue concerning the applicability of the SEA Directive to the 2025 Apartments Guidelines is subject to pending litigation in the High Court and the Court of Justice.

8.1.3. The main grounds of appeal submitted by Armstrong Planning Ltd on behalf of the **Norwood Park Residents Association** can be summarised as follows:

Excessive Density Proposed is Contrary to the Compact Settlement Guidelines.

- Having regard to the Compact settlement guidelines, the site is a suburban site and not located in a 'City Urban Neighbourhood'.
- The density of 140 uph far exceeds the maximum density of 80 uph for 'intermediate 'City – Suburban' areas as set out in the Guidelines.
- The proposed development does not identify any '*exceptional circumstances*' which would allow for greater density than the range provided.
- The 'Z12' Zoning Objective is 'to safeguard the essential open character' for institutional lands, which would suggest that the site is not suitable for the proposed tall, high-intensity and high-density form of development.
- The required 25% open space should be excluded from density calculations, and therefore, the proposed density is dph.

The proposed excessive building height is contrary to the Building Height Guidelines.

- The proposed development, which has up to 8 storeys, does not adhere to the 'Development Management Principles' under SPPR 3A of the Guidelines.
- The application does not include an assessment of the impact of the development on the '*essential open character*' of the site within the meaning of the 'Z12' Zoning Objective.
- The applicant has not demonstrated that the proposed development would successfully integrate into the existing character of the area.
- The proposed eight-storey height in this site at a suburban, intermediate location is excessive and contrary to the Guidelines.

Methodologies used in the submitted Daylight and Sunlight Assessment are not consistent with relevant guidance.

- The methodologies used are not consistent with *Site layout planning for daylight and sunlight: A guide to good practice* and *BS EN 17037:2018: Daylight in Buildings*.

- The assessment is therefore misleading to the public.
- It is possible that the daylight assessment has overestimated daylight access within the proposed units due to assumptions in the assessment model.
- Therefore, the Daylight and Sunlight Assessment does not provide sufficient information on the daylight performance of the proposed development to reach a decision.

Significant negative impact on existing residential amenity.

- Due to its excessive height, scale, bulk and density adjoining the low-density, low-rise neighbourhood residential lands, there is a loss of visual amenity and overbearingness, loss of privacy and a traffic hazard due to overspill parking.

8.2. Applicant Response

The main points of the applicant's response to the third-party appeals dated 5th June can be summarised as follows:

Block E

- The proposed scheme comprises of six 2-storey houses with flat roofs, located up to 30 metres from the neighbouring dwellings.
- In the previous LRD, the Cherryfield Avenue Residents requested that Block E be two storeys and that the bank of trees remain. This has been incorporated into the current proposal.
- There are no first-floor windows on the proposed Block E houses.
- The proposed first floor terraces allow for small rear gardens so as not to impact the tree line.
- The distance between the proposed development and the properties on Cherryfield Avenue exceeds nearly twice the minimum requirement specified in the Compact Growth Guidelines.

Masterplan.

- The elements with the lowest density on the site are situated along the western boundary adjacent to Cherryfield Avenue.
- The applicant has proposed a nearly identical public open space strategy as the previous application, which has been considered acceptable.
- The scheme proposes a new public park for the future residents and the wider community.
- Contrary to the appellants' assertion, the masterplan is highly comprehensive in its consideration of the development's relationship with the neighbouring sites.
- The tree line along the western boundary is retained and supplemented with additional new trees as requested by the appellants.

Proposed Density

- The DDC planner deemed the density acceptable.
- The density figures in Table 1 of Appendix 3 are presented as 'a general rule'
- It is considered that the site is classified as an 'Inner Suburb' as it meets the Development Plan definitions of 'Inner Suburbs'.
- The plot ratio and site coverage meet the development plan standards.
- The subject site is regarded as being in an 'Accessible' location as defined in the Compact Settlement Guidelines due to the proximity of high-frequency public transport.
- The proposed density aligns fully with the national planning policy for accessible locations within established neighbourhoods.
- The applicant's response to Table 3 of Appendix 3 of the development plan clearly demonstrates that the height, density, and scale of the proposed development are entirely appropriate for this core urban location.
- The applicant has accurately calculated the density as required, and any suggestion to the contrary is disingenuous.

Building Heights

- In both the SHD and the previous LRD, where the heights were greater, the Commission considered the height across the site to be appropriate.
- The heights have been reduced in numerous locations in the scheme.
- How the height complies with all prescribed local, regional and national planning policy has been extensively detailed in the application and is appropriate for this core urban site.
- Blocks A1 and A2 are set back between c.57m and 65m to the nearest residential property, and given the context of the proposed public park, cannot be considered overscaled at a maximum height of 8 storeys.
- Block C has been reduced in height and, with supplementary planting along the existing tree line, will offer a buffer to the Cherryfield Avenue dwellings.
- Block C, behind Norwood Park, has been reduced to a height of 4 and 5 storeys, with separation distances of 32m-49m, which are two to three times the 16m required in the Compact Settlement Guidelines.
- The lower buildings (Block E and the lower part of Block D) have been positioned well within the west boundary, minimising the intrusion of the buildings in views from Cherryfield Avenue.

Site Designation in Building Height Guidelines

- The subject site is evidently an inner suburb of Dublin City within the framework of the Dublin City Development Plan.
- It is evident that there are considerable employment opportunities, services, and facilities readily accessible from the subject site.
- The site is well situated near frequent public transport, some of which connect to other forms of public transport.
- Given the low site coverage and the 35% public open space on the site, along with communal open space, it is evident that the 'essential open character' mentioned in the Norwood Park appeal has been achieved.

Overbearing/Separation Distances

- The Block E two-storey flat-roofed courtyard houses with no rear first-floor windows are located along the western boundary.
- Block D has been set back more than 10m from the previous LRD. The three-storey section of Block D is 35m from the opposing first-floor windows, with no balconies provided on the western elevation facing Cherryfield Avenue.
- The Daylight/Sunlight report shows no significant impacts on the Cherryfield Avenue properties.
- The lowered height of Block C and the setbacks will safeguard the amenities of Norwood Park residents.
- The proposed development achieves a suitable balance between safeguarding residential amenity and increasing density at a key urban site with excellent transport links, offering much-needed high-quality housing.

Removal of Trees on Site

- A balance has been achieved between removing low-quality trees, removing trees needed to densify the site, retaining key trees, and planting new high-quality ones.

Car Parking

- In accordance with national planning policy, the scheme has provided a reduced number of car parking spaces due to the site's proximity to high-quality public transport and its easy access to the City Centre by bicycle or on foot.

Standford Road Entrance and Egress

- The Roads Department of DCC did not support the applicant's proposal to restrict the use of the Sanford Road entrance, as requested by the Norwood Park Residents.
- The entrance is only to be used for servicing and taxi drop-offs.

Community Uses

- It is logical and reasonable to agree and end user for the community/cultural spaces when the space is ready to be occupied.

- The end users of both spaces proposed will be for cultural and community use.
- Not specifying the end users at this stage is not a material planning issue.

Daylight/Sunlight Issues

- 3D design has provided a detailed response to the appellant's criticisms of the methodology used in the Daylight/Sunlight Report.
- The response states that the submitted report strictly and consistently applies the comprehensive two-part evaluation criteria in accordance with the BRE guidelines.
- 3D design states that the report is thorough in its findings, clear about the methodologies used, and fully compliant with all relevant guiding documents.

McCannFitzGearld Submission

- A response from McCannFitzGearld LLP to the applicant's submission from FP Logue is included. The main points can be summarised as follows;
Density:
- The Commission has previously considered and rejected the FP Logue contention that the site of the proposed development should be classified as 'Outer Suburbs'.
- The subject site is within the 'City- Urban Neighbourhoods' category, which has a density range of 50-250 dph according to the Compact Settlement Guidelines.
- In agreement with Logue's note, the site should be classified as 'accessible' as defined in Section 3.4 of the guidelines.
- The mid-density figure is 150 dph for an accessible site, the proposed density of 140dph falls squarely within the range.
- The basis for the reliance on NTA's Public Transport Accessibility Level (PTAL) to interpret the Compact Settlement Guidelines in their entirety or determine height and density on the site is unclear.

- The Compact Settlement Guidelines set out a structures approach to determining appropriate density. PTAL is a tool that may be used as part of the assessment under the Compact Settlement Guidelines in respect of public transport accessibility.
- Holland J held that the possibility of material contravention is inherent in the legislative scheme of the Planning and Development Act 2000 which makes explicit provision for it under section 34(6).
- Therefore, a material contravention is not a 'derogation' from the framework in the sense envisaged by the SEA Directive.
- No stay has been granted against the operation of the 2024 apartment guidelines pending the outcome of the JR procedures.
- Therefore, the 2025 Apartment Guidelines and the SPPRs remain fully applicable to the determination of this application.

Conclusion

- The scheme has reduced the scale of development previously permitted on site, with a reduction of units and building heights, increased setbacks from sensitive residential boundaries and revisions to Block E.
- The grounds of appeal do not identify any material planning basis upon which the Planning Authority's decision should be set aside.
- The proposed development will deliver 526 no, new homes on a strategically located and underutilised site in close proximity to high-capacity public transport, employment opportunities and community infrastructure.

8.3. Planning Authority Response

In their response to the appeal dated 15 May 2026, Dubin City Council requests the Commission uphold their decision and apply conditions relating to contributions, bonds, social housing, naming and numbering and a management company.

8.4. Observations

The main points from Gwenda McInerney, a resident at Upper Cherryfield Avenue can be summarised as follows:

- The proposed Block E are poorly rendered from an architectural perspective and out of character with the local area.
- Request that Block E be omitted and the land remain as open space.
- Request that, if permission is granted, a covenant be required to ensure the units are sold to private individuals rather than to an institution or real estate business.
- The reduced car parking would only be successful if there was an improvement in the public transport options.
- If adequate parking were provided, there would likely be a significant impact on traffic movements at peak times.
- The proposed excessive loss of habitat and trees is a concern of the Council's Parks and Conservation sections.
- The majority of the site will not be able to support any form of wildlife once the development is built.
- The view of local residents has not been satisfactorily taken on board to date.
- Given that there is a similar scheme on this site currently under review and another similar development is awaiting a decision from ACP, should an application be accepted by Dublin City Council?

The main points from Mary Lane, a resident of Norwood Park, can be summarised as follows:

- The scale and design of the proposed apartment blocks close to Norwood Park maximise the potential for overlooking of the observer's rear windows.
- The proposed development will cause a loss of privacy and negatively impact the sylvan setting of the observer's rear garden.

- The proposed development is out of character with other buildings in the area.
- Loss of light and overshadowing.
- Increase in traffic congestion.
- Insufficient public transport to support the proposed development.
- Loss of a large number of trees, plants and green spaces.
- Noise and disturbance during construction.
- Due to the nature of the development, it is unlikely that the majority would have any long-term interest in the area.
- The development shows no sensitivity or consideration for the established residential area.
- Loss of a green amenity area for the area.
- The density of the proposed development is in excess of the development plan standards.
- The proposal represents overdevelopment of the site and is overbearing.
- The provision of low-rise houses would be a more appropriate development.
- The observation suggests significant changes to mitigate against their concerns, including a reduction in height, removal of balconies and relocation of the drop-off area.

8.5. Further Responses

None

9.0 Assessment

- 9.1. The following section addresses planning matters and should be read alongside Section 10.0 Environment Impact Assessment, Section 11.0 Appropriate Assessment Screening, and Section 12.0 Water Framework.

9.2. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the report/s of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive planning issues in this appeal to be considered are as follows:

- Zoning
- Demolition
- Density
- High-Capacity Frequent Service Public Transport.
- Building Height
- Daylight and Sunlight Methodologies
- Residential Amenity: Existing
- Residential Amenity: Proposed
- Communal, Community and Cultural Facilities
- Transport and Movement
- Landscaping
- Other Issues

9.3. Zoning

9.3.1. In the Dublin City Development Plan 2022-2028 (CDP), the site is in Zoned 12 which has a zoning objective *'To ensure existing environmental amenities are protected in the predominantly residential future use of these lands.'*

9.3.2. The CDP states that when lands zoned Z12 are to be developed, the predominant landuse will be residential. It is also a CDP requirement that when Z12 lands are to be developed, a minimum of 25% of the site be retained as accessible public open space to safeguard the essential open character and landscape features of the site. The proposed development's land use is predominantly residential, accounting for 94% of its floor area and therefore complies with the requirements of the CDP.

- 9.3.3. The CDP requires a master plan for development that sets out a clear vision for the entire landholding. As the proposed application is for a predominantly residential development on all Z12-zoned lands, the site plan is, in effect, a master plan. A Masterplan and Architectural Design Statement has been prepared by O'Mahony Pike Architects. The masterplan has incorporated all the requirements of the Z12 zoning objective including public open space. As the proposed application is for a predominantly residential development on all the Z12-zoned lands, the site plan is, in effect, a master plan. I note that the site was previously zoned Z15 'Institutional and Community' in the previous Dublin City Development Plan 2016-2022. The Z15 zoning still applies to the adjoining retained Jesuit lands and Gonzaga College, as they continue to provide Institutional uses on these sites.
- 9.3.4. The appeal from the Cherryfield Avenue Residents' Association considers that a revised master plan is required. A list of alterations to the layout as part of a revised masterplan is suggested. These mainly concern the impact of the proposed development on existing residential amenity. This is discussed in Section 8.6 of this report.
- 9.3.5. The CDP on Z12 lands, the minimum 25% public open space shall not be split up into sections/fragmented and shall comprise soft landscape suitable for relaxation and children's play, unless the incorporation of existing significant landscape features and the particular recreational or nature conservation requirements of the site and area dictate that the 25% minimum public open space shall be apportioned otherwise.
- 9.3.6. The proposed development provides at total 35.3% of public open space. A public open space and plaza, connected through the triple-height undercroft of Block A1, is proposed, accounting for 25.57% of the site area. No vehicular access will be allowed to the plaza area due to the provision of bollards. This area of public open space includes natural play facilities, a dedicated play area, play-on-the-way areas, and natural gym equipment. The public open space includes walkways through the existing woodland in the southeastern area of the site. While noting that a portion of the public open space is a plaza, I consider it ancillary to the main area of soft landscape. I note that the plaza area is to be landscaped and will provide a link to the additional woodland glade area on the northern boundary of the site. I consider

that, in principle, the quantity and quality of the proposed public open space comply with the Z12 zoning objective.

Conclusion

- 9.3.7. I consider that, in principle, the proposed predominant residential development on this site, which includes the required quantum of public open space, is in compliance with the Z12 Institutional Land (Future Development Potential) zoning objective of the land.

9.4. Demolition

- 9.4.1. As part of the development, it is proposed to demolish c. 4,850 sq m of existing structures on site, including Milltown Park House, Milltown Park House Rear Extension, the Finlay Wing, the Archive and the Link Building between Tabor House and Milltown Park House Rear Extension to the front of the Chapel.
- 9.4.2. None of these structures are included on the Record of Protected Structures or the National Inventory of Architectural Heritage. The site is not located within an Architectural Conservation Area. I note that the permission was granted on the 5th February 2021 by Dublin City Council for the demolition of 83.7 sqm of the 'red brick link building' (ACP Reg. Ref. PL29S.311552). I refer to Section 10.8.2 of this report, which assesses the EIAR and the effects of the proposed development on Architectural Heritage.
- 9.4.3. I note the concerns raised in the grounds of appeal that the proposed demolition cannot be justified, considering the 'embodied carbon' of existing structures as well as the additional use of resources and energy from new construction compared to reusing existing structures. It is also stated that compliance with Chapter 3 of CDP has not been fully achieved.
- 9.4.4. I note it is CDP policy CA6 '*To promote and support the retrofitting and reuse of existing buildings rather than their demolition and reconstruction, where possible.*' The policy refers to Section 15.7.1, Re-use of Existing Buildings, in Chapter 15, Development Standards. This requires that, where demolition is proposed, the applicant must submit a demolition justification report that sets out the rationale for the demolition, has regard to the 'embodied carbon' of existing structures, and

demonstrates that no other options, such as refurbishment, extension, or retrofitting, are possible.

- 9.4.5. In Appendix E: *Existing Buildings Feasibility* of the applicant's Design Statement, the feasibility of reusing the existing buildings within the development has been evaluated. This included examining different potential uses, such as residential, co-living, and hotel accommodation for each structure on site. Due to challenges related to the site and internal layout, as well as compliance with building regulations and fire safety, the report concluded that only residential use in Tabour House and amenity use in the Chapel Building are feasible. I consider that this conclusion is reasonable.
- 9.4.6. The applicant has also submitted a Justification for Demolition Report, which outlines the rationale for demolition with regard to the 'embodied carbon' of the proposed buildings to be demolished. To set out the rationale, a Life Cycle Assessment has been carried out. When comparing the retrofit of existing buildings and the proposed replacement development (Block F), embodied carbon remains the primary contributor to Block F's total emissions. However, the building's high-performance design, combined with an efficient thermal envelope and highly efficient building systems, significantly reduces operational carbon. This reduction in operational emissions brings the development much closer to aligning with the carbon neutrality goals set for 2050. The integration of the high-efficiency design ensures that, despite the initial higher embodied carbon associated with new construction, the overall carbon footprint is optimised over the building's lifecycle.

Conclusion

- 9.4.7. Having regard to the above, I am satisfied that the existing buildings are not of a significant scale, heritage or local character value, and that their retention could be reasonably required as part of a comprehensive redevelopment of the site. I consider that the overall carbon footprint is optimised over the building's lifecycle. I, therefore, consider demolition justified in this case, in light of the overarching need to achieve higher-density, compact, sustainable development in accordance with strategic outcome No.1- Compact Growth, of the National Planning Framework (First Revision 2025), and having regard to Policy SC11, *Compact Growth*. Accordingly, I have no objection to the proposed demolition of the existing buildings.

9.5. Density

Density: Development Plan

- 9.5.1. The application site covers an area of approximately 4.74 hectares, including sections of Milltown Road, Sandford Road, and Eglinton Road, where infrastructure works are planned. The stated net area of the site is 4.26 hectares, and permission is sought for 562 residential units. Using the formula provided in Appendix B of the Sustainable Residential Development and Compact Settlements: Guidelines for Planning Authorities, 2024, the applicant has calculated the density of the proposed development to be 140 dwellings per hectare.
- 9.5.2. In the appeal, the Norwood Park Residents Association questions the applicant's calculation of the net site area to be used for density purposes. The appellant notes that Table 1 of Appendix B of the Sustainable Compact Settlement Guidelines states that *'Other areas of land that cannot be developed due to environmental sensitivities, topographical constraints (i.e. steepness) and/or are subject to flooding.'* should be excluded from the net site area. The appellant highlights Section 14.7.12 of the CDP, which requires that at least 25% of a Z12-zoned site be retained as accessible open space. They considered that this requirement effectively sterilises a portion of the site from development, and it could be argued that this should be reflected in calculating the net developable area of any 'Z12' site. It is claimed by Norwood Park Residents Association that removing this 25% of the site would result in a density of c.195 dph. I do not agree with this assumption. It is standard planning practice to include proposed public open spaces within the net site area when calculating densities. Table 1 of Appendix B of the Guidelines states that 'Local parks such as neighbourhood and pocket parks or squares and plazas' and 'All areas of incidental open space and landscaping.' should be included in the net site area. I consider the proposed open space to be a neighbourhood park and should be included in the net site area. I am satisfied that the net area of the site has been calculated correctly and that the density of the proposed development is 140dph.
- 9.5.3. It is worth noting that the previous LRD on this site (ACP. Ref. 317921-23) comprised 636 no. units, and the proposed density was 149.3 dph. The SHD on the site comprises of 671 units and has a density of 157 dph.

9.5.4. In order to assess the density of the proposed development and its compliance with the CDP, I consider it important to set out the development plan policies which relate to density. Policy SC11 states, *'In alignment with the Metropolitan Area Strategic Plan, to promote compact growth and sustainable densities through the consolidation and intensification of infill and brownfield lands, particularly on public transport corridors, which will:*

- enhance the urban form and spatial structure of the city;*
- be appropriate to their context and respect the established character of the area;*
- include due consideration of the protection of surrounding communities and provide for enhanced amenities for existing and future residents;*
- be supported by a full range of social and community infrastructure such as schools, shops and recreational areas;*
- and have regard to the criteria set out in Chapter 15: Development Standards, including the criteria and standards for good neighbourhoods, quality urban design and excellence in architecture.*

9.5.5. With regard to densities, Section 15.5.5 of Chapter 15 states, *'Dublin City Council will support higher density development in appropriate urban locations in accordance with the NPF, RSES and the Section 28 Guidelines, which seek to consolidate development within existing urban areas. Higher density development allows land to be used more efficiently, assists in regeneration and minimises urban expansion. Higher densities maintain the vitality and viability of local services and provide for the critical mass for successful functionality of public transport facilities.'*

9.5.6. The section also states: *'All proposals for higher densities must demonstrate how the proposal contributes to place-making and the identity of an area, as well as the provision of community facilities and/or social infrastructure to facilitate the creation of sustainable neighbourhoods. Refer to Appendix 3 for further details.'*

9.5.7. Appendix 3 (Achieving Sustainable Compact Growth Policy for Density and Building Height in the City) of the Plan states 'Appropriate densities are essential to ensure the efficient and effective use of land. It is important to make the best use of the city's limited land supply in order to meet the need for new homes, jobs and

infrastructure required by the city's growing population. More compact forms of development, ensuring a mix of uses, the containment of 'urban sprawl' and achieving social and economic diversity and vitality are critical for the future of the city and addressing climate change'. Appendix 3 sets out guidance on achieving appropriate and sustainable compact growth in the city, and on appropriate areas for increased density and height.

- 9.5.8. Appendix 3 sets out, as a general rule, density ranges that will be supported in the city. These are detailed in the Table 1: Density Ranges:

Table 9.1: Density Ranges

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

- 9.5.9. There is a disagreement between the applicant and the appellant regarding whether the site is in an inner suburb or an outer suburb, which will influence whether the proposed development meets the general density standards outlined in Table 1. The Cherryfield Avenue Association disagrees with the applicant's contention that the site is an 'Inner Suburb' and considers it to be in the 'Outer Suburbs'. I will therefore examine this next.
- 9.5.10. I note that the site is not located within a Key Urban Village as shown in Figure 7-1 of Chapter 8 of the Development Plan. In the Dublin City Development Plan Glossary, 'Outer City' is defined as *'Those areas generally between the 19th-century urban areas/villages and the city boundary.'* Inner suburbs are defined as *'Those areas beyond the inner city (see definition above) which comprise the 19th century built-up*

areas, including Drumcondra, north Phibsborough, Rathmines and Ballsbridge.'

There is no definition for 'Outer Suburbs' in the Development Plan Glossary.

- 9.5.11. I also note that Section 4.5.2 of the Development Plan states: *'The inner suburbs comprise the established suburban communities, largely, located outside of the canal belt e.g., such as Phibsborough and the outer city refers to the newly developing areas on the fringe of the city administrative area including Clongriffin-Belmayne, Ashtown-Pelletstown, Park West and Cherry Orchard.'* I note that the Inner Suburbs are not identified as a location in Table 1, Density Ranges.
- 9.5.12. I recognised that there are conflicting definitions of the 'Outer City' in the development plan, and as stated above, there is no definition for 'Outer Suburb' in the CDP. Although the immediate area contains 19th-century structures, I consider the site to be in a suburban area, some distance (c. 1.8km) from the nearest 19th-century key urban village, Rathmines. While the site is adjacent to Ranelagh, Ranelagh has not been designated as a key urban village. The site is also relatively close (500m) to the Dublin City Council administrative area boundary. I note that the CDP definitions refer solely to the Dublin City Council administrative area and should be understood in this context. Therefore, based on the density ranges outlined in Table 1, I consider the site to be in the outer suburbs.
- 9.5.13. With a density of 140 dph, the density of the proposed development would therefore exceed the general density range of 60-120 units per hectare for an 'Outer Suburb' location. However, Section 4 of Appendix 3 sets out a policy approach for the assessment of development of increased height, scale and density in the city that aligns with the Section 28 Guidelines. In accordance with SPPR 1, Section 4 identifies key locations as generally suitable and appropriate for accommodating more intensive development, including increased height. These include public transport corridors. In line with national guidance, the CDP states that higher densities will be promoted within 500 metres walking distance of a bus stop, or within 1km of a light rail stop or a rail station in the plan. The development site is approximately 1.06km from the Beechwood Luas Stop. While recognising that this distance is not within 1km, I do not consider the difference to be material and therefore consider that the site is within a public transport corridor. There are numerous bus services along Milltown Road and Sanford Road adjacent to the site. The bus stops serving these routes are within 100m of the site. Bus stops on the

Donnybrook Road for the City Centre Bray core bus corridor are c. 530m from the site.

- 9.5.14. In section 4.1 of Appendix 3 the CDP states that all proposals with significant increased height and density over the existing prevailing context must demonstrate full compliance with the performance criteria set out in Table 3.
- 9.5.15. To the north and west of the site are two-storey semi-detached and terraced dwellings. To the southeast of the site are three-storey dwellings and 5-7-storey apartment developments. The proposed development, with a density of 140 dwellings per hectare and a height ranging from two to eight storeys, would be higher and denser than the immediate context. I, therefore, consider it appropriate to assess the proposed development against the performance criteria set out in Table 3 of Appendix 3.

Table 9.2 – Performance Criteria in Assessing Proposals for Enhanced Height, Density and Scale – Appendix 3 of the DCDP 2022-2028

	Objective	Performance Criteria in Assessing Proposals for Enhanced Height, Density and Scale	Assessment
1	To promote development with a sense of place and character	Enhanced density and scale should: • respect and/or complement existing and established surrounding urban structure, character and local context, scale and built and natural heritage and have regard to any development constraints, • have a positive impact on the local community and environment and contribute to 'healthy placemaking', • create a distinctive design and add to and enhance the quality design of the area, • be appropriately located in highly accessible places of greater activity and land use intensity, • have sufficient variety in scale and form and have an appropriate transition in scale to the boundaries of a site/adjacent development in an established area, • not be monolithic and should have a well-considered design response that avoids long slab blocks, • ensure that setback floors are appropriately scaled and designed.	• The proposed development would be a significant change in scale compared to the neighbouring properties; however, the retention of the Church and Tabor House will help preserve a sense of place and maintain a connection to the site's historical use. The development will create a new community in the area, and the arrangement and design of the blocks will enhance the area's overall quality. • The proposed eight-storey block will serve as a new urban landmark at the busy junction of Sandford Road, Milltown Road, and Eglinton Road. • The proposed development consists of five-character areas, each with a distinct character and scale. The two-storey block E adjacent to the western boundary serves as a transition between Cherryfield Avenue and Hollybank Avenue. The distance from block C and Norwood Park is sufficient to ensure an appropriate transition in scale.

			• While the linear Block A can be regarded as a long block, it is designed with a variety of forms and materials, setbacks, and a three-storey underpass. • The setback floors on Blocks A, B, and F are appropriately scaled and designed. • Overall, I consider that the proposed development will have its own sense of place and character, making it distinctive in the area.
2	To provide appropriate legibility	Enhanced density and scale should: • make a positive contribution to legibility in an area in a cohesive manner, • reflect and reinforce the role and function of streets and places and enhance permeability.	• The increased density and height proposed would positively enhance the area's legibility and promote placemaking, on a site that has been underutilised for several years. It will introduce a new residential community in this accessible location. The development will strengthen the existing residential character of the area while maintaining a connection to the site's historic use and creating more accessible public open spaces. • There will be a limited impact on the function of the street as the woodland and boundary wall are to be retained along Milltown Road. A new entrance on Milltown Road will increase activity on this road. • The proposed Milltown Road entrance will visually open up the site and the setting of Tabour House. While no permeability is proposed to adjacent lands, the opening of the site will provide an alternative pedestrian route from Milltown Road to Sandford Road.

			I consider that the proposed development would result in appropriate legibility.
3	To provide appropriate continuity and enclosure of streets and spaces	Enhanced density and scale should: - enhance the urban design context for public spaces and key thoroughfares, - provide appropriate level of enclosure to streets and spaces, - not produce canyons of excessive scale and overbearing of streets and spaces, - generally, be within a human scale and provide an appropriate street width to building height ratio of 1:1.5 – 1:3, - provide adequate passive surveillance and sufficient doors, entrances and active uses to generate street level activity, animation and visual interest.	- As mentioned above, the proposed development will establish a new thoroughfare through the site connecting Milltown Road to Sandford Road. - The proposed development will also enhance and formalise public access to the site and the proposed passive/active recreation facilities. - While the proposed development will not immediately enclose the surrounding roads, given the distance from the development to the site boundaries, especially the eight-storey Block A, the proposal will not create canyons of excessive scale or dominance over streets and spaces. - The proposed development will provide an appropriate height and scale relative to the street width and height. - The development will enhance passive surveillance in the immediate vicinity, and the proposed public and communal open spaces will benefit from sufficient passive oversight. - Sufficient doors, entrances, and active uses are proposed at ground floor level to generate activity, vibrancy, and visual interest within the site. - Considering the existing trees and woodland on the site, I consider that the proposed development, especially with

			the 8-storey urban marker at this prominent junction, will adequately address Milltown Road and Sandford Road.
4	To provide well connected, high quality and active public and communal spaces	Enhanced density and scale should: • integrate into and enhance the public realm and prioritise pedestrians, cyclists and public transport, • be appropriately scaled and distanced to provide appropriate enclosure/exposure to public and communal spaces, particularly to residential courtyards, • ensure adequate sunlight and daylight penetration to public spaces and communal areas is received throughout the year to ensure that they are useable and can support outdoor recreation, amenity and other activities – see Appendix 16, • ensure the use of the perimeter block is not compromised and that it utilised as an important typology that can include courtyards for residential development, • ensure that potential negative microclimatic effects (particularly wind impacts) are avoided and or mitigated, • provide for people friendly streets and spaces and prioritise street accessibility for persons with a disability	• As stated above, the proposed development will open up the site and create a more accessible pedestrian link between Milltown Road and Sandford Road. • The development will provide 1,343 cycle parking spaces, which is in excess of the CDP standards. • Other sustainable transport measures include the provision of car club parking spaces, a mobility management plan, and reduced and managed parking. • The layout of the proposed development is appropriately scaled and distanced to provide adequate access to a range of open spaces, including courtyards, play areas, active recreational areas, and an area of woodland. • The Daylight and Sunlight Assessment Report states that generally the proposed amenity areas will receive sufficient sunlight and daylight penetration. Therefore, the areas will be usable and capable of supporting outdoor recreation, amenity, and other activities. • Given the sylvan nature of the site and the proposed retention of the woodland, all blocks have access to adequate open space, including the courtyard. • The layout of the development and the open space, including the three-storey underpass, will not cause negative microclimate effects.

			The Universal Access Statement submitted demonstrates that the streets and open spaces will provide people-friendly streets and spaces and prioritise street accessibility for persons with disabilities.
5	To provide high quality, attractive and useable private spaces	Enhanced density and scale should: - not compromise the provision of high-quality private outdoor space, ensure that private space is usable, safe, accessible and inviting, - ensure windows of residential units receive reasonable levels of natural light, particularly to the windows of residential units within courtyards – see Appendix 16, - assess the microclimatic effects to mitigate and avoid negative impacts, - retain reasonable levels of overlooking and privacy in residential and mixed-use development.	- All units have private open space linked to the apartments/houses. - I consider that the private space is usable, safe, accessible and adequate - The submitted Daylight and Sunlight Assessment Report concludes that, overall, the proposed residential units receive acceptable levels of natural light. I am satisfied that there will be no undue negative microclimatic effects on the private open spaces provided. - I consider that the increased density of development as proposed has compromised the provision of private open space and would not provide a high-quality, attractive and usable private space for a high number of apartments.
6	To promote mix of use and diversity of activities	Enhanced density and scale should: - promote the delivery of mixed-use development including housing, commercial and employment development as well as social and community infrastructure, - contribute positively to the formation of a 'sustainable urban neighbourhood',	- Although the primary purpose of the proposed development is residential, a reasonable mix of residential types and associated amenities is proposed. - The proposed development provides a creche and community/cultural spaces in the converted Church and Tabor House

		- include a mix of building and dwelling typologies in the neighbourhood, - provide for residential development, with a range of housing typologies suited to different stages of the life cycle.	- The proposed uses would complement and expand the diverse range of activities in the nearby area, including commercial, retail, business, medical, residential, and open space. - The proposed development would add to the diverse range of residential typologies in the nearby area.
7	To ensure high quality and environmentally sustainable buildings	Enhanced density and scale should: - be carefully modulated and orientated so as to maximise access to natural daylight, ventilation, privacy, noise and views to minimise overshadowing and loss of light – see Appendix 16, - not compromise the ability of existing or proposed buildings and nearby buildings to achieve passive solar gain, - ensure a degree of physical building adaptability as well as internal flexibility in design and layout, - ensure that the scale of plant at roof level is minimised and have suitable finish or screening so that it is discreet and unobtrusive, - maximise the number of homes enjoying dual aspect, to optimise passive solar gain, achieve cross ventilation and for reasons of good street frontage, - be constructed of the highest quality materials and robust construction methodologies,	- The proposed development is acceptable in terms of daylight, sunlight access, and microclimate. The required number of apartments are dual aspect. - The existing church and Tabor House are to be preserved, renovated, and repurposed. A number of other relevant documents were also submitted with the, such as: - Parking Strategy which allows 10% of car parking spaces for electric vehicles. - Building Lifecycle Report - An Engineering Assessment which includes, in relation to surface water, green roofing, tree pits, bioretention area, and permeable paving. - Energy and Sustainability Report which states, inter alia, that the blocks will have a Building Energy Rating (BER) of A2/A3. - A site-Specific Flood Risk Assessment which concludes that the proposed residential development is appropriate for the sites Flood Zone C category.

		• incorporate appropriate sustainable technologies, be energy efficient and climate resilient, • apply appropriate quantitative approaches to assessing daylighting and sun lighting proposals. In exceptional circumstances compensatory design solutions may be allowed for where the meeting of sun lighting and daylighting requirements is not possible in the context of a particular site (See Appendix 16), • incorporate an Integrated Surface Water Management Strategy to ensure necessary public surface water infrastructure and nature based SUDS solutions are in place – • include a flood risk assessment – • include an assessment of embodied energy impacts – see Section 15.7.1	• I am satisfied that, if permission is granted, the proposed development would produce high-quality and environmentally sustainable buildings, including in terms of surface water management. • The applicant has submitted a Justification for Demolition report, which I consider has adequately assessed the embodied energy impact of the proposed development and proposed demolition.
8	To secure sustainable density, intensity at locations of high accessibility	Enhanced density and scale should: • be at locations of higher accessibility well served by public transport with high-capacity frequent service with good links to other modes of public transport, • look to optimise their development footprint; accommodating access, servicing and parking in the most efficient ways possible integrated into the design.	• The site is located just over 1km from the Beechwood Luas Stop and is located c.1.1km from the Ranelagh Stop, c.1.2km from the Milltown Stop and 1.3km from the Cowper Stop. The nearest bus stop for the E1 and E2 BusConnects Route on Donnybrook Road is c.550m from the site. I therefore consider the site to be well served by high-capacity, frequent service. (See Section 8.3.17 of this report)

			The proposed development has achieved an acceptable balance between optimising the development footprint, protecting the site's open-space character, and providing efficient access and parking arrangements.
9	To protect historic environments from insensitive development	Enhanced density and scale should: - not have an adverse impact on the character and setting of existing historic environments including Architectural Conservation Areas, Protected Structures and their curtilage and National Monuments - be accompanied by a detailed assessment to establish the sensitivities of the existing environment and its capacity to absorb the extent of development proposed, - assess potential impacts on key views and vistas related to the historic environment.	- There are no protected structures on site. - It is proposed to retain, renovate, and change the use of the Church and Tabor House. This will provide a link to their previous historical use and will ensure that significant buildings are given new, appropriate functions. - Chapter 6 of the EIAR recommends that all ground disturbance works across the development site be monitored by a suitably qualified archaeologist. If archaeological material is recorded during monitoring, further discussion or consultation with the DHLGH will be sought to determine the appropriate treatment (such as preservation by record or preservation in situ) of any additional archaeological remains. - I am satisfied that there would be no undue adverse impact on the historic environment.
10	To ensure appropriate	Enhanced density and scale should:	The submitted Property Management Strategy Report includes a strategy that, once operational, will ensure

	management and maintenance	• Include an appropriate management plan to address matters of security, management of public/communal areas, waste management, servicing etc.	proper management and maintenance of the development.
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Conclusion Density: Development Plan.

- 9.5.16. While acknowledging that the density of the proposed development notably exceeds the general range detailed in Table 1 of Appendix 3, the site is in a public transport corridor where the CDP strategically identifies it as an area for higher densities. As the proposed development is denser than the prevailing context, I have assessed it against the key criteria and the detailed performance criteria, as contained in Appendix 3. Following this assessment, I considered that the proposed development will contribute to the creation of a compact city where the use of urban land is optimised and will introduce a type of unit that is required in the area at a scale and design that will adequately integrate with the surrounding area and will, therefore, not be seriously harmful to the residential amenity of the surrounding properties.
- 9.5.17. Therefore, I consider that the proposed development complies with Appendix 3 of the CDP and does not constitute a material contravention of the Dublin City Development Plan 2022-2028.

Density: Compact Settlement Guidelines.

- 9.5.18. The appeal from Norwood Residents Association considers that, due to its density the proposed development is contrary the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities 2024 (Compact Settlement Guidelines). The appeal states that the 140 dph density figure exceeds the 80 dph upper bound of the density range recommended by the Guidelines for intermediate 'City-Suburban/Urban Extension' locations by some 75%. The appellants consider that the appeal site does not accept the applicant's assumption that the site meet the criteria for 'City -Urban Neighbourhoods'.
- 9.5.19. The Compact Settlement Guidelines states that City - Urban Neighbourhoods category includes:
- (i) *the compact medium density residential neighbourhoods around the city centre that have evolved overtime to include a greater range of land uses,*
 - (ii) *strategic and sustainable development locations,*
 - (iii) *town centres designated in a statutory development plan, and (iv)*

- (iv) *lands around existing or planned high-capacity public transport nodes or interchanges (defined in Table 3.8) – all within the city and suburbs area.*

9.5.20. The Guidelines states:

‘These are highly accessible urban locations with good access to employment, education and institutional uses and public transport. It is a policy and objective of these Guidelines that residential densities in the range 50 dph to 250 dph (net) shall generally be applied in urban neighbourhoods of Dublin and Cork.’

9.5.21. Table 3.8 defines High Capacity Public Transport Node or Interchange as:

‘Lands within 1,000 metres (1km) walking distance of an existing or planned high capacity urban public transport node or interchange, namely an interchange or node that includes DART, high frequency Commuter Rail, light rail or MetroLink services; or locations within 500 metres walking distance of an existing or planned BusConnects ‘Core Bus Corridor’ stop.’

9.5.22. The Beechwood Luas stop is c 1.06 km from the site. The Cowper stop is c. 1.3km, the Ranelagh stop is within c. 1.1 km, and the Milltown stop is c. 1.2km walking distance from the subject site. Access from these stops to the proposed Metro Line will be at an interchange at the Charlemont Luas Stop to access the underground metro.

9.5.23. There are numerous bus services along Milltown Road and Sanford Road adjacent to the site. The new BusConnects routes E1 and E2 commenced in January 2025. The E1 and E2 bus routes serve the areas of Northwood-Ballywaltrim and Harristown-Dún Laoghaire, respectively. These routes are along the Donnybrook Road, with the nearest bus stop approximately 530m from the site.

9.5.24. While I acknowledge that the Beechwood Luas stop is 0.06km more than the stated 1km walking distance requirement, I do not consider the difference to be material and therefore I consider that the site can be classified as lands around existing or planned high-capacity public transport nodes or interchanges and therefor classed a ‘City - Urban Neighbourhoods’.

9.5.25. The appellant, in their appeal observations, notes that the Beechwood Luas stop does not qualify as an interchange or node as it does not intersect with other transport modes. I would disagree with this interpretation. In Appendix A: Glossary of

Terms attached to the Compact Settlement Guidelines, a Transport Node or Interchange is defined as '*places of convergence and interchange between different forms of transportation*'. The Beechwood Luas stop is a place of convergence for the Luas, cycling, motorised vehicles, and pedestrians, all of which are different forms of transport.

- 9.5.26. Table 3.8 states that the highest densities should be applied at the node or interchange and decrease with distance. The density range for City - Urban Neighbourhoods is 50-250 dph (net). Given the distance of the site from the Beechwood Avenue, just over 1km, I consider the proposed density of 140dph, which is 110dph less than the upper range, is acceptable.

In accepting a higher density, the Compact Settlement Guideline requires that the proposed development respond positively to the receiving environment and not result in a significant negative impact on character (including historic character), amenity, or the natural environment. An assessment of the proposed development assimilation into the receiving environment has been discussed above in Table 9.2 as part of the requirements of CDP Appendix 3. Below is an assessment of the proposed development under the headings of Section 3.4.2. Step 2: *Considerations of Character, Amenity and the Natural Environment* of the Compact Settlement Guidelines.

Evaluation of impact on local character

- 9.5.27. The prevailing scale of the immediate area is mixed, ranging from two-storey dwellings to six apartment buildings. The site is large enough to create its own character. The urban gain in the area varies. Given the size and open nature of the site, I consider that there is capacity in the area for the level of change proposed by the development. The retention and enhancement of the parkland along the Milltown and Sandford Road, the retention of the existing boundary wall, the retention of the Chapel and Tabour house and the layout and articulation of the proposed apartment blocks will result in the proposed development responding positively and proportionately to the receiving environment.

Historic Environments

- 9.5.28. The proposed development includes the retention and repurposing of the Chapel and Tabor House, a former residential dormitory building for cultural/community use

within the development. The remaining buildings on the application site are to be demolished. It is also intended to retain and modify the extant early boundary walls on Sandford and Milltown Roads, as well as the original entrance on Milltown Road.

- 9.5.29. As assessed in Section 9.4 above, as none of the buildings are protected structures and a convincing case has been put forward, I consider that the proposed demolition is acceptable and appropriate to realise the site's development potential.
- 9.5.30. Section 10.8.1 & 10.8.2 of this report discusses the environmental effects of the proposed development on the archaeology and architectural heritage of the area.
- 9.5.31. Cherryfield Avenue and Norwood Avenue are located in areas zoned in the CDP as Z2 Residential Neighbourhoods (Conservation Areas). Given the retention and enhancement of the tree belt/ green corridor along the western boundary with Cherryfield Avenue and the distance from the two-storey residential blocks E and the three-storey element of block D from the western boundary (at least 16m and 20m respectively), I do not consider that the architectural character of the two-storey properties on Cherryfield Avenue will be significantly impacted.
- 9.5.32. While acknowledging that the proposed development will be visible from Norwood Avenue. Given the distance of Block C from the boundary with the properties on Norwood Avenue and the retention of trees along the boundary, along with the setbacks and modulation of Block D, I consider that the proposed development will not result in a significant negative impact on the essential architectural character and setting of the properties on Norwood Avenue.
- 9.5.33. While recognising that the proposed development will represent a major change in the townscape of the area, given the distance from the site to the Belmont Avenue/Eden Road Architectural Conservation Area and the retention of the existing site entrance and woodland entrance on Sandford Road, I do not consider that the proposed development will be seriously injurious to the architectural character of the Belmont/Eden Road Architectural Conservation Area.
- 9.5.34. I consider that the proposed development has achieved an acceptable balance between protecting the historic environment and utilising this urban site. The proposed development allows the Church and Tabor House to be central to the site's design and layout, thereby upholding the site's historic institutional character.

Evaluation of impact on the environment and on protected habitats and species

- 9.5.35. Section 10.6 of this report discusses the environmental effects of the proposed development on the biodiversity of the area. It concludes that the proposed development will not have a significant effect on the biodiversity of the area.
- 9.5.36. In Section 11.0 of this report, an Appropriate Assessment screening concluded that the proposed development would not be likely to give rise to significant effects on the qualifying interests and conservation objectives of the European sites

Residential Amenity

- 9.5.37. Section 9.9 of this report discusses the impact the proposed development will have on existing residential amenity. It concludes that the proposed development will not have a significant negative impact on the area's existing residential amenity.

Water supply and wastewater networks (including treatment works)

- 9.5.38. The Uisce Éireann Wastewater Capacity Register, published in April 2026, states that there is available capacity at the Ringsend Wastewater Treatment Plant. The Water Supply Capacity Register, published in April 2026, indicates that there is potential capacity available, subject to a level of service improvements. The application includes a Pre-Connection Enquiry response from Uisce Eireann, dated 22 September 2025, stating that water and wastewater connections are feasible without an infrastructure upgrade by Uisce Eireann. A response to a Design Submission from Uisce Eireann, dated 10 November 2025, is also submitted, stating that they have no objection to the proposals.

Density: Compact Settlement Guidelines: Conclusions

- 9.5.39. Considering the site's location in a City-Urban Neighbourhood of Dublin and after evaluating its centrality and accessibility to services and public transport, as well as the impact the proposed development would have on the character, amenity, and natural environment of the area, I believe that the density of 140 dwellings per hectare is suitable for this site and area, and therefore acceptable.

9.6. High-Capacity Frequent Service Public Transport.

- 9.6.1. Table 3 of CDP, the Building Height Guidelines, and the Compact Settlement Guidelines specify that enhanced density and scale should be located in areas of higher accessibility, well served by public transport with high-capacity, frequent service, and with good links to other modes of public transport. I consider that this requires further discussion at this point.
- 9.6.2. As stated above, the site is located just over 1km from the Beechwood Luas Stop and is located c.1.1km from the Ranelagh Stop, c.1.2km from the Milltown Stop and 1.3km from the Cowper Stop. I note transportforireland.ie states that the peak frequency of the Green Line Luas services is 3-4 minutes, and off-peak is 10-15 minutes. The nearest bus stop for the E1 & E2 BusConnects route is approximately 550m from the site on Donnybrook Road.
- 9.6.3. The applicant's Planning Report has included an assessment of the 11no. bus stops within 1km of the application site. These are shown in the following table which has taken the peak weekday frequency for all bus routes to be between 07:00–09:00 & 16:00–18:00, Monday to Friday and peak Saturday frequency for all bus routes mentioned throughout this Report to be between 08:00–10:00 & 17:00–19:00;

Table 9.3 Frequency of Bus Routes

Bus Stop	Distance from Site	Bus Route Nos.	Destinations	Peak Hour Weekday Frequency Range	Peak Hour Saturday Frequency Range
855	c. 20m	11, 44, 44D	Enniskerry, Kilternan, Sandyford Business District, & Dundrum	Every 10 – 20 minutes	Every 15 – 30 minutes
884	c. 20m	11, 44, 44D	O'Connell Street, Drumcondra Rail Station, DCU & Phoenix Park	Every 5 – 25 minutes	Every 30 minutes
775	c. 600-m	7B, 7D, 11B, 39A, 41X, 116, 118, E1, E2, X1, X2, X25, X27, X28, X30, X31, X32	Mountjoy Square, Phoenix Park, Ongar, Blanchardstown, O'Connell Street, Dawson Street, Leeson Street, DCU, Maynooth, Leixlip, Celbridge, & Lucan Village	Every 1 – 7 minutes	Every 1 – 10 minutes

758	c.700m	7B, 7D, 11B, 32X, 39A, 41X, 46n, 77X, 116, E1, E2, X1, X2, X25, X26, X27, X28, X30, X31, X32, 181 & 700 (Aircoach)	Malahide, Portmarnock, Connelly Station, Mountjoy Square, Phoenix Park, Ongar, Blanchardstown, O'Connell Street, Dawson Street, Leeson Street, DCU, Maynooth, Leixlip, Celbridge, Lucan Village & Dublin Airport	Every 1 – 7 minutes	Every 1 – 10 minutes
772	c.800m	7B, 7E, 7D, 39A, 41X, 116, 118, 133, E1, E2, X1, X2, X25, X27, X28, X30, X31, X32	Mountjoy Square, Ongar, O'Connell Street, Dawson Street, Leeson Street, DCU, Maynooth, Leixlip, Celbridge, & Lucan Village	Every 1 – 7 minutes	Every 1 – 10 minutes
760	c.800m	7B, 7D, 32X, 39A, 41X, 46n, 77X, 116, 133, E1, E2, X1, X2, X25, X26, X27, X28, X30, X31, X32, 120a, 181	UCD, Dundrum, Sandyford Business District, Stillorgan, Bray, Newcastle, Wicklow Town, Glendalough, Dún Laoghaire & Greystones	Every 1 – 8 minutes	Every 1 – 12 minutes
2889	c.150m	44 & 44D	O'Connell Street, Drumcondra Rail Station & DCU	Every hour	Every hour
2815	c.300m	44 & 44D	Enniskerry, Kilternan, & Dundrum	Every hour	Every hour
851	c.1km	11, S2	Phoenix Park, Heuston Station, St. Jame's Hospital, Crumlin, Enniskerry, Kilternan, Sandyford Business District, & Dundrum	Every 5–15 minutes	Every 5–15 minutes
903	c.1km	11, S2	Leeson Street, Dawson Street, O'Connell Street, Ballsbridge, Poolbeg & Phoenix Park	Every 5-30 minutes	Every 10-15 minutes

- 9.6.4. I note that the NTA's Public Transport Accessibility Level (PTAL) tool, which gives an idea of how well connected an area is to Public Transport services, indicates that the entrance to the site on Sandford Road has a Medium-high level of service.
- 9.6.5. The applicant has submitted a comprehensive Public Transport Capacity Assessment. Given the legal history of this site's development, it is understandable that the applicant has provided this level of analysis and assessment.
- 9.6.6. Both the Building Height Guidelines and Table 3 of Appendix 3 of the CDP require that enhanced density and scale should be at locations of higher accessibility, well served by public transport with high-capacity, frequent service, with good links to other modes of public transport. It is my opinion that if the site is served with high-capacity, frequent services, then higher density may be acceptable, and that there is no requirement for the applicant to prove or assess the available capacity of the high-capacity, frequency public transport service at the time of the application. I note that in Compact Settlement Guidelines, *Appendix C: Supplement Information for Planning Applications*, a Public Transport Capacity Assessment is not included as supplemental information that may assist in the consideration of planning applications. I consider that, when assessing density, a Public Transport Assessment is not required for Large Residential Developments, and that this application should not be seen as a precedent for future similar developments.
- 9.6.7. Notwithstanding my comments above, I have appraised the submitted Public Transport Assessment. As part of the assessment, a public transport capacity survey was carried out on 25th November 2025. Surveys were conducted at various stops near the site to estimate the number of passengers using bus and LUAS services during the AM and PM peak periods. Both the Luas and Bus surveys provide detailed information on departure time; the number of passengers alighting and boarding; the number of passengers left at the bus stop; the occupancy on arrival (%), and the estimated number of passengers on arrival. The survey results provided a basis for the public transport capacity analysis. Using the TRICS database, public transport user rates for developments of similar characteristics and land uses were determined. Based on these trip rates, potential peak hour public

transport use was calculated based on 556 no. apartments, 6 houses, a 375m² creche, a 1,698 m² of community / cultural use and 179 m² café/restaurant.

9.6.8. Using the survey results and the calculated trip rates the stated key findings from the assessment include the following:

- *The survey and analysis undertaken shows that the Sandford Road site is currently well served by high-frequency bus and LUAS services, which have some existing spare capacity.*
- *The demand for public transport generated by the future Sandford Road development residents can be catered for by the existing bus and LUAS services.*
- *Some LUAS services have reached capacity at peak hours but the worst-case trip generation for the proposed development is 72 trips for the AM peak service and 60 trips for the PM peak service which only equates to between 1% and 2% of the current LUAS trips.*
- *In the event of any rise in passenger numbers in the years to come, the NTA will respond to this increased demand with higher bus frequencies. The measure (Measure BUS5) can be found in the 2022-2042 Transport Strategy for the Greater Dublin Area.*
- *No capacity constraints in the adjacent bus or LUAS network, either current or planned, are anticipated, based on the analysis and modelling undertaken.*

9.6.9. I consider that the findings of the Public Transport Capacity Assessment are reasonable. The report has highlighted that the existing bus services can facilitate the number of trips generated by the proposed development. It also highlighted that the Luas network can accommodate additional trips for the majority of journeys. For journeys where capacity has been reached, the additional trips from the proposed development amount to between 1% and 2% of current Luas trips. Given the available capacity in the bus service in the areas, I do not consider this increase in trips to be significant. I also note that in the NTA Transport Strategy for the Greater Dublin Area 2016-2035, that a Luas Green Line Capacity upgrade is proposed as part of the Metro South project. This will require an upgrading of the green line to metro standard through the extension of new Metro North southwards, via a tunnel, to join the Green Line in the Ranelagh area. The NTA Transport Strategy states that

the upgrade ‘will enable the through running of Metro trams from Swords to Bride’s Glen. The upgrading of the Luas Green Line to Metro will ensure that growth along this corridor can be accommodated and, in combination with new Metro North to Swords, will provide Dublin with a high-capacity, high-frequency cross-city rail corridor serving critical destinations at Dublin Airport, Dublin City University, the City Centre and Sandyford directly.’

Conclusion

- 9.6.10. Given the frequency of the High-Capacity Luas Green Line, which is just over 1km from the site, and the frequency of the bus services in the immediate area and having regard to PTAL, I consider that the site is well served by public transport with high-capacity, frequent service with good links to other modes of public transport.

9.7. Building Height

- 9.7.1. The appellants and the observers have raised the issue of the height of the proposed development being contrary to the Urban Development and Building Height Guidelines for Planning Authorities 2018 (Building Height Guidelines). The proposed development ranges in height from 2 to 8 storeys.
- 9.7.2. Policy SC16 Building Height Locations of the CDP states that the council will ‘recognise the predominantly low rise character of Dublin City whilst also recognising the potential and need for increased height in appropriate locations including the city centre, Strategic Development Zones, Strategic Development Regeneration Areas, Key Urban Villages and other locations as identified in Appendix 3, provided that proposals ensure a balance with the reasonable protection of existing amenities and environmental sensitivities, protection of residential amenity and the established character of the area.’
- 9.7.3. Section 9.5 above, I analysed both the height and the density of the proposed development against the criteria in Table 3, where I concluded that the height and the density are acceptable for this site in this location. I refer the Commission to Section 8.6, Residential Amenity – Existing, for a detailed analysis of each apartment block’s impact on the residential amenity of Cherryfield Avenue and Norwood Park,

as well as Section 9.8, which addresses Chapter 9 of the EIAR, Landscape and Visual Amenity.

- 9.7.4. In the Section 28 Urban Development and Building Heights - Guidelines for Planning Authorities 2018 (Building Height Guidelines), there is a stated presumption in favour of building of increased height in town/city cores and in other urban locations
- 9.7.5. Section 3.1 of the Building Height Guidelines requires that Planning Authorities must apply broad principles when considering development proposals for buildings taller than prevailing building heights in urban areas. These principles are discussed below:

Does the proposal positively assist in securing National Planning Framework objectives of focusing development in key urban centres and in particular, fulfilling targets related to brownfield, infill development and in particular, effectively supporting the National Strategic Objective to deliver compact growth in our urban centres?

The proposed development is in line with the National Strategic Outcome No.1 Compact Growth. The provision of residential development on an underutilised accessible urban site complies the objectives of the NPF including NPO 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*, NPO 43: *Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location* and NPO 45: *Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration, increased building height and more compact forms of development.*

Is the proposal in line with the requirements of the development plan in force and which plan has taken clear account of the requirements set out in Chapter 2 of these guidelines?

The proposed development is in line with the requirements of the Dublin City Development Plan 2022-2028, which has taken into account the Building Height Guidelines. In particular, the proposed development complies with the requirements

of Appendix 3: Achieving Sustainable Compact Growth Policy for Density and Building Height in the City of the CDP, (See Section 8.3 of this report).

Where the relevant development plan or local area plan pre-dates these guidelines, can it be demonstrated that implementation of the pre-existing policies and objectives of the relevant plan or planning scheme does not align with and support the objectives and policies of the National Planning Framework?

As stated above, the CDP has taken into account the Building Height Guidelines.

9.7.6. SPPR 3 of the Building Height Guidelines allows for development to be approved even where specific objectives of the relevant development plan or local area plan may indicate otherwise when a set of stated criteria is complied with. I therefore consider it is appropriate to further assess the height of the proposed development against the Development Management Criteria in section 3.2 of the Building Height Guidelines. I note the appeal from the Norwood Park Residents Association states that the excessive building height is contrary to the Building Height Guidelines. It states that the proposed development does not adhere to the 'Development Management Principles' as the application does not include an assessment of the impact of the development on the 'essential open character' of the site within the meaning of the 'Z12' Zoning objective. It is also suggested that the site is not located in an area which is suitable for taller buildings within the meaning of those Guidelines. As stated above in Section 8.3, the proposed development, in principle, complies with the zoning objective due to its use and the provision of over 25% of the site area as open space. The assessment of the height of the proposed development using both Appendix 3 and against the Development Management Criteria ascertains the suitability of the site to accommodate taller buildings.

9.7.7. **Table 9.4 Assessment of the Proposed Development against the Development Management Principles (SPPR 3) Building Height Guidelines.**

At the scale of the relevant city/town	
The site is well served by public transport with high capacity, frequent service and good links to other modes of public transport.	The site is located just over 1km from the Beechwood Luas Stop and is located c.1.1km from the Ranelagh Stop, c.1.2km from the Milltown Stop

	and 1.3km from the Cowper Stop. The nearest bus stop for the E1 and E2 BusConnects Route on Donnybrook Road is c.550m from the site. There are multiple additional bus routes within 1km of the site. I therefore consider the site to be well served by high-capacity, frequent service. (See Section 8.3 of this report)
Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/ enhance the character and public realm of the area, having regard to topography, its cultural context, setting of key landmarks, protection of key views. Such development proposals shall undertake a landscape and visual assessment, by a suitably qualified practitioner such as a chartered landscape architect.	The application includes a Landscape and Visual Assessment, which is the subject of Chapter 9 of the EIAR. The proposed development, which includes the repurpose of Tabor House and the Church, has regard to the cultural context. The proposed development will improve the public realm by dedicating 35.3% of the site to public open space. While the proposed development will be a significant intervention in the area, it will enhance the urban character of the area and provide a new residential community.
On larger urban redevelopment sites, proposed developments should make a positive contribution to place-making, incorporating new streets and public spaces, using massing and height to achieve the required densities but with sufficient variety in scale and form to respond to the scale of adjoining	The proposed development will contribute to place-making by the creation of a new primary access route through the site from the new entrance on Milltown Road to the existing entrance on Sandford Road. A variety of block sizes and heights (2-8 storeys) is proposed, and regard has been had to the scale of the adjoining development

developments and create visual interest in the streetscape.	by the provision of a part 1-2 storey block to the west of the site and the separation distances from block A1 and C and the neighbouring residential boundaries.
At the scale of district/ neighbourhood/ street	
The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape	The proposed development responds to its natural and built environment by setting the apartment blocks back from the boundaries, allowing for the retention and enhancement of woodland and tree-planted areas on the site. The 8-storey elements of the site will provide a strong 'urban marker' at the Sandford and Milltown Roads and will make a positive contribution to the streetscape.
The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials / building fabric well considered.	While block A is a long block, it is interrupted by a three-height undercroft and broken down by setbacks, articulation of the elevations, and the use of a variety of materials.
The proposal enhances the urban design context for public spaces and key thoroughfares and inland waterway/ marine frontage, thereby enabling additional height in development form to be favourably considered in terms of enhancing a sense of scale and enclosure while being in line with the requirements of "The Planning System and Flood Risk Management –	The provision of permeable links across the site and the opening up of the site from Milltown Road and Sandford Road will improve the urban streetscape. The <i>Specific Site Flood Risk Assessment</i> prepared by DBFL Consulting Engineers identifies the site to be located within Flood Zone C and concludes that the proposed

Guidelines for Planning Authorities” (2009).	development is appropriate for the site’s flood zone category.
The proposal makes a positive contribution to the improvement of legibility through the site or wider urban area within which the development is situated and integrates in a cohesive manner.	The provision of permeable links through the site and the facilitation of future potential links to the remaining Z15 institutional lands to the south-west will enhance connectivity for the wider area.
The proposal positively contributes to the mix of uses and/ or building/ dwelling typologies available in the neighbourhood.	The mix of primarily 1 and 2-bed units with 3-bed units proposed will provide an appropriate mix of dwelling typologies in the area. The community and cultural spaces will make a positive contribution to the uses available in the area.
At the scale of the site/building	
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.	The proposed development has been designed to ensure the existing residential amenity will not be significantly impacted by overshadowing. (See Section 8.6). The design and layout of the proposed development will ensure the occupants will have adequate access to natural daylight and sunlight. (See Section 8.7)
Appropriate and reasonable regard should be taken of quantitative performance approaches to daylight provision outlined in guides like the Building Research Establishment’s ‘Site	A Daylight and Sunlight Assessment Report has been submitted. The proposed development has been assessed against the provisions of <i>Building Research Establishment’s ‘Site</i>

Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'.	<i>Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'.</i>
Where a proposal may not be able to fully meet all the requirements of the daylight provisions above, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, in respect of which the planning authority or An Bord Pleanála should apply their discretion, having regard to local factors including specific site constraints and the balancing of that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and or an effective urban design and streetscape solution.	The Daylight and Sunlight Assessment has identified some units with reduced daylight access and sunlight exposure. These are typically due to localised constraints, the provision of balconies, and single-aspect units. These are considered acceptable given the overall layout of the development, the retention of mature trees, especially along the boundaries and the provision of accessible public space and permeable routes.
Specific Assessment To support proposals at some or all of these scales, specific assessments may be required and these may include:	
Specific impact assessment of the micro-climatic effects such as downdraft. Such assessments shall include measures to avoid/ mitigate such micro-climatic effects and, where appropriate, shall include an assessment of the cumulative micro-	Chapter 17 of the EIAR assesses the microclimate wind conditions experienced within and surrounding the proposed development. It concludes that <i>'the arrangement of the apartment blocks has been carefully chosen to help mitigate increased wind speeds throughout the site. The central areas</i>

climatic effects where taller buildings are clustered.	<i>within the development are well protected from the predominant South-West wind direction via the buildings located to the south-west. Furthermore, an internal courtyard space has been incorporated within Block B and C which provides a sheltered area for pedestrians to utilise throughout the year.'</i>
In development locations in proximity to sensitive bird and/or bat areas, proposed developments need to consider the potential interaction of the building location, building materials and artificial lighting to impact flight lines and/or collision.	The proposed development will not have a significant effect on the Bird and Bat population in the area. See EIAR & AA Assessment and EIAR Chapter 8.
An assessment that the proposal allows for the retention of important telecommunication channels, such as microwave links.	A Telecoms Impact Assessment has been submitted, which concludes that the proposed development does not impact on any existing Telecommunication Channels
An assessment that the proposal maintains safe air navigation.	A Glint and Glare Assessment has been submitted with the application, which concludes that the proposed PV arrays at the proposed development result in a 'Pass' at the Rathmines aviator receptor.
An urban design statement including, as appropriate, impact on the historic built environment.	An urban design statement has been included with the application. This includes a feasibility study of the reuse of the existing buildings.

Relevant environmental assessment requirements, including SEA, EIA, AA and Ecological Impact Assessment, as appropriate.	An AA screening report, an EIAR, a Biodiversity Enhancement Plan, an Invasive Species Assessment and a Habitat Management Plan have been submitted with the application.
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Having regard to the above table, I consider that the proposed development satisfies the Development Management Criteria of the Building Height Guidelines. I therefore consider that the site is an appropriate location for the proposed height of the development.

9.8. Daylight and Sunlight Assessment Methodologies

- 9.8.1. The appellant claims that the applicant's approach in the Day and Sunlight Assessment (December 2025) does not properly reflect the recommendations of the BRE *Site layout planning for daylight and sunlight: A guide to good practice* and BS EN 17037: 2018 could dilute the interpretation of the likely impact of the proposed development on the neighbouring existing buildings.
- 9.8.2. The appellant considers the applicant's method of determining a minimum target value of Vertical Sky Component (VSC) is not a correct application of the BRE guidelines, and that the correct methodology for generating alternative target values is set out in Appendix F of the BRE Guidelines.
- 9.8.3. In determining recommend minimum VSC value, the applicant calculated the 80% of the *Baseline VSC value*. If this value was above the 27% threshold, a target value of 27% was applied. If 80% of the baseline value was below 27%, then 80% of the baseline value was considered the appropriate target value.
- 9.8.4. In their response to the appeal, 3D Design Bureau, on behalf of the applicant, states that the approach taken is a standard application of the VSC impact assessment in accordance with the criteria of the BRE guidelines.
- 9.8.5. Section 2.27 of BRE Guidelines states that '*If the VSC, with the new development in place, is both less than 27% and less than 0.80 times its former value, occupants of the existing building will notice the reduction in the amount of skylight.*'

- 9.8.6. This allows for the VSC to be less than 27% but only if not less than 0.80 times an existing window's former value. This accounts for existing windows that, without the proposed development, already have a VSC of less than 27%. Having regard to the BRE Guidelines, I consider that the approach taken by the applicant was acceptable and do not consider the target values to be alternatives and therefore not necessary to use Appendix F of the Guidelines, which offers advice on setting alternative target values. As the applicant's calculation of VSC is in line with the BRE Guidelines, I do not consider that the members of the public would have been misled.
- 9.8.7. The appellant also considers that the assessment of Daylight Analysis with the proposed development assumes brighter materials and more transparent glass than is recommended by relevant standards, including and BS EN 17037: 2018 and Table C4 of the BRE Guidelines. Section C23 of Appendix C BRE Guidelines states that *'Surface reflectances should represent real conditions. Where reflectance values have not been measured or specified, default values to be used in the calculation are given in Table C4'*. Therefore, where reflectance values are specified, the recommended default surface reflectances need not apply.
- 9.8.8. In their response to the appeal, 3D Design Bureau states that the calculation for the sunlight and daylight was carried out using values for materials specified by the project architects. These were detailed in Table No.2.5.1 of the Daylight and Sunlight Assessment Report. The 3D Design Bureau states that while the reflective and transmittance values used in the submitted daylight and sunlight report are at the upper end of the permissible range, they reflect real-world, high-specification materials designed for the site's core urban location. I am satisfied with the applicant's response and consider the values acceptable.
- 9.8.9. I am satisfied that the methodologies used in the Daylight and Sunlight Assessment Report are sufficient and robust enough to fully assess the impact of the proposed development on the residential amenity, in terms of sunlight and daylight, of the existing dwelling in the area and on the future occupants of the development.

9.9. Residential Amenity: Existing

Impact of Block A

- 9.9.1. Concerns have been raised in the appeal by residents of Norwood Avenue and in an observation regarding the impact of Block A1 on their residential amenity. Block A1 contains a five-storey element, which is the closest element to the rear of the properties on Norwood Avenue. The remainder of Block A1 is seven to eight storeys. The five-storey element is over 46.5m from the rear elevation of the nearest property on Norwood Avenue and c.25m from the nearest rear garden boundary. The seven and eight-storey sections of Block A1 are at a minimum an additional 21m from the rear of properties on Norwood Avenue. I also note the terrace on the fourth floor is set back more than 8m from its western elevation. This setback will prevent significant overlooking of the properties on Norwood Avenue from the terrace. I consider the distance of Block A1 from the site boundary to be substantial and sufficient to prevent significant overlooking of the Norwood Avenue from the windows, the balconies or the setback terrace of Block A1.
- 9.9.2. The submitted Daylight and Sunlight Assessment has assessed the impact of the proposed development on the sunlight entering the windows of the affected properties on Norwood Avenue and on sunlight entering their rear gardens.
- 9.9.3. It can be seen from the Daylight and Sunlight Assessment that the effect on the Average Sun Hours in the existing gardens of 1-11 Norwood Park, with the development in place, the percentage of existing rear garden areas to receive above 2 hours of sunlight on March 21st is well in excess of the recommended BRE Guidelines minimum of 50%. Therefore, the proposed development, including Block A, will not result in significant overshadowing of the rear amenity areas of the properties of Norwood Park.
- 9.9.4. The Daylight and Sunlight Assessment has evaluated the effect the proposed development will have Vertical Sky Component (VSC) on the properties of Norwood Park. The BRE Guidelines state that in order for a proposed development to have a noticeable effect on the VSC of an existing window, the value needs to both drop below the stated target value of 27% and be less than 0.8 times the baseline value. The rear windows of No.1-11 Norwood Park were assessed and the VSC for all

windows after the construction of the proposed development are BRE compliant. I am satisfied with these results.

- 9.9.5. The Daylight and Sunlight Assessment has assessed the impact the proposed development will have on the percentage of probable sunlight hours that the assessed window/room can receive. These are the Annual/Winter Probable Sunlight Hours (APSH/WPSH). The rear windows of No.1-11 Norwood Park were assessed and the APSH/WPSH for all windows after the construction of the proposed development are BRE compliant. I am satisfied with these results.
- 9.9.6. The proposed development will represent a considerable intervention in the area. However, given the distances from Block A to the Norwood properties, I do not consider that the proposed development will appear overbearing when viewed from the properties on Norwood Avenue.

Impact of Block C

- 9.9.7. Concerns have also been raised in the appeal from the residents of Norwood Avenue relating to the impact of Block C on their residential amenity. The first four floors of Block C are at a distance of c.32.6m from the rear elevations of properties on Norwood Avenue. The fifth floor is set back an additional 5.49m. There is a sedum roof at this level with maintenance access only. The tree-lined boundary between the site and the properties on Norwood Avenue is to be retained. I consider that the separation distance of 32/38m is adequate to ensure that there will not be significant negative overlooking of the Norwood Avenue properties.

As stated above, the proposed development will not, in its entirety, result in significant overshadowing of the rear amenity areas of the properties in Norwood Park; therefore, Block C will not create significant overshadowing of the existing rear amenity areas.

As stated above, the proposed development will not, in its entirety, result in significant loss of daylight and sunlight to the properties in Norwood Park; therefore, Block C will not result in a loss of daylight and sunlight to the adjoining properties.

Given the distances from Block C to the Norwood properties, I do not consider that the proposed development will appear overbearing when viewed from the properties on Norwood Avenue.

Impact of Block D

- 9.9.8. One of the appellants raised concerns about Block D and its impact on properties along Cherryfield Avenue Upper, suggesting that the 3-storey part of the block should be reduced to 2 storeys, while the remaining section should be 3 storeys. At its closest, Block D is 19.6m from the boundary of properties on Cherryfield Avenue and over 30m from the nearest rear return on Cherryfield Avenue. I believe the distance from the three-storey section of Block D to Cherryfield Avenue will prevent significant overlooking of the dwellings. The five-storey section of Block D is over 40m from the nearest rear return on Cherryfield Avenue; I also consider that this distance will prevent any substantial overlooking. Therefore, I believe that the proposed Block D will not adversely affect the residential amenity of Cherryfield Avenue and does not require a reduction in scale.
- 9.9.9. The Daylight and Sunlight Assessment evaluate the effect on the Average Sun Hours in the existing gardens of 28-55 Cherryfield Avenue Lower and 1-9 Cherryfield Avenue Upper, by calculating the % of existing rear garden area to receive above 2 hours of sunlight on March 21st with the development in place. BRE Guidelines states that in order for a proposed development to have a noticeable effect on the amount of sunlight received in an existing garden or amenity area, the value needs to both drop below the stated target value of 50% and be reduced by more than 20% of the existing value. While some properties will drop below the 50% target value, the amount will not be reduced by more than 20% of their existing value and therefore will not be noticeable and are compliant with the BRE Guidelines.
- 9.9.10. Therefore, the proposed development, including Block D, will not result in significant overshadowing of the rear amenity areas of the properties of Cherryfield Avenue, Lower and Upper.
- 9.9.11. The Daylight and Sunlight Assessment has evaluated the effect the proposed development will have Vertical Sky Component (VSC) on the properties of Cherryfield Park Upper and Lower. The rear windows of No.28-35 Cherryfield Avenue Lower and 1-20 Cherryfield Avenue Upper were assessed, and the VSC for all windows after the construction of the proposed development are BRE compliant. I am satisfied with these results.

9.9.12. The Daylight and Sunlight Assessment has assessed the impact the proposed development will have on the percentage of probable sunlight hours that the assessed window/room can receive. These are the Annual/Winter Probable Sunlight Hours (APSH/WPSH). The rear windows of No.28-35 Cherryfield Avenue Lower and 1-20 Cherryfield Avenue Upper were assessed. Six of the 97 windows assessed for APSH will have a minor adverse effect. For WPSH, one of the windows will have a minor adverse effect, 2no will have a moderate adverse effect, and 3 will have a major adverse effect. Given that less than 6% of the windows assessed will not be BRE compliant, the result of the VSC assessment and the wider benefit that the proposed development will provide, including compact growth and the provision of accessible open space, I consider that the proposed development will not be significantly negative impact on the Annual/Winter Probable Sunlight Hours Annual/Winter Probable Sunlight Hours.

Impact of Block E

9.9.13. One of the appellants contends that Block E should be removed or, at a minimum, reduced to a single storey with no overlooking terraces.

9.9.14. Block E consist of six part two-storey dwellings with no windows on the first floor facing the properties on Cherryfield Avenue. In their response to the appeal, the applicant states that Block E has changed from 24 no duplex units to the lesser proposal on foot of the Cherryfield Residents' concerns in the appeal on the previous LRD on this site (ACP Ref: 317921). The first-floor terrace of the proposed dwellings faces both north and south. The nearest point of any of the first-floor terraces to the rear garden boundary of any of the properties on Cherryfield Avenue is over 15m. A linear landscaped area consisting of existing trees supplemented with additional tree planting takes up at least c.11m of that 15m distance. The closest distance from the rear terraces of Block E to the windows of the rear returns of the dwellings on Cherryfield Avenue is over 22m. The CDP does not specify a minimum distance from terraces to opposing windows; however, Section 15.9.17 states that, traditionally, a minimum distance of 22m is required between opposing first-floor windows. I consider this a reasonable metric for assessing the impact of a first-floor terrace. It is worth noting that SPPR 1of the Compact Settlement requires that when considering a planning application for residential development, a separation distance of at least 16 metres between opposing windows serving habitable rooms shall be maintained.

As the minimum distance from the rear terraces of Block E to the windows of the rear returns of the dwellings on Cherryfield Avenue is over 22m, I consider that there will not be significant overlooking of the properties on Cherryfield Avenue from the proposed first-floor roof terraces.

- 9.9.15. As stated above, the proposed development will not, in its entirety, result in significant overshadowing of the rear amenity areas of the properties in Cherryfield Avenue Upper and Lower; therefore, Block E will not create significant overshadowing of the existing rear amenity areas.
- 9.9.16. As stated above, the proposed development will not, in its entirety, result in significant loss of daylight and sunlight to the properties in Cherryfield Avenue Upper and Lower; therefore, Block E will not result in a loss of daylight and sunlight to the adjoining properties.
- 9.9.17. The appellants also raised concerns that the proposed bin/bike store in the northwestern corner of the site, adjacent to Block E, will negatively affect the residential amenity of Cherryfield Avenue due to noise and disturbance. I note the close proximity of the bike store to the rear of properties on Cherryfield Avenue. At this point, the dwellings on Cherryfield Avenue have limited rear garden length, and I consider the bike store in this location could lead to a significant loss of amenity for the neighbouring properties. I note that the permission granted by Dublin City Council includes a condition excluding this bike store and requiring the retention of the tree at this location. If the Commission is minded to grant permission, I recommend a similar condition be attached to improve the outlook from the rear of the Cherryfield Avenue Lower properties.

Conclusion

- 9.9.18. While recognising that the proposed development will be a significant intervention in the area, I consider that it, and the apartment blocks that make up the development, will not be seriously injurious to the area's residential amenity. The proposed separation distances between the existing residential properties, the form and design of the buildings, and the proposed and existing landscaping will all ensure that the proposed development will not have a seriously negative effect on the residential amenity of Cherryfield Avenue and Norwood Park.

9.10. Residential Amenity Proposed

Apartment Standards

- 9.10.1. The planning application for the proposed development was lodged on 25th February 2026, and I am therefore relying on the Planning Design Standards for Apartments: Guidelines for Planning Authorities, 2025 (Apartment Guidelines 2025), which came into effect on 8th July 2025, when assessing the proposed development.
- 9.10.2. In the appeal from the Cherryfield Residents Association, the accompanying letter from FP Logue contends that the reliance placed on the Apartment Guidelines 2025. He states that these guidelines were not subject to SEA and therefore these cannot be used to derogate from the CDP. It is also stated that issues concerning the applicability of the SEA Directive to the Apartment Guidelines 2025 are subject to pending litigation in the High Court (*McDonald and others v Minister for Housing and others* 2025/1464 JR) and the Court of Justice (C-116/26).
- 9.10.3. The Apartments Guidelines 2025 are Section 28 Guidelines which set national planning policy and guidance in relation to the planning and development of apartment schemes to take account of current Government policy and economic, social and environmental considerations. Section 28 of the Planning and Development Act 2000 (as amended) provides that planning authorities and An Coimisiún Pleanála shall have regard to Ministerial Guidelines and shall apply any specific planning policy requirements (SPPRs) of the Guidelines, within the meaning of Section 28 (1C) of the Planning and Development Act 2000 (as amended), in the performance of their functions. There has been no direction from the Department of Housing, Local Government and Heritage not to apply the specific planning policy requirements (SPPRs) of the Guidelines, nor has there been a ruling from the Courts. I will therefore apply the relevant SPPRs of the 2025 Guidelines to the proposed development.

Specific Planning Policy Requirement 2

- 9.10.4. SPPR 2 requires the following minimum apartment floor areas:
- Studio apartment (1 person) 32sq.m
 - 1-bedroom apartment (2 persons) 45 sq.m
 - 2 bedroom apartment (3 persons) 63 sq.m

- 2-bedroom apartment (4 persons) 73 sq.m
- 3-bedroom apartment (4 persons) 76 sq. m
- 3-bedroom apartment (5 persons) 90 sq.m

The applicant has submitted a Housing Quality Assessment included as Appendix C of the Masterplan and Architectural Design Statement. All of the proposed units meet or exceed the above minimum apartment floor areas.

SPPR 2 also requires that at least 25% of units within a development shall exceed the minimum floor areas set out in SPPR2 by 10%. More than 25% of the units exceed the minimum floor areas by 10%.

Specific Planning Policy Requirement 3

- 9.10.5. SPPR 3 requires that 25% of units within a development shall be required to be dual aspect. 51% of the units proposed are dual aspect, therefore SPPR 3 has been complied with.

Specific Planning Policy Requirement 4

- 9.10.6. SPPR 4 requires that for ground-level apartments, floor-to-ceiling heights shall be a minimum of 2.7m. The ground-level apartments in all blocks are at least 2.7m, and therefore SPPR 4 has been complied with.

Room Sizes and Widths

- 9.10.7. The submitted Housing Quality Assessment, prepared by OMP, and the submitted drawings detail compliance with the minimum room size and width requirements set out in the Apartment Guidelines.

Minimum Storage Space Requirements

- 9.10.8. The submitted Housing Quality Assessment, prepared by OMP, and the submitted drawings detail compliance with the minimum storage space requirements set out in the Apartment Guidelines.

Private Open Space

- 9.10.9. The submitted Housing Quality Assessment, prepared by OMP, and the submitted drawings detail compliance with the minimum private open space requirements set out in the Apartment Guidelines.

Communal Open Space

9.10.10. Based on the composition of the proposed 70 No. studios, 176 No. one-bed units, 54 No. two-bed units (3-person), 213 No. 2-bed units (4-person) and 43 No. three-bed units, the subject scheme requires 3,362 sq m of communal amenity space to meet the minimum standards outlined in the Apartment Guidelines. The subject scheme includes 4,423 sq m of communal amenity space, which significantly exceeds the minimum requirement set out in the Apartment Guidelines. I consider that the quality and variety of the communal open space will provide a high level of residential amenity.

Apartment Standards: Conclusion

9.10.11. I consider that the proposed development complies with the requirements of the Apartment Guidelines 2025, and in this regard will provide the occupants of the proposed development with an acceptable level of residential amenity.

Creche

9.10.12. A creche is proposed on the ground floor of Block F within the development. The proposed creche has been designed and sized to provide 75 No. childcare spaces to cater for the proposed development and the local community.

9.10.13. The Childcare Guidelines, 2001 stipulate that Planning Authorities should require one childcare facility (providing for a minimum of 20 childcare places) per approximately 75 No. dwellings. The Apartment Guidelines state that 'one-bedroom or studio type units should not generally be considered to contribute to a requirement for any on-site childcare provision and subject to the factors above, this may also apply in part or whole, to units with two or more bedrooms.'

9.10.14. The proposed development includes 562 residential units, of which 246 are studios or one-bedroom units, which do not contribute to any on-site childcare requirement. The Apartment Guidelines state 'the threshold for provision of any such facilities in apartment schemes should be established having regard to the scale and unit mix of the proposed development, the existing geographical distribution of childcare facilities and the emerging demographic profile of the area'.

- 9.10.15. A Community and Social Infrastructure Audit (including Schools and Childcare) has been submitted with the application. The Audit estimated that 47 No. children aged 0–6 years may reside in the proposed development and that there is a potential need for c. 11 No. childcare places to be available to support the additional local need. I consider these estimates to be reasonable.
- 9.10.16. I therefore consider that providing a 75-space childcare facility is sufficient for the development and surrounding areas. The creche's location, adjacent to The Chapel, Tabor House, and the café, and near the site entrance, is suitable.

Daylight and Sunlight

- 9.10.17. The issues raised in the appeal from the Norwood Park Residents Association relating to the methodologies used in the Sunlight and Daylight Assessment is discussed in Section 8.5 of this report, where I consider that the assessment is robust and acceptable.
- 9.10.18. The assessment analysed the sunlight and daylight performance for the proposed apartments. Under the criteria set out in BR 209, considering trees, the SDA value in 1286 No. habitable rooms meet or exceed the relevant target values. This results in a compliance rate of approximately 91%. The additional SDA assessment, which excludes trees, shows a compliance rate of 94%. This indicates that retaining existing trees and planting new ones on site affect daylight access in some of the proposed units. The report has highlighted compensatory measures for each apartment which contains a room that does not achieve the recommended daylight levels in BR 209. The compensatory measures include oversized units, outlook of units to open woodland, dual-aspect living rooms, direct views to the green boulevard and oversized balconies.
- 9.10.19. The Sunlight and Daylight Assessment has analysed the amount of sunlight the proposed outdoor amenity areas will receive. Of the public open space areas, the Woodlands Glade and the Parkland and Plaza achieve a level of compliance with the BRE guidance. While the Green Boulevard and the Café area will achieve a 93% and 81% level of compliance, respectively. As the primary areas of public open space will comply with the BRE guidelines, I consider that, on balance, the secondary areas' non-compliance is acceptable.

9.10.20. Of the communal open space area, the Courtyard and the Walled Gardens will be BRE compliant. The north-facing Belvedere Garden, which is part of Block C, will not. I consider this a secondary area of communal open space, and, given the variety of additional open spaces in the proposed development, I consider this non-compliance acceptable.

9.10.21. Given the compliance rate and the compensatory measures, I consider that, with regard to sunlight and daylight, an acceptable balance has been achieved between the provision of residential amenity, compact growth on an urbanised site and the retention of the woodland areas and character of the site.

9.11. Communal, Community and Cultural Facilities.

9.11.1. One of the appellants states that the proposed development would materially contravene the CDP with regard to CUO25, in the absence of a full provision and detailed proposals for the future uses of the spaces set aside for cultural and community purposes.

9.11.2. It is an objective of the CDP (CUO25) to require all 'new regeneration areas (SDRAs) and large-scale developments above 10,000 sq. m. in total area* must provide at a minimum for 5% community, arts and culture spaces, including exhibition, performance, and artist workspaces predominantly internal floorspace as part of their development at the design stage. The option of relocating a portion (no more than half of this figure) of this to a site immediately adjacent to the area can be accommodated where it is demonstrated to be the better outcome and that it can be a contribution to an existing project in the immediate vicinity. The balance of space between cultural and community use can be decided at application stage, from an evidence base/audit of the area. Such spaces must be designed to meet the identified need.

*Such developments shall incorporate both cultural/arts and community uses individually or in combination unless there is an evidence base to justify the 5% going to one sector'

- 9.11.3. The proposed development includes a Cultural Infrastructure Assessment. It allocates the 4-storey Tabour House and the 2-storey Chapel for community and cultural uses.
- 9.11.4. While comprehensively detailing the possible and suitable cultural uses for Tabor House and The Chapel, the assessment states that the specific use and layout of these spaces will be agreed with Dublin City Council through compliance post-planning, as per the agreement in the LRD Opinion Meeting. This approach is considered reasonable since, by the time planning permission is granted and the scheme is constructed, approximately 2-3 years will have elapsed. Suitable end-users will then be identified for the spaces. Although the applicant has not detailed the exact balance of space between cultural and community uses, the level of detail and assessment provided in the application is adequate. Therefore, despite contravening an element of this policy, I do not believe the proposed development constitutes a material contravention of the CDP.
- 9.11.5. Given that the spaces can accommodate various cultural and community purposes, I am satisfied with this provision and believe that, if the Commission is inclined to grant permission, a condition should be attached requiring agreement with DCC on the types of uses for Tabor House and The Chapel.
- 9.11.6. Additionally, it is proposed to provide a gym, a co-working space, a management suite and a café/restaurant. These will contribute to the varied range of uses on site and will provide additional residential and community facilities.

9.12. Transport and Movement

Bicycle Parking

- 9.12.1. It is proposed to provide 1,343 bicycle spaces throughout the site. The long-stay cycle spaces are within the basement car park and are therefore covered and secure. The basement car park has a dedicated two-way cyclist ramp and a bike lift.
- 9.12.2. For a development of this scale and mix of units, the CDP minimum bike spaces standard is 1,225 spaces, and the Compact Settlement Guidelines SPPR minimum requirement is 927 spaces plus unspecified visitor spaces. Therefore, the proposed

provision of bicycle spaces exceeds the minimum standards set by both the CDP and the compact settlement guidelines.

- 9.12.3. I note that the Transportation Planning Division, in their report dated 7th January 2026, recommends that a condition be attached requiring plans and details of cycle parking provision to be submitted to and agreed in writing with the planning authority prior to commencement of development. I consider this to be reasonable.
- 9.12.4. I consider that, save for the bicycle store to the rear of Block E, as discussed in Section 8.6.18, the remaining bicycle spaces are well located in the development.

Car Parking

- 9.12.5. Concern has been raised in the appeal and observations regarding the under-provision of parking for the proposed development. The appeal from the Cherryfield Avenue Association stated that the scheme is contrary to the policies and parking standards of the development plan and the Apartment Guidelines, as the proposal does not provide at least one car parking space per unit or any adequate parking provision.
- 9.12.6. Appendix 5 of the CDP provides maximum parking standards for use in Parking Zones. The site is located in Zone 2.

Table 9.5 CDP Parking Standards applied to Proposed Development.

Use	1 No. Space Per	Proposed	Max. Spaces
Residential	Dwelling	562 dwellings	562
Creche	100sqm	380 sqm	4
Community	275sqm	1,946 sqm	8
Café/Restaurant	150sqm seating area	172 sqm	2
Total			572

- 9.12.7. A total of 319 car parking spaces is proposed. I consider this provision is in compliance with the maximum standards and therefore no material contravention of the CDP occurs. Notwithstanding this, the applicant justified the level of car parking using the criteria in Appendix 5 of the CDP, which allows a 'relaxation of maximum

standard' applicable in highly accessible locations. The applicant has demonstrated a reduction in parking needs for the development based on the criteria given in Appendix 5.

- 9.12.8. As stated in Section 9.5, I consider the site is well serviced by high-frequency public transport, the site is well connected to active travel routes, the site is within walking distance of local services/urban centres, and employment uses, and there is provision of shared mobility options (10 no. car share spaces). SPPR 3 of the Compact Settlement Guidelines provides maximum standards for car parking for residential developments. It is a specific planning policy requirement of the Guidelines that in city centres and urban neighbourhoods of the five cities, car-parking provision should be minimised, substantially reduced or wholly eliminated. The maximum rate of car parking provision for residential development at these locations, where such provision is justified to the satisfaction of the planning authority, shall be 1 no. space per dwelling. As the site is in an urban neighbourhood, the provision of 319 spaces is below the maximum rate and will comply with the Compact Settlement Guidelines policy requirement to minimise parking in such an area.

Traffic Movement.

- 9.12.9. One of the observations states that due to the large number of apartments, the proposed development will create a traffic hazard. A Traffic and Transport Assessment has been submitted with the application. The report demonstrated that as a result of the proposed development, the Sandford Road, Belmont Junction, and the Milltown Road, Sandford Road, Eglinton Road Junction will not exceed the 10% additional trips impact threshold. I therefore consider that the proposed development will not have a significant negative impact on the traffic flow at these junctions.
- 9.12.10. A junction performance analysis was carried out for the proposed main entrance junction on Milltown Road. This analysis concluded that the proposed priority-controlled junction will operate well within capacity for all the peak hour scenarios for all the design years assessed. As the above assessment analyses junction operation during the AM and PM peak hours, it represents a worst-case scenario. I am satisfied with the robustness of the analysis and therefore consider

that the proposed development will not create undue traffic hazards or disruptions as a result of increased traffic volumes.

9.12.11. The appeal from the Cherryfield Avenue Residents Association raises concerns about traffic exiting at the Sanford Road entrance. It is claimed that exiting traffic cannot safely make a right turn from this exit when cars are also turning right from Belmont Avenue into the yellow box, with all the new bollards, and the pedestrian crossing. Access to and from Sanford Road is for emergency services, disabled parking, and taxis only. A new road junction arrangement is proposed at the Sandford Road exit. This includes the upgrading of the existing pedestrian crossing and is tied in with the proposed Sandyford Clonskeagh to Charlemont Street Active Travel Scheme. I note that the report from the Transportation Planning Division dated 7th January 2026 states that the proposed works to this junction would be consistent with the Active Travel Scheme. A Preliminary Design Stage Quality Audit has been submitted with the application. It is recommended that the shared area at the Sandford Road access should be widened. Also, the proposed 2m footpath from/to the pedestrian access gates should be converted to a shared path and provided with appropriate signage and tactile paving. The applicant accepted the recommended measures. Having regard to the above, I am satisfied that the proposed secondary exit point on Sandford Road will not create a significant traffic hazard.

9.12.12. The traffic impact of the proposed development on the environment has been evaluated in Section 9.8 *Environmental Impact Assessment* of this report, where it was determined that, during the operation phase, there will be no significant environmental effects from traffic generated by the proposed development.

9.13. Other Matters

Removal of Trees

9.13.1. Concerns have been raised in the grounds of appeal regarding the loss of trees on this site, which are necessary for the proposed development. The submitted Tree Impact Assessment states that the proposed development will require the removal of 201 trees (52% of the total) due to direct impacts from the development. A further 51 trees (13% of the total) are recommended for removal based on their poor quality. A

total of 135 trees (35% of the total) will be retained, including 18 category A trees. 230 trees are proposed for planting.

- 9.13.2. It is Development Plan policy, GI41 *Protect Existing Trees as Part of New Development*: ‘to protect existing trees as part of new development, particularly those that are of visual, biodiversity or amenity quality and significance. There will be a presumption in favour of retaining and safeguarding trees that make a valuable contribution to the environment.’
- 9.13.3. The applicant’s response to the appeal states that the trees being removed are to facilitate the provision of the public open space, which will be accessible to the wider community. It is also stated that the proposed tree removal strategy is largely the same as the previous LRD on-site. The Tree Impact Assessment states that a sizeable population of low-quality trees was identified on site. A total of 387 trees were assessed, 51% were category B, 30% category C, 13% category U and 6% category A. It is claimed that many of the poor physiologies of these trees are due to a lack of management in the woodland area along the eastern boundary, resulting in tall, slender specimens with compact canopies. A total of 82% of the very high value (category A) trees are to be retained with 57% of the moderate value (category B) trees retained. The applicant states that the trees that will be removed will be replaced by a significant number of large and medium trees that will have a greater long-term benefit to ecology and biodiversity,
- 9.13.4. I note that in the Council’s Park Department, dated 8th April 2026, they voiced their concerns regarding the high impact on existing trees. They recommended attaching conditions relating to the protection of the trees to be retained.
- 9.13.5. I note that a Tree Protection Method Statement and a Tree and Woodland Management Plan have been submitted with the application, which aim to protect the trees during the construction phase and ensure that retained trees within the woodland area become enjoyable recreational spaces whilst maintaining a balance between public usage, ecology and safety.
- 9.13.6. The effect of the proposed development on the Biodiversity of the area has been discussed in the EIAR assessment, Section 10.6 of this report. It concluded that the proposed development will not have a significant effect on the environment with regard to biodiversity.

- 9.13.7. I note the Council's Planner's Report, which has concerns relating to the proposed loss of Tree 22, Tree 128 and Tree 91 for the provision of bicycle parking. I also consider that these trees should be retained, and the bicycle parking be relocated. If the Commission is minded to grant permission, I recommend that a permission be attached requiring the retention of these trees.
- 9.13.8. While recognising that the proposed development will impact the existing trees, given the planned tree planting and the proposed Tree and Woodland Management, and subject to the attachment of conditions to retain certain trees, I believe that the development will strike a reasonable balance between retaining current trees, enhancing the existing woodland, increasing access to public open space, and developing the site for a new residential community while supporting compact growth.

Design of Block E

- 9.13.9. One of the observers claims that the proposed dwellings in Block E are of poor architectural quality and do not harmonise with the local character. They also recommend omitting Block E. I note that in their report on the application, the council Conservation Officer, while recommending that the development be granted, states, 'Notwithstanding the two-storey height of the proposed townhouses in Block E to the rear of the existing houses on Cherryfield Avenue, their 'girth' and form in contrast to the fine grain of the Cherryfield Avenue houses is substantial.' I do not agree with this comment. The separation distance between Block E and Cherryfield Avenue, and the linear tree planting, allows the proposed development, including Block E, to create its own character without negatively impacting the architectural character of the Z2 Residential Neighbourhoods (Conservation Areas) of Cherryfield Avenue and Norwood Park. I therefore consider the proposed design of Block E an acceptable element of the overall development.

Judicial Review

- 9.13.10. I acknowledge the concerns raised in one of the observations regarding the site's planning and legal history. It is claimed that the proposed development is

almost identical to the previous LRD scheme on this site, which is currently under judicial review. It is questioned how the outcome would affect the current application if the fundamental tenet of the scheme is refused or struck down. This is a standalone planning application that is materially different from the previous application. The total number of residential units has reduced from 636 No. to 562 No. (74 No. fewer units) and the height of the block A1 has been reduced from 10 to 8 storeys. Therefore, I consider it appropriate that this applicant is assessed on its own merits.

Build to Sell

9.13.11. I note the concerns raised in one of the observations regarding the clarity of the tenure of the units and whether the residential units will be offered for sale to private individuals. The observer requests that a covenant or condition be imposed on the proposed development, requiring that the units be sold to individuals. The Regulation of Commercial Institutional Investment in Housing, Section 28 Guidelines, issued in 2023, set out planning conditions that planning authorities and the Commission must have regard to when granting planning permission for new residential development, including houses and/or duplex units. These relate to own door housing and duplex units only and do not apply to apartment developments. For apartment developments, the guidelines adopt a flexible approach, which is considered necessary to facilitate broad investment in the delivery of all apartment developments, and therefore, conditions restricting the sale of apartments to commercial institutional investment are not applicable for apartment developments.

9.13.12. The proposed development includes 6 own-door houses. The guidelines require a condition restricting the sale of houses to Commercial Institutional Investment for all housing developments that include 5 or more houses and/or duplex units. Therefore, I recommend that if the Commission is minded to grant permission, a condition be attached restricting the sale of the proposed 6 houses (Block E) to a Commercial Institutional.

Deviation of property values

- 9.13.13. I acknowledge the concerns raised in the grounds of appeal regarding the devaluation of neighbouring property. However, based on the assessment and conclusion outlined above, I am satisfied that the proposed development would not significantly harm the area's amenities to an extent that would negatively impact the value of nearby property.

10.0 Environmental Impact Assessment

10.1. Statutory Provisions

Schedule 5, Part 2, Class 10. Infrastructure projects (b) (i), requires EIA for the construction of more than 500 dwelling units. The proposed Large Residential Development comprises 562 no. dwelling units, creche, community and cultural space, café/restaurant, basement parking, and infrastructural works. An EIAR is therefore required as the proposed development proposes in excess of 500 dwelling units.

10.2. EIA Structure

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

- a) consisting of the preparation of an EIAR by the applicant, the carrying out of consultations, the examination of the EIAR and relevant supplementary information by the 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 and Development Regulations, 2001 and associated Schedule 6 set out requirements on the contents of an EIAR.

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

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

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

10.3. **Issues Raised in Respect of EIA**

In the third-party submission on the application from the Cherryfield Avenue Residents' Association, the following issues relating to the EIA were raised:

- EIAR fails to accept that the loss of trees and shrubs is 'significant'.
- EIAR assessment of likely impact on bats and bat habitats is inadequate.
- EIAR fails to properly assess the development against the Water Framework Directive and the River Basin Management Plan (RBNP).

- The EIAR has not been properly assessed against the new Abstraction legislation.
- The EIAR does not meet the requirements for consultation and public consultation.

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

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

Table 10.1 EIAR Compliance

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).
The site location, description and context are contained in Chapter 2 of the EIA. Chapter 3 of the EIAR sets out a detailed description of the proposed development in accordance with Article 5 (1)(a) of the EU Directive 2014/52/EU. This includes arrangements for access and construction methodology, spoil and waste to be generated. In each technical chapter, the EIAR details are provided on the use of natural resources and the production of emissions and/or waste (where relevant). The development's surface water drainage network shall discharge from the site via a proposed 300mm diameter pipe along Milltown Road through the junction of Milltown Road / Sandford Road prior to outfalling to the existing drainage network on Eglinton Road. It is noted that the proposal involves the demolition of c. 4847.5 sqm of the existing structures on the site. I consider the description of the development and site is adequate to enable decision-making
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 robust and enables decision making.

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)).

The EIAR includes designed in mitigation measures and measures to address potential adverse effects identified in technical studies. These, and arrangements for monitoring, are summarised in Chapter 20.0. Mitigation Measures are also included in the Outline Construction and Environment Management Plan (CEMP), the Operational Waste Management Plan (OWMP) and the Preliminary Construction Management Plan(PCMP). Mitigation measures comprise standard good practices and site-specific measures and are largely capable of offsetting significant adverse effects identified in the EIAR, except in respect of construction noise, for the reasons stated in the assessment below.

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)).

A description of the alternatives considered is contained in Chapter 34 of the EIAR. The alternatives considered include 'do nothing', alternative layouts, various design approaches and infrastructural strategies. Given the site's core urban location, proximity to high-frequency public transport, employment locations, services and facilities, the lands' location within a built-up area, the sequential approach to development, and the subject site's zoning objective pertaining to the lands, alternative locations were not considered. The main reasons for opting for the current proposal were to minimise environmental and residential amenity effects. I am satisfied, therefore, that the applicant has studied reasonable alternatives in assessing the proposed development and has outlined the main reasons for opting

for the current proposal before the Commission and in doing so, the applicant has taken into account the potential impacts on the environment.
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.
A description of the baseline environment is included in each technical chapter of the EIAR.
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 evidence used and methodology used to identify and assess the significant effects on the environment, including the forecasting methods, are set out in each of the individual chapters assessing the environmental effects. The applicant has indicated in Chapter 21 where difficulties have been encountered (technical or otherwise) in compiling the information to carry out EIA. Non-significant difficulties were encountered in Chapter 14 'Material Assets-Waste Management' where, until final materials and detailed construction methodologies have been confirmed, it is difficult to predict with a high level of accuracy the construction waste that will be generated from the proposed works as the exact materials and quantities may be subject to some degree of change and variation during the construction process. Non-significant difficulties were also encountered in Appendix 5.1 'Review of BRE Sunlight & Daylight Assessment.' It is claimed that it was neither possible nor practical for the Design Team to gain unfettered access to every parcel of private property within the study area surrounding the application site in order to carry out a measured building survey. I comment on these, where necessary in the technical assessment below, and for the reasons stated, I am satisfied that forecasting methods and evidence presented are adequate

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.
This issue is specifically dealt with in section 18 of the EIAR. Chapter 18.0 deals with risk management, which sets out the assessment of the vulnerability of the proposed development to risks of major accidents/ and or disasters. It assesses the expected effects of the project on the risk of major accidents and disasters relevant to the project, including flooding, air quality events, and the spread of invasive species. This chapter assesses the risk of major accidents and disasters, and none were found to be significant. This conclusion is considered to be reasonable and is discussed in my report.
Article 94 (c) A summary of the information in non-technical language.
This information has been submitted as a separate, standalone document: Vol 1 Non-Technical Summary. I have read this document and am satisfied that it is concise and comprehensive, and written in a language that is easily understood by a lay member of the public.
Article 94 (d) Sources used for the description and the assessments used in the report
The sources used to inform the description and the assessment of the potential environmental impact are set out in each chapter. I consider the sources relied upon are generally appropriate and sufficient.
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 report is set out in Table 1.1 in Chapter 1 of the Report. The introductory section of each chapter also details the individual's expertise and qualifications, demonstrating the person's competence in preparation for the individual chapters within the EIAR. I am satisfied that the EIAR has been prepared by experts with competency in the technical subject areas.

Consultations

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) regarding public notices. Submissions have been received from statutory bodies and third parties and are considered in this report, prior to a decision being made.

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 and the advance of decision-making.

Compliance

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 comply with Article 94 of the Planning and Development Regulations, 2001. Matters of detail are considered in my assessment of likely significant effects below.

Assessment of Likely Significant Effects

This section of the report presents an assessment of the likely environmental effects of the proposed development under the following headings, as outlined in Section 171A of the Planning and Development Act 2000, as amended.

- Population and human health.
- Biodiversity, with particular attention to the species and habitats protected under the Habitats and Birds Directives (Directive 92/43/EEC and Directive 2009/147/EC respectively).
- Land, soil, water, air and climate.
- Material assets, cultural heritage and the landscape.
- The interaction between these factors.
- The vulnerability of the proposed development to risks of major accidents and/or disasters.

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.

10.5. **Population and Human Health**

Issues Raised

Matters relevant to the population raised in third-party submissions concerned land-related issues, the provision of recreational facilities, the loss of public open space, and the impact on adjoining residential amenity. I do not consider these environmental issues, and they have been addressed in Section 10 of the Planning Assessment.

Examination of the EIAR

Context

Chapter 5 (Population and Human Health) notes that this Chapter predominantly covers any potential impacts not specifically covered in the other Chapters of the EIAR. The specific potential impacts which are not specifically discussed elsewhere in this EIAR relate to the following:

- Population Profile and Trends
- Housing
- Employment/Economy
- Local Services and Amenities
- Traffic
- Health and Safety.

It is stated that this chapter meets the requirement for assessment of 'Human Beings' as per Schedule 6 of the Planning and Development Regulations 2001 – 2021.

Baseline

The receiving environment is considered under the sub-headings of population profile and trends, housing, employment, commuter patterns and local services and amenities.

It is highlighted that a high number of persons aged 65+ (12.8%) in the Rathmines East B ED. It is also stated that the 54% of the housing stock in this ED consists of Houses/Bungalows and 45.5% are Flats/Apartments. The ED is predominated by smaller households. It is notable that 53% of persons travelling to work, school or college commute for less than 30 No. minutes. There is a wide range of services and facilities available in close proximity to the subject site, as the site is in close proximity to Milltown, Clonskeagh, Donnybrook, Ballsbridge and Ranelagh.

Potential Effects

The EIAR identifies the potential for a range of environmental effects on population and human health. Likely significant or notable effects of the development, as identified in the EIAR, are summarised in Table 9.2. Minor effects are not identified, except where there is potential for significant impact interactions, cumulative effects, or where concerns have been expressed by parties to the application.

Table 10.2: Summary of Potential Effects on Population and Human Health

Project Phase	Potential Direct, Indirect and Cumulative Effects
Do Nothing	The underutilised core urban site would remain in the existing fall and fall into a state of decline. Waste of brownfield land in close proximity to services and facilities. Lack of smaller dwelling types in the area and lack of provision of additional housing.
Construction	The local population may be impacted in the short term during the construction period due to the influx of construction workers, traffic, noise and dust. Short-term impacts from construction noise, dust and traffic. Temporary increase in employment.

Operation	Positive impact due to the provision of a range of unit sizes and the provision of 562 no. units' contribution to alleviating the housing crisis. The provision of a significant quantum of public open space will have a positive effect. The community/cultural space will also enhance the accessibility of such uses in the local community.
Decommissioning	N/A
Cumulative	Cumulative population growth and increased access to and provision of services will positively impact population and human health. In addition, population growth will arise from potential developments such as that at No.2 Eglinton Road for 20 units.3-bed units (DCC reg ref. 3382/22), at 11c and 9/14 Milltown Road for 97 units (DCC reg. ref. WEB2775/24) and 63 apartments at Rydalmount, Milltown Road.(ACP reg. ref. 322089)

Mitigation

Construction-phase mitigation is outlined throughout the chapter and in Chapter 20. Reference is made to the Preliminary CMP, CEMP, Traffic Management Plan and the Dust Management Plan.

Operational-phase mitigation is also outlined throughout the chapter. Reference is made to the incorporation of DMURS into the development design, the Daylight and Sunlight Assessment Report, the Parking Management Strategy, Basement Impact Assessment, Outline Waste Management Plan and the Mobility Management Plan.

Noise and vibration mitigation measures include the selection of quiet plant, plant noise control at source, use of acoustic shrouds, screening, and standard construction and site management practices.

Residual Effects

A number of inter-related environmental topics are relevant to population and human health.

In the construction phase, notwithstanding mitigation, there will be some minor temporary residual impacts on population/human beings and human health, most likely with respect to nuisance caused by construction activities, primarily noise, dust and construction traffic. It is anticipated that adverse likely and significant environmental impacts will be avoided. The overall predicted likely impact will be short-term not significant, and neutral. Imperceptible, positive short-term impacts are likely to arise due to an increase in employment and economic activity from construction workers.

Negative significant short-term noise effects adjacent to the site are predicted during construction.

In the operational phase, the proposed development will result in a positive alteration to the existing underutilised site, including the provision of a creche and publicly accessible open space. The implementation of the remedial and mitigation measures will significantly reduce and likely mitigate the environmental impacts of the operational phase of the proposed development on the population and human health.

Analysis, Evaluation and Assessment: Direct and Indirect Effects

I have examined, analysed, and evaluated Chapters 5 and 20 of the EIAR and all of the associated documentation, submissions, and observations on file in respect of population and human health. The applicant's presented baseline environment is comprehensive, and the key impacts on population and human health, as a consequence of the proposed development, have been identified.

It is recognised that there will be significant negative short-term noise effects adjacent to the site during construction. It is considered that conditions agreeing the construction hours for the proposed development will limit the effect of construction on the immediate residential properties.

I am satisfied that potential negative effects on Population and Human Health would be avoided, managed, and mitigated by the measures that form part of the proposed scheme, the proposed mitigation measures, and suitable conditions. I am therefore

satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative effects on population and human health.

Conclusion: Direct and Indirect Effects

Having regard to my examination of environmental information in respect of population and human health, in particular the EIAR provided by the applicant, the submissions and observations received, and my site inspection, I consider that the main significant direct and indirect effects on population and human health, after the application of mitigation measures, are:

- Significant, negative short-term noise effects arising from the population in the direct vicinity of the site works during the construction phase.
- Direct, positive, significant impact on the population, due to the increase in the housing stock during the operational phase.

10.6. **Biodiversity**

Issues Raised

The loss of trees and loss of habitat to facilitate the proposed development have been raised in the appeals and the third-party appeals.

Examination of the EIAR

Context

Chapter 8, Biodiversity, assesses the site's biodiversity value and the potential impacts of development on the area's ecology. Value of Ecological Features, Bat Survey Metadata Transect Survey (2024& 2025), Bat Emergence Survey Metadata (Buildings and Trees 2024 and 2025), Relevant Legislation and Policies and a separate AA Screening Report are included as Appendices. The Guidelines that the chapter was prepared in accordance with are identified. A desk survey was undertaken, and multiple terrestrial and avian ecology surveys, mammal surveys, and bat fauna surveys were undertaken on varying dates between March 2023 to and September 2025.

Baseline

Section 8.9 of the EIAR discusses the existing Baseline Ecological Conditions, including the proximity of protected sites. The Site comprises a variety of habitats reflecting its historic parkland character within a predominantly urban setting. Key habitats include buildings and artificial surfaces (BL3), where the Chapel and Tabor House offer potential bat roosting opportunities; and dry meadows and grassy verges (GS2), formerly improved amenity grassland, now supporting a tall, rank sward of grasses and forbs, with succession to scrub (WS1) habitat occurring around the margins and in areas of previously disturbed ground in the centre of the Site. Two areas of mixed broadleaf/conifer woodland (WD2) in the northwest and northeast support mature trees and understorey vegetation, contributing to ecological connectivity and are assigned Regional/County Importance given their urban context. Two high impact Invasive Alien Plant Species were recorded on site. There were no confirmed signs of Badger foraging, commuting (tracks), latrines, Setts, or any other form of habitation recorded during the surveys of the Site and its surrounds. There were no signs of otters on site. The site is valued as Local Importance - Higher Value for terrestrial mammals.

No signs of bat roosting activity were observed within the various rooms and floors of Tabor House, in the Chapel, Milltown Park House and Rear Extension, the Archive Building or the Finlay Wing. Two trees on Site were identified as having 'PRF-M' features in 2024, both located within the woodland along the eastern site boundary.

Bat surveys were conducted during the 2024 and 2025 seasons. These included Bat Building and Tree Emergency Surveys, Daytime Bat Habitat Assessment and Potential Bat Roost Assessment of trees to be felled, Internal Bat Roost Assessment of buildings, Dust Bat Transect Surveys and a Back Static detector deployments within the attic of Tabour House. The surveys detected a total of five bat species/species groups using the Site; Leisler's bat, Common Pipistrelle, and Soprano Pipistrelle were the most abundant and most frequently recorded species across the surveys. No roosting bats were identified within the proposed development site.

Across the three surveys carried out on the mornings of 18th June, 22nd July, and 12th August 2025, a total of 22 bird species were recorded during the Breeding Bird

Survey. All bird species recorded are protected under the Wildlife Act 1976 (as amended), which prohibits interference with breeding or resting places without a statutory licence. Of the species recorded, Swift (*Apus apus*) was the only Birds of Conservation Concern in Ireland (BoCCI) Red-listed species observed; however, no evidence of breeding was noted. Eight BoCCI Amber-listed species were recorded, including Swallow, Herring Gull, and Goldcrest, while all remaining species were Green-listed.

The site has been valued as being of Local Importance – Higher Value for birds.

Bird surveys were undertaken during the winter months in 2020/21 and 2022/23 to determine the usage of the site by wintering waterbird species. These bird surveys recorded no wintering birds on the site. A single Curlew was recorded flying across the site on one occasion, without stopping or landing within the Site (JBA, 2021). The site is not within any known flight lines of sensitive wintering waterbird species and no significant movement of birds over the Site was observed.

Potential Effects

Table 10.3: Summary of Potential Effects on Biodiversity

Project Phase	Potential Direct, Indirect and Cumulative Effects
Do Nothing	The site would retain its current character, with incremental change driven by natural succession and the proliferation of invasive species. Potential to lead to a decline in habitat quality without appropriate management.
Construction	Negative, short-term, significant impact on small mammals at a local level. Negative, short-term, significant impact to badgers. Negative, permanent, significant impacts if bats are roosting in the Church/Tabor House.

	Negative, permanent, moderate impact at a local level on bat species utilising the site. Negative, short-term, moderate impacts on local bird populations.
Operation	Negative, permanent, and significant impact on nocturnal fauna.
Decommissioning	N/A
Cumulative	No potential for the Proposed Development to act in-combination with other developments in the vicinity that could cause likely significant adverse effects.

Mitigation

Construction-phase mitigation is outlined throughout the chapter and in Chapter 20. Reference is made to the Preliminary CMP, CEMP, Traffic Management Plan and the Dust Management Plan.

The mitigations include best practice measures during the Construction Phase, steps to reduce noise impacts, dust mitigation measures, limited timing for vegetation clearance and building renovations, small mammals and other fauna, management of invasive alien plant species, the appointment of an Ecological Clerk of Works, implementation of a construction phase lighting regime, tree protection measures, and the installation of bat boxes.

Operational phase mitigation measures include bat-friendly lighting. Enhancement measures are also proposed, including the provision of biodiverse roofs, native planting, bird box/swift brick schemes, and measures that create opportunities for insects and invertebrates.

Residual Effects

The construction mitigation measures detailed above, along with the design features to be adopted to minimise adverse impacts to fauna on the Site, will be sufficient to reduce any significant effect on biodiversity.

Analysis, Evaluation and Assessment: Direct and Indirect Effects

This chapter of the EIAR should be read in conjunction with Section 11 (Appropriate Assessment (AA) Screening) of this report, which addresses the potential for impact

on European sites. I conclude that the proposed development, individually or in combination with other plans or projects, would not be likely to give rise to significant effects on any European site and is therefore excluded from further consideration.

While the proposed development will result in the loss of a significant number of trees (252 no.), 135 trees are to be retained, and 230 large trees, single- and multi-stem trees, and large shrubs are proposed across the site. Given the planned tree planting, the proposed Tree and Woodland Management, and subject to the attachment of conditions to retain certain trees, I believe that the development will strike a reasonable balance between retaining current trees, enhancing the existing woodland, increasing access to public open space, and developing the site for a new residential community while supporting compact growth.

The grassland to the west and north of Tabor House has been used by bats for foraging. This habitat will be removed throughout the Site to facilitate the works. This could have a minor impact on bats using the Site for foraging. However, in this area, grassland and wildflower meadows are proposed as part of the site's landscaping, creating a new replacement habitat. The Tabour House and the Chapel, which have moderate roost suitability, are to be retained. I am satisfied that the proposed mitigation measures to protect bats, which include supervision of construction works by an Ecologist, further surveys of the buildings, and a pre-felling survey of trees to be removed, the provision of bat-friendly lighting will prevent a significant effect on Bats.

The site surveys indicated a lack of evidence of badger activity or sets. However, there is the potential for badgers to use the site and potentially die from construction-related injuries or entrapment. I am satisfied that the proposed construction mitigation measures, including covering trenches and capping exposed pipes, will prevent badgers from gaining access.

The proposed wildflower meadow areas will provide nectar and pollen for pollinators (bees, butterflies), seed for birds, and habitat for invertebrates. The meadows will provide cover for small mammals from predation as well as foraging opportunities. Planting native shrubs in the ground layer of the woodland habitat will provide cover and nesting opportunities for birds and small mammals. It is proposed not to over-manage the woodland understorey to ensure that habitats, feeding sources, and

suitable nesting sites remain available. The mixed planting of wildflowers, heritage lawn, fruit trees and green roofs will attract insects, which is a food resource for multiple species, including birds, bats, and hedgehogs. Enhancement measures are proposed for attracting the local bird population, such as bird boxes and Swift blocks.

Conclusion: Direct and Indirect Effects

The detailed design of the proposed development and the enhancement measures will reduce its effect on the area's biodiversity. The proposed construction and operational mitigation measures, such as the enhancement measures contained in Chapter 8, will ensure that, while there will be an adverse short-term effect, the creation and management of new habitats will mean that the long-term effect of the proposed development on the area's biodiversity is positive.

10.7. Land, Soil, Water, Air and Climate

10.7.1. Land, Soils & Geology

Issues Raised

No party to the application has raised any issues regarding the environmental effects of the proposed development on land, soil, or geology.

Examination of the EIAR

Context

I have examined Chapter 10 and Appendices 10.1 and 10.2 of the EIAR and the Basement Impact Assessment, which deal with this topic. Chapter 10 This chapter comprises an assessment of the likely impact of the proposed development on the soils and the geological environment, and identifies proposed mitigation measures to minimise any impacts. Ground Investigations for the proposed development were carried out by Ground Investigations Ireland (GII) between January and June 2020. I note that the investigations were carried out 2020; however, I consider that the baseline has not changed materially since the investigations, and I do not consider

that this significantly affects the ability to properly assess the effect of the proposed development on land, soils and geology

Baseline

Ground conditions at the site, as observed during Ground Investigations, are summarised as follows:

- Topsoil was encountered in the majority of test locations, typically at depths
- between 0.2 and 0.4m BGL.
- Made ground deposits encountered beneath topsoil/surfacing at some locations at depths between 0.5 and 1.0m BGL. These deposits were described generally as brown, slightly sandy, slightly gravelly CLAY with occasional cobbles or grey sandy angular Gravel. In some locations, the made ground contained occasional fragments of brick.
- Cohesive deposits were encountered beneath the topsoil and made ground noted above
- and consisted of brown, slightly sandy, slightly gravelly CLAY with occasional cobbles
- overlying a stiff or very stiff dark grey/black slightly sandy slightly gravelly CLAY with occasional cobbles.
- The rotary core boreholes recovered weak to strong grey/dark grey fines to medium
- grained Limestone with calcite veining.
- At the time of the initial site investigations, groundwater was observed at 4 of 16 No.
- borehole locations at depths typically ranging from 2.5m to 3.0m BGL.
- Infiltration tests were carried out at 3 No. locations. Test results indicate that soils are impermeable with no infiltration recorded (typical of the cohesive material observed during site investigations)

Potential Effects

Table 10.4: Summary of Potential Effects Land, Soils & Geology

Project Phase	Potential Direct, Indirect and Cumulative Effects
Do Nothing	There will be no impact on soils and the geological environment if the development does not proceed.
Construction	Negative, significant short-term effect due to stripping of topsoil, resulting in exposure and potential erosion of subsoil. Negative, significant short-term effect on the subsoil due to excavation for basement, drainage, and foundations. Negative, significant short-term effect due to the need to import fill material. Negative, significant short-term effect due to potential rutting and deterioration of the topsoil layer and exposing subsoil layers resulting from construction traffic. Negative, significant, short-term effect on underlying soils due to the potential risk of accidental pollution from spills and leaks.
Operation	None
Decommissioning	None
Cumulative	Given the scale of the proposed development and the capacity of the surrounding environment to accommodate developments of this nature, it is considered that the overall cumulative development in this area will have a moderate, long-term impact on the land, soils and geology of the area via the proposed structures, roads, infrastructure etc. on the subject site. The overall impact on land and soils will be permanent, not significant and have a neutral effect

Mitigation

Construction-phase mitigation is outlined throughout the chapter and in Chapter 20.

These include:

- The management and control of stripping of topsoil with the proposed staging of the environment.
- The reuse of 40% of the stripped topsoil.
- Extent of topsoil strip will be limited to the immediate vicinity of active work areas.
- Topsoil stockpiles to be protected not located in areas where sediment laden runoff may enter existing surface water drains.
- Disturbed subsoil layers will be stabilized as soon as practicable.
- Duration that subsoil layers are exposed is to be minimised in order to mitigate against weather effects.
- Stockpiles of subsoil material will be located separately from topsoil stockpiles.
- Typical seasonal weather variations will also be taken account of when planning stripping of topsoil and excavations with an objective of minimising soil erosion and silt generation.
- Rainwater pumped from excavations is to be directed to on-site settlement ponds.
- Groundwater pumped from excavations is to be directed to on-site settlement ponds.
- On-site settlement ponds are to include geotextile liners and riprapped inlets and outlets to prevent scour and erosion.
- Materials imported to site for use as fill will be natural stones sourced from locally available quarries or materials that have been approved as by-products by the EPA in accordance with the EPA's criteria for determining a material is a by-product, per the provisions of Regulation 27(1) of the European Communities (Waste Directive) Regulations, 2011.
- No large or long-term stockpiles of fill material will be held on the site.

- Smaller stockpiles of fill, where required, will be suitably protected to ensure no sediment laden runoff enters existing surface water drains.
- Earthworks and plant vehicles delivering construction materials to site will be confined to predetermined haul routes around the site and designated delivery areas.
- Vehicle wheel wash facilities will be installed in the vicinity of any site entrances and road sweeping implemented as necessary.
- Dust suppression measures (e.g. dampening down) will be implemented as necessary during dry weather periods.
- Chemicals will be stored in a secure bunded hardstand area.
- Refuelling and servicing of construction machinery will take place in a designated hardstand area (when not possible to carry out such activities off site).

On completion of the construction phase, no further mitigation measures are proposed as there will be no further impact on soils and the geological environment.

Residual Effects

Implementation of the measures outlined in Section 10.6.1 will ensure that the potential impacts of the proposed development on land, soils and the geological environment will be remedied or minimised. The residual impact is considered to be neutral / non-significant / short-term.

Analysis, Evaluation and Assessment: Direct and Indirect Effects

Ground Investigations Ireland Environmental Report, contained in Appendix 10, states that “the site is free of contamination” and that waste classification testing indicates that “material sampled across the site can be classified as non-hazardous”

Due to the proposed site layout and levels (basement construction with ground-floor levels and external pavement levels designed to follow the natural topography of the site), any excavations are expected to be relatively shallow (up to 5.0m from existing ground level) and are not expected to affect the underlying geology. The basement excavation of subsoils has also been minimised insofar as the structural and functional constraints will allow. 40% of the topsoil is to be reused on-site.

The Basement Impact Assessment conducted a ground movement analysis to evaluate the impact of basement construction-induced ground movement on adjacent structures. The only buildings considered within the zone of influence of the basement's construction is Tabor House to the south of the basement, which is a building located within the development. It also concluded that the method of basement construction in conjunction with the geology within which it is to be founded indicates that the impact on groundwater will be negligible.

Having regard to the survey work carried out, the location of the site in an urban area, the built form of the existing environment, and best practice mitigation measures, which include measures contained in the Preliminary Construction Management Plan and Outline Construction and Environment Management Plan, I am satisfied that there is no potential for any significant direct, indirect or cumulative effects on land, soils and geology as a result of the proposed development.

10.7.2. Water Hydrology

Issues Raised

The observers have stated that the water pressure in the area is low and that the proposed development will further impact it. The potential for flooding and the capacity of the Ringsend WWTP were raised in the third-party submissions.

Examination of the EIAR

Context

Chapter 11 of the EIAR comprises of an assessment of the likely impact of the proposed development on the surrounding surface water and hydrogeological environments (including flood risk, surface water drainage, foul drainage and water supply) as well as identifying proposed mitigation measures to minimise any impacts. The Chapter should also be read along with the submitted Preliminary Construction Management Plan (PCMP) and the Construction Environmental Management Plan

In this chapter, the assessment of the likely impact of the proposed development on the surrounding surface water and hydrogeological environments has been informed by the EPA Guidelines on the Information to be Contained in Environmental Impact Assessment Reports, 2022. The assessment included ground investigations,

including trial pits, groundwater monitoring, infiltration testing and environmental testing, review of information available on the Environmental Protection Agency (EPA) online mapping service and the Office of Public Works (OPW) National Flood Hazard Mapping and CFRAM Studies (Catchment Flood Risk Assessment and Management Studies). The chapter should be read with Appendix 11.1 (Irish Water Network Plans), Appendix 11.2 (Flood Hazard Information) and Appendix 11.3 (Irish Water Correspondence) and the submitted Hydrological and Hydrogeological Risk Assessment Report (HHRAR) and the Basement Impact Assessment.

Baseline

The proposed development site lies within the Liffey and Dublin Bay Catchment (Hydrometric Area 09) and Dodder River sub-catchment (WFD name: Dodder_SC_010, Id 09_16) (EPA,2025). The Dodder River is located approx. 500m southeast of the subject development site. From here the Dodder River flows for approx. 3.0km before discharging into the Liffey Estuary lower transitional waterbody which in turn discharges into Dublin Bay coastal waterbody which includes Special Area of Conservation (SAC)/ proposed Natural Heritage Area (pNHA).

The Dodder River has a Water Framework Directive (WFD) status (2019 2024) of 'Moderate' and a WFD risk score of 'At risk of not achieving good status'. The Liffey Estuary Lower, which has a WFD risk score (2019 2024) of 'At Risk', and Dublin Bay has a WFD status of 'Good'.

Mapping from the Geological Society of Ireland indicates the bedrock underlying the site is part of the Lucan Formation (code CDLUCN) and made up of dark limestone and shale (Calp).

Presently, from the GSI (2025) National Bedrock Aquifer Map, the GSI classifies the bedrock aquifer beneath the subject site as a 'Locally Important Aquifer – Bedrock which is Moderately Productive only in Local Zones'. The proposed development is within the 'Dublin' groundwater body and is classified as 'Poorly productive bedrock'. The most recent WFD groundwater status for this water body (2019-2024) is 'Good' with a current WFD risk score 'Under Review'

The GSI (2025) guidance presently classifies the bedrock aquifer vulnerability in the region of the subject site as 'Low', which indicates a general overburden depth potential of >10m.

No flood events are noted in the immediate vicinity of the site. No fluvial flooding is indicated in the vicinity of the site.

A Site-Specific Flood Risk Assessment (SSFRA) was included with the application. The site is in Flood Zone C, and the SSFRA concluded that the proposed development has a low vulnerability to flood risk

Pre-connection enquiry feedback has been received from Irish Water which confirms that discharge of foul drainage flows to existing combined sewers adjacent to the site is feasible without infrastructure upgrades by Irish Water.

Existing surface water drains onsite currently discharge to the existing combined sewer network along Sandford Road and Milltown Road rather than the existing surface water drain in Eglinton Road. These will be decommissioned and will not form part of the proposed drainage network.

Uisce Éireann has confirmed that new connections to the existing water supply network are feasible.

Potential Effects

Table 10.5: Summary of Potential Effects: Water Hydrology

Project Phase	Potential Direct, Indirect and Cumulative Effects
Do Nothing	There are no predicted impacts should the proposed development not proceed.
Construction	Negative significant short-term effect due to increase silt level in surface water runoff. Negative significant short-term effect due to accidental spills and leaks. Negative significant short-term effect due to discharge of wash water from concrete trucks. Negative significant short-term effect due to dewater excavations during basement construction. Negative significant short-term effect due to improper discharge of foul drainage from construction compound.

	Negative significant short-term effect due to cross-contamination of the potable water supply to the construction compound.
Operation	Increased impermeable surface area will reduce local ground water recharge and potentially increase surface water runoff Pluvial flood risk due to climate change, causing severe inclement weather conditions. Pollutants from residential activities, including hydrocarbons and sediments (e.g., along roads and in driveway areas)., may enter the surface water system, affecting water quality Increased discharge to foul drainage network
Decommissioning	None
Cumulative	The proposed surface water drainage infrastructure has been designed in accordance with the relevant guidelines i.e., Greater Dublin Strategic Drainage Study (GDSDS) and OPW Flood Risk Assessment Guidelines. Any other future development in the vicinity of the site would have to be similarly designed in relation to permitted surface water discharge, surface water attenuation and SuDS, therefore, no potential cumulative impacts are anticipated in relation to surface water drainage and flooding. No potential cumulative effects are anticipated in relation to foul drainage and water supply.

Mitigation

Mitigation measures are included in Section 11.6 and in Chapter 20. These include the best practices and procedures as outlined in the PCMP and CEMP.

Construction Mitigation Measures include:

- All oils, fuels, paints and other chemicals will be stored in a secure bunded hardstand area. Refuelling and servicing of construction machinery will take place in a designated hardstand area (where off-site activities are not possible).
- Surface water runoff from areas stripped of topsoil and surface water collected in excavations will be directed to on-site settlement ponds, where measures will be implemented to capture and treat sediment-laden runoff prior to discharge of surface water at a controlled rate.
- Foul drainage discharge from the construction compound will be tankered off site to a licensed facility until a connection to the public foul drainage network has been established.
- The construction compound's potable water supply shall be protected from contamination by any construction activities or materials.
- Weather conditions and typical seasonal weather variations will also be taken account of when planning stripping of topsoil and excavations with an objective of minimizing soil erosion.
- Contractor to prepare Method Statement detailing the proposals for works in the vicinity of existing utilities (method statement to be agreed with Project Supervisor Design Process (PSDP)).
- Connections to the existing surface water, foul sewer and water supply networks will be coordinated with the relevant utility provider and carried out by approved contractors. Contractor to comply with HSA Code of Practice for Avoiding Danger from Underground Services.
- The design of proposed site levels (roads, FFL etc.) has been carried out to ensure the proposed development is elevated and set in such a way as to avoid concentrating additional surface water flow in any location.
- Overland flow routes, directed towards open space areas, are identified/established in the event of storms exceeding the 1% AEP design capacity of the attenuation system.

- In areas of high groundwater levels where SuDS are proposed, the SuDS features will be lined to avoid infiltration and prevent groundwater flooding.

Operational Mitigation Measures include:

- Attenuation storage design allows for a 20% increase in rainfall intensities.
- Drainage system design allows for a 20% increase in flows.
- Provision of min. freeboard (500mm) from 1% AEP as required by GDSDS (mitigation against impact of climate change).
- The design of proposed site levels (roads, FFL etc.) has been carried out to ensure the proposed development is elevated and set in such a way as to avoid concentrating additional surface water flow in any location.
- Overland flow routes, directed towards open space areas, are identified / established in the event of storms exceeding the 1% AEP design capacity of the attenuation system
- 35.3% of the proposed development is landscaped green area that is permeable.
- The basement shall not have an adverse effect on the existing ground water regime as the basement extends into the low porosity boulder clays
- In areas of high groundwater levels where SuDS are proposed, the SuDS features will be lined to avoid infiltration and prevent groundwater flooding.
- All surface water runoff draining to the piped network will pass through a petrol interceptor (Klargester or equivalent), before discharging into the existing public surface water network along Eglinton Road.

Residual Effects

No significant residual effects.

Analysis, Evaluation and Assessment: Direct and Indirect Effects

In relation to the third-party concern regarding the proposed increased demand from the development on the existing foul sewer and water network and the capacity of the Ringsend WWTP, Uisce Éireann has confirmed that, based on the capacity currently available in the foul drainage and water supply networks and subject to a

valid connection agreement being in place, the proposed connections can be facilitated. There is no evidence present in the application that the existing water pressure in the area is low. I note that the Hydrological Risk Assessment states that the proposed development has a peak foul discharge that would equate to 0.19% of the licensed discharge at Ringsend WWTP (peak hydraulic capacity). The current Uisce Éireann Wastewater Treatment Capacity Register (April 2026) indicates that there is spare capacity at the Ringsend WWTP. I am satisfied that flood risk measures, the surface water system and drainage system have been designed to accommodate Climate Change impacts. I therefore consider that the foul discharge can be accommodated without a significant effect on the environment.

An assessment of the proposed development has been undertaken in accordance with Article 4 of the EU Water Framework Directive (2000/60/EC), as transposed by the European Communities (Water Policy) Regulations 2003, as amended.

The receiving water environment has been identified and assessed. Relevant water bodies within the zone of influence of the proposed development include river body Dodder_050, currently classified as moderate (and at Risk), and transition waterbody Liffey Estuary Lower, currently classified as moderate (and at Risk), and Groundwater Dublin IE_EA_G_008, currently classified as good (and under review) on EPA mapping.

Having regard to the nature, scale, and location of the proposed development, and the mitigation measures incorporated into the design, it is concluded that the proposed development will not:

- Result in deterioration of the ecological, chemical, or quantitative status of any relevant surface water or groundwater body;
- Increase pollutant loading or alter the hydrological regime of any receiving watercourse;
- Prevent or impede the achievement of environmental objectives under the Eastern/South Eastern River Basin Management Plan 2022–2027.
- Any residual risks are capable of being addressed through the proposed mitigation measures and implementation of the Construction Management Plan and the Construction Environmental Management Plan (CEMP).

The proposed development is considered to be in compliance with the requirements of Article 4 of the Water Framework Directive.

Conclusion: Direct and Indirect Effects

Having regard to the examination of environmental information in respect of water, in particular the EIAR and supplementary information provided by the applicant, and having regard to the information submitted in the appeal, I am satisfied that the main significant direct and indirect effects arising during the construction and operational phase of the development can be mitigated by the measures set out in Section 11.6 and the measures contained in the PCMP and CEMP. Having reviewed the planning history in the vicinity I am satisfied that there is no potential for cumulative effects given the nature of permitted/planned construction activity in the vicinity of the site. I consider that the proposed development is in compliance with the requirements of Article 4 of the Water Framework Directive.

10.7.3. Air Quality & Climate

Climate concerns have been raised in the grounds of appeal, one of the appellants considers that the proposed demolition cannot be justified, having regard to the 'embodied carbon' of existing structures as well as the additional use of resources and energy arising from new construction relative to the reuse of the existing structures. This has been assessed in section 9.4 of this report. The integration of the high-efficiency design ensures that, despite the initial higher embodied carbon associated with new construction, the overall carbon footprint is optimised over the building's lifecycle.

I have examined Chapter 12, which deals with Air Quality & Climate. The greatest potential impact on air quality during the construction phase of the proposed development is from construction dust emissions and nuisance dust. This has been assessed, and the EIAR states that there is at most a high risk of dust-soiling impacts and a low risk of dust-related human health impacts associated with the proposed works. In the absence of mitigation, dust impacts are predicted to be direct, short-term, negative and slight. Having regard to the survey work carried out,

the location of the site in an urban area, the built form of the existing environment, and best practice mitigation measures, including the preparation and implementation of a Dust Mitigation Plan and a Construction Logistics Plan and additional measures contained in the Preliminary Construction Management Plan and Outline Construction and Environment Management Plan, I am satisfied that there is no potential for any significant direct, indirect or cumulative effects on Air Quality & Climate as a result of the proposed development.

10.7.4. **Noise and Vibration**

Issues Raised

It has been raised in the appeal that the construction of the proposed development will adversely affect the existing properties in the area.

Examination of the EIAR

Context

Chapter 13 (Noise and Vibration) assesses the noise and vibration impact of the proposed development in the context of current relevant standards and guidance. This chapter includes a description of the ambient noise climate in the vicinity of the subject site and an assessment of the potential noise and vibration impacts associated with the proposed development on the surrounding environment during both the short-term construction phase and the long-term operational phase. The assessment of cumulative noise and vibration impact on the surrounding environment have been considered as part of the assessment.

Baseline

Noise surveys were conducted in February 2020 and November 2025. The attended surveys took place during weekdays to capture typical prevailing noise levels. At all survey locations for both surveys, traffic noise was the dominant noise source. Generally, noise levels recorded during the 2025 baseline survey were lower than those measured in 2020. Review of the unattended noise monitoring data shows lower levels than the 2020 survey, particularly at night-time.

Potential Effects

Table 10.6: Summary of Potential Effects – Noise and Vibration

Project Phase	The noise environment at the nearest noise-sensitive locations and across the development site itself will remain largely unchanged.
Do Nothing	Traffic noise is considered to remain the dominant noise source.
Construction	A short-term significant impact is predicted due to demolition noise. A significant short-term impact is predicted due to noise from foundation construction. A significant short-term noise impact is predicted during landscaping works. A slight to moderate, short-term negative impact is predicted due to construction traffic. Cosmetic or structural damage to adjacent buildings from vibration caused by piling is not predicted.
Operation	Entertainment noise effects from communal and cultural/community spaces.
Decommissioning	N/A
Cumulative	Cumulative construction noise impacts are expected to be negative, significant and short-term.

Mitigation

Mitigation measures are outlined throughout the chapter and in Chapter 20.

Construction mitigation measures include:

- Selection of quiet plant and noise control at source.
- Piling programmes will be arranged to minimise disturbance in noise- and vibration-sensitive areas during periods of greatest sensitivity.
- Screening will be placed between the source and the receiver.

- A liaison officer will inform the nearest noise-sensitive locations of the time and expected duration of the noisy works.
- The phasing programme will be arranged to control the level of disturbance in noise- and vibration-sensitive areas at times when they are most sensitive.
- Construction noise monitoring will be undertaken at periodic intervals at the nearest noise-sensitive locations to the development works to assess compliance with the construction noise criterion.

Operational mitigation measures include:

- Plant items with appropriate noise ratings and, where necessary, appropriately selected remedial measures will be specified.
- All mechanical plant items shall be regularly maintained to ensure that excessive noise generated by any worn or rattling components is minimised.
- Acoustic design measures to be used for the amenity space to mitigate against any entertainment noise.

Residual Effects

Residual noise impacts associated with construction activities undertaken adjacent to site boundaries are categorised as negative, **significant** and short-term.

Residual vibration impacts associated with construction activities undertaken adjacent to site boundaries are categorised as negative, not significant and short-term.

No significant residual noise or vibration impacts are predicted during the operational phase.

The contractor will be required to undertake regular noise and vibration monitoring at locations representative of the closest sensitive locations to ensure the relevant criteria are not exceeded.

Analysis, Evaluation and Assessment: Direct and Indirect Effects

I have examined, analysed and evaluated the information provided in Chapter 13 and all the associated documents on file in respect of Noise and Vibration. I have inspected the site and the surrounding area. I am satisfied that the information

submitted in the EIAR adequately demonstrates an understanding of the potential impacts.

The chapter highlights that the effect of construction noise is not expected to exceed the recommended limit values for noise-sensitive locations beyond 40m from the site boundary, and therefore, no significant effects are expected. However, within distances of less than 40m from the boundary, construction noise may exceed the recommended limit values, depending on the construction activity. Therefore, there is likely to be a significant negative short-term environmental impact from noise and vibration to properties less than 40m from the proposed development. The limitations on construction hours and the agreement on a finalised Construction Environmental Management Plan relating to noise and vibration, to be included in planning conditions will help mitigate the predicted effects.

Conclusion: Direct and Indirect Effects

Having regard to the EIAR, I am satisfied that impacts predicted to arise in relation to Vibration during the construction phase would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions.

Having regard to the EIAR, I consider that in relation to noise during the construction phase, there will be a significant negative short-term effect. Having regard to the temporary nature of the negative construction noise effects for properties immediately adjoining the site and national policy which indicates a favourable approach to compact residential growth and sequential patterns of growth, it is considered that these effects are not sufficient to warrant refusing permission for the development and are acceptable.

Having regard to the EIAR, I am satisfied that impacts predicted to arise in relation to Noise and Vibration during the operation phase would be avoided, managed, and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions.

10.7.5. **Wind**

No issues have been raised by any party to the appeal/application in respect of wind. I have examined Chapter 17 of the EIAR, which deals with this topic. Having regard to the site's location in an urban environment and the arrangement of the apartment block, the provision of inset balconies and the proposed landscaping, I am satisfied that there is no potential for significant direct, indirect, or cumulative effects on wind from the proposed development.

10.8. **Material Assets, Cultural Heritage and the Landscape**

10.8.1. **Archaeology and Cultural Heritage**

No issues have been raised by any party to the appeal/application in respect of archaeology and cultural heritage. A Cultural Heritage and Archaeology study was carried out, including a desk-based study in which relevant databases and sources were consulted to determine the archaeological potential of the general area. This was supported by several field-based surveys that investigated the site's potential to contain unrecorded archaeological material. No new features of archaeological potential were recorded within the subject site. No archaeological features were discovered during test excavations in 2019. The site is considered to have moderate archaeological potential, particularly due to the discovery of human remains on an adjoining property. Mitigation measures include the monitoring of all disturbance works by a suitably qualified archaeologist. If archaeological material is recorded during monitoring, further discussion/consultation with the DHLGH will be sought to ascertain the appropriate treatment (i.e., preservation by record/preservation in situ) of any additional archaeological remains.

I have examined Chapter 6 of the EIAR, which deals with Archaeology. Having regard to the survey work carried out, in which no clear archaeological potential was identified, and to best-practice mitigation measures, I am satisfied that there is no potential for significant direct, indirect, or cumulative effects on archaeology resulting from the proposed development.

10.8.2. **Architectural Heritage**

No issues have been raised by any party to the appeal or application regarding Architectural Heritage. I have examined Chapter 7 of the EIAR and Appendices 7.1 (Assessment of Architectural Significance), 7.2 (Photographic Record), and 7.3 (Chronological Drawings of Existing Building Range), which address Architectural Heritage on site. Additionally, I have examined Appendix E (Existing Buildings Feasibility) of the Architectural Design Statement.

The site comprises several existing structures built from the late 18th century to the mid-20th century, initially used for institutional purposes and now vacant since 2019. In Appendix E: Existing Buildings Feasibility of the applicant's Design Statement, the potential for reusing the existing buildings within the development has been assessed.

This involved examining potential uses for each structure on site, such as residential, co-living, and hotel accommodation. Due to challenges related to the site and internal layout, as well as compliance with building regulations and fire safety, the report concluded that only residential use in Tabor House and amenity use in the Chapel Building are feasible. It is proposed to retain two buildings, Tabor House and the Chapel, both dating from the late 19th century.

The proposed development involves demolishing all other structures on site, including Milltown Park House, Finlay Wing, Archive Building, and Linking Block. None of these is listed in the Record of Protected Structures or on the National Inventory of Architectural Heritage. While some architectural heritage will inevitably be lost, the buildings slated for removal are not of significant importance. Additionally, demolishing these buildings will enhance the settings of Tabor House and The Chapel, which are set to be refurbished and repurposed.

Tabor House and The Chapel will create an important connection to the area's historical use and architectural heritage, enhancing the character and setting of the residential development.

Having regard to the survey work carried out, the conservation approach to the buildings to be retained, the design and settings of the proposed apartment blocks, the proposed landscaping, and best-practice mitigation measures for the demolition

and construction, there is no potential for significant direct, indirect, or cumulative effects on Architectural Heritage resulting from the proposed development.

10.8.3. **Landscape and Visual Impact Assessment**

Relevant issues raised in the third-party appeals, submissions, and observations included the obtrusive nature of the development on the receiving environment, the erosion of the site's existing open-space character, the loss of open space, and the overbearing nature of the apartment blocks.

Examination of the EIAR

Context

Chapter 9 – Landscape and Visual Impact Assessment of the EIAR deals with this topic. The chapter assesses the potential effects of the proposed development on the landscape character and visual amenity of the receiving environment. This chapter should be read in conjunction with the verified photomontages submitted with the application.

Baseline

The c. 4.26 ha principal development site (hereafter referred to as the site) is formerly part of the Milltown Park Jesuit Centre. It is comprised of two main parts: the complex of buildings in the southern part of the site near the existing Milltown Park entrance off Milltown Road, and the remaining large area of parkland character, which includes a woodland belt.

The character and visual presence of the site in the townscape are largely determined by the woodland belt and a 2m+ boundary wall along the north and east boundaries. Even in winter, these screen most of the interior of the site from view from the surrounding roads and properties. The building complex is partially visible along a stretch of Milltown Road to the southeast, where the road passes the existing entrance to Milltown Park.

The townscape character of the site environs is mixed, with a distinct difference in character between the Sandford Road area to the north and the Milltown Road area to the south and east.

Sandford Road is primarily a residential street. It is lined on both sides by large houses of up to three storeys; detached, semi-detached and terraced; mostly in large, mature gardens. Belmont Avenue is a narrow residential street leading north from Sandford Road. The street is an Architectural Conservation Area (ACA). Towards its southern end, approaching Sandford Road (and the site), Belmont Avenue is lined on both sides with a wide variety of houses. Eglinton Road is lined with particularly large houses, detached and semi-detached, mostly of red brick and with a high degree of design consistency. Norwood Park is a small estate of semi-detached houses immediately to the north and west of the site, accessed from Sandford Road a short distance from the site entrance. To the west of Norwood Park and extending along the site's western boundary is the residential street of Cherryfield Avenue Upper and Lower (zoned Residential Conservation Area)

Across Milltown Road to the east of the site are several modern residential developments, including Mount Sandford, a complex of three-storey duplex houses, Cedar Hall, a six-storey apartment complex, and Grove House, also a six-storey apartment complex.

The Milltown Road character area, along with the institutional buildings on the Milltown Park site, contributes to a diverse townscape character in the site environs.

To the south of the site, beyond the existing buildings and surface parking area retained for the Milltown Park Community, is a small development of two-storey terraced houses.

Although most of Milltown Park was sold for development, the residential core of the Jesuit Centre was retained and will remain in institutional use. This area contains a number of buildings and extensive gardens which are contiguous with the grounds of Gonzaga College.

No views or prospects are identified for protection in the site's receiving environment.

Potential Effects

Table 10.7: Summary of Potential Effects: Landscape and Visual Assessment

Project Phase	Potential Direct, Indirect and Cumulative Effects
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Do Nothing	The site would remain a large area of formerly institutional land with parkland character within an urban area of mixed character, with no public access.
Construction	<i>Visual</i> The magnitude of change, and therefore the significance of the effects, would change during construction, but they would typically be negative. Effects unavoidable and not unusual in the urban context. <i>Townscape</i> Effects on the townscape would be 'moderate' and negative in the immediate vicinity of the site, reducing in significance with distance from the site. The effects would be temporary.
Operation	<i>Visual</i> A moderate neutral effect when viewed from Norwood Park. No effect predicted from Cherryfield Avenue Lower. A slight neutral effect when viewed from Cherryfield Avenue Upper. <i>Townscape</i> The sensitivity of the receiving environment is classified as 'medium' and the magnitude of townscape change which would result from the proposed development is classified 'medium'. The significance of the effects is predicted to be 'moderate'
Decommissioning	N/A
Cumulative	Apartment development at Eglington and at Jefferson House, both completed and granted, will jointly

	contribute to a shift in the townscape character in the area.
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Mitigation

The mitigation measures are included in the chapter and also in Chapter 20 of the EIAR.

The stated mitigation measures for the construction period are limited to the measures incorporated in the proposed design, the tree protection and biodiversity protection and standard best practice construction site management (e.g. erection and maintenance of site hoarding, orderly storage of materials and vehicles, etc.) no additional mitigation measures are proposed.

Mitigation measures built into the design of the proposal include:

- Retention of the tree/ woodland belt inside the north and east boundaries as part of the scheme's main open space.
- The retention of tree lines inside the northern boundary (shared with Norwood Park), and the west boundary (Cherryfield Avenue).
- The positioning of Block A1 well back from Sandford Road and Milltown Road
- The positioning of Block C well back from the boundary shared with Norwood Park allows for the retention of the tree line inside the boundary.
- The retention of Tabor House and the Chapel on the site.
- High-quality design and materials.

Residual Effects

Visual

Construction:

The stated magnitude of change to views in the receiving environment would range from none and negligible to medium and would vary over time; therefore, the significance of the effects would also vary, although they would typically be negative during construction.

Operational:

Limited, neutral or positive visual effect on the Sandford Road corridor.

Limited effects, and no negative effects, on the setting and views of protected structures.

Limited visual effects on Cherryfield Avenue (Residential Conservation zoned- area).

Moderate but neutral visual effects on Norwood Park.

Limited, neutral or positive effects on Milltown Road and adjacent properties/ developments.

Townscape

Construction

The effects on the townscape would be 'moderate' and negative in the immediate vicinity of the site (most notably affecting Norwood Park and parts of Cherryfield Avenue), reducing in significance with distance from the site. These effects would be temporary.

Operational:

Considering the sensitivities and opportunities in the receiving environment and the considered design of proposed development (including the embedded mitigation measures), the townscape effects are predicted to be positive.

Analysis, Evaluation and Assessment: Direct and Indirect Effects

The layout of the proposed development has been determined by several factors. These include retaining the woodland/tree belts inside the north and east boundaries - to use these for screening of taller buildings and to lend biodiversity, landscape and visual amenity to the future neighbourhood; the retention of Tabor House and the Chapel and the objective to achieve high-density use on the site while avoiding excessively pronounced steps in scale between the site and neighbouring developments.

In Section 8.0 of this report, I have already considered the height, scale, and design of the development and have concluded that it has been appropriately considered to ensure that the proposed development would satisfactorily integrate with the surrounding area, having regard to its existing character and its planned

regeneration. I consider that the proposed development would transform the site with more appropriate high-density residential-led development. I have acknowledged that the proposed development would be of a significantly different height, scale, and character compared to the predominant low-density character of existing development. However, I consider that it would be in accordance with planned regeneration of the area and would positively contribute to the character of the area through built form and associated open spaces. In relation to visual impacts, I have considered the EIAR and the Verified Views submitted with the application and am satisfied that the TVIA considers an appropriate range of visual receptors. I would concur with the findings that there would be no significant adverse effects at the construction or operational stages. I have also considered the potential interactive and cumulative impacts, and I am satisfied that there would be no significant effects.

Conclusion: Direct and Indirect Effects

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

- Long-term positive townscape effects as a result of the redevelopment of the site through landmark built form and associated open spaces.

10.8.4. Waste

Issues Raised

No issues have been raised by any party to the appeal/application in respect of Waste. I note that concerns have been raised in the submission and the appeal regarding the location of the bin/bike store. I consider this a planning issue, and it has been addressed in Section 9 of this report.

Examination of the EIAR

Context

Chapter 14 of the EIAR, the Resource and Waste Management Plan (RWMP) (Appendix 14.1) and the Operational Waste Management Plan, deals with Waste.

Adherence to the RWMP aims to ensure that waste management during the demolition and construction phase at the proposed development is carried out in accordance with the requirements in the EPA's Best Practice Guidelines for the Preparation of Resource & Waste Management Plans for Construction & Demolition Projects, the DCC Waste Bye-Laws, and the NWMPCE.

The OWMP provides a strategy for segregation (at source), storage and collection of all wastes generated within the buildings during the operational phase including dry mixed recyclables (DMR), organic waste and mixed non-recyclable waste (MNR), cardboard, plastic as well as providing a strategy for management of waste glass, batteries, WEEE, printer / toner cartridges, chemicals, textiles, confidential paper, waste cooking oil and furniture.

Baseline

The EIAR states that the receiving environment is largely defined by Dublin City Council as the local authority responsible for setting and administering waste management activities in the area. This is governed by the requirements set out in the National Waste Management Plan for a Circular Economy 2024 - 2030 (NWMPCE). The NWCPCE sets the ambition of the plan to have a 0% total waste growth per person over the life of the Plan with an emphasis on non-household wastes including waste from commercial activities and the construction and demolition sector.

Potential Effects

Table 10.8: Summary of Potential Effects for Waste

Project Phase	Potential Direct, Indirect and Cumulative Effects
Do Nothing	No demolition, excavation or construction waste. Very limited operational waste generated from the proposed site Neutral effect on the environment in terms of waste.
Construction	Indirect, short-term, significant and negative due to litter or pollution.

	Indirect, long-term, significant and negative effect due to inappropriate waste management. Indirect, short-term, significant and negative effect due to lack of waste segregation. Indirect, short-term, significant and negative due to lack of classification and segregation of excavated material
Operation	Indirect, long-term, significant and negative effect due to lack of waste management and production being sent to landfill. Indirect, short-term, significant and negative effect due to waste not managed and waste not being stored correctly. Indirect, long-term, significant and negative effect due to use of non-permitted waste contractors or unauthorised facilities.
Decommissioning	N/A
Cumulative	No significant effects

Mitigation

The proposed mitigation measures are listed in Section 14.6 of the Chapter and in Chapter 20 of the EIAR. Mitigation measures include those incorporated in the Resource and Waste Management Plan and the Operational Waste Management Plan. The mitigation measures include:

- Correct classification and segregation of excavated material is required to ensure that any potentially contaminated materials are identified and handled in a way that will not impact negatively on workers as well as on water and soil environments, both on and off-site.
- Building materials will be chosen to 'design out waste'.
- A Resource Manager will be appointed by the main Contractor(s) to ensure effective management of waste during the demolition, excavation and construction works.

- All waste leaving the site will be reused, recycled or recovered, where possible, to avoid material designated for disposal.
- All waste leaving the site will be transported by suitably permitted contractors and taken to suitably registered, permitted or licenced facilities.
- All operational waste materials will be segregated into appropriate categories and will be temporarily stored in appropriate bins or other suitable receptacles in designated, easily accessible areas of the site.
- On-site segregation of all operational waste materials into appropriate categories.
- The residents, tenants and facilities management will ensure that all waste materials will be stored in colour-coded bins or other suitable receptacles in designated, easily accessible locations.
- The residents, tenants and facilities management will ensure that all waste collected from the site of the proposed development will be reused, recycled or recovered, where possible.

Residual Effects

With the implementation of the mitigation measures, especially those contained within the RWMP and the OWMP, there will be no significant residual effects

Analysis, Evaluation and Assessment: Direct and Indirect Effects

I have examined, analysed and evaluated the information provided in Chapter 13 and all the associated documents on file in respect of Waste. I have inspected the site and the surrounding area. I am satisfied that the information submitted in the EIAR adequately demonstrates an understanding of the potential impacts.

The proposed development will generate a conservable quantity of waste due to the demolition of buildings on site and during the operation phase of a development of 562 residential units, a creche and community/cultural spaces.

The EIAR has highlighted potential significant effects if construction waste and operational waste are not adequately managed, reused, recovered or recycled. The proposed mitigation measures are robust, and the management plans in both the RWMP and the OWMP are comprehensive. I am satisfied that if the mitigation

measures are implemented and the management plans in the RWMP and the OWMP are followed, the proposed development will not have a significant effect on the environment.

Conclusion: Direct and Indirect Effects

Having regard to the EIAR, I am satisfied that impacts predicted to arise in relation to waste during the construction and operation phases would be avoided, managed, and mitigated by the measures that form part of the proposed scheme, the proposed mitigation measures in the RWMP and the OWMP, and through suitable conditions. I therefore consider that the proposed development will not result in significant cumulative or residual effects.

10.8.5. Transportation

Issues Raised

The appellants, third parties and observers have raised issues relating to traffic, including the increase in traffic volumes on existing congested roads, the lack of capacity in the public transport, the under-provision of car parking and traffic safety concerns relating to traffic entering/exiting from the Sandford Road Junction.

Examination of the EIAR

Context

Chapter 15 of the EIAR, the submitted Traffic and Transport Assessment, Mobility Management Plan, the DMURS Design Statement, Bicycle Design Statement, Public Transport Capacity Assessment, Preliminary Design Stage Quality Audit and the Parking Strategy all deal with Transportation.

This chapter assesses the likely impact of the proposed development on the existing transportation system in the vicinity of the site and identifies proposed mitigation measures to minimise any impacts arising from the development.

Baseline

The site is located immediately south of Sandford Road (R117). Sandford Road is a wide single carriageway road which contains on road cycle lanes on both sides of the road. This road leads to the city centre via Ranelagh. The Milltown Road (R117),

immediately east of the subject site, is a single-carriageway road with one lane in each direction. The R824 Eglinton Road is a single-carriageway road with one lane in each direction and provides mandatory cycle lanes along both sides. Eglinton Road connects the subject site to Stillorgan Road. The R138 Stillorgan Road is a four-lane dual-carriageway road with a bus lane and a bicycle lane in each direction. It is currently a major bus corridor (QBC).

All the immediate routes leading to and from the subject site benefit from the provision of street lighting and pedestrian footways.

There are cycle facilities along Sandford Road and Eglinton Road, which include cycle lanes on both sides. Milltown Road currently does not provide dedicated cycle facilities

The Beechwood Luas stop is c.1km from the site. The Cowper stop is c. 1.3km, the Ranelagh stop is within c. 1.1 km, and the Milltown stop is c. 1.2km walking distance from the subject site. Access from these stops to the proposed Metro Line will be at an interchange at the Charlemont Luas Stop to access the underground metro.

There are numerous bus services along Milltown Road and Sanford Road adjacent to the site. The new BusConnects routes E1 and E2 commenced in January 2025. The E1 and E2 bus routes serve the areas of Northwood-Ballywaltrim and Harristown-Dún Laoghaire, respectively. These routes are along the Donnybrook Road, with the nearest bus stop approximately 530m from the site.

The subject site is located within the “*Dublin South CENTRAL*” as outlined within the Greater Dublin Area Cycle Network Plan (published by the NTA in 2013). The South CENTRAL Sector “*extends outward from the city centre through Ranelagh and fans out to include the areas of Clonskeagh, Milltown, Goatstown, Dundrum, Ballinteer, Sandyford and Stepside*”.

Potential Effects

Table 10.9: Summary of Potential Effects: Transportation

Project Phase	Potential Direct, Indirect and Cumulative Effects
Do Nothing	The overall operational performance of the existing junctions on the surrounding road network will be impacted by the forecast

	background network traffic growth (should that growth arise) and the committed developments in the area.
Construction	Temporary negative effect on the traffic environment in the immediate vicinity of the subject site due to construction staff travelling to the site and HGV & LGV transporting goods to the site.
Operation	During the complete and occupied operational stage of the subject site, a slight long-term traffic impact will be made on the local road environment stemming from residential and employee trips to and from the site. Sandford/Milltown/Eglington Road junction minimally affected. The existing site entrance on Sandford Road is minimally affected. The proposed site entrance on Sandford Road has a marginally higher traffic impact, although no capacity concerns.
Decommissioning	N/A
Cumulative	TII's growth figures are used to determine the traffic growth rates for operational traffic impacts.

Mitigation

Mitigation measures are included in the chapter, the CEMP, PCMP and Chapter 20.

During the construction phases, initiatives will be implemented to avoid, minimise, and/or mitigate the anticipated impacts of the construction period. These include:

- Appropriate on-site parking (temporary parking for the duration of construction works) and compound area will be provided to prevent overflow onto the local network.
- Delivery vehicles to and from the site will be spread across the course of the working day, therefore, the number of HGVs travelling during the peak hours will be relatively low.

- Potential localised traffic disruptions during the construction phase will be mitigated through the implementation of industry-standard traffic management measures, such as traffic signage.
- 'Wayfinding' signage will be provided to route staff/deliveries into the site and to designated compound/construction areas.
- Dedicated construction haul routes will be identified and agreed with Dublin City Council prior to commencement of activities on-site.

The Operational Phase integration measures include those contained in the Parking Management Strategy and the Mobility Management Plan.

Infrastructure measures have been identified to reduce reliance on private vehicles, these include:

- Provision of secure cycling space in excess of the minimum DHPLG guidance.
- Low level of car parking provision.
- Junction enhancements at the R117 Sandford Road site access junction will create a highly permeable environment for pedestrians and cyclists.
- A proposed signalised toucan crossing on the Milltown Road will facilitate safe connections for pedestrians and cyclists.
- Provision of 10 No. dedicated car-sharing spaces.

Residual Effects

With the implementation of the mitigation measures, the stated residual effects of the construction phase on the local receiving environment will be temporary in both quality and effect.

During the operation phase, the Southern Site Access/R117 Milltown Road three-arm priority-controlled junction will exceed the 10% threshold (required under the Institution of Highways and Transportation document 'Guidelines for Traffic Impact Assessments'); however, the junction will operate within capacity with a maximum Ratio to Flow Capacity of 12.85% for 2043 AM peak hour and PM 11.62%. The

stated impact significance for both the AM and PM peak hours of the 2043 design year scenario is 'Not Significant' with the proposed development resulting in an environmental impact of only a 'Short-term' duration.

Analysis, Evaluation and Assessment: Direct and Indirect Effects

I am satisfied that the EIAR and the associated TTA have been prepared in accordance with the TII Guidelines and have demonstrated that impacts on the operation of the local road network will not be significant. I am satisfied that the site is well served with public transport, as it has adequate bicycle and car parking, and the applicant has proposed measures to encourage sustainable travel patterns.

Conclusion: Direct and Indirect Effects

Having regard to the examination of environmental information as outlined above, it is considered that, given the nature and scale of the proposed development, the site's location within the built-up area, the capacity of existing road infrastructure, and the availability of high-capacity, frequent public transport; along with the implementation of the proposed mitigation measures, particularly the CMP and Mobility Management Plan; there are no potential significant environmental effects on transportation.

10.8.6. Material Assets – Site Services

No issues have been raised by any party to the appeal/application in respect of material assets- site services. I note that Surface Water Drainage, Foul Drainage and Water Supply are addressed in Chapter 11 (Water & Hydrology). I have examined Chapter 16 of the EIAR, Appendix 16.1 (ESB Networks Utility Plans, Appendix 16.2 (GPR Utility Survey), the CEMP and the PCMP, which deal with this topic. Having regard to the site's location in an urban environment and the mitigation measures contained in Section 16.2 and the CEMP I am satisfied that there is no potential for significant direct, indirect, or cumulative effects on Site Services from the proposed development.

Concerns were raised in the grounds of appeal regarding the devaluation of neighbouring property. However, based on the assessment and conclusion outlined above, I am satisfied that the proposed development would not significantly harm the

area's amenities to an extent that would negatively impact the value of nearby property.

10.9. Interactions

Chapter 19 of the EIAR considers the interaction of the foregoing environmental factors. The main interactions include:

- Between architectural heritage and landscape, which is considered to be long-term, moderate and positive.
- Between construction noise and vibration and transportation, which is considered to be short-term, slight to significant and neutral.

A summary of the potential interactions is outlined in Appendix 3 of this report. However, consistent with the EIAR, I am satisfied that appropriate mitigation measures have been included to ensure that any interactions will not result in significant effects on the environment. Chapter 19 of the EIAR also outlines that any predicted specific cumulative impacts are outlined in the various EIAR chapters and tend to be temporary, related to the construction period, and manageable by way of mitigation. I would concur that no significant interactions are envisaged in terms of interactions arising from cumulative impacts.

10.10. Reason Conclusion

Having regard to the examination of environmental information provided in respect of the proposed development, in particular the EIAR and the supplementary information provided by the applicant, the submissions from the planning authority, prescribed bodies and third parties in the course of the application/appeal, it is considered that the main significant, direct, indirect and cumulative effects on the environment, with the implementation of proposed mitigation measures are:

- Long-term, positive, significant impact on the population, due to the increase in the housing stock during the operational phase.
- Short-term negative significant effect on biodiversity due to tree loss and long-term positive significant effect on biodiversity of tree planting and creation of new habitats.

- Long-term positive townscape effects as a result of the redevelopment of the site through landmark built form and associated open spaces.
- Short-term negative, significant noise effects arising from the population in the direct vicinity of the site works during the construction phase.

Notwithstanding the foregoing and having regard to the temporary nature of the negative construction noise effects for properties immediately adjoining the site and national policy which indicates a favourable approach to compact residential growth and sequential patterns of growth, it is considered that these effects are not sufficient to warrant refusing permission for the development and are acceptable.

11.0 AA Screening

11.1. The provisions of Appendix 1 apply to this section.

11.2. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on **South Dublin and River Tolka Estuary SPA (004024), South Dublin Bay SAC (000210), North Bull Island SPA (004006), North Dublin Bay SAC (000206), Northwest Irish Sea SPA (004236), Rockabill to Dalkey Island SAC (003000)** in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required. This is consistent with the findings of the applicant's Appropriate Assessment Screening Report and Dublin City Council.

11.3. This determination is based on:

- Objective information presented in the Appropriate Assessment Screening Report.
- Nature of works

- Location and distance from nearest European sites and lack of connections.
- Qualifying interests and conservation objectives of the European sites.
- Standard pollution controls and project design features that would be employed regardless of proximity to a European site and the effectiveness of same.

12.0 Water Framework Directive

12.1. The provisions of Appendix 2 apply to this section.

The site is located in an inner suburban area of Dublin on a brownfield former industrial site. The River Dodder is c.450m to the south west of the site.

12.2. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the WFD, which seek to protect and, where necessary, restore surface and ground water bodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration.

12.3. Having considered the nature, scale, and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reasons for this conclusion are as follows:

- the nature of the proposed works including the introduction of SuDS for the operational stage,
- the presence of a public foul sewer to which the development would discharge, and,
- the proposed mitigation measures contained within submitted documentation such as the CEMP, Hydrological and Hydrogeological Risk Assessment Report (HHRAR), the Basement Impact Assessment and the EIAR.

12.4. On the basis of objective information, the proposed development would not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent

basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

13.0 Conditions of the Dublin City Council Decision

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

Table 13.1 – Consideration of Planning Authority Conditions

No.	Summary of Condition	Comment	Included in ACP Condition No.
1	Documents and drawings	Standard condition to apply	1
2	S.48 Planning Contribution	Standard condition to apply	28
3	Bond	Standard condition to apply	27
4	Revised Details	Part Included	3
5	Conservation Details	Included	24
6	Transportation Details	Included	7,9,10,23
7	Drainage Details	Included	11
8	Archaeological Details	included	24
9	Parks Details	Landscape standard condition	19,20
10	Air Quality and Noise Control	Standard CEMP	
11	Uisce Eireann Details	Standard condition to apply	12
12	Signage Details	Included	13
13	Roads during Construction	Covered in CMP	16

14	No additional development at the roof level.	This is adequately covered by the terms of the permission and legislation.	1
15	Codes of Practice	Covered in CMP	16
16	EIAR Mitigation and Monitoring	Standard condition to apply	2
17	Finishes Details	Standard condition to apply	4
18	Management plan for community, arts and cultural spaces.	Included	22
19	Naming and Numbering	Standard condition to apply	5
20	Public Lighting Details	Standard condition to apply	6
21	Undergrounding of cables	Standard condition to apply	7
22	Landscaping Scheme	Standard condition to apply	19,20
23	Part V Details	Standard condition to apply	25
24	Public Open Space Management and Maintenance.	Standard condition to apply	21
25	Broadband Details	Standard EIAR Condition	2
26	Management, operation and use of Community Space	Included	22

14.0 Recommendation

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

15.0 Recommended Draft Commission Order

Planning and Development Acts 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: WEBLRD6093/26-S3B

Appeal by Cherryfield Avenue Residents Association and Norwood Park Residential Association; against the decision made on the 17th day of April 2026, by Dublin City Council to grant, subject to conditions, a permission to Sandford Living Limited, in accordance with plans and particulars lodged with the said Council:

Proposed Development:

- I. Residential Development at a c. 4.26 hectare site at Milltown Park, Sandford Road, Dublin 6, D06 V9K7. Works are also proposed on Milltown Road and Sandford Road to facilitate access to the development, including improvements to pedestrian facilities on an area of c. 0.16 hectares.
- II. The development's surface water drainage network shall discharge from the site via a proposed 300mm diameter pipe along Milltown Road through the junction of Milltown Road / Sandford Road prior to outfalling to the existing drainage network on Eglinton Road (approximately 200 metres from the Sandford Road / Eglinton Road junction), with these works incorporating an area of c. 0.32 hectares. The development site area, road works and drainage works areas will provide a total application site area of c. 4.74 hectares.
- III. The development will principally consist of: the demolition of c. 4, 847.5 sq m of existing structures on site including Milltown Park House (880 sq m), Milltown Park House Rear Extension (2, 031 sq m), the Finlay Wing (622 sq m), the Archive (1, 240 sq m) and the Link Building between Tabor House and Milltown Park House Rear Extension to the front of the Chapel (74.5 sq m); the refurbishment and reuse of Tabor House (1, 575 sq m) and the Chapel (768 sq m) and the provision of a single storey glass entrance lobby to the front and side of the Chapel (52 sq m); and the provision of 562 No. residential units comprising 6 No. three-bed courtyard houses and 556 No. apartment units (70 No. studios, 176 No. one-bed units, 267 No. two-bed

units and 43 No. three-bed units). Block A1 will range in height from 5 No. storeys to 8 No. storeys and will comprise 81 No. apartment units; Block A2 will range in height from 6 No. storeys to 8 No. storeys and will comprise 139 No. apartment units; Block B will range in height from 3 No. to 7 No. storeys and will comprise 74 No. apartment units; Block C will range in height from 4 No. storeys to 7 No. storeys and will comprise 151 No. apartment units; Block D will range in height from 3 No. storeys to 5 No. storeys and will comprise 30 No. apartment units; Block E will be 2 No. storeys in height and will comprise 6 No. courtyard type houses; and Block F will range in height from 5 No. storeys to 7 No. storeys and will comprise 81 No. apartment units.

- IV. The development also includes the provision of: cultural/community space within Tabor House (4 No. storeys including lower ground floor level) and the Chapel (2 No. storeys including lower ground floor level and mezzanine level) (1, 698 sq m) with associated outdoor space (248 sq m); a café/restaurant (179 sq m) and a creche (375 sq m) within Block F with associated outdoor creche play area; ancillary residents' amenities and facilities (324 sq m) within Blocks B & C; and a single storey bin store and substation adjacent to Block F (101 sq m).
- V. The development also provides a new access from Milltown Road (which will be the principal vehicular entrance to the site) in addition to utilising and upgrading the existing access from Sandford Road as a secondary access principally for deliveries, emergencies and taxis; new pedestrian access points; pedestrian/bicycle connections through the site; 319 No. car parking spaces (288 No. at basement level and 31 No. at surface level); set down area for deliveries; bicycle parking; 22 No. motorcycle spaces; bin storage; boundary treatments; private balconies and terraces facing all directions; hard and soft landscaping including public open space and communal open space; green/blue roofs; PV panels; substations; lighting; plant; lift cores and overruns; and all other associated site works above and below ground.
- VI. The proposed development has a gross floor space of c.50, 196 sq m above ground level over a partial basement (under part of Blocks A1 and A2 and under Blocks B and C) measuring c. 10, 550 sq m, which includes parking spaces, bin storage, bike storage and plant.

Decision

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

Reasons and Considerations

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

- a) The need to plan for increased growth in accordance with the National Planning Framework, First Revision, April 2025, and the flexibility that applies to projected targets for future growth, including National Policy Objective 11.
- b) The nature, scale and design of the proposed development, which is in accordance with the policies and objectives of the Dublin City Development Plan 2022-2028;
- c) The pattern of existing and permitted development and the availability of adequate social and physical infrastructure in the area;
- d) The provisions of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage in 2025;
- e) The provisions of Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, issued by the Department of Housing, Local Government and Heritage in January 2024;
- f) Delivering Homes Building Communities, 2025
- g) The policies and objectives of the Dublin City Development Plan 2022-2028.
- h) The Planning System and Flood Risk Management Guidelines for Planning Authorities (including the associated Technical Appendices), issued by the Office of Public Works and Department of Environment, Heritage and Local Government, 2009;
- i) The Childcare Facilities Guidelines for Planning Authorities, issued by the Government of Ireland, 2001;
- j) The submissions and observations received;
- k) The reports from the Planning Authority; and

- l) The report of the Planning Inspector.

Climate Action

The Commission performed its functions in relation to the making of its decision, in a manner consistent with Section 15(1) of the Climate Action and Low Carbon Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, (consistent with Climate Action Plan 2024 and Climate Action Plan 2025 and the national long term climate action strategy, national adaptation framework and approved sectoral adaptation plans set out in those Plans and in furtherance of the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State).

Appropriate Assessment

The Commission agreed with the screening assessment and conclusion carried out in the Inspector's report that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. It is therefore determined that Appropriate Assessment (stage 2) is not required.

This conclusion is based on:

- Objective information presented in the Appropriate Assessment Screening Report.
- Nature of works
- Location and distance from nearest European sites and lack of connections.
- Qualifying interests and conservation objectives of the European sites.
- Standard pollution controls and project design features that would be employed regardless of proximity to a European site and the effectiveness of same.

Environmental Impact Assessment

The Commission completed an environmental impact assessment of the proposed development, taking into account: (a) the nature, scale, location, and extent of the proposed development; (b) the Environmental Impact Assessment Report and associated documentation submitted with the application, including the further information submitted (c) the submissions received from the applicant, the planning authority, observers and prescribed bodies in the course of the application and appeal; and (d) the report of the Planning Inspector. The Commission considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, adequately identifies and describes the direct, indirect, and cumulative effects of the proposed development on the environment. The Commission is satisfied that the information contained in the Environmental Impact Assessment Report complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU. The Commission completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures proposed as set out in the Environmental Impact Assessment Report, and subject to compliance with the conditions set out below, the effects of the proposed development on the environment, by itself and in combination with other plans and projects in the vicinity, would be acceptable. In doing so, the Commission adopted the report and conclusions of the Inspector.

Reasoned Conclusion on Significant Effects:

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

- Long-term, positive, significant impact on the population, due to the increase in the housing stock during the operational phase.
- Short-term negative significant effect on biodiversity due to tree loss and long-term positive significant effect on biodiversity of tree planting and creation of new habitats.
- Long-term positive townscape effects as a result of the redevelopment of the site through landmark built form and associated open spaces.

- Short-term negative, significant noise effects arising from the population in the direct vicinity of the site works during the construction phase.

Notwithstanding the foregoing and having regard to the temporary nature of the negative construction noise effects for properties immediately adjoining the site and national policy which indicates a favourable approach to compact residential growth and sequential patterns of growth, the Commission considered that these effects are not sufficient to warrant refusing permission for the development and are acceptable.

Water Framework Direction

The Commission agreed with the screening assessment and conclusion carried out in the Inspector's report that the proposed development would not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

The reasons for this conclusion are as follows:

- the nature of the proposed works including the introduction of SuDS for the operational stage,
- the presence of a public foul sewer to which the development would discharge, and,
- the proposed mitigation measures contained within the submitted documentation, such as the CEMP, Hydrological and Hydrogeological Risk Assessment Report (HHRAR), the Basement Impact Assessment and the EIAR.

Conclusions on Proper Planning and Sustainable Development:

The Commission considered that, subject to compliance with the conditions set out below, the proposed development would be consistent with the zoning and other relevant development objectives of the Dublin City Development Plan 2022-2028, would provide of an acceptable quantum of development at this location which

would be served by an appropriate level of public transport, social and community infrastructure, would provide an acceptable form of residential amenity for future occupants, would not seriously injure the residential amenities or commercial viability of property in the vicinity, would not seriously injure the visual amenities of the area, would be acceptable in terms of urban design, height and scale of development, would be acceptable in terms of traffic safety and convenience, would not be at risk of flooding or increase the risk of flooding to other lands, would not result in any unacceptable ecological or biodiversity impacts, and would be capable of being adequately served by wastewater, surface water, and water supply networks. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

16.0 Conditions

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

Reason: In the interest of clarity.

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

Reason: To protect the environment.

3. The proposed development shall be amended as follows:

(a) The bicycle parking structure directly adjacent to the boundary with properties on Cherryfield Avenue, Lower, shall be omitted, and tree no.22 shall be retained.

(b) Trees Nos, 91 and 128 shall be retained, and the bicycle parking shall be relocated.

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

Reason: In the interests of residential and visual amenity.

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

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

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

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

6. Public lighting shall be provided in accordance with a scheme which shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The scheme shall include lighting along

pedestrian routes through open spaces and shall take account of the requirements of the Environmental Impact Assessment Report mitigation measures. Such lighting shall be provided prior to the making available for occupation of any apartment unit.

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

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

Reason: In the interests of visual and residential amenity.

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

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

9. (a) A minimum of 1355 no. safe and secure bicycle parking spaces shall be provided within the site. Provision should be made for a mix of bicycle types including cargo bicycles and individual lockers. Details of the layout and marking demarcation of these spaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

(b) Electric charging points to be provided at an accessible location for charging cycles/scooters/mobility scooters. Details to be submitted to and agreed in writing with the planning authority.

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

10. The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths, and kerbs and the underground car park 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.

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

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

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

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

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

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

Reason: In the interest of visual amenity.

14. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials, shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.

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

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

Reason: In the interest of sustainable waste management.

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

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

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

17. Prior to commencement of development, a finalised Construction Environmental Management Plan (CEMP) relating to noise and vibration shall be submitted to and agreed in writing with the planning authority. The CEMP shall include a site location map showing the nearest noise sensitive locations, give details of the predicted noise and vibration impact in addition to proposed mitigation measures. The CEMP and noise abatement measures shall comply with the recommendations of BS 5228, 'Code of Practice for Noise and Vibration Control on Construction and Open Sites'. The noise sensitive locations shall be taken to be the nearest residential buildings unless otherwise agreed in writing with the planning authority.

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

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

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

19. The landscaping scheme shown on drawing number C0111L1000, as submitted to the planning authority on the 25th day of February, 2026, 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, 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.

20. All trees within and on the boundaries of the site shall be retained and maintained, with the exception of the following:

- (a) Trees as specified for removal in the Arboricultural Assessment & Impact Report submitted to the planning authority on 25 February 2026.
- (b) Prior to commencement of development, all trees, groups of trees, hedging and shrubs which are to be retained shall be enclosed within stout fences not less than 1.5 metres in height. This protective fencing shall enclose an area covered by the crown spread of the branches, or at minimum radius of two metres from the trunk of the tree or centre of the shrub, and to a distance of two metres on each side of the hedge for its full length, and shall be maintained until the development has been completed.
- (c) No construction equipment, machinery or materials shall be brought onto the site for the purpose of the development until all the trees which are to be retained have been protected by this fencing. No work shall be carried out within the area enclosed by the fencing and, in particular, there shall be no parking of vehicles, placing of site huts, storage compounds or topsoil heaps, storage of oil, chemicals or other substances, and no lighting of fires, over the root spread of any tree to be retained.

Reason: In the interest of visual amenity and to protect trees and planting during the construction period.

21. The communal open spaces, including hard and soft landscaping, car parking areas and access ways, communal refuse/bin storage, and all areas not

intended to be taken in charge by the local authority, shall be maintained by a legally-constituted management company.

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.

22. Prior to occupation of the residential units on site a management plan shall be submitted to, and agreed in writing with, the planning authority which provides details of the uses and groups to avail of the site's provision of community, arts and culture spaces within the development.

Reason: In order to comply with the requirements set out in the development plan

23. The development shall be carried out and operated in accordance with the provisions of the Mobility Management Plan (MMP) submitted to the planning authority on 25th February 2025. The specific measures detailed in Chapter 6 of the MMP to achieve the objectives and modal split targets for the development shall be implemented in full upon first occupation. The developer shall undertake an annual monitoring exercise to the satisfaction of the planning authority for the first 5 years following first occupation and shall submit the results to the planning authority for consideration and placement on the public file.

Reason: To achieve a reasonable modal split in transport and travel patterns in the interest of sustainable development.

24. All mitigation measures in relation to archaeology and cultural heritage as set out in Chapter 6, 7 and 20 of the EIAR included in the application documents shall be implemented in full. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any archaeological investigative work/ excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis. 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

25. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Coimisiún Pleanála for determination.

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

26. (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), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant residential units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

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

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

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

27. 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.

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

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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

Peter Nelson
Planning Inspector

12th August 2026

Appendix 1: 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	Demolition of existing structures on site and the development of 562 no. residential units, a creche, cultural and community spaces, basement parking and new access off Milltown Road. Refer to Section 2.0 of this report for a full description.
Brief description of development site characteristics and potential impact mechanisms	The Site is currently composed of a mix of buildings and green space, with an overall developable area of 4.26 Ha. Works are also proposed on Milltown Road and Sandford Road to facilitate access to the Site, including improvements to pedestrian facilities on an area of ca. 0.1Ha. Works associated with the Site's surface water drainage network will entail works through the junction of Milltown Road / Sandford Road and along a portion of Eglinton Road (R824) (approximately 200 metres from the Sandford Road / Eglinton Road junction), with these works incorporating an area of ca. 0.32 Ha. The southern boundary of the Site backs onto lands owned by the Jesuit order and zoned as Z15. The closest European sites to the Proposed Development are South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA, which are located approximately 2.2km to the east of the Site.
Screening report	An Appropriate Assessment Screening Report prepared by DNV, dated the 11th December 2025, was submitted with the planning application.
Natura Impact Statement	No.
Relevant submissions	No.

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

European Site (code)	Qualifying interests¹	Distance from proposed development (km)	Ecological connections²	Consider further in screening³ Y/N
South Dublin Bay SAC (000210)	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] Embryonic shifting dunes [2110]	2.2km east	Direct hydrological pathway and indirect hydrological pathway via Ringsend WWTP.	Yes
North Dublin Bay SAC (000206)	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	6km northeast	Direct hydrological pathway and indirect hydrological pathway via Ringsend WWTP.	Yes

	<i>Ammophila arenaria</i> (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] Humid dune slacks [2190] <i>Petalophyllum ralfsii</i> (Petalwort) [1395] <i>Spartina</i> Swards (<i>Spartinion maritimae</i>)[1320] Embryonic shifting dunes [2110]			
Rockabill to Dalkey Island SAC (00300)	Reefs [1170] Common Harbour Porpoise (<i>Phocoena phocoena</i>)[1351]	9.9km east	Direct hydrological pathway and indirect hydrological pathway via Ringsend WwTP.	Yes
Rye Water Valley/Carton SAC (001398)	Petrifying springs with tufa formation (<i>Cratoneurion</i>) [7220] <i>Vertigo angustior</i> (Narrow-mouthed Whorl Snail) [1014] <i>Vertigo moulinsiana</i> (Desmoulin's Whorl Snail) [1016]	16.9km west of the site	Same groundwater body.	No Screened out due to distance and interception by hydrological pathways.
Wicklow Mountains SAC (002122)	Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) [3110] Natural dystrophic lakes and ponds [3160]	13km south/southwest	Potential indirect hydrological / land & air affects on Otter via contaminated surface water run-off	No Screen out given distance and potential for dilution.

	Northern Atlantic wet heaths with <i>Erica tetralix</i> [4010] European dry heaths [4030] Alpine and Boreal heaths [4060] Calaminarian grasslands of the <i>Violetalia calaminariae</i> [6130] Species-rich <i>Nardus</i> 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 (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>) [8110] Calcareous rocky slopes with chasmophytic vegetation [8210] Siliceous rocky slopes with chasmophytic vegetation [8220] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0] <i>Lutra lutra</i> (Otter) [1355]			
South Dublin Bay and River	Light-bellied Brent Goose (<i>Branta</i>	2.2 km east	Air (mobile species)	Yes

Tolka Estuary SPA (004024)	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]		Foul water discharge to Ringsend WWTP and ultimately Dublin Bay. Stormwater network flows to the River Dodder, eventually the River Liffey and Dublin Bay.	
North Bull Island SPA (004006)	Light-bellied Brent Goose (Branta bernicla hrota) [A046]	6 km northeast	Air (mobile species) Foul water discharge to Ringsend WWTP and ultimately	Yes

Shelduck (<i>Tadorna tadorna</i>) [A048] Teal (<i>Anas crecca</i>) [A052] Pintail (<i>Anas acuta</i>) [A054] Shoveler (<i>Anas clypeata</i>) [A056] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Knot (<i>Calidris canutus</i>) [A143] Sanderling (<i>Calidris alba</i>) [A144] Dunlin (<i>Calidris alpina</i>) [A149] Black-tailed Godwit (<i>Limosa limosa</i>) [A156] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Curlew (<i>Numenius arquata</i>) [A160] Redshank (<i>Tringa totanus</i>) [A162] Turnstone (<i>Arenaria interpres</i>) [A169] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Wetland and Waterbirds [A999]		Dublin Bay. Stormwater network flows to the River Dodder, eventually the River Liffey and Dublin Bay.	
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North-West Irish Sea SPA (004236)	Red-throated Diver (<i>Gavia stellata</i>) [A001]	6 km northeast	Air (mobile species) Foul water discharge to Ringsend WWTP and ultimately Dublin Bay. Stormwater network flows to the River Dodder, eventually the River Liffey and Dublin Bay.	Yes
	Great Northern Diver (<i>Gavia immer</i>) [A003]			
	Fulmar (<i>Fulmarus glacialis</i>) [A009]			
	Manx Shearwater (<i>Puffinus puffinus</i>) [A013]			
	Cormorant (<i>Phalacrocorax carbo</i>) [A017]			
	Shag (<i>Phalacrocorax aristotelis</i>) [A018]			
	Common Scoter (<i>Melanitta nigra</i>) [A065]			
	Little Gull (<i>Larus minutus</i>) [A177]			
	Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]			
	Common Gull (<i>Larus canus</i>) [A182]			
	Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183]			
	Herring Gull (<i>Larus argentatus</i>) [A184]			
	Great Black-backed Gull (<i>Larus marinus</i>) [A187]			
	Kittiwake (<i>Rissa tridactyla</i>) [A188]			

	Arctic Tern (<i>Sterna paradisaea</i>) [A194] Little Tern (<i>Sterna albifrons</i>) [A195] Guillemot (<i>Uria aalge</i>) [A199] Razorbill (<i>Alca torda</i>) [A200] Puffin (<i>Fratercula arctica</i>) [A204]			

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

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Site 1: South Dublin Bay SAC (000210) QI list 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] Embryonic shifting dunes [2110]	Direct None Indirect Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution. Stormwater during the Construction phase will be discharged to the existing surface water system which discharges to the River Dodder. Negative impacts on surface water/water quality due to hydrocarbon pollution from vehicles during operation phase.	Any silt-laden stormwater from construction or hydrocarbon-contaminated water from a construction vehicle leak manage to enter the public stormwater sewer, the suspended solids will naturally settle within the drainage pipes and hydrocarbons will dilute to background levels by the time the stormwater reaches any open water based on the distance to waterways and qualifying interest habitats. During operation, should any leak of hydrocarbon occur from a vehicle, the volume of contaminant release is low and combined with the significant attenuation within in the public stormwater sewers, hydrocarbons will dilute to background levels with no likely impact above water quality

	Minor increase contribution to the overall capacity of the licensed WWTP at Ringsend. Increase in NOx emissions that could potentially impact on the qualifying interest of South Dublin Bay SAC	objectives. Proposed SuDS measures will reduce any effects on water quality. No effects from increased loading to Ringsend WWTP. Given that the proposed site is located at the other side of Dublin Bay in an area of low aquifer vulnerability, negative groundwater impacts on the Natura 2000 sites are not anticipated, either from the proposed development on its own or in combination with other projects. The site is located in an urban setting and the distance to the protected sites is 2.2km, vehicular emissions will not significantly impact on the QIs of the SAC.
	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? None	
	Possibility of significant effects (alone) in view of the conservation objectives of the site. NO	
	Impacts	Effects
Site 2: North Dublin Bay SAC (000206) QI list Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210]	Direct: None Indirect: Negative impacts (temporary) on surface water/water quality due to construction-related emissions, including increased sedimentation and construction-related pollution.	If any silt-laden stormwater from construction or hydrocarbon-contaminated water from a construction vehicle leak manages to enter the public stormwater sewer, the suspended solids will naturally settle within the drainage pipes, and hydrocarbons will dilute to background levels by the time the stormwater reaches any open water, based on the distance to waterways and qualifying interest habitats.

Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glauco-Puccinellietalia maritima) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] Embryonic shifting dunes [2110] Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] Humid dune slacks [2190] Petalophyllum ralfsii (Petalwort) [1395] Spartina Swards (Spartinion maritima)[1320] Embryonic shifting dunes [2110]	Stormwater during the Construction phase will be discharged to the existing surface water system which discharges to the River Dodder. Negative impacts on surface water/water quality due to hydrocarbon pollution from vehicles during operation phase. Minor increase in contribution to the overall capacity of the licensed WWTP at Ringsend. Increase in NOx emissions that could potentially impact on the qualifying interest of North Dublin Bay SAC	During operation, should any leak of hydrocarbon occur from a vehicle, the volume of contaminant release is low and combined with the significant attenuation within in the public stormwater sewers, hydrocarbons will dilute to background levels with no likely impact above water quality objectives. Proposed SuDS measures will reduce any effects on water quality. No effects from increased loading to Ringsend WWTP. Given that the proposed site is located at the other side of Dublin Bay in an area of low aquifer vulnerability, negative groundwater impacts on the Natura 2000 sites are not anticipated, either from the proposed development on its own or in combination with other projects. The site is located in an urban setting and the distance to the protected sites is 6km, vehicular emissions will not significantly impact on the QIs of the SAC.
	Likelihood of significant effects from proposed development (alone): N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? None	
	Possibility of significant effects (alone) in view of the conservation objectives of the site: No	
	Impacts	Effects
Site 3: Rockabill to Dalkey Island SAC (00300) QI list	Direct: None Indirect:	Any silt-laden stormwater from construction or hydrocarbon-contaminated water from a construction vehicle leak manage to enter the public stormwater sewer, the

Reefs [1170] Common Harbour Porpoise (<i>Phocoena phocoena</i>)[1351]	Negative impacts (temporary) on surface water/water quality due to construction-related emissions, including increased sedimentation and construction-related pollution. Stormwater during the Construction phase will be discharged to the existing surface water system, which discharges to the River Dodder. Negative impacts on surface water/water quality due to hydrocarbon pollution from vehicles during operation phase. Minor increase in contribution to the overall capacity of the licensed WWTP at Ringsend.	suspended solids will naturally settle within the drainage pipes and hydrocarbons will dilute to background levels by the time the stormwater reaches any open water based on the distance to waterways and qualifying interest habitats and species. During operation, should any leak of hydrocarbon occur from a vehicle, the volume of contaminant release is low and combined with the significant attenuation within in the public stormwater sewers, hydrocarbons will dilute to background levels with no likely impact above water quality objectives. Proposed SuDS measures will reduce any effects on water quality. No effects from increased loading to Ringsend WWTP. Given that the proposed site is located at the other side of Dublin Bay in an area of low aquifer vulnerability, negative groundwater impacts on the Natura 2000 sites are not anticipated, either from the proposed development on its own or in combination with other projects.
	Likelihood of significant effects from proposed development (alone): N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? Possibility of significant effects (alone) in view of the conservation objectives of the site. None	
	Impacts	Effects
Site 4:	Direct:	

South Dublin Bay and River Tolka Estuary SPA (004024) QI list Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Ringed Plover (<i>Charadrius hiaticula</i>) [A137] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Knot (<i>Calidris canutus</i>) [A143] Sanderling (<i>Calidris alba</i>) [A144] Dunlin (<i>Calidris alpina</i>) [A149] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Redshank (<i>Tringa totanus</i>) [A162] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Roseate Tern (<i>Sterna dougallii</i>) [A192] Common Tern (<i>Sterna hirundo</i>) [A193] Arctic Tern (<i>Sterna paradisaea</i>) [A194] Wetland and Waterbirds [A999]	None Indirect: Negative impacts (temporary) on surface water/water quality due to construction-related emissions, including increased sedimentation and construction-related pollution. Stormwater during the Construction phase will be discharged to the existing surface water system which discharges to the River Dodder. Dust release and vehicle emissions during construction and operation phases potentially impact the waterbirds. Potential loss of supporting habitat.	Any silt-laden stormwater from construction or hydrocarbon-contaminated water from a construction vehicle leak manage to enter the public stormwater sewer, the suspended solids will naturally settle within the drainage pipes and hydrocarbons will dilute to background levels by the time the stormwater reaches any open water based on the distance to waterways. The grassland was considered unsuitable foraging habitat for Brent Geese due to grass being uncut with a height >15cm and the restricted sight-lines (walls, buildings and woodland surrounding the site) at the site. No other QI bird species are foraging or nesting within the site and the site is not within a known flight line of any of the species.
	Likelihood of significant effects from proposed development (alone): NO	

	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No Possibility of significant effects (alone) in view of the conservation objectives of the site: None	
	Impacts	Effects
Site 5: North Bull Island SPA (004006) QI list Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Shelduck (<i>Tadorna tadorna</i>) [A048] Teal (<i>Anas crecca</i>) [A052] Pintail (<i>Anas acuta</i>) [A054] Shoveler (<i>Anas clypeata</i>) [A056] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Knot (<i>Calidris canutus</i>) [A143] Sanderling (<i>Calidris alba</i>) [A144] Dunlin (<i>Calidris alpina</i>) [A149] Black-tailed Godwit (<i>Limosa limosa</i>) [A156]	Direct: None Indirect Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution. Stormwater during the Construction phase will be discharged to the existing surface water system which discharges to the River Dodder. Dust release and vehicle emissions during construction and operation phases potentially impact the waterbirds. Potential loss of supporting habitat.	Any silt-laden stormwater from construction or hydrocarbon-contaminated water from a construction vehicle leak manage to enter the public stormwater sewer, the suspended solids will naturally settle within the drainage pipes and hydrocarbons will dilute to background levels by the time the stormwater reaches any open water based on the distance to waterways. The grassland was considered unsuitable foraging habitat for Brent Geese due to grass being uncut with a height >15cm and the restricted sight-lines (walls, buildings and woodland surrounding the site) at the site. No other QI bird species are foraging or nesting within the site.

Bar-tailed Godwit (Limosa lapponica) [A157] Curlew (Numenius arquata) [A160] Redshank (Tringa totanus) [A162] Turnstone (Arenaria interpres) [A169] Black-headed Gull (Chroicocephalus ridibundus) [A179] Wetland and Waterbirds [A999]		
	Likelihood of significant effects from proposed development (alone): Y/N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? Possibility of significant effects (alone) in view of the conservation objectives of the site	
	Impacts	Effects
Site 6: North-West Irish Sea SPA (004236) QI list 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 Any silt-laden stormwater from construction or hydrocarbon-contaminated water from a construction vehicle leak manage to enter the public stormwater sewer, the suspended solids will naturally settle within the drainage pipes and hydrocarbons will dilute to background levels by the time the stormwater reaches any open water based on the distance to waterways. Negative impacts (temporary) on surface water/water quality due to construction related emissions	Any silt-laden stormwater from construction or hydrocarbon-contaminated water from a construction vehicle leak manage to enter the public stormwater sewer, the suspended solids will naturally settle within the drainage pipes and hydrocarbons will dilute to background levels by the time the stormwater reaches any open water based on the distance to waterways. No other QI bird species are foraging or nesting within the site and the site is not within a known flight line of any of the species.

Shag (<i>Phalacrocorax aristotelis</i>) [A018]	including increased sedimentation and construction related pollution.	
Common Scoter (<i>Melanitta nigra</i>) [A065]	Stormwater during the Construction phase will be discharged to the existing surface water system which discharges to the River Dodder.	
Little Gull (<i>Larus minutus</i>) [A177]		
Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]	Dust release and vehicle emissions during construction and operation phases potentially impact the waterbirds.	
Common Gull (<i>Larus canus</i>) [A182]	Potential loss of supporting habitat.	
Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183]		
Herring Gull (<i>Larus argentatus</i>) [A184]		
Great Black-backed Gull (<i>Larus marinus</i>) [A187]		
Kittiwake (<i>Rissa tridactyla</i>) [A188]		
Roseate Tern (<i>Sterna dougallii</i>) [A192]		
Common Tern (<i>Sterna hirundo</i>) [A193]		
Arctic Tern (<i>Sterna paradisaea</i>) [A194]		
Little Tern (<i>Sterna albifrons</i>) [A195]		
Guillemot (<i>Uria aalge</i>) [A199]		
Razorbill (<i>Alca torda</i>) [A200]		
Puffin (<i>Fratercula arctica</i>) [A204]		
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	

	Possibility of significant effects (alone) in view of the conservation objectives of the site: None
Step 4 Conclude if the proposed development could result in likely significant effects on a European site	
I conclude that the proposed development (alone) would not result in likely significant effects on South Dublin and River Tolka Estuary SPA (004024), South Dublin Bay SAC (000210), North Bull Island SPA (004006), North Dublin Bay SAC (000206), Northwest Irish Sea SPA (004236), Rockabill to Dalkey Island 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.	

Screening Determination

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on **South Dublin and River Tolka Estuary SPA (004024), South Dublin Bay SAC (000210), North Bull Island SPA (004006), North Dublin Bay SAC (000206), Northwest Irish Sea SPA (004236), Rockabill to Dalkey Island SAC (003000)** in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- Objective information presented in the Appropriate Assessment Screening Report.
- Nature of works
- Location and distance from nearest European sites and lack of connections.
- Qualifying interests and conservation objectives of the European sites.
- Standard pollution controls and project design features that would be employed regardless of proximity to a European site and the effectiveness of same.

Appendix 2: WFD IMPACT ASSESSMENT STAGE 1: SCREENING

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

An Coimisiún Pleanála ref. no.	32475-26	Townland, address	Milltown Park, Sandford Road, Dublin 6
Description of project		Demolition of existing structures on site, construction of 562 no. apartments, creche, community and cultural facility and associated site works.	
Brief site description, relevant to WFD Screening,		The site is in the urban area at Milltown, Sanford Road Junction. Currently the site includes open grasslands, treelines, a small woodland and buildings formerly used by the Jesuit College. The existing buildings on site include Milltown Park House with attached extensions, Tabor House, the Chapel, the Finlay Wing and the Archive.	
Proposed surface water details		Construction of a surface water outfall which exits the site along its south-eastern boundary, continues along Milltown Road, through the junction of Milltown Road / Sandford Road prior to discharging to the existing public surface water drainage network in Eglinton Road. Proposed interception storage and treatment of surface water run-off by SUDS features such as permeable paving of driveways, green roofs, tree pits, bioretention areas, underground attenuation tanks and full retention fuel / oil separators at surface water discharge points.	
Proposed water supply source & available capacity		Water supply is from the public main. The Uisce Eireann register of water capacity published in April 2026 states that Dublin City has Potential Capacity Available to meet 2035 population targets - Level of service (LoS) improvement required.	

Proposed wastewater treatment system & available capacity, other issues		Uisce Eireann Wastewater connection. The Uisce Éireann Wastewater Treatment Capacity Register published in April 2026 outlines that there is spare capacity available within the Ringsend WWTP.				
Others		The project development site is located within Flood Zone “C”. A Site-Specific Flood Risk Assessment was prepared. The site was reviewed for pluvial/fluvial/groundwater and infrastructure flooding sources, and any associated risk is deemed to be within acceptable limits. The submitted CEMP, Hydrological and Hydrogeological Risk Assessment Report (HHRAR), the Basement Impact Assessment and the EIAR includes mitigation measures relating to the construction and operational phases.				
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
River Waterbody	450m	Dodder_050 IE_EA_09D010900	Moderate	At Risk	Urban wastewater, Urban run-off, Unknown	Surface water discharge
Transitional Waterbodies	3km	Liffey Estuary Lower	Moderate	At Risk	Urban wastewater combined sewer overflows	Surface water from site via the Dodder

		(IE_EA_090_0300)					
Groundwater Waterbody	Underlying site	Dublin IE_EA_G_008	Good	Review	None identified	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	Waterbody receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	Dodder_050 IE_EA_09D010 900	Indirect pathway through stormwater drainage to Dodder water course	Deterioration of surface water quality during construction	Standard construction practice CMP	No	Screen Out
2.	Ground	Dublin IE_EA_G_008	Potential to groundwater	Deterioration of ground	As above	No	Screened out

			poor drainage characteristics	water due to unmitigated leak from an oil tank to ground/ unmitigated leak from construction vehicle.			
OPERATIONAL PHASE							
3.	Surface	Dodder_050 (IE_EA_09D010900)	Indirect pathway through stormwater drainage to Dodder water course	Hydrocarbon spillage (cars)	Potential contaminant loading will be attenuated diluted and dispersed near source area: SUDs features	No	Screened out
4.	Ground	Dublin IE_EA_G_008	Bedrock protected by >9m low permeability overburden. Migration within weathered/ less competent limestone is low	Hydrocarbon spillage (cars)	Potential contaminant loading will be attenuated diluted and dispersed near source area: SUDs features	No	Screened out

DECOMMISSIONING PHASE							
5.	NA						

Appendix 3: Significant Interactions; taken from EIAR

Interactions →	Population and Human Health	Archaeological and Cultural Heritage	Architectural Heritage	Biodiversity	Landscape and Visual Impact	Land, Soils and Geology	Water-Hydrology	Air Quality and Climate	Noise and Vibration	Material Assets - Waste Management	Transportation	Material Assets - Site Services	Material Assets - Daylight and Sunlight	Microclimate - Wind
Population and Human Health				✓	✓		✓	✓	✓	✓	✓			✓
Archaeology			✓	✓		✓								
Architectural Heritage					✓									
Biodiversity					✓	✓		✓						
Landscape and Visual Impact														✓
Land, Soils and Geology							✓	✓	✓	✓	✓	✓		
Water-Hydrology											✓			
Air Quality and Climate											✓			
Noise and Vibration											✓			
Material Assets - Waste Management											✓			
Transportation														
Material Assets - Site Services														
Material Assets - Daylight and Sunlight														
Microclimate - Wind														

Table 19.1: Matrix of Significant Interactions Discussed Throughout Chapter 19