



Development

Permission for a residential development of 97 dwellings (consisting of 45 no. houses, 48 no. apartments and 4 no. duplexes), the demolition of 7 no. structures including 3 no. habitable dwellings, a 293.1 sq.m creche facility and all ancillary development, on a 2.17 ha site

Location

2.17 ha site to the north of the N4 Lucan by-pass and to, the east of Ardeevin Manor and Ardeevin Co, (Lucan and Pettycanon townlands), Lucan, County Dublin, K78 XT10

Planning Authority

South Dublin County Council

Planning Authority Reg. Ref.

SD24A/0290W

Applicant(s)

Killross Properties Limited.

Type of Application

Permission

Planning Authority Decision

Grant Permission

Type of Appeal

First party V. Condition 2, 3 and 4(a)

Third Party V. decision

Appellant(s)

1. Killross Properties Limited
2. Robin Hall
3. Natalia Kublova
4. Breeda & Jan Pieter de Vries
5. Ardeevin Residents Association

Observer(s)

1. J.P. Colclough
2. David Whittle and Mary Whittle
3. Mark, Gail and Susan F Peard
4. Councillor Helen Farrell
5. Paul Gogarty TD

Date of Site Inspection

13/3/26

Inspector

Ronan Murphy

1.0 Site Location and Description

- 1.1 The appeal site is located c. 0.27km to the south of Lucan Village Centre in an area which is predominantly residential in character with a mixture of two storey detached and semi-detached dwellings.
- 1.2 The appeal site has a stated area of 2.168ha and at present the site includes 7no. structures comprising of habitable cabin structures and a large community building. In addition to this, the site includes an overgrown soccer pitch and various other amenity uses associated with the previous use of the land known as the 'Lucan Centre' which was a retreat centre. The southern portion of the appeal site is fenced off and is under a hardstand of stone.

- 1.3 The eastern and northern boundaries of the site are heavily vegetated, while the western boundary is also vegetated to a lesser extent. The southern boundary is open to the N4 road.
- 1.4 The appeal site is primarily bounded to the east by a residential development known as Ardeevin Manor, to the west by an area of undeveloped land, to the north by Primrose Hill House and grounds, which is a Protected Structure and dwellings along Primrose Hill. The appeal site is bounded by the N4 to the south.

2.0 Proposed Development

- 2.1. The proposal seeks planning permission for a residential development with a total of 97 dwelling units comprising of 2 no. 1 bedroom apartments; 46 no. 2 bedroom apartments; 2 no. 2 bedroom duplex units; 2 no. 3 bedroom duplex units; 44 no. 4 bedroom semi-detached houses; and 1 no. 4 Bedroom Detached House.
- 2.2. The development is laid out in 2 blocks of apartments (Blocks A and B) and 2 blocks of duplex / apartments (Block C and D) and 18 sets of semi-detached houses and 1 detached house.
- 2.3. Blocks A and B are located to the centre and north of the site. The apartment blocks are c.13.8m in height with flat roofs and would be finished in a mixture of select brick and render.
- 2.4. Block C is located to the north-east of the site and Block D is located to the south-western boundary of the site. Both Blocks have heights of c.12.9m with a pitched roof and would be finished in a mixture or select brick and render.
- 2.5. The creche would be in a standalone two-storey building to the south of Block C, which would have a height of c. 9.7m with a pitched roof and finished in a mixture of select brick and render.
- 2.6. The proposed houses are laid out in a mixture of two storey semi-detached and detached configurations and are located around the perimeter of the site ranging in height from 9.9-10.3m with pitched roofs. The proposed houses would have select brick and render finish.
- 2.7. The proposed development would be serviced with 101 car parking spaces including one in curtilage car parking spaces per house and shared car parking to the front and

side of each of the apartment blocks. The proposal also includes 165 bicycle parking spaces.

2.7 Public open space would be provided by seven separate areas totalling c. 4,448m², while communal open space for the apartments would be provided by way of two areas totalling 800m². The following key parameters are noted:

Site area	2.168ha
Residential Units	97
Building Height	13.8 (Apartment Buildings) 12.9m (Duplex buildings) 10.4m (houses) 9.7m (Creche)
Density	44.7 units per hectare
Public open space	4,448m ² (18.58%)
Access	Vehicular via connections into the existing Ardeevin Avenue / Manor Pedestrian via Primrose Lane
Car and cycle parking	101 car parking spaces 165 bicycle parking spaces

Table 1 Development Parameters

2.8 The proposal would have the following unit mix:

Unit Type	No of units	%
1-bed apartment	2	2.06
2-bed apartment	46	47.42
4-bed semi-detached houses	44	45.36
4-bed detached house	1	1.03
2 bed duplex units	2	2.06
3 bed duplex units	2	2.06
Total	97	100%

Table 2 Unit mix

3.0 Planning Authority Decision

3.1. Decision

3.1.1 By order dated 11/12/25 the Planning Authority Decided to grant planning permission subject to 35 conditions. The conditions are generally standard in nature, however there are a number seeking amendments to the development.

3.1.2 Condition 2 requires that House Nos. 9-20 (inclusive) (12 no. houses), as identified on the Site Layout Plan Drawing No. PD01 Rev. B, shall be omitted and in place these areas shall be kept free from development under this planning permission. In place of unit nos. 9 and 10 and increased open space around the pedestrian access from the subject site to the existing public open space to the west of the site shall be provided.

3.1.3 Condition 3 states that this grant of planning permission permits a total of 85 no. residential units.

3.1.4 Condition 4(a) states that Unit nos. 9 and 10 shall be omitted to provide for an increased open space around the pedestrian access from the subject site to the existing public open space to the west of the site.

Planning Authority Reports

3.2 Planning Reports

3.2.1 There are three planning reports on file. The initial planners report dated 24/2/25 notes that residential development is permitted in principle under the RES zoning and that creches are open for consideration. Notwithstanding this, the area planners report highlights several concerns with respect to the proposed development and requested further information on a number of items which can be summarised as:

- Justification for proposed demolition.
- Further information on the proposed pedestrian link integration.
- Additional/reviewed CGIs/Verified views.
- Location/massing of Block C and D.
- Boundary treatments.
- Single aspect, north facing units in Block A.
- Statement of Accessibility.
- Clarification on public/communal open space.
- Daylight & Sunlight Analysis.
- Information on Childcare Facility in line with Section 12.8.4 of CDP.
- Parks and public realm items.
- Roads details.
- Ownership of Primrose Lane.
- Schedule of Materials.
- Water Services items

3.2.2 Other Technical Reports

Roads Department: Report dated 7/2/25 and 12/2/25 requesting Further Information.

Water Services: Report dated 12/2/25 requesting Further Information.

Parks and Public Realm: Report dated 26/11/2 **Refuse permission.**

Architectural Conservation: Report dated 11/2/25 requesting Further Information.

Public Lighting: Report dated **No objection, subject to conditions.**

Environmental Health Officer: Report dated 14/1/25 outlining no objection, subject to conditions.

Housing: Report dated 9/1/25 outlining no objections, subject to conditions.

South Dublin Childcare Committee: Report dated 4/2/35 stating that the creche development is not feasible.

3.2.3 Prescribed Bodies

Uisce Eireann: Response dated 20/1/25 requesting Further Information.

Transport Infrastructure Ireland: Response dated 14/1/25 stating that insufficient data in the application to demonstrate that the proposed development will not have a detrimental impact on the capacity, safety or operational efficiency of the national road network in the vicinity of the site and that the Authority is unable to ascertain how the proposed development has regard to the provisions of Chapter 3 of the DoECLG Spatial Planning and National Roads Guidelines in the assessment and determination of the subject planning application.

3.2.4 A further information response was received on 18th of July 2025 comprising of the following:

- Cover letter from Declan Brassil and Company Limited
- A bat assessment of Ardeevin, Lucan, County Dublin prepared by Brian Keeley
- Lifetime homes statement prepared by McGrane & Partners Architects
- Technical Note on Surface Water Drainage Kilgallen and Partners Consulting Engineers.

- Drawing No. 24048-DR-0101 '*Streets - General Layout*'
- Drawing No. 24048-DR-0102 '*Streets – Longitudinal Sections*'
- Drawing No. 24048-DR-0103 '*Streets – Sections*'
- Drawing No. 24048-DR-0104 '*Streets – Site Sections & Site Lines at Entrance Detail*'
- Drawing No. 24048-DR-0105 '*Streets – Refuse Truck Swept Analysis – General Layout*'
- Drawing No. 24048-DR-0106 '*Streets – Refuse Truck Swept Analysis*'
- Drawing No. 24048-DR-0107 '*Streets – Fire Tender Swept Analysis – General Layout*'
- Drawing No. 24048-DR-0108 '*Streets – Fire Tender Swept Analysis*'
- Drawing No. 24048--DR-0201 '*Surface Water & SUDS – General Layout*'
- Drawing No. 24048--DR-0202 '*Surface Water & SUDS – Detailed Layout*'
- Drawing No. 24048--DR-0203 '*Surface Water Drainage – Longitudinal Sections*'
- Drawing No. 24048-DR-0301 '*Wastewater Drainage & Potable Water Supply Layout*'
- Drawing No. 24048-DR-0302 '*Wastewater Sewers – Longitudinal Sections*'
- Drawing No. 24165_Lucan_LandscapePlan_FI '*Landscape Plan*'
- Drawing No. 24165_Lucan_SoftLandscapePlan_FI '*Soft Landscape Plan*'
- Drawing No. 24165_Lucan_HardLandscapePlan_FI '*Hard Landscape Plan*'
- Drawing No. 24165_Lucan_BoundaryTreatmentPlan_FI '*Boundary Treatment Plan*'
- Drawing No. 24165_Lucan_Sections_FI '*Landscape Sections*'
- Drawing No. 24165_Lucan_OpenSpace Calculation_FI '*Open Space Calculation*'
- Drawing No. PD01 '*Site Layout Plan Rev A*'
- Drawing No. PD14A '*Block A Elevations*'
- Drawing No. PD12A '*Block A Ground and First Floor Plan*'
- Drawing No. PD13A '*Block A Second and Third Floor Plan*'
- Drawing No. 200 '*Block C Elevations*'
- Drawing No. 199 '*Block C Floor Plans & Sections*'
- Drawing No. PD201 '*Creche Plans & Elevations*'

- Drawing No. PD16A 'Streetscapes'
- Drawing No. PD17A 'Streetscape'

Second Planning Report

3.2.5 A second planning report dated 14/8/25 states that there remain issues which need to be clarified as set out below:

- Communal open space should be demarcated for the use of the residents of Blocks A and B.
- The relocation of Block C can be accomplished without prejudicing development on the adjoining site or undermining the landscape proposals for the development.
- Block D may need to be reduced on its western side and a more gradual transition of height introduced.
- 4 units are single aspect north-facing, and the layout should be reconsidered.
- Updated landscape plans allowing for the retention of additional trees and hedgerows and the connection of green open spaces, a Green Infrastructure Plan, street trees should be provided in line with DMURS, and the design should be designed to retain bat habitats.
- Updated site location confirming that the applicant has a wayleave over Primrose Lane.
- Noise impact of the N4 on the residential amenity of the proposed dwellings.
- Updated Drainage Strategy.
- the maximum height of buildings on site (in relation to sea level)

3.2.6 Clarification of further information was sought with respect to the issues identified above.

3.2.7 Other Technical Reports Post FI

Roads Department: Report dated 21/7/25 outlining no objection, subject to conditions, including a condition requiring that confirmation that the comments raised by TII have been satisfactorily addressed.

Public Lighting: Report dated 28 /7/25 outlining no objection, subject to conditions.

South Dublin Childcare Committee: Report dated 29/7/25 stating that the proposed floor plans do not align with Tusla Early Years Regulations.

Water Services: Report dated 13/8/25 recommending refusal based on surface water attenuation design.

Public Realm Department: Report dated 12/8/25 recommending refusal.

3.2.3 Prescribed Bodies

Transport Infrastructure Ireland: Response dated 8/8/25 stating that insufficient data has been submitted with the planning application to demonstrate that the proposed development will not have a detrimental impact on the capacity, safety or operational efficiency of the national road network in the vicinity of the site. The applicant has failed to address and appropriately mitigate for matters related to future occupant's residential amenity associated with the site's location in proximity with the N4 and its associated junction. TII are unable to ascertain the proposed boundary treatments to the N4 junction. TII advises that any boundary treatment at this location must meet TII Publication standards.

Department of Defence: Response dated 5/8/25 requesting additional information with respect to the maximum height of the building.

Uisce Eireann: Response dated 28/7/25 outlining no objections, subject to conditions.

Department of Housing, Local Government and Heritage: Response dated 23/7/25 outlining no objection, subject to conditions.

3.2.8 A clarification of further information response was received on 14/11/25* comprising of the following:

Drawings

- A cover letter from Declan Brassil and Company dated 12/11/25
- Drawing No. 24048-DR-0101-PL03 'Streets – General Layout'
- Drawing No. 24048-DR-0102-PL03 '*Streets – Longitudinal Sections*'
- Drawing No. 24048-DR-0103-PL03 '*Streets – Sections*'
- Drawing No. 24048-DR-0104-PL03 '*Streets – Site Sections & Sight Lines at Entrance*'

- Drawing No. 24048-DR-0105-PL03 '*Streets – Refuse Truck Swept Path Analysis – Layout*'
- Drawing No. 24048-DR-0106-PL03 '*Streets – Refuse Truck Swept Path Analysis – Details*'
- Drawing No. 24048-DR-0107-PL03 '*Streets – Fire Tender Swept Path Analysis – Layout*'
- Drawing No. 24048-DR-0108-PL03 '*Streets – Fire Tender Swept Path Analysis – Details*'
- Drawing No. 24048-DR-0204-PL03 '*Surface Water & SuDS – Surface Water Coefficients*'
- Drawing No. 24048-DR-0201-PL03 '*Surface Water & SuDS – General Layout*'
- Drawing No. 24048-DR-0202-PL03 '*Surface Water & SuDS – Detailed Layout*'
- Drawing No. 24048-DR-0203-PL03 '*Surface Water Drainage – Longitudinal Sections*'
- Drawing No. 24048-DR-0301-PL03 '*Wastewater Drainage & Potable Water Supply Layout*'
- Drawing No. 24048-DR-0302-PL03 '*Wastewater Sewers – Longitudinal Sections*'
- Drawing No. 24165_Lucan_BoundaryTreatmentPlan_FI '*Boundary Treatment Plan*'
- Drawing No. 24165_Lucan_Soft LandscapePlan_FI '*Soft Landscape Plan*'
- Drawing No. 24165_Lucan_Sections_FI '*Sections*'
- Drawing No. 24165_Lucan_OpenSpace Calculation_FI '*Open Space Calculation*'
- Drawing No. 24165_Lucan_LandscapePlan_FI '*Landscape Plan*'
- Drawing No. 24165_Lucan_HardLandscape Plan_FI '*Hard Landscape Plan*'
- Drawing No. 2406PD14B '*Block A Elevations*'
- Drawing No. 2406PD12B '*Block A Ground and First Floor Plan*'
- Drawing No. 2406PD13B '*Block A Second and Third Floor Plan and Section*'
- Drawing No. 2406PD200A '*Block C Elevations and Sections Drawing*'
- Drawing No. 2406PD199A '*Block C Floor Plans*'
- Drawing No. 2406PD01B '*Site Layout Plan*'
- Drawing No. 2406PD01A '*Enlarged Site Layout Plan*'

- Drawing No. 2406PD02 '*Street Elevation Drawing*'
- Drawing No. 2406CF100 '*Site Location Map*'
Reports
- Response to Item 4, 5 and 6 prepared by Kilgallen and Partners Consulting Engineers.
- Traffic and Transportation Assessment prepared by Kilgallen and Partners Consulting Engineers.
- Technical Note on Surface Water Drainage prepared by Kilgallen and Partners Consulting Engineers.
- Response from Gannon and Associates Landscape Architecture.
- Green Infrastructure Plan prepared by Gannon and Associates Landscape Architecture.
- Review of Biodiversity Value of South-West Hedge prepared by Brian Madden
- Cover letter from McGrane and Partners Architects

3.2.9 Third planners report dated 11/12/25 outlines that the applicants have responded in an acceptable manner to the Clarification of Further Information request and recommends that planning permission be granted.

3.2.10 Other Technical Reports Post CFI

Roads Department: Report dated Conditions recommended.

Water Services Report dated 2/12/25 recommending that permission be refused.

Parks and Public Realm Report dated 26/11/25 recommending that permission be refused

3.2.11 Prescribed Bodies Post CFI

Uisce Eireann: Response dated 5/12/25 stating that the Authorities position remains as set out in the letter dated 8/8/25

3.2.11 *I make the Coimisiún aware that the period for submitting a response to the request for Clarification of Further Information was extended up to and including 21st of November 2025 by Order dated 20th of August 2025.

3.2.12 I make the Coimisiún aware that the following alterations were made to the layout of the proposed development has altered because of the Further Information and Clarification of Further Information as below:

- Block C has been removed from the northern portion of the site and relocated to the north-eastern portion of the site. The relocated Block C replaced 8 No.- semi-detached dwellings as initially proposed at this location.
- The creche was relocated to an area to the south of Block C on the north-eastern boundary of the land.
- Block A was reorientated.

4 Planning History

Appeal Site

Reg. Ref. S00A/0125: Application for Demolition of a two-bedroom single storey residential chalet and the construction of a single storey structure comprising one no. 1 bedroom and one no. 4 bedroom self-contained residential units with associated parking. Permission granted, subject to conditions.

Reg. Ref. SD22A/0396. Application for replacement of previously approved detached three storey 5-bedroom dwelling (295m²) with 2 semi-detached three storey 4-bedroom dwellings (150 m² each); The house being replaced was previously granted planning permission by An Bord Pleanála under ABP-304659-19 (SDCC Ref. SD18A/0310); The application also seeks the modifications to the car parking and associated site works to facilitate the revised house types. Permission granted, subject to conditions.

Reg. Ref. SD18A/0310 / ABP-304659-19: Application for the Construction of a 25-unit residential housing development on a site extending to 0.96 hectares to the north of the N4 Lucan by-pass and to the east (end of) Ardeevin Avenue. Permission granted, subject to conditions, this decision was the subject of a third-party appeal to An Bord Pleanála where the decision of the planning authority was upheld.

5 Policy Context

5.2 Development Plan

South Dublin County Development Plan 2022-2028

Chapter 4- Green Infrastructure

Policy GI1: Which seeks to protect, enhance and further develop a multifunctional GI network, using an ecosystem services approach, protecting, enhancing and further developing the identified interconnected network of parks, open spaces, natural features, protected areas, and rivers and streams.

Objective 4: which requires development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use.

Policy GI2: Which seeks to strengthen the existing Green Infrastructure (GI) network and ensure all new developments contribute towards GI.

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

Policy G13: Which seeks to Protect and enhance the natural, historical, amenity and biodiversity value of the County's watercourses.

Policy G14: Which seeks to require the provision of Sustainable Drainage Systems (SuDS) in the County and maximise the amenity and biodiversity value of these systems.

Objective 4: which seeks to limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions.

Policy GI5: Which seeks to strengthen the County's GI in both urban and rural areas to improve resilience against future shocks and disruptions arising from a changing climate.

Chapter 5 Quality Design and Healthy Placemaking

Policy QDP1: which seeks to support the development of successful and sustainable neighbourhoods that are connected to and provide for a range of local services and facilities.

Policy QDP7: Which seeks to promote and facilitate development which incorporates exemplary standards of high-quality, sustainable and inclusive urban design, urban form and architecture.

Objectives 5-7 which relate to Street width and height

Objectives 8-12 which relate to Adaptability and Inclusivity

Policy QDP8: which seeks to adhere to the requirements set out in the Urban Development and Building Height Guidelines (2018) issued by the DHLGH

Policy QDP11: which seeks to promote high-quality building finishes that are appropriate to context, durable and adhere to the principles of sustainability and energy efficiency.

Chapter 6 Housing

Policy H7: which seeks to promote high quality design and layout in new residential developments to ensure a high-quality living environment for residents, in terms of the standard of individual dwelling units and the overall layout and appearance of the development.

Objective 1: which seeks to promote a high quality of design and layout in new residential development and to ensure a high-quality living environment for residents, in terms of the standard of individual dwelling units and the overall layout and appearance of the development.

Objective 3: which seeks to support the principle of permeability schemes that provide improved connections between housing estates and their surrounds for walking and cycling.

Policy H8: which seeks to ensure that all residential development is served by a clear hierarchy and network of high quality public open spaces that provide for active and passive recreation.

Objectives 1-3 which relate to the quantitative, qualitative, definition and recreation value of open spaces.

Policy H9: which seeks to ensure that all dwellings have access to high quality private open space and semi-private open space.

Policy H10: which seeks to ensure that all new housing provides a high standard of accommodation that is flexible and adaptable, to meet the long-term needs of a variety of household types and sizes.

Policy H11: which seeks to promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing.

Policy H13: which seeks to promote and support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County.

Objective 5 which seeks to ensure that new development in established areas does not unduly impact on the amenities or character of an area.

Chapter 7 Sustainable Movement

Policy SM1 which seeks to Promote ease of movement within, and access to South Dublin County, by integrating sustainable land-use planning with a high-quality sustainable transport and movement network for people and goods.

Policy SM2 which seeks to re-balance movement priorities towards sustainable modes of travel by prioritising the development of walking and cycling facilities and encouraging a shift to active travel for people of all ages and abilities, in line with the County targets.

Policy SM7 which seeks to implement a balanced approach to the provision of car parking with the aim of using parking as a demand management measure to promote a transition towards more sustainable forms of transportation, while meeting the needs of businesses and communities.

Objectives 1 which seeks to implement maximum car parking standards for a range of land-use types, where provision is based on the level of public transport accessibility.

Chapter 8 Community Infrastructure and Open Space

Policy COS5 which seeks to provide a well-connected, inclusive and integrated public open space network through a multi-functional high-quality open space hierarchy that is accessible to all who live, work and visit the County.

Objective 7 which seeks to require at the sole discretion of the Planning Authority a pro rata contribution in lieu of provision of public open space where, due to the small size, configuration or location of a particular development or on sites with less than three units it is not possible to provide functional public open space on site.

Chapter 10 Energy

Policy E3 objective 2 which seeks to prioritise the retrofitting of buildings over demolition and reconstruction where possible to reduce the large quantities of embodied carbon energy generated from building materials when building from the ground up.

Chapter 11 Infrastructure and Environmental Services

Policy IE2 which seeks to ensure that that water supply and wastewater infrastructure is sufficient to meet the growing needs of the population.

Policy IE3: which seeks to manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Policy IE4: which seeks to ensure the continued incorporation of Flood Risk Management into the spatial planning of the County, to meet the requirements of the EU Floods Directive and the EU Water Framework Directive and to promote a climate resilient County.

Policy IE7: which seeks to implement European Union, National and Regional waste and related environmental policy, legislation, guidance and codes of practice to improve management of material resources and wastes.

Policy IE8: which seeks to take appropriate steps to reduce the effects of air, noise and light pollution on environmental quality and residential amenity in line with European, National and Regional policy and legislation.

Chapter 12: Implementation and Monitoring

- 12.3.1 Appropriate Assessment
- 12.3.2 Ecological Protection
- 12.3.3 Environmental Impact Assessment
- 12.3.7 Protected Structures
- 12.3.8 Architectural Conservation Areas
- 12.4.2 Green Infrastructure and Development Management
- 12.5.1 Universal Design
- 12.5.2 Design Considerations and Statements
- 12.5.3 Density and Building Heights
- 12.5.4 Public Realm: (At the Site Level)
- 12.6.7 Residential Standards
- 12.6.8 Residential Consolidation
- 12.6.10 Public Open Space
- 12.7.4 Car Parking Standards
- 12.7.6 Car Parking Design and Layout
- 12.10.1 Energy Performance in New Buildings
- 12.11.1 Water Management
- 12.11.3 Waste Management
- 12.11.4 Environmental Hazard Management

5.2 Section 28 Ministerial Guidelines

National Planning Framework - Project Ireland 2040-updated in April 2025 sets out the focus on pursuing a compact growth policy at national, regional, and local level. From an urban perspective the aim is to deliver a greater proportion of residential

development within existing built-up areas; to facilitate infill development and enable greater densities to be achieved, whilst achieving high quality and design standards.

Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (January 2024). These Guidelines set national planning policy and guidance in relation to the planning and development of urban and rural settlements, with a focus on sustainable residential development and the creation of compact settlements.

Sustainable Urban Housing: Design Standards for New Apartments, (2025) These guidelines were originally issued in 2018 and were updated in 2023 and 2025.

Quality Housing for Sustainable Communities (2007) These guidelines identify principles and criteria that are important in the design of housing and to highlight specific design features, requirements and standards that have been found, from experience, to be particularly relevant.

5.3 Other relevant guidance

Nature-based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas Water Sensitive Urban Design Best Practice Interim Guidance Document

This document shows how to move towards a more systematic and sustainable approach to urban planning and design that seeks to mimic the natural water balance of rural areas through “water sensitive urban design”.

Greater Dublin Strategic Drainage Study Volume 2 March 2005

This document is concerned with identification of similar approaches for the Local Authorities to adopt as to how drainage infrastructure for new development is managed.

Greater Dublin Regional Code of Practice for Drainage Works Volume 6 April 2006

While the Greater Dublin Strategic Drainage Study Volume 2 policies remain the overriding documents, this Regional Code of Practice for Drainage Works sets out the requirements of the Local Authorities in a more concise format for day-to-day use.

5.4 Natural Heritage Designations

5.4.1 The subject site is not located within or adjacent to a European Site. The nearest designated sites are

- Rye Water Valley/Cartron SAC (Site Code: 001398) 2.7km N/W

5.4.2 In addition to this, the Liffey Valley (Site Code 000128) pNHA is located c. 363m to the north of the site.

5.4.3 A screening exercise for Appropriate Assessment will be undertaken in Section 8 and Appendix 2 below.

5.5 EIA Screening

5.5.1 See completed Form 2 attached by way of appendix to this report. Having regard to the nature, size, and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations, I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required. A screening exercise will be undertaken in Appendix 3 below.

5.6 Water Framework Directive

5.6.1 The purpose of the EU Water Framework Directive is an initiative aimed at improving water quality throughout the European Union. The Directive was adopted in 2000 and requires governments to take a new approach to managing all their waters; rivers, canals, lakes, reservoirs, groundwater, protected areas (including wetlands and other water dependent ecosystems), estuaries (transitional) and coastal waters.

6.6.2 An Coimisiún Pleanála and other statutory authorities cannot grant development consent where a proposed development would give rise to a deterioration in water quality.

6.6.3 The appeal site is located c. 180m to the west of the River Liffey_070 River Waterbody IE_EA_09L012100. This waterbody is classified as at-risk ecological status in proximity to this appeal site. This is illustrated on the EPA mapping (<https://gis.epa.ie/EPAMaps/agriculture>).

6.6.4 I have assessed the application for the construction of a residential development for which permission is sought and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. 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.

6 The Appeal

6.1 Grounds of Appeal

First party appeal

6.1.1 A first party appeal against the inclusion of conditions 2 and 4(a) in the decision to grant planning permission for the development has been received from Declan Brassil + Company on behalf of the applicant. In addition to this, the first party also seeks to amend the wording of Condition 3. Condition 2 seeks to amend the development to omit houses 9-20 and the area replaced with an area of public open space. Reason No.4(a) seeks to omit units No's 9 and 10 from the development to provide for an increased area of open space. Condition 3 seeks to restrict the total number of permitted residential units to 85. The grounds of appeal are summarised as follows:

Condition 2

- The layout has been amended at RFI stage to replace housing units along the eastern boundary with a Duplex block to appropriately retain the hedgerow as a north-south green infrastructure corridor.
- The hedgerow on the western boundary is significantly compromised and is of limited biodiversity and landscape value.
- Revised plans provide for the retention of the western boundary to the rear of units 1-10 protected by a mesh fence to maximise amenity and to facilitate a green infrastructure corridor north-south to the existing public open space to the west.

- With regard to the boundary treatments to the rear of units 11-20, there is no hedgerow on this section of the site. There are a number of mature trees interspersed along the stone boundary wall.
- To the rear of 11 to 14 there are 3 No. western Red Cypress and 1 no. Lawson Cypress all category B (Nos. 239-243). To the rear of Units 19 and 20 are a Hiba Tree (Category A (No.234), a Sycamore (Category B (No.236) an Apple Tree (Category A (No.238). The Chief Executive Report suggest that an alternative unit typology could be considered in a future application on the site. Given the height, spread and condition of the Western Red Cypress in particular that there is insufficient space to provide for an alternative unit typology such as an apartment or duplex block at this location if those trees were retained.
- An appropriate and sustainability level of density, consistent with national and county policy cannot be reasonably achieved on the site if these trees are to be retained.
- As such Condition 2 is considered to be unreasonable and onerous and should be omitted.
- Given the urban context of the site within an area characterised by significant and mature planting and green infrastructure, it is submitted that the proposed development has achieved an appropriate balance between green infrastructure and sustainable urban development.

Condition No. 4(a)

- Condition No. 4(a) requires the omission of Units 9 and 10 to provide for increased open space around the pedestrian access from the subject site to the existing public open space to the west of the site.
- This omission cannot be substantiated for the reasons stated in Condition 2, addressed above. The omission of those units to increase open space and in the interests of visual and residential amenities cannot be substantiated and is unreasonable and onerous.
- It will decrease density and significantly increase the provision of public open space. The development provides 3,026.5m² of public open space, which represents 13.95% of the overall site. Omitting Units 9 and 10 increases open space provision to 17%.

- The pedestrian link provides a direct access from the principal open space within the proposed development to a significant public open space to the west. There is no deficit of public open space.
- The omission of the units is contrary to national policy.
- The site is classified as a 'City-Suburban / Urban Extension where the density range is 40 dph to 80dph. The density of the proposed development is 44.7 units per hectare.
- Lucan is a level 1-Existing Urban Centre with an average density of 40-50 units per hectare.
- Omitting 12 No.4-bedroom houses would decrease development to 40 units per hectare which is not consistent with national and county policy.
- The omission of units is contrary to current national housing delivery policy mandates.
- Reducing the number of houses by omitting 32% of the proposed house units will affect the viability of the overall scheme.
- The proposed layout has achieved an appropriate balance between providing a 'link space' between two significant amenity spaces and protecting the amenity of properties addressing this space.

Condition 3

- Should the Coimisiún decide to omit one or both of the above conditions it is requested that Condition 3 be amended to reflect the number of units permitted, in the interest of clarity.
- The buildings proposed to be demolished are of no architectural or cultural importance and the western hedgerow is of little biodiversity value and their removal will allow for sustainable, well designed and compact residential development.

6.3 Planning Authority response to first party appeal

6.3.1 A response from the Planning Authority dated 29/1/26 has been received. The response states that the Planning Authority confirms its decision and that the issues raised in the appeal have been covered in the Chief Executives Order.

6.4 Third Party Appeal

6.4.1 A third-party appeal against the decision of South Dublin County Council to grant planning permission has been received from Robin Hall, Natalia Kublova, Breeda & Jan Pieter de Vries and the Ardeevin Residents Association. The grounds of appeal can be summarised as follows:

Desmond Rooney on behalf of Robin Hall

- Overdevelopment of an infill site. The proposed development would be unsympathetic to the character of the area including Primrose Lane and Primrose Hill House and gardens.
- Relatively high density in contrast to existing residences on Primrose Lane. Harsh transition between apartments and historically interesting stone curved boundary wall.
- It would be difficult to maintain the grounds of Primrose Hill House as the niche tourist attraction.
- There is little open space for a likely population of 300 people.
- Concerns relating to anti-social behaviour. Will Primrose Hill House fall victim to security concerns.
- Questions relating to the ability of the site to achieve SuDS at the density proposed.
- Surface water drainage runs north toward Primrose Lane. During heavy rainwater flows on the paved surface of Primrose Lane.
- Local observation and experience demonstrate that the proposed development is too intense to achieve effective SuDS for the site.
- Proposal could cause ponding at private property where the levels are below Primrose Lane.
- Location substantial soakage close to the boundary with adjoining premises is unreasonable.
- The existing drainage path is not sufficiently controlled to add flows of any frequency. Reducing the site coverage would increase the opportunity to mitigate within the site.

- Section 7 of the Kilgallen Report indicates that a traffic management plan will need to be in place prior to construction, this approach excludes from consultation on the most important aspect of the proposed development.
- Primrose Lane is a narrow lane with primitive paving and poor visibility at the Leixlip Road junction.
- Trucks of all kinds temporarily close the lane; even badly parked cars can close the lane.
- Residents want to hear that there would be no construction related vehicles using Primrose Lane and that would be controlled by signage at the bottom and a physical barrier at the top of Primrose Lane.
- The historically interesting, curved wall to the SW of the house is part of the curtilage of the house and consequently is protected. There are significant works proposed adjacent to the wall, notably changes in ground walls and surface water retention structures.
- The boundary to the SE of the proposed development has various treatments proposed. The hedge / tree line boundary will be retained throughout; the retention of this boundary is of critical importance to the adjoining landowner.
- There appears to be a lot of 'prior to commencement' conditions in the Council's grant, this dilutes the public consultation. A residential development comparable to Ardeevin would likely work well at this location.

Natalia Kublova

- There is no footpath or segregated pedestrian route between the on-plot parking area serving No. 13 Ardeevin Manor) and the dwelling house, no access from the existing public pedestrian path to this property.
- Pedestrians must walk within a public driveway which is proposed as the only access for development SD24A/290W including at or near a curved section of road where visibility is constrained. This is a permanent, as-built condition, not a temporary arrangement.

- This creates an unavoidable pedestrian-vehicle conflict as part of the normal, day-to-day use of the property which will be exacerbated by the new development further.
- This arrangement conflicts with the intent of Part M-Building Regulations (Building Regulations 2022- Technical Guidance Document M, Regulation M1, M2 (Access and Use) which requires that buildings be accessible and useable and that an accessible route be provided from a car-parking space to a dwelling entrance.
- In the case of No. 13 Ardeevin Manor no such access or segregated access route exists, and pedestrians are required to walk within the estate carriageway.
- It is also inconsistent with DMURS which prioritises pedestrian in residential environments.
- None of the houses in the proposed development or existing Ardeevin have such issues with safe pedestrian access to the front door. The approval of this development multiplies the safety risks for our family dramatically is against DMURS, Part M principles and likely to serve as a precedent for future legal actions as our basic homeowner rights are affected.
- The Planning Authority has not sufficiently addressed this existing pedestrian safety risk, particularly considering additional traffic movements (at the road bend). This issue was highlighted in the initial objection to this development, in enforcement and a request sent to SDCC Roads Department.
- From a review of the original and revised drawings it appears changes introduced at Further Information stage are limited and localised. The drawings seem to introduce a modest adjustment to the kerb radius at the site entrance. The overall road alignment, access arrangement and relationship with the existing Ardeevin Manor estate do not appear to have changed.
- It is unclear whether changes address the full range of everyday manoeuvres and real-world conditions experienced at this location. The revised drawings focus primarily on a vehicle exiting the parking space in a forward direction.
- The information provided does not appear to assess visibility or collision risk for vehicles approaching the site entrance from with Ardeevin Manor.

- It is not evident from the revised drawings how safe visibility would be achieved when vehicles are required to reverse out of the in-curtilage private parking space.
- Given the constrained nature of this bottleneck location any incident at this point would likely block the road entirely., temporarily preventing access for many residents, service or emergency vehicles. This concern is not theoretical.
- While revised drawings have been provided it does not appear that the visibility and manoeuvring risks identified in the Road Safety Audit have been comprehensively evaluated for all realistic traffic movements.
- The permitted development will substantially extend the Ardeevin estate to in excess of 200 dwellings all reliant on a single access route, the existing estate already accommodates a high level of private car ownership, and the additional residential units will inevitably result in a significant increase in vehicular movements, as well as associated service, delivery, visitor and childcare-related traffic.
- The increase must be considered in the context of existing and cumulative traffic pressures in Lucan including ongoing developments in proximity to Lucan.
- Both letters from TII clearly reject the idea of the new development due to the impact on the national roads network.
- The applicants traffic report was undertaken in summer school holidays and June Bank Holiday weekend and does not show the real situation.
- While the existing estate road widths may meet minimum design standards, the reality of evening and overnight on street parking significantly reduces effective carriageway width.
- The planning assessment does not demonstrate how increased traffic, on-street parking, cyclists (without designated paths), pedestrians and emergency vehicles will safely coexist within a single-access residential layout serving over 200 dwellings.
- Older population will see the introduction of greater numbers of cyclists and emerging micromobility users on a single entry / exit, shared road, will intensify

day-to-day safety risks for older residents. This is not in line with current SDCC development plan strategy 2022-2028.

- Sitting room 70cm from the public road that will be used by construction machinery, HGV's and delivery trucks.
- Approximately 100 additional cars from the new dwellings plus traffic associated with the childcare facility will conduct their daily commute beneath our front window. This volume of vehicles in sustained noise, idling emissions and reduced residential amenity and will devalue our property and raises concerns for health, wellbeing and indoor air quality.
- Neither the developer nor SDCC have addressed these concerns. No air / noise modelling has examined effects on existing dwelling.
- No proposal for alternative routing, phasing, screening or attenuation has been made. Noise monitoring survey concentrates on the new development site only and does not mention the effect of the development on existing residents.
- Before any decision is made a proper on-site assessment should be undertaken by the planning authority instead of desk revisions. Without this, the application fails to demonstrate that the development protects the amenity and health of existing households as required by good planning practice.
- There remain unresolved overlooking issues between our existing house and the newly proposed units adjoining out rear boundary.
- The submitted drawings indicate a separation distance of 14.6m which cannot be considered adequate for a 4/5-bed family houses of this scale.
- The boundary treatment proposed by the developer is a mesh fence which is not permanent, can be removed and does not prevent overlooking or protect privacy.
- There are no tree protection orders or any other conditions in the approved application that do not allow a permanent concrete boundary wall in the gardens of houses backing onto ours. This should be requested for the builder as one of the conditions to resolve any potential argument with privacy of adjoining gardens.

- The proposed houses are 10.3m tall with only 14.6m between dwellings, this scale will cause meaningful overshadowing at different times of the year and significantly reducing sunlight to our garden. This impact is relevant under the BRE Guidelines 'Site Layout Planning for Daylight and Sunlight.
- A non-residential dwelling at our property is being prepared for solar panel installation so maintain existing sunlight is critical.
- The proposed 2m wide hedge restoration lacks clarity on where the measurement begins, creates uncertainty whether it encroaches onto our land.
- There discrepancies were raised yet nether SDCC nor the developer addressed them in further information or any documentation so far.
- These are material to residential amenity, solar access and property rights and warrant proper assessment and clarification before any approval is granted.
- It is not suggested that development should not occur, but it is submitted that the information before the Planning Authority was insufficient to property assess and to find alternative solutions.

Breda and Jan Pieter de Vires

- Disappointing the due process seems to have been undertaken in 'name only' by SDCC and the substantive points made by residents have not been addressed by SDCC. Deeply unsatisfactory that the voices of objectors have been pretty much ignored.
- Lack of consideration of any points raised by the statutory bodies. The Water Service and Parks and Public Realm Sections both recommended refusal of the proposed development.
- Lack of consideration of management of traffic and indeed the management of materials / transportation in and out of materials for the building phase has not been adequately considered or ant discussions taken place with residents.
- The land was rezoned without proper consideration with the local councillors at that time or with adequate public consultation.
- There are potential of further development proposed on further adjacent lands. Cumulative impacts of any potential developments as this are not an isolated

development. The cumulative impacts should be considered not just in respect of our community in isolation but also to the wider impact on the residents in Primrose Lane and to the adjacent village also.

- The further information was not notified to the public. The Coimisiún is requested to consider 50+ additional documents should constitute 'significant additional data' for the purposes of the PDA 2000 and whether future public notice is required in these circumstances.
- The revised plans submitted by the applicant to SDCC may prejudice rights of public participation in relation to the planning application for the proposed development, as the revisions made by the Applicant have consequently altered the potential impact that the proposed development may have on neighbouring lands, including Ardeevin Avenue, Ardeevin Court and Ardeevin Manor.
- The proposed creche has been relocated to the opposite side of the proposed development. The result of this change is that the ability of the residents of Ardeevin to make observations which capture the extent of traffic impact in their observations is prejudiced as there will be likely further adverse impact on traffic in Ardeevin Manor and Ardeevin Avenue.
- The creche is positioned in the wrong place and will undoubtedly lead to traffic congestion.
- The discovery of the bat species in the Lucan Centre buildings and surrounds as outlined in the Habitat Directive Screening Report is extremely concerning.
- Inadequate assessment by the applicant regarding potential impacts of the proposed development on wildlife habitats. No chance for the public to engage or make observations in respect of the adverse impact the demolition of Lucan Centre would have on the protected bat species.
- Unknowns outstanding and don't appear to have been adequately addressed by the developer with many conditions noted 'prior to commencement'
- Lucan has experienced vegetation loss and further loss in this context is unacceptable in this context. Whilst the removal of some houses to ensure

some of the hedgerows and biodiversity corridors / green infrastructure are protected is welcomed, it does not go far enough.

- The majority of open space consists of small corners and not adequate for recreational activity.
- The proposed detention basin beside Block B would necessitate large rocks to be placed on the land posing a safety risk to young children seeking to use this open space for recreational activities. The applicant has conceded that the detention basin will be filled with water during rainfall, posing additional safety risks and posing questions as to whether this open space will be useable for any sort of recreational activity by residents.
- The use of the green area on Ardeevin Court is to try and alleviate the inadequacy of useable green areas in the proposed development which has been placed in an ad hoc manner.
- The north-western and north-eastern boundaries of the site are not just buffers they constitute a strategic green infrastructure link between the proposed development and the existing public open space that stretches from Ardeevin Court to Vessey Park.
- This is an extremely high risk that the proposed development would sever this essential green corridor. This would be problematic outcome as there is evidence of badger activity on site with the likely entry from the adjoining lands to the northwest.
- There is strict legal protection for bats under both Irish and EU law. The building to be demolished where bats were found is protected under the wildlife act and cannot be demolished, altered or disturbed without a specific license and a derogation license from NPWS would be required for any works that might affect the bat roost.
- The planning file does not show robust AA screening or evidence that no significant impact will result.
- Permission should be refused until a valid NPWS derogation license is obtained and successful AA screening is demonstrated.

- The Ecological Impact Assessment found evidence of badgers on the proposed site, however the report states that there are no setts were found and that badgers likely come from the east of the site for feeding. This is incorrect, the badgers are coming from the north-west.
- Badgers have been spotted by residents over the past number of years in the land to the north-west of the site. It is likely that badgers have fed and foraged in the old 'Rath Field' (now Ardeevin Manor) as well as the proposed development site at Primrose Lane. Now that Ardeevin Manor is built the badgers are limited to the proposed development, not just for feeding but also for wider access to the network of green infrastructure leading to the Griffeen River. The proposed development would completely sever this link and prevent badgers from feeding and from accessing the green lands beyond Primrose Lane, including Vessey Park.
- Badgers and their sets are protected by the provisions of the Wildlife Act 1976 and the subsequent Wildlife Amendment Act 2000-making it an offence to intentionally kill or injure a protected species or to wilfully interfere with or destroy the breeding site or resting place of a protected wild animal. The Ecology report is inadequate as the impacts of the development would have on the badger population in the area was not assessed, nor were there any mitigation measures outlined.
- No Environmental Impact Assessment Screening report has been produced.
- The construction may cause adverse impacts on the hedgehog mammal species which is protected under the Wildlife Act 1976 and the subsequent Wildlife Amendment Act 2000. The Ecological report conceded that that the species is 'expected on site'
- The status of hedgehog has been recently downgraded from 'least concerned' to 'near threatened' in the EU due to human expansion. The impact of the proposed development on this species has not been adequately addressed in the Ecological report.
- The bird survey was conducted at an unsatisfactory time of year, so we question the adequacy and reliability of this survey, given the proximity to the protected sites of the Liffey River and the Griffeen River where protected

species are known to live. It is possible that protected birds could make use of the trees on the land for breeding.

- The pygmy shrew is a protected mammal species under the Wildlife Act 1976 and the subsequent Wildlife Amendment Act 2000. The Ecological report conceded that the species is 'expected on site' but subsequently fails to adequately address the impact the proposed development would have on this species, nor does it outline any mitigation measures.
- The felling of large mature trees may expose habitats to sunlight, impacting potential habitats on the land of Primrose Hill House. The mitigation measures suggested to address this risk is inadequate, given the number of trees which are required to be removed.
- Contaminated surface water on land could enter local drains and flow to the River Liffey as conceded in the Ecological report. This could have harmful effects on aquatic life, including fish in the river Liffey, at the Lucan Demesne which forms part of the Liffey Valley pNHA. The ecologist warns of potential significant impacts to the Liffey and then appears to subsequently contradict this by saying that 'there is no potential for direct impact on the Liffey'
- The volume of development in the wider Lucan area, such as Adamstown has certainly negatively impacted and irreversibly changed the natural wildlife in Lucan. In this context, allowing for further negative impact by isolated / haphazard over-development must be carefully considered by the Council. It is therefore submitted that the retention of this land and green space is necessary for the protection of all local wildlife. It is imperative that an Appropriate Assessment be conducted under the Habitats Directive given the site's proximity to the Liffey Special Area of Conservation.
- The SDCC decision relies on conditions to retrofit EV charging and address visibility issues rather than demanding this at application stage.
- The Roads Department identified unresolved safety concerns (visibility splays, overspill parking risk) and required a Mobility Management Plan.

- This approach fails the performance-based standard envisaged by NPO 13 and the development should be refused or a revised design that meets NPO 13 performance criteria.
- The proposed creche is provided with bicycle parking only, without any designated car parking for staff. The case will be left either in the new development or existing Ardeevin, causing obstruction.
- The Roads Department expressed concern in relation to potential overspill parking in Ardeevin Avenue, it is unclear why the requirement to prepare a Mobility Management Plan was not incorporated into the conditions for grant of planning permission.
- It is also not clear why the applicant is being permitted to retrospectively explain their plans for mobility management and parking in respect of the proposed development. This may prejudice rights of public participation
- By granting permission without resolving overspill parking and visibility risks, the decision undermines the Development Plan's commitment to safe, sustainable movements.
- The proposed development will significantly impact traffic and parking within Ardeevin, exacerbating an already growing issue, since the development of Ardeevin Manor, to the point where the immediate health and safety concerns due to unsafe parking, in particular, along Ardeevin Manor, Avenue and Court.
- The proposal would double the number of houses, however the parking provision of parking, for both residents of the proposed development and for visitors to the proposed development is completely inadequate. The provision of 101 spaces for 97 dwellings in addition to a creche is completely untenable.
- The creche does not appear to include a drop off / pick up area and so seems completely inadequate and in contravention of COS7 Objective 5). The proposed creche is a primary and immediate concerns for Ardeevin residents as it will result in the existing older estate of Ardeevin becoming a car park for the overflow cars / trucks.

- Since Ardeevin Manor has been built, there has been continued additional overflow parking along Ardeevin Avenue and Ardeevin Court already as there is no on street parking available or any provision for guest parking.
- There has been an uptick in parking at the mouth of Ardeevin and Tandy's lane, with people effectively parking there and using parkin and ride to access buses on the N4 road and the village.
- The concept of inadequate parking as unacceptable was seen in the recent refusal for planning for apartments at the Ball Alley Pub, noting that inadequate parking would cause an adverse impact in Ardeevin for residents.
- The capacity of busses in the area is completely inadequate.
- Standalone bike stores are likely to attract anti-social behaviour and there is inadequate bicycle lane infrastructure in Lucan.
- A number of challenging items acknowledged by SDCC on pages 61, 64 and 65 and therefore difficult to understand how a decision to proceed has been allowed.
- The proposal would add up to 200+ additional cars worsening congestion onto the Lucan / Leixlip Road and through Lucan Village. This single access point is unsustainable.
- The traffic survey was undertaken over a seven-day period between Tuesday 27th May and Monday 2nd June 2025, this included the June Bank Holiday Weekend and all third, fourth and sixth years of secondary school had already broken up and the remaining years were in 'finishing mode' for summer which usually has significant impact on traffic.
- The assessment also suggests that during the development stage there would be an average of 6.9 HGV trips per day will be generated. This does not represent our lived experience for the last 10 months of the year, as our local representative can attest to.
- The appeal shows a google maps traffic map from 29th January 2025 at 9.28 which is more representative of the traffic situation than the applicants traffic report.

- This junction is already bust and dangerous when trying to access the Lucan / Leixlip Road., in addition sharp bends on Ardeevin Avenue and Ardeevin Manor are also quite dangerous.
- A significant increase in peak traffic has occurred in the last 3 years with much of the Adamstown / Shackelton northbound traffic passing through the village and leaving it difficult to exit Ardeevin Estate and as the busses are full it is not practical to use public transport.
- The traffic assessment should also cover parking at various points in the day and the through traffic through the estate, given the sharp bends. These bends are quite dangerous and were not built to accommodate anything more than the original 90+ houses Ardeevin Manor similarly has three sharp bends and is a narrower road.
- There is an ageing population in Ardeevin, including a nursing home that will be housing 70 plus residents. It is likely that the introduction of a cycle lane through Primrose Lane will actually encourage Ardeevin being used as a rat run through the estate.
- The applicant has engaged with Uisce Eireann via a Pre-Connection Enquiry and that a confirmation of feasibility has been issued. There are serious concerns in relation to both water supply and wastewater management given that there are already a number of pinch points in the existing estate in an area which is already at capacity.
- Further upgrade works proposed to the wastewater supply system will cause further disruption and exacerbate the ongoing impact of proposed construction through a single point of entry. Refusal was recommended by Uisce Eireann on page 66 and 42 of the SDCC decision.
- Prior to the recommendation of refusal, Uisce Eireann had recommended that the existing pipes would need to be upgraded to a 220mm sewer. There is no assessment of the adequacy of the existing piping in Ardeevin Manor which is 160mm and 65 years old with continuing ongoing problems experienced by neighbours.

- Any additional upgrade works would adversely impact neighbours who are already significantly impacted by noise pollution. Existing homes on Ardeevin Manor backing the N4 are all above acceptable European noise limits and this will be exacerbated with the addition of 200 homes plus cars together with visitors, creche workers, delivery vans etc.
- Lucan Village is a low-density suburban neighbourhood. The development proposes 4 storeys apartments, which would be low-rise, high-density. The high-density nature of the proposed development, by reason of its overall design, form and layout, and its scale and height, would materially detract from the character of the Ardeevin estate, as well as the built heritage of Lucan Village and its well-established surrounding neighbourhoods.
- There are no other apartment buildings in the long-established Ardeevin estate, the proposed development is not in keeping with the character and style of the current housing estate and built heritage value of the area and would be contrary to the proper planning and sustainable development of the area.
- Any review of the development should ensure alignment with the current surroundings to avoid the proposed development negatively impacting on the current estate.
- There is already a sufficient housing mix with respect to semi-detached, detached and bungalow style housing in the estate-apartments are unnecessary for the promotion of this objective.
- This kind of high-density development is not suited to the old location style of Ardeevin and Lucan Village with its protected structures and heritage with apartments particularly a departure from precedent.
- This type of high-density development is better suited areas which have the potential to build the infrastructure such as Adamstown.
- Many of the new apartments in developments in the area are being bought for rental income, increasing a transient and more transactional community by default which is not in keeping with the community spirit which has been cultivated and protected within Ardeevin.

- The wider Lucan area has one of the highest volumes of new developments in the entire country, which continues to expand, particularly in the Adamstown area and the area around Ardeevin has seen significant development, the addition of the proposed development would be an overdevelopment of the area.
- An Archaeological Impact Assessment is welcomed as a condition. There was a failure by the Archaeological Assessment to adequately assess the fact that the pond was historically situated to the north-west of the land.
- Primrose Hill House is a protected structure adjoining the land, with the icehouse an additional protected structure nearby. Block A is extremely close to the boundary of Primrose Hill House. The architectural impact assessment concedes that the development is near the protected structure but notes that the proposal would not detract from the special character or obstruct principals to and from the Protected Structure. The only thing preventing a significant adverse impact on this view is the mature trees and foliage.
- It is unclear whether the 'screening' described in the architectural assessment will continue to sufficiently screen the views to and from the protected structure, given the significant volume of trees planned for removal in the application. Therefore, the apartment block would inevitably, over time, obstruct views to and from the Protected Structure, contrary to Policy NCBH19 Objectives 1 and 2.
- The proposed development is also close to the Architectural Conservation Area (Lucan Village Historic Core) The proposed pedestrian access from Lucan Village through Primrose Hill Lane to the appeal site whereby locals and tourists would go from the historic centre of Lucan to be met by a high-density apartment block. This would detract from the character and built heritage of the area.
- Objective NCBH22 Objective 1 aims to ensure that development within the county seeks to retain, refurbish and incorporate historic items and features of interest. The old stone walls in Lucan are a historic feature of interest and significantly contribute to the character and built heritage of Ardeevin and Primrose Lane.

- Remedial works of the nearby old stone walls adjoining the lands of the old Italian Ambassador's Residence (Lucan House) serves as an example of the fragile structural nature of these walls.

Marston Planning on behalf of Ardeevin Residents Association

- The reduction of the proposed development from 97 No. to 85 No. residential units does not materially impact the concerns of objectors in terms of overdevelopment and impact on the environment that the application if permitted would have.
- The applicant has failed to take the correct approach to the overall design, layout and scale of development within its local context and therefore is contrary to the policies and objectives of the South Dublin County Development Plan 2022-2028 and should be refused.
- The design approach taken, in removing almost all the green infrastructure on site and in pushing a significant level of additional traffic through Ardeevin estate, where there are already significant constraints in terms of access and the proposed development would lead to significant overspill parking would be contrary to the proposer planning and sustainable development of the area.
- The subject site is not an appropriate location for the density and layout proposed, which is reflected in the protracted planning process and failure of the applicant to address the valid concerns of the Council.
- The proposed development would be injurious to existing residential amenity of adjoining residential developments (including those adjoining the subject site) and lacks adequate access to high frequency to public transport modes and must therefore be refused.
- There are concerns regarding the height and form of Block D and its elevational treatment. There are also major concerns in terms of access, transportation and parking.
- The development would be served by an inadequate number of car parking spaces with 89 proposed with none provided for the creche which is significantly below the maximum allowable under Section 12.7.4 and Table 12.26 of the County Development Plan and is contrary to SPPR 3 of the Compact

Settlement Guidelines. The site is over 500m from the nearest bus stop on the N4 and must be considered an intermediate location. The Council has failed to implement the guidelines.

- A significantly greater level of through traffic would be generated by the proposed development than has been assessed and therefore any conclusions of the transportation impact assessments must be reconsidered. The real number of car parking spaces using the site would be significantly above the maximum allowable and the proposed 89 parking spaces would lead to significant overspill parking within the Ardeevin estate.
- Only surface car parking is proposed that is located on both sides of the internal road in places, but most notably adjacent to Block A and B. This layout would therefore conflict with Section 4.4.9 of DMURS.
- The presence of on-street parking on both sides of the internal roads leads to a car dominated development. This will not promote or encourage residents to travel by alternative modes of transport. This is compounded by the edge of city location and the lack of local services within walking distance and the capacity of bus services within reasonable walking distance.
- The proposal and surrounding development rely on a single access that is already oversubscribed this is leading to piecemeal overdevelopment of the area, that can only be served by a single vehicular access through our client's estate.
- The applicant has failed to provide adequate evidence that there is sufficient capacity on the public transport network to absorb not only this but other applications within the planning process, or that have been permitted.
- Parking as indicated under the application is based on ill-founded assertions and will result in spill over parking in adjacent residential areas including the entire Ardeevin estate that will result in a serious traffic hazard, which will be compounded by the proposed creche and cul-de-sac location.
- The poor quality of the car parking layout will decrease further the quality of the proposed amenity areas, most of which have no amenity value at all.

- The proposal will result in negative impacts within the existing, immediate and wider road network. This is reflected in the Road Safety Audit submitted with the application that indicated several concerns but fails to address obvious and clear concerns that any increase in levels of car-based traffic would have on the Ardeevin estate and Leixlip Road junction.
- The TII raised a number of concerns in their August submission and stated that these concerns remained in their December 2025 submission.
- Traffic survey undertaken between the 27th May and 2nd June when school traffic was significantly less. The robustness of these figures is questioned including insufficient data has been submitted to demonstrate that the proposed development will not have a detrimental impact on the capacity, safety or operational efficiency of the national road network, failed to mitigate the future residents residential amenity as a result of the close proximity to the N4 and concerns that drainage from the site might impinge on the national road network.
- The development fails to achieve the correct balance between encouraging non-car-based travel and residential density. Significant weight has been given to the need to balance higher density with capacity on public transport. Other developments in the area need to be considered in a cumulative manner in relation to public transport and its capacity to serve an area. Merley by the location of the site within walking distance of a bus stop does not mean there is capacity on those services to warrant a modal shift from car to other means.
- The nearest bus stop serving the city centre is located c. 600m away from the nearest house within the proposed development. There is only one pedestrian crossing to the west of Primrose Lane.
- If public transport is oversubscribed, then this will lead to residents continuing to use their cars and an overspill of car parking within the Ardeevin estate. The decision by Justice Holland in the High Court relating to an adjacent SHD concluded that public transport capacity is an intensely practical issue.
- The judgement states that Section 3.2 of the Building Height Guidelines sets public transport capacity as its very first criterion and that capacity and frequency are distinct concepts. Such unreliability of getting onto a bus is a

recipe for car dependency- a considerable concern of South Dublin County Council and Government Policy.

- The access through Ardeevin Manor is substandard with no connecting footpath at the entrance to No.13 Ardeevin Manor. This is the sole vehicular and main pedestrian / cyclist access out from the site and include inadequate alignments and footpaths that will increase the potential for conflict between different users of the access.
- The proposal as granted failed to adequately provide for the retention of trees and hedgerows.
- The applicant has also failed to provide for the relocation of public or communal open space to incorporate the retained green infrastructure into public and / or communal amenity spaces and provide for a connection of green spaces to the adjoining open space to the west. The applicant provided an inaccurate GI plan that indicate links that would not exist if the proposed development would go ahead and failed to provide adequate street trees.
- The applicant has failed to demonstrate how the proposed development would comply with Policies GI1, GI2 GI4 and GI5 of the South Dublin Development Plan 2022-2025 and does not comply with the overarching objectives associated with the Liffey Valley Strategic Corridor in Table 4.1 of the County Development Plan.
- The proposed unit type and siting of units along the western boundary is currently unacceptable and fails to maximise existing green infrastructure and fails to utilise above ground, natural SuDS.
- There is no justification or rationale for the level of removal, and this would materially contravene Policy NCBH, Objective 3 of the County Development Plan.
- Trees along the north-eastern boundary of the Ardeevin Manor development were required to be retained and protected under Condition 2 of ABP PLOS.304659. Clear conflict of the proposed development with the trees around the boundary of the site, particularly where the site borders and adjoins Ardeevin must require the application to be refused.

- There are issues in terms of useability of significant parts of the proposed open space and the suitability of part of the site to be functionally utilised for amenity purposes. This has been partly addressed by the removal of 12 units from the western part of the site; it is unclear what this remaining land will be utilised as and further denuded the already poor overall design and layout.
- The excessive removal of hedgerow and trees is not entirely addressed under Condition 2 of the permission and will result in a net biodiversity loss within the site. The application fails to adequately connect the proposed open spaces and the surrounding green infrastructure in this instance and the quantum of public open space is of an inadequate quality.
- Failure to adequately address the Green Space Factor calculation given that a significant level of tree and hedgerows are being removed to facilitate the proposed development. The proposed development is therefore contrary to GI5, Objective 4 and should be refused.
- The design of the proposed development fails to meet Council policy set out in Chapter 5 of the Development Plan in relation to urban design. The design is not of a high qualitative standard and fails to meet the *'Urban Design Manual- A Best Practice Guide (2009)*
- The development fails to address section 5.9 in relation to infill development of the *Guidelines for Planning Authorities on Sustainable Development in Urban Areas (2009)* and Section 4.3.4 of the *Quality Housing for Sustainable Communities*.
- There has been a complete lack of consideration of the change to the character of the area and the qualitative aspect of the design of the apartment blocks, in particular. There can be no reasonable planning, or indeed architectural justification for this form of poorly designed development and the lack of integration with the surrounding environment. The applicant is creating development that is completely at odds with the character of the area.
- The application has failed to evolve naturally from the site and surroundings; it appears artificial within the surrounding context. The proposed development fails to address the character of the area and inappropriate responses are made to boundary conditions.

- The layout and form comprise overdevelopment at the subject site. The subject site is located along and to the immediate east of the Ardeevin estate, in which it relies on to gain inadequate vehicular access through Ardeevin Manor and for the use of public open space.
- There are particular challenges relating to traffic and noise impacts from the N4 adjoining the site to the south. There are serious concerns with respect to this matter.
- The noise risk assessment indicates that there remains noise impacts risk to residences as a result of the location close to the N4. The southern section would be exposed to noise levels of 50-55 LAeq 16hr range. This is justified on the basis that there are proposed public open space within the development where the noise levels are less. This is an unacceptable approach and indicates that here an inadequate degree of noise mitigation and reflect the lack of consideration by the applicants, and the Council, to the amenity of future residents. These noise levels are unacceptable, and it is notable that no mitigation for this level of noise on the future residents is proposed.
- An Environmental Impact Assessment Screening report having should have been submitted.
- The Bat and Bird survey was inadequate given the sites location in close proximity to protected sites and particularly its closeness and connectivity to the River Liffey.

6.4.2 Planning Authority Response

6.4.2.1 A response from the Planning Authority dated 29/1/26 has been received. The response states that the Planning Authority notes the letters dated 30/12/25 and 8/1/26 and confirms its decision and that the issues raised in the appeal have been covered in the Chief Executives Order.

6.5 Observations

6.5.1 Observations have been received from J.P. Colclough, Ardeevin Residents Association, David Whittle and Mary Whittle, Mark, Gail and Susan F Peard, Councillor Helen Farrell and Paul Gogarty TD. The observation can be summarised as follows:

J.P. Colclough

- The Planning Authority's conservation officer recommended refusal on grounds of the impact on Primrose Hill House the concerns expressed were overlooked in the further information submission and the detrimental impact was increased by modifications submitted by way of Further Information.
- The Further Information requested significant changes to the layout and detail to protect the existing trees were sought and these were shown scant regard.
- In revised plans submitted as further information there are extensive works to the landscape adjacent to the boundary of the lands of Primrose Hill House that involve changes in ground level and the excavation of rain water holding bioretention tanks up to 3m deep that will certainly interfere with the roots of the trees on the boundary of the small paddock adjacent avenue of Primrose Hill House and may cause die back in the trees.
- Any building work, groundwork, bio retention basins or heavy plant movement within 15m of trees will certainly damage the root system and potentially destroy the trees.
- Block A and the adjacent bio retention basins need to be relocated clear of this zone and the use of the strip for the purposes of construction, vehicle movement or stacking of material must be prohibited.
- The four-storey apartment Block A is 5.2mm distant, unacceptably close to the boundary with Primrose Hill House lands and would be entirely destructive to the approach, setting and gardens of the Protected Structure and must be omitted or reduced to two storeys and moved significantly further from the boundary hedge.
- There is a pedestrian and bicycle access to Primrose Lane proposed, the applicants claim to have an easement of free access to Primrose Lane, this wayleave is for access to agricultural land and to a scout hut or the likes. Primrose Lane is apparently not a public right of way, according to the applicant and the significant change is the use inherent in this proposal is not a continuation of the existing wayleave, but a significantly different new use.
- Access to a sports ground or scout camp is significantly different from access to a residential development over a private land and the developer cannot

assume that a right of way exists for the purposes proposed of general pedestrian or bicycle access to the proposed development.

- The proposal involves a considerable and hazardous change in use of Primrose Lane that cannot be justified or safely sustained and it would appear that the applicant cannot rely on it to be an extension or continuation of the existing wayleave.
- Without considerable changes to the proposal, it is unacceptably intrusive to the setting and access of the Protected Structure, Primrose Hill House. Block A must be omitted the heights of all buildings should be kept low and the access to Primrose Lane restricted if the proposal is to respect the setting of a protected structure.

David and Mary Whittle

- Concerns relate to:
- The destruction of a valuable green infrastructure and eco systems.
- The increased risk of traffic accidents on local roads, particularly Ardeevin Ave and Ardeevin Manor due to increased pedestrian, cycle and motor traffic. Children attending the creche from outside the development will generate 4 trips per child per day.
- The scale and massing being inappropriate in the location,
- The effect on the quality of life on residents of Ardeevin Avenue and Ardeevin Manor for ever.
- Surface water and sewerage. The shores on roads have not been able to cope during periods of heavy rain resulting in local flooding. This is one short cul-de-sac, not a 2.17ha site.
- South Dublin County Council is creating a Village Plaza in the centre of Lucan Village, and they recently acquired Lucan House, designed to increase tourism in the Lucan area generally. The Griffeen River is a main feature of the Plaza and continues its journey to the Liffey on the grounds of Liffey House. It flows within 120m of the subject site and has been identified by the Inland Fisheries Board as providing the most important spawning habitat for seatrout in the Liffey Catchment.

- The South Dublin Childcare Committee has submitted an observation raising concerns with the floor plans and state that they consider that planning permission is not feasible with the current creche layout plans in relation to staff facilities, quantum of toilet facilities to serve the total number of proposed children, room sizes and quantum of sanitary facilities as required under the Childcare Guidelines. These concerns were dismissed by SDCC. Why was there no condition included on the permission with respect to Section 12.8.4 of the Development Plan.
- Have ESB Networks commented or been invited to comment on the proposed development?
- Conditions 2, 3 and 4 of the first party appeal are very reasonable on the part of SDCC. The applicants have little regard for the environment.
- Did the ecologist realise that it was the applicants who are responsible for the damage caused by the placement of soil along much of the base and to disturbance from construction works in the adjoining sites?
- In nearby Adamstown and the area around it, thousands of hectares of agricultural land and hundreds of kilometres of hedgerows have been removed, Flora and Fauna that have thrived there are forever replaced by tar and cement, just because a species of tree or shrub is not native does not mean it has no value in an eco-system.
- Bats have disappeared with hardly anybody noticing. In 2025 bats were noted flying around at dusk. This reappearance maybe the result of increased awareness of biodiversity.
- The number of small garden birds and pollinators like bumble bees, butterflies and even wasps are decreasing year on year
- SD24A/0290W shows two wastewater systems, the layout being influenced by the topography on the site, one having 27 domestic connections to the south-west i.e. Ardeevin Manor and subsequently Ardeevin Avenue, the second to the north with 67 connections to Primrose Lane. Feasibility is subject to upgrades that the two existing 150mm receiving sewers must be upgraded to 225mm pipes.

- 5 properties will discharge to the north (Primrose Lane) and 92 discharge to the west i.e. into a 225mm sewer in Ardeevin Manor. However, Uisce Eireann have consistently referred to the receiving sewer as being 150mm. The proposed development could increase the load on the existing system by about 200% while the area / flow capacity of the receiving pipe is only 50% of that in Ardeevin Manor.
- The Confirmation of Feasibility was issued advising the applicant that water and wastewater connection feasibility is subject to wastewater upgrades.
- No conditions were included as requested by Uisce Eireann. This is further grounds of refusal of the proposed development in its entirety, otherwise there are potential problems for all residents, South Dubin County Council and Uisce Eireann. The local nursing home is due to reopen adding to demands on the network.
- The traffic AM peak is 10.45 to 11.45, the survey was conducted between Tuesday 17th of May and Monday 2nd June 2025, secondary schools and universities had closed, and it also included the June bank holiday weekend.
- There is no correction factors included in the report to take account of the period of this survey. The data has been used to extrapolate the likely traffic volumes at this junction up to 2043. This data cannot be regarded as having any value and does not reflect our lived experience.
- During construction 6.9 HGV and 50 light vehicles will be generated per day to and from the site. These figures are beyond credible.
- The swept path analysis is based on a DB32 vehicle-fire tender and refuse type truck. Has a swept path been prepared for a typical 8 x 4 type truck that will have to negotiate the acute beds in Ardeevin Manor?
- A road width space of 7.2m is required for a 120-degree manoeuvre assuming there is no obstruction whereas only 5.5m is available in Ardeevin Manor.
- The analysis assumes that there will be no parked cars to navigate around. The residents at No.13 Ardeevin Manor will have large trucks passing within 1m of their house.

- Sad reflection on the attitude of the builders that a new development in a green field site will have a one-way street rather than focusing on creating pleasant environments for people to live in.

Coakley O' Neill on behalf of Mark and Gail Pread

- The application has failed to demonstrate that the ditch is suitably capable to accommodate the runoff generated from the development on site. The planning application makes no reference to any surveys having been undertaken of the ditch which runs through adjacent property.
- The scale of the proposed development and its urban context, the development of, or connection to a dedicated storm water sewer is essential that the displacement of surface water from the site does not result in localised flooding of adjacent properties.
- The failure of the applicant to adequately address this surface water runoff is of particular concern to adjoining landowners due to the location of their properties, the existing ditch and the pond which was on the site of their property.
- The site of our clients dwelling was previously the site of a pond which acted as a drainage feature on the wider lands. This pond was removed to allow for development of the wider lands, draining the lands into the aforementioned ditch.
- Dwellings on Primrose Lane were constructed with drainage pipes through the foundations to allow water to drain into the ditch. The ditch enters the drainage system at Primrose Lane.
- The planning application fails to adequately diminish the concerns of our client that the surface water strategy proposed will not result in storm and surface water being discharged into their properties and resulting in the flooding of their properties.
- The application relies on existing surface water drainage in place at the site but has failed to demonstrate any surveying of the infrastructure relied on. The development on site is premature without appropriate surface water infrastructure and as such permission should be refused.

- Conformation in relation to concerns relating to traffic and the use of Primrose Lane. Primrose Lane is c.225m single carriage lane which is approximately 4.6m wide with some exceptionally tight areas c.3.8m. The lane is bound to the west by a c.2m high stone wall and serves c.12 existing residences in addition to the existing Lucan Centre.
- Due to the winding and narrow nature of the laneway, there is very poor visibility for vehicular users which often results in drivers being required to manoeuvre / reverse up and down the lane to allow oncoming vehicular and pedestrian traffic to pass. The laneway is only served by c.66m of footpaths which leaves c.159m of road without any pedestrian or cyclist infrastructure.
- The application does not propose any pedestrian or cyclist infrastructure on Primrose Lane. The applicant has failed to address the significant lack of infrastructure on the lane and the potential safety risk arising for pedestrians, cyclists and other vulnerable road users.
- Due to the location of the proposed creche, in the development those that do not live on the site will walk or drive to the facility using Primrose Lane to collect and drop off their children. This significantly increases the potential volume of pedestrians and cyclists and other vulnerable road users such as children on the lane which is simply not fit for purpose and provides no infrastructure to ensure safe access and egress from the site.
- The proposed pedestrian and vehicular access via the lane are beneficial to both the applicant and the Council, as it will provide a desirable pedestrian link to the Town Centre. However, the inclusion of this link should be assessed on the potential implications of providing this link.
- A Road Quality Assessment was included with the planning application and states that Primrose Lane has an existing footpath and a very low trafficked street primarily used by residents. 70% of Primrose Lane is devoid of footpaths this assessment and the Road Safety Audit fail to adequately address the pedestrian safety issues arising from the proposed development.
- Given the condition of Primrose Lane and the frequent issues experienced by those living on the lane, the inclusion of pedestrian and cyclist links from the proposed development via Primrose Lane fails to respond to the receiving

environment and would put pedestrians, cyclists and other vulnerable road users at risk due to the narrow widths of the road, complete lack of pedestrian infrastructure and low visibility.

- The stone boundary wall has significant works proposed including changes to ground level, retaining wall structures and surface water treatment. Insufficient attention has been given to assessing the impact of these proposals on the wall. Careful consideration should be given to the impact of the proposed development on the curtilage of a Protected Structure of Primrose Hill House and the adjacent Lucan Village Architectural Conservation Area.

Councillor Helen Farrell

- Objection to the first party conditions appeal. The conditions to be imposed and reduction in unit numbers seem an entirely reasonable and important approach by SDCC in their granting permission, as they protect the environment, accessibility, land ownership issues, overlooking, overbearing that impinges on adjacent properties, surface water.
- The site includes many mature trees that contributes to the local environment and biodiversity. Many trees exhibit good vigour, including native Irish species. Their removal would result in a loss of the area's natural heritage and ecosystem at a time where every effort should be made to retain as much of this precious resource as possible.
- The area already experiences substantial traffic congestion at various times daily, leading to regular tailbacks and parking difficulties. The proposed development is likely to exacerbate these issues, potentially causing further disruption, inconvenience and potential safety concerns to pedestrians, road users and local business.
- The current plan does not provide sufficient parking spaces for the potential numbers of residents per unit. It is unlikely that households would use one car. The shortfall in parking will likely result in overflow parking in nearby areas, worsening the existing parking and congestion issues and posing safety concerns within the adjacent estate of Ardeevin Avenue both for pedestrians and roads users and also around access of emergency vehicles.

- The proposed architectural design lacks inspiration and does not do much to enhance the character of Lucan Village which renowned for its unique architectural heritage.
- Primrose Lane in particular is a beautiful early 18th century village lane that deserves its history to be better reflected in design, and it is crucial that any new development in this area should contribute positively to the visual and cultural fabric of the community,
- There are indications in the plans at some point in the future to connect the proposed development with the existing road network to the east, namely exiting on to the R120 at The Hollow and potentially with Primrose Lane. This would further increase traffic volumes to and from the area as well as damaging the unique architectural heritage and rich biodiversity of the area.

Paul Gogarty TD

- Supports the appeal by Marston Planning Consultancy. The application, in its original proposal and as subsequently granted following additional information is a totally unsustainable over development of a restricted site.
- The site is more suited to occasional community use rather than full-time residential development.
- The local Presbyterian community and the wider community have been using the Lucan Centre and grounds for many years with many events held there. The site constraints only allow for a small residential use along with continued community use and that something larger is intrusive and is bed planning.
- The development proposes the removal of the vast majority of trees on the site. This will have an impact in biodiversity and screening from noise and wind.
- Need to retain and protect the trees along the north-eastern boundary of the Ardeevin Manor development under condition No.2 (c) of the Board decision for that permission.
- Development of this semi-rural site constitutes a huge risk to wildlife in the area. No meaningful surveys have been carried out in terms of how this wildlife will be protected and existing nature corridors preserved and the

application seeks to minimise the presence of wildlife at this location, Further information is required in this regard, but other factors combine to make this application inadequate.

- This application totally ignores the existing nature of Primrose Lane and Ardeevin areas and the lower-density context of the historic village area. There has been an overspill from parking associated with Ardeevin Manor and the ability of the estate road to meet traffic flows coming out at a very restricted location on Tandy's Lane has reached saturation point.
- Any more traffic at this location could lead to increased incidents on one hand and congestion on the other. Transport Infrastructure Ireland has resisted multiple attempts to facilitate exits from Tandy's Lane onto the N4 slip road due to safety concerns. Additional traffic from the proposed development will queue at the intersection of Tandy's Lane and Lucan Road. The angle of this location is not suitable for traffic lights.
- Traffic lights further east and west of the junction which makes it unlikely they would be warranted at the Tandy's Lane junction even if it were possible in engineering terms.
- The vehicular infrastructure is at full capacity already. As a result, the main exit point to the N4 eastwards will be to go around the village green area and up the Adamstown Road. This section of road is already massively congested at school times in the morning and in the evening commuter period.
- Reduction in car parking should only take place where there is suitable public transport infrastructure. The bus service in the area is not actually fit for purpose.
- The nature of apartments and larger houses in suburban areas is that many of them tend to be occupied by transient renters rather than families. As such additional parking spaces are needed in the context of this development for both houses and apartments.
- There is a strong likelihood that vehicles will park in Ardeevin Manor and also on Primrose Lane to secure spaces and / or gain faster access onto the main arterial routes. This will not be a happy-clappy walk and bus

everywhere development but rather a car free-for-all impinging on the quality of life of existing residents.

- Primrose Hill House formed part of the Lucan Demesne and contains a regency villa attributed to the architect James Gandon.
- There is a 2.5ha botanical garden on a site created over a period of 100 years which has integrated harmoniously with other adjacent landscapes up until now. Unique collection of plants, trees and shrubs would be at risk of the natural protection offered by mature trees on the proposed development site is tampered with to the extent proposed.
- Most of Primrose Lane has no footpath and while this is adequate for existing residents and the occasional users of the Lucan Centre. It is not adequate for even a small cohort of the proposed development using the route regularly. This main reason for this would be the increased use of motorbikes, e-scooters and electric bikes speeding up and down the hill, even as car and van uses increases through Ardeevin.
- It is not an especially safe route for walkers in this regard with the increase in traffic envisaged, nor is it safe for e-scooters and bikes because of the number of corners and restricted views. The transient nature of short-term commuting renters associated with much of the accommodation proposed will lead to an increase in such vehicles and this along with the car and van use will lead to the worst of both worlds.

6.6 First Party Response

6.6.1 A first party appeal response has been received from Declan Brassil and Company on behalf of the applicant. The response includes the following appendices:

Appendix A: Traffic responses prepared by Kilgallen and Partners

Appendix B: Revised site location plan to show a slight amendment to the western boundary of the land to the rear of proposed units 1 to 8 to correct a mapping error where the entire width of the of the boundary hedging was incorrectly included with the red line boundary.

Appendix C: Updated Arboricultural assessment prepared by CMK Urban Forestry Consultants in respect of the western boundary of the appeal site, specifically addressing the existing hedgerows and trees along the western boundary of the appeal site., adjoining No's 9 to 13 Ardeevin Manor.

Appendix D: Correspondence from the applicant's solicitor and proposed wording of a draft Section 47 Agreement to ensure the post-construction phase retention of trees along the western boundary of the appeal site.

6.6.2 The response can be summarised as:

Traffic

- The proposed pedestrian and cycle links provided are welcomed by SDCC and the Roads section is not concerned with issues of 'rat running' through Ardeevin Manor.
- The provision of a single access road servicing serviced zoned land to the east of Ardeevin Manor was anticipated and acknowledged by the SDCC Roads section as the only viable solution for the development of zoned lands to the east of Ardeevin Manor.

Car Parking

- Issues relating to inadequate car parking provision were brought up in the initial application stage and the Roads Department were satisfied with this element of the proposal.
- The approach to car parking provision and SDCC's assessment is consistent with the requirements of the County Development Plan and national guidance.
- The parking standards set out in Table 12.26 of the County Development Plan are maximum standards. The level of car parking proposed is 83% of the maximum permissible level. This is entirely consistent with Policy SM7 of the County Development Plan. Policy SM7 is consistent with SPPR 3 of the Compact Settlement Guidelines.
- The proposed childcare facility benefits from a set down area and drop off area to the front of the building which is suitable for 3 cars. In addition to

this, a mobility impaired space is provided and there are three on-street car parking spaces across the street that could serve as non-allocated spaces to serve busy morning and afternoon periods.

- The building occupies a central position within the site along the eastern edge and is accessible by foot for future residents of the proposed developments and residents in the wider area.
- A condition could be attached whereby a minimum number of car parking spaces are allocated to serve the childcare facility and that such allocation be regulated by means of a planning condition requiring the applicant to submit and agree a car parking allocation plan with the planning authority prior to the first occupation of any permitted dwelling on the site.

Residential Amenity Impacts

- The site represents an urban infill consolidation, part-brownfield site in the Metropolitan area that is serviced and zoned for residential development.
- The site is a significantly underutilised land resource and represents an unsustainable use of land close to Lucan Village centre.
- Access through Ardeevin Manor is the only available and viable vehicular access to the landbank. This is confirmed in the SDCC Roads Section Report.
- A noise survey was undertaken at initial application stage. Given the relationship between Ardeevin Manor and the site to the M4, it can be reasonably stated that the noise environment at both locations will be similar given that the primary source of noise contributing to the established noise climate in the area / location of the busy N4 Motorway.
- There is no specific Irish guidance or legislation relating to the maximum permissible noise levels that may be generated during the construction phase of a project. This is generally controlled by way of imposing limits on the hours of operation and consideration of appropriate guidance on noise limits.

- Construction noise is temporary in nature and is usually experienced over a short to medium term period. If planning permissions are refused based solely on such grounds, then no development will ever take place.
- A series of Construction Phase Noise Mitigation Measures are set out in Section 6.2 of the submitted noise report. Conditions 17, 28 and 32 of the Notification of Decision by SDCC provide appropriate mechanisms to mitigate noise impacts on nearby residents and allows for ongoing liaison with residents and establishes an appropriate complaints procedure.
- Vehicular traffic associated with the proposal would not have the potential to impact on the existing noise environment and any increase in noise would be less than 1dB.
- The southern section of the site is most at risk from a noise perspective. An acoustic Design Statement has been prepared to demonstrate that suitable care and attention have been applied on mitigating and minimising noise impacts to such an extent that an adverse noise impact will be avoided in the final development.
- The Council's Environmental Health Officer recommended conditions to ensure the effective mitigation of noise impacts arising from the N4. Condition No.25 is noted.
- Residential dwellings backing up to the N4 is an established development pattern including Ardeevin Manor, Hillcrest Park and Canonbrook Park in close proximity to the appeal site. Implementing the proposed mitigation measures and the proposed conditions will ensure that all dwellings will experience a high standard of accommodation and will not be adversely affected by traffic noise.
- Updated plans submitted with this appeal response shows a separation distance of 16m between proposed houses 1 and 2 and No.13 Ardeevin Manor to the west. This meets the requirements of SPPR 1 of the Compact Settlement Guidelines.

- Given that Houses 1 and 2 are due east of No.13 Ardeevin Manor it is highly unlikely that significant daylight of sunlight impacts to No.13 Ardeevin Manor would occur.
- These impacts would be confined to the early morning period only. The rear garden of No.13 Ardeevin Manor would only be affected for limited periods of the day during Spring, Summer and Autumn, for the remainder of the day it would remain unaffected.

Green Infrastructure

- The site layout was amended at RFI stage to replace housing units along the eastern boundary of the land with a duplex block to appropriately retain the hedgerow as a north-south green infrastructure corridor within the site.
- The western hedgerow as assessed by the Ecologist and the Landscape Architect at pre-application and RFI/CFI stages and there was a consensus that the hedgerow had been significantly compromised and was of little biodiversity and landscape value.
- Revised plans provided for the retention of the western hedge to the rear of units 1-10, protected by a mesh fence.
- The design approach retains the important elements of the hedgerow and green infrastructure corridor, including the hazel elements and the two oak trees. There are tree retention measures along the appeal sites western boundary which demonstrates compliance with Condition 2 (c) attached to ABP Order Ref. 304659-19 in respect of the adjoining Ardeevin Manor development.
- The proposed development has been informed by a comprehensive Green Infrastructure Plan, the primary objective of which is the retention and integration of existing landscape features including mature trees and hedgerows into the overall site layout plan. Most green infrastructure on site is retained. Limited tree removal is proposed and only where necessary to facilitate the delivery of residential units and associated infrastructure.
- Replacement planting and enhanced landscaping is proposed to ensure no net loss of green infrastructure value and to improve overall site biodiversity.

- The existing site exhibits a low green space factor score, reflecting the limited provision of functional green infrastructure and the absence of features that contribute meaningfully to biodiversity, climate resilience or sustainable urban drainage.
- The proposed development has been specifically designed to uplift the Green Space Factor of the site, through the introduction of a range of green infrastructure measures including trees, permeable surfaces, rain gardens and other planted areas.
- The Green Space Factor assessment submitted at CFI stage achieved a final FI score of 0.58 which exceeds the minimum required GI score of 0.5.

Detention Basin

- The proposed detention basin will only store water for temporary periods during and shortly after periods of heavy rainfall. The landscaping and treatment of the detention basin will ensure its functionality and safety as an amenity space.
- Swales and retention basins are opportunities to enhance landscaping and biodiversity value of the site, these features can contribute to the landscaping design, create visual amenity and also provide valuable opportunities to create new habitats that support and encourage wildlife.
- The eastern and western landscaped areas identified in the Further Information submission are not designated as public open space / parks. These spaces are intended primarily for the use and enjoyment of residents and occasional visitors. They are not designed to function as destination or district level recreation spaces but as landscaped spaces to support the residential character of the scheme and to deliver visual relief within the built environment whilst contributing towards the enhancement of on-site biodiversity. The design prioritises landscape quality, environmental performance and residential well-being over active recreational use.
- The landscaped areas make a significant and sustainable contribution to towards the overall quality of the development by improving townscape

functions, softening building mass, supporting ecological value and enhancing day-to-day residential amenity.

Design Quality and Layout

- The site layout was amended at RFI stage to replace housing units along the eastern boundary with a duplex block to retain the hedgerow as north-south green infrastructure corridor within the site.
- Revised plans provide for the retention of the western hedgerow to the rear of units 1-10, protected by a mesh fence to maximise amenity and to facilitate a green infrastructure corridor north-south to the existing public open space to the west.
- The proposed development benefits from east-west and north-south pedestrian linkages via the open space at Ardeevin Court and via Primrose Lane to the north that would also facilitate a cycle link in addition to the main vehicular access via Ardeevin Manor.
- The proposed development provides for an appropriate quantum of public open space (3,026.5m² or 13.95% of the overall site), not including the provision of 1,144m² of communal open space. The open spaces are dispersed throughout the site whilst retaining a central, larger public open space that is linked to established open space to the west of the site to facilitate a range of active and passive recreational pursuits.
- Block C was omitted from the northern part of the site by way of a response to FI, the relocation of the creche to a more central and accessible part of the site, where it could also mark the entrance to a subsequent phase of development to the east.
- The provision of lower density forms of housing such as semi-detached houses along the eastern boundary responds positively to the lower height and lower density of Ardeevin Manor and the open space along Ardeevin Court and thereby mitigating any potential adverse impacts in terms of daylight / sunlight on established adjoining residential properties.

- The layout of the site ensures lower housing forms to the south of significant open spaces within the site in order to avoid adverse overshadowing conditions but allowing for adequate passive surveillance of such spaces.
- The building heights are modest in nature to respond to the established context of the site as it is not desirable to include any landmark buildings and features on the site.
- The proposed eastern interface of the appeal site with zoned residential lands to the east will allow for easy connectivity and with buildings being appropriately retained from the eastern boundary it would allow for similar setbacks to the east of the common boundary.
- The proposed development presents a coherent architectural and urban design strategy that provides for the redevelopment of an infill, urban consolidation on a part-brownfield site at a reasonable density that also provides a range of dwelling typologies which are consistent with national, regional and county level policies and objectives.
- The inclusion of apartments as part of the mix of housing typologies proposed is necessary to achieve a viable, acceptable and sustainable form of density as envisaged in the Compact Settlement Guidelines. The SDCC reports found the density at 44.7 units per hectare acceptable.

Environmental

- Archaeological matters could be dealt with at compliance stage by way of standard archaeological conditions.
- The mature trees on the boundary with Primrose Hill House and gardens are located on the northern side of the boundary wall and the root system is unlikely to extend into the appeal site.
- As such the boundary planting will be retained and appropriately protected, affording a high level of screening and separation between the proposed development and the House and its grounds.
- Condition 9 will provide adequate safeguards.

- The layout amended at FI stage mitigates any effects on the setting of the House and grounds on the western part of the site. The amended drawings show the omission of Block C to facilitate the incorporation of a larger open space at the entrance to the site from Primrose Lane and the retention of mature planting.
- The form and layout of the proposed development were informed by the presence of the House and its grounds to the north of the appeal site. The application was accompanied by an Architectural and Built Heritage Assessment. This report concluded that the proposed development is considered to have a neutral impact on Lucan Architectural Conservation Area and the town of Lucan itself.
- The proposed development is considered to have a neutral impact on the Protected Structures in the vicinity of the site.
- The proposed development has been designed to be well set back from the northern boundary of the site to facilitate the preservation and retention of the existing trees and stone wall.
- An ecological report was submitted with the application. This was a desktop study which was informed by a site visit that was carried out by the Project Ecologist on 20/11/24.
- The appeal site has relatively low ecological interest.
- The appeal site is not subject to nor does it impinge upon any conservation designation.
- There are no habitats on site that are examples of those listed on Annex 1 of the EU Habitats Directive.
- The main habitat on site is 'amenity grassland' which is widespread throughout Ireland and is not of ecological interest.
- The hedgerows on site have been poorly managed with the hedgerow / tree line along the southwestern boundary being an isolated remnant with two oak trees which are classified as Local Importance (lower value).

- The stone walls along the northwest and northeast boundaries are fine structures with mortar support some species-classified as local importance (lower value).
- The site supports various fauna species typical of the wider countryside and suburban areas. Badgers are considered to feed at times within the site however, there were no setts on the site. Hedgehogs and pygmy shrews are expected on site. The hedgerows and trees on site are likely to provide foraging habitat for bats and there is some roosting potential within the roof space of the Lucan Centre and in the two Oak trees on site.
- A range of bird species typical of hedgerows and parkland occur within the site. One amber-listed species Goldcrest was recorded and probably breeds on site.
- The effects of the proposed development on badgers, hedgehogs, pygmy shrews is unlikely to have effects on the populations in the local and wider local context (i.e. Not Significant).
- The loss of potential foraging habitat for bats is rated as a moderate adverse impact in a local context. The building and trees may have some potential for roosts for bats. Prior to demolition and / or removal the attic and roof spaces will be thoroughly checked for bat presence should a roost be found then mitigation will be taken to ensure there is no harm to bats.
- Condition 17-mitigation measures all mitigation measures set out in the documentation shall be implemented in full.
- The Bat survey and visual inspections were carried out by Wildlife Surveys Ireland Ltd. On the 11-12 June and 16-June 2025 and noted that the Lucan Centre is identified as a bat roost which is a protected structure under the Wildlife Act and that without mitigation there is potential for injury or death to roosting bats. There will be a loss of bat roosts and a loss of foraging within the site through vegetation loss. Mitigation measures include the following: A derogation licence must be sought from NPWS prior to any work commencing upon the site, no work can take place on the former Lucan Centre from May to September as bats

- may be breeding unless a survey can confirm that no breeding is taking place within the building, Ivy and fascia on all buildings must be removed by hand and All trees shall be examined by a bat specialist prior to felling or major surgery.
- The real assessment after mitigation measure have been implemented is that the proposal would not have a negative impact on local bat populations.

AA Screening

- The submitted AA screening report is robust in its assessment and has enabled the consenting / screening authority to make a screening determination that stage 2 is not required.
- Numerous further information items were requested by the Planning Authority and if there were any doubt whatsoever in this respect then further information could have been requested.

EIA Screening

- The Planning Authority has had proper regard to the interaction of the proposed scale and nature of the proposal and the sensitivity of the receiving environment in arriving at the determination at preliminary examination stage that an EIA Screening determination is not required.

Procedural Matters

- A revised site location plan is consistent with the registered title documents of 13 Ardeevin Manor.
- Separation distances and rear private amenity areas of No's 1 to 8 remain consistent with relevant policies and guidelines.
- Planning authorities can determine whether further information that has been received 'may be deemed significant', there are no stated 'triggers'

Tree retention – non-compliance with SD18A/0310

- The trees along the north-eastern boundary of the land of the Ardeevin Manor development. These trees have not been surveyed as part of the subject application as they are outside the boundary of the site. These trees are located to the west of the hedgerow to be retained along the rear

boundary of proposed house No.9 backing onto the green space at Ardeevin Court.

- The Beech tree was not identified as suitable for retention due to its poor quality was plotted erroneously close to the boundary and Oak Tree No, 16. It is located substantially to the west.
- Oak trees are retained in the back gardens of Houses 2 to 4.

First party response to Observations

- The site is appropriately classified as a 'City-Suburban / Urban Extension under Table 3.1 of the Compact Settlement Guidelines (2024). The residential density in the range 40 to 80 dph are generally applied at suburban and urban extension locations in Dublin.
- Lucan is a level 1-Existing Urban Centre within Dublin City and Suburbs in the settlement hierarchy with an average density of 40-50 units per hectare. The proposed density is 44.7 units per hectare, the lower end of the recommended range, respecting the context of the site, including the presence of the protected structure and the ACA.
- The development provides 3,026.5m² which represents 13.95% of the overall site (not including 1,144m² of Communal Open Space). This level of provision is consistent with Policy and Objective 5.1 of the Compact Settlement Guidelines.
- The proposed pedestrian link provides a direct access from the principal open space within the proposed development to a significant public open space to the west.
- The Green Space Factor achieved a score of 0.58 which exceeds the required GI score of 0.5.

Impact on Primrose Hill House

- The boundary between the proposed development and Primrose Hill House and grounds is defined by a mature tree hedgerow. The trees and hedgerow is on the Primrose Hill House side of the common boundary. The root system is unlikely to extend into the application site.

- The boundary planting will be retained and appropriately protected, affording a high level of screening and separation between the proposed development and the House and grounds.
- Drawings submitted at Further Information stage show Block C omitted to facilitate the incorporation of a larger open space at the entrance to the site from Primrose Lane and for the retention of mature planting at that location.
- The form and layout of the proposed development were informed by the presence of the House and grounds on the northern boundary. The application was accompanied by an Architectural and Built Heritage Assessment.
- Appendix B of the appeal response includes an updated AHIA incorporating a response to the grounds of appeal relating to the impact on the House and Grounds.
- The first party would welcome a condition that is similar to Condition 5 attached to the Notification of Decision to Grant Planning Permission.

SuDS

- The existing site area of 2.2ha slopes from south to north. Overland flow during heavy rainfall events will drain towards Primrose Lane.
- Most of the proposed development will drain towards the existing surface water sewer through Ardeevin Estate via a controlled discharged system.
- Runoff from that part of the proposed development (c.0.35ha) that does not drain southwest towards Ardeevin Estate will be collected and infiltrated to ground via various proposed SuDS features. Surface water that cannot infiltrate to ground during heavy rainfall events will be attenuated in the SuDS features.
- SuDS has been designed to cater for all rainfall events up to and including the 1% ARP events and is in accordance with SDCC standards.

Traffic

- Primrose Lane will not be used by vehicular traffic during the operational or construction stages. The TTA analysed construction using only the Leixlip

and Celbridge Road to access the site and it was clearly stated that Primrose Lane would not be used for vehicle access during any stage of the project.

- The first party would welcome a condition to the effect that construction and operational traffic is prohibited from using Primrose Lane and that appropriate traffic control measures and will be agreed with SDCC.

6.6.3 Third party responses to first party appeal response

Breeda and Jan Pieter de Vires

- Concerns relating to the cumulative impact of the proposed development on the existing estate – designed for lower traffic volumes.
- The existence of the lands to the east does not mean that any possible future development would provide an alternative access.
- The residential zoning of a site does not in itself mean that a high level of traffic increase is acceptable. A lower density form of development would be more appropriate.
- A singular access point is not desirable. A second access point could assuage concerns.
- Primrose Lane has always been open to traffic and has been used by residents and the Lucan Centre. Primrose Lane cul-de-sac will become a drop off point for the creche and will be extremely hazardous to pedestrians and children.
- Timing of traffic audit was disingenuous, this is borne out by the traffic peak being around 10.45 on a Friday.
- The proposal would increase by 250 units with this development. This should have been taken into account at this time.
- The assessed stats in relation to TII's threshold for 100 trips may have been a miscalculation.
- Traffic on Leixlip Road are at a complete standstill at least 4 mornings a week, other than holiday periods.

- Intentions of the Mobility Management Plans welcomed however, concerns remain relating to peak busses being full long before they get to Lucan.
- Some creche users may use Primrose Lane for vehicular access to the Creche, causing hazard to children and other road users.
- Re-alignment of road No.2 is negligible and will have no effect, as the existing road is already unsuitable to take traffic from the east.
- The lack of footpath outside No.13 Ardeevin Manor is against all concepts of road safety and should not be exacerbated by adding the traffic from 85 or 97 housing units.
- Just because a road safety audit was undertaken it does not mean that the proposal is safe. SDCC Roads Department indicated that there were unresolved issues particularly relating to No. 13 Ardeevin Manor and requested a plan that was never provided, without this plan, this matter can not be resolved.
- TII advised that the proposal was at variance with official policy, however, the road layout constructed in 2023 now functions as a primary access route for the proposed development. The operational experience of this layout demonstrates limitations that were not fully anticipated when this assessment was undertaken.
- Amendments not sufficient to address the impact on existing residential streets that will accommodate a significant proportion of additional traffic.
- The Mobility Management Plan should be clearly conditioned and provided prior to the start of development.
- Proximity to Lucan and bus services does not mean there is enough capacity to support increasing population. The western part of Lucan does not have any specifically dedicated bus connections with the city centre.
- The local bus that connects to Adamstown Train Station runs once an hour and does not help morning commuters.
- Sustainable travel is only possible when Lucan is really served with adequate volume and quantity of public transport.

- The proposal will lead to overspill parking. There are no dedicated guest parking.
- The traffic assessment was done during the June Bank Holiday and start of summer holidays in 2025 and does not represent the real picture. Traffic patterns in Dublin typically show the highest commuter volumes between Tuesday and Thursday. The traffic assessment does not take into account traffic associated with the Nursing Home which is currently undergoing refurbishment.
- Permeability must be balanced with the safety and functionality of existing residential streets. The proposal relies on an existing residential estate as its primary vehicular access route and transforms it into a distributor route for a significantly larger development.
- How will parking be provided for the creche as there is no dedicated parking proposed.
- The proposed 3 spaces for drop off are not adequate for 78 children. This would mean that people would park in the older Ardeevin maximising traffic.
- The one-way traffic system proposed does not resolve the issue of inadequate provision for the volume of proposed childcare traffic.
- Waste collections on road 3 and 4 can be challenging for trucks and create safety issues near the childcare facility with no space to reverse.
- Reversing trucks could cause dangerous situations, clearly the location of the creche and traffic movement proposals are not following the safety requirements.
- There is no zebra road crossing from the other side of the road for creche users.
- If one-way traffic is applicable from creche users only, then it is not clear how that will be managed in reality. There is no uniform approach in relation to traffic movement in the submitted drawings,
- The applicant's response in relation to the location of the creche facility has not clarified / resolved concerns raised in appeals and is not in line with

SDCC development plan 2022-2028 including Section 5.2.1 and Section 11.3.1

- Existing residents will endure significant noise at the back and front of their houses if this development is allowed.
- A construction site for 100 dwellings typically generates daytime noise levels ranging up to 90 dba. The average noise level from a passing heavy truck is generally up to 85 dba when measured at a distance of 15m from the roadway. There will also be constant vibration and noise from continuous developments in the area. This must be taken into account when assessing this application.
- The area has a long history of noise complaints and multiple petitions have been raised by residents with respect to the N4 and to introduce modern noise cancelling solutions.
- Issues with respect to public open space and green infrastructure are still a matter of concern. The applicant confirms that proposed open spaces are not for recreation but will be treated as landscaped spaces.
- The green area located within Ardeevin Court currently represents the only safe and useable play area for many children living in the existing estate.
- The applicant has not built the required play area in Ardeevin Manor under SD18A/0310. The green on that site is still full of rocks which present a real danger to children in the area.
- The applicant does not establish in their response that the retention of some hedgerows prevents the severance of the green corridor especially it is highly probable that badgers traverse and use the proposed development site for feeding and / or passing thorough. The badgers come from the north-west of the appeal site.
- Pictures demonstrate that the badgers likely come from the lands to the north-west of the appeal site. This has not been adequately examined by the applicant and therefore there is little to no retention of hedgerow or trees on the north-western boundary in the original plan which is the likely reason

why SDCC required the removal of houses on that side of the proposed development.

- The green corridor could be preserved by removing Blocks A and B from the proposed development plan entirely as this is the area where the animals would be traversing, and the activity associated with a high to medium density development would disrupt the passage of any such animals.
- The design does not integrate with the established character of Ardeevin and Lucan Village. The proposal introduces a significantly different built form including multiple apartment blocks, which appear visually and spatially inconsistent with the surrounding environment.
- The proposal functions as an extension to the existing estate the design approach, density and built form should demonstrate a greater level of compatibility with the existing residential context.
- Important that the cumulative impact of this development on the existing estate is considered.
- Pre-consent archaeological testing is required, not post consent. The applicant has not fully mitigated for findings of the Archaeological Assessment, which itself is incomplete.
- Items are usually found in or around ponds and rivers (including historic ponds) in Ireland such as the one on the appeal site. The Archaeological Assessment did not adequately assess the pond.
- This point should have been considered by the Archaeological Assessment of the appeal site and failure to do so has meant that there is inadequate consideration given to archaeological value of the land.
- It also doesn't consider the value of land surrounding the old wall which is proposed to be partly demolished. Appropriate mitigation measures cannot be possible deemed adequate if they are on foot of an insufficient Archaeological Assessment. Deferring archaeological investigation to compliance stage would be contrary to proper planning practice and would not be subject to public review or appeal.

- Treeline screening is not in the applicant's control, cannot guarantee their retention, long term screening of rely on another landowner's trees to mitigate against potential design impacts of Block A on the Protected Structure.
- If the Primrose Hill's owners need to remove or manage trees in the future, then all screening disappears and Block A will significantly detract from the special character of the Protected Structure.
- This is not adequately addressed in the Architectural Impact Assessment and therefore it cannot be said with certainty that the proposed development will have a neutral impact on the Protected Structure in the vicinity of the site. The updated report fails to adequately address this point.
- The applicant generally refers to retention that does not appear to be comprehensively detailed in any of the revised plans. The Architectural Conservation Assessment fails to adequately address the architectural value of the old stone wall which would be partly demolished and the long-term structural issues and any mitigation measures associated with the demolition of part of the old stone wall. This is a highly significant omission given the complications with repairing and maintaining the structure integrity of these kinds of old stone walls.
- The Lucan Centre building is proposed for demolition and is protected under the Wildlife Act 1976-2022. A derogation license from NPWS is mandatory before any works can occur. Permission cannot be granted for demolition of a protected bat roost before a derogation license has been secured.
- Hellfire Massy Residents Association V An Bord Pleanála (No.5) [2023] decision states that derogation licenses must be obtained before the development consent is given. To do otherwise would be contrary to the requirements of the Habitat Directive.
- If planning permission were to be granted prior to the granting of a derogation license, not only would this be in contravention of established case law, but it would also be assuming that NPWS will grant a derogation license and would prejudge that outcome.

- NPWS treats such works as prohibited unless licensed. The response from the applicant is contradictory in relation to the impact on bat populations, it is evident that there would be a loss and destruction of a bat roost due to the proposed demolition.
- Badgers have a known presence in Ardeevin Court, and the proposed development would sever the only remaining ecological corridor to the Griffeen River and Vesey Park-negatively impacting badger activity.
- AA Screening must consider the proposed demolition of a confirmed roost, as opposed to hypothetical date. The approach whereby additional surveys in relation to animals be completed post-permission causes concern as it removes the issue from public participation, contradicts AA and EIA requirements, contrary to case law and prejudices NPWS licensing decision outcomes and makes it difficult from ACP to fulfil its statutory obligation.
- The AA screening fails to adequately address the potential impacts of SPA's and SAC's that the proposed development may have in relation to the Conservation Objectives of those sites in the wider Dublin area for example in the Dublin Bay Complex.
- The AA screening does not consider run-off and there is a doubt as to whether there are effects on Natura sites.
- An EIA taking account of pollution risk associated with potential run off into the River Liffey is necessary.

Natalia Kublova

- No indication that any alternative accesses were seriously examined. The road through Ardeevin Manor is the most convenient and lowest cost option.
- The possibility of a slip road onto the N4 such as that serving Kew Park and the Foxhunter Pub does not appear to have been explored enough. This approach could provide a more appropriate long-term solution benefitting all sides of any future development on Lucan House grounds and adjoining fields.
- The practical implications for existing residents remain insufficiently addressed.

- There are no designated cycling paths in the existing part of Ardeevin and Lucan Village which increases conflict between pedestrians, cyclists and vehicles on streets originally designed for significantly lower traffic volumes.
- There are serious concerns that the road network in Ardeevin can support increased traffic. There is a 90 degree bend in the Manor with limited road width causing trucks to reverse partially on the pedestrian path.
- Risky access adjoining No. 13 Ardeevin Manor. This could be solved by the continuation of the footpath or finding an alternative access.
- The speed ramp and alignment of street 02 might reduce some risk when driving from the new site but it doesn't eliminate all scenarios.
- Private path shown on drawings from SD18A/0310 was not provided and therefore the carriageway must be used to access front door. On-site assessment of all safety issues required, and solutions still needed from the planning authority before permission is granted.
- Car parking for visitors already an issue in Ardeevin Manor as no places provided.
- Peak time busses are full passing through Lucan Village and cannot be counted as sustainable forms of transport. Therefore, limited car parking spaces do not fit into the definition of a 'balanced approach that meets the needs of business and community'.
- Transport accessibility is not determined solely by the presence of bus routes but also by the reliability and frequency of those services.
- Transport accessibility measures the ease with which people can reach desired destinations, services or activities using various transport modes. It includes reliable scheduling.
- The transport assessment failed to describe real daily traffic patterns in the estate and western part of Lucan. It was done during the start of summer school holidays and June bank holiday weekend when people tend to take long breaks.

- A mobility management plan should be provided prior to the start of the development due to the extremely high number of submissions and concerns in relation to traffic changes in the estate.
- Applicants statement that noise levels may exceed the noise criteria of 70db_{leq} for a short period (1 to 2 days) is not supported by any information on how these short numbers were established.
- Extreme close proximity to No.13 Ardeevin Manor at the main access road and the elevation of noise with new development, matching the noise levels of houses backing onto the N4 means that double glazed windows provided by the developer during the construction of our house will not be able to cancel the noise appropriately.
- The developer has not offered any adequate solutions for noise and vibration cancelling that will be long term and acceptable. The possibility of making a complaint cannot make up for unhealthy conditions that residents will be experiencing during the construction phases.
- The applicant's response does not clarify how the issue of overlooking has been resolved as there are no measurements provided on drawings to see changes between house 2 and 80. To meet the 16m the houses need to be moved eastward.
- Updated drawings show that the applicant has moved the redline boundary to the east, but the hedgerow is showing up in the back garden of No.13 Ardeevin Manor. An error has been made once again in showing the distance between the proposed development and No.13 Ardeevin Manor.
- A comprehensive daylight and sunlight analysis has not been provided, such an analysis is necessary to properly evaluate the potential effects on residential amenity, including overshadowing.
- Applicants reference that overshadowing is only for limited periods of the day during Spring, Summer and Autumn is disrespectful to our rights as homeowners. Conclusions are based on illustrative sun-path diagrams generated using an online sun-path tool.

- Given the height and proximity of the proposed dwellings and the lack of detailed daylight and sunlight analysis it remains unclear how the developer concluded that overshadowing effects would be limited.

Marston Planning Consultancy on behalf of Ardeevin Residents Association

- Access is based on principle only and not consider all the components required.
- The access being the only viable location is irrelevant as to whether the road forms an appropriate and acceptable access to the site.
- The project fails to achieve the correct balance between encouraging non-car-based travel and residential density. The reduction in density of the proposed development by way of condition is indicative of the lack of capacity of the site and poor design approach taken and its density is below that required for such a site.
- Other developments need to be considered in a cumulative manner in relation to public transport and its capacity to serve an area. Just because a development is within walking distance from public transport, it does not mean there is sufficient capacity on those services. The applicant's response relies on implementation of Bus connects and that additional capacity could be added by TII, if required. Concerns between the balancing of car parking and public transport accessibility is inherently wrong in this instance.
- The access through Ardeevin Manor is substandard with no connecting footpath at the entrance adjacent to No. 13 Ardeevin Manor where the footpath ends. The applicants cannot provide a footpath at this location as the is outside the site and in any case would lead to the narrowing of the entrance to an unacceptably narrow dimension.
- The number of car parking spaces is too low with an inadequate number provided for the creche which is contrary to SPPR3 of the Compact Settlement Guidelines.
- The application site is over 500m from the nearest bus stop and should be considered as intermediate location under these guidelines.

- SPPR 3 should be used as the appropriate guidance for car parking and not the *South Dublin Development Plan 2022-2028*.
- The application proposed a pedestrian link via Primrose Lane which has its inadequacies, this is a closer link to a bus stop. The site is not served by a high frequency bus services with capacity. The busses are commonly full at peak times and cancellations of services are extremely high. It is therefore reasonable to consider this site as intermediate where higher levels of car parking shall apply.
- The car parking will result in overspill parking in adjacent residential areas that will result in serious traffic hazard and will be compounded by the proposed creche and cul-de-sac location.
- The impact on construction through traffic will have an unacceptable impact on the residents of Ardeevin Manor and the applicants only have themselves to blame in terms of the alignment of the road through Ardeevin Manor as there was no regard to the future access to these lands. Future residential traffic must be considered, particularly at No.13 Ardeevin Manor. There will be a serious diminution of residential amenity of all the residents of Ardeevin Manor, Ardeevin Avenue and Ardeevin Court. There are also concerns with respect to loss of light to the houses within Ardeevin Manor.
- The red line was previously drawn incorrectly with the hedgerow shown as being within the site area. No large-scale drawing to show the set back of the proposed units from No.2 and 13 Ardeevin Manor.
- The grounds for not retaining the western hedgerow as put forward by the applicant is incorrect and misleading. The poor quality of the proposed open space was a major determining factor on reaching the decision that the units along the western boundary should be removed. The applicant's solution to this would not address the inadequacy of the design approach in this instance.
- The applicant failed to provide for the relocation of public or communal open space so as to incorporate the retained green infrastructure into public and or communal amenity spaces and provide for a connection of green open spaces to the adjoining open space to the west.

- The Arborist report needs to be questioned, especially why oak trees which were previously proposed to be removed are now proposed to be retained. There are also concerns in relation to the claim that the boundary wall with the Protected Structure curtailed the root system of trees. There is no basis for reaching this conclusion.
- The layout has not been informed by a Green Infrastructure Plan, the permission as granted failed to adequately provide for the retention of trees and hedgerows.
- The proposed development fails to maximise existing green infrastructure and fails to utilise above ground, natural SuDS, whilst this has been partially addressed by the removal of 12 units along the western boundary of the land, it cannot be questioned that the design approach is entirely haphazard approach to the position of the public open space being broken into several areas. There is a question relating to the useability of significant parts of the site to be functionally used for amenity purposes.
- Areas for detention basins within open spaces within open space will result in them being unusable as amenity spaces for large parts of the year. All the proposed open spaces being scattered with bio-retention areas and the main area of open space forming a single detention basin that is 1m deep.
- There is a complete failure to adequately connect the proposed open spaces and surrounding green infrastructure, the open space is of an inadequate quality. The Green Space Factor calculation is not correct given that a significant level of trees and hedgerows are being removed to facilitate the proposed development.
- The proposed development has failed to evolve naturally from the site and surroundings, fails to address the character and identity of the area and provides inappropriate responses are made to boundary conditions.
- Need for a derogation license have regard to the Hellfire Massey Residents Association v An Bord Pleanála case.

David and Mary Whittle

- Understand the need for housing, however, Lucan has carried an unfair burden.
- Transport infrastructure struggling to cope with the present demand. Traffic congestion is largely because of overdevelopment and lack of investment in infrastructure.
- No further significant development should be permitted between the N4 and the River Liffey until appropriate relief measures by way of road infrastructure, public transport and safely segregated walking and cycling routes are established.
- There is one acute bend within Ardeevin Manor on a road of 5.5m, has access through Ardeevin Manor been fully assessed. Have the likelihood of residents, service vehicles, delivery vehicles or overflow parking from the proposed development been factored in?
- The creche will add to traffic chaos in the proposed development, Ardeevin Manor and the surrounding area. There 'drop off' places are wholly inadequate. Creche children cannot be dropped off and collected at a collection point. Short term places are required.
- Public transport through Lucan is inadequate for current demand and completely oversubscribed. There are no cycle lanes in Lucan. The figures used in the Traffic Impact Assessment are questionable.
- Lucan appears to be an area identified by SDCC as a 'dump' or more residential development.
- SDCC planners have no control over when new roads, upgraded junctions or improved public transport will be improved.
- Wastewater needs to be upgraded to 225mm pipes, ignored by the applicant. The system is proposed to connect to is 60 years old and the proposal doubles the demand. Have this been independently inspected and reported on as to their suitability for the future.
- A small area of natural biodiversity including plants, hedgerows, flora and fauna including bats, badgers pygmy shrews will be lost forever. The proposed development will have a negative impact on Lucan forever.

Desmond Rooney on behalf of Robin Hall

- There appears to be a 1st party response to the 3rd party appeal by Mr. Hall, this was not circulated to Mr. Hall or his agents.
- No detail of proposals for the control of construction phase traffic to ensure that Primrose Lane is not used.
- There appears to be no detail of proposals for signage and physical barriers to prevent Primrose Lane from providing vehicular access to the completed development.
- The circulated 1st party response does not appear to address concerns for surface water runoff that will arise from surface water exceedance from the SuDS proposal.
- The SDCC decision to grant contains at least 16 'prior to commencement' of development...or similar conditions. Many of these relate to items of planning significance. These items risk being removed from public consultation.

J.P. Colclough

- The front of Primrose Hill House was designed by James Gandon. The protection afforded to Primrose Hill House extends to the house and its setting and approach up the avenue is a significant part of the setting that will be adversely impacted by a four-storey block of flats close against the boundary wall.
- The landscaping adjacent to the boundary wall of Primrose Hill House involves changes in ground level and the excavation of rain holding bioretention basins up to 3m deep which will interfere with the roots of the trees on the boundary of the small paddock. Roots do not respect boundaries Block A and the adjacent bioretention basins will most certainly damage the root system and probably destroy the trees.
- The applicant has dismissed the concerns expressed that the four-storey apartment Block is at its closest point 5.2m distant from the boundary with Primrose Hill House lands and would be entirely destructive to the approach. Setting and gardens of the Protected Structure, this block should be omitted

or reduced to two storeys and moved significantly further from the boundary hedge.

- The applicant has not addressed the question raised by their own submission as to the right to free access to Primrose Lane which is not a public right of way and the hazardous change in use of Primrose Lane cannot be justified and is indisputably dangerous.

7 Assessment

7.1 Having examined the appeal details and all other documentation on file, including the initial application, the further information material, the clarification of further information, submissions and responses, the reports of the local authority and inspected the site. I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Demolition
- Density / Layout / Design
- Traffic Issues
- Ecology
- Drainage
- Flooding
- First Party Appeal
- Other matters
- Appropriate Assessment Screening

7.2 Principle of Development

7.2.1 The appeal site is zoned s zoned “RES” in the *South Dublin County Development Plan 2022-2028* with the objective “*To protect and / or improve residential amenity*”. Residential development is permitted within the ‘RES’ zone and Childcare Facilities are open for consideration. The proposed development is therefore considered to be

acceptable in principle, having regard to the RES zoning of the land. This is subject to a full assessment of the proposal.

7.3 Demolition

7.3.1 The proposed development seeks to demolish a total of 7 no. existing structures on site including storage units, a community building and 3 no. habitable dwellings with a total floor area of 999.92m².

7.3.2 I refer the Coimisiún to Objective 2 of Policy E3 of the *South Dublin County Development Plan 2022-2028* which seeks to prioritise the retrofitting of buildings over demolition and reconstruction where possible to reduce the large quantities of embodied carbon energy generated from building materials when building from the ground up

7.3.3 In this regard I note that the applicant provided a Demolition report prepared by McGrane and Partners Architects by way of response to Further Information. The buildings which are proposed to be demolished comprise a single storey garden room, a single storey community centre, a single storey storage shed and three single storey retreat buildings.

7.3.4 The demolition report states that the buildings are in poor condition, would rate low in terms of BER rating and are not of any architectural merit. In addition to this, I note that the Presbyterian Church have provided a letter which states that the proposed buildings are no longer required.

7.3.5 Having considered the types of buildings which are proposed to be demolished, I am satisfied that the buildings do not have any specific architectural merit and that the buildings would not be capable of attaining modern building / BER standards without significant investment which would most likely be unviable in this case. In my opinion, the buildings which are proposed to be demolished would not be suitable for other more modern uses, such as residential development (for example) and therefore I am satisfied that the proposal to demolish the buildings on site would not be contrary to Policy NCBH24 of the *South Dublin County Development Plan 2022-2028*.

7.4 Density / Layout / Design

Density

- 7.4.1 Several of the third parties have highlighted concerns with respect to the density of the proposed development which is considered to be out of character with the surrounding area.
- 7.4.2 I note the concerns of the third parties in this respect; however, the proposed development comprises of a residential development on serviced, residentially zoned land in proximity to Lucan Village Centre. In broad terms I note that the Government Strategy 'Delivering Homes, Building Communities 2025-2030 aims to dramatically increase housing supply in Ireland. In addition to this Section 28 Guidelines such as the 'Sustainable Residential Development and Compact Settlements' (2024) seek to increase residential density at suitable locations throughout the country.
- 7.4.3 Having regard to Table 3.1 of the 'Sustainable Residential Development and Compact Settlements' (2024), I am satisfied that the appeal site can be placed within the 'City-Suburban/Urban Extension category where a density range of 40 dph tp 80 dph (net) shall generally be applied.
- 7.4.4 Table 3.8 of the Guidelines provide additional information on how to 'refine' density taking account of a site's overall Accessibility. It is noted that the characteristics set out in Table 3.8 are not exhaustive and a local assessment will be required.
- 7.4.5 Having considered Table 3.8, I am satisfied that the appeal site could be described as an accessible location. I have come to this conclusion having regard to the NTA's Public Transport Accessibility Level (PTAL) tool which can be found at <https://experience.arcgis.com/experience/dc0507c5c9a2419c8f67efd167aa8836/page/Maps> which shows that the appeal site is within an area of medium to high bus service between the hours of 7-9am. I have also considered the appeal sites location within walking distance of Lucan Village Centre.
- 7.4.6 I note that the density of the application is 44.8 dph. This density is at the lower end of the density range envisaged in Table 3.1 of the Sustainable Residential Development and Compact Settlements' (2024). While I note that the direction of policy is to increase density at locations such the appeal site, I am satisfied that the proposed density would be acceptable. I have come to this conclusion having regard to specific site constraints which must be considered, including the location of a Protected Structure to the north of the site, the N4 road to the south of the site, the shape of the site and the character

of the area. Having regard to these constraints, I am satisfied that the density of the proposed development is acceptable.

Layout / Design

- 7.4.7 The proposed development comprises of 97 dwelling units comprising of 2 blocks of apartments (Blocks A and B), 2 blocks of Duplex / apartments (Blocks C and D) and 18 sets of semi-detached houses and 1 detached house.
- 7.4.8 I refer the Coimisiún to Drawing No. PDO1 Rev D '*Site Layout Plan*' Submitted with the first party appeal response which shows that Block's A and B are located to the north of the site and have heights of 13.8m. Blocks A and B would be set back c. 60m from the rear elevations of dwellings not within the appeal site (Ardeevin Court) to the north-west of the site.
- 7.4.9 Block C would be located to the north-east of the site and would have a height of c. 12.9m and would be set back c. 8m from the eastern boundary of the land and c. 10m from the northern boundary of the land.
- 7.4.10 Block D which would have a height of c. 12.9m, would abut the eastern boundary of the land but would be set back c. 8.5m from the site elevation of dwellings not within the appeal site (Ardeevin Manor) to the south-west of the site.
- 7.4.11 The two storey dwellings are located along the southern and western perimeter of site and within a central area to the south of the site. The proposed houses, which are predominantly semi-detached would have heights of c. 10.4m.
- 7.4.12 In overall terms, I note the concerns of the third parties with relating to the fact that the design of the proposed development, particularly apartments would not respect the character of the area, and I would concur that apartment buildings are not typical in this area of Lucan. However, this does not mean that developments including apartments such as that proposed are automatically inappropriate on the sites such as the appeal site *per se*. The appeal site is positively zoned for residential purposes on accessible, serviced lands within a residential area on which higher densities are encouraged by local, regional and national policy.
- 7.4.13 While this is the case, any proposed development is required to successfully harmonise with the character of the surrounding area and in general., I am satisfied that a residential development such as that proposed would not be out of character

within a residential area. Notwithstanding this, I note that the appeal abuts a site which includes a protected structure to the north and having considered the plans and particulars submitted with the application and having been on site, I have concerns that elements of the proposed development would fail to successfully harmonise with the Protected Structure to the north of the land.

7.4.14 In this regard my concerns relate to the height, design and set back of Block A in relation to the northern boundary of the land. The land to the north of the appeal site includes Primrose Hill House (RPS Ref. 099) which is described in the Record of Protected Structures (Appendix 3 of the *South Dublin County Development Plan 2022-2028*) as a Two Storey House. In addition to this, the National Inventory of Architectural Heritage describes the house as *'Detached five-bay two-storey country house, c.1790, with full-height three-sided bow front to central three bays. Two-storey bowed projections on north-east and south-east elevations. Timber sash windows with stone sills. Timber panelled door with leaded fanlight and side lights, set into a simple round-headed stone archway. Roughcast rendered walls with smooth rendered base course. Hipped and pitched slate roofs with roughcast rendered chimney stacks.* It is further stated that *'set within well-maintained grounds, the house is a good example of the lively character and variety present in many of the structures of the Lucan area'*.

7.4.15 I make the Coimisiún aware that the northern boundary of the land is screened by way of a linear stand of pine trees. However, on the day of my site visit I noted that canopy of these trees was relatively light and it was possible to see through the canopy to the property to the north. I was therefore not satisfied that the screening was dense enough to effectively block views of Block A from the protected structure.

7.4.16 I have concerns that the design, scale and set back of Block A Has the potential to detract from the presence and character of the Protected Structure. This element of the proposed development would, therefore, not comply with policy NCBH19 of the *South Dublin Development Plan 2022-2028*. I would therefore recommend that the height of Block A should be reduced by two floors. This could be dealt with by way of condition, should the Coimisiún be of a mind to grant planning permission.

7.4.17 In addition to this, I note that Block C is also in proximity to the northern boundary of the land. However, I am satisfied that the lower height and increased set back would

ensure that Block C would not have an undue impact on the presence and character of the protected structure.

7.4.18 The proposed development is also close to but not within the Lucan Architectural Conservation Area. In this regard, I note that the appeal site is set back c. 174m from the southern extent of the ACA at Primrose Lane.

7.5.12 I note the concerns of third parties in this respect, however, while the purpose of an ACA designation is to protect and enhance the special character of an area, it does not necessarily prohibit new development. New development in proximity to an ACA should be sympathetic to the special character of the area. Therefore, a balance needs to be struck between protecting the character of the area and allowing residential development on residentially zoned lands.

7.4.19 I refer the Coimisiún to a set of photomontages submitted with Further Information which shows that the proposed development would not be visible from Lucan Village or from the Lucan Road. In addition to this, I note the set back of the appeal site from the ACA and having regard to the foregoing, I am satisfied that the proposed development would not have any impacts on the character of the Lucan ACA.

7.4.20 With regard to the finishes of the proposed units, I have concerns with respect to the large use of render on the proposed apartment and duplex buildings as depicted on the drawings. I am of the opinion that these buildings should be fully finished in a high quality, durable materials such as brick as shown and that render should not be used. I note that new dwellings within Ardeevin Court have a red brick finish and this finish would be appropriate in this case. This matter could be dealt with by way of condition, should the Coimisiún be of a mind to grant planning permission.

Quality of the proposed units

Houses (Unit Mix-houses)

7.4.21 I note the concerns of third parties with respect to the mix of houses proposed as part of the proposed development. These concerns generally relate to the nature of apartments and larger houses in suburban areas is that many of them tend to be occupied by transient renters rather than families. The mix of house units is set out in Table 2 above and I am satisfied that the mix of houses is acceptable, given the appeal sites location in proximity to Lucan Village. In my view, the mix of units would support

a reasonable mix of families and other tenure types which would be acceptable in an urban area such as Lucan.

Floor areas -houses

7.4.22 In assessing the proposed development including the Housing Quality Assessment submitted with the application, I note that all the dwellings exceed the minimum overall floor area requirements as set out in Quality Housing for Sustainable Communities: Design Guidelines 2023. This is considered to be acceptable.

Private open space-houses

7.4.23 Private open space to serve each of the dwellings is proposed by way of back gardens. The relevant private open space areas for the dwellings range between c.55m² to 215m² and therefore I am satisfied that the back gardens would comply with the minimum area standards set out in SPPR2 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities 2024. This is considered to be acceptable.

Unit mix-Apartments

7.4.24 I note that the Apartment Guidelines have been updated and that the updated Guidelines are applicable to any application for planning permission and to any subsequent appeal or direct application to An Coimisiún Pleanála submitted after the issuing of the Guidelines, i.e., from 9th July 2025. The updated guidelines are applicable in this case.

7.4.25 The proposed mix comprises of 3 x 1 bed apartments, 44 x two bed apartments (including duplexes) and 6 x 3 bed apartments (including duplexes). This mix is acceptable and generally complies with the updated Apartment Guidelines.

Floor areas-Apartments

7.4.26 A total of 57 of the 60 proposed apartments and duplex units exceed the minimum floor areas set out in the Apartment Guidelines by 10%. In this regard, it is noted that units 64-66 (inclusive) of Block C Do not exceed the minimum floor areas set out in the Apartment Guidelines by 10%, although the floor areas in these units would exceed the minimum floor requirements. I am satisfied that the floor areas for the dwellings and apartments are acceptable

7.4.27 SPPR 3 of the updated Apartment Guidelines require that a minimum of 25% of units within a development shall be required to be dual aspect. The Housing Quality Assessment submitted with the application demonstrates that 56 of the 60 proposed apartment and duplexes are dual aspect. I note that the plans submitted with further information show that the single aspect units within Block A have been re-orientated to ensure that there are not north facing. In broad terms, I am satisfied that in excess of 25% of the apartment and duplex units would be dual aspect and that this would comply with the Apartment Guidelines in this respect.

Private Open Space-Apartments

7.4.28 I note that private open space ranges from 7.1m² to 15.6m² and I am satisfied that these areas would comply with the minimum standards set out in the Apartment Guidelines.

Communal Open Space-Apartments

7.4.29 Having regard to Appendix 1 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2025, the proposed development is required to provide a total of 422m² of communal open space for the apartments and duplexes. I refer the Coimisiún to Drawing No. 24165_Lucan_Open Space Calculation_FI), prepared by Gannon + Associates submitted with the clarification of Further Information which shows the distribution of the proposed areas of communal open space. A total of 1,144m² of communal open space is proposed in 5 separate areas to the north and south of Block A, to the north of Block B, to the north and east of Block C and to the south-east of Block D. I am satisfied that the area of communal open space proposed comprises with the Apartment Guidelines.

7.4.30 I do have concerns relating to the useability of the proposed communal open space to the front of Blocks A and B, which, in my view is piecemeal and in close proximity to car parking spaces and may have limited functionality as an area of open space. Notwithstanding this, both Block A and B are close to larger areas of public open space which would provide an adequate compensation for this.

7.4.31 An area of 303m² communal open space is proposed along the southern boundary of the land. The area and location of the communal open space (which would be overlooked by the rear elevations of Duplex units 17-32) is considered to be acceptable.

7.4.32 I am satisfied that the overall area of communal open space (1,144m²) is acceptable and complies with the Apartment Guidelines.

Daylight to Apartments

7.4.33 Section 12.6.7 of the *South Dublin County Development Plan 2022-2028* states that a daylight analysis will be required for all proposed developments of 30+ units or in any other case where the layout or design could unduly impact on residential amenity.

7.4.34 The initial application material does not include a Daylight and Sunlight Analysis, and this was highlighted in the initial area planners report. However, it would appear that such a report was not specifically requested by way of Further Information. In addition to this, the Clarification of Further Information also did not request a Daylight and Sunlight Analysis.

7.4.35 While this information would have been helpful in assessing the proposed development, I make the Coimisiún aware that I have considered the orientation of the apartments within Blocks A and B and their aspects and note that there are no single aspect north facing units. The single aspect units are broadly south facing with balconies attached to the southern façade of the buildings which are accessed from the living areas. Having considered the foregoing, I am satisfied that the proposed development would be consistent with the requirements of the Apartment Guidelines in this respect.

Overall Scheme Landscaping – Public Open Space

7.4.36 I refer the Coimisiún to Drawing No. 24165_Lucan_Open Space Calculation_FI, prepared by Gannon + Associates submitted with the clarification of Further Information which shows the distribution of the proposed areas of public open space. A total of 3,595m² of public open space is proposed, which equates to 16% of the overall site area and as such would comply with Policy and Objective 5.1 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities 2024 relating to Public Open Space.

7.4.37 I note third party concerns the applicant has failed to demonstrate how the proposed development would comply with Policies GI1, GI2 GI4 and GI5 of the South Dublin Development Plan 2022-2025 and does not comply with the overarching objectives

associated with the Liffey Valley Strategic Corridor in Table 4.1 of the County Development Plan.

7.4.38 In addition to this, I note that the Public Realm Department highlighted concerns throughout the planning process with respect to the widespread clearance of vegetation and trees from the site and recommended that the proposed development be refused due to the fact that the design of the proposed development does not take account of the existing site characteristics or its location in a primary Green Infrastructure Corridor where GI elements should be protected and enhanced.

7.4.39 In response to this, the first party states that the proposed development has been informed by a comprehensive Green Infrastructure Plan and that existing landscape features including mature trees and hedgerows have been incorporated into the overall site layout plan. The first party states that the majority of green infrastructure on site is retained. Limited tree removal is proposed and only where necessary to facilitate the delivery of residential units and associated infrastructure. In addition to this the first party states that The Green Space Factor assessment submitted at CFI stage achieved a final FI score of 0.58 which exceeds the minimum required GI score of 0.5.

7.4.40 I have considered the landscape plans and Green Infrastructure Plan submitted with the application, including at Clarification of Further Information and I am satisfied that while some trees are being removed, the overall GI score exceeds that required by that of the South Dublin Green Space Factor Guidance Note and is therefore acceptable.

Overlooking

7.4.41 I refer the Coimisiún to Drawing No. PD01 Rev D 'Site Layout Plan' submitted with the first party appeal response which shows the set back of the proposed development from the adjoining existing residential development. The proposed dwellings along the western boundary of the land would be set back between c. 21m and 53m from the rear elevations of dwellings to the west (Ardeevin Court). In addition to this, dwelling to the southwest of the site would be set back c. 17m and 20m from the rear elevations of dwellings to the south-west (Ardeevin Manor). I do not have any concerns that the proposed development houses along the western boundary would lead to any undue overlooking either externally or within the proposed development. I have come to this

conclusion having noted that the separation distances are generally greater than 16m as set out in SPPR1 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities 2024.

7.4.42 Apartment Blocks A and B are located within the northern and central part of the site.

I note that balconies are proposed on the eastern and western elevations of both blocks. Darwing No. PD01 Rev D' *Site Layout Plan*' submitted with the first party appeal response shows that the balconies on the western elevation of Blocks A and B.

7.4.43 I note that these balconies would be set back c. 30m from the front of proposed dwelling No's 12-19 within the proposed development to the west of the Blocks. In addition to this, the balconies would be set back between 65m and 80m from the rear elevations of No's 8-20A Ardeevin Court to the west of the site.

7.4.44 The proposed balconies on the eastern elevations of Blocks A and B would be set back between 25 and 30m from the front of Block C to the east of the site and c. 50m from the eastern boundary of the site. Having considered the foregoing, I do not have any concerns with the proposed development causing undue overlooking both internally and to abutting sites.

7.4.45 Block C is located in proximity to the northern and eastern boundary of the land. Block C would be set back c. 10m from the northern boundary of the land and C. 8m from the eastern boundary of the land. There are no opposing dwellings to the north or east of the land and the proposal would not cause any undue overlooking.

7.4.46 Block D is located in proximity to southern boundary of the land. The side elevation of Block D would face towards the side elevation of a dwelling within Ardeevin Manor, I am satisfied that this arrangement would ensure that Block D would not cause any undue overlooking.

Overshadowing

7.4.47 As previously stated, the application does not include a Sunlight / Daylight report. Notwithstanding this, I note that the first party appeal response includes a number of sun path diagrams on 21st March 21st July and 21st December. These diagrams relate to the impact on No.13 Ardeevin Manor only.

7.4.48 While in broad terms the sun path diagrams do not provide detailed data with respect to the proposed development, they do provide some detail with respect to the sun path. Having considered the orientation of the appeal site and the set back of the proposed dwellings from No.13 Ardeevin Manor, while I acknowledge there would be some overshadowing of the back garden, this would be confined to the morning and would not be onerous and, in my opinion would be acceptable in an urban context.

Overbearing

7.4.49 My concerns with respect to the design of Block A are outlined above. In my opinion, there are no overbearing concerns with respect to the design of the overall development, I am satisfied that the Block D and the semi-detached dwellings along the western boundary of the land are sufficiently set back to ensure that there would not be any overbearing impacts from the proposed development.

Creche

7.4.50 The proposed creche would be located to the south of Block C on the eastern side of the proposed development. The proposed creche would have an internal floor area of c. 352 m² over two floors and would have a height of c. 9.691m.

7.4.51 I note the concerns of the South Dublin Childcare Committee and a number of third-party objectors with respect to the Creche; however, I note that the Guidelines for Planning Authorities on Childcare Facilities (2001) generally seeks that one childcare facility with places for 20 children shall be provided for each 75 family dwellings. Excluding the 1 bed apartments a total of 95 family residential units are proposed as part of this development. I am satisfied that the provision of a creche for 78 children would comply with the Guidelines for Planning Authorities on Childcare Facilities (2001) and as such is satisfactory.

7.4.52 Having regard to the concerns of the South Dublin Childcare Committee that the proposed creche floor plans submitted do not align with Tusla Early Years Regulations recommendations under the Childcare Facilities Guidelines for Planning Authorities 2001 and the Universal Design Guide. This matter could be dealt with by way of condition requiring that the proposed creche complies with Tusla Early Years Regulations recommendations under the Childcare Facilities Guidelines for Planning Authorities 2001 and the Universal Design Guide.

7.5 Traffic Issues

- 7.5.1 Third parties have outlined concerns with respect to traffic congestion in the Lucan area and that the proposed development would be served by an inadequate number of car parking spaces which is significantly below the maximum allowable under Section 12.7.4 and Table 12.26 of the County Development Plan and is contrary to SPPR 3 of the Compact Settlement Guidelines and that the proposed development would lead to overspill parking within the Ardeevin area. Concerns are also raised with respect to the provision of one single access road serving the proposed development and surrounding area.
- 7.5.2 In response to this, the first party appeal response notes that the approach to car parking is consistent with the requirements of the County Development Plan and national guidance. The parking standards set out in Table 12.26 of the County Development Plan are maximum standards. The level of car parking proposed is 83% of the maximum permissible level. This is entirely consistent with Policy SM7 of the County Development Plan. Policy SM7 is consistent with SPPR 3 of the Compact Settlement Guidelines.

Congestion

- 7.5.3 I refer the Coimisiún to the Traffic and Transport Assessment prepared by Kilgallen and Partners Consulting Engineers submitted as part of the applicant's response to the Clarification of Further Information request.
- 7.5.4 This report notes that the data source for existing traffic flows is based on an automated 7 day - 24-hour survey of traffic movements at the three-arm intersection of Leixlip Road (R835) and Celbridge Road (L1031) was carried out on Tuesday 27th of May 2025 to Monday the 2nd of June 2025.
- 7.5.5 A number of third parties have highlighted concerns that the data source for existing traffic flows was taken at a time when secondary schools and universities had closed, and it also included the June bank holiday weekend and therefore does not represent normal weekday conditions.
- 7.5.5 The Traffic and Transport Assessment finds that the proposed development will result in a mild impact on traffic flows and the Leixlip Road will operate below capacity from the opening year 2028 to 2038 and would begin to enter the lower range of capacity in 2043. In addition to this, additional trips will be added to the Celbridge Road and the internal streets accessing the proposed development but not enough to cause a

significant impact to the internal streets or at the junction of Celbridge Road or the Junction at Leixlip Road.

7.5.6 The Roads Department of South Dublin County Council assessed the Traffic and Transport Assessment at Further Information stage and stated that the Ratio of Flow Capacity figures provided are shown to be below the critical figure of 0.85 and that this was satisfactory.

7.5.5 I note the concerns of the third parties with respect to the data source for existing traffic flows were taken at a time when secondary schools and universities had closed, and it also included the June bank holiday weekend. However, I note that the Roads Department of South Dublin County Council did not outline any concerns in this regard and noted that the junction operated within applicable capacity requirements. I have considered the concerns of the third-parties, the response of the first party and the report of the Roads Department of South Dublin County Council and on balance, I am satisfied that the Traffic and Transport Assessment is acceptable and the capacity of the junction of the Leixlip Road (R835) and Celbridge Road (L1031) would operate within its limits having regard to the traffic from the proposed development.

Impact on the N4

7.5.7 I note that Transport Infrastructure Ireland highlighted concerns both at initial application stage and Further Information stage with respect to the lack of information provided with the application relating to the impact on the capacity, safety or operational efficiency of the national road network in the vicinity of the site. While I note that Transport Infrastructure Ireland did not object to the proposed development or specifically request any Further Information, I am of the opinion that this matter should be considered.

7.5.8 In this regard I refer the Coimisiún Section 10 of the Traffic and Transport Assessment prepared by Kilgallen and Partners Consulting Engineers submitted as part of the applicant's response to the Clarification of Further Information request which details that the traffic from the proposed development would increase traffic on the N4 by 0.26% during the AM peak and 0.12% during the PM peak. The figures used to calculate this were taken from a TII traffic counter immediately east of the site between Junction 03 and Junction 04 from Friday 30/5/25. I make the Coimisiún aware that I have considered the TII figures for this area at

https://trafficdata.tii.ie/tfdayreport.asp?sgid=XzOA8m4lr27P0HaO3_srSB&spid=2CD A5459A8C6&reportdate=2025-05-30&enddate=2025-05-30 and I confirm that the

figures provided are accurate to those published. Having regard to the foregoing, I am satisfied that the proposed development would not have an undue impact on the operation of the N4.

Internal Road Network

7.5.9 A number of third parties have outlined concerns with respect to the road layout within the proposed development and that the proposal would be used as a rat-run. In addition to this, the use of a one-way system would not lead a pleasant environment for potential future residents.

7.5.10 In terms of the design of the proposed internal road and footpaths, I refer the Coimisiún to Chapter 4 of DMURS which states that the standard carriageway width on Local streets should be between 5-5.5m and footpaths should be 2-2.5m. Having considered Drawing No. PD01 '*Site Layout Plan*' submitted with the first party appeal response, I note that the internal road network is 5m wide and the footpaths are 2m wide. I am satisfied that the proposed development would comply with DMURS.

7.5.11 With regard to the one-way system within the proposed development, I refer the Coimisiún to Drawing No. 24048-DR-0105 Rev PLO2 '*Streets- Refuse Truck Swept Path Analysis General Layout*' which shows that Street No.5 which runs between Block A and Block B is a one-way street. I do not have any concerns with the inclusion of a one-way street at this location of the proposed development. In my opinion this would lead to a reasonable low-speed environment in a part of the site where there is a potential for heavy footfall (i.e. between two apartment blocks).

Access to the proposed development

7.5.12 A number of third parties have outlined concern with respect to the number of proposed dwellings all reliant on a single access route. There are concerns that as the existing estate already accommodates a high level of private car ownership, the proposed units would result in a significant increase in vehicular movements, as well as associated service, delivery, visitor and childcare-related traffic. In addition to this, there are concerns that the access through Ardeevin Manor is substandard with no connecting footpath at the entrance to No.13 Ardeevin Manor. This is the sole vehicular and main pedestrian / cyclist access out from the site and include inadequate

alignments and footpaths that will increase the potential for conflict between different users of the access.

7.5.13 The first party appeal response states that the proposed pedestrian and cycle links provided are welcomed by SDCC and the Roads section is not concerned with issues of 'rat running' through Ardeevin Manor. It is further stated that the provision of a single access road servicing serviced zoned land to the east of Ardeevin Manor was anticipated and acknowledged by the SDCC Roads section as the only viable solution for the development of zoned lands to the east of Ardeevin Manor.

7.5.14 I refer the Coimisiún to Drawing No. PD01 '*Site Layout Plan*' submitted with the first party appeal response which shows that the access to the appeal site via Ardeevin Manor is the only viable option in this instance. I have come to this conclusion noting that direct access to the N4 to the south of the site may be problematic and would require the consent of TII and Primrose Lane to the northwest of the site is not suitable to accommodate vehicular traffic. In broad terms, I am satisfied that the access to the appeal site is acceptable.

7.5.15 I note the concerns of the owners of No.13 Ardeevin Manor with respect to the lack of a connecting footpath at the entrance to No.13 Ardeevin Manor and the on-plot parking area serving the dwelling and that there is no access from the existing public pedestrian path to this property. I make the Coimisiún aware that I have considered the plans which were permitted with the application for overall Ardeevin Manor development (Reg. Ref. SD18A/0310 / ABP-304659) and I note that a footpath to the front of No. 13 Ardeevin Manor was not shown on the permitted plans, in addition to this, the access road to the proposed development does not increase the road width permitted under Reg. Ref. SD18A/0310 / ABP-304659 which was 5.0m. Notwithstanding this, I note that the road to the front of No.13 Ardeevin Manor is included within the redline area for the proposed development and there maybe the potential for the applicants to provide a footpath to the front of No.13 Ardeevin Court. The provision of a footpath at this location may involve the redesign of the entrance to the proposed development, however, in my opinion this would lead to a more acceptable outcome win terms of pedestrian and vehicular safety, especially for the residents of No.13 Ardeevin Court. This matter could be dealt with by way of condition, should the Coimisiún be of a mind to grant planning permission.

7.5.16 I note that the concerns of the third parties with respect to the fact that the existing road through Ardeevin Manor has a sharp bend which may impeded the ability of larger vehicles including fire tender access along this road. In this regard I refer the Coimisiún to Drawing No. 24048-DR-0107 Rev PL02 '*Streets-Fire Tender Swept Path Analysis-General Layout* which demonstrates that a Fire Tender can manoeuvre through Ardeevin Manor. I note that this drawing does not consider the potential of cars parked on street (i.e. outside of the curtilage of the dwellings). However, the road widths comply with DMURS (i.e. footpaths 2m wide and roads 5m wide) and I note that the Roads Department of South Dublin County Council did not object to this access. I am satisfied that the roads widths are acceptable.

Primrose Lane

7.5.17 Several third parties have outlined concerns with respect to the use of Primrose Lane for pedestrian and cyclist access to the proposed development. Third parties are concerned that the limited width of Primrose Lane in combination with the lack of pedestrian infrastructure has the potential to cause conflict between vehicles and pedestrians / cyclists. In addition to this, third parties note that Primrose Lane is not a public right of way.

7.5.18 Having been on site, I make the Coimisiún aware that Primrose Lane is a narrow roadway which provides access to a number of dwellings and to the Lucan Centre. The northern portion of the Lane does include a footpath; however, the southern portion of the lane which leads to the appeal site does not include any footpath for a distance of c.125-130m. It is noted that there are several dwellings within this portion of the lane which use the lane for the purposes of vehicular access. the entire upper portion of Primrose Lane.

7.5.19 I note that neither the area planner or the Roads Department of South Dublin County Council highlighted concerns with respect to the use of the lane for the purposes of providing pedestrian and cyclist access to the proposed development. I note the concerns of the third parties with respect to the use of Primrose Lane for pedestrian and cyclist access to the proposed development and the potential for conflict between vehicles and pedestrians / cyclists. However, I am satisfied that the use of Primrose Lane for cyclists and pedestrians is acceptable. I have come to this view having regard to the low-speed traffic environment of the road as a result of the low number of

dwellings on the southern portion of the land approaching the appeal site. I also note that the proposed development is likely to reduce the number of car trips along Primrose Lane by removing the Lucan Centre.

7.5.20 Notwithstanding this, it may be that a condition is required to ensure that a shared surface scenario or road signage and bollards are required to ensure that no vehicles could access the proposed development and that there would be no unsafe conflicts between cars and pedestrians / cyclists. This matter could be dealt with by way of condition, should the Coimisiún be of a mind to grant planning permission.

7.5.21 In addition to the above, I note concerns that the applicants do not have a wayleave over Primrose Lane, in the regard I note that the Planning Authority requested details in this respect by way of Further Information and Clarification of Further Information.

7.5.22 By way of response the Further Information request, the applicant provided a Solicitors letter which states that the applicants have been granted the benefit of a right of way from the appeal site along the private lane known as Primrose Lane as part of the purchase of the property. It is noted that the Roads Department of South Dublin County Council considered this response and noted that this response is acceptable.

7.5.23 In any case, I am of the view that this matter is a civil one and not for determination by the Coimisiún. I would also note that a grant of planning permission does not entitle a developer to carry out a development in the absence of all other legal issues being addressed and remedied.

Car parking

7.5.24 Several third parties have outlined concerns with respect to an undersupply of car parking provided by the proposed development which will lead to overspill parking in the surrounding areas.

7.5.25 In response the first party states that the parking standards set out in Table 12.26 of the County Development Plan are maximum standards. The level of car parking proposed is 83% of the maximum permissible level. This is entirely consistent with Policy SM7 of the County Development Plan. Policy SM7 is consistent with SPPR 3 of the Compact Settlement Guidelines.

7.5.26 I refer the Coimisiún to the Schedule of Accommodation submitted with the application which demonstrates that a total of 101 car parking spaces is proposed. I have

considered Table 12.26 of *the South Dublin County Development Plan 2022-2028*, and I make the Coimisiún aware that the parking standards are maximum standards. While I note concerns relating to overspill parking in the area, In my opinion the provision of car parking at a rate of 83% of the maximum permissible on a site which is serviced and zoned for residential purposes within proximity to Bus routes and the centre of Lucan Village is acceptable and in line with local, regional and national policy.

7.5.29 In addition to this, I am satisfied that the car parking provision complies with Table 3.8 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities 2024.

7.5.30 A total of 136 bicycle spaces is provided including 88 spaces for residential element of the proposal and 38 visitor spaces. I am satisfied that the bicycle parking provision is acceptable.

7.6 Ecology

7.6.1 Third parties have outlined concerns with respect to flora and fauna on the site, specifically that an Inadequate assessment by the applicant regarding potential impacts of the proposed development on wildlife habitats. Including bar species, badgers, hedgehogs and bird species. Concerns are also raised regarding the loss of vegetation because of the proposed development.

7.6.2 In response the first party appeal response states that the proposed development has been informed by a comprehensive Green Infrastructure Plan, the primary objective of which is the retention and integration of existing landscape features including mature trees and hedgerows into the overall site layout plan. The majority of green infrastructure on site is retained. Limited tree removal is proposed and only where necessary to facilitate the delivery of residential units and associated infrastructure.

Flora

7.6.3 I note the concerns of first parties with respect to the removal of the existing flora from the site. Concerns are outlined that the proposed development would lead to the destruction of a valuable green infrastructure and eco systems on the appeal site. In addition to this, I note that the Public Realm Department of South Dublin County Council recommended that permission be refused as there would be an unacceptable widespread clearance of vegetation and trees in a primary Green Infrastructure corridor.

- 7.6.4 In broad terms the *South Dublin County Development Plan 2022-2028* seeks to increase biodiversity within the built environment, including nature-based solutions, tree planting and urban greening, green roofs, grey walls and SuDS.
- 7.6.5 The application material includes an Ecological Impact Assessment Report carried out by BioSphere Environmental Services. The report states that the main part of the site is grassland, formal lawns, various shrubbery and scattered specimen trees with a hedgerow along the south-eastern and south-western boundaries of the land. The site is generally used for amenity purposes with no natural habitats present.
- 7.6.6 In addition to this I refer the Coimisiún to the Landscape Design Rational submitted at Further Information stage, which demonstrates that the open spaces would include wildflower meadows and various tree and ornamental planting. In addition to this, several existing trees are proposed to be retained along the northern and western boundaries of the land. Hedgerows are proposed to be retained along the eastern boundary of the land.
- 7.6.7 I am satisfied that the appeal site does not include any natural habitats which would be uncommon for an urban area. In addition to this, the proposal would retain several trees and hedgerows as well as including new planting throughout the site.
- 7.6.8 While I note that the proposed development includes the removal of a quantity of trees and hedgerows on the appeal site, I note that the proposal includes the planting of new trees, the retention of several existing trees and large and planted areas of open space. As previously outlined, the proposed development achieves a GI score of 0.58 which exceeds the minimum required GI score of 0.5 as set out in the *South Dublin County Development Plan 2022-2028*. Therefore, on balance, I am satisfied that the proposal would not have an undue impact on the overall biodiversity of the area.

Bats

- 7.6.9 The application material includes a Bat Assessment of the Ardeevin, Lucan, Co. Dublin prepared by Brian Keeley. The report found that Bat activity was noted throughout the site. Bats were noted to feed and commute past the Lucan Centre, past the timber chalets and along the perimeter wall on the west in and out of neighbouring gardens. Most activity was soprano pipistrelle while there was a relatively high level of Leisler's bat given the size of the site. The report states that Soprano pipistrelle roosting with the Lucan Centre building. As a result of this, the Lucan Centre is a protected structure

under the Wildlife Act. It is stated that without mitigation, there is potential for injury or death to roosting bats. There will be a loss of bat roosts and a loss of foraging within the site through vegetation loss. Excessive lighting would also affect the commuting activity of bats through the site as well as affect foraging within the site.

7.6.10 The report recommends (inter alia) that a derogation licence must be sought from NPWS prior to any work commencing upon the site and that no work can take place on the former Lucan Centre from May to September as bats may be breeding unless a survey can confirm that no breeding is taking place within the building.

7.6.11 Having considered the above, I am of the opinion that the proposed development has the potential to result in the disturbance and / or destruction of a breeding or resting place of Bats which are strictly protected under the Habitats Directive, in the absence of sufficient information that a derogation license could be obtained, I am not satisfied that the proposed development would comply with Article 12 of the Directive and therefore refusal is recommended on this basis. This matter could not be dealt with by way of condition as I cannot be satisfied that a derogation license would be granted and therefore refusal is recommended on this basis.

7.6.12 I make the Coimisiún aware that I attempted to consult the 2025 Derogations list on the National Parks and Wildlife Service website on Thursday 12 March 2026, to see if the applicant had received a Derogation License between when the appeal was made and the writing of this report, however a message stated '*Section under maintenance*' and I was unable to see the list.

7.6.13 Further information in this regard could be requested from the First Party, if the Coimisiún is minded to do so, however, having regard to the other substantive reasons for refusal, it may not be considered necessary to pursue the matter.

Badgers / Hedgehog

7.6.14 I note concerns of the third parties with respect to other species including badgers / hedgehogs. The initial planning application material includes An Ecological Impact Assessment Report which highlights that the study site has relatively low potential to support mammal species due to the low diversity of habitats.

7.6.15 With regard to Badgers, the report notes that the site is considered to provide foraging habitat (amenity grassland) for badger, though there was no evidence of setts on site (the animals appear to be entering the site from the east where there is extensive open

ground). The loss of a relatively small area of foraging habitat is unlikely to have a significant effect on the local badger group.

7.6.16 With regard to Hedgehogs, the report notes that the loss of habitat for various small mammals, including protected species such as pygmy shrew and hedgehog, all of which are widespread species of the countryside and suburban areas (parkland, large gardens etc.) is unlikely to have effects on the populations in a wider local context. While I note the concerns of the third parties in this regard, I am satisfied that the proposed development would not have a significantly detrimental impact on the habitat of Baggers and Hedgehogs, given the site's location within an urban area the fact that there are no breeding or resting grounds within the site.

7.7 Drainage

7.7.1 A number of third-party objectors have highlighted concerns that the proposed development is too intense to achieve effective SuDS for the site and that the strategy proposed will result in storm and surface water being discharged into adjoining properties resulting in the flooding.

7.7.2 The first party states that the proposed detention basin will only store water for temporary periods during and shortly after periods of heavy rainfall. The landscaping and treatment of the detention basin will ensure its functionality and safety as an amenity space. In addition, it is stated that the swales and retention basins are opportunities to enhance landscaping and biodiversity value of the site, these features can contribute to the landscaping design, create visual amenity and provide valuable opportunities to create new habitats that support and encourage wildlife.

7.7.3 I note that the Water Services Section of South Dublin County Council recommended that permission be refused as insufficient information was submitted to calculate surface water attenuation and based on the limited information submitted previously it was estimated that surface water attenuation of 632m³ is undersized by 39%. It was also stated that the proposed 750mm layers of topsoil and stone acting as an attenuation area is not recommended because this is underground and not a SuDS system. The proposed development would be prejudicial to public health and proper planning.

7.7.4 I refer the Coimisiún to the Technical Note on Surface Water Design prepared by Kilgallen and Partners submitted at Further Information stage. This document outlines

that the large detention basin within the main area of public open space to the south of Block B would be grassed and will have a layer of permeable stone underlying the topsoil. The Technical Note on Surface Water Design states that this will provide a permeable base to allow infiltration to ground as well as additional storage.

7.7.5 Having considered all the above I have some concerns with respect to the attenuation area proposed within the area of open space to the south of Block B. I am not satisfied that this attenuation area would comprise of a SuDS measure as it is underground. In this regard, I refer the Coimisiún to the SDCC Surface Water Drainage Pre Planning Guidance which states that underground attenuation storage is not a natural SuDS measure. My concerns relate to the fact that Section 12.11 of the *South Dublin Development Plan 2022-2028* states that *in some exceptional cases and at the discretion of the Planning Authority, where it is demonstrated that SuDS devices are not feasible approval may be given to install underground attenuation tanksSuch alternative measures will only be considered as a last resort.* In my view the application material does not provide sufficient detail to allow me to satisfy myself this is an exceptional case and that SuDS devices are not feasible.

7.7.6 In addition to the above I note that the proposed drainage scheme includes a soakaway within the public open space areas to the west and north of the site, I refer the Coimisiún to the SDCC Surface Water Drainage Pre Planning Guidance which states that soakaways must be located fully within the curtilage of a property. The location of the soakaways within public open space would therefore not comply with the policy of South Dublin County Council.

7.7.7 Having considered the above, I am not satisfied that the proposed drainage system would comply with the requirements of *South Dublin County Development Plan 2022-2028* as proposed and the applicant has not provided sufficient information to justify the use of non-SuDS measures. I note that this issue was acknowledged by the area planner in their report responding to the Clarification of Further Information, dated 11/12/25 which stated that with the inclusion of further green space through the extended pedestrian connection to lands to the west and overall revisions required to open space (i.e. landscaping, communal open space provision), the Planning Department note that additional above ground, natural SuDS features can be accommodated on site. This shall require a full redesign of the overall landscaping plan for the site. I am of the view that the full redesign of the landscaping plan to

facilitate additional natural SuDS on the land would require a renotification of the proposed development and as such could not be dealt with by way of condition. Therefore, I recommend that permission be refused on this basis.

7.7.8 Further information in this regard could be requested from the First Party, if the Coimisiún is minded to do so, however, having regard to the other substantive reasons for refusal set out above, it may not be considered necessary to pursue the matter.

7.8 Flooding

7.8.1 The application material includes a report on Site-Specific Flood Risk Assessment prepared by Kilgallen and Partners Consulting Engineers which concludes that the proposed development is not at risk of flooding and will not increase flood risk elsewhere. The proposed development is therefore appropriate from a flood risk perspective.

7.8.2 I make the Board aware I have consulted the flood mapping system (www.floodinfo.ie) and I note that the subject land is within Flood Zone 'C'.

7.8.3 Having considered all the foregoing; I consider the proposed development would not result increase the risk of flood either within the site itself or the surrounding area. The proposal is acceptable from a flood risk perspective.

7.9 First Party Appeal

7.9.1 A first party appeal has been lodged by Declan Brassil and Company on behalf of the applicant in respect of Conditions No's 2, 3 and 4c of the Notifications of Decision to Grant Planning Permission.

Condition 2 and Condition 3

7.9.2 With respect to Condition 2, which requires the that houses 9-20 (inclusive) be omitted and in the area should be kept free from development. In place of 9 and 10 an increased open space around the pedestrian access to the existing open space within Ardeevin Manor. Condition 3 states that this grant of planning permission permits a total of 85 no. residential units.

7.9.3 The first party makes the case that the layout been amended at Further Information stage to replace housing units along the eastern boundary with a Duplex block to appropriately retain the hedgerow as a north-south green infrastructure corridor. In addition to this, revised plans provide for the retention of the western boundary to the

rear of units 1-10 protected by a mesh fence to maximise amenity and to facilitate a green infrastructure corridor north-south to the existing public open space to the west.

7.9.4 In addition to this, the boundary treatments to the rear of units 11-20, there is no hedgerow on this section of the site. In overall terms the first party states that the proposed development provides an appropriate and sustainability level of density, consistent with national and county policy cannot be reasonably achieved on the site if these trees are to be retained.

7.9.5 In this regard the area planners report notes that the 12no. houses along the western boundary should be omitted from the site with this area kept free from development to allow for an appropriate proposal to come forward in this part of the site that provides for the adequate retention and protection of existing vegetation along the western boundary and to provide a considered connection to the adjacent public open space to the west and to ensure that the proposed development complies with GI policy of the *South Dublin County Development Plan 2022-2028*.

7.9.6 I Have considered the proposed site layout submitted with the response to the Clarification of Further Information and I note the concerns of the Planning Authority with respect to the removal of existing trees and hedgerows along the western boundary of the land. The appeal site is zoned for residential development, is serviced and is in proximity to Lucan Town Centre, which is identified as a 'City-Suburban / Urban Extension where the density range is 40 dph to 80dph in the Sustainable Density Guidelines. At present the density of the proposed development is 44.7 units per hectare.

7.9.7 The removal of 12 units as envisaged by Condition 2 would reduce the overall residential units on the appeal site to 39.2 dph. This density would be below the range set out for Suburban/Urban Extension category and would therefore not comply with the Section 38 Guidelines. This would not be a reasonable outcome in terms of Government policy. Therefore, if the Coimisiún is of a mind to grant planning permission then I would recommend that Condition 2 is not warranted in this case and should be omitted.

7.9.8 As a result, I would also recommend that Condition 3 is not warranted and should be omitted.

Condition 4 (a)

7.9.9 Condition 4(a) states that unit nos. 9 and 10 shall be omitted to provide for an increased open space around the pedestrian access from the subject site to the existing public open space to the west of the site.

7.9.10 The first party states that this omission cannot be substantiated and that the omission of those units to increase open space and in the interests of visual and residential amenities cannot be substantiated and is unreasonable and onerous, it will decrease density and significantly increase the provision of public open space. The development provides 3,026.5m² of public open space, which represents 13.95% of the overall site. Omitting Units 9 and 10 increases open space provision to 17%. In addition to this, the pedestrian link provides a direct access from the principal open space within the proposed development to a significant public open space to the west. There is no deficit of public open space.

7.9.11 Having considered the plans submitted with the application, I am satisfied that the level of public open space provided within the proposed development is acceptable and complies with both the *South Dublin County Development Plan 2022-2028* and the Sustainable Residential Guidelines. In addition to this, the proposed link to the existing area of public open space to the west is acceptable. If the Coimisiún is of a mind to grant planning permission, then I would recommend that this condition be omitted as it is not warranted.

7.10 Other matters

Noise

7.10.1 Several third-party appeals have outlined concerns that noise levels from the adjacent N4 road are unacceptable, and that no mitigation for this level of noise on the future residents is proposed.

7.10.2 I refer the Coimisiún to the Noise Impact Assessment Report prepared by TMS Environmental Ltd which was submitted with the initial application. Section 9.2 of this document recommends that the houses and apartments are constructed in accordance with the Glazing analysis, Ventilation analysis, roof analysis and wall analysis.

7.10.3 I note that Condition 25 of the Notification of Decision to Grant Planning Permission which requires that the proposed development is constructed in line with the development is constructed with regard to the recommendations set out in Section 9.2

of the Noise Impact Assessment Report and that Compliance verification through noise monitoring should be carried out on completion of the development to ensure internal noise levels outlined in Table 4.5 of the Noise Impact Assessment Report which are derived from BS 8233 (2014).

7.10.4 Subject to compliance with the above, I am satisfied that the proposed development would be acceptable.

Archaeology

7.10.5 The application material includes an Archaeological Impact Assessment Report prepared by Archer Heritage Planning which states that there are no Recorded Monuments located within the site. The closest monuments are DU017-019009 Water mill – unclassified (115m ENE) and DU017-021001 Ringfort / DU017-021002 souterrain (190m NE). Also, the site is located c. 340m SW from the historic core of Lucan. The report concludes that it is concluded, following desk-based assessment and site inspection that the potential for the continued survival of buried archaeological sites or features is moderate and that should development proceed, the site should be subject to additional archaeological assessment in advance of construction.

7.10.6 Should the Coimisiún be of a mind to grant planning permission then I would recommend that the condition be included which requires that at full archaeological assessment be undertaken before development commences.

8. AA Screening

8.1 The appeal site is not located on or within any designated Natura 2000 site(s) or Natural Heritage Area(s). The nearest designated sites are the Rye Water Valley/Carton SAC (Site Code: 001398) 2.7km N/W. which is on the Rye Water tributary of the River Liffey approximately 3 km upstream of Lucan. In addition to this, the Liffey Valley (Site Code 000128) pNHA is located c. 363m to the north of the site.

8.2 The Appropriate Assessment Report prepared by Biosphere Environmental Services states that while the subject site has a tenuous hydrological connection to the suite of designated sites in Dublin Bay via drainage to the River Liffey, it is considered that the proposed development does not have any realistic potential to impact on the water quality (and hence various qualifying interests) within the Dublin Bay system as there is a channel distance of approximately 18 km between the Lucan section of the Liffey

and the start of the designated component of Dublin Bay (the South Dublin Bay and Tolka Estuary SPA).

8.3 Given the tenuous hydrological link via drainage and the distance of 18km between the appeal site and the start of the designated component of Dublin Bay it is considered that there is no realistic potential for the proposed development to have an impact on the water quality of any European sites.

8.4 Having considered the nature, scale, and location of the proposed development, I am satisfied that it can be eliminated from further assessment for the following reasons:

- The serviced urban location of the subject site.
- The residential character of the proposed development.
- The distance from the subject site to any European Site.
- The lack of direct downstream hydrological or overland connection to the closest European Sites.
- The lack of identified in-combination effects.

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

9. Recommendation

9.1 I recommend that planning permission should be refused for the reason and considerations set out below.

10. Reasons and Considerations

1. The proposed development would result in the disturbance and/or destruction of a breeding or resting place of bats; a species strictly protected under the Habitats Directive and the European Communities (Birds and Natural Habitats) Regulations 2011. In the absence of sufficient information demonstrating that the tests required for the granting of a derogation licence could be satisfied, the Coimisiún cannot be satisfied that the proposed development would comply with Article 12 of the Habitats Directive. The proposed development would

therefore be contrary to the proper planning and sustainable development of the area.

2. Having regard to the grounds of appeal, the residential zoning objective, the established pattern of development in the area, the policy framework provided by the *South Dublin County Development Plan 2022-2028* and on the basis of the information submitted with the application and appeal, the Coimisiún is not satisfied, on the basis of the information provided in relation to surface water drainage that the proposed development would not be prejudicial to public health. The proposed development 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.

Ronan Murphy

26 March 2026

Appendix 1 - EIA Pre-Screening

Case Reference	PL-500528-SD-25
Proposed Development Summary	Permission for a residential development of 97 dwellings and a 293.1 m ² creche facility and all ancillary development, on a 2.17 ha site
Development Address	2.17 ha site to the north of the N4 Lucan by-pass and to, the east of Ardeevin Manor and Ardeevin Co, (Lucan and Pettycanon townlands), Lucan, County Dublin, K78 XT10
In all cases check box /or leave blank	
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (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.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<input type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
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?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2,	

<p>Schedule 5, or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>Class 10 of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for a development comprising the construction of more than 500 dwellings, or for 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.</p> <p>The proposal comprises of 97 units and a creche on a site of c.2.17ha in a residential area.</p>

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)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

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 for the construction of 97 residential units a creche and all associated site works in light of the requirements S177U of the Planning and Development Act 2000 as amended. The application material includes an Appropriate Assessment-Natura Impact Assessment Screening report prepared by Biosphere Environmental Services.

Screening summary

The Appropriate Assessment Screening report identifies 1 Natura 2000 designated sites within 15km of the application site. This is the Rye Water Valley/Carton SAC (site code 001398). The Rye Water is a main tributary of the Liffey which connects to the following European sites:

- South Dublin Bay SAC (code 00210)
- South Dublin Bay and Tolka Estuary SPA (code 004042)
- North Dublin Bay SAC (code 00206)
- North Bull Island SPA (code 004006)

Rye Water Valley/Carton SAC (site code 001398)

The Rye Water Valley/Carton SAC is located c. 2.7km to the north-west of the appeal site. A site-specific objective has been developed for the Rye Water Valley/Carton SAC which can be summarised as to restore the favourable conservation condition of Petrifying springs with tufa formation (Cratoneurion)*, Narrow-mouthed Whorl Snail (*Vertigo angustior*) and Desmoulin's Whorl Snail (*Vertigo moulinsiana*) in the Rye Water Valley/Carton SAC.

This has been screened out as it be concluded with full scientific certainty that there is no potential for indirect impacts on the Rye Water Valley/Carton SAC from construction or operation activities associated with the proposed development (i.e. no pathway from source to receptor).

South Dublin Bay SAC (site code 00210)

A site-specific objective has been developed for the South Dublin Bay SAC which can be summarised as to maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in South Dublin Bay SAC.

South Dublin Bay and Tolka Estuary SPA (code 004042)

A site-specific objective has been developed for the South Dublin Bay and Tolka Estuary SPA which can be summarised as to maintain the favourable conservation condition of Light-bellied Brent Goose, Oystercatcher, Ringed Plover, Knot, Sanderling, Dunlin, Bar-tailed Godwit, Redshank, Black-headed Gull, Roseate Tern, Common Tern, Arctic Tern, wetland habitat South Dublin Bay and River Tolka Estuary SPA as a resource for the regularly occurring migratory waterbirds that utilise it.

North Dublin Bay SAC (code 00206)

A site-specific objective has been developed for the North Dublin Bay SAC which can be summarised as to maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide, Annual vegetation of drift lines, Salicornia and other annuals colonizing mud and sand, Atlantic salt meadows (*Glauco-Puccinellietalia maritima*), Mediterranean salt meadows (*Juncetalia maritimi*), Embryonic shifting dunes, Shifting dunes along the shoreline with *Ammophila arenaria* ('white dunes'), Fixed coastal dunes with herbaceous vegetation ('grey dunes'), Humid dune slacks, and Petalwort North Dublin Bay SAC.

North Bull Island SPA (code 004006)

A site-specific objective has been developed for the North Bull Island SPA which can be summarised as to maintain the favourable conservation condition of Light-bellied Brent Goose, Shelduck, Teal, Pintail, Shoveler, Oystercatcher, Golden Plover, Grey Plover, Knot, Sanderling, Dunlin, Black-tailed Godwit, Bar-tailed Godwit, Curlew, Redshank, Turnstone, Black-headed Gull, and wetland habitat in North Bull Island SPA as a resource for the regularly occurring migratory waterbirds that utilise it in the North Bull Island SPA.

With regard to the European sites within the Dublin Bay system, given the distances for the site (c.20km), any silts or other potential pollutants entering the local drainage network and then the River Liffey at Lucan, even in the most extreme scenarios, would be completely attenuated by the dilution, dispersal and settlement that would occur within the upper river system and the Dublin Bay system. It is also noted that surface water run-off from the proposed development site during both the construction and operation phases will have been treated to remove contaminants before leaving the site.

With regard to the sites within the Dublin Bay System outlined above, taking into account the substantial geographical separation between the development site and the Dublin Bay system, as well as the quality of the water being discharged from the site, it can be concluded with scientific certainty that there is no realistic potential for indirect impacts on the qualifying interests of the Dublin Bay series of SACs and SPAs from construction and/or operation activities associated with the proposed development.

In Combination Effects

It is noted that the proposed development is located within the long-established Lucan village developed area, with a high demand for residential development. In particular, the adjoining lands (Ardeevin Avenue) to the west of the subject site have been built upon in recent years (ABP Ref. 304659-19).

I have assessed cumulative impacts in respect of two pathways: the persistent addition or losses of the same materials or resource integral to the protected site and the compounding effects as a result of the coming together of two or more effects.

The subject site is not located within or in close proximity to any Natura 2000 site and is not identified as an ex-situ habitat for qualifying species, therefore, no incremental loss of habitat will occur as a result of the proposed development either alone or in-combination with other plans or proposals. The proposed residential development, by its scale and nature, will not draw significant volumes

of surface water, groundwater or materials, in this way the proposed development will not impact the structure of any Natura 2000 sites either alone or in combination with other sites.

To assess potential compounding effects, I have assessed what I consider to be key plans. National, Regional and Local Plans and planning applications for large or utility developments within approximately 2 km of the subject site (ABP Ref. 304659-19).

The National Planning Framework 2040, Regional Spatial and Economic Strategy for the Eastern and Midland Region and the *South Dublin County Development Plan 2022-2028* provide a framework for development in the subject area. Each of these plans have been the subject of Strategic Environmental Assessment and contain objectives to support sustainable residential development and to prevent impacts on the environment and Natura 2000 sites. On this basis, I do not consider that significant likely impacts on Natura 2000 sites arise from the implementation of these Plans.

The Adamstown SDZ planning scheme and Balgaddy-Clonburris SDZ planning scheme both facilitate the creation of sustainable communities in the vicinity of the subject site. These planning schemes accommodate residential development supported by local and district centres, schools, and community and recreational facilities. Both SDZ schemes, and subsequent amendments made, were the subject of Strategic Environmental Assessment and screened for Appropriate Assessment by An Bord Pleanála, which concluded that no likely significant effects on European Sites arise either individually or cumulatively. I note that these planning schemes are located in designated urban areas and are connected to public water services. Owing to the predominantly residential land use of the Adamstown SDZ planning scheme and Balgaddy-Clonburris SDZ planning scheme I do not consider that likely significant in-combination effects with the subject development arise.

Accordingly, it is concluded:

(i) that the project is not directly connected with or necessary to the management of a Natura 2000 site, and

(ii) significant impacts on the Natura 2000 network are not foreseen as a result of the proposed

Appropriate Assessment Conclusion

The proposed development has been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000 (as amended).

Following an Appropriate Assessment Screening exercise, it has been determined that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the European site No's: 00210, 001398, 04042, 00206 and 004006 or any other European site, in view of the sites' Conservation Objectives.

This conclusion is based on:

- The serviced urban location of the subject site.
- The residential character of the proposed development.
- The distance from the subject site to any European Site.

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

Appendix 3

Water Framework Directive Screening and Assessment

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
<p>Step 1: The proposed development comprises of 97 dwellings (consisting of 45 no. houses, 48 no. apartments and 4 no. duplexes), the demolition of 7 no. structures including 3 no. habitable dwellings, a 293.1 sq.m creche facility and all ancillary development.</p> <p>Site Area 2.17ha</p> <p>Site serviced by drainage and sewage.</p>			
An Bord Pleanála ref. no.	500528-SD-25	Townland, address	Lucan and Pettycannon Townlands, Lucan, Co. Dublin
Description of project		The proposed development comprises of 97 dwellings (consisting of 45 no. houses, 48 no. apartments and 4 no. duplexes), the demolition of 7 no. structures including 3 no. habitable dwellings, a 293.1 sq.m creche facility and all ancillary development.	
Brief site description, relevant to WFD Screening,		The topography of the site is generally flat. The landholding is located c. 180m to the west of the River Liffey_070 River Waterbody IE_EA_09L012100.	
Proposed surface water details		SuDS, attenuation basin, and soakaways.	
Proposed water supply source & available capacity		Mains	
Proposed wastewater treatment system & available capacity, other issues		Mains	

Others?		No.					
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection							
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)	
River Waterbody	180m to the west	River Liffey_070 River Waterbody IE_EA_09L012100.	At risk	Review.	Urban wastewater Urban run-off	Yes - Hydrological connection to waterbody via public surface water sewer which discharges to the River Liffey Screened in	
Groundwater Waterbody	Underlying site	Dublin Code: IE_EA_G_008	Good	Not at risk.	No pressures.	Surface run-off and groundwater.	
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Waterbody receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is	Screening Stage Mitigation Measure*	Residual Risk (yes/no)	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if

				the possible impact		Detail	'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	River Liffey_070 River Waterbody IE_EA_09L01 2100.	Surface water discharged to watercourse via public surface water sewer	Sedimentation, Siltation due to earthworks, vegetation clearance, demolition. Hydrocarbon spillages/leaks from machinery, plant	Standard construction practice CEMP & SUDS which will reduce run-off volumes and improve run-off water quality	No	Screened out
2.	Ground	Dublin Code: IE_EA_G_008	Drainage to ground water as it underlies the site	Sedimentation, Siltation due to earthworks, vegetation clearance, soil/subsoil stripping and stockpiling. Hydrocarbon spillages/leaks from machinery,	Standard construction practice CEMP	No, Mitigation measures will protect water quality and minimise recharge volumes.	Screened out

				plant			
OPERATIONAL PHASE							
1.	Surface	River Liffey_070 River Waterbody IE_EA_09L01 2100.	Surface water discharged to watercourse via public surface water sewer	Deterioration in water quality from pollution of surface water run-off	Discharges to surface water sewer and ultimately to the watercourse will be controlled by SUDS and green-blue roofs and other standard mitigation measures set out in drainage plan agreed with the planning authority.	No, proposed mitigation measures will protect water quality.	Screened out
2.	Wastewater Discharge		Wastewater from proposed development will be discharged to the 225mm public sewer to the west of the site, which in turn discharges to the 3660mm trunk sewer which		The annual Environmental Report for Ringsend WWTP 2023 stated that the WWTP, which discharges to the river Liffey, was non-compliant with emission limit values for BOD, COD, TSS, Tota P and Total N due to overloading.	No, No mitigation Required	Screened out

3.	Groundwater	Dublin groundwater	travels alongside the Grand Canal and discharges to the Ringsend WWTP at Dublin Bay via the Lower Liffey Estuary Seepage to		<p>It is stated at 2.1.3.1 (Ambient Monitoring summary for the Treatment Plant discharge...’ that the primary discharge from the WWTP does not have an observable negative impact on the Water Framework Directive status in the Liffey Estuary.</p> <p>No mitigation required Standard mitigation measures including attenuation on site will protect water quality and minimise recharge volumes</p>		
----	-------------	--------------------	--	--	--	--	--

	discharge	body IE_EA_G_008	groundwater which underlies site	Reduction in groundwater quality		No, quality and volume of groundwa ter will be protected by proposed mitigation measures	

A. CASE DETAILS

An Bord Pleanála Case Reference	PL-500528-SD-25	
Development Summary	Construction of 97 residential units and creche and all associated site works.	
	Yes / No / N/A	Comment (if relevant)
1. Was a Screening Determination carried out by the PA?	Yes	EIA not required.
2. Has Schedule 7A information been submitted?	No	
3. Has an AA screening report or NIS been submitted?	Yes	An Appropriate Assessment screening report was submitted with the application material. An Appropriate Assessment was screened out, I would concur with this conclusion, refer to Appendix 2 of my report.
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 significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA		SEA and AA were undertaken in respect of the <i>South Dublin County Development Plan 2022-2028</i>

B. EXAMINATION	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 the applicant to avoid or prevent a significant effect.	Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain
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 site has an area of c.2.12ha is currently a greenfield site which is bounded by residential development and is close proximity to Lucan Village Centre. The site is generally flat and currently an existing community building and a number of small outbuildings and bound by established residential development to the south-west and west. There is a Protected Structure to the north of the site.	No
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	No	The appeal site is flat and is a greenfield site and the proposed residential development would result in minimal change in the locality, with standard measures	No

		to address potential impacts on surface water and groundwaters in the locality. Uses proposed are consistent with land uses in the area.	
1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	No	Construction materials will be typical for residential development of this nature and scale. The loss of natural resources because of the development are not regarded as significant in nature.	No
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?	No	Construction activities will require the use of potentially harmful materials, such as fuels and other such substances. Use of such materials would be typical for construction sites. Any impacts would be local and temporary in nature and the implementation of standard construction practice measures as set out in a Construction Environmental Management Plan (CEMP) or a Construction and Demolition Waste Management Plan (CDWMP) which may be required by conditions would satisfactorily mitigate potential impacts. No operational impacts in this regard are anticipated.	No
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	No	Construction activities will require the use of potentially harmful materials, such as fuels and other similar substances and give rise to waste for disposal. The use of these materials would be typical for construction sites. Noise and dust emissions during construction are likely. Such construction impacts would be local and	No

		temporary in nature, and with the implementation of the standard measures outlined in the CEMP and the CDWMP as maybe required by conditions, the project would satisfactorily mitigate the potential impacts. Operational waste would be managed through a waste management plan to obviate potential environmental impacts. Foul water will discharge to the public network. Other operational impacts in this regard are not anticipated to be significant.	
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?	No	Operation of the proposed development would be controlled by way of standard measures listed in a CEMP and the CDWMP. These would satisfactorily mitigate emissions from spillages during construction and operation.	No
1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	No	There is potential for construction activity to give rise to noise and vibration emissions. Such emissions will be localised and short term in nature, and their impacts would be suitably mitigated by the operation of standard measures listed in any CEMP required by conditions. No operational impacts in this regard are anticipated.	No
1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	No	Construction activity is likely to give rise to dust emissions and surface water runoff. Such construction impacts would be temporary and localised in nature and the application of standard measures within the CEMP	No

		would satisfactorily address potential risks on human health. No significant operational impacts are anticipated.	
1.9 Will there be any risk of major accidents that could affect human health or the environment?	No	No significant risk is predicted having regard to the nature and scale of the development. The site is not at risk from flooding Any risk arising from construction will be localised and temporary in nature. There are no Seveso/COMAH sites in the vicinity.	No
1.10 Will the project affect the social environment (population, employment)	No	Development of this site would result in an increase in residential occupation in this area as envisaged in the <i>South Dublin Development Plan 2022-2028</i> . This is considered to be a positive social impact.	
1.11 Is the project part of a wider large-scale change that could result in cumulative effects on the environment?	No	The appeal site is located within an area of Lucan which has undergone significant residential development in recent years. The proposal comprises of a residential development and creche development on residentially zoned land and as such is compatible with surrounding uses and is not a change from that permitted in the surrounding area.	No
2. Location of proposed development			

<p>2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following:</p> <ul style="list-style-type: none"> - 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 	No	<p>There are no European designated sites within the immediate vicinity of the site There is 1 (SPA'S, SAC'S and pNHA'S) within 15km of the site. There are no Source-Pathway-Receptor links with any of the sites.</p>	No
<p>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?</p>	No	<p>The application material included an Ecology Appraisal which outlines that the site is of low ecological value and that it is not a site high suitability or importance to any Annex I or Annex II species or red list birds. However, the Ecology Appraisal found that there was evidence of badgers feeding on the appeal site but there are no badger sets recorded on site. There was evidence of a bat roost found in one of the buildings proposed for demolition. There was no evidence of otter activity on site.</p>	No
<p>2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?</p>	No	<p>No. There are no protected structures or archaeological features within the site. However, there is a Protected Structure to the north of the site.</p>	No
<p>2.4 Are there any areas on/around the location which contain important, high quality or scarce resources</p>	No	<p>No such features are in this urban location.</p>	No

which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?			
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?	No	The appeal site is within Flood Zone C and the possibility of flooding is low.	No
2.6 Is the location susceptible to subsidence, landslides or erosion?	No	No	No
2.7 Are there any key transport routes (e.g. 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	There are no key transport routes on or around the location at the present time.	No
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	No	No.	No
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	The Appropriate Assessment Screening Report submitted with the application identifies 1 No. residential application in the area. In addition to this, I have considered and the various national, regional and local plans including the National Planning Framework, Regional Spatial and Economic Strategy the Eastern and Midland Region and the South Dublin County Development Plan 2022-2028 and I am	No

		satisfied that there are no in-combination effects associated with the development.	
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No	No	No
3.3 Are there any other relevant considerations?	No	No	No
C. CONCLUSION			
No real likelihood of significant effects on the environment.	<input checked="" type="checkbox"/>	EIAR Not Required	
Real likelihood of significant effects on the environment.	<input type="checkbox"/>	EIAR Required	

