



<b>Development</b>	Retention of continued operation of food service unit and all associated site works
<b>Location</b>	La Papessa Pizza, St. Colmcilles GAA Club, Hollybanks, Swords, County Dublin, K67 H996
<b>Planning Authority</b>	Fingal County Council
<b>Planning Authority Reg. Ref.</b>	F25A/0792E
<b>Applicant(s)</b>	Damien Smyth
<b>Type of Application</b>	Retention
<b>Planning Authority Decision</b>	Refuse Permission
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Luke Corkery
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	16 <sup>th</sup> February 2026
<b>Inspector</b>	Emma Gosnell

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## **1.0 Site Location and Description**

- 1.1. The 0.006ha site comprises of part of the car park serving St. Colmcille's GAA Club, Hollybanks, Swords, Co. Dublin (letter of consent from GAA club provided).
- 1.2. The club grounds, which comprise of a club house which operates in part as a childcare facility, grass sports pitch and an ancillary surface car park, are situated in the northern suburbs of Swords c. 1km from the town centre. The grounds are bordered by the Glen Ellan Road to the north, the Balheary Road to the east, by housing estates to the south and north-west, and by amenity lands to the south-west.
- 1.3. Access to the appeal site is provided via a gated vehicular entrance from the Glen Ellan Road, to the north-west of the site, which features a pedestrian footpath and off-road cycle lane which are separated from the 2-way carriageway by an intermediate tree-lined grass verge.
- 1.4. The specific development subject to this application for retention permission is a shipping container serving wood fired pizza for take away and outdoor customer seating area (c. 28sq.m) which is sited on the east side of the car park and on the opposite side to the existing club house (situated c. 80m to the west). The structure also features prominent roof top signage, a gazebo on its east side, a gated refuse area to its west side and a projecting front canopy. In terms of customer seating arrangements, there 2 no. barrel tables and a separate weatherproof structure housing a number of picnic tables located to the immediate north of the structure in an area adjoining the roadside boundary (low wall and railings).
- 1.5. There is a smaller separate take-away unit ('BlackBox Barista') serving coffee and snacks located to the immediate west of the subject site.

## **2.0 Proposed Development**

- 2.1. Permission is sought for the continued operation of a small-scale food service unit, La Papessa Pizza, and outdoor seating area on the grounds of St. Colmcilles GAA Club.

## **3.0 Planning Authority Decision**

- 3.1. **Decision**

Retention permission refused on 15/10/2025 for 1 no. reason:

“1. *The supporting vision for the 'CI' Community Infrastructure zoning objective seeks to 'Provide for and protect civic, religious, community, education, health care and social infrastructure'. The development to be retained and the use of same as a 'fast food outlet/ take-away is not permitted under CI zoning and as such would contravene materially the CI 'Community Infrastructure' Zoning, set an undesirable precedent and as such would be contrary to the proper planning and sustainable development of the area”.*

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

1 no. PA report (09/10/2025) formed the basis of the decision to refuse.

- *Planning History* – permission for similar development recently refused on zoning.
- *Zoning Compliance* – fast food/ takeaway not permitted under CI zoning. Argument that use is ancillary to GAA club operation not accepted/ proposal does not overcome previous refusal reason. **Refusal recommended.**
- *Visual Amenity* – unit & signage visible from Glen Ellan Rd. but would not detract.
- *Car Parking* – siting leads to reduction from 52 no. to 50 no. spaces. Would not give rise to material impact on compliance (FDP Table 14.19 parking standards).
- *Water Services* – no objection to proposal subject to attachment of condition.
- *EIA Screening* - proposal is subthreshold development. No EIAR required.
- *AA Screening* – no likelihood of significant effects due to nature/ size/ location.

Report concluded by recommending permission granted as detailed in Section 3.1.

#### 3.2.2. Other Technical Reports

*Water Services Department (03/10/2025)* – no objection subject to standard conditions in relation to surface water management and disposal.

*Transportation Planning Section (23/09/2025)* – no objection to proposal giving rise to a reduction in car parking by 2 no. spaces to 50 no. on basis remaining provision would still meet requirements of FDP Table 14.19 and also provide for overflow.

*Public Lighting Section (18/09/2025) – no comments to make on application.*

### **3.3. Prescribed Bodies**

None on file.

### **3.4. Third Party Observations**

1 no. third party submission was received from Cllr. Luke Corkery in support of the proposal. It sets out how 'La Papessa Pizza' is an important part of the local community and of the operation of St. Colmcille's GAA club in terms of providing catering services.

## **4.0 Planning History**

### **4.1. Appeal Site**

*P.A. Ref. F25A/0402 – application by Damien Smyth for retention permission for a 20 foot long by 8-foot-wide steel container which serves hot food & drinks positioned on part tarmacadam / grassed area with external tables / seating, and roof top signage and the change of use of part of car park to use as a food outlet / takeaway (operating hours are Thursday to Saturday 12:00 to 14:30 & 17:00 to 22:00, & Sunday 18:00 to 21:00) all on a site of c. 0.006ha, refused on 25/06/2025 for 1 no. reason:*

*“1. The site is zoned 'CI' Community infrastructure in the Fingal County Development Plan 2023-2029. The supporting vision for the 'CI' Community Infrastructure zoning objective seeks to 'Provide for and protect civic, religious, community, education, health care and social infrastructure'. The development to be retained and the use of same as a 'fast food outlet/ take-away is not permitted under CI zoning and as such would contravene materially the CI 'Community Infrastructure' Zoning objective, set an undesirable precedent and as such would be contrary to the proper planning and sustainable development of the area”.*

### **4.2. GAA Club Grounds**

*P.A. Ref. F25A/0717 – application by Ross Smith for the retention of an 8 foot long by 8 foot wide steel container (Black Box Barista) which serves hot drinks & food positioned on part tarmacadam/grassed area with external tables/seating, and the change of use of part of car park to use as a coffee outlet/takeaway (operating hours*

are Monday to Friday 7.30 to 15.00 & Saturday & Sunday 9.00 to 14.00), refused permission on 22/09/2025 for 2 no. reasons:

*“1. The site is zoned 'CI' Community infrastructure in the Fingal County Development Plan 2023-2029. The supporting vision for the 'CI' Community Infrastructure zoning objective seeks to ‘Provide for and protect civic, religious, community, education, health care and social infrastructure’. The development to be retained and the use of same as a ‘fast food outlet/ take-away is permitted under CI zoning and as such would contravene materially the CI 'Community Infrastructure' Zoning objective, set an undesirable precedent and as such would be contrary to the proper planning and sustainable development of the area.*

*2. The Planning Authority is not satisfied, based on the information submitted, that adequate arrangements for wastewater drainage are in place to serve the proposed development. The development would therefore be prejudicial to public health and contrary to the proper planning and sustainable development of the area”.*

*P.A. Ref. F24A/0237* – application by Andrea Fearon for change of use to Seasonal Montessori on ground floor [west side only] consequent to previously granted permission ref F16A/0456 and related works, granted on 05/02/2025 subject to conditions.

*P.A. Ref. F16A/0456* – application by Andrea Fearon for partial change of use of Clubhouse to Sessional Montessori on ground floor [west side only], granted on 19/04/2017 subject to conditions.

*P.A. Ref. F08A/0151* – application by St Colmcilles GAA Club for a single storey extension to front, side and rear of club house building incorporating 2 no. juvenile changing rooms, new store at ground floor with external viewing balcony enclosed at first floor level over located at east facing elevation, new extended entrance porch and internal alterations and new vehicular goods entrance and associated site works, granted permission on 11/07/2008 subject to conditions.

## **5.0 Policy Context**

### **5.1. Development Plan**

The Fingal Development Plan (FDP) 2023-2029 applies.

## Zoning

*Section 13.5 (Zoning Objectives, Vision and Use Classes):* The site is zoned 'CI – Community Infrastructure' with the objective to 'Provide for and protect civic, religious, community, education, health care and social infrastructure'.

*Section 13.4 (Ancillary Uses):* Planning permission sought for developments which are ancillary to the parent use, i.e. they rely on the permitted parent use for their existence and rationale, should be considered on their merits irrespective of what category the ancillary development is listed in the zoning objectives, vision and use classes section of this chapter.

*Objective ZO4 - Ancillary Uses:* Ensure that developments ancillary to the parent use of a site are considered on their merits.

## Take-Aways

*Section 14.15.4.2 (Types of Retail Development) a. Fast food/Takeaway Outlets* Fast food outlets have the potential to cause disturbance, nuisance and detract from the amenities of an area and as such, proposals for new or extended outlets will be carefully considered.

*Objective DMSO96 – Fast Food / Takeaway Outlets:* Development proposals for fast food/takeaway outlets will be strictly controlled and all such proposals are required to address the following:

- The cumulative effect of fast food outlets on the amenities of an area.
- The effect of the proposed development on the existing mix of land uses and activities in an area.
- Opening/operational hours of the facility.
- The location of vents and other external services and their impact on adjoining amenities in terms of noise/smell/visual impact.

*Objective DMSO97 – Location of Fast Food Outlets:* Give careful consideration to the appropriateness and location of fast food outlets in the vicinity of schools and, where considered appropriate, to restrict the opening of new fast food/takeaway outlets in close proximity to schools so as to protect the health and wellbeing of school-going children.

*Objective EEO105 – Prevent Over-Supply of Specific Uses/ Outlets:* Prevent an over-supply or dominance of fast food outlets, takeaways, off licences, adult shops, gaming arcades and betting offices in the main streets of towns and villages, shopping centres and local centres to ensure that injury is not caused to the amenities of these streets and centres through the loss of retail opportunities.

## 6.0 Natural Heritage Designations

The appeal site is not located within or adjoining any designated site.

The nearest European Sites in close proximity to the appeal site are as follows:

- c. 750m from Malahide Estuary SAC (Site Code 000205).
- c. 1km to Malahide Estuary SPA (Site Code 004025).
- c. 4km to Rogerstown Estuary SPA (Site Code 004015).
- c. 5km to Rogerstown Estuary SAC (Site Code 000208).
- c. 6km to North-West Irish Sea SPA (Site Code 004236).

The nearest Natural Heritage Areas in close proximity to the appeal site are as follows:

- c. 700m from Malahide Estuary pNHA (Site Code 000205).
- c. 3.5km from Rogerstown Estuary pNHA (Site Code 000208).
- c. 3.5km from Feltrim Hill pNHA (Site Code 001208).

## 7.0 EIA Screening

The proposed development to be retained is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

## 8.0 Water Framework Directive Screening

I have concluded, on the basis of objective information, that the proposed development to be retained will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment (refer to form in Appendix 3 for details).

## 9.0 The Appeal

### 9.1. Grounds of Appeal

A third party appeal submission was received on 11/11/2025 from Cllr. Luke Corkery. The grounds of appeal (GOA) are as follows:

#### General

- La Papessa Pizza has operated within the Fingal area for a number of years and provides local employment.
- Contemporary GAA clubs are mixed-use multi-functional social spaces serving club and local community and planning practice should encourage this.
- Proposal is supported by NPF – role of social and recreational infrastructure.
- Concerns raised regarding subjectivity of PA's decision and their mischaracterisation of the nature and intent of proposal.
- Precedent of retention permission being granted locally for takeaway coffee trailer.

#### Rebuttal of Refusal Reason

- Scale and operation of proposal do not detract from primary CI use of lands.
- GAA club lacks kitchen or catering facilities and this restricts its capacity to accommodate a typical range of community and sporting activities.
- Proposal addresses food/ catering related operational deficiencies within the club.
- Proposal is a supporting, subordinate and ancillary use to activities of GAA club and is not a speculative retail venture or standalone commercial enterprise.

- Primary function of proposal is to service club members, visiting teams and event attendees. Take-away service for passers-by/ residents is modest/ subsidiary.
- GAA club support the proposal which enhances its operation.

The GOA are accompanied by a letter of support from St. Colmcille's GAA club (dated 24/10/2025). This letter states that the proposal is supportive of and ancillary/ subordinate to the activities of the club and is a service which cannot be provided by the club's own facilities, staff or voluntary personnel for financial and logistical reasons. The letter seeks to highlight that there are no other food services in the immediate area and the location of the proposal within the club grounds negates the need for club members and visitors etc. to travel off site. It concludes that the loss of the food service would have a negative impact on the club and on the local community.

## 9.2. **Planning Authority Response**

The PA, in their response received 18/12/2025 state the following:

- Application was assessed against national policy and the policies and objectives of the development plan re: zoning and impact on visual and residential amenity.
- Third party submissions received were duly acknowledged and considered.
- Having considered the GOA, PA reiterate the rationale for their refusal and their concern that a grant of retention permission would set an undesirable precedent.
- The PA seek that the Commission uphold their decision to refuse.
- Where their decision is overturned, PA seek conditions relating to the payment of a financial contribution/ special contribution for a shortfall in open space in accordance with FCC's Section 48 Development Contribution Scheme be applied.

## 9.3. **Observations**

None received.

## 9.4. **Further Responses**

None received.

## 10.0 Assessment

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

- Planning History
- Principle of Development
- Other Matters

### 10.1. Planning History

10.1.1. I draw the Commission's attention to the planning history of the appeal site and the adjoining site (detailed in Section 4.1 of this report).

10.1.2. I specifically bring the Commission's attention to the recent refusal of retention permission on the subject site for a development proposal by the same applicant under P.A. Ref. F25A/0717 (which was not appealed). The proposal which was subject of that retention application is essentially identical to the proposal subject of this appeal and gave rise to the same refusal reason.

10.1.3. The Commission will also note the recent refusal of retention permission for the BlackBox Barista on the adjoining site to the west under P.A. Ref. F25A/0717 (which was also not appealed) for reasons including material contravention of the site zoning.

### 10.2. Principle of Development

10.2.1. The appeal site is subject to the 'CI – Community Infrastructure' zoning objective. The purpose of this zoning is to '*Provide for and protect civic, religious, community, education, health care and social infrastructure*'. 'Fast Food Outlet/Take-Away' are uses which are not permitted on CI zoned lands and this was the reason for the PA's decision to refuse permission for proposal on the basis of it being a material contravention of the site's zoning (this opinion is reiterated in their response to the appeal).

- 10.2.2. The appellant is of the view that the proposal is not a standalone food/ take-away outlet and is instead a catering facility which is an ancillary use to the established use of the lands as a GAA club.
- 10.2.3. Section 13.4 and Objective ZO4 (Ancillary Uses) allow for the merit-based consideration of developments that are ancillary to the parent use of a site.
- 10.2.4. It is the appellant's contention that St. Colmcille's GAA club lacks a kitchen/catering facility and that this lack of suitable infrastructure restricts the nature and extent of community and sports activities than can be accommodated by the club, with the crux of their argument being that the proposal addresses this operational deficiency. I acknowledge the letter on file from the GAA club which generally supports this assertion.
- 10.2.5. However, I note from my review of application documentation in respect to the club's planning history that there is a kitchen located at ground floor level within the clubhouse which is separate to the catering facility which serves the on-site childcare facility. This catering facility, which is c. 45sq.m, is shown on the submitted floor plans in respect to P.A. Ref. F08A/0151 and P.A. Ref. F24A/0237 and is comparatively larger in size than the c. 15.6sq.m container subject of the proposal before the Commission.
- 10.2.6. I also note the statement in the letter on file from the GAA club that the club's own existing catering facilities cannot operate for various financial and logistical reasons which relate to staffing i.e. rather than due to a lack of such facilities in the clubhouse.
- 10.2.7. Furthermore, while the operation of the proposal no doubt serves users/ members of the GAA club, sports ground and clubhouse at times, based on the hours of operation (of Thursday to Saturday 12:00 to 14:30 & 17:00 to 22:00 and Sunday 18:00 to 21:00 as cited in the statutory notices for P.A. Ref. F25A/0402) and the extent of external commercial advertising and signage observed during my site inspection, I agree with the PA's conclusion that the proposal essentially operates as a business and largely independent of the GAA club's activities and cannot therefore be considered to be ancillary to the established use of the site.
- 10.2.8. In light of the foregoing considerations, I conclude that the proposal contravenes the 'CI – Community Infrastructure' zoning objective for the site as set out in the Fingal Development Plan 2023-2028. I recommend permission for retention of the development be refused on this basis.

10.2.9. Having regard to the decision of the PA in this instance, I am also satisfied that the criteria under s.37(2)(b) are not satisfied in this case, in particular: (i) the proposed development is not of strategic or national importance, (ii) there are no conflicting or unclear objectives in the development plan, insofar as the proposed development is concerned, (iii) there are no overriding national or regional policy provisions under item 2(b)(iii) and (iv) there is no relevant pattern of development or permissions granted since the making of the development plan.

### 10.3. **Other Matters**

#### Open Space

10.3.1. The PA in their response to the appeal sought that the Commission attach conditions relating to financial contribution/ special contribution for a shortfall in open space in accordance with FCC's Section 48 Development Contribution Scheme. The proposal, which primarily occupies car parking bays, does not result in the loss of public open space. I also note that there is no policy provision in the FDP requiring the provision of open space in respect to fast food outlets or take-away units and, as such, I am satisfied that such conditions are unwarranted in this instance.

#### Precedent

10.3.2. The appellant seeks to draw the Commission's attention to the decision to grant retention permission for a period of 3 years for a mobile coffee trailer elsewhere in Swords under P.A. Ref. F23A/0174 (ABP-317501-23). I note that the site zoning in the case of that proposal was 'LC - Local Centre' under which such a use is permitted in principle and that the proposal, on account of its location in the car park of a Dunnes Stores shopping centre, had materially different planning and development context to the subject proposal.

10.3.3. Notwithstanding the foregoing, all appeal cases are assessed and determined on their own merits having regard to the sensitivity of the receiving environment and the specifics of the proposed development. In the case of this appeal, the crux of the matter is the proposal's compliance with the site's zoning – with this matter having already been assessed and concluded upon in Section 10.2 of this report.

#### Procedural Issue

10.3.4. Concerns have been raised by the appellant regarding the PA's assessment of the proposal which they regard as being subjective and without a factual basis. I consider the appeal process has given all parties an equal opportunity to address and clarify all such matters and I am satisfied that there is sufficient information available to enable me to make an informed recommendation on the appeal.

#### Land Use Policy

10.3.5. The appellant makes the case that contemporary GAA clubs routinely operate as mixed-use and multi-functional social spaces serving club and local community and that planning practice should reflect this.

10.3.6. Whilst I acknowledge the general point being made, it is my view that matters relating to overall patterns of land use and changes to same are outside the scope of this planning appeal and are best addressed at a more strategic planning level as part of the Development Plan making process.

### **11.0 Recommendation**

I recommend that retention permission be REFUSED for the reasons and considerations set out below.

### **12.0 Reasons and Considerations**

1. The development proposed to be retained is located on lands subject to the 'CI – Community Infrastructure' zoning objective under the Fingal Development Plan 2023-2029. Having regard to the fact that 'Fast Food Outlet/Take-Away' food service units are not permitted on CI zoned lands, it is considered that the development proposed to be retained would materially contravene the Fingal Development Plan 2023-2029 and would, therefore, be contrary to the proper planning and sustainable development of the area.

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.

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Emma Gosnell  
Planning Inspector  
13<sup>th</sup> March 2026

## Appendix 1

### Form 1 - EIA Pre-Screening

<b>Case Reference</b>	<b>PL-500256-DF-25</b>
<b>Proposed Development Summary</b>	Retention of continued operation of food service unit and all associated site works.
<b>Development Address</b>	La Papessa Pizza, St. Colmcilles GAA Club, Hollybanks, Swords, County Dublin, K67 H996.
<b>In all cases check box /or leave blank</b>	
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.	

<b>No Screening required.</b>	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.  <b>EIA is Mandatory. No Screening Required</b>	
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. <b>Preliminary examination required. (Form 2)</b> <b>OR</b> <b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b>	

<b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b>	
Yes <input type="checkbox"/>	<b>Screening Determination required (Complete Form 3)</b>
No <input checked="" type="checkbox"/>	<b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b>

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

## Appendix 2 – AA Screening Determination

### Screening the need for Appropriate Assessment: Screening Determination (Stage 1, Article 6(3) of Habitats Directive)

I have considered the proposal: Retention of continued operation of food service unit and all associated site works at La Papessa Pizza, St. Colmcilles GAA Club, Hollybanks, Swords, Co. Dublin in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located:

- c. 750m from Malahide Estuary SAC (Site Code 000205).
- c. 1km to Malahide Estuary SPA (Site Code 004025).
- c. 4km to Rogerstown Estuary SPA (Ste Code 004015).
- c. 5km to Rogerstown Estuary SAC (Site Code 000208).
- c. 6km to North-West Irish Sea SPA (Site Code 004236).

No nature conservation concerns were raised in the planning appeal.

Having considered the nature, scale and location of the project in a suburban location, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

The reason for this conclusion is as follows:

- The small scale and nature of the development to be retained.
- The location of the development in a serviced suburban area, its distance from European Sites and the nature of intervening habitats and the absence of ecological pathways to any European Site.
- Taking into account screening determination by PA.

I conclude, on the basis of objective information, that the proposed development to be retained would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

## Appendix 3

### Screening the need for Water Framework Directive Assessment Determination

The subject site is located in the grounds of St. Colmcilles GAA Club, Hollybanks, Swords, Co. Dublin.

The Mill Stream (Skerries, Code: IE\_EA\_08M030500 which has a Poor Ecological Status and is At Risk) is located c. 650m to the south of the appeal site and separated from same by intervening commercial and residential developments, a town park and sports pitches. The site is underlain by the Balrothery groundwater body (Code: IE\_EA\_G\_043) which has a Good ecological status and is Not At Risk. The Northwestern Irish Sea coastal waterbody (Code: IE\_EA\_020\_0000), which has a Good ecological status but is At Risk, is located c. 300m to the east of the appeal site.

The proposal comprises of retention of continued operation of food service unit and all associated site works – see Section 2.0 of Inspector's Report for further details.

No water deterioration concerns were raised in the planning appeal.

I have assessed the proposal for retention permission on this brownfield site at St. Colmcilles GAA Club in Swords and I have considered the objectives as set out in Article 4 of the Water Framework Directive which seek 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.

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

The reason for this conclusion is as follows:

- The relatively small scale nature and scale of the development on a serviced suburban site.
- The location-distance from nearest water bodies, intervening land uses and lack of hydrological connections.

#### **Conclusion**

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