



An
Coimisiún
Pleanála

Inspector's Report

ACP-324349-26

Development	Proposed Large Scale Residential Development for 135 residential units ranging in height from two to four storeys with all associated site works. Web address: www.glenamucknorthlrd1.ie
Location	Glenamuck North, Kilternan, Dublin 18
Planning Authority	Dún Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	LRD25A/0984/WEB
Applicant(s)	Durkan Glenamuck Developments Limited
Type of Application	Largescale Residential Development
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party against Decision
Appellant(s)	Durkan Glenamuck Developments Limited
Observer(s)	None
Date of Site Inspection	9 th July 2026
Inspector	Fiona Fair

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	4
3.0 Planning Authority Opinion	7
4.0 Planning Authority Decision	8
5.0 Planning History.....	12
6.0 Policy Context.....	18
7.0 The Appeal	30
8.0 Planning Assessment	40
9.0 Appropriate Assessment.....	59
10.0 Environmental Impact Assessment	59
11.0 Water Status Impact Assessment.....	60
12.0 Recommendation	61
13.0 Recommended Draft Order	62
Appendix 1: Appropriate Assessment – Screening Determination	81
Appendix 2: Environmental Impact Assessment – Pre Screening Form	93
Appendix 3: Environmental Impact Assessment – Screening Determination Form..	95
Appendix 4: Water Status Impact Assessment – Screening Form	115

1.0 Site Location and Description

- 1.1. The subject site, with stated area of 3.27 Ha, is located in the townland of Glenamuck North in Kilternan, Dublin 18. The site is located in a semi-rural/ outer suburban area, which has been subject to notable developmental changes in recent years. The site is greenfield in nature, comprising agricultural fields.
- 1.2. The site is bounded by: the recently constructed Glenamuck District Distributor Road to the north (to be known as the Kilternan Road); the recently constructed Glenamuck Link Distributor Road (GLDR) to the east (to be known as the Kilternan-Glenamuck Link Road); 'Glenamuck Manor' and a residential dwelling (known as 'Westgate'), its associated outbuildings and wider land holding to the south; and a residential dwelling (known as 'Shaldon Grange') and its wider landholding located to the west, south of the recently completed Glenamuck District Distributor Road (GDDR)
- 1.3. At the time of writing this report, there are three concurrent planning applications in the immediate vicinity of the subject site. To the east, beyond the GLDR, lies Ashwood Farm, which is the subject of a concurrent application for 145 dwellings LRD25A/0985/WEB / ACP-324147-26 on foot of which permission was granted (Contribution Appeal) on the 10/06/2026. To the north, a 5.2 hectare site within the townland of Glenamuck North had an application under consideration for 235 residential units. LRD26A/0075/WEB permission was Granted on 5th August 2026 (Final grant date). The proposed development at the subject site and the northern lands were designed and co-ordinated by the appellant (who is also the applicant of the northern lands' application, albeit under Durkan Carrickmines Developments Limited). Combined, these LRDs propose to provide a total of 370 No. residential units. To the immediate south LRD26A/0352/WEB was also a concurrent application on foot of which a permission was Granted for Retention Permission, on the 5th August 2026 (Final grant date), for a Large-Scale Residential Development (LRD), which have modified a permitted Strategic Housing Development (SHD) under (Ref.'s ABP-303978-19 & ABP-312216-21), within the permitted "Glenamuck Manor" development. Specifically, it relates to retention permission for: (i) relocated and extended retaining wall, partially along southwestern boundary and alterations to material finishes to same, (ii) an increased play area of 60sq.m to rear of creche, and

(iii) reconfiguration of approved external steps at pedestrian link No. 2, along with associated landscaping. See planning history section of this report for further details of LRD26A/0352/Web, which pertains to Glenamuck Manor, a separate site to the subject application. Albeit, it relates to amendments and retention of boundary details, it does not include the boundary abutting the subject lands.

- 1.3.1. The site is located within the boundary of the Kiltiernan Glenamuck Local Area Plan 2025.
- 1.4. Vehicular access to the site is proposed off the Glenamuck District Distributor Road / Kiltiernan Road to the north ('Street 1') via 'Glenamuck Manor', housing development to the south ('Street 4') from the south and to the west via 'Shaldon Grange' ('Street 3'). A pedestrian access is also proposed to the east onto the Glenamuck Link Distributor Road (GLDR).
- 1.5. A 220kV overhead electricity line with associated pylons runs in a north-south direction across the centre of the lands as well 110kV overhead electricity line that runs along the eastern boundary. A riparian strip for the existing "Glenamuck north stream" runs along the north western boundary of the subject site.

2.0 Proposed Development

- 2.1. The proposed development comprises:
 - Permission for the construction of 135 No. residential units, ranging in height from 2 No. to 4 No. storeys, comprising:
 - 65 No. houses (9 No. 2-bed units, 46 No. 3-bed units and 10 No. 4-bed units) and
 - 70 No. duplex units (21 No. 1-bed units, 22 No. 2-bed units and 27 No. 3-bed units).
 - Road works are proposed to the approved Glenamuck District Roads Scheme (ABP Ref. HA06D.303945) to provide access to the development from the Kiltiernan Road. The Kiltiernan Road access point will include works, inclusive of any necessary tie-ins, to the footpath and cycle track to create a side road access junction incorporating the provision of uncontrolled pedestrian and cyclist crossing across the side road junction. A surface water outfall pipe

(225 mm) is also proposed to pass through land to the north of the site, including the future Kilternan Road.

- The development also provides: car, bicycle and motorcycle parking spaces; bin storage; ancillary storage; private balconies, terraces and gardens; hard and soft landscaping; boundary treatments; lighting; substations; and all other associated site works above and below ground.

2.2. The following tables present a summary of the principal characteristics, features, and floor areas of the components of the proposed scheme, which are extrapolated from the application forms, and plans and particulars (LRD Design Statement, Schedule of Accommodation, Housing Quality Assessment).

Table 1: Key Statistics

Site Area	Total Area: 3.32ha gross Net Developable Area: 3.27ha
Proposed Gross Floor Space	14,232 sq. m
Residential component	Total: 135 residential units Houses: 65 (48%) Duplexes: 70 (52%)
Unit Mix	• 21 No. 1-beds (15.6%) • 31 No. 2-beds (23%) • 73 No. 3-beds (54%) • 10 No. 4-beds (7.4%)
Net Density	Net Density 41 dph
Building Height	Houses: 2-3 storeys Triplexes/Duplexes: 3-4 storeys
Dual Aspect	100%
Open Space	Public: 4,788 sqm (excluding riparian strip) (15.9% of net site area)

	Communal: 1,142 sqm (COS1, 741 sq. m and COPS2, 401 sq. m) Private: gardens, terraces, balconies (various sqm)
Part V provision	Total: 27 units (c.20%)
Car Parking	Total: 199 spaces, which equates to 1.47 spaces per unit* 3 accessible spaces 18 EV spaces 8 Motor Cycle Spaces
Bicycle Parking	Total: 186 spaces. Duplexes long term 150 Duplex and Houses - Visitor 36 Houses (65 units) with in-curtilage cycle storage 0

Table 2 Proposed Car Parking Provision

	Standard	Proposed Provision	No. of Units	No. of Spaces
2 bed House	1 per unit	1 per unit	9	14
3 bed House	2 per unit	2 per unit	46	92
4 bed House	2 per unit	2 per unit	10	20
1 bed Duplex	1 per unit	1 per unit	21	21
2 bed Duplex	1 per unit	1 per unit	22	22
3 Bed Duplex	1 per unit	1 per unit	27	27
Visitor (Duplex)	1 per 20 units	1 per 20 units	70	3
Total			135	199

*199 car parking spaces (1.47 spaces per unit) represents a reduction from the DLRCC County Development Plan standard for Parking Zone 3, which would typically require 228 spaces (1.68 spaces per unit, including visitor parking).

Table 3: Summary of Residential Unit Mix

Unit Type Bed/P	House	Duplex	Total	Unit Mix
1 bed	-	21	21	15.6%
2 bed	9	22	31	23%

3 bed	46	27	73	54%
4 bed	10	-	10	7.4%
Total	65	70	135	100%

- 2.3. Note: Following the RFI, the proposed schedule of accommodation was amended to include:

Option A: (134 Units) A temporary 13 child space creche (of stated 80.7 sq. m) on the ground floor of Block C, replacing a 2 bed duplex unit. An associated outdoor play area of 60 sq. m is also proposed to the southeast corner of the site. Thereby, amending the total unit number proposed by one unit to 134 units.

Option B: (135 no. units) The temporary 13 child space creche (of stated 80.7 sq. m) on the ground floor of Block C, replacing a 2 bed duplex unit. An associated outdoor play area of 60 sq. m to the southeast corner of the site. Option B will replace 5 No. 3-bed houses located to the east of Street 4 with a residential block which provides 6 No. 3-bed triplex units.

The application includes a range of architectural, engineering, and landscaping drawings, and is accompanied by a range of reports and supporting documentation.

3.0 Planning Authority Opinion

- 3.1. A Stage 1' Section 247 meeting (Ref. PAC/LRDI/020/24) took place between the Applicant and the Planning Authority on 1st August 2024. A Section 32C of the Planning and Development Act, 2000 (as amended) LRD Meeting (Ref. PAC/LRD2/004/25) took place via Microsoft Teams on 8th May 2025 between representatives of the prospective Applicant and the Planning Authority. Following this meeting, on 03rd July 2025, the Planning Authority issued an LRD Opinion as required which outlined that, based on the documentation submitted, further consideration and amendment was required in relation to the proposed LRD application and that the documents submitted did not constitute a reasonable basis for an LRD application.

3.2. The Opinion outlined a number of areas/issues to be addressed by the Applicant including in relation to, inter alia:

- a. the presence and treatment of existing drainage features on the site, the need to improve north-south and east-west pedestrian and cyclist connections,
- b. the requirement for a detailed justification and safety assessment of the proposed vehicular access onto the GDRS scheme,
- c. the necessity to demonstrate full compliance with the Kiltiernan-Glenamuck Local Area Plan 2025.
- d. Additional issues raised include the impact of overhead powerlines on the layout, public open space strategy, the need to clarify linkages and shared services between the current and northern lands,
- e. the reconsideration of the proposed layout at the prominent northeast corner of the site to ensure an active and visually appropriate frontage,
- f. the provision of clear vehicular and pedestrian connections to adjoining developments supported by necessary consents.
- g. The Opinion further identifies a range of documentation and assessments which, if satisfactorily addressed, may allow the submission to constitute a reasonable basis on which to make the application.

4.0 Planning Authority Decision

4.1. Summary of Decision

4.1.1. The planning authority refused permission for the proposed development on 13th May 2026, for two number reasons.

4.1.2. Reasons for refusal are set out below:

1. The proposed development by virtue of the non-provision of all-user access to the Glenamuck Manor lands to the south would be contrary to Movement Objective SDF4-1 of the Kiltiernan-Glenamuck Local Area Plan 2025 where it requires, inter alia, that "Vehicular access to the site will be via the Glenamuck District Roads Scheme and from lands to the south and west with permeability links to schemes to the south, west and east." As such, the proposed development would be contrary to

objectives to provide a permeable residential neighbourhood with an appropriate scale and density of road network, and would represent a Material Contravention of the Local Area Plan.

2. The proposed development by virtue of the non-provision of pedestrian/cycle access to the Glenamuck Manor lands to the south would be contrary to Objective PRM1 and PRM2 of the Kiltiernan-Glenamuck Local Area Plan 2025 as supported by Figure 5.3 of the LAP which identifies an indicative 'Strategic Green Route' PY12 at this location. This route is also supported by the Movement Objectives of the Site Development Framework and is integral to the principles of the LAP in that it links the permitted neighbourhood centre with the school site, key recreation amenities, and new residential areas. As such, the proposed development would be contrary to objectives to provide a permeable residential neighbourhood with an appropriate scale and density of cycle and pedestrian network, and would represent a Material Contravention of the Local Area Plan.

4.2. Planning Authority Reports

4.2.1. Planner's Report

Initial Assessment

4.3. The initial Planners report considered: 'While the principle of residential development at the subject site is considered acceptable, further details are required in relation to issues pertaining to the proposed layout, biodiversity, public open space, communal open space, transport and drainage. It is recommended that these concerns are addressed by way of Further Information.' 12 points of FI

4.4. The applicant was notified that the following issues would need to be addressed and/or information on the following items would be required to be submitted as part of an LRD application. These are grouped under the following headings (in summary):

- Creche Facility
- Biodiversity
- Inconsistencies and contradictions between specialist reports.
- A revised EclA
- Quality Assurance and Competence

- Revised Landscape Design Statement and Masterplan
- Revised Arboricultural Assessment Report
- Transport Items

The Applicant is requested to submit revised drawings and details which demonstrate that the following items have been addressed:

- a. The clear provision of connected routes through the site, both north-south and east-west. These routes shall facilitate pedestrians and achieve pedestrian priority across the entire route.
- b. The demonstration of the north to south pedestrian link through the scheme which illustrates clear wayfinding to the central green area and onwards to Kiltiernan Village Character Area, this route shall facilitate pedestrian priority across the site.
- c. Clarification of suitability of proposed connections to adjacent sites, levels & tie ins etc. insofar as possible, including onto the GDDR & GLOR.
- d. The clear provision of permeability link PY12 of the Kiltiernan-Glenamuck Local Area Plan- Strategic Green Corridor linking Jamestown Park with Ballycorus Road.

In addressing item d. above, it is considered imperative that the scheme provide for continuous pedestrian and cycle connectivity from the new GDDR through to the existing pedestrian and cycle infrastructure within Glenamuck Manor. In this regard, it would appear that there are two broad options that the applicant is requested to consider:

- i. The inclusion of additional lands from the 'Westgate' site to link P.O.S. 3 to the pedestrian and cycle infrastructure within Glenamuck Manor.
- ii. The omission of the eastern block of Cell 2, west of Street 4, to allow for the completion of this section of permeability link PY12

- Roads Engineering rational incl. Road Quality Audit issues
- engineering rationale for the proposed location of the vehicular entrance onto the GDDR in the context of the proposed northern site LRD scheme (Reg. Ref. LRD26A/0075/WEB).
- Water 7 Drainage issues

A Response to the RFI was submitted to the Council on 16th April 2026 whereby the originally proposed development was modified to address matters raised in the RFI. The key changes to the proposed development principally comprised the temporary change of use of a duplex unit to a creche (as the creche on the northern lands has been sized to serve both sites) and revised pedestrian and cycle connections through the site.

- 4.5. The Dun Laoghaire-Rathdown County Council Planner concluded the following in their assessment of the proposed development, as revised at RFI Stage:

"The proposed scheme is welcomed in principle, and would represent a good utilisation of these zoned, serviced lands in furtherance of the objectives of the Kiltieman-Glenamuck LAP. The scheme performs well across almost all planning policies, and almost all matters raised by way of Further Information have been successfully addressed by the applicant."

Despite the positive assertions made by the Planner, they ultimately concluded:

"However, the effective removal of the all-user road link between the subject site and Glenamuck Manor, and the associated removal of the diverted PY12 pedestrian/cycle link is not acceptable. To grant permission as stands would be contrary to the provisions of the Local Area Plan to an extent that would amount to a Materia Contravention of the LAP.

4.5.1. Other Technical Reports

Drainage Planning: No objection subject to condition.

Environmental Enforcement/ Waste Management: No objection subject to condition.

Transportation Planning: Initial Report recommends a request for R. F.I subsequent report dated 07th May 2026 states No Objection subject to conditions.

Parks: No objection subject to condition.

Housing: No objection subject to condition.

Biodiversity: Recommends RFI

Public Lighting: Recommends RFI

4.6. **Prescribed Bodies**

4.6.1. Submissions received from prescribed bodies include as follows:

Environmental Health Office: No objection subject to condition.

Uisce Eireann: Report prior to RFI Recommends RFI. Report dated 27th March 2026 states: "...subject to valid agreement/s being put in place, the proposed Build Over or Near can be facilitated". No objection to connections.

4.7. Third Party Observations

4.7.1. None.

5.0 Planning History

Appeal Site

No planning history pertaining to the subject site. A small portion of the southern end of the site was included in the permitted 'Glenamuck Manor' SHD, to facilitate underground drainage works.

Infrastructure

Glenamuck District Distributor Roads Scheme

HA06D.303945 An Bord Pleanála approved the adjacent Roads scheme in December 2019 under Section 51(2) of the Roads Act, 1993, along with an associated Compulsory Purchase Order.

Adjacent sites

LRD26A/0075/WEB Concurrent application located directly to the north of the subject site. Notification of decision to Granted Permission was made on 2nd July 2026 / Final Grant date 5th August 2026 for a Large-Scale Residential Development at this c. 5.2 Ha site. The site is generally bounded by: the Glenamuck District Distributor Road to the south (to be known as the Kilternan Road); agricultural land to the west; De La Salle Palmerstown Football Club and the future Jamestown Park to the north; and sports pitches and an attenuation pond associated with the Glenamuck District Roads Scheme (ACP Ref. HA06D.303945) to the east. Road works are proposed to the approved Glenamuck District Roads Scheme to provide access to the development from the Kilternan Road. The Kilternan Road access

point will include works, inclusive of any necessary tie-ins to the existing footpath and cycle track. The development will principally consist of the construction of a creche (c. 571 sq m) and 219 No. residential units comprising 69 No. houses (51 No. 3 -bed units and 18 No. 4-bed units), 108 No. apartments (38 No. 1-bed units, 31 No. 2-bed units and 39 No. 3-bed units) and 42 No. duplexes (11 No. 1-bed units, 9 No. 2-bed units, and 22 No. 3-bed units). The proposed development will range in height from 2 No. to 4 No. storeys. The development also provides: car, bicycle and motorcycle parking; bin storage; ancillary storage; private balconies, terraces and gardens; hard and soft landscaping; boundary treatments; lighting; substations; and all other associated site works above and below ground.

LRD26A/0352/WEB Concurrent Application – lands to the south of subject application. Notification of decision to Grant Retention Permission, Dated 03/07/2026, Final Grant date 5th August 2026 for a Large-Scale Residential Development (LRD), which have modified a permitted Strategic Housing Development (SHD) under (Ref.s ABP-303978-19 & ABP-312216-21), within the permitted “Glenamuck Manor” development, located at Glenamuck Road South, Kilternan, Dublin 18, on an overall site area of 4.28Ha. Retention permission is sought for: (i) relocated and extended retaining wall, partially along southwestern boundary and alterations to material finishes to same, (ii) an increased play area of 60sq.m to rear of creche, and (iii) reconfiguration of approved external steps at pedestrian link No. 2, along with associated landscaping.

Condition 2 of the decision states:

“The pedestrian access point from the development's public open space to the adjoining permeability link to the south-west shall be maintained continually open to the public on a 24-hour basis. No fence, gate, or other structure may be erected on or near the steps at 'Pedestrian Link 2' without a separate grant of planning permission. REASON: In the interest of sustainable development and to provide for satisfactory future permeability throughout the site and adjoining lands”.

Ashwood Farm

LRD25A/0985/WEB / ACP-324147-26 – Permission Granted Contribution Appeal decided on the 10/06/2026 – (LRD) at a site measuring c.2.8 hectares known as Ashwood Farm located on Glenamuck Road South, Carrickmines, Dublin 18. The

development consists of: i) Demolition of an existing dwelling and removal of a building ruin with a total combined area of 291sq.m; ii) Construction of 144 residential units. This site is located to the east of the subject appeal site.

ACP - TA06D.313963 - Permission was refused for a part Build to Rent (BTR) and part Build to Sell (BTS) Strategic Housing Development. The demolition of the existing structures at Ashwood Farm is permitted under the extant Dun Laoghaire-Rathdown County Council planning permission (Reg. Ref: DA21/0143). The development, with a total gross floor area of c.28,145 sq.m, will consist of the construction of 305 residential units. Site, Willowglen, located to the east of the subject site.

Shaldon Grange - Located to the west of subject site.

LRD24A/0718/WEB - Permission granted for a Large-Scale Residential Development comprising amendments to a previously permitted Strategic Housing Development (An Bord Pleanala Ref. 312214-21) with a total application site area of c.3.32Ha (with a substantive residential site development area of c. 2.96Ha), on lands located off Enniskerry Road (R117), Kilternan, Dublin 18, principally bounded by existing undeveloped land to the north and east; the adjoining Shaldon Grange residential property and associated lands (Protected Structure) to the south and Enniskerry Road to the west. The application site also includes limited frontage to Glenamuck Road to the south-east.

The proposed development consists of Internal and external modifications to the 4 no. apartment blocks (Blocks A, B, C, and D), all located in the northern portion of the subject site, as granted under An Bord Pleanala Ref. 312214-21, comprising: Provision of additional storey at each block (resulting in a maximum height of 5 storeys at these 4 no. blocks)

ABP312214-21 - Permission granted for a strategic housing development with a total gross floor area of c. 16,394 sq m will consist of the provision of 130 no. residential units (Phase 1) comprising 55 no. three storey houses (14 no. 5 bedroom units, 25 no. 4 bedroom units, 11 no. 3 bedroom units and 5 no. 2 bedroom units) and 75 no.

apartments (consisting of 15 no. corner units arranged in 5 no. three storey blocks and 60 no. units arranged in 4 no. four storey blocks) comprising 47 no. 2 bedroom units and 28 no. 1 bedroom units.

Glenamuck Manor – Located to the south of the subject site.

LRD25A/0316/WEB- Permission and retention permission refused for modification of a permitted Strategic Housing Development (SHD) under (Ref.s ABP-303978-19 & ABP-312216-21), within the permitted "Glenamuck Manor" development, located at Glenamuck Road South, Kiltinan, Dublin 18, on an overall site area of 4.28Ha.

1. Permission is sought for: (a) landscaped play area in public open space in southern part of the overall development and (b) creation of pedestrian access to adjoining lands to south, at link No. 2. 2. Retention permission is sought for: (i) realigned pedestrian path through public open space, (ii) changes to previously approved layout and levels in public open spaces, (iii) omission of previously approved steps in public open spaces, iv) relocated and extended retaining wall, partially along southwestern boundary and alterations to material finishes to same, (v) an increased play area of 60sq.m to rear of creche, (vi) reconfiguration of approved external steps at pedestrian link No. 2, (vii) alterations to landscaping and path layouts to front of Block G1 and (ix) overall revisions to landscape design.

REASONS FOR REFUSAL:

1. The development to be retained in its built form would be contrary to the development permitted under Refs, ABP-303978-19 and ABP-312216-21, resulting in significant deviations from the permitted open space and landscape masterplan prepared by Mitchell and Associates. The amendments for which retention are sought would result in significant adverse impacts on the quality and connectivity of open space throughout the permitted residential scheme. To permit said amendments would be detrimental to residential amenity, and would be contrary to the provisions of the Dun Laoghaire-Rathdown County Development Plan 2022-2028.

2. The development to be retained in its built form would be contrary to the development permitted under Refs. ABP-303978-19 and ABP-312216-21, resulting

in significant deviations from the permitted permeability and connectivity of the scheme with surrounding public realm and development. The amendments for which retention are sought would result in significant adverse impacts on the permitted permeability and residential amenity of the scheme. To permit said amendments would be detrimental to residential amenity, and would be contrary to the provisions of the Dun Laoghaire-Rathdown County Development Plan 2022-2028.

3. The revised 'Connection Point 2', as built, would only partially deliver the permeability link and access point as permitted under Refs. ABP-303978-19 and ABP-312216-21. In its current, 'As Built' state, a hard boundary is in situ, creating a finished division between the subject and adjacent site. There is a gap between the top of the steps 'as built' and the site boundary/ This, in addition to the contrast between the works required to complete this link and the form of the extant permitted version, is therefore considered to be contrary to the intent of the parent permission (notably Condition Nos. 6 and 8 of ABP-303978-19). The proposal for an incomplete version of Connection Point 2 that fails to facilitate the necessary 'pedestrian/cycle' link as required under the extant permission and approval of Ref. ABP-303978-19, ABP-312216-21, and Ref. ABP-303978-19/C23 (Condition No. 6), fails to align with the requirements of Policy 12.8.5.2 that encourages permeability and accessibility, as well as pedestrian and cycleway links between developments. As such, the proposed development would be contrary to the proper planning and sustainable development of the area.

NOTE: In the case of any subsequent application to regularise the subject development, the Applicant is encouraged to engage with the Planning Authority (Parks and Landscape Services) prior to application.

LRD24A/0279 - Permission refused to retain development, which has modified a permitted Strategic Housing Development (SHD) (Ref.s ABP-303978-19 & ABP-312216-21) by way of a planning application for a Large-Scale Residential Development (LRD), within the permitted "Glenamuck Manor" development (currently under construction), located at Glenamuck Road South, Kiltarnan, Dublin 18. Permission is sought to retain development consisting of the following: (i) relocated and extended retaining wall, partially along southwestern boundary, (ii) an increased play area of 60sq.m to rear of creche, (iii) reconfiguration of approved external steps at pedestrian link No. 2 and (iv) all associated site development

works, all as previously approved under planning Ref.s ABP-303978-19 & ABP-312216-21, on an overall site area of 4.28Ha.

REASON FOR REFUSAL:

1. The revised 'Connection Point 2', as built, would only partially deliver the permeability link and access point as permitted under Refs. ABP-303978-19 and ABP-312216-21. In its current, 'As Built' state, a hard boundary is in situ, creating a finished division between the subject and adjacent site. There is a gap between the top of the steps 'as built' and the site boundary. This, in addition to the contrast between the works required to complete this link and the form of the extant permitted version, is therefore considered to be contrary to the intent of the parent permission (notably Condition Nos. 6 and 8 of ABP-303978-19). The proposal for an incomplete version of Connection Point 2 that fails to facilitate the necessary 'pedestrian/cycle' link as required under the extant permission and approval of Refs. ABP-303978-19, ABP-312216-21, and Ref. ABP-303978-19/C23 (Condition No. 6), fails to align with the requirements of Policy 12.8.5.2 that encourages permeability and accessibility, as well as pedestrian and cycleway links between developments. As such, the proposed development would be contrary to the proper planning and sustainable development of the area. NOTE: To adequately regularise development in this instance, the Planning Authority notes that an application for retention permission and permission is likely required. Permission for the completion of this link would, if granted, be subject to a condition to ensure its delivery in tandem with the adjacent greenway, In addition to the requirement of relevant consents. Notwithstanding, it is reminded that the extension of the retaining wall and creche area would be considered acceptable had grounds for refusal not already been met.

ABP303978-19 - Permission granted (26.06.2019) for a strategic housing development consisting of the construction of 203 residential units comprising;

1. 30 houses (20 No. 3 bedroom and 10 No. 4 bedroom, up to 3 storeys), 173 apartments, (31 No. one bed, 124 No. two bed and 18 No. three bed within 12 blocks up to 6 storeys). The apartments incorporate duplex units,
2. The provision of a creche/childcare facility (c 480.4 sqm),
3. The provision of a retail unit (c 83.5 sqm).
4. The provision of a social/amenity facility (c 299.4 sqm).
5. The provision of two ESB substations (c total 45 sqm),
6. The development will include a new access

from Glenamuck Road and the provision of access connection points, vehicular, cycle and pedestrian) to future adjacent development lands. 7, Provision of internal roads, cycle paths, foot paths, landscaped public open space and play areas. 8. Parking at surface and basement (268 total spaces for car parking, 312 spaces for bicycles and 24 spaces for motor cycles). 9. The development will include a new access from Glenamuck Road and the provision of access points, (vehicular, cycle and pedestrian) to future development lands and adjacent lands to the west and north west. 10. Provision of attenuation and all ancillary site development works, boundary treatments, lighting and services provision above and below ground.

Planning Enforcement

None on record pertaining to the subject appeal site, as per Planning Report on file.

6.0 Policy Context

6.1. National Policy Context

- 6.1.1. The national policy context guiding future growth in the Carrickmines area (part of Dublin City and suburbs) is determined by frameworks, plans and guidelines including the National Planning Framework (First Revision, April 2025), Housing for All, Climate Action Plans, National Biodiversity Plan, and several section 28 Ministerial Guidelines.

National Planning Framework, (2025), Project Ireland 2040 (NPF)

- 6.1.2. Several national policy objectives (NPOs) are applicable to the proposed development, a new residential scheme within an outer suburban area of Dublin City and suburbs. These include NPO 4, NPO 7, NPO 8, NPO 16, NPO 42, NPO 43 which support the provision of new homes and targeted population growth in Dublin City and suburbs, and NPO 12, NPO 22, NPO 37, NPO 45, NPO 78, NPO 79, NPO 85 and NPO 87 which seek the delivery of well-designed urban schemes that incorporate sustainable modes of transport and water management systems, whilst protecting local biodiversity and the environment.

Delivering Homes, Building Communities (2025)

- 6.1.3. This document aims to further accelerate the delivery of new homes, to deliver 300,000 by the end of 2030, which will be achieved through the individual and

collective effort of the key delivery partners. Local authorities, together with Approved Housing Bodies, the Land Development Agency, and the construction sector, will be critical to delivering and enabling the delivery of the quantum of homes needed over the lifetime of the plan. This is a wide-ranging strategy, encompassing two pillars: Activating Supply and Supporting People.

Climate Action Plans 2024 and 2025

- 6.1.4. The Climate Action Plans, to be read in conjunction with outline measures and actions by which the national climate objective of transitioning to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy by 2050 is to be achieved. These include the delivery of carbon budgets and the reduction of emissions across sectors of the economy. Of relevance to the proposed development, is that of the built environment sector. The Commission must be consistent with the Plan in its decision making.

National Biodiversity Plan 2023-2030

- 6.1.5. Includes five objectives by which the current national biodiversity agenda is to be set and the transformative changes required to ensure nature is valued and protection is delivered. Of relevance to the proposed development, are the targets and actions associated with Objective 2 on achieving the conservation and restoration needs of environmental designations. Section 59B(1) of the Wildlife (Amendment) Act 2000, as amended, requires the Commission to have regard to the objectives and targets of the Plan in the performance of its functions.

Section 28 Ministerial Planning Guidelines

- 6.1.6. Several national planning guidelines are applicable to the proposed development (consolidated compact growth, increased residential densities with a greater mix of building heights and typologies in suburban locations, achievement of necessary standards for residential developments).
- 6.1.7. Several of the guidelines include Specific Planning Policy Requirements (SPPRs), the application of which is mandatory in the design and assessment of residential schemes.
- 6.1.8. The relevant guidelines include the following (my abbreviation in brackets):

- Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities, 2024, (Compact Settlement Guidelines). Applicable policy for the proposed development includes:
 - Section 3.3: requires that densities in the range of 40dph-80dph should be applied for sites in 'City – Suburban/ Urban Extension' locations of Dublin City and suburbs.
 - Section 3.4: outlines a two-step density refining process, based firstly on a determination of accessibility to public transport options and secondly on five site-specific criteria (impacts on character, historic environment, protected habitats and species, daylight/ sunlight of residential properties, and water services capacity).
 - Policy and Objective 3.1 requires that the recommended density ranges are applied and that, where appropriate, these density ranges are refined further using the site-specific criteria.
 - Policy and Objective 4.1 requires the implementation of principles, approaches and standards in the Design Manual for Urban Roads and Streets, 2013, including updates (DMURS).
 - Section 5.3: requires the achievement of residential standards:
 - SPPR 1 – Separation Distances requires a minimum of 16m between opposing windows serving habitable rooms at the rear or side of houses and duplexes above ground floor level.
 - SPPR 2 – Minimum Private Open Space specifies new standards for houses (3 bed 40sqm, 4 bed+ 50sqm), and private open space for duplexes and apartments remains as per the Apartment Guidelines (see below).
 - Policy and Objective 5.1 recommends a public open space provision of between 10%-15% of net site area.
 - SPPR 3 – Car Parking specifies the maximum allowable rate of car parking provision based on types of locations (e.g., 2 no. spaces per dwelling for intermediate/ peripheral locations).

- SPPR 4 – Cycle Parking and Storage requires a general minimum standard of 1 no. cycle storage space per bedroom (plus visitor spaces), a mix of cycle parking types, and cycle storage facilities in a dedicated facility of permanent construction (within or adjoining the residences).
- Section 5.3.7 – Daylight indicates that a detailed technical assessment is not required in all cases, regard should be had to standards in the BRE 209 2022, a balance is required between poor performance and wider planning gains, and compensatory design solutions are not required.
- Planning Design Standards for Apartments, Guidelines for Planning Authorities, 2025 (Apartment Guidelines). Applicable policy for the proposed development (i.e., duplexes) includes:
 - Section 3.0: Apartment Design Standards includes several SPPRs and design criteria for apartment and duplex units, including inter alia:
 - SPPR 2 (minimum floor areas), SPPR3 (a minimum of 25% of units within a development to be dual aspect) SPPR 4 (50% to be dual aspect units in intermediate/ suburban areas).
 - Private amenity space for ground floor units shall incorporate appropriate boundary treatment to ensure privacy and security.
 - Private amenity space should be located to optimise solar orientation and designed to minimise overshadowing and overlooking.
 - Ground floor apartments located adjoining the back of a public footpath or other public area, should be provided with a 'privacy strip' (c.1.5m in depth).
 - Section 4.0: Communal Facilities in Apartments includes applicable guidance on access and services, waste management, communal amenity space, children's play areas, car parking, and bicycle parking with storage (the two latter items are informed by SPPR 3 and SPPR 4 of the Compact Settlement Guidelines).

- Refuse storage areas should be of sufficient size to satisfy the three-bin system, not present any safety risks to users, be well-lit, not on the public street, visible to or accessible by the general public. Appropriate visual screening should be provided.
 - Communal amenity space, which is well-designed and maintained, will contribute to meeting the amenity needs of residents.
 - Accessible, secure and usable outdoor space is a high priority for families with young children and for less mobile older people.
 - Appendix 1 indicates the minimum required areas for communal amenity space (1 bed as 5sqm, 2 bed as 6 / 7sqm, 3 bed as 7 / 9sqm (depending on persons per unit)).
 - In general, a clear distinction with an appropriate boundary treatment and/ or a 'privacy strip' should be provided between private and communal amenity space.
- Urban Development and Building Heights, Guidelines for Planning Authorities, December 2018 (Building Height Guidelines). Applicable policy for the proposed development includes:
 - SPPR 4 requires new residential development on greenfield sites in suburban locations to achieve the minimum density in the applicable section 28 Ministerial Guidelines, a greater mix of building heights and residential typologies, and the avoidance of mono-type building typologies (e.g. two storey or own-door houses only), particularly in developments of 100 units or more.
 - Childcare Facilities, Guidelines for Planning Authorities, 2001 (Childcare Guidelines). Applicable policy for the proposed development includes:
 - Appendix 2 recommends the provision of a childcare facility with a capacity of 20 childcare spaces per 75 dwellings units.
 - Section 2.4 outlines the scale and/ or requirement for childcare facilities may depend on the nature of the proposed development (reiterated in Section 4.7 of the Apartment Guidelines which allows 1 and 2 bedroom units to be discounted from childcare demand calculations).

- The Planning System and Flood Risk Management, Guidelines for Planning Authorities, 2009 (Flood Risk Guidelines). Applicable policy for the proposed development includes:
 - Table 3.1 which provides a classification of vulnerability of different types of development (e.g., residential as highly vulnerable, local transport infrastructure as less vulnerable, amenity open spaces as water compatible).
- Regulation of Commercial Institutional Investment in Housing, Guidelines for Planning Authorities, 2021, updated 2023 (Commercial Institutional Investment Guidelines).
 - Section 3 requires restrictions on the first occupation of houses and duplexes (own-door residential units) to individual purchasers or persons eligible for social and/ or affordable housing, excludes corporate entities.
- Development Management, Guidelines for Planning Authorities, 2007 (Development Management Guidelines).
 - Section 5.13 outlines issues relating to title to land.
 - Section 7.3 outlines the criteria for planning conditions.

6.2. Regional Policy Context

Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031 (RSES)

- 6.2.1. The RSES provides a development framework for the region, including a specific Metropolitan Area Strategic Plan (MASP) covering Dublin City and suburbs (which the appeal site is located within).
- 6.2.2. Accordingly, certain regional policy objectives are applicable to the proposed development, including RPOs 5.3, 5.4, and 5.5 which require future residential development in the MASP to plan led, facilitate sustainable travel patterns provide for higher densities and qualitative standards, focus on the consolidation of Dublin and suburbs.

6.3. Local Policy Context

Dún Laoghaire Rathdown County Development Plan 2022-2028

- 6.3.1. The applicable development plan for the appeal case is the Dún Laoghaire Rathdown County Development Plan 2022-2028 (CDP).
- 6.3.2. The CDP contains map-based designations and policy in several chapters which establish the context for the proposed development (a residential scheme comprised of different residential typologies, with a childcare facility, on a greenfield site with a varied biodiversity, at an outer suburban location, in an area of where road objectives/Traffic Management/Active Travel Upgrades are of relevance).
- 6.3.3. The relevant CDP map-based/ mapped designations include:
- Site is zoned as 'A' with the stated objective 'To provide residential development and improve residential amenity while protecting the existing residential amenities' (as per Map 9).
 - Site is within the 'Boundary of Local Area Plan' designation, Kiltiernan-Glenamuck LAP 2025 applies.
 - Site is located immediately to the south of the Glenamuck District Distributor Road (GDDR).
 - Site is located within the catchment areas of two section 49 Supplementary Development Contribution Schemes, firstly for the 'Glenamuck Road' and secondly the 'Luas Line B1 extension between Sandyford and Cherrywood' (as per Map T1).
 - Site is located within Parking Zone 3 (as per Map T2).
 - Site is not subject to any architectural heritage designations, landscape protections, linear views, or other environmental designations.
 - Southeast of site (c. 0.7 Km) is Dingle Glen proposed natural heritage area (pNHA).
- 6.3.4. The most relevant CDP policy and objectives include:
- Chapter 2: Core Strategy
 - Policy Objective CS 2: Core Strategy

It is a Policy Objective to support the delivery of the Core Strategy in accordance with the Core Strategy Map illustrated in Figure 2.9 and the Core Strategy Table detailed at Table 2.11.

- Chapter 4: Neighbourhood: People, Homes and Place
 - Section 4.3.1: Delivering and Improving Homes
 - Policy Objective PHP18: Residential Density
 - Policy Objective PHP27: Housing Mix

It is a Policy Objective to encourage the establishment of sustainable residential communities by ensuring that a wide variety of housing and apartment types, sizes and tenures is provided throughout the County in accordance with the provisions of the Housing Strategy and Housing Need Demand Assessment (HNDA) and any future Regional HNDA.

- Policy Objective PHP35¹: Healthy Placemaking

It is a Policy Objective to:

- *Ensure that all development is of high quality design with a focus on healthy placemaking consistent with NPO 4, 26 and 27 of the NPF, and RPO 6.1, 6.12, 9.10 and 9.11 of the RSES.*
- *Promote the guidance principles set out in the 'Urban Design Manual – A Best Practice Guide' (2009), and in the 'Design Manual for Urban Roads and Streets' (2013).*
- *Ensure that development proposals are cognisant of the need for proper consideration of context, connectivity, inclusivity, variety, efficiency, distinctiveness, layout, public realm, adaptability, privacy and amenity, parking, wayfinding and detailed design.*
- Chapter 8: Green Infrastructure and Biodiversity
 - Policy Objective GIB18: Protection of Natural Heritage and the Environment

¹ The 2009 Urban Design Manual referred to in this objective has been superseded by the Compact Settlement Guidelines, the guidance principles of which are considered in this assessment.

It is a Policy Objective to protect and conserve the environment including, in particular, the natural heritage of the County and to conserve and manage Nationally and Internationally important and EU designated sites - such as Special Protection Areas (SPAs), Special Areas of Conservation (SACs), proposed Natural Heritage Areas (pNHAs) and Ramsar sites (wetlands) - as well as non-designated areas of high nature conservation value known as locally important areas which also serve as 'Stepping Stones' for the purposes of Article 10 of the Habitats Directive.

- Chapter 12: Development Management
 - Section 12.3.1.1: Design Criteria
 - Section 12.3.3.1: Residential Size and Mix and Table 12.1: Apartment Mix Requirements

Kiltiernan-Glenamuck Local Area Plan 2025

6.3.5. The applicable local area plan for the appeal case is the Kiltiernan-Glenamuck Local Area Plan 2025 (LAP), adopted on the 16th July 2025.

6.3.6. The relevant LAP map-based/ mapped designations include:

- Site is zoned as 'A' with the stated objective 'To provide residential development and improve residential amenity while protecting the existing residential amenities' (as per Map 9 of the CDP).
- Site is located in Glenamuck North Character Area (as per Figure 2.2).
- Site is identified as 'Site Development Framework 4' (SDF4) (as per Figure 2.4).
- 'An Indicative Strategic Green Route' '(PY12)' traverses centrally through the site, as per Figure 5.4 Key Permeability Routes.
- 'An Indicative Linkages between Open Space' runs through the centre of the site as per Figure 7.2: Open Spaces within the Kiltiernan – Glenamuck LAP
- A restriction corridor (220kv) route traverses the central portion of the site and a 110kv line restriction corridor is located to the eastern boundary (as per ESB Restriction Corridors Plan).

6.3.7. The most relevant LAP policy and objectives include:

- Chapter 2 Urban Framework and Site Development Frameworks:
 - 2.7.4 Glenamuck North Character Area Lands, south of Kiltiernan Road – Site Development Framework 4 (SDF4)
 - Movement Objectives SDF4-1
 - Ensure that there is a network of legible connected routes through the site, both north- south and east- west. (See Chapter 5 Section 5.6.4 and Figure 5.4 for permeability links)
 - Provide a new north to south pedestrian route through the scheme southwards through Grange Oaks and/or Glenamuck Manor and illustrate clear wayfinding to the central green area and onwards to Kiltiernan Village Character Area. (See Chapter 5 Section 5.6.4 and Figure 5.4 for permeability links).
 - Ensure no parallel vehicular carriageway immediately adjoining Kiltiernan Road.
 - Vehicular access to the site will be via the Glenamuck District Roads Scheme and from lands to the south and west with permeability links to schemes to the south, west and east.
 - Provide measures to strongly discourage traffic, traffic surveys will be carried out within 1 year of the completion of the internal road network, if the volume of through traffic is high, additional traffic calming measures shall be retrofitted by agreements with the Planning Authority.
 - Placemaking Objectives SDF4-2
 - Provide focal points, recognisable features and elements along Kiltiernan Road which will create a sense of identity and place.
 - Contribute to the provision of a hierarchy of complementary open spaces that are well connected both visually and physically by way of urban greening.

- Provide a street planting scheme with suitable planting and trees along Kiltiernan Road.
- Proposed tree planting shall be mainly semi-mature native species.
- Built Form Objectives SDF4-3
 - Provide active building frontage along Kiltiernan Road. This active frontage should include own door access.
 - Ensure any development responds to the layout and design of the adjoining schemes, Grange Oaks and Glenamuck Manor.
- Heights Objectives SDF4-4
 - 2-4 storeys with potential for 5 at appropriate focal points along Kiltiernan Road.
 - Ensure heights along the Kiltiernan Road achieve a balance between height and scale, contribute to variety in design and avoid monolithic and monotonous buildings.
 - Heights shall have regard for topography, surrounding existing developments and the retention of views towards the Dublin Mountains.
- Density Objectives SDF4-5
 - Generally, 40 dph.
- Environment Objectives SDF4-6
 - Layout design should ensure retention of hedgerows in accordance with objective GI1, chapter 7.
- Chapter 5 Transport and Movement
 - Section 5.6.4.3, Permeability Links between Residential Developments.
 - The following permeability links are recommended to improve journey quality to and from sport, leisure and amenity areas in the LAP area.
 - PY12 - Strategic Green Corridor linking Jamestown Park with Ballycorus Road

- Section 5.5.4.5, Permeability Objectives (PRM).
- Objective PRM1 - Permeability Improvements
 - It is an objective to secure permeability improvements across Kiltiernan-Glenamuck. Through confirmation of identified informal links, as well as the establishment of new links, dlr will facilitate safer, easier and more enjoyable trips via active travel modes.
- Objective PRM2 - Phasing of Permeability Improvements
 - It is an objective that delivery of permeability links through existing or future residential developments shall where feasible be carried out as part of the development management process and/or by other appropriate means.

6.4. Natural Heritage Designations

- 6.4.1. The appeal site is not located in or immediately adjacent to a European Site, a Natural Heritage Area (NHA) or a proposed NHA (pNHA).
- 6.4.2. The pNHA designations in proximity to the appeal site include (measured at closest proximity):
- Dingle Glen pNHA (001207) is c. 670m to the south.
 - Ballybetagh Bog pNHA (001202) is c.2.60km to the southwest.
 - Loughlinstown Woods pNHA (001211) is c.2.88km to the east.
- 6.4.3. The European site designations in proximity to the appeal site include (measured at closest proximity):
- Rockabill to Dalkey Island SAC (003000) is c.6.7km to the southeast.
 - Knocksink Wood SAC (000725) is c.3.6km to the southwest.
 - Wicklow Mountains SAC (002122) is 5Km to the southwest
 - Dalkey Islands SPA (004172) is c.7.4km to the northeast.
 - Wicklow Mountains SPA (004040) is c.5km to the southeast.

7.0 The Appeal

7.1. Grounds of Appeal

7.1.1. This is a first party appeal by Durkan Glenamuck Developments Limited.

7.1.2. The key issues raised in the grounds of appeal can be summarised as follows:

- The crux of the Refusal is the ownership status and completion of a connecting road over a tract of undeveloped land measuring c. 3-metres wide which would directly connect the subject scheme into the built infrastructure in the adjoining Glenamuck Manor development.
- This c. 3-metre 'gap' is located outside of the subject site and its landholding, positioned between the boundary of the subject site and the existing built infrastructure and residential development within Glenamuck Manor to the south.
- Clarification was provided to the Planning Authority at Further Information stage that this 'gap' is within the ownership of the adjacent Glenamuck Manor landowner (Dwyer Nolan Developments Limited) and was included for development up to the boundary of the subject site as part of the Glenamuck Manor permission.
- For reasons unknown to the Applicant, the permitted works have yet to be completed up to the boundary, thereby creating the 'gap'. This 'gap' is not within the ownership or control of the Appellant and instead forms part of the Glenamuck Manor landholding (as confirmed by Dwyer Nolan's Solicitor in Appendix A).
- The proposed development fully accords with Objectives SDF4-1, PRM1 and PRM2 and the indicative PY12 route layout set out in the LAP relating to permeability and connectivity. The proposed development has consistently incorporated a comprehensive internal movement network and vehicular, pedestrian and cycle connections to adjoining lands to facilitate the future delivery of the wider permeability network envisaged by the LAP.
- While the main vehicle access to the site is proposed from the Kiltiernan Road to the north, it has always been the intention of the proposed scheme to provide 2 No. secondary vehicular connections into Glenamuck Manor and lands to the west (should any development come forth on the undeveloped portion of the Grange Oaks

(Shaldon Grange) lands}. Pedestrian paths are provided alongside these vehicular access points.

- DLRCC in their initial assessment of the proposal did not consider that the PY12 route was facilitated as part of the development and thus, under Item No. 9 & 10 of the RFI, requested an amended layout to be provided which would facilitate a 3-metre-wide north-south shared pedestrian and cycle route through the site. As per Item No. 9 (d) of the RFI, DLRCC requested the applicant to consider "two broad options" for the delivery of the PY12 route. These options were as follows:
 - "i. The inclusion of additional lands from the 'Westgate' site to link P.O.S. 3 to the pedestrian and cycle infrastructure within Glenamuck Manor.
 - ii. The omission of the eastern block of Cell 2, west of Street 4, to allow for the completion of this section of permeability link PY12"
- Item 12 (a) of the FRI requested the provision of a permeability link in accordance with the PY12 layout provided in the LAP. Specifically, the Council requested that the link, should achieve pedestrian and cyclist priority from the GDDR required crossing point through the proposed public open space, crossing Street 2, terminating at the southern red-line boundary"
- While the majority of the shared pedestrian and cycle route through the site could easily be provided along the western extent of the central public open space (POS 1), it was considered that the options suggested by DLRCC were either not possible or would seriously undermine the viability of the scheme.
- It was clarified in RFI Response that the Westgate lands are not in the ownership or control of the applicant or landowner of the subject site and accordingly, as the applicant has no legal entitlement to include these lands within the proposed development, the option suggested in Item No. 9(d)(i) is not possible. As is standard in a development area, the applicant provides required infrastructure up to their boundary, with the continuation of PY12 in this instance, subject to the development of the neighbouring tranche of lands, which are in completely separate ownership to the applicant or the subject site landowner.
- The second option, as per Item No. 9(d)(ii), suggested the omission of 5 houses located west of Street 4 to allow the route to continue into Glenamuck Manor. Despite this route not following the indicative layout of the PY12 route provided in the

LAP. The applicant and Design Team considered the feasibility of this option; however, given the limited space available to provide residential units on the site when the overhead powerlines reservation corridor and the riparian corridor are taken into account and once the required public open space, car parking and roads are provided thereafter, it was considered that the omission of 5 No. houses would seriously undermine the viability of the scheme to provide a link that was not mandated under PY 12 and, as such, this option cannot be provided.

- Therefore, two alternative options were put forward to the Council which follow a similar concept to the suggestions made in the RFI. As discussed below, Option A ensures the feasible and appropriate delivery of the PY12 corridor at the subject site while Option B follows a similar concept to the suggestion made in the RFI but ensures the viability of the scheme.

Option A

- Option A, fully aligns with the indicative layout of the PY12 corridor by continuing the proposed 3-metre-wide shared pedestrian and cycle route along POS 1 in the centre of the site, through POS 3 to the south, and up to the subject's site's boundary. Temporary fencing is proposed along the site's southern boundary so it can be easily removed once development comes forth on the Westgate land.
- Option A has been designed to ensure that any future development of the adjacent Westgate land can easily continue this route through the site and southwards into Glenamuck Manor, following the indicative layout provided in the LAP.
- Note that a pedestrian crossing is proposed along the Kilternan Road (GDDR) to facilitate the permeable route between the southern and northern lands.
- Option A follows the exact route suggested by the Council in the first option listed in RFI Item No. 9(d)(i); however, it does not incorporate the Westgate land (to south) as the land is not in the ownership or control of the Applicant or landowner. The Applicant should be required to include the extent of the PY12 corridor identified on the subject site only and it will be the responsibility for any future development of the Westgate site to deliver the section of the PY12 corridor within their lands.

Option B

- Option B follows a similar route to Option A, as it will continue the 3-metre-wide shared pedestrian and cycle route from POS 1, through POS 3 and up to the site's southern boundary with the Westgate lands. However, instead of stopping here, the route will also continue westwards along the southern boundary of the site before joining up with the proposed vehicular and pedestrian connection to Glenamuck Manor.
- Rather than omitting residential units entirely from this area of the site, as per the second option suggested in the RFI (particularly as this route is not a requirement of PY 12 in the LAP), Option B will replace the 5 No. 3-bed houses located to east of Street 4 with a residential block which provides 6 No. 3-bed triplex units. Option B has been designed to ensure sufficient space is provided along the southern boundary of the site to facilitate the 3-metre-wide shared pedestrian and cycle route, while also maintaining the viability of the scheme.
- Option B follows a similar concept to the second option suggested in the RFI, however, it does not follow the indicative PY12 layout provided in the LAP as it veers west from the indicative route and is shown to connect into a point in Glenamuck Manor where no pedestrian and cycle infrastructure exists. Again, option B would ensure the shared route is provided up to the site's boundary with the adjoining Westgate lands, before it then proceeds westwards towards Glenamuck Manor.
- At RFI stage, it came to the applicant's attention that there is a tract of undeveloped land measuring c. 3-metres wide which is located outside of the subject site and its landholding, positioned between the boundary of the subject site and the existing road infrastructure, landscaping, car parking and rear garden boundary of 2 No. houses within Glenamuck Manor to the south.
- This 3-metre-wide 'gap' is not within the subject site boundary and is not in the ownership or control of the Applicant or subject site landowner.
- The 'gap' is located directly adjacent to the rear garden boundaries of 5 No. proposed houses and the vehicle and pedestrian route proposed to connect into the existing infrastructure in Glenamuck Manor.
- It is submitted that this strip of land (3 m wide 'gap') formed part of the original site for the Glenamuck Manor SHD (ABP 303978 – 19). However, the permitted

development was not constructed up to the boundary. Subsequent applications for retention of amendments, namely LRD26A/0352/WEB & LRD25A/0316/WEB do not include the 3 m wide strip in the 'as revised' layout.

- The works shown in the Glenamuck Manor permission (as amended under ACP Ref.ABP-312216-21) were not carried out and there has been no application lodged to rectify the omission of this key element of works needed to facilitate a connection through to the subject site. This is all completely outside the Applicant's control
- The Westgate lands was originally one large plot made up of 1) the current Westgate lands, 2) the subject site, 3) Glenamuck Manor, 4) the northern lands (subject to a live application at the time of writing), 5) part of the Kilternan Road and Kilternan-Glenamuck Link Road, and 6) an undeveloped site to the east of the Kilternan-Glenamuck Link Road. In their assessment of Option A, DLRCC deduced that the Westgate landowner is unlikely to develop the land to the south of the subject site, given the original landholding was subdivided throughout the years and they may not wish to reduce their residual holding any further. Because of this, DLRD concluded that the PY12 route, as proposed under Option A, is undeliverable. However, it is submitted that there is a strong likelihood of development coming forward on the Westgate lands in the future as they are zoned for residential development in the LAP and subject to the Residential Zone Land Tax (RZLT).
- The subject site only makes up approximately 7% of the total length of the PY12 route and its full delivery is contingent on lands completely outside the applicant's control.
- The LAP clearly states that the "area is expected to continue developing on an incremental site-by-site basis". There is no reasonable basis to effectively penalise the proposed development, which will increase local housing stock, due to the absence of a current proposal on the Westgate lands. The LAP clearly anticipates phased and incremental delivery of development and this is what the proposed development seeks to achieve; delivering what is achievable within the subject site's landholding.
- Regardless of the future development of the Westgate lands, the proposed development clearly aligns with the indicative PY12 route relative to the subject site. The proposed shared pedestrian and cycle route is identified to be delivered on the

subject site and is brought up to the boundary of the subject site to safeguard its future continuation southwards through the Westgate lands and ensure there is no ransom strip between the two sites.

- Similarly, the lands to the west of the subject site are currently undeveloped, and there are no planning permissions or live planning applications for development of the lands. The proposed development provides a pedestrian connection up to western boundary of the subject site, similar to the pedestrian and cycle connection up to the southern boundary of the site, and it will be the responsibility of any future application on the western lands to continue this connection into their site in order to accord with SDF4-1 & Objectives PRM1 & PRM2 of the LAP. Yet, the Council did not raise any concerns with the approach taken for the western connection.

- Highlight Objective PRM2 of the LAP states

"It is an objective that delivery of permeability links through existing or future residential developments shall **where feasible** be carried out as part of the development management process and/or by other appropriate means." [Our Emphasis]

- The identification of the 'gap' at RFI stage arose through the refinement of the site layout, rather than from any absence of consideration of the connectivity objectives provided in the LAP.
- The extent of land owned by the subject site's landowner is outlined in Drawing No. 'COWLDS-MCORM-AR-XX-DR-P4-XX-1006' prepared by MCORM Architects which was included as part of the application pack submitted originally to DLRCC. The 'gap' is not part of the subject site landholding and as with every planning application, Solicitors are heavily involved in clarifying the applicant/landowners extent of ownership when preparing a planning application.
- The appeal refers to Appendix A attached to the first party appeal, which purports to provide correspondence received from the solicitor representing the Glenamuck Manor landowner, with respect to the 3m wide 'gap'.
- It is submitted that in the event Dwyer Nolan Developments Limited do not address the 'gap' or seek retention permission DLRDCC may address the matter by way of enforcement proceedings.

- It is unjust and unreasonable to refuse permission for the subject development of 135 No. units based on {a) the landowners failure to complete the required works which formed part of their permission and (b) the Planning Authority's failure to enforce against the non-completion of these works.
- The SHD expired in September and thus a period of over 5-years remains under which DLR can serve enforcement action to rectify this issue and to ensure the connection between the subject site and Glenamuck Manor is delivered.
- The proposed development, accords with Objectives SDF4-1, PRM1& PRM2 of the LAP and seeks to align with the indicative PY12 route set out for the site, contrary to what is stated in Refusal Reason Nos. 1 & 2.
- The Appellant cannot reasonably be required to deliver infrastructure which was permitted as part of the Glenamuck Manor scheme, was never built, was never enforced against and is outside of their control.
- The proposed development is not a Material Contravention of the LAP and accords with Objectives SDF4-1, PRM1 and PRM2 and the indicative PY12 route set out in the LAP.
- The proposal provides 134 No. (Option A) or 135 No. (Option B) new high-quality homes at a time of a critical housing shortage on a completely unused, and thus underutilized site in a core urban location.
- Appendix A email correspondence from the Glenamuck Manor Landowner's solicitor is noted.
 - Appendix A is correspondence between the Development Manager for Glenamuck Manor and consultant AMOSS LLP, solicitors for Dwyer Nolan Development, which states that the strip of land referred to, is owned by their clients (Dwyer Nolan). However, I note that the strip of land indicated in the accompanying layout plan, does not match the 3m wide 'gap' to the rear of houses 165 and 166 Glenamuck Manor. It relates to a strip of land to the west of the Glenamuck Manor development, between a garden wall and boundary line of Grange Oaklands / Shaldon Grange lands, and which clearly does not abut, or border the subject application site.
- Appendix B: Memorandum prepared by Arthur Cox LLP is noted.

- Appendix B relates to a memorandum prepared by Arthur Cox LLP. It gives legal analysis with respect to 'the ransom strip'. However at paragraph 2.6 of the legal advice they refer to Appendix A, email from the solicitor acting for Dwyer Nolan, the Glenamuck Manor developer, which it states, 'confirms that the third party strip is owned by Dwyer Nolan in full.' This statement I consider is flawed as the map submitted with Appendix A clearly outlines a different strip of lands and does not relate to the lands south of Street 4 and to the rear of Houses 165 and 166 Glenamuck Manor. It relates to lands to the west abutting Shaldon Grange / Grange Oaks Lands.

7.2. Planning Authority Response

7.2.1. A response has been received from the planning authority. The response is summarised as follows:

- DLRD regrets being in the position where it felt compelled to refuse permission for this development. This is an important growth area in Dun Laoghaire and one that has received a good deal of public investment. The subject scheme is a good scheme aside from the matters covered in the reasons for refusal.
- It had been expected that the further information submitted would have overcome outstanding issues.
- DLRD look forward to working with the applicant or their successors on developing a successful scheme on the site under a separate planning application one that can provide for the required linkages in accordance with the LAP.
- The applicant presents information to back up the contention in their further information submission that it is the adjoining landowner (Glenamuck Manor Dwyer Nolan Developments Limited) that owns the three metre 'gap'. This information is relatively compelling but as yet inconclusive, given outcome of ongoing enforcement proceedings.
- The first party appeal focuses heavily on the ownership issue, presenting it as 'the crux of the refusal' without successfully addressing the policy issue, the planning authority contends that irrespective of who owns the 'gap', the scheme

itself is deficient' in that it does not comply with the policies of the LAP and that access is not provided from both the south and the north, as required by movement objective SDF 4-1.

- As such the subject proposal amounts to a material contravention of the LAP.
- The assertion by the first party that the developer of the adjoining site Glenamuck Manor / Dwyer Nolan Development limited, have not built up to their boundaries such that would allow the applicant to deliver an all user link at this point has been investigated, both on the ground and by way of document review and there is emerging evidence to suggest that this may be the case.
- Indeed it also appears that it may be the case that the developer of Glenamuck Manor may not have built the required road up to their SW boundary with a clearer gap in the order of three metres evident here.
- This matter has been put to the developer of Glenamuck Manor, by way of a warning letter, under the council's enforcement powers. It remains to be seen whether a breach of the Planning Permission has occurred and whether and when it might be possible to resolve this matter.
- This information is being presented here without prejudice to that separate process simply for the commission's information.
- It is noted that enforcement in situations such as this can be challenging and protracted. There is no certainty that the planning authority will, with the powers currently at its disposal, be able to resolve this matter, if it transpires to be a matter of enforcing the Glenamuck Manor permission. It is the planning authority's contention that the scheme is premature pending a positive resolution of this matter.
- It is notable that the draft Kilternan LAP made provision for access to these lands from the South only, effectively via Glenamuck Manor. However, the landowner of the subject site, the current applicant, requested that access be instead from the new GDDRS scheme to the north. The compromise position recommended by the executive and adopted by the members was that vehicular access would be required from both North and South.

- The applicant and the planning authority are setting out two very clear but divergent contentions before the Commission:
 - It is the applicant's contention that they should be allowed to provide access from the north only and build up to the boundaries with both the all-user (Glenamuck Manor boundary) and pedestrian / cycle (Cowley/Westgate) boundaries links and that these links would be completed by parties unknown at a time yet to be determined.
 - It is the planning authorities contention that there is an obligation on the applicant and the planning authority to arrive at a solution that allows for the delivery of these vital links in conjunction with the delivery of development on this site, as required by the LAP, and in a way that establishes a sustainable pattern of vehicular, cyclist, and pedestrian movement on day one.

Both these contentions are reasonable within their own set of assertions, although the planning authority strongly contends that it is the latter position that is compliant with statutory planning policy and sustainable development.

7.3. Applicant's Response

7.3.1. No valid response received.

7.4. Observations

7.4.1. No observations have been received by the Commission.

7.5. Further Responses

7.5.1. No further responses have been received by the Commission on the appeal.

8.0 Planning Assessment

8.1. Introduction

8.1.1. Having reviewed the appeal, examined all other documentation on the case file, inspected the site, and had regard to the relevant national, regional, and local policies and guidance, I consider the main issues in the appeal to be as follows:

- **Overview**
- **Material Contravention of the Kiltiernan-Glenamuck LAP 2025 in relation to Movement Objective SDF4-1**
- **Material Contravention of the Kiltiernan-Glenamuck LAP 2025 in relation to an indicative 'Strategic Green Route' PY12**
- **Other Matters**
 - **Legal Issues**
 - **Layout Options Presented**
 - **Conditions**

I propose to address each of these items in turn below.

8.2. Overview

- 8.2.1. I have carried out a screening determination for appropriate assessment (AA), a pre-screening and a screening determination for environmental impact assessment (EIA), and a screening determination for water status impact assessment (WSIA). These screening determinations provide detailed assessments of the impact of the proposed development on several components of the environment. They are presented in sections 9.0, 10.0, and 11.0 below and are to be read in conjunction with Appendices 1-4 of this report and the planning assessment.
- 8.2.2. By way of an overview for the Commission's clarity, I consider the pertinent issues for the planning assessment of this appeal case are confined to the reasons for refusal i.e essentially, the matter of non-provision of 'all user access', including vehicular access and 'pedestrian / cycle access' to the Glenamuck Manor lands to the south which the planning authority consider 'would represent a Material Contravention of the Kiltiernan-Glenamuck LAP 2025'.

8.2.3. The first party appeal grounds are set out in full in section 7.1 of this report above and the planning authority's response, is set out in full, in section 7.2. As set out in section 2.0 Proposed Development of this report, the proposed development was revised at RFI stage to include a temporary creche facility (80.7 sq. m, 13 No. Childcare spaces, within the ground floor of Duplex Block C in lieu of a two-bedroom ground floor duplex unit) with associated outdoor play area and two alternative Site Layout Plan options have been submitted for consideration:

- Option A (134 no. units) includes a proposed 3-metre-wide shared pedestrian and cycle route along POS 1 in the centre of the site, through POS 3 to the south, and up to the subject's site's southern boundary. Temporary ibex fencing is proposed along the site's southern boundary, with the Westgate lands. The layout of the proposed 3-metre-wide shared pedestrian and cycle route within POS 3 is illustrated in Figure 3.7 and a Computer-Generated Image of Option A is provided in Figure 3.8 submitted with the First Party Appeal. This Layout option is also illustrated in the 'General Arrangement Plan' – 'Option A' - Drg. No L1_100_1 submitted to the planning authority RFI on the 16/04/2026.
- Option B (135 no. units) Option B follows a similar route to Option A as it will continue the 3-metre-wide shared pedestrian and cycle route from POS 1, through POS 3 and up to the site's southern boundary with the Westgate lands. However, instead of stopping here, the route will also continue westwards along the southern boundary of the site before joining up with the proposed vehicular and pedestrian connection to Glenamuck Manor. Rather than omitting residential units entirely from this area of the site, as per the second option suggested in the RFI by the PA, Option B will replace 5 No. 3-bed houses located to east of Street 4 with a residential block which provides 6 No. 3-bed triplex units. Option B has been designed to ensure sufficient space is provided along the southern boundary of the site to facilitate the 3-metre-wide shared pedestrian and cycle route. This Layout option is illustrated in Figure 3.11 and Fig 3.12 submitted with the First Party Appeal and also illustrated in the 'General Arrangement Plan' – 'Option B' - Drg. No L1_100_6 submitted to the planning authority RFI on the 16/04/2026.

NOTE: The proposed development and amendments proposed by way of Option A and Option B, are set out above, and are set out in section 2.0 Proposed Development of this report and are referred to throughout the report. There is no material change to unit number proposed (Originally -135 units, Option A - 134 units or Option B -135 units) density, design, open space, unit mix, building height, dual aspect, Part V, car parking etc from that set out in Section 2.0 of this report above 'Proposed Development'.

- 8.2.4. There are no third party submissions or observations on file. The Planning Authority consider the applicant has satisfactorily addressed all relevant items of Further Information with exception of vehicular access from lands to the south and west with permeability links to schemes to the south, west and east (Objective SDF4-1) and the clear provision of permeability link PY12 of the Kiltiernan-Glenamuck Local Area Plan- Strategic Green Corridor linking Jamestown Park with Ballycorus Road. It is their opinion, it is imperative that the scheme provide for continuous pedestrian and cycle connectivity from the new GDDR through to the existing pedestrian and cycle infrastructure within Glenamuck Manor.
- 8.2.5. The planning authority's response to the appeal, indicates its regret, being in the position, where it felt compelled to refuse permission for this development. It acknowledges that this is an important growth area in Dun Laoghaire and one that has received a good deal of public investment. The response states: 'the subject scheme is a good scheme aside from the matters covered in the reasons for refusal'.
- 8.2.6. I note the matter of the 3m wide 'gap', which has arisen at RFI stage, associated landownership and legal issues. The assertion by the first party that the developer of the adjoining site Glenamuck Manor / Dwyer Nolan Development limited, have not built up to their boundaries such that would allow the applicant to deliver an 'all user link' at this point. The acknowledgement by DLRD planning department that the matter of noncompliance with planning permission, on the adjoining site at Glenamuck Manor / Dwyer Nolan Developments Limited (TA06D.303978 - date of decision 25/06/2019) has been investigated, both on the ground and by way of document review and there is emerging evidence to suggest that this may be the case. This relates to a separate landowner and enforcement matters are for the PA to address.

- 8.2.7. The planning authority contends that irrespective of who owns the 3m wide 'gap', the scheme itself is deficient, in that it does not comply with the policies of the LAP and that access is not provided from both the south and the north, as required by movement objective SDF 4-1. As such the subject proposal amounts to a material contravention of the LAP. I note in addition the planning history pertaining to the Glenamuck Manor lands, specifically two planning applications for retention and alterations to previously approved layout, which were refused planning permission (LRD25A/0316/web & LRD24A/0279). See section 5.0 Planning history of this report.
- 8.2.8. Ultimately, it is the planning authority's conclusion that the scheme is premature pending a positive resolution of this matter. It is their belief that the applicant and the planning authority are setting out two clear but divergent lines of reasoning:
- It is the applicant's contention that they should be allowed to provide access from the north only and build up to the boundaries with both the all-user (Glenamuck Manor boundary) and pedestrian / cycle (Cowley/Westgate) boundaries links and that these links would be completed by parties unknown at a time yet to be determined.
 - It is the planning authorities contention that there is an obligation on the applicant and the planning authority to arrive at a solution that allows for the delivery of these vital links in conjunction with the delivery of development on this site, as required by the LAP, and in a way that establishes a sustainable pattern of vehicular, cyclist, and pedestrian movement on day one.
- 8.2.9. The planning authority's planning assessment considers that the proposed development is acceptable in-terms of inter-alia: design, density, unit mix, height, open space provision, childcare, biodiversity, surface water drainage and flood risk, Part V, AA and EclA and is generally in line with the relevant national strategic policies and the provisions of the 2022-2028 Dun Laoghaire-Rathdown County Development Plan, the Kiltiernan - Glenamuck LAP 2025 and other guidance documents as relevant. The Planning Authority assessed both options (Option A and Option B) submitted by the applicant in response to Item 9(d) of the Further Information Request. Option A was considered preferable in that it aligns more closely with the intended route of PY12.

- 8.2.10. I highlight that I have inspected the site and the location of the '3m wide gap', to the south of Street 4, and to the side and rear of No.'s 165 and 166 Glenamuck Manor. It comprises flat ground and at the time of my site visit, the boundary gate to the north of Glenamuck Manor was open and I could walk freely from the vehicular access on Glenamuck Manor estate into the subject site lands. There is no level difference or physical impediment to the connection, with the exception of the gate and fence and purported 3m wide strip of land, 'the gap'.
- 8.2.11. In respect of the proposed development, I have reviewed the extensive plans and documents submitted with the application and by way of RFI. As noted above, under the Dun Laoghaire-Rathdown County Development Plan 2022-2028, the site is subject to zoning Objective 'A': 'to provide residential development and improve residential amenity while protecting the existing residential amenities: therefore, the principle of residential development is acceptable.
- 8.2.12. I have concluded that the subject site layout OPTION A, open space, density, standard of accommodation / unit mix / unit size / dual aspect / floor to ceiling heights / internal and external storage / bin storage / private amenity space, residential and visual amenity, building height, overlooking, noise, sunlight and daylight, public open space, children's play, trees and landscaping, car and bicycle parking, traffic and transport assessment, surface water drainage and flood risk, Part V, Building Life Cycle Report, Development Contributions, Biodiversity are all deemed to be in accordance with the required standards of the DLRD County Development Plan 2022 – 2028 and to the policies and objectives of the Kiltiernan – Glenamuck LAP 2025 and are acceptable in principle.
- 8.2.13. I note, for clarity, that Option A proposes 1 less unit than the original proposal set out under section 2.0 'Proposed Development' of this report above. Option B proposes the same number of overall units. There is no impact upon the unit mix, density, parking etc. The inclusion of a temporary creche (in both Option A and Option B) of 80 sq. m on the ground floor of Block C and omission of one no. 2 bed ground floor duplex unit is welcomed. The location of creche fronting Street 6 has ample car parking and a turning area adjoining, see Table 2 proposed Car Parking provision of this report above. The PA required a creche facility to be provided for and have raised no concerns with the proposal put forward by the applicant. No

concerns have been raised by third parties, and I consider the temporary creche facility acceptable subject to condition.

- 8.2.14. In light of the issues raised in the two number reasons for refusal and by the first party I consider it pertinent to limit my assessment to consideration of access, connectivity, linkages and permeability, and whether same accords with policies of the adopted Kiltiernan-Glenamuck LAP 2025 and or is as stated by the planning authority a Material Contravention of the LAP.

8.3. Material Contravention of the Kiltiernan-Glenamuck LAP 2025 in relation to Movement Objective SDF4-1

- 8.3.1. The first reason for refusal states:

‘The proposed development by virtue of the non-provision of all-user access to the Glenamuck Manor lands to the south would be contrary to Movement Objective SDF4-1 of the Kiltiernan-Glenamuck Local Area Plan 2025 where it requires, inter alia, that "Vehicular access to the site will be via the Glenamuck District Roads Scheme and from lands to the south and west with permeability links to schemes to the south, west and east." As such, the proposed development would be contrary to objectives to provide a permeable residential neighbourhood with an appropriate scale and density of road network, and would represent a Material Contravention of the Local Area Plan’.

- 8.3.2. In relation to SDF4-1 ‘Movement’, Section 2.7.4 of the Kiltiernan-Glenamuck LAP 2025, I note it states, ‘it is an objective to’:

- ‘Ensure that there is a network of legible connected routes through the site, both north- south and east- west’.
- ‘Provide a new north to south pedestrian route through the scheme southwards through Grange Oaks and/or Glenamuck Manor and illustrate clear wayfinding to the central green area and onwards to Kiltiernan Village Character Area’.
- ‘Ensure no parallel vehicular carriageway immediately adjoining Kiltiernan Road’.

- 'Vehicular access to the site will be via the Glenamuck District Roads Scheme and from lands to the south and west with permeability links to schemes to the south, west and east'.
- 'Provide measures to strongly discourage traffic. Traffic surveys will be carried out within 1 year of the completion of the internal road network. If the volume of through traffic is high, additional traffic calming measures shall be retrofitted by agreements with the planning authority'.

8.3.3. I also note that the DLRDCDP 2022 – 2028 states: 'It is an objective of the Council: 'SLO 80' – 'to accord with the policies of the adopted Kiltiernan – Glenamuck LAP.'

8.3.4. The first party submit that it is unjust and unreasonable to refuse permission for the subject development of 135 No. units based on (a) the adjoining landowners failure to complete the required works which formed part of their permission and (b) the Planning Authority's failure to enforce against the non-completion of these works. The applicant submits that they cannot reasonably be required to deliver infrastructure which was permitted as part of the Glenamuck Manor scheme, was never built, was never enforced against and is outside of their control.

8.3.5. It is the first party's contention that the proposed development, accords with Objectives SDF4-1, PRM1& PRM2 of the LAP and seeks to align with the indicative PY12 route set out for the site, contrary to what is stated in Refusal Reason Nos. 1 & 2. That the proposed development is not a Material Contravention of the LAP.

8.3.6. I note that PRM1 –Permeability Improvements (in the LAP) states:

'It is an objective to secure permeability improvements across Kiltiernan-Glenamuck. Through confirmation of identified informal links, as well as the establishment of new links, DLR will facilitate safer, easier and more enjoyable trips via Active Travel modes'.

8.3.7. I note that PRM2 – Phasing of Permeability Improvements (in the LAP) states:

'It is an objective that delivery of permeability links through existing or future residential developments shall, where feasible, be carried out as part of the development management process and/or by other appropriate means.'

8.3.8. The 'Indicative Strategic Green Route' 'PY12', which seeks to provide a 'Strategic Green Corridor linking Jamestown Park with Ballycorus Road', north to south

through the subject appeal lands following the general route of the 220KV overhead powerlines, is indicated in Figure 5.3 of the LAP: entitled 'Overview of existing and recommended permeability routes' which clearly states, in brackets '(Routes are indicative)'.

- 8.3.9. The 'PY12' route is envisaged in the LAP, as a north south continuous, permeable pedestrian and cycle route between Jamestown Park to the north and Ballycorus Road to the south. I consider that both Option A and Option B as submitted at RFI Stage and on Appeal provide for the PY12 route.
- 8.3.10. The central and eastern extent of the subject site's southern boundary is bounded by a property known as 'Westgate'. These lands, while zoned residential (Objective A – 'To provide residential development and improve residential amenity while protecting the existing residential amenities') and form part of the LAP, are currently undeveloped. The PY12 route continues from the subject site, through part of the Westgate lands, into Glenamuck Manor (Dwyer Nolan Development Limited lands subject to SHD ABP-303978-19 & ABP 312216-21) and continues further south to Ballycorus Road. The PY12 corridor also continues northwards through the northern lands (subject to LRD26A/0075/web, permission granted for 235 units and creche on the 05/08/2026, which provides for the PY12 link through the extent of these lands) and towards the future Jamestown Park.

'All User' Connections

- 8.3.11. It is clear from the original layout plan submitted and the revised Option A Layout Plan and Option B Layout Plan that while the main vehicular access to the site is proposed from the Kilternan Road / GDDR to the north, it is also the intention of the proposed scheme to provide 2 No. secondary vehicular connections into Glenamuck Manor, to the south and lands to the west, Shaldon Grange / Grange Oak Lands (should any development come forth on the undeveloped portion of the Grange Oaks (Shaldon Grange) lands). I note that pedestrian paths are provided alongside these vehicular access points. The first party submit that they are providing vehicular and pedestrian infrastructure up to the boundary of the subject site for the adjoining developer to continue through their site as part of any future development of the remaining Grange Oaks lands, and subject to the connection into Glenamuck Manor to the south.

- 8.3.12. Essentially, following on from the policy objectives set out above the issue of contention in refusal reason No. 1 is the non-provision of 'all-user access' to the Glenamuck Manor lands to the south, which it is deemed would be contrary to Movement Objective SDF4-1 of the Kiltiernan-Glenamuck Local Area Plan 2025.
- 8.3.13. The first party contend that they cannot provide this vehicular access, via street 4, into the as constructed Dwyer Nolan Developments Limited / Glenamuck Manor site, to the south, as there is no existing footpath to the adjoining Glenamuck Manor Scheme. Albeit, they are proposing to build the street with pedestrian footpaths right up to the boundary of their site to the both the Glenamuck Manor lands (to the south) and to the Grange Oak lands / Shaldon Grange (to the west). It is submitted that there is an undeveloped 3 m wide 'gap' or 'ransom strip', not within the control of the applicant, which prevent the subject site connecting into the built infrastructure in the adjoining Glenamuck Manor Development. It is their contention that this 3m wide strip, is within the control of the Glenamuck Manor site owners, Dwyer Nolan Developments Limited, which has not been constructed in accordance with the original planning permission granted, for Glenamuck Manor and therefore the matter is an enforcement issue and cannot be resolved by way of development management and the subject application process.
- 8.3.14. The first party have submitted Appendix A & B to their appeal. Appendix A is correspondence between the Development Manager for Glenamuck Manor and consultant AMOSS LLP, solicitors for Dwyer Nolan Development, which states that the strip of land referred to is owned by their clients (Dwyer Nolan). However, I note that the strip of land indicated in the accompanying layout plan, does not match the 3m wide 'gap' to the rear of houses 165 and 166 Glenamuck Manor. It relates to a strip of land to the west of the Glenamuck Manor development, between a garden wall and boundary line of Shaldon Grange lands, and which clearly does not abut, or border the subject application site.
- 8.3.15. Appendix B relates to a memorandum prepared by Arthur Cox LLP. It gives legal analysis with respect to 'the ransom strip'. However at paragraph 2.6 of the legal advice they refer to Appendix A, email from the solicitor acting for Dwyer Nolan, the Glenamuck Manor developer, which it states, 'confirms that the third party strip is owner by Dwyer Nolan in full.' This statement I consider is flawed as the map submitted with Appendix A clearly outlines a different strip of lands, located to the

west of Glenamuck Manor which abuts Shaldon Grange / Grange Oaks lands. It does not relate to the lands south of Street 4 and to the rear of Houses 165 and 166 Glenamuck Manor.

- 8.3.16. I note for the attention of the Commission that the planning authority have also added to the confusion of the location of the 3m wide 'gap'. Their response to the first party appeal includes a photo which relates to the strip of lands referred to in Appendix A and B and does not border the subject appeal site boundary. It is I gather, an effort to investigate and build evidence, as to whether the developer of Glenamuck Manor have built their development (the required road infrastructure) up to their boundaries. The response states: 'Indeed it also appears that it may be the case that the developer of Glenamuck Manor may not have built the required road up to their south west boundary, with a clearer gap in the order of 3m evident here. See image below'.
- 8.3.17. While I note the legal memorandum submitted in Appendix B, with the first party appeal, in part, refers to a different strip of lands, in my opinion, the legal advice by Arthur Cox LLP acting on behalf of Durkan Glenamuck Developments Limited (the appellant) clearly states they do not legally own the physical 3m wide 'gap' between the two sites.
- 8.3.18. I note the Figures and screen shots of Layout Plans submitted by the first party in the appeal which purport to be taken from permitted layout plans for the Glenamuck Manor site and reference ACP TR06D.312216, indicatively outlining 'the gap', annotated by Thornton O'Connor Town Planning. However, from my examination of the site layout plans submitted with the subject application, those submitted with SHD ABP303978-19, the parent permission for Glenamuck Manor, the ACP Plean-IT register and the Dun Laoghaire Rathdown online planning register, while it is evident there is 'a gap', it is unclear from the information submitted who is in control of this '3 m wide' strip of lands, at this location. No land registry maps, folios, or legal register of deeds information, etc have been submitted. The boundary of the Glenamuck Manor development has a c. 1.8m high, boundary gate and fencing running along its northern boundary, where the roadway meets the boundary to the east of no. 166 Glenamuck Manor. This being the case, I do not agree with the planning authority's stance on the matter. I believe this is an ownership issue. DLR planning department

has acknowledged that this may be resolved by way of enforcement action and they have commenced proceedings, by way of a warning notice to Dwyer Nolan.

- 8.3.19. Enforcement proceedings are solely within the remit of the planning authority and do not come within the remit of An Comisiún. Should the planning authority not be able to resolve the matter by way of enforcement action, or resolution between both parties, the only other means by which the planning authority could ensure delivery of the 'all user' connection would be to use compulsory purchase powers. The applicant has, in my opinion, clearly provided all vehicular, pedestrian and cycle links, as required by policy and objectives set out in the LAP, through their site, up to and abutting the site boundary to the south, east and west.
- 8.3.20. As considered under 'Legal Issues', proceeding section of this report below. In considering issues of legal interest and rights of way, I have had regard to the guidance in Section 5.13 of the Development Management Guidelines. Case law confirms that the Commission cannot simply ignore issues of title or landowner consent and must engage with the submissions made to it. The scope of engagement, however, may be limited as the determination of title is not a matter for the Commission. The Commission is entitled to accept the evidence of title provided (e.g. folio details) and is not required to go behind the registered title and to make enquiries as to who might be the beneficial owner. The applicant is clearly stating they do not own the 3 m wide strip of land running between their site and the Glenamuck Manor site to the south, this is compounded with legal advice. Where a dispute regarding sufficient interest goes to issues that the Commission is not competent to resolve, then the Commission can grant planning permission, knowing that it is subject to s.34(13).
- 8.3.21. As noted, the Commission should continue to bear in mind that a grant of permission does not amount to a determination of title, and that the Commission is entitled to rely on the prima facie evidence before it.
- 8.3.22. I do not agree with the planning authority's reason No. 1 for refusal that the proposed development 'would represent a Material Contravention of the Local Area Plan'. The applicant has done all within its power to comply with provision of all-user access to the Glenamuck Manor lands to the south and to Movement Objective SDF4-1 of the Kiltiernan-Glenamuck Local Area Plan 2025 which requires, vehicular access via the

Glenamuck District Roads Scheme and from lands to the south and west with permeability links to schemes to the south, west and east. It therefore accords with objective 'SLO 80' of the DLRDCDP 2022 - 2028 – 'to accord with the policies of the adopted Kiltiernan – Glenamuck LAP.

8.3.23. It is my opinion the proposed development does not materially contravene SLO 80 of the DLRDCDP and or SDF4-1 of the Kiltiernan – Glenamuck LAP therefore Section 37 (2) of the 2000 Act does not apply.

8.4. **Material Contravention of the Kiltiernan-Glenamuck LAP 2025 in relation to an indicative 'Strategic Green Route' PY12**

8.4.1. The second Reason for refusal states:

'The proposed development by virtue of the non-provision of pedestrian/cycle access to the Glenamuck Manor lands to the south would be contrary to Objective PRM1 and PRM2 of the of the Kiltiernan-Glenamuck Local Area Plan 2025 as supported by Figure 5.3 of the LAP which identifies an indicative 'Strategic Green Route' PY12 at this location. This route is also supported by the Movement Objectives of the Site Development Framework and is integral to the principles of the LAP in that it links the permitted neighbourhood centre with the school site, key recreation amenities, and new residential areas. As such, the proposed development would be contrary to objectives to provide a permeable residential neighbourhood with an appropriate scale and density of cycle and pedestrian network, and would represent a Material Contravention of the Local Area Plan'.

8.4.2. I note that PRM1 –Permeability Improvements (in the LAP) states:

'It is an objective to secure permeability improvements across Kiltiernan-Glenamuck. Through confirmation of identified informal links, as well as the establishment of new links, DLR will facilitate safer, easier and more enjoyable trips via Active Travel modes'.

8.4.3. I note that PRM2 – Phasing of Permeability Improvements (in the LAP) states:

'It is an objective that delivery of permeability links through existing or future residential developments shall, where feasible, be carried out as part of the development management process and/or by other appropriate means.'

- 8.4.4. I note that PY12 provides for a 'Strategic Green Corridor linking Jamestown Park with Ballycorus Road'.
- 8.4.5. The two reasons for refusal are clearly linked. As set out above in the preceding section of this report, I consider that both Option A and Option B as submitted at RFI Stage and on appeal provide for the PY12 route.
- 8.4.6. I note, it is submitted by the first party, that the Westgate lands was originally one large plot made up of 1) the current Westgate lands, 2) the subject site, 3) Glenamuck Manor, 4) the northern lands (subject to LRD26A/0075/web also within the control of the applicant), 5) part of the Kilternan Road and Kilternan–Glenamuck Link Road, and 6) an undeveloped site to the east of the Kilternan–Glenamuck Link Road. In their assessment of Option A, DLR deduced that the Westgate landowner is unlikely to develop the land to the south of the subject site given the original landholding was subdivided throughout the years and they may not wish to reduce their residual holding any further. Because of this, the DLR concluded in their assessment of the RFI that the PY12 route, as proposed under Option A, is undeliverable.
- 8.4.7. The applicant submits that there is a strong likelihood of development coming forward on the Westgate lands in the future as they are zoned for residential development in the LAP and subject to the Residential Zone Land Tax (RZLT).
- 8.4.8. I note that the applicant submits that the subject site only makes up approximately 7% of the total length of the PY12 route and its full delivery is contingent on lands completely outside the appellant's control. I agree that the P.A.'s stance is unreasonable. The fact that the Westgate lands have not yet come forward for development does not render the route "undeliverable" within the subject site. I agree with the applicant that if that were the case, then the phased implementation of LAP infrastructure objectives would effectively be prevented unless all adjoining landowners progressed development concurrently. Such an approach is not provided for in the LAP. The LAP clearly states that the "area is expected to continue developing on an incremental, site-by-site basis".
- 8.4.9. I agree with the applicant that, there is no reasonable basis for the planning authority to effectively penalise the proposed development, which will increase local housing stock, due to the absence of a current proposal on the Westgate lands. The LAP

clearly anticipates phased and incremental delivery of development and this is what the proposed development seeks to achieve; delivering what is achievable within the applicants landholding.

- 8.4.10. The applicant submits that the proposed shared pedestrian and cycle route / 'green-corridor' is identified to be delivered on the subject site and is brought up to the boundary of the subject site to safeguard its future continuation southwards through the Westgate lands and ensure there is no ransom strip between the two sites. From the information on file and plans and drawings submitted, I see no reason to doubt or dispute this submission.
- 8.4.11. I agree that the lands to the immediate west of the subject site (Shaldon Grange) are also currently undeveloped. The proposed development provides a future potential vehicular and pedestrian / cycle connection up to the western boundary of the subject site, similar to the pedestrian and cycle connection up to the southern boundary of the site, and it will be the responsibility of any future application on the western lands to continue this connection into their site in order to accord with SDF4-1 & Objectives PRM1 & PRM2 of the LAP. Yet, the PA did not raise any concerns with the approach taken for the western connection.
- 8.4.12. In particular, I note and agree with the applicant that Objective PRM2 of the LAP as set out in full above, clearly states, 'shall where feasible' be carried out as part of the development management process and/or by other appropriate means.
- 8.4.13. Option A and B as proposed seek to provide a permeable link through the site and up to the boundary of the subject site for any future development of Westgate lands to continue. As per Objective PRM2 above, the continuation of this link into the Westgate lands as part of the proposed development is not feasible as the land is not in the ownership or control of the appellant or landowner nor is it subject to any current development proposal. Option A clearly delivers the PY12 route on the subject site, in accordance with the LAP, by providing a shared pedestrian and cycle route through the site and up to its southern boundary with 'Westgate'.
- 8.4.14. As such, I do not consider the proposed development Option A (Layout options presented are consider in greater detail in a succeeding section of this report) would be contrary to objectives to provide a permeable residential neighbourhood with an

appropriate scale and density of cycle and pedestrian network, and I do not consider Option A would represent a Material Contravention of the Local Area Plan.

- 8.4.15. As stated above in the preceding section of this report. It is my opinion the proposed development (Option A) does not materially contravene the LAP and or SLO 80 of the DLRDCDP and therefore Section 37 (2) of the 2000 Act does not apply.

8.5. Other Matters

Legal Interest

- 8.5.1. In considering the issue of the '3m wide gap', I have had regard to the guidance in Section 5.13 of the Development Management Guidelines. As alluded to earlier in this report, the guidelines are clear that *'[the planning system is not designed as a mechanism for resolving disputes about title to land or premises or rights over land; these are ultimately matters for resolution in the Courts]*' and refers to section 34(13) of the 2000 Act which states that a person is not entitled solely by reason of a permission to carry out any development.
- 8.5.2. The guidelines indicate that only in instances where it is clear that an applicant does not have sufficient legal interest in the subject lands, should permission be refused on that basis. In instances where there is doubt as to the sufficiency of the legal interest the planning authority may decide to grant permission as such a grant is subject to the provisions of section 34(13) of the Act. That being, the developer must be certain under civil law that they have all rights in the subject land to execute the grant of permission.
- 8.5.3. Following my review of the case file, I consider that the applicant has provided evidence demonstrating they have sufficient legal interest in the subject lands and do not own or have sufficient legal interest over the 3m wide 'gap' and I am therefore satisfied that connectivity can not be delivered by the applicant.
- 8.5.4. In conclusion, I am satisfied that for the purposes of planning, the applicant has demonstrated sufficient legal interest to propose the access arrangements to Glenamuck Manor and Shaldon Grange / Grange Oaks Lands as indicated in the lodged plans and particulars, subject to the restrictions explicit in section 34(13) of the 2000 Act, as amended.

Layout Options Presented

- 8.5.5. I consider a key reason the LRD scheme was found to be contrary to policy related to the non provision of a permeable residential neighbourhood.
- 8.5.6. There is a strong policy context (CDP, adopted LAP) requiring that permeability be designed into the County's built environments (as per SDF4-1, PRM1 , PRM2 and PY12) and ensuring that the development management process secures connectivity between and through residential areas. In this regard, I am satisfied that the proposed development, seeks to provides permeability and connectivity, in line with policy, within the subject lands under their control and is not contrary to Movement Objective SRF4-1 or Objective PY12, as set out in detail throughout this report.
- 8.5.7. I consider that albeit all Options presented aim to provide permeability links, in line with the permeability and all user objectives of the LAP, the layout as proposed in OPTION A is the most desirable. It includes a pedestrian / cycle connection along Street 1 through POS3 up to the southern boundary with 'Westgate', it aligns closely with PY12 objective. I note the inclusion of the temporary creche and play area. As noted, throughout this report the proposed development on lands to the north, for 235 residential units and a creche, also within the applicant's ownership, under LRD26A/0075/Web was granted planning permission, on the 05/08/2026. The lands to the north are within the blue line ownership of the subject application. Cognisance is had that the creche facility within the adjoining development has been designed with capacity to serve the subject lands. This is accepted by the planning authority.
- 8.5.8. I note that a Social Infrastructure Audit (SIA) that includes a Schools and Creche Demand Assessment has been submitted with the application. It is noted that discussions took place, with the p.a. regarding the provision of a creche on the current site and the site to the north of the GDDR. The applicant suggested one larger creche on the northern site could be a more viable solution. The creche permitted within the northern lands has been designed and sized to provide c. 500 sq m of floor space and c. 80 No. childcare spaces which will serve the childcare requirement of the northern lands as well as the subject southern lands. However, the two sites are being progressed by way of separate planning applications and must be considered and assessed

independently of each other. Regard being had to the delivery timeframe of both schemes, the temporary nature of the crèche facility on the subject site is warranted in my opinion. This should be subject to condition, in any grant of planning permission, see Condition 2 recommended to be attached to any decision to grant, forthcoming from the Board.

- 8.5.9. As stated throughout this report Option A includes 134 residential units and 80 sq. m creche, there is no material impact upon density, open space, unit mix, building height, dual aspect, Part V, car parking etc from that set out in Section 2.0 of this report above 'Proposed Development', see section 2.0.
- 8.5.10. I recommend, should the Commission agree, that Option A is acceptable and permission should be forthcoming that a condition be attached requiring no boundary fence or gate be erected to the south of Street 4, along the southern boundary of the site with Glenamuck Manor. Also proposed temporary ibex fence along the southern boundary with Westgate lands be removed once the Westgate lands are developed, see Condition 3 proposed to be attached to any decision to grant.

Conditions:

- 8.5.11. In relation to other planning conditions, I have reviewed the internal reports of the different sections of the planning authority and the prescribed bodies, note the conditions recommended to be attached in the event of a grant of permission. I am satisfied that equivalent An Comisiún Pleanála conditions are sufficient in covering/ addressing several matters (construction, operational, procedural, and financial). Some of the recommended conditions are necessarily specific in nature, being bespoke to the proposal (e.g., mitigation and monitoring from several project-specific reports, boundary treatments, pathways, connection points, Section 49 development contribution schemes).
- 8.5.12. It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.
- 8.5.13. It is also requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Supplementary

Development Contribution Scheme made under section 49 of the Act be applied to the permission.

- 8.5.14. I recommend should planning permission be forthcoming, from the Commission, said conditions be attached.

Car Parking

- 8.5.15. A total of 199 No. car parking spaces is proposed to serve the development, which is an overall provision ratio of 1.47 spaces per unit. See Table 2.0 in Section 2.0, Proposed Development Section of this report above for specific details of car parking provision.
- 8.5.16. In accordance with Section 12.4.5 and Table 12.5 of the current DLRCC County Development Plan, the standard provision of car parking for the proposed location (Parking Zone 3) would be 228 No. car parking spaces including 10 No. visitor car parking spaces. This equates to a required CDP provision of 1.68 spaces per unit. The CDP aims to ensure adequate residential parking / car storage and control of destination parking, whilst also allowing greater flexibility in car parking standards on sites well served by public transport.
- 8.5.17. 12.4.5 Car Parking Standards of the DLRDCDP 2022 – 2028 states: ‘The principal objective of the application of car parking standards is to ensure that, in assessing development proposals, appropriate consideration is given to the accommodation of vehicles attracted to the site within the context of Smarter Travel, the Government policy aimed at promoting modal shift to more sustainable forms of transport’.
- 8.5.18. I note for Zone 3 reduced provision may be acceptable dependent on the criteria set out in 12.4.5.2 (i) of the CDP which includes 13 criteria, including inter-alia :
- Proximity to public transport services and level of service and interchange available.
 - Walking and cycling accessibility/permeability and any improvement to same.
 - Robustness of Mobility Management Plan to support the development.
 - Capacity of the surrounding road network.
 - Urban design, regeneration and civic benefits including street vibrancy.

- Any specific sustainability measures being implemented including but not limited to:
 - The provision of bespoke public transport services.
 - The provision of bespoke mobility interventions.

8.5.19. In accordance with SPPR 3 of the Sustainable Residential Development and Compact Settlements - Guidelines for Planning Authorities 2024 (Compact Settlement Guidelines), the maximum residential car parking provision at this location is 2 No. spaces per unit, or a maximum provision of 270 no. car parking spaces.

8.5.20. SPPR 3 requires applicants to provide a rationale and justification for the number of car parking spaces proposed to satisfy the planning authority that the parking levels are necessary and appropriate. The applicant has provided a detailed rationale in the Mobility Management Plan.

8.5.21. I am satisfied that the quantum of parking proposed, has regard to precedent set in the surrounding area and is sufficient to serve the proposed development. The proposed provision of 199 car parking spaces is generally in accordance with DLRCC standards, is acceptable and in accordance with SPPR 3, of the current Compact Settlement Guidelines, which seek to minimize the quantum of car parking to manage travel demand and to ensure that vehicular movement does not impede active modes of travel or have undue prominence in the public realm.

8.5.22. Taking into account local improvements associated with the Glenamuck District Roads Scheme and the development of Kiltiernan village centre as outlined within the Kiltiernan Glenamuck Local Area Plan, and to the submitted mobility management plan, I consider, in agreement with the Transportation Planning section of DLRD that the proposed c. 12.7% reduction in car parking provision (29 spaces) is not a material contravention.

9.0 Appropriate Assessment

9.1. Stage 1 – Screening Determination for Appropriate Assessment

9.1.1. In accordance with section 177U(4) of the Planning and Development Act 2000, as amended (2000 Act), and on the basis of objective information, I conclude that the proposed development (project) 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) under section 177V of the 2000 Act is not required (see Appendix 1 of this report below).

9.1.2. This conclusion is based on:

- Objective information presented in the case documentation (e.g., AASR, EclA).
- Qualifying interests and conservation objectives of the European sites.
- Absence of any meaningful pathways to any European site.
- Distances from 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.

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

10.0 Environmental Impact Assessment

10.1. Pre Screening for Environmental Impact Assessment

10.1.1. Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended (2001 Regulations), and section 172(1)(a) of the Planning and Development Act 2000, as amended (2000 Act), identify classes of development with specified thresholds for which EIA is required.

10.1.2. I identify the following classes of development in the 2001 Regulations as being of relevance to the proposal:

- Class 10(b) relates to infrastructure projects that involve:
 - (i) Construction of more than 500 dwelling units,
 - (iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

10.1.3. The proposed development is sub-threshold in terms of mandatory EIA requirements arising from Class 10(b)(i) and/ or (iv) of the 2001 Regulations. As such, the criteria in Schedule 7 of the 2001 Regulations are relevant to the question as to whether the proposed sub-threshold development would be likely to have significant effects on the environment and should be the subject of EIA (see Appendix 2 of this report below).

10.2. **Screening Determination for Environmental Impact Assessment**

10.2.1. The applicant has submitted an Environmental Impact Assessment screening report (EIASR) with the application addressing issues which are included for in Schedule 7A of the 2001 Regulations.

10.2.2. Based on the criteria in Schedule 7 of the 2001 Regulations, I have carried out an EIA screening determination of the project (included in Appendix 3 below of this report). In so doing, I have had regard to the following:

1. The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended, in particular:
 - (a) the nature and scale of the proposed residential development (which is below the mandatory thresholds for Class 10(b)(i) and Class 10(b)(iv) of the 2001 Regulations) and the greenfield nature of the site and its location in an outer suburban area which is served by public services and infrastructure.
 - (b) the absence of any significant environmental sensitivity in the vicinity.
 - (c) the location of the development outside of any sensitive location specified in article 109(4)(a) of the 2001 Regulations.
2. The results of other relevant assessments of the effects on the environment submitted by the applicant, and the results of the strategic environmental

assessments of Dún Laoghaire Rathdown County Development Plan 2022-2028 and Kiltiernan-Glenamuck Local Area Plan 2025 undertaken in accordance with the SEA Directive (2001/42/EC).

3. The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment.

10.2.3. In conclusion, I am satisfied that by reason of the nature, scale and location of the proposed development, the development would not be likely to have significant effects on the environment and that an Environmental Impact Assessment and the preparation of an Environmental Impact Assessment Report is not, therefore, required.

11.0 Water Status Impact Assessment

11.1. Stage 1 – Screening Determination for Water Status Impact Assessment

11.1.1. I have assessed the proposed development (project) with regard to, and have considered the objectives as set out in, Article 4 of the Water Framework Directive (WFD). Article 4 seeks to protect and, where necessary, restore surface and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration.

11.1.2. I conclude that the proposed development will not result in a risk of deterioration to any waterbody (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any waterbody in reaching its WFD objectives. Consequently, I conclude that the proposed development can be excluded from further assessment (see Appendix 4 of this report below).

11.1.3. This conclusion is based on:

- Nature of the project, site and receiving environment.
- Objective information presented in the case documentation (e.g., FRA, Engineering Assessment Report).
- Hydrological and hydrogeological characteristics of proximate waterbodies.
- Absence of any meaningful pathways to any waterbody.

- Standard pollution controls and project design features.

12.0 Recommendation

Following from the above assessment, I recommend that permission is GRANTED for the development as proposed due to the following reasons and considerations, and subject to the conditions set out below.

13.0 Recommended Draft Commission Order

Planning and Development Act 2000, as amended

Planning Authority: Dun Laoghaire Rathdown County Council

Planning Authority Register Reference: LRD 25A/0984/WEB

Appeal by Durkan, Glenamuck, Developments Limited against the decision made on the 13th May 2026, by Dun Laoghaire Rathdown County Council to Refuse permission, for an LRD of 135 units, at Kiltarnan, for two number reasons.

Proposed Development

Largescale residential development on lands at Glenamuck North, Kiltarnan, Dublin

18. Particulars of the development are as follows:

The proposed OPTION A development comprises:

- Permission for the construction of 134 No. residential units, ranging in height from 2 No. to 4 No. storeys, comprising:
 - 65 No. houses (9 No. 2-bed units, 46 No. 3-bed units and 10 No. 4-bed units) and
 - 69 No. duplex units (21 No. 1-bed units, 21 No. 2-bed units and 27 No. 3-bed units).
- Road works are proposed to the approved Glenamuck District Roads Scheme (ABP Ref. HA06D.303945) to provide access to the development from the Kiltarnan Road. The Kiltarnan Road access point will include works, inclusive of any necessary tie-ins, to the footpath and cycle track to create a side road

access junction incorporating the provision of uncontrolled pedestrian and cyclist crossing across the side road junction. A surface water outfall pipe (225 mm) is also proposed to pass through land to the north of the site, including the future Kiltarnan Road.

- The development also provides: car, bicycle and motorcycle parking spaces; bin storage; ancillary storage; private balconies, terraces and gardens; hard and soft landscaping; boundary treatments; lighting; substations; and all other associated site works above and below ground.

Decision

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

Reasons and Considerations

The Commission has made its decision in consistency with:

- a) Relevant provisions of the Climate Action and Low Carbon Development Act 2015, as amended.
- b) Climate Action Plans 2024 and 2025.

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

- a) Policies and objectives set out in the National Planning Framework 2040 (First Revision, 2025) and the Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031.
- b) Policies and objectives set out in the Dún Laoghaire Rathdown County Development Plan 2022-2028 including the location of the site on lands subject to Zoning Objective 'A' and the permitted uses therein.

- c) Provisions of the Kiltiernan-Glenamuck Local Area Plan 2025, including the designation of the site within 'Site Development Framework 4' and the objectives pertaining to the development of the lands therein.
- d) Delivering Homes, Building Communities (2025)
- e) National Biodiversity Plan 2023-2030.
- f) Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities, 2024.
- g) Planning Design Standards for Apartments, Guidelines for Planning Authorities, 2025 (Apartment Guidelines)
- h) Urban Development and Building Heights, Guidelines for Planning Authorities, 2018.
- i) Design Manual for Urban Roads and Streets, 2013, updated 2019.
- j) Childcare Facilities, Guidelines for Planning Authorities, 2001.
- k) Planning System and Flood Risk Management, Guidelines for Planning Authorities, 2009.
- l) Regulation of Commercial Institutional Investment in Housing, Guidelines for Planning Authorities, 2021, updated 2023.
- m) Development Management, Guidelines for Planning Authorities, 2007.
- n) The nature, scale, and design of the proposed development.
- o) The availability in the area of a range of social, community, and transport infrastructure.
- p) The pattern of existing and permitted development in the area.
- q) The planning history at the site and within the area.
- r) The reports of the planning authority.
- s) The submissions received by the planning authority from prescribed bodies.
- t) The grounds of appeal.
- u) The response to the grounds of appeal by the planning authority.

- v) The report and recommendation of the Planning Inspector including the examination, analysis and evaluation undertaken in relation to appropriate assessment, environmental impact assessment, and water status impact assessment.

Appropriate Assessment Screening

The Commission completed an Appropriate Assessment screening exercise (Stage 1) in relation to the potential effects of the proposed development on designated European sites, taking into account the nature and scale of the proposed development on serviced lands, the nature of the receiving environment, the distances to the nearest European sites and the absence of any direct hydrological connections, submissions and observations on file, the information and reports submitted as part of the application and appeal, and the Planning Inspector's report.

In completing the screening exercise, the Commission adopted the report of the Planning Inspector and concluded that, by itself or in combination with other development, plans and projects in the vicinity, the proposed development would not be likely to have a significant effect on any European site in view of the conservation objectives of such sites, and that an Appropriate Assessment (Stage 2) and the preparation of a Natura Impact Statement would not, therefore, be required.

Environmental Impact Assessment Screening

The Commission completed an Environmental Impact Assessment screening determination of the proposed development, with regard being had to the criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended, in particular to the nature and scale of the proposed residential development (which is below the mandatory thresholds for Class 10(b)(i) and Class 10(b)(iv) of the 2001 Regulations), the greenfield nature of the site and its location in an outer suburban area which is served by public services and infrastructure, the absence of any significant environmental sensitivity in the vicinity, the location of the development outside of any sensitive location specified in article 109(4)(a) of the 2001 Regulations, the results of other relevant assessments of the effects on the

environment submitted by the applicant, the results of the strategic environmental assessment of Dún Laoghaire Rathdown County Development Plan 2022-2028 and Kiltiernan-Glenamuck Local Area Plan 2025 undertaken in accordance with the SEA Directive (2001/42/EC), and the features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment.

In completing the screening determination, the Commission adopted the report of the Planning Inspector and concluded that by reason of the nature, scale and location of the proposed development, the development would not be likely to have significant effects on the environment and that an Environmental Impact Assessment and the preparation of an Environmental Impact Assessment Report would not, therefore, be required.

Water Status Impact Assessment Screening

The Commission completed a Water Status Impact Assessment screening exercise with regard being had to the objectives of Article 4 of the Water Framework Directive, taking into account the nature of the proposed development, site and receiving environment, the hydrological and hydrogeological characteristics of proximate waterbodies, the absence of any meaningful pathways to any waterbody, the standard pollution controls and project design features, the information and reports submitted as part of the application and appeal, and the Planning Inspector's report.

In completing the screening exercise, the Commission adopted the report of the Planning Inspector, and concluded that proposed development will not result in a risk of deterioration to any waterbody (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any waterbody in reaching its Water Framework Directive objectives, and that a Water Status Impact Assessment would not, therefore, be required.

Conclusion on Proper Planning and Sustainable Development

The Commission considers that, subject to compliance with the conditions set out below, the proposed development would be consistent with the applicable policies and objectives of the Dún Laoghaire Rathdown County Development Plan 2022-2028 and the Kiltiernan-Glenamuck Local Area Plan 2025, including those pertaining to Zoning Objective A and Site Development Framework 4, would result in an appropriate density of residential development, would constitute an acceptable mix and quantum of residential development, would provide acceptable levels of residential amenity for future occupants, would not seriously injure the residential or visual amenities of property in the vicinity, would not cause adverse impacts on or result in serious pollution to biodiversity, lands, water, or air, would be acceptable in terms of pedestrian, cyclist and traffic safety, permeability and convenience, and would be capable of being adequately served by water supply, wastewater, and surface water networks without risk of flooding. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

14.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application to the planning authority, as amended by the further information plans and particulars submitted to the planning authority on the 16th April 2026, and to further plans submitted to An Coimisiún Pleanála on the 08th June 2026 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. Permission is hereby granted for 'OPTION A', as per General Arrangement Plan Drg. No L1_100_1, submitted to the planning authority on the

16/04/2026 and to An Coimisiún Pleanála on the 08/06/2026. A total number of 134 residential units comprising:

- a. 65 No. houses (9 No. 2-bed units, 46 No. 3-bed units and 10 No. 4-bed units) and
- b. 69 No. duplex units (21 No. 1-bed units, 21 No. 2-bed units and 27 No. 3-bed units).
- c. A temporary 80 sq. m creche within the ground floor of Duplex Block C with associated 60 sq. m outdoor play area. The nature of this creche shall be temporary until such time that the creche on the northern site may be delivered and operational under register ref: LRD26A/0075/WEB. Any subsequent case for a Change of Use of this unit to residential at a future point, shall be subject to a separate planning permission.

Reason: In the interest of clarity.

3. (a) No boundary fence or gate shall be erected to the south of Street 4, for the extent of the width of the road (Street 4) and footpaths at this location, along the southern site boundary. This route shall be open, trasversable and capable of being passed over, by inhabitants of the subject site southwards to the adjoining lands and northwards by inhabitants of the Glenamuck Manor Development and the general public.

(b) The proposed temporary ibex fence along the southern boundary with Westgate lands, to the south of POS3 shall be removed in its entirety, or as agreed with the planning authority, once the Westgate lands are developed.

Details of all boundary treatments and retaining walls in the development (including retaining walls between the side and rear boundaries) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

Reason: Having regard to the provisions of the Kiltiernan-Glenamuck LAP 2025, and in the interests of improving permeability links and the proper planning and sustainable development.

4. a) All links and connections (vehicular, pedestrian) to adjoining lands shall be provided up to the site boundaries to facilitate future connections subject to the appropriate consents.

b) All pedestrian pathways (within the development) and connectivity links (to and/ or from the development) shall be ungated, free of any physical or operational impediment, and fully accessible to the general public (7 days of the week and 24 hours of the day).

Reason: In the interests of permeability and safety.

5. a) Mitigation and monitoring measures outlined in the plans and particulars, including the preliminary Construction and Environmental Management Plan, Acoustic Design Statement, Ecological Impact Assessment, Arboricultural Assessment, Waste Management Plan, Mobility Management Plan, and Site Specific Flood Risk Assessment, submitted with the application shall be carried out in full, except where otherwise required by conditions attached to this permission.

b) Prior to the commencement of development, the developer shall submit a comprehensive list of mitigation and monitoring measures from the named reports and a corresponding timeline/ schedule for implementation of same to the planning authority for its written agreement.

Reason: In the interest of clarity and to protect the environment and public health.

6. Prior to the commencement of development, 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) shall be prepared and submitted to the planning

authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

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

7. The construction of the development shall be managed in accordance with a Construction Environmental Management Plan, which shall be submitted to and agreed in writing with the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including, but not limited to:
 - 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) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels.

- j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater.
- k) Off-site disposal of construction/ demolition waste and details of how it is proposed to manage excavated soil.
- l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- m) A record of daily checks that the works are being undertaken in accordance with the Construction Environmental Management Plan shall be kept for inspection by the planning authority.

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

- 8. Prior to commencement of development, proposals for a development name and numbering scheme, and associated signage shall be submitted to and agreed in writing with the planning authority. Thereafter, all such names and numbering shall be provided in accordance with the agreed scheme. 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 for new residential areas.

- 9. No signage, advertisement or advertisement structure (including that which is exempted development under the Planning and Development Regulations, 2001 (as amended)), other than those shown on the drawings submitted with the application, shall be erected or displayed on the buildings or within the curtilage of the site unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity

10. a) Details of the materials, colours, and textures of all the external finishes to the proposed buildings shall be as submitted with the application, unless otherwise agreed in writing with the planning authority.

b) Details of security shuttering, external lighting, and signage for the childcare facility shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

c) Details of a maintenance strategy for all external finishes to the proposed buildings shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

d) Details of the location, types, textures and finishes of all proposed boundary treatments within the scheme shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

In default of agreement of any (a)-(d) above, the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.

Reason: In the interest of visual amenity and orderly development.

11. a) 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 trees to be protected and proposed tree planting in Landscape Plan Dwg No. L1_100_1 as lodged with the application.

b) The design of the lighting scheme shall be approved of by a suitably qualified bat specialist. The details of the lighting scheme, including written evidence indicating approval by the bat specialist, shall be submitted to and agreed in writing with the planning authority prior to commencement of development/ installation of lighting.

c) The agreed lighting system shall be fully implemented and operational prior to the making available for occupation of any residential unit .

Reason: In the interests of amenity and public safety.

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

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

14. Prior to the commencement of development, a phasing programme for construction and making available for use of the childcare facility shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interests of orderly development and to ensure the timely provision of amenities and infrastructure for future residents.

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

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

16. 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.

17. Prior to commencement of development and/ or occupation of the residential units, as applicable, final Road Safety Audit(s) and/ or Quality Audit(s) of the development, including the main entrance, internal road, pedestrian/ cycle path layouts, shall be submitted to and agreed in writing with the planning authority.

Reason: In the interests of traffic, pedestrian and cyclist safety, and sustainable transport.

18. The internal road network serving the proposed development, including carriageway widths, corner radii, turning bays, junctions, set down/ drop off area(s), parking areas, footpaths, kerbs, pedestrian crossings, raised tables, and cycle lanes shall be in accordance with the detailed construction standards of the planning authority for such works, and design standards outlined in the Design Manual for Urban Roads and Streets and the National Cycle Manual issued by the National Transport Authority. In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.

Reason: In the interest of traffic and pedestrian safety.

19. a) Prior to the commencement of development, the applicant shall submit to the planning authority for its written agreement, appropriately scaled drawing(s) with all car, motorcycle, and bicycle parking spaces intended for use by each residential unit, visitor use, and childcare facility use (customers and staff). The spaces shall be clearly identified, numbered, and of a design, construction and finish that is to the satisfaction of the planning authority.
- b) The car parking spaces for visitor use shall be assigned permanently for the residential development and shall be reserved solely for that purpose.

c) Prior to the occupation of the development, a Parking Management Plan shall be prepared for the development and shall be submitted to and agreed in writing with the planning authority. This plan shall indicate how car parking spaces within the development shall be assigned, segregated, and continually managed.

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

20. A minimum of 20% of all car parking spaces shall be provided with functioning electric vehicle charging stations/ points, and ducting shall be provided for all remaining car parking spaces, facilitating the installation of electric vehicle charging points/ stations at a later date. Where proposals relating to the installation of electric vehicle ducting and charging stations/ points have not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted and agreed in writing with the planning authority prior to the occupation of the development.

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

21. a) The management and maintenance of the development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being so taken in charge.

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

c) 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: In the interests of orderly development and to provide for the satisfactory future maintenance of this development.

22. a) The areas of communal and public open space in the development shall be reserved for such use, levelled, contoured, soiled, seeded, and landscaped (hard and soft) in accordance with the landscaping plans and particulars as submitted with the application unless otherwise agreed with the planning authority.

b) Final design, finishes, methods of construction and/ or installation of footpaths, cycle paths, seating, crossing points over ditches/ drains/ SuDS features, and equipment in play areas shall be submitted to the planning authority for its written agreement.

d) The landscaping and planting schedule shall be managed and maintained in accordance with the Landscape Design Rationale and landscaping plan(s) submitted with the application, unless otherwise agreed in writing with the planning authority. This schedule shall cover a period of at least three years and shall include details of the arrangements for its implementation.

d) The areas of communal and public open space shall be reserved and maintained as such by the developer until taken in charge by the management company or by the local authority.

Reason: In the interest of nature conservation, residential amenity, and to ensure the satisfactory development of the open space areas and their continued use for this purpose.

23. a) An Operational Waste Management Plan (OWMP) containing details for the management of waste within the development, the provision of facilities for the storage, separation, and collection of the waste and for the ongoing operation of these facilities, shall be submitted to and agreed in writing with the planning authority not later than 6 months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed OWMP.

b) The OWMP shall provide for screened bin stores for the duplex blocks, and the childcare facility, the locations, and designs of which shall be as indicated in the plans and particulars lodged within the application unless otherwise agreed in writing with the planning authority.

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

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

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

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

b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each specified house or duplex unit 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.

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

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

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

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

28. The developer shall pay to the planning authority a financial contribution in respect of the Glenamuck District Distributor Road Scheme in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 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 Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

29. The developer shall pay to the planning authority a financial contribution in respect of the extension of Luas Line B1 – Sandyford to Cherrywood in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 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 Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

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

Fiona Fair

Senior Planning Inspector

8th September 2026

Appendix 1

Screening for Appropriate Assessment Test for likely significant effects	
Brief description of project	This application seeks permission for the construction of 135 no. residential units on a site of c. 3.27ha in the townland of Glenamuck North in Kiltiernan, Dublin 18. Also included are new vehicular, pedestrian, and cyclist access points, internal access roads and footpaths, car and cycle parking spaces, refuse storage facilities, public lighting, electrical services, public and communal open spaces, hard and soft landscaping, boundary treatments, and all infrastructural works associated with water supply, wastewater drainage, and surface water drainage. The site is greenfield and there are currently no structures on site.
Brief description of development site characteristics and potential impact mechanisms	The site is bounded to the north and east by the recently constructed DLRCC Glenamuck District Roads Scheme GDRS. To the NW of the site a watercourse bounds part of the subject lands and is known as the Glenamuck Stream and is also referred to as the Carrickmines Stream_010 (EPA Ref.IE_EA_10C040350). An existing recently constructed residential development (Glenamuck Manor) bounds the southwest of the site and to the west lies a thickly wooded field and the landholding of a detached residential dwelling (Shaldon Grange). The gardens of an existing detached residential dwelling (Westgate) and its greater landholding bounds the southeast of the site. Both foul drainage and watermain spurs connecting to the public infrastructure to serve the subject site have been provided by the GDRS project. A 225mm diameter Surface Water (S/W) drainage pipe has already been installed beneath the GDRS to facilitate an interconnection between this subject site and the Glenamuck Stream. There are existing S/W & Foul pipelines crossing this site connecting Glenamuck Manor with both the Glenamuck Stream & the recently constructed 375mm trunk foul sewer to the north of the Glenamuck Stream and GDRS. The topography generally has a natural split in catchment with approximately half of the site sloping down towards the Northwest and the other half sloping downwards towards the Northeast. The topography

	undulates between existing gradients of approximately 1/40 to 1/12, with some localised dips down towards the Glenamuck Stream at 1/6. The proposed development will have 2No.surface water and 2No.foul water connection outfall points. The Glenamuck Stream bounds the northwest of the application lands and a riparian corridor setback of 10m has been applied from the stream. Site traffic will only be permitted within this buffer to facilitate near stream works for the construction of the proposed bridge crossing. All measures to protect the Glenamuck North stream from the site during construction are set out in the CEMP and the ecological impact assessment report. The SSFRA submitted has concluded that there is a low risk of fluvial flooding associated with the steam at or adjoining this site. The SSFRA concluded that the site is in a Flood Zone C. The surface water drainage infrastructure for the development will collect the rainfall on the site and will treat, attenuate, store and convey the storm water run-off via roadside swales, filter drains, intensive green roofs, tree pits, bio retention areas, permeable paving, below ground infrastructure, silt-traps and will direct the flows via void arched attenuation systems vortex flow restricting devices, Hydrobrake or similar. Downstream of the SuDS elements, the retained storm water flows will be stored in a 2No. below ground storage areas, such as the void arched system. SuDS addresses the water quality, water quantity, amenity, and biodiversity by the management of surface water run off in a sequence of treatment processes along the drainage infrastructure network. The following SuDS measures are proposed: • Bio-Retention areas • Filter drains to the rear of housing • Intensive Green Roofs • Swales adjacent to roads where practically feasible • Tree pits where practically feasible • Permeable paving to all parking spaces • Silt-trap/catchpit manholes • Rainwater butts to rear of private housing • Hydrobrake limiting flow to the drained area Qbar greenfield rate • Stone lined voided arch retention storage devices
--	---

	There are no designated sites within or adjacent to this site. As stated above in section 6.4 of this report, the European site designations in proximity to the appeal site include (measured at closest proximity): • Rockabill to Dalkey Island SAC (003000) is c.6.7km to the east. • Knocksink Wood SAC (000725) is c.3.6km to the southwest. • Wicklow Mountains SAC (002122) is 5Km to the southwest • Dalkey Islands SPA (004172) is c.7.4km to the northeast. • Wicklow Mountains SPA (004040) is c.5km to the southeast. Potential Impact Mechanisms include: Construction Phase (Estimated duration: 18-22 months) • Uncontrolled releases of dust, sediments and/or other pollutants to air due to earthworks; • Surface water run-off containing silt, sediments and/or other pollutants into nearby waterbodies or surface water network; • Surface water run-off containing silt, sediments and/or other pollutants into the local groundwater; • Waste generation during the Construction Phase comprising soils and construction wastes; • Increased noise, dust and/or vibrations as a result of construction activity; • Increased dust and air emissions from construction traffic; • Increased lighting in the vicinity as a result of construction activity; and • Increased human presence and activity as a result of construction activity. Operational Phase (Estimated duration: Indefinite) • Surface water drainage from the site • Foul water from the Proposed Development; • Increased lighting at the site and in the vicinity; and • Increased human presence and activity.
Screening report	Yes. An 'AA Screening report was prepared by DNV Synergy Environmental Limited (December 2025) and was updated at RFI stage.

Natura Impact Statement	No
Relevant submissions	Uisce Éireann letter dated 16th May 2025 indicates the project can be serviced (A Confirmation of Feasibility CDS24006782 has been obtained). It states: “It is noted that proposed connections are to the newly diverted water mains and sewer being done as part of Kiltarnan/Glenamuck DLR GDRS Roads Project which is currently under construction. The infrastructure must be completed, of adequate capacity and integrity, connected to the Uisce Éireann network and in operation prior the connection”. The Drainage section of the planning authority does not cite any objection to the project, confirming there is capacity in the public network to cater for surface water discharging from the project. The applicant submitted an Appropriate Assessment Screening Report (AASR) as part of the planning application. The Biodiversity Officer reviewed the AASR and found that, while there were some initial inadequacies and omissions, the report applied the correct legal test and concluded that significant effects on European sites could be excluded. Therefore, a Stage 2 AA (Natura Impact Statement) was not required at that stage. The planning authority requested further information, including a revised AASR to address quality assurance, consistency with the Ecological Impact Assessment (EclA), and alignment with best practice guidance. The applicant provided a revised AASR with the required details, including author qualifications and consistency with the revised EclA. The Biodiversity Officer confirmed that the revised AASR addressed the issues raised and was aligned with the revised EclA. The planning authority accepted the revised AASR and considered the AA screening process complete, subject to recommended standard conditions for biodiversity protection if permission were to be granted. The planning authority has completed AA screening for the development. The process included a review of the applicant's reports, a request for further information, and acceptance of a revised screening report. The authority concluded that, on the basis of

the best scientific knowledge available and objective information, that the possibility of any significant effects on the above listed European sites, whether arising from the project itself or in combination with other plans and projects, can be excluded in light of the European sites' conservation objectives. There will be no likely significant effects on a Natura 2000 site.				
Step 2. Identification of relevant European sites using the Source-pathway-receptor model The proposed development is not located within or adjacent to any designated site. therefore, the proposed development would not result in any direct effects such as habitat loss on any European Site.				
European Site (code)	Qualifying interests and conservation objectives	Distance from proposed development	Ecological connections	Consider further in screening Y/N
Rockabill to Dalkey Island SAC (003000)	The QIs include reefs habitat and harbour porpoise with Conservation Objectives seeking to maintain their favourable conservation condition. Conservation Objectives refer to NPWS conservation objectives: Rockabill to Dalkey Island SAC Dept. Arts, Heritage and the Gaeltacht, 7th May 2013, version 1.0	is c.6.7km to the southeast of the subject site.	Construction Phase A weak direct hydrological connection exists via surface water discharge from the Proposed Development to the Carrickmines Stream and downstream European sites. No other S-P-R pathways of note exist between the Proposed Development and this European site. Operational Phase A weak direct hydrological connection exists via surface water discharge from the Proposed Development to the Carrickmines Stream and downstream European sites.	No

			No other S-P-R pathways of note exist between the Proposed Development and this European site.	
Knocksink Wood SAC (000725)	The QI's include: Petrifying springs with tufa formation (Cratoneurion) [7220] Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0] Conservation objective to restore the favourable conservation condition. Conservation objectives – refer to NPWS Conservation Objectives Knocksink Wood SAC, Dept. Arts, Heritage and the Gaeltacht, 13th December 2021, version 1.0	Is c. 3.6km to the southwest of the subject site.	No pathways identified.	No
Wicklow Mountains SAC (002122)	The QI's include: Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110] Natural dystrophic lakes and ponds [3160] Northern Atlantic wet heaths with Erica tetralix [4010] European dry heaths [4030] Alpine and Boreal heaths [4060]	is c.5Km to the southwest	No pathways identified.	No

	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] with Conservation Objectives seeking to maintain the favourable conservation condition. Conservation Objectives refer to NPWS conservation objectives: Wicklow Mountains SAC Dept. Arts, Heritage and the Gaeltacht, 31 July 2017, version 1.0			
Dalkey Islands SPA (004172)	The QIs include three species of tern waterbirds Roseate Tern (<i>Sterna dougallii</i>) [A192] Common Tern (<i>Sterna hirundo</i>) [A193] Arctic Tern (<i>Sterna paradisaea</i>) [A194]	is c.7.4km to the northeast.	Construction Phase A weak direct hydrological connection exists via surface water discharge from the Proposed Development to the	No

	with Conservation Objectives seeking to restore their favourable conservation condition. Conservation Objectives refer to NPWS conservation objectives: Dalkey Islands SPA Dept. Arts, Heritage and the Gaeltacht, 29th October 2024, version 1.0		Carrickmines Stream and downstream European sites. No other S-P-R pathways of note exist between the Proposed Development and this European site. Operational Phase A weak direct hydrological connection exists via surface water discharge from the Proposed Development to the Carrickmines Stream and downstream European sites. No other S-P-R pathways of note exist between the Proposed development and this European site.	
Wicklow Mountains SPA (004040)	The QI's include: Merlin (Falco columbarius) [A098] Peregrine (Falco peregrinus) [A103] with Conservation Objectives seeking to maintain the Favourable conservation condition. Conservation Objectives refer to NPWS conservation objectives: Refer to Wicklow Mountains SPA Dept. Arts, Heritage and the Gaeltacht, 16th July 2024, version 1.0	is c.5km to the southeast.	No pathways identified	No
Step 3. Describe the likely effects of the project (if any, alone <u>or</u> in combination) on European Sites				

The AASR identifies hydrological pathways from the project to the two European sites at construction phase (via surface water discharges) and operation phase (via surface water discharges). The pathways are described as weak.

The potential for indirect loss or alteration of water-dependent QI habitats and the loss of usable habitat for aquatic SCI species is possible, although highly unlikely, through deterioration of water quality and resource.

The AASR considers the nature of the project and the surface watercourses separation distances. Using the precautionary principle, a weak hydrological connection was identified between the proposed development and the following European sites in the Southwestern Irish Sea: Rockabill to Dalkey Island SAC (003000) and Dalkey Island SPA (004172). Thus, pollutants generated during the Construction Phase of the Proposed Development, such as sediment runoff or fuel spill, may have the potential to impact European sites in the Southwestern Irish Sea via the direct hydrological pathway between the proposed development and these sites.

The intervening surface water and marine buffer between the Proposed Development and these European sites will dilute any pollutants entering the surface water network from the site, as surface water from the site would have to travel 6.5km along the Carrickmines Stream and Shanganagh River prior to discharging into the Irish Sea, with a further 1.5km marine buffer before reaching Rockabill to Dalkey Island SAC (003000) and an additional 1.6km marine buffer prior to reaching Dalkey Island SPA (004172). In addition, it is considered there is no potential for adverse impacts on the biological quality (i.e., habitats or species) of this coastal waterbody, and therefore no specific mitigation measures are required to be put in place to protect this waterbody.

While a suite of best practice measures will be included during the Construction Phase to protect the surface waterbodies within the vicinity of the Proposed Development, though not intended to mitigate impacts to European sites, they will further reduce any pollutants inadvertently released into the surface water network as a result of Construction Phase works.

Furthermore, given the nature of the downstream European sites within the Zol, no impacts are expected to arise. The QI habitat for Rockabill to Dalkey Island SAC (003000) is Reefs [1170], and Harbour Porpoise (*Phocoena phocoena*) [1351], which have an expansive foraging habitat that would not be significantly impacted by any small amount of pollutants that may enter the Irish Sea as a result of the proposed development due to the significant marine buffer. Similarly, Dalkey Island SPA (004172) is designated for cliff-nesting terns whose nesting habitat is on Dalkey Island itself and thus not subject to water quality changes. Terns forage in a range of marine habitats including open marine water, estuaries, and coastal waters, and thus their water resources would not be significantly impacted by the Proposed Development.

Therefore, potential impacts to water quality and resource for the relevant European sites resulting from the Construction Phase of the Proposed Development can be ruled out.

During the Operational Phase, surface water will be conducted through a series of embedded SuDS measures, as described above, before being discharged into the existing surface water network (area A) or the Glenamuck stream (area B). The embedded SuDS design includes filtration and attenuation measures such that surface water discharge will not exceed the baseline greenfield runoff rate. It is expected that upon settlement and interception of collected surface water from the Site, there will be no discharge of pollutants into the surface water network. Additionally, the nearest European site on this hydrological pathway is 8km downstream of the Site in the Irish Sea and thus separated by a significant freshwater and marine buffer. Therefore, there is no likelihood of significant impacts to downstream European sites arising from the Operational Phase of the Proposed Development.

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects

Rockabill to Dalkey Island SAC (003000)	A weak direct hydrological connection was identified between the proposed development and the Rockabill to Dalkey Island SAC (003000) As set out above, pollutants generated during the Construction Phase of the Proposed Development, such as sediment runoff or fuel spill, may have the potential to impact European sites in the Southwestern Irish Sea via the direct hydrological pathway between the proposed development and this site. Due to the distance, surface water from the site would have to travel, some 6.5km along the Carrickmines Stream and Shanganagh River prior to discharging into the Irish Sea, with a further 1.5km marine buffer before reaching Rockabill to Dalkey Island SAC and the nature and scale of the project, it is considered there is no potential for adverse impacts on the biological quality (i.e., habitats or species) of this coastal waterbody, and therefore no specific mitigation measures are required to be put in place to protect this waterbody.	No
	Likelihood of significant effects from proposed development (alone): N	
Dalkey Islands SPA (004172)	A weak direct hydrological connection was identified between the proposed development Dalkey Island SPA (004172). As described above, pollutants generated during the Construction Phase of the Proposed Development, such as sediment runoff or fuel spill, may have the potential to impact European sites in the Southwestern Irish Sea via the direct hydrological pathway between the proposed development and this site. However given the separation distances involved (surface water from the Site would have to travel 6.5km along the Carrickmines Stream and Shanganagh River prior to discharging into the Irish Sea, with a further 3.1km marine buffer before reaching Dalkey Island SPA) and the nature and scale of the project, it is considered there is no potential for adverse impacts on the biological quality (i.e., habitats or species) of this coastal	No.

	waterbody, and therefore no specific mitigation measures are required to be put in place to protect this waterbody.	
	Likelihood of significant effects from proposed development (alone): No Having regard to the characteristics of the project in terms of the site’s features and location, and the project’s nature and scale of works, I do not consider there to be any potential impact mechanism which would result in a likely significant effect on any European sites.	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects: A search of planning applications located within the ZOI of the site is presented in the AASR using online planning resources such as the National Planning Application Database (NPAD) (MyPlan.ie), Dún Laoghaire–Rathdown County Council and Dublin City Council Planning Applications online map databases. Any planning applications listed as granted or decision pending from within the last five years (2020-2025) within 500m of the Proposed Development Site or with a potential connection to the European sites assessed in this Report were assessed for their potential to act in-combination with the Proposed Development and cause likely significant effects on the relevant European sites. Long-term developments granted outside of this time period were also considered where applicable. Extant permissions have either been screened out or NIS carried out and will result in no adverse impacts. The Dun Laoghaire Rathdown County Development Plan and the Glenamuck-Kilternan Local Area Plan 2025 have been subject to NIR. The implementation of the plans will not have an adverse effect on a Natura 2000 site. It is not likely that there would be significant effects occurring in combination with other plans or projects.	
Step 4 Conclude if the proposed development could result in likely significant effects on a European site		
Screening Determination Finding of no likely significant effects In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on Rockabill to Dalkey Island SAC (003000), Dalkey Islands SPA (004172), Wicklow Mountains SPA (004040), Wicklow Mountains SAC (002122) and Knocksink Wood SAC (000725) or on any other European Site in view of the conservation objectives of those sites and Stage 2 Appropriate Assessment is therefore not required. This determination is based on: • the scale and nature of the development, • The separation distances between the project and the European sites via hydrological connections (channel-length, sea-length).		

- The high levels of dilution, mixing and/ or dissipation of any contaminant in the receiving surface drainage network, river, and/ or sea waters.
- The low probability of (a) surface water contamination event(s) which would have the potential to negatively affect the QIs of the European sites (e.g., pollute the reefs habitat of the SAC or contaminate food sources for seabird species in the SPA).
- The incorporation of SuDS features into the design of the project
- The development works will be managed and implemented in line with the preliminary CEMP and EclA, which include standardised pollution prevention and surface water control measures.
- the information provided in the submitted AA screening report.

Appendix 2

Form 1- EIA Pre-Screening

An Coimisiún Pleanála Case Reference	ACP-324349- 26			
Proposed Development Summary	LRD 135 residential units, 2 – 4 storeys in height, boundary treatment, landscaping and all associated site works.			
Development Address	Glenamuck North, Kilternan, Dublin 18			
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	√	
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?				
No	√		Not a development under Class 1.	
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?				
		Threshold	Comment (if relevant)	Conclusion
No		N/A		
Yes		Part 2 - Class 10. Infrastructure projects (b) (i) Construction of more than 500 dwelling units. – subthreshold – only 135 units proposed.	Subthreshold in terms of (b)(i) and (b)(iv).	Proceed to Q.4

		(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. – subthreshold – Site area is c.3.32 hectares (gross area) and is not within a business district.		
--	--	---	--	--

4. Has Schedule 7A information been submitted?		
yes	√	Preliminary Examination required

Inspector: _____ Date: _____

Appendix 3:

Form 3 - EIA Screening Determination

A. CASE DETAILS		
An Coimisiun Pleanála Case Reference	ACP-324349-26	
Development Summary	LRD 135 residential units, 2 – 4 storeys in height, boundary treatment, landscaping and all associated site works.	
	Yes / No / N/A	Comment (if relevant)
1. Was a Screening Determination carried out by the PA?	Yes	The planning authority screened out the need for an Environmental Impact Assessment.
2. Has Schedule 7A information been submitted?	Yes	An Environmental Impact Assessment Screening Report (EIASR) has been submitted with the application and considers the content of the EIA Directive (2011/92/EU, as amended by 2014/52/EU).
3. Has an AA screening report or NIS been submitted?		An Appropriate Assessment Screening Report (AASR) has been submitted with the application and considers the content of Habitats Directive (92/43/EEC) and the Birds Directive (2009/147/EC).
4. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?		N/A
5. Have any other relevant assessments of the effects on the environment which have a		- An Ecological Appraisal Assessment (DNV, 2025a) considers the Habitats Directive (92/43/EEC), Birds Directive (2009/147/EC).

significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA		- A Water Framework Directive Assessment (DNV, 2025b) (2000/60/EC) as amended by Directives 2008/105/EC, 2013/39/EU, and 2014/101/EU (“WFD”) (dated 15.12.2025) - A Construction Environmental Management Plan (CEMP) and Construction Management Plan (CMP) were submitted. Considers environmental management and controls, construction schedule and works management plan. - An Operational Waste Management Plan (OWMP) (DNV, December 2025) – The Waste Framework Directive (which was transposed into Irish law in 2011) ‘S.I. No. 126/2011 - European Communities (Waste Directive) Regulations 2011’, encourages the prevention, recycling, and processing of waste. - Wave Dynamics, 2025. Acoustic Design Statement (WD, 2025) - A Site Specific Flood Risk Assessment (SSFRA) considers the EU Floods Directive (2007/60/EC). - SEA was undertaken by the planning authority in respect of the Dún Laoghaire Rathdown County Development Plan 2022-2028 and the Kiltiernan-Glenamuck Local Area Plan 2025.		
B. EXAMINATION	Yes/ No/ Uncertain	<table><tr><td>Briefly describe the nature and extent and Mitigation Measures (where relevant) (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) Mitigation measures –Where relevant specify features or measures proposed by</td><td>Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain</td></tr></table>	Briefly describe the nature and extent and Mitigation Measures (where relevant) (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) Mitigation measures –Where relevant specify features or measures proposed by	Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain
Briefly describe the nature and extent and Mitigation Measures (where relevant) (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) Mitigation measures –Where relevant specify features or measures proposed by	Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain			

		the applicant to avoid or prevent a significant effect.	
This screening examination should be read with, and in light of, the rest of the Inspector's Report attached herewith			
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)			
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	No	The project comprises the construction of a mid-scaled, medium-density residential scheme on zoned lands. The project does not differ significantly from the surrounding area in terms of character (residential and childcare uses exist in the area, area is in transition from low-rise, low-density), or of scale (use of conventional houses with duplex buildings).	No
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	Yes	The project will cause physical changes to the site through clearance works and construction activities. Proposed excavation works will cause a change in site topography/ ground levels, which will be managed through implementation of the preliminary Construction Environmental Management Plan (CEMP) and Operational Waste Management Plan (OWMP) (note: final agreed versions to be required by condition). Top and subsoils will be stripped, reused on site where possible, or removed off-site. The project involves ground alteration and	No

		reprofiling to facilitate buildings, roads/ paths, open spaces, and site services. The site is greenfield in nature and most recently agricultural in use. The proposed residential land use will result in physical changes to the built environment at the site, however, subject to the recommended amendments, these are not considered to be significant. The project will cause physical changes to the site through the removal of some trees, vegetation and hedgerows. However, the majority of trees and hedgerows are being retained on site, as are high-value habitats (retained in-situ/ translocated). I direct the Commission to the response to Q: 2.1 below in respect of protected water bodies/ ecological designations, and to that of Q: 2.5 in respect of water resources including watercourses, waterbodies and flood risk. Accordingly, I do not consider that the physical changes arising from the project are likely to result in significant effects on the environment in terms of topography, land use, and hydrology/ hydrogeology.	
1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy,	Yes	The project uses standard construction methods, materials and equipment, and the process will be managed through the implementation of the CEMP.	No

especially resources which are non-renewable or in short supply?		Waste arising from the construction phase will be managed through the implementation of the OWMP. There is no significant use of natural resources anticipated. While the project uses land (a finite resource), the lands are zoned for development and serviced. In this regard, the project will use land more efficiently and sustainably than at present (agricultural use, intensified through provision of mid-scaled, medium-density residential scheme). Otherwise, the operational phase of the project will not use natural resources in short supply. The project connects to the public water and wastewater services systems which have sufficient capacity to cater for demands arising from the project (no issues raised by Uisce Eireann). The project incorporates several SuDS features, which will attenuate surface water run-off on-site prior to discharge at greenfield rates to the public surface water system/ and a local drainage ditch. There are no issues raised by the planning authority in respect of capacity in the network.	
1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	Yes	Construction phase activities require the use of potentially harmful materials, such as fuels and create waste for disposal. The use of such substances is typical of construction sites.	No

		Dust emissions during the demolition and construction phase of the project will be likely. These works will be managed through implementation of the CEMP. The operational phase of the project will not involve the use, storage, or production of any harmful substance. Conventional waste produced from residential and childcare activity will be managed through the implementation of the OWMP. Accordingly, I do not consider this aspect of the project likely to result in significant effects on the environment in terms of human health or biodiversity.	
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	No	Conventional waste will be produced from site clearance, demolition, and construction activities, which will be managed through the implementation of the CEMP and/ or OWMP, as outlined above. Operational phase of the project (i.e., the occupation of the residential units and the temporary childcare facility) would not produce or release any pollutant or hazardous material. Conventional operational waste will be managed through the implementation of the OWMP to obviate potential environmental impacts.	No

1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	Yes	The project involves grounds works due to the site's topography with excavation and reprofiling to facilitate buildings, roads/ paths, open spaces, and site services. Standard construction methods, materials and equipment are to be used, and the process will be managed through the implementation of the CEMP and the OWMP. I direct the Commission to the response to Q: 2.1 below in respect of protected water bodies/ ecological designations, and to that of Q: 2.5 in respect of water resources including watercourses, waterbodies and flood risk. Accordingly, as risks of contamination to water bodies are mitigated and managed, I do not consider this aspect of the project is likely to result in a significant effect on the environment.	No
1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	Yes	Noise and vibration impacts during the site development works are likely. These works are short term in duration, and impacts arising will be temporary, localised, and be managed through implementation of the CEMP. The operational phase of the project will likely result in noise and light impacts associated with the residential use and temporary childcare service (increased traffic	No

		generation, use of open spaces, operation of the childcare facility) which are considered to be typical of such mid-scaled, medium-density schemes as proposed. Traffic impacts will be mitigated by the implementation of the Mobility Management Plan (MMP) (2025), and lighting impacts will be mitigated by the provision of a public lighting plan (designed to comply with industry guidance and provided to the satisfaction of the planning authority). I direct the Commission to the response to Q: 2.8 below in respect of the project's effect on sensitive land uses. Accordingly, I do not consider this aspect of the project likely to result in significant effects on the environment in terms of air quality (noise, vibration, light pollution).	
1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	Yes	The potential for water contamination, noise and dust emissions during the construction phase is likely. Construction phase works will be managed through implementation of the CEMP. Site development works are short term in duration, and impacts arising will be temporary, localised, addressed by the mitigation measures.	No

		Operational phase of the project will not likely cause risks to human health through water contamination due to the nature (residential, childcare uses) and design (SuDS features) of the scheme, connection to public water services systems, and mid-scale of residential use/ activities arising. Operational phase risks to human health through noise and air quality are subject of the Acoustic Design Statement and ECIA. These reports include several mitigation measures to ameliorate potential impacts. Accordingly, in terms of risks to human health, I do not consider this aspect of the project likely to result in a significant effect on the environment.	
1.9 Will there be any risk of major accidents that could affect human health or the environment?	No	There is no risk of major accidents given the nature of the project, and surrounding land uses.	No
1.10 Will the project affect the social environment (population, employment)	Yes	The project will increase localised temporary employment activity at the site during site development works (i.e. site enabling and construction phases). The site development works are short term in duration and impacts arising will be temporary, localised, addressed by the mitigation measures in the CEMP. The operational phase of the project (i.e. the occupation of the c. 135 residential units and	No

		temporary 80 sq. m creche) will result in an increase in the population of the Electoral Division of Glencullen. Such an increase is considered to constitute a not significant impact in scale of effect. Depending on the type of sessional care offered and age group of children catered for, the temporary childcare facility has a stated floor area of 80.sq.m . The receiving area is a developing suburban location, in relatively close proximity to wider education, amenities, services, public transport, and has the capacity to accommodate the impacts associated with the population increase. Accordingly, I do not consider this aspect of the project likely to result in a significant effect on the social environment of the area.	
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	Yes	The site is zoned for residential development in the CDP and the LAP. The zonings at the site and in the vicinity manage the development of the Kiltiernan-Glenamuck area. The development of the site therefore is plan-led. As such, the site is part of a wider large-scale change in the area as envisaged by the planning authority. Notwithstanding, the site is serviced, the project is standalone, and not reliant on infrastructure/ services that are yet to be commenced/ provided.	No

		I direct the Commission to the response to Q: 3.1 below in respect of considerations of cumulative effects of the project. Within this planned context, I do not consider that cumulative significant adverse effects on the area can be reasonably anticipated.	
2. Location of proposed development			
2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: • European site (SAC/ SPA/ pSAC/ pSPA) • NHA/ pNHA • Designated Nature Reserve • Designated refuge for flora or fauna • Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan	Yes	The project is not located in, on, or adjoining any European site, any designated or proposed NHA, or any other listed area of ecological interest or protection. The most proximate ecological designation to the project is Dingle Glen pNHA, located c.675m to the southeast of the site. The EclA confirms there is no hydrological connection between the project and the pNHA, and given the separation distance of c. 675 m identifies no impacts upon an air pathway (emissions, dust, noise). Construction phase impacts from the project on the pNHA are assessed and, subject to mitigation measures, found to be not significant in effect. Other ecological designations in the Zone of Influence of the project include the European sites of Rockabill to Dalkey Island SAC and Dalkey Islands SPA. The QIs of the SAC include reefs habitat and harbour porpoise, and those of the SPA include three species of tern waterbirds.	No

		I identify a weak direct hydrological connections between the project and the European sites through a surface water pathway via the drainage ditch/ surface water drainage system, Glenamuck North Stream, Carrickmines Stream, Shanganagh River and Irish Sea at both the construction and operation phases. The AASR, supplemented by information in the EclA, FRA, and CEMP, presents information on potential impacts of the project on the European sites. I have undertaken an Appropriate Assessment screening determination (see section 9.0 and Appendix 1 of this report) and concluded that the project will not have a likely significant effect on either of the European sites, alone or in combination with other plans or projects. Accordingly, I do not consider this aspect of the project likely to result in a significant effect on the environment in terms of ecological designations or biodiversity.	
2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?	Yes	Field surveys were undertaken in different months in 2024 and 2025 to identify habitat types, flora species, bat, mammal and bird species, and aquatic species at the site. The habitats identified on site (see Fig. 6, EclA, pg. 30) include the larger, centrally located improved agricultural grassland and recolonising bareground (GA1, ED3), with	No

		scrub vegetation around the perimeters (WS1), and a drainage ditch FW4, located to the south west and centrally flowing north. The Glenamuck North stream, tributary to the Carrickmines Stream, passes through the Site. Works by the GDRS have culverted and diverted the stream in the area of the Site. No rare or protected flora were observed at the Site during this survey. No buildings exist on or immediately adjacent to the Site. The trees and woodland adjacent to the Site were assessed for Potential Roost Features (PRFs) and found to have no PRFs. Therefore, their overall roost potential was assessed as NONE (Collins, 2023). Though the Site itself and the adjacent treelines contain no PRFs, the area surrounding the Site has Moderate foraging and commuting habitat for bats. In particular, the woodland adjacent to the southeastern corner of the Site provides some suitable habitat for bat activity and connectivity to the wider landscape. The woodland adjacent to the southwestern corner of the Site has been mostly removed as noted during the Site survey on the 30th of January 2025. In total, four distinct species were recorded commuting and foraging throughout the Site during the three activity surveys, namely common pipistrelle (<i>Pipistrellus pipistrellus</i>), soprano pipistrelle (<i>Pipistrellus pygmaeus</i>), and Leisler's bat (<i>Nyctalus leisleri</i>), with one	
--	--	--	--

		record of brown long-eared bat (<i>Plecotus auritus</i>) recorded during the June 2025 survey (Table 9). In addition, <i>Myotis</i> sp. were recorded on Site (no evidence of roosting). Overall, while the site is found to feature several KERs (habitats and species), these are predominantly evaluated as being of local importance (low to high value). See Table 15 of the ECIA for evaluation of designated sites, habitats, flora and fauna recorded within the site and the surrounding area. The site is confirmed as not being under any protected wildlife or conservation designation. There are no habitats or species recorded at the site, which are listed as qualifying interests (QIs) of European sites. There are no protected habitats, plant species or terrestrial mammals of conservation importance. The ECIA and CEMP include several mitigation measures to ameliorate potential impacts. Accordingly, I do not consider this aspect of the project likely to result in a significant effect on the environment in terms of protected flora and/ or fauna species.	
2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	No	There are no landscape designations or protected scenic views at the site. There are no protected structures, no archaeological	No

		designations or architectural conservation area designations at the site. Accordingly, I do not consider this aspect of the project likely to result in a significant effect on the environment in terms of archaeology and cultural heritage.	
2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	No	There are no such resources on or close to the site. The site does comprise a large field presently in agricultural use. However, the development of the site is not considered to have a significant effect on agriculture in the area. Accordingly, I do not consider this aspect of the project likely to result in a significant effect on the environment in terms of impact on natural resources.	No
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	Yes	Based on information in the WFD Assessment, FRA, EcIA, AASR, and Assessment Report, I have undertaken a detailed Water Status Impact Assessment screening determination (I direct the Commission to section 11.0 and Appendix 4 of this report). I have concluded that the project will not result in a risk of deterioration to any waterbody (rivers, lakes, groundwaters, transitional and coastal) or otherwise	No

		jeopardise any waterbody in reaching its WFD objectives. Accordingly, I do not consider this aspect of the project likely to result in a significant effect on the environment in terms of watercourses and waterbodies.	
2.6 Is the location susceptible to subsidence, landslides or erosion?	No	There is no evidence identified of these risks.	No
2.7 Are there any key transport routes (eg National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	No	Vehicular access to the site is proposed off the Glenamuck District Distributor Road / Kiltiernan Road to the north ('Street 1') via 'Glenamuck Manor', housing development to the south ('Street 4') from the south and to the west via 'Shaldon Grange' ('Street 3'). A pedestrian access is also proposed to the east onto the Glenamuck Link Distributor Road (GLDR). During the site development works, the project will result in an increase in traffic activity (HGVs, workers) as construction equipment, materials, and waste are delivered to/ removed from the site. Site development works will be short term in duration and impacts arising would be temporary, localised, and managed under in the CEMP. The TTA considers operation phase impacts for the project, predicting total vehicle trips of	No

		approximately 53 two-way trips in the AM peak (08:00–09:00) and 51 two-way trips in the PM peak (17:00–18:00). These levels of traffic generation are considered to be very low and imperceptible in effect. Accordingly, I consider the applicant has demonstrated that the key transport routes in the vicinity of the site will not be congested due to or otherwise affected by the project.	
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	No	There are no sensitive community facilities, such as hospitals or schools, in proximity to the site and/ or that will be significantly affected by the project. There are existing residential dwellings located to the south, and permission recently granted for 235 residential units to the north of the site. However, the separation distances are such that there is no realistic prospect of undue overlooking, overshadowing, or overbearance being caused. Site development works will be implemented in accordance with the CEMP which includes mitigation measures to protect the amenity of adjacent properties and residents. The operational phase of the project will cause an increase in activity at the site (traffic generation, use of public and communal open spaces, operation of the temporary childcare facility) which will likely	No

		be typical of such mid-scaled, medium density schemes as proposed, in outer suburban locations such as the receiving area, and are anticipated as being well within acceptable parameters for same. If permission is under consideration, it is recommended that the project be conditioned to be under the control of an established management company and/ or elements taken in charge by the local authority, and accordingly no undue impacts would be anticipated.	
3. Any other factors that should be considered which could lead to environmental impacts			
3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	NO	Existing and/ or approved planning consents in the vicinity of the site and the wider Kiltarnan area have been noted in the application documentation and associated assessments, e.g. in respect of the EIASR, AASR, FRA, and TTA. However, these developments are of a nature and scale that have been determined to not have likely significant effects on the environment. Accordingly, there are no cumulative significant effects on the area that are reasonably anticipated.	No
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No	No transboundary effects arising.	No

3.3 Are there any other relevant considerations?	No	No	No
C. CONCLUSION			
No real likelihood of significant effects on the environment.	X	EIAR Not Required	
Real likelihood of significant effects on the environment.	☐	EIAR Required	
D. MAIN REASONS AND CONSIDERATIONS			
Having regard to: - 1. The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended, in particular: (a) the nature and scale of the proposed residential development (which is below the mandatory thresholds for Class 10(b)(i) and Class 10(b)(iv) of the 2001 Regulations) and the greenfield nature of the site and its location in an outer suburban area which is served by public services and infrastructure. (b) the absence of any significant environmental sensitivity in the vicinity. (c) the location of the development outside of any sensitive location specified in article 109(4)(a) of the 2001 Regulations. 2. The results of other relevant assessments of the effects on the environment submitted by the applicant and the results of the strategic environmental assessment of Dún Laoghaire Rathdown County Development Plan 2022-2028 and Kiltiernan-Glenamuck Local Area Plan 2025 undertaken in accordance with the SEA Directive (2001/42/EC).			

3. The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment.

The Commission concluded that the proposed development would not be likely to have significant effects on the environment and that an Environmental Impact Assessment and the preparation of an Environmental Impact Assessment Report would not, therefore, be required.

Inspector _____

Date _____

Approved (DP/ADP) _____

Date _____

Appendix 4: Water Status Impact Assessment – Screening Form

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	ABP-322195-25	Townland, address	Glenamuck North Kilternan, Dublin 18.
Description of project		Construction of 135 residential units and all other site works.	
Brief site description, relevant to WFD Screening		The site is greenfield in nature and presently in agricultural use. The topography generally has a natural split in catchment with approximately half of the site sloping down towards the Northwest and the other half sloping downwards towards the Northeast. The topography undulates between existing gradients of approximately 1/40 to 1/12, with some localised dips down towards the Glenamuck Stream at 1/6. The Glenamuck_North / Glenamuck Stream (WFD name: Carrickmines Stream_010; River Waterbody Code: IE_EA_10C040350) traverses the northwestern portion of the site and flows in a northeasterly direction before discharging into the Carrickmines Stream (WFD name: Carrickmines Stream_010; River Waterbody Code: IE_EA_10C040350), located approximately 1.76km northeast of the site. The Carrickmines stream flows east for approximately 2.1km, before turning southeast for a further 1.61km, where it discharges into the	

	Shanganagh River (WFD name: Shanganagh_010; River Waterbody code: IE_EA_10S010600). The Shanganagh continues east for approximately 1.76km, ultimately discharging into the Southwestern Irish Sea-Killiney Bay Coastal Waterbody (Hydrometric Area: 10; Coastal Waterbody code: IE_EA_100_0000), located approximately 6.5km east of the site. During a site survey undertaken by DNV on the 30th of January 2025, a drainage ditch was identified within the site. This drainage ditch was found to have shallow water with limited flow, however, it may have transitory flow during periods of heavy rainfall. The ditch is believed to connect to the Glenamuck Stream within the site. The soils beneath the site are mapped as sandy, gravelly, CLAY. There are no bedrock outcrops or karst features at the site. The groundwater body under the site is the Wicklow GWB (IE_EA_G_076) classified as a Poor Aquifer - Bedrock, which is Generally Unproductive except for Local Zones. The Wicklow GWB (IE_EA_G_076), ground waterbodies Risk and Status is classified as 'At Risk'. Although the Proposed Development does not include groundwater abstraction, the vulnerability of the groundwater will increase due to the excavation of soils and subsoils during the construction phase. As such, mitigation measures will be required during site activities to limit potential releases to groundwater during the construction phase of the Proposed Development.
Proposed surface water details	Surface water will be disposed of onsite/ into the public surface water drainage system. There is a surface water 225mm diameter pipe crossing the site from south to north, connecting Glenamuck Manor with the Glenamuck Stream.

	In addition, surface water drainage spurs connecting to the public network have been provided by the GDRS project to serve the Proposed Development (RMA, 2025a). This includes a 225mm diameter surface water pipe connecting the site to the Glenamuck Stream. The construction of the GDRS project has required minor diversion to the Glenamuck Stream including providing a box culvert beneath the distributor road. The total drained area of the site will be 2.62ha and the surface water drainage is to be divided into two (2 No.) main catchment areas, which will have two (2 No.) surface water outfall points. • Catchment A – Comprises a catchment drained area of 1.34ha. Incorporates a full SuDS treatment train and will outfall the treated and attenuated flow into the existing 225mm stormwater sewer crossing the site. • Catchment B - Comprises a catchment drained area of 1.28ha. Incorporates a full SuDS treatment train and will outfall the treated and attenuated flow into the Glenamuck Stream north of the GDRS. The surface water drainage infrastructure for the Proposed Development will collect the rainfall on the site and will treat, attenuate, store and convey the stormwater runoff through a series of SuDS features. Downstream of the SuDS elements, the retained stormwater flows will be stored in two (2 No.) below ground storage areas, such as the void arched attenuation systems vortex flow restricting devices (i.e., Hydrobrake or similar) No capacity issues are identified by the Drainage Section of the planning authority.
Proposed water supply source & available capacity	Project seeks a connection to existing public water main laid as part of the GDRS project.

	Uisce Éireann has provided Confirmation of Feasibility and Statement of Design Acceptance (UE Submission / Letter dated 16th May 2025). No capacity issues identified. All watermain layout and details are to be in accordance with the UE Code of Practice for Water Infrastructure 2020 and the Water Infrastructure Standard details 2020. Public Supply – the Uisce Éireann Capacity Register dated April 2026, indicates that the Dun Laoghaire Rathdown Glencullen Greater Dublin Area water resource zone, and accessed on the 24th August 2026, indicates that there is 'Potential Capacity Available – LoS improvement required'.
Proposed wastewater treatment system & available capacity, other issues	Wastewater in the project will be collected and discharged by gravity to the public network for treatment. Project seeks a connection to the newly diverted wastewater sewer as part of Kiltarnan/Glenamuck DLR GDRS Roads Project for treatment at Shanganagh-Bray WWTP (Discharge Licence No. D0038-02) before ultimately discharging to the Southwestern Irish Sea - Killiney Bay (HA10) coastal waterbody (ID: IE_EA_100_0000). Uisce Éireann has provided Confirmation of Feasibility CDS24006782 (UE Submission on file dated 16th May 2025). No capacity issues identified. The Uisce Éireann Capacity Register dated April 2026, and accessed on the 24th August 2026, indicates that there is spare Capacity Available. 'Green' for the Wicklow, Bray, Shanganagh WWTP.
Others?	A SuDS treatment approach has been implemented in accordance with the CIRIA SuDS Manual C753 (2015), as required by the GDSDS, to protect amenity/biodiversity by replicating the natural characteristics of the site (i.e., discharge greenfield rate, topography, etc.).

	The SuDS treatment train approach, which takes account of quantity, quality and amenity issues to manage surface water runoff, is summarised as follows: • Bio-Retention areas • Rain butts • Swales adjacent to roads where practically feasible • Tree pits where practically feasible • Permeable paving to all parking spaces • Silt-trap/catchpit manholes • Hydrobrake limiting flow to the drained area Qbar greenfield rate • Stone-lined voided arch retention storage devices • Filter Drains to rear of housing As documented in the SSFRA report (RMA, 2025b), the site is not suitable for soakaway design due to the sandy gravelly CLAY soils/subsoils conditions, the groundwater was encountered approximately between 1 to 1.5mbgl and there were no recorded groundwater issues for the Proposed Development on the Geological Survey of Ireland (GSI) online mapping, which suggest that the Proposed Development is not at risk of flooding from groundwater and therefore, a detailed assessment was not required as there is a low risk of groundwater flooding onto the site (RMA, 2025b). SSFRA Conclusions: The report (RMA, 2025b) concludes the following: • “In accordance with the above noted Guidelines, as sequential staged approach was adopted in assessing the flood risk for the subject development. • It was determined in accordance with the Guidelines that the lands on which the subject development is located is within a flood Zone C as defined in the Guidelines.
--	--

			Based on the information available it is concluded that this site is suitable for development and has an overall low risk of being affected by flooding.” The project is located within Flood Zone C, will not increase surface water run-off rates nor increase flood risk elsewhere, and is an appropriate form of development.			
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified Waterbody	Distance to (m)	Waterbody name(s) (code)	WFD Status	Risk of not achieving WFD Objective	Identified pressures on the waterbody	Pathway linkage to water feature
Surface Water Waterbody	Traverses the north western portion of the site	Glenamuck North / Glenamuck Stream flows into Carrickmines Stream 1.76Km away Carrickmines Stream_010/ IE_EA_10C0403 50	Good	Not at risk	None identified	Yes – drainage ditch traversing site drains northwestwards to Glenamuck North Stream, which flows into Carrickmines Stream
	c. 5 Km to the south east	Shanganagh_010 IE_EA_10S01060 0	Good	Not at Risk	None identified	Yes - located downstream of the Proposed Development, is hydraulically connected to the site via the

							Glenamuck stream and ultimately via the Shanganagh-Bray WWTP discharge.
	c. 6.5 Km to the East	Southwestern Irish Sea - Killiney Bay (HA10) Coastal Waterbody IE_EA_100_0000	Good	Monitoring	None identified		Yes – located downstream of the Proposed Development and is hydraulically connected with the Carrickmines Stream_010 and the Shanganagh-Bray WWTP
Groundwater Waterbody	Underlying site	Wicklow/ IE_EA_G_076	Good	At risk	Nutrients, Agriculture		Yes – via ground water flow.
Step 3: 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	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?
1.	Site clearance/ construction	Carrickmines Stream_010	Drainage ditch, surface water discharge	Works to drainage ditch, siltation, pollution events	Implement CEMP	No	Screened out

2.	Site clearance/ construction	Wicklow GWB	Drainage through soils/ subsoils	Pollution events, spillages	Implement CEMP	No	Screened out
3	Site clearance/ construction	Shanganagh _010 IE_EA_10S0 10600	located downstream of the Proposed Development, hydraulically connected to the site via the Glenamuck stream and ultimately via the Shanganagh- Bray WWTP discharge.	Works to drainage ditch, siltation, pollution events	Implement CEMP	No	Screened out
4	Site clearance/ construction	Southwestern Irish Sea - Killiney Bay (HA10) Coastal Waterbody IE_EA_100_0 000	hydraulic connection with the Carrickmines Stream_010 and the Shanganagh- Bray WWTP	Works to drainage ditch, siltation, pollution events	Implement CEMP	No	Screened out
OPERATIONAL PHASE							
1.	Surface water run-off	Carrickmines Stream_010	Surface water discharge	Pollution events, spillages	SuDS, greenfield discharge rates	No	Screened out
2.	Groundwater discharges	Wicklow	Drainage through soils/ subsoils	Pollution events, spillages	SuDS features	No	Screened out

3	Surface water run-off	Shanganagh _010 IE_EA_10S0 10600	Surface water discharge	Pollution events, spillages	SuDS features	No	Screened out
4	Surface water run-off	Southwestern Irish Sea - Killiney Bay (HA10) Coastal Waterbody IE_EA_100_000	Surface water discharge	Pollution events, spillages	SuDS features	No	Screened out
DECOMMISSIONING PHASE							
1.	N/A	N/A	N/A	N/A	N/A	N/A	N/A