



An  
Coimisiún  
Pleanála

## Inspector's Report

**PL-500535-DN-25**

### Development

Construction of 49 residential units ranging from 2 to 5 storeys in 3 blocks and all associated site works.

### Location

Portland Row, Dublin 1, The site has access via Portland Row and is bounded by houses on Portland Row, Dunne Street, North Great Clarence Street and fronts onto Aldborough Place, D01 FV05

### Planning Authority

Dublin City Council North

### Planning Authority Reg. Ref.

WEB2410/25

### Applicant(s)

Tuath Housing Association

### Type of Application

Permission

### Planning Authority Decision

Grant Permission with Conditions

### Type of Appeal

Third Party Normal Planning Appeal

### Appellant(s)

Kellie Harrington

Martina & Bernard O'Brien

Nial Ring and Cllr. Malachy Steenson

David O'Halloran

Yvonne Harrington & Others

Cllr Janice Boylan & Mary Lou McDonald

TD

|                                |                                                            |
|--------------------------------|------------------------------------------------------------|
|                                | Marie Harding on behalf of Shamrock<br>Sioga               |
| <b>Observer(s)</b>             | Gerry Fay on behalf of North Wall<br>Community Association |
| <b>Date of Site Inspection</b> | 4 <sup>th</sup> June 2026                                  |
| <b>Inspector</b>               | Elaine Power                                               |

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Appendix 1: EIA Pre-Screening.

Appendix 2: EIA Preliminary Examination.

Appendix 3: AA Screening Determination (Stage 1).

Appendix 4: WFD Impact Assessment Stage 1: Screening.

## **1.0 Site Location and Description**

- 1.1. The appeal site is located at a backland site in Dublin's Northeast Inner City. The site is generally bound by the rear gardens of 2- storey residential properties fronting on to Portland Row, Dunne Street and North Great Clarence Street. To the southeast the site is bound by Aldborough Place. Aldborough Place is a laneway, bound by the rear gardens of mixed-use properties fronting on to North Strand Road. The surrounding area is urban in nature with a variety of uses, building heights and architectural styles.
- 1.2. The red line boundary of the application site was slightly increased in response to the request for further information. However, the application form submitted with the application states that the site has an area of 0.47ha. The site comprises two separate elements. In general, the northwestern portion of the site comprises a former Dublin City Council Housing Maintenance Depot containing existing structures and hardstanding. Access to the vacant depot site is from Portland Row. The southeastern portion of the site comprises Aldborough Place Mixed Use Games Area (MUGA), which is a gated hardcourt pitch, used for various sports, a separate gated car park area and a portion of the public road on Aldborough Place. Access to the MUGA is from Aldborough Place. In response to the request for further information the appeal site also includes a portion of gated public land adjacent to the MUGA and to the rear of houses fronting onto Portland Row.
- 1.3. The site is located within proximity to two protected structures, Aldborough House (RPS Ref. 6844) and the Five Lamps (RPS Ref. 5831) freestanding cast iron lamp standard.
- 1.4. An NIS was also submitted in response to the request for further information. Following a request from An Coimisiún Pleanála the proposed development was re-advertised in March 2026.

## **2.0 Proposed Development**

- 2.1. The proposed development comprises the demolition of two existing industrial sheds and the construction of 49 no. residential units and a 100sqm arts and community space in 3 no. blocks ranging in height from 2 – 5 storeys. Access to the development is proposed from both Portland Row and Aldborough Place.

2.2. The key development statistics are outlined below.

|                             | <b>Proposed</b>                                                                                                         |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------|
| <b>Site Area</b>            | 0.47 ha                                                                                                                 |
| <b>No. of Units</b>         | 49 no.                                                                                                                  |
| <b>Unit mix</b>             | 25 no. apartments, 16 no duplex units and 8 no. houses<br>9 no. (18%) 1-bed, 16 no. (33%) 2-bed and 24 no. (49%) 3-bed. |
| <b>Density</b>              | 104 uph                                                                                                                 |
| <b>Plot Ratio</b>           | 1.2                                                                                                                     |
| <b>Site Coverage</b>        | 31%                                                                                                                     |
| <b>Height</b>               | Block A and B (houses) are 2 storeys<br>Block C (apartment / duplex block) is 3-5 storeys                               |
| <b>Dual / Triple Aspect</b> | 29 units (80%)                                                                                                          |
| <b>Other Uses</b>           | 100sqm Arts and Community Space                                                                                         |
| <b>Communal Open Space</b>  | 585sqm                                                                                                                  |
| <b>Public Open Space</b>    | 900sqm                                                                                                                  |
| <b>Car Parking</b>          | 3 no. on-street spaces at Aldborough Place.                                                                             |
| <b>Bicycle Parking</b>      | 98 no. secure spaces and 24 no. visitor spaces.                                                                         |

## 3.0 Planning Authority Decision

### 3.1. Decision

Permission was granted by Dublin City Council subject to 12 no. conditions. Condition no. 7 is considered relevant.

*7. All residents shall have access to the community arts and cultural space, at times to be stated in writing. Any changes to the overall community facility provision shall be agreed with the Planning Authority prior to the first occupation of the development.*

*Reason: In the interests of the future maintenance of this private development, in the interests of residential amenity and the adequate provision of community facilities.*

## 3.2. Planning Authority Reports

### 3.2.1. Planning Reports

The initial Planners Report dated the 31<sup>st</sup> July 2025 welcomes and supports the regeneration of this underused site which is identified as a key opportunity site within Strategic Development Regeneration Area (SDRA) 10 - North East Inner City in the Development Plan. The housing development is welcome in this area of the North Inner City where there is a demand, especially for family sized units. However, the report considered that there were elements of the proposal that required clarification with respect to Appropriate Assessment and transport related issues. Below is a summary of the request for further information.

1. Review the conclusion of the Appropriate Assessment Screening Report and carry out an Appropriate Assessment if required and submit any outstanding reports where necessary.
2. (a) Address concerns that the car parking ratio would result in overspill car parking on the surrounding road network.  
(b) Submit auto-track drawings indicating how service vehicles can manoeuvre within the site.  
(c) Submit a taking in charge drawing.  
(d) Submit a revised site layout plan including pedestrian and cycle priority and safety measures at the sites junction with Portland Row.  
(e) Clarify the extent of works to be undertaken on the public road along Aldborough Place. A letter of consent from the Roads Authority has not been provided.  
(f) Submit a Stage 2 Road Safety Audit.  
(g) The footpath on Aldborough Place should be a minimum of 2m in width.  
(h) Pedestrian and cycle permeability throughout the site should be clearly demonstrated within the site plans.  
(i) Address the following in relation to bicycle parking:
  - (i) clarify the quantum.
  - (ii) 5% of spaces should be designed for larger bikes (i.e cargo).

(iii) drawings showing the detail of bicycle sheds.

(iv) cycle parking should be in compliance with the Cycle Design Manual. A section of bicycle parking should be Sheffield stands.

(j) Clarify bin storage.

The Planners Report dated 28<sup>th</sup> November 2026 considered that the applicant adequately addressed the items of further information and recommended that permission be granted subject to conditions.

### 3.2.2. ***Other Technical Reports***

**Housing Department:** A letter dated 15<sup>th</sup> May 2025 from the Housing Department was issued to the Planning Authority as unsolicited further information by the applicant. The letter stated that the Housing Development Section are committed to funding an upgrade of the outdoor amenity, including multi-surface sport pitches, on North Great Clarence Street, to the rear of the Dunne Street Flats, c. 235m from the appeal site. It further states that the Housing Development Section will work with DCC's sports section on an upgrade on completion of the Portland Row housing development.

**Transportation Planning Division:** The report dated 25<sup>th</sup> July 2025 raised concerns regarding the proposed development and recommended that further information be sought regarding (a) the quantum of car parking, (b) auto-track drawings for service vehicles, (c) details of areas to be taken in charge, (d) details of pedestrian / cycle priority and safety measures at the sites junction with Portland Row, (e) details of works proposed on the public road, (f) Stage 2 RSA, (g) footpath on Aldborough Place should be 2m in width (h) pedestrian and cyclist permeability throughout the site should be clearly demonstrated within the site plans and (i) further detail regarding bicycle parking. These items were reflected in item 2 of the Planning Authority's request for further information.

The report dated 19<sup>th</sup> November 2026 considered that all items of further information had been adequately addressed and recommended that permission be granted subject to standard conditions.

**Engineering Division:** Report dated 24<sup>th</sup> July 2025 states that there is no objection to the proposed development subject to standard conditions.

### 3.3. Prescribed Bodies

None

### 3.4. Third Party Observations

The Planning Authority received 36 no. objections to the proposed development. The submissions were generally supportive of the redevelopment of the vacant depot site for residential use. Concern were raised regarding misleading information and site location, loss of the MUGA / playground site, non-compliance with Development Plan policy, overdevelopment of the site, excessive height, scale and mass, negative impact on residential amenity, lack of daylight / sunlight for new units, inadequate car parking, childcare, anti-social behaviour and lack of public consultation.

## 4.0 Relevant Planning History

### ***Appeal Site***

None

### ***Surrounding Sites***

There are large number of planning applications / appeals in the north east inner city. However, in my opinion there are no recent, relevant applications / appeals in the immediate vicinity of the appeal site.

## 5.0 Policy Context

### 5.1. Dublin City Development Plan 2022-2028

The appeal site is zoned Z1: Sustainable Residential Neighbourhoods, with the associated land use objective *to protect, provide and improve residential amenities*. Residential use is permissible on lands zoned Z1.

The site is located within Strategic Development Regeneration Area (SDRA) 10 (North East Inner City). Chapter 13 of the Development Plan is considered relevant. Table 13.1 indicates that there are 12 ha of land with an estimated capacity of 850 residential units. The main focus will be on the regeneration of identified key sites in accordance with site briefs. Key objectives are:

a) To provide a spatial framework for land uses including much-needed housing.

- b) To restore a coherent urban structure where it is poor or fragmented and improving the public realm.
- c) To support community development through targeted objectives on selected sites.
- d) To plan for improved connectivity and public amenity while utilising existing assets in the area.
- e) To support the protection and enhancement of the unique historic character of the area through refurbishment and regeneration of the North Georgian Core.

A guiding principle of the SDRA is to create a hierarchy of public open spaces including civic squares and parks, throughout the NEIC that are attractive, multi-functional, and accessible to local residents, workers and visitors. *Associated with this will be an enhancement of existing open spaces. This approach will help to address the existing deficit in public open space within the SDRA.*

Housing objectives for the SDRA include:

- To promote an increased residential population and the successful integration of new and established residents and communities.
- To ensure that new residential developments accord with the indicative layout illustrated in the framework, supporting social, community and amenity infrastructure/services in the local area.
- To promote a variety of house types and tenures, avoiding an over-concentration of specialist accommodation such as tourist and student accommodation, thereby, ensuring capacity for the growth of balanced residential communities.

Social and Community Infrastructure Objectives include

- Further to the Mulvey Report recommendations, to support, (a) the diversification of the sports facilities available in the area (in conjunction with DCC's Sport and Wellbeing Partnership), including the provision of new outdoor playing space, (b) the development of facilities that encourage participation in the arts.

Open Space and Recreation Objectives include:

- The provision of public open space on development sites should, where possible, be at locations that are visible, accessible and inviting to the wider public. To promote the regeneration of Mountjoy Square to improve its amenity potential.

- To carry out an audit of recreation and sporting facilities within the SDRA area to help identify areas of potential deficit.

The appeal site is located within Key Opportunity Site 13 - Backlands and Health Centre site at Portland Row/North Strand Road. The guiding principle for this opportunity site is the regeneration of this underused site, which has potential to sensitively develop backlands, restore building lines and improve connectivity through the wider block. The indicative site layout effectively provides for optimal use of former depot lands, with townhouses recommended adjacent to some existing housing, and a new centrally positioned block unlocking an area of backhands.

Any redevelopment of the Health Centre element of the site creates potential for a new building that provides a stronger building line and corner to the street at North Strand Road, and demolition of the City Council block of flats just north of the Health Centre (along with rehousing of the residents) can help provide space for a new public square of open space, helping reduce the current shortfall of open space in the area. A new street interconnecting Portland Row through to North Great Clarence Street could then provide an alternative connection to the busy North Strand Road.

Chapter 2 sets out the Core Strategy. Section 2.2 states that based on the population targets and calculated housing need set out within national and regional planning policy, guidelines, the development plan must accommodate between 20,120 – 31,520 additional persons to achieve a population target of between 625,750 and 640,000 by 2028. This equates to a housing demand of c. 40,000 housing units between 2022 and 2028. Table 2-8 estimates that the North East Inner City (SDRA 10) can accommodate an addition 1,700 persons and 850 no. residential units over the lifetime of the plan. Objective CSO10 Support the Development of Brownfield, Vacant and Regeneration Sites is considered relevant.

Chapter 4 Shape and Structure of the City sets out the overarching framework and strategy to guide the future sustainable development of the city. Relevant policies and objectives include SC1 Consolidation of the Inner City, SC4 Recreational and Cultural Events, SC5 Urban Design and Architectural Principles, SC10 Urban Density, SC11 Compact Growth, SC12 Housing Mix, SC13 Green Infrastructure, SC14 Building Height Strategy, SC19 High Quality Architecture, SC20 Urban Design and SC21 Architectural Design.

Chapter 5 Quality Housing and Sustainable Neighbourhoods sets out a number of policies and objectives relating to residential developments. Relevant policies and objectives include QHSN2 National Guidelines, QHSN4 Key Regeneration Areas, QHSN6 Urban

Consolidation, QHSN10 Urban Density, QHSN15 High Quality Living Environment, QHSN19 Youth Friendly City, QHSN34 Social, Affordable Purchase and Cost Rental Housing, QHSN35 Diversity of Housing Type and Tenure, QHSN36 High Quality Apartment Development, QHSN37 Houses and Apartments, QHSN38 Housing and Apartment Mix and QHSN47 High Quality Neighbourhood and Community Facilities.

Chapter 8 addresses Sustainable Movement and Transport. Relevant policies and objectives include SMT1 Modal Shift and Compact Growth, SMT6 Mobility Management and Travel Planning, SMT11 Pedestrian Network, SMT12 Pedestrians and Public Realm, SMT18 The Pedestrian Environment, SMT25 On-Street Parking, SMT27 Car Parking in Residential and Mixed Use Developments.

Chapter 9 addresses Sustainable Environmental Infrastructure and Flood Risk. Relevant policies and objectives include SI2 Integrating Water Services with Development, SI4 Drainage Infrastructure Design Standards, SI7 Water Quality Status, SI22 Sustainable Drainage Systems, SI27 Sustainable Waste Management, SI41 Lighting Standards.

Chapter 10 Green Infrastructure and Recreation states that the city's natural assets are an essential resource for conserving biodiversity and for creating a healthy, low carbon, resilient and connected city. Relevant Policies and Objectives include GI24 Multi-functionality (GI), GI25 Open Space Provision (sq. m.) per 1,000 Persons Benchmark, GI27 Addressing Public Open Space Deficits in Identified Areas, GI28 New Residential Development, GIO22 Dublin City Parks Strategy, GIO23 Manage / Protect / Enhance Parks, GI45 National Physical Activity Plan 2016, GI46 To Improve and Upgrade/ Provide Access to Sports / Recreational Facilities, GI49 Protection of Existing and Established Sport and Recreational Facilities, GI51 Children's Playing Facilities – General, GI52 Children's Playing facilities in New Residential and Mixed Developments, GIO49 Dublin City Play Strategy 'Pollinating Play' 2021 and GIO50 Play Friendly Communities.

Chapter 12 Culture sets out a number of policies and objectives with the aim of ensuring that culture infrastructure is valued and protected as an integral part of the fabric of the city. Objective CUO25 SDRA's and Large Scale Developments is considered relevant.

Chapter 13 Strategic Development Regeneration Areas. 17 SDRAs are identified and are considered capable of delivering significant quantity of residential units and employment in the city. Relevant policies and objectives include SDRAO1.

Chapter 15 Development Standards, Appendix 1 Housing Strategy and Appendix 3 Achieving Sustainable Compact Growth are considered relevant.

5.2. ***Eastern and Midland Regional Assembly – Regional Spatial and Economic Strategy (RSES) 2019 - 2031***

The RSES is underpinned by key principles that reflect the three pillars of sustainability: Social, Environmental and Economic, and expressed in a manner which best reflects the challenges and opportunities of the Region. It is a key principle of the strategy to promote people's quality of life through the creation of healthy and attractive places to live, work, visit and study in.

The site is located with the 'Dublin Metropolitan Area'. The Metropolitan Area Strategic Plan (MASP), which is part of the RSES, seeks to focus on a number of large strategic sites, based on key corridors that will deliver significant development in an integrated and sustainable fashion. The followings RPOs are of particular relevance:

**RPO 5.4:** Future development of strategic residential development areas within the Dublin Metropolitan Area shall provide for higher densities and qualitative standards set out in the 'Sustainable Residential Development in Urban Areas'. 'Sustainable Urban Housing; Design Standards for New Apartment' Guidelines, and Draft 'Urban Development and Building Heights Guidelines for Planning Authorities'.

**RPO 5.5:** Future residential development in the Dublin Metropolitan Area shall follow a clear sequential approach, with a primary focus on the consolidation of Dublin and suburbs, supported by the development of Key Metropolitan Towns in a sequential manner as set out in the Dublin Area Strategic Plan (MASP) and in line with the overall settlement strategy for the RSES.

5.3. ***National Planning Framework First Revision (2025)***

The National Planning Framework is a high-level strategic plan for shaping the future growth and development of the county to 2040. It is a framework to guide public and private investment, to create and promote opportunities for our people, and to protect and enhance our environment - from our villages to our cities, and everything around and in between.

It states that the major policy emphasis on renewing and developing existing settlements established under the NPF 2018 will be continued, rather than allowing the continual

expansion and sprawl of cities and towns out into the countryside, at the expense of town centres and smaller villages. It includes revised figures of 50,000 units per annum in the years to 2040. The NPF was revised to allow planning for an additional 950,000 people in Ireland between 2022 and 2040.

Relevant Policy Objectives include:

- National Policy Objective 7: Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements and ensure compact and sequential patterns of growth.
- National Policy Objective 8: Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints and ensure compact and sequential patterns of growth.
- National Policy Objective 9: Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints and ensure compact and sequential patterns of growth.
- National Policy Objective 12: Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.
- National Policy Objective 14: Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets that can accommodate changing roles and functions, increased residential population and employment activity, enhanced levels of amenity and design and placemaking quality, in order to sustainably influence and support their surrounding area to ensure progress toward national achievement of the UN Sustainable Development Goals.
- National Policy Objective 20: In meeting urban development requirements, there be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.
- National Policy Objective 22: In urban areas, planning and related standards, including, in particular, height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and

the environment is suitably protected.

#### 5.4. ***Climate Action Plan, 2025***

The Climate Action Plan was published in June 2019 by the Department of Communications, Climate Action and Environment. The Climate Action Plan 2025 (CAP25) is the fourth annual update to Ireland's Climate Action Plan 2019. This plan is prepared under the Climate Action and Low Carbon Development (Amendment) Act 2021. CAP25 builds upon [Climate Action Plan 24](#) (CAP24) by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings and it should be read in conjunction with CAP24.

The plan implements carbon budgets and sectoral emissions ceilings and sets a roadmap for taking decisive action to half emissions by 2030 and reach net zero no later than 2050. By 2030, it aims for a 40% reduction in emissions from residential buildings and a 50% reduction in transport emissions. The reduction in transport emissions includes a 20% reduction in total vehicle kilometres, a reduction in fuel usage, significant increases in sustainable transport trips, and improved modal share. The residential sector is on track to meet its 2021-2025 sectoral emissions ceiling and is ahead of its 2025 indicative reduction target of -20%.

#### 5.5. ***Climate Action and Low Carbon Development (Amendment) Act 2021***

This Act amends the Climate Action and Low Carbon Development Act 2015. It sets out the national objective of transitioning to a low carbon, climate resilient and environmentally sustainable economy in the period up to 2050. The Act commits us, in law, to a move to a climate resilient and climate neutral economy by 2050. An Coimisiún Pleanála is a relevant body for the purposes of the Climate Act. As a result, the obligation of the Commission is to make all decisions in a manner that is consistent with the Climate Act.

#### 5.6. ***National Biodiversity Action Plan (NBPA) 2023-2030***

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

This NBAP builds upon the achievements of the previous Plan. It will continue to implement

actions within the framework of five strategic objectives, while addressing new and emerging issues:

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

#### **5.7. Section 28 Ministerial Guidelines**

Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the planning authority, I am of the opinion that the directly relevant Section 28 Ministerial Guidelines are as follows.

- Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2025) (the 'Apartment Guidelines').
- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024).
- The Planning System and Flood Risk Management (including the associated Technical Appendices) (2009).
- Appropriate Assessment of Plans and Projects in Ireland – Guidelines for Planning Authorities (2009).
- Childcare Facilities – Guidelines for Planning Authorities 2001 and Circular PL3/2016 – Childcare facilities operating under the Early Childhood Care and Education (ECCE) Scheme.
- Urban Development and Building Height, Guidelines for Planning Authorities (2018) (the 'Building Height Guidelines').

#### **Other**

##### **Dublin City Council Parks Strategy, 2019-2022**

This Strategy examines the resources, facilities and services that are available to residents and visitors and how they can be improved.

*The Mulvey Report entitled Dublin's North East Inner City – Creating a Brighter Future, 2017*

In July 2016, the Government launched a major initiative for Dublin's North East Inner City (NEIC) to oversee the long term, social and economic regeneration of the area. The Mulvey report identifies four priority areas: a) tackling crime and drugs; b) maximising educational / training opportunities and creating local employment; c) creating an integrated system of social services; and d) improving the physical landscape in the area.

*Dublin City Council's Depot Consolidation Strategy, 2018.*

The Strategy reviewed the existing DCC depot network and an provided assessment of the potential for expansion / consolidation of operations on existing sites.

**5.8. Natural Heritage Designations**

5.9. The proposed development would not be located within an area covered by any European site designations and the works are not relevant to the maintenance of any such sites. The closest designated sites are as follows:

- North Dublin Bay SAC (000206) located c. 4.3km north east of the appeal site.
- South Dublin Bay SAC (000210) located c. 3.2km south east of the appeal site.
- South Dublin Bay and River Tolka Estuary SPA (004024) located 1.2 km north east of the appeal site.
- North Bull Island SPA (004006) located c. 4.3km north east of the appeal site.
- North-West Irish Sea SPA (004236) located c. 6.6km east of the appeal site.

I refer the Commission to Appendix 3: Appropriate Assessment Screening (Stage 1) of this report.

**6.0 EIA Screening**

6.1. I refer the Commission to Appendix 1 and 2 of this report.

6.2. The proposed development has been subject to preliminary examination for environmental impact assessment. Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

## 7.0 The Appeal

### 7.1. Grounds of Appeal

There are six third party appeals from:

1. Kellie Harrington: comprising a detailed submission from Manahan Planners including an appendix entitled The effect of Climate Change on Inner City Playgrounds.
2. Martina & Bernard O'Brien.
3. Cllr. Nial Ring and Cllr. Malachy Steenson.
4. David O'Halloran: comprising a detailed submission from Fred Logue Solicitors.
5. Yvonne Harrington & Others on behalf of the local community of Portland Row, Dunne Street, Five Lamps, North Clarence Street, Aldborough Place and the wider community. This appeal includes a 38 page petition with signatures in support of the appeal.
6. Cllr Janice Boylan & Mary Lou McDonald TD.
7. Marie Harding on behalf of Shamrock Sioga and other sporting groups in the area.

Below is intended as a summary of the main planning grounds of the appeal. I have read and considered all documentation submitted with the appeals. The concerns raised in the appeals are similar and to prevent repetition have been summarised below.

The recreational area accessed from Aldborough Place, that forms part of the appeal site is referred to in the third party submissions as a MUGA, Playground, sports facility, The Strand and recreational space. In the interest of clarity, I refer to it as a MUGA in the summary below, and throughout my assessment.

#### Principle of Development

- Serious concerns regarding the construction of houses on the recreational open space.
- No objection to the redevelopment of the vacant depot site. The need for social housing is acknowledged. However, this does not supersede the requirement for open space.

- The site is located in a high density residential area with the existing quantum of open space is below the city average.
- The northeast inner city area is recognised as an area of deprivation. The proposed development is not consistent with the core values of the Mulvey Report.
- The depot is the larger site and is sufficient to accommodate a suitable residential development without encroaching on to the smaller recreational site.
- The MUGA is not identified in the DCC Depot Consolidation Strategy, 2018.
- Following a FOI request, it appears that the Aldborough Playground site was incorporated into the proposals, as the single access point to the depot site is not suitable for two-way traffic. As the scheme has progressed without car parking the need for site to include the recreational site is unclear.
- Local residents were informed that the redevelopment of the depot site alone was not financially viable. This is not a relevant planning matter.
- Consideration of alternative housing tenure which does not require car parking, such as older person accommodation.

### Legal Issues

- It is unclear if Dubin City Council is acting on behalf of the applicant. DCC had an active role in assembling and expanding the development, including the incorporation of publicly owned lands. DCC has supported the proposed development and is the decision making authority. This creates a conflict of interest and undermines confidence in the integrity of the process. This gives rise to unfair procedures under administrative law and may render the decision procedurally flawed.
- DCC relied on materially significant considerations relating to the provision of an alternative recreational facility. This was introduced by way of unsolicited additional information with no opportunity for the public to comment.
- The recreational space was not approved for disposal or redevelopment by the elected members under their reserved powers. After the application was lodged the red line boundary was expanded to include additional public land to benefit the applicant.

## Policy

- The MUGA is identified as a 'Playground' on DCC maps. The proposed development is not consistent with the Z1 zoning objective to provide, protect and improve residential amenity.
- The Development Plan have very clear and strong policies relating to the provision and protection of recreational open space within the city, in particular Policy GI9, GI10, GI11, GI14, GI45, GI46, GI48, GI49, GI50, GI51, GI10. GI11, G12, G9, GI51, GI50, Policy GIO50
- Policy GI49 requires that if a recreational facility is to be redeveloped it must be shown that there is no long-term need for the facility and that it will be replaced by an equivalent or better provision in terms of quality or quantity. The proposed development is not in accordance with Policy GI49.
- The proposed development does not comply with Section 5.5.4 of the Development Plan to ensure sufficient social infrastructure is provided.
- Throughout the assessment policies, protections and the SDRA 10 regeneration objectives were treated as optional. SDRA 10 is expressly intended to address deprivation and deficits in public open space through the protection, enhancement and expansion of community infrastructure.
- DCC's Parks, Green Infrastructure, Play and Sports policies all explicitly prioritise the protection and enhancement of existing public open spaces, particularly in areas of acute deficiency, such as the Northeast Inner City.
- The planning assessment fails to meaningfully engage with or weigh up relevant policy and accepts the applicant's justification for removing the MUGA.
- The proposed development materially contravenes National Policy Objective 83 of the NPF which requires Planning Authority's to identify and strengthen the value of greenbelts and green spaces at regional, city and local scales and to promote and support an increase in green space provision.
- The proposed development materially contravenes the National Recreational Strategy 2023 – 2027.

### Recreational Open Space

- There is an under provision of open space in the northeast inner city with just 1.89sqm of open space per person compared to the city average of 49sqm per person.
- The existing MUGA is not locked for the majority of the time and is easily accessible to the local community.
- The existing recreational space is passively overlooked.
- The recreational space is vital residential infrastructure and part of the city's green and open space network, particularly in an area already recognised as deficient. The recreational space has been used for decades and supports sporting and community events.
- The proposed development results in the loss of c. 1,300sqm of open space and would be replaced by c. 130sqm of open space to serve the proposed development. Condition 7 of the grant of permission confirmed that the open space is for the occupants of the proposed development.
- Concerns that the proposed community hall would not be accessible to all would be incur a fee / payment for the use of the space.
- A lack of recreational space negatively impacts on children's physical and mental health.
- The existing sport pitches on Dunne Street and at James Larkin House are in use by local groups. The third parties have been informed that there is no capacity for the existing users of the Aldborough recreational open space or future residents of the proposed development.
- The provision of future pitches at Dunne Street are for the existing residents. With regard to social housing and playground the Development Plan states that these are generally not accessible to the wider community so are not categorised as public playgrounds.
- The provision of the pitches at Dunne Street does not form part of this development. A separate recreational site would require a design, feasibility assessment, community engagement, a separate planning process and funding. There is no evidence that this has been undertaken.

- This is one of only two safe recreational spaces available to the local community. The Diamond and Liberty Park have both recently closed due to persistent anti-social behaviour.

### Traffic

- The proposed development results in the loss of c. 20 unrestricted car parking spaces on Aldborough Place that are used by local residents. This will negatively impact on existing residents.
- There is no capacity on the surrounding road network to accommodate overspill car parking.
- The access from Portland Row is gated. Therefore, all day-to-day activity would occur on Aldborough Place. This access is not designed to safely accommodate the volume and variety of users.

### Design Approach

- The proposed density is excessive and results in overdevelopment of the site.
- The proposed 5-storey element of the scheme is visually obtrusive.
- The scale, bulk and location of the 5-storey block would overlook properties on Portland Row. The scheme relies on railings to prevent overlooking. This material is out of character with the area.
- The proposed development would overshadow existing properties and would have an overbearing impact.
- The proposed scheme does not have adequate access to sunlight.
- The design approach has no regard to the established pattern of development or the built heritage of Portland Row.
- The scheme should be redesigned to retain the recreational space and allow for the provision of much needed housing on the depot site.

### Social Infrastructure

- The applicant's social infrastructure is flawed as it uses a wide catchment, which is not reflective of the available amenities in the area.

- The social audit indicates that the population of the study area is grown at twice the rate of the rest of the city.
- The information provided in the social audit indicates a need to supply amenities and facilities, including recreational open space for younger persons. The audit does not support the need to construct housing on recreational space.

#### Climate:

- Climate change impacts make retention of such a space critical for public health.

#### Other Issues

- Concerns that the site address was deliberately misleading by referring to the site as Portland Row and Depot Lands.
- Concerns that no site notice was placed at the entrance to the recreational space on Aldborough Place. Site notices were incorrectly placed on the adjoining site.

## **7.2. Applicant Response**

The applicant's response to two third party appeals from Martina and Bernard O'Brien, and Kelly Harrington was received on the 29<sup>th</sup> January 2026. The applicant's response to five further appeals from Cllr Janice Boylan and Mary Lou McDonald TD, Cllr. Nial Ring and Cllr. Malachy Steeson, Yvonne Harrington and others, Marie Harding and David O'Halloran were received on the 5<sup>th</sup> February 2026. The responses are similar and set out the site description and context, a summary of the proposed development and the site planning history.

The main grounds of both the responses, to the 7 appeals received, is summarised below.

#### Recreational Open Space

- It is acknowledged that the recreational open space is a local amenity. The proposed development provides alternative and enhanced recreational opportunities through a combination of new on-site communal spaces and the potential to support upgrades to nearby recreational facilities.
- There is commitment from DCC's Housing Department to fund an upgrade of the neighbouring outdoor amenity on North Great Clarence Street, which results in an overall enhancement of recreational provision in the local community.

- It is considered that the existing recreational use is underutilised. The redevelopment of the site enables it to contribute to the wider public good by facilitating much needed housing.
- The Social Infrastructure Audit submitted with the application concluded that there is sufficient existing social and community infrastructure within the surrounding area to adequately meet the needs of the proposed development.
- DCC engaged with groups who actively used the pitch and assisted in identifying alternative, higher quality recreational facilities within the wider area.

### Policy

- The proposed development is consistent with national, regional and local planning policy.
- Policy GI49 allows for the removal of recreational facilities where enhanced or compensatory facilities are provided.
- The proposed development is consistent with SDRA 10 which promotes the redevelopment of underutilised backland sites, improved permeability and new connections, the restoration of building lines, the provision of new community and open space and the delivery of housing at sustainable densities.
- The site of the MUGA is shown on SDRA 10 to have a built form. Therefore, its replacement with a residential development is compliant with the Guiding Principles of the SDRA and in turn this proposal is plan led.
- The MUGA Lands have been planned for development as part of the regeneration of this opportunity site. It is considered that DCC intended for these lands to be developed. The scheme does not breach the SDRA objectives.
- The SDRA envisages public open space at the location of flats on North William Street.

### Design Approach

- The residential density is in accordance with Appendix 3 of the Development Plan. The density appropriately reflects the site's central location, its proximity to public transport, services and employment.

- The Daylight and Sunlight Assessment indicates that the proposed development does not result in any significant adverse effect on the residential amenity of existing dwellings.
- The proposed development achieves an appropriate balance between the delivery of residential development on a centrally located urban site and the protection of amenity of adjoining properties.
- The palette of materials has been carefully selected to respond positively to the established character of the area.
- The scheme has a contemporary design approach while remaining sensitive to its context. The proposals does not seek to replicate historic buildings. It interprets the scale, proportion and materiality of the surrounding area in a manner that is respectful.
- The metal screening addresses overlooking. The screens are a distance away from the existing residential properties and are not overbearing. They integrate successfully with the materials and finishes of the proposed development and are not visually obtrusive.

#### Traffic

- The proposed zero car parking strategy is appropriate at this highly accessible city centre location.
- The concerns regarding the loss of ad-hoc car parking is noted, however such car parking is not designated and a matter for Parking Enforcement.

#### Public Participation

- Three public information sessions were held that informed the design of the scheme.
- Concerns that the further information was not deemed significant is a matter for DCC to determine. However, the third parties have an opportunity to appeal the decision and exercise their legislative rights in this respect.

#### Climate

- An Energy Efficiency, Climate Change Adaption Design Statement and Building Lifecycle Report were submitted with the application.

### Other Issues

- The site description notes that the lands are bound by Aldborough Place. Two site notices were erected along Aldborough Place near the MUGA lands. It is considered that sufficient notice was given to the public that these lands were included within the application boundary.

#### **7.3. Planning Authority Response**

The Planning Authority request that the Commission uphold the decision to grant permission and request that two conditions be attached with regard to (1) a financial bond and (2) a naming and numbering of the scheme.

#### **7.4. Observations**

Following the readvertising of the proposed development an observation was received from Gerry Fay on behalf of the North Wall Community Association. The observation raised concerns regarding the removal of the MUGA and is similar to the issues summarised in the appeals above.

#### **7.5. Further Responses**

- A Third-Party response to the first party response to the appeal and other appeals was received from Kelly Harrington. The response did not raise any new issues and reiterated concerns regarding the loss of the MUGA lands.
- Applicant's response to the request from An Coimisiún Pleanála to re-advertise the proposed development was received on the 15<sup>th</sup> April 2026 stating that the site notice was erected on site and advertised in a newspaper.

### **8.0 Assessment**

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

- Ownership
- Principle of Development
- Quantum of Development and Building Height

- Design Approach
- Residential Amenity
- Transportation and Car Parking
- Built Heritage
- Planning Assessment Conclusion.

## 8.2. **Ownership**

- 8.2.1. The application form submitted with the application indicates that the applicant 'Tuath Housing Association' is the owner of the appeal site. The third parties raised concerns that the MUGA was not approved of for disposal or redevelopment by the elected members under their reserved powers. Concerns are also raised that if the MUGA site is within the ownership of DCC then the proposed application should be assessed as a Part 8 planning application.
- 8.2.2. DCC's Report No. 161/2018 '*Report on the Proposed Consolidation of the City Council's Operational Depot Network*' is publicly available on the DCC website ([www.dublincity.ie](http://www.dublincity.ie)). I accessed this report in June 2026. The report considered that the existing DCC depots should be consolidated into two centres of operations - one serving the North City at St Margaret's Road, Ballymun and one serving the South City/City Centre at Marrowbone Lane and subject to the agreement of the Elected Members and that the existing depot sites should be released for reuse and redevelopment consistent with their land use zonings and location in order to fund part of the cost of the new consolidated depots. The Housing Maintenance Depot at Portland Row was identified as being suitable for disposal of for private residential development due concentration of social housing in the area. It is noted that the MUGA at Aldborough Place did not form part of the depot site.
- 8.2.3. There is signage on Aldborough Place at the entrance to the MUGA that indicates that it is managed by Dublin City Council and it is unclear from the information submitted whether this site was subject to disposal by the elected members in accordance with Section 183 of the Local Government Act 2001. Notwithstanding this, Section 5.13 of the Development Management Guidelines, 2007 states that the planning system is not designed as a mechanism for resolving disputes about title to land or premises or rights over land; these are ultimately matters for resolution in the Courts.

- 8.2.4. The ownership of the site has not been presented clearly in the submitted documentation. However, Section 34(13) of the Planning Act states that a person is not entitled solely by reason of a permission to carry out any development. In addition, it is noted that Dublin City Council, granted permission for the redevelopment of the MUGA for residential use and is, therefore, aware of the proposed development.
- 8.2.5. While the concerns of the third parties are noted, I am satisfied that the ownership of the site is a legal matter and does not form a fundamental matter in my planning assessment.

### 8.3. ***Principle of Development***

#### Zoning

- 8.3.1. The application form states that the appeal site has an area of 0.47ha and comprises two elements. Generally, the northwestern portion of the site currently accommodates a vacant Dublin City Council (DCC) depot. This portion of the site is accessed via a gated entrance between two existing residential properties on Portland Row. The southeastern portion of the site comprises Aldborough Place Mixed Use Games Area (MUGA), which is a hardcourt pitch and a gated car park. This portion of the site is accessed from Aldborough Place. The site boundary was extended by way of further information to include a gated area of public land, adjacent to the MUGA and to the rear of properties fronting onto Portland Row.
- 8.3.2. All portions of the appeal site are zoned Z1: Sustainable Residential Neighbourhoods, with the associated land use objective *to protect, provide and improve residential amenities*. Residential use is permissible on lands zoned Z1. With regard to Z1 lands, Section 14.7.1 of the Development Plan sets out the vision for residential development in the city is one where a wide range of high quality accommodation is available within sustainable communities, where residents are within easy reach of open space and amenities as well as facilities such as shops, education, leisure and community services.
- 8.3.3. The third parties raised no objection to the redevelopment of the existing vacant depot site for residential development. The vast majority of the concerns raised by the third parties relate to the loss of the existing recreational space and consider that the loss of the MUGA is contrary to the sites zoning objective *to protect, provide and improve residential amenities*. The third parties also note that the DCC zoning maps label the MUGA site as a playground. While this is noted, the appeal site is zoned Z1, which permits residential uses. Therefore,

the provision of residential development is considered acceptable in principle on both portions of the site.

#### SDRA 10

- 8.3.4. The appeal site is also located within the boundary of Strategic Development Regeneration Area (SDRA) SDRA 10 – Northeast Inner City of the Development Plan. Objective SDRAO1 aims to support the ongoing redevelopment and regeneration of the SDRA's in accordance with *inter alia* the guiding principles. SDRA 10 sets out a number of guiding principles, of particular relevance are Urban Structure and Green Infrastructure which both seek to address the deficit of public open space in the NEIC.
- 8.3.5. The appeal site forms part of three interconnected sites which are identified as Opportunity Site 13 within SDRA 10. Opportunity Site 13 is identified as having the potential to *sensitively develop backlands, restore building lines and improve connectivity through the wider block. The indicative site layout for the site provides for optimal use of former depot lands, with townhouses recommended adjacent to some existing housing, and a new centrally positioned block unlocking an area of backhands.* The redevelopment of the Health Centre element of Opportunity Site 13 is identified as providing *space for a new public square of open space, helping reduce the current shortfall of open space in the area. A new street interconnecting Portland Row through to North Great Clarence Street could then provide an alternative connection to the busy North Strand Road.* This portion (Health Centre) of Opportunity Site 13 does not form part of the appeal site.
- 8.3.6. It is acknowledged that Opportunity Site 13 is identified the appeal site as suitable for development and that the proposed development would support the development of backlands, provide a building line onto Aldborough Place and improve connectivity, which is in accordance with Objective SDRAO1 to support the on-going redevelopment and regeneration of the SDRA's. However, the indicative layout for Opportunity Site 13 also includes the provision of a new area of public open space within an adjacent site and a new pedestrian connection between Portland Row and North Strand Row, which do not form part of the proposed development. Therefore, the proposed scheme which would result in the loss of an area of public open space would not be in accordance with the Green Infrastructure Guiding Principle of SDRA 10 to address the deficit of public open space.

### Public Open Space Context

- 8.3.7. The third parties note that there is deficit of public open space within Dublin's Northeast Inner City (NEIC) and raise concerns regarding the loss of the existing MUGA, which it is stated is a well-used community facility.
- 8.3.8. The NEIC is characterised by both areas of high levels of disadvantage and high levels of affluence, particularly around the Docklands and the IFSC. The appeal site is located within the ED of Ballybough A. The Pobal HP Deprivation index, uses a combination of Demographic Profile, Social Class Composition and Labour Market Situation data from the census to ascertain the affluence or deprivation of a ED. The Deprivation Index ([www.data.pobal.ie](http://www.data.pobal.ie)) which I accessed in June 2026 indicates that Ballybough A is a 'disadvantaged' area with a HP index of -10.49 in 2022.
- 8.3.9. In July 2016, the Government launched a major initiative for Dublin's NEIC to counter the extensive disadvantage that exists in the NEIC. The Mulvey Report entitled "Dublin's North East Inner City – Creating a Brighter Future" was published in February 2017 to oversee the long term, social and economic regeneration of the area. The report notes (page 13) that *the area is devoid of trees, greenery, proper lighting and open spaces and further states that there are limited outdoor playing spaces for team sports which limits the ability to attract other sports and encourage female participation in sports, dance and the creative arts.* Page 36 states that *there is an emerging need in recreation services for children under 10.* The Report recognised that *sport is a mechanism towards inclusion and community development and recommended upgrading community infrastructure, public open space, greening and recreational opportunities.*
- 8.3.10. Figure 3.2 of the applicants Community and Social Audit identifies a study area as a 15-minute walking distance from the site which includes 13 no. Electoral Divisions. The information provided in Section 3 of the report is based on the 2022 CSO data and indicates that the population of the study area increased by 15.4% between 2016 – 2022, this is significantly above the Dublin City average of 6.9% and the State average of 8.1%. Table 3.4% of the report indicates that the population growth in the study area is skewed towards the younger cohorts, with a 34% increase in persons aged 0-19. There was also a significant increase in persons aged 40-59 (25.5%) and a decrease of persons aged 80+ (12%). Table 3.2 of the report provides a breakdown of the age profile of residents in the study area

compared to Dublin City and the State. The information indicates that the study area has a higher-than-average percentage of persons aged 20-39 (48.3%) when compared to Dublin city (36.4%) and the state (26.4%). The significant population increase indicates that there is a strong demand for housing in the study area. While the age cohort also indicates a demand for services and amenities to serve the increased population, particularly younger age cohorts.

- 8.3.11. The applicants Community and Social Audit also states that the area benefits from a wide array of existing open space and park facilities. The third parties raised concerns that the applicants Social Infrastructure Audit is flawed as it uses a wide catchment, which is not reflective of the available amenities in the area. Table 5.4 of the report lists the local sports and recreational facilities, sports clubs / pitches and gyms within the study area (15-minute walk of the site). It is noted that the list includes Fairview Park which is located c. 900m (as the crow flies) from the appeal site and other pocket parks in the city, which are c. 500m from the appeal site. The third parties also noted that The Diamond and Liberty Park are permanently closed due to persistent anti-social behaviour.
- 8.3.12. The third parties acknowledge that there are existing sport pitches on Dunne Street and at James Larkin House. However, these spaces are currently in use by local groups with no capacity for the existing users of the Aldborough Place MUGA or future residents of the proposed development. It is also noted by the third parties, that recreational facilities provided within social housing complexes are to serve the occupants of the housing complexes and are not categorised as public open space.
- 8.3.13. The appeal site is located within DCC's Central Area. Section 4.15. of the Dublin City Council Parks Strategy 2019 indicates that there is 1.84 sqm of open space per person in the Central Area. This is a significant deficit when compared to 36.47sqm per person in the overall DCC administrative area. The Parks Strategy states that the population of the central area was 72,982 in 2011. The information available on the CSO website ([www.cso.ie](http://www.cso.ie)) indicates that the 19 ED that generally make up the Central Area had a combined population of 85,057 in 2022, which is a 16.5% increase since 2011 (72,982). There is no evidence on the Dublin City Council website ([www.dublincity.ie](http://www.dublincity.ie)) of any additional public parks being provided within the central area since 2011. The significant increase in population since 2011, with no additional provision of public open space in the central area has further reduced the

availability of public open in the central area in 2022 to an estimated c. 1.5 sqm space per person.

- 8.3.14. It is acknowledged that there are some areas of public open space within a 15-minute walk of the appeal site. However, having regard to the city centre location of the appeal site, the distance to these existing areas of open space (up to 900m), to the estimated provision of public open space per person (c. 1.5sqm) in the central area in 2022, to the information provided by the third parties regarding a lack of open space within the surrounding area, to the findings of the Mulvey Report and the provisions of SDRA 10 to seek to address the deficit of public open space, I do not agree with the applicant that the site benefits from a wide array of existing open space and park amenities.

#### Open Space Policy

- 8.3.15. As outlined in the third-party submissions the Development Plan sets out a number of policies and objectives with regard to public open space. Policies and Objectives of particular relevance addressed below.

- 8.3.16. **Policy GI49** - Protection of Existing and Established Sport and Recreational Facilities: *To protect existing and established sport and recreation facilities, including pitches, unless there is clear evidence that there is no long term need for the facility; unless the loss would be replaced by equivalent or better provision in terms of quantity or quality in an accessible and suitable location; or the development is for alternative sports and recreational provision, or required to meet other open space deficiencies, the benefits of which would clearly outweigh the loss of the former or current use.*

- 8.3.17. Comment: As set out in Policy GI49 there are circumstances where the loss of existing and established sport and recreation facilities are permissible. These are addressed in turn below.

- *there is clear evidence that there is no long-term need for the facility.*

- 8.3.18. The applicant states that DCC engaged with groups who use the pitch and considers that the existing recreational use is underutilised and there is sufficient existing social and community infrastructure within the surrounding area to adequately meet the needs of the proposed development. This is disputed by the third parties who indicate that the NEIC is deficient in recreational space and that the MUGA is well used by local residents and sports groups. This is supported by photographs and media coverage of the MUGA in use for

various events. Having regard to the information provided by the third parties which clearly indicates that there is a long term need for the existing recreational facility at this location, the findings of the Mulvey Report, the DCC Parks Strategy and the provisions of SDRA 10 it is my view that there is a long term need for the existing residential facility in the area.

- *the loss would be replaced by equivalent or better provision in terms of quantity or quality in an accessible and suitable location;*

8.3.19. The applicant's Planning Report submitted with the application states that DCC's Housing Department have committed to an upgrade of the adjacent multi use games amenity on North Great Clarence Street to the rear of Dunne Street Flats c. 235 metres from the current Aldborough Parade games amenity. This is supported by a letter from the Housing Department of DCC, which was submitted by way of unsolicited further information on the 15<sup>th</sup> May 2025 to the Planning Authority. The letter does not include a map of the recreational lands to be upgraded. However, it is noted there are existing pitches and a gated green space associated with Dunne Street flats to the northwest of the appeal site. The third parties state that these existing pitches are at capacity and cannot accommodate the existing uses of the Aldborough Place MUGA. The upgrade of the pitches and the green space is welcome. However, no details of the proposed quantity or quality of the upgrade works are provided with the application, and it is unclear if the works would result in any additional recreational space and whether the upgraded amenity would be available to the general public or if it would remain part of the Dunne Street flat complex.

8.3.20. The letter of support further states that the Housing Development Section will work with DCC Sports Section on an upgrade for this amenity on completion of the Portland Row housing development. These amenity lands are not located within the red line boundary of the proposed development and do not form part of the proposed development. There is no timeframe for when amenity space would be upgraded and no evidence of detailed design or funding for the works has been provided. In addition, during my site visit in June 2026 there was no evidence of any upgrade works to the amenity space at the Dunne Street Flat complex having been undertaken recently.

8.3.21. While the upgrade of existing recreational space at Dunne Street flat complex is welcomed, it is my opinion the applicant has not adequately demonstrated that the loss of the MUGA

would be replaced by equivalent or better provision in terms of quantity or quality in an accessible and suitable location as part of proposed development.

- *or the development is for alternative sports and recreational provision, or required to meet other open space deficiencies, the benefits of which would clearly outweigh the loss of the former or current use.*

8.3.22. The applicant considers that the proposed development provides alternative and enhanced recreational opportunities through a combination of new on-site communal spaces and the potential to support upgrades to nearby recreational facilities

8.3.23. The existing MUGA is c. 33m by 30m and therefore, provides c. 990sqm of recreational space. The proposed development includes 900sqm of public open space, 585sqm of communal open space and a 100sqm Arts and Community Space. The layout provides for a linear area of communal open space to the rear (northwest) of Block C and a T-shaped area of public open space in the centre of the scheme, overlooked by the proposed residential units. The area of public open space provides pedestrian connectivity between Aldborough Place and Portland Row. The area of public open space in the northwest portion of the site, between Blocks A and B, is c. 6m in width. The auto track drawings submitted indicate that this area would also be utilised by refuse collection trucks. The area between Block B and C has a maximum width of 12m and includes a play space and seating. The provision of public open space, in excess of Development Plan standards with a public play space and seating is welcomed. However, this space also incorporates footpaths, planting and would be partly utilised by refuse trucks. It is my opinion that the benefits of this alternative recreational provision do not outweigh the loss of the current MUGA.

8.3.24. Having regard to the above, it is my opinion that the loss of the MUGA at Aldborough Place would be a material contravention of Policy GI49 to protect existing and established sport and recreation facilities, including pitches, unless there is clear evidence that there is no long term need for the facility; unless the loss would be replaced by equivalent or better provision in terms of quantity or quality in an accessible and suitable location; or the development is for alternative sports and recreational provision, or required to meet other open space deficiencies, the benefits of which would clearly outweigh the loss of the former or current use.

8.3.25. Section 37(2)(a) of the Planning and Development Act, 2000 (as amended) states that the *Board (Commission) may in determining an appeal under this section decide to grant a*

*permission even if the proposed development contravenes materially the development plan relating to the area of the planning authority to whose decision the appeal relates. Having regard to the above, I do not consider that permission is warranted for the proposed development in accordance with the provisions of 37(2)(a).*

8.3.26. **Policy GI25** - Open Space Provision (sq. m.) per 1,000 Persons Benchmark: *To ensure equality of access for all citizens to the public parks and open spaces in Dublin City and to promote more open space with increased accessibility and passive surveillance where feasible. In this regard, a city wide range of 2.5ha to 3.6ha of parks per 1,000 population benchmark for green/recreational space as set out in the 2019 Parks Strategy (or as updated) shall be a policy goal and quality standard.*

8.3.27. Comment: Policy GI25 recommends a city wide range of 2.5ha to 3.6ha of parks per 1,000 population. As set out in the Parks Strategy, the population of the Central Area was 72,982 in 2011. This results in a recommended range of 182 ha – 262.4 ha of public open space, which equates to c. 19% - 27% of the Central Area. It is acknowledged that the recommended quantum of public open space for the central area is high given the city centre location. However, having regard to the available information, which clearly indicates a deficit of public open space in the NEIC it is my view that the proposed development, which would result in the removal of open space, and an increased population does not comply with the provisions of Policy GI25, to ensure equality of access for all citizens to the public parks and open spaces in Dublin City.

8.3.28. **Policy GI27** - Addressing Public Open Space Deficits in Identified Areas: *To seek the provision of additional public open spaces in areas of deficiency as identified in the Dublin City Council Parks Strategy 2019 (and any future update) and the forthcoming public open space audit for the city centre by: a) securing open space as part of new development / the redevelopment of brownfield lands; b) the upgrading of existing Flagship Parks and Community Grade 1 & 2 Parks to better serve their communities; c) investigating opportunities for access to local schools and colleges; and d) the development of pocket parks / parklets.*

8.3.29. Comment: As outlined above the Central Area has a significant deficit of public open space when compared to the overall DCC administrative area. The proposed development would result in a net loss of public open space. Therefore, the proposed development does not

comply with the provisions of Policy GI27 to seek the provision of additional public open spaces in areas of deficiency as identified in the Dublin City Council Parks Strategy 2019.

8.3.30. **Objective GIO23** - Manage / Protect / Enhance Parks: *To continue to manage and protect and/or enhance the city's parks and public open spaces to meet the social, recreational, conservation and ecological needs of the city and to consider the development of appropriate complementary facilities which do not detract from the amenities of spaces.*

8.3.31. Comment: As outlined above, the proposed development would result in the loss of an existing recreational amenity in the NEIC. Having regard to the information provided by the third parties, this MUGA currently meets the social and recreational need of the local population of the NEIC, which currently experiences a deficient in public open space. It is my view that the proposed development does not protect or enhance the city's public open space which meets the social and recreational needs and, therefore, does not comply with Objective GIO23.

#### Conclusion

8.3.32. In conclusion, it is my opinion that the removal of the MUGA, without adequately demonstrating that an alternative equivalent or better open space provision in terms of quantity or quality in an accessible and suitable location can be provided as part of proposed development would negatively impact on the residential amenity of existing residents and does not comply with the sites Z1 Residential Zoning Objective, Policy GI25, Policy GI27, Objective GIO23 and the provisions of SDRO1 and would be a material contravention of Policy GI49 of the Dublin City Development Plan 2026. It is my opinion that this should form the basis for a reason for refusal of permission.

8.3.33. The appeal site also comprises the former depot site which does not contain any publicly available open space or recreational amenity space. The development of this site would not contravene the development plan. While it is my view that permission should be refused for the redevelopment of the MUGA site it is acknowledged that the Commission may wish to grant permission. Therefore, my planning assessment relates to the entire scheme.

#### **8.4. Quantum of Development and Building Height**

8.4.1. Concerns are raised by the third parties regarding the density and height of the proposed scheme are excessive. Chapter 4 of the Development Plan sets out a number of policies relating to building height and density, including Policy SC10 to ensure appropriate densities

and the creation of sustainable communities, Policy SC11 to promote compact growth and sustainable densities of the Development Plan and Policy SC14 to ensure a strategic approach to building height that accords with the Building Height Guidelines. Policy SDRA01 states that the guiding principles regarding height are set out for each SDRA. Where development adjoins lower scaled residential communities, development must be appropriately designed so that no significant adverse impacts on the residential amenities of adjacent residential properties arises. It further states that the performance criteria set out in Appendix 3 should be adhered to for developments of significant scale and / or density.

- 8.4.2. Appendix 3 of the Development Plan sets out specific guidance regarding the appropriate locations where enhanced density and scale, including increased height will be promoted, and sets out performance criteria for the assessment of such development.

*Density, Plot Ratio and Site Coverage*

- 8.4.3. The third parties raised concerns that the proposed density is excessive and results in overdevelopment of the site. Table 1 of Appendix 3 of the Development Plan sets out a density range of 100-250 uph for SDRA lands. Based on the stated site area (on the application form) of 0.47 ha and the proposed number of units (49 no.) the scheme has a density of 104 uph. The proposed density is at the lower end of this range and is, therefore, considered acceptable in principle.
- 8.4.4. Appendix 3 also sets out an indicative plot ratio of 2.5 – 3 and site coverage of 60 – 90% in the central area. The proposed scheme has a plot ratio of 1.2 and a site coverage of 31%, which are both significant below the ranges set out in the Development Plan. However, having regard to the constraints of this backland site, including proximity to existing 2-storey terrace housing I have no objection to the proposed plot ratio and site coverage and consider them appropriate at this location.
- 8.4.5. The concerns of the third parties are noted. However, I am satisfied that the proposed density of 104uph is appropriate at this backland, urban location and would not result in overdevelopment of the site. I am also satisfied that the density is in accordance with the provisions of Appendix 3 and policies SC10 to ensure appropriate densities and the creation of sustainable communities and SC11 to promote compact growth and sustainable densities of the Development Plan and that in this instance there is no requirement to demonstrate compliance with the performance based criteria set out in Table 3 of Appendix 3.

8.4.6. In addition, the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024) identify types of locations that may be suitable for different density ranges. Table 3.1 of the Guidelines sets out the areas and density ranges for Dublin as well as Cork City and its suburbs and divides the city into City - Centre, City-Urban Neighbourhoods and City – Suburbs / Urban Expansion. The site is located within the City - Centre. The city centres are the most central and accessible urban locations nationally with the greatest intensity of land uses. It is a policy and objective of the Guidelines that residential densities in the range 100 dph to 300 dph (net) shall generally be applied in the centres of Dublin and Cork. While at the lower end of the density range, the proposed density of 104 uph is in accordance with both the provisions of the Compact Settlement Guidelines.

#### Building Height

- 8.4.7. Concerns are raised by the third parties that the proposed 5-storey element of the scheme is visually obtrusive. The proposed scheme ranges in height from 2-5 storeys. The CGI's submitted with the application, which I consider to provide a reasonable representation of how the scheme would appear, indicate that the upper level of the proposed scheme would be visible from the surrounding road network, including Portland Row, North Strand Road, Dunne Street and North Great Clarence Street.
- 8.4.8. The Development Plan does not provide prescriptive height limits. However, Policy SDRAO1 states that the guiding principles regarding height are set out for each SDRA. Where development adjoins lower scaled residential communities, development must be appropriately designed so that no significant adverse impacts on the residential amenities of adjacent residential properties arises. It further states that the performance criteria set out in Appendix 3 should be adhered to for developments of significant scale and / or density.
- 8.4.9. Appendix 3 of the Development Plan states that in accordance with the Building Height Guidelines a default position of 6-storeys is promoted in the city centre subject to specific site characteristics. Blocks A and B comprise 2-storey terraced housing. The proposed 2-storey houses would provide back-to-back housing with the existing 2-storey houses fronting onto Portland Row and Dunne Street. Block C is 3-5 storey block containing the duplex units and apartments. The taller element is located at the site's boundary with Aldborough Place. The proposed height is below the default position of 6-storeys, however, given the proximity to 2-storey housing the staggered approach to building height is considered appropriate in this instance.

8.4.10. In addition, Appendix 3 details the different classifications of building height in the city. In this regard prevailing height in a given area; locally higher buildings (which are typically up to 50m); and landmark / tall buildings which are significant features in the cityscape. While Block C is higher than the 2-storey houses on Portland Row, Dunne Street and North Great Clarence Street it is my opinion that the height of this block should be viewed in the context of the surrounding inner city location, which includes a mix of uses, including apartment blocks of varying heights and architectural styles including 5-storey flat complexes at Dunne Street, North William Street and North Great Clarence Street, a 3-6-storey mixed use scheme at Aldborough Place, Portland Row and North Strand Road and a 6 storey commercial building at the junction of Amiens Street and Killarney Street all of which are within 100m of the appeal site. In my opinion the proposed height is consistent with the prevailing height of the area. As the proposed height is within the prevailing context and the site is located within an SDRA's which permits up to 6-storey in principle, I am satisfied that there is no requirement, in this instance, to demonstrate compliance with the performance-based criteria set out in Table 3 of Appendix 3.

8.4.11. In conclusion, the concerns of the third parties regarding the density and height of the scheme are noted. However, in my opinion the staggered approach to building height is appropriate in its context, with the lower (2-storey) element located adjacent to existing 2-storey houses and the taller (5 storey) element located at the site's boundary with Aldborough Place. It is acknowledged that the 5-storey element would likely be highly visible from the surrounding road network and from the rear of adjacent properties. However, having regard to the prevailing height at this city centre location, I am satisfied that it would successfully integrate with the existing urban environment and would not be visually obtrusive. In addition, as discussed below in Section 8.7, I am satisfied that the proposed scheme would not negatively impact on existing residential amenity in terms of overlooking, overshadowing or overbearing impact. Overall, it is my view that the proposed scheme would support the consolidation of the urban environment and represents a reasonable response to its context. It is noted that the planning authority raised no concerns regarding the density or height of the development.

## 8.5. ***Design Approach***

### *Design and Layout*

- 8.5.1. The appeal site is a backland site located in Dublin City Centre. It is generally bound by the rear gardens of 2- storey residential properties fronting on to Portland Row, Dunne Street and North Great Clarence Street. To the southeast the site is bound by a Aldborough Place. Aldborough Place is a laneway c. 5m – 8m in width. It is bound by the rear gardens of mixed-use properties fronting on to the North Strand Road. The surrounding area is urban in nature with a variety of uses, building heights and architectural styles.
- 8.5.2. SDRA 10 notes that the NEIC area is diverse in regard to built form, reflecting a diversity of land uses at this central location. Under the guiding principle of Design SDRA 10 requires that new buildings / space have regard to *inter alia* the framework guidance set out; a high-quality public realm with a focus on maximising public open space provision, improving connectivity / permeability and encouraging greening initiatives; and high-quality architectural design and building materials.
- 8.5.3. The proposed development comprises the construction of 3 no. blocks referred to as Blocks A, B and C. Blocks A, B and a portion of Block C are located within the site of the former DCC depot, and the remaining portion of Block C is located on lands currently in use as a MUGA.
- 8.5.4. Blocks A and B comprise 2-storey terrace housing. Each block contains 4 no. 3-bed houses. Block A provides back-to-back housing with the existing 2-storey houses fronting on to Portland Row and Block B provides back-to-back housing with the existing 2-storey houses fronting onto Dunne Street. The proposed houses have a traditional design approach with gable ended pitched roofs with a maximum height of 8.5m. They are generally finished in render with a brick finish at ground floor level on the front elevation of the terraces and metal canopies above each of the front doors. I have no objection to the design and layout of Blocks A and B and consider them appropriate in their context, which immediately adjoin 2-storey terrace housing.
- 8.5.5. Block C is a linear block located in eastern and central portion of the site with frontage onto Aldborough Place and both the public and communal areas of open space. The block ranges in height from 3 storeys (13.2m) within the centre of the site, to 5 storeys (19.5m) at the sites boundary with Aldborough Place. The Block accommodates 16 no. 3-bed duplex units and

25 no. apartments, comprising 16no. 2 bed apartments, 9 no. 1 bed apartments and a c. 100sqm community and arts space at ground floor level. The duplex units are generally located within the former depot site, and the apartments are generally located on the MUGA site. Block C has a contemporary design approach with a flat roof. The external materials generally comprise a mixture of brick and metal cladding. The three storey element also includes an element of render at first and second floor level. It is noted that the render finish is reflective of the finish of the 2-storey houses. However, as render is not a durable material, I have concerns regarding its use and requested on-going maintenance the 3-storey element block. I am satisfied that these concerns could be addressed by way of condition.

- 8.5.6. Each duplex unit is provided over 2 levels, in this regard 6 no. units at ground floor level and partly at first floor level, 6 no. units at second floor level and partly at first floor level and 4 no. duplexes at third and fourth floor level. Each of the duplex units are own door. The 6 no. ground floor level duplex units have direct access from within the scheme via the front (southwest) elevation of the Block C. The remaining 10 no. duplex units and the apartments are accessed via a communal lobby area also on the front (southwest) elevation of the Block C. However, the individual duplex units are accessed via external terraces / walkways on the second, third and fourth floor levels on the rear (northeast) elevation of the block. These terraces / walkways have a length of between c. 25m and 35m and are located between c. 5m and 15m from the site's boundary with the rear gardens of existing dwellings North Great Clarence Street. To prevent overlooking the terraces / walkways are fitted with large, 45-degree angled screens. It is acknowledged that the terraces / walkways are adjacent to the proposed area of communal open space at ground floor level, however, given the location of the terraces / walkways (second, third and fourth floor level) and the proposed screening, I have serious concerns regarding the use of external walkways to provide own door access to the duplex unit and access the arrangements for these 10 no. duplex units to be substandard. I also have concerns regarding the potential for anti-social behaviour on these external terraces which are not passively overlooked and are immediately adjacent to bedrooms. It is my opinion that the access to the duplex units is not a high standard of design and, therefore, does not comply with Policy SC19 High Quality Architecture of the Development Plan. The access arrangements should be redesigned to provide own door access from street level or that the scheme be redesigned to allow from direct access from within core circulation areas. It is my opinion that the access arrangements would require a

significant redesign, which would not be appropriate by way of condition. This may be considered a new issue by the Commission.

- 8.5.7. Block C incorporates a 100sqm community arts and cultural space with direct access on to Aldborough Place. The applicants Architectural Design statement states that the facility would be suitable for a wide range of uses including educational classes, fitness, clubs, movie screenings, support groups, charity events, birthday parties, playgroups etc with capacity for c. 80 persons in seats in rows, 50 persons in circular tables and 25 persons for a yoga / fitness class. The third parties noted the limited size of the community hall and raised concerns that it would not be accessible to all would be incur a fee / payment for the use of the space.
- 8.5.8. Objective CUO25 of the Development Plan and Objective SDRAO1 require all new developments in SDRAs to provide a minimum for 5% community, arts and culture spaces including exhibition, performance, and artist workspaces predominantly internal floorspace as part of their development at the design stage. In addition, SPPR 6 of the Apartment Guidelines, 2025 states the provision of new Communal, Community and Cultural facilities within apartment schemes shall only be required in specific locations identified within the development plan and shall not be required on a blanket threshold-based approach in individual apartment schemes.
- 8.5.9. The applicant has not provided the gross floor area of the proposed scheme in the submitted documentation. However, the Housing Quality Assessment states that the total internal unit's area is 4,137.7sqm. It is assumed that this figure excludes the circulation areas within Block C. Using this conservative figure, 5% of the proposed scheme would generate a requirement for 206sqm of community, arts and culture spaces. While the provision of a community, arts and culture space and its siting within the scheme, at ground floor level at the sites boundary with Aldborough Polace, is welcomed it is my view that the applicant has not adequately demonstrated compliance with Objective CUO25 and Objective SDRAO1 of the Development Plan.
- 8.5.10. Concerns were also raised by the third parties that the Community and Art Space would be solely reserved for the residents of the proposed scheme. It is noted that condition 7 of the grant of permission requires that all residents of the development shall have access to the space. However, I am satisfied that this condition does not limit the use of the space to residents of the scheme.

- 8.5.11. The 49 no. residential units include 7 no. unit types ranging in size from 48sqm (1-bed) apartment to 105sqm (3-bed) house. The Housing Quality Assessment submitted with the application indicates that each of the units reach or exceed the minimum standards for room sizes as set out in the Apartment Guidelines (2025) and the Quality Housing for Sustainable Communities (2007).
- 8.5.12. Section 3.3 of the Apartment Guidelines (2025) recommends that 25% of all apartments in a proposed scheme shall exceed the minimum floor area standard. It is noted that 21 no. units (43%) in the scheme exceed the minimum floor area standard by at least 10%.
- 8.5.13. SPPR3 of the Apartment Guidelines, 2025 requires that a minimum of 25% of apartments should be dual aspect. The layout provides for 39 no. dual aspect units, which equates to 80% of units, which is significantly in excess of the minimum standard. It is noted that there are no single aspect north facing units.
- 8.5.14. Overall, I am satisfied that the layout of the scheme is in accordance with the provisions of the Guiding Principle 'Design' and the indicative site layout of Opportunity Site 13 of the SDRA 10. However, as noted above, this indicative layout also includes the provision of a new area of public open space within an adjacent site and a new pedestrian connection between Portland Row and North Strand Row, which do not form part of the proposed development. Therefore, I have serious concerns regarding the loss of the existing MUGA without adequately demonstrating that an alternative equivalent or better open space provision in terms of quantity or quality in an accessible and suitable location can be provided as part of proposed development.
- 8.5.15. I also have serious concerns regarding the use of external walkways / terrace to provide access to the duplex units at upper levels and the provision of large screens to prevent overlooking. Having regard to the proximity of these communal terraces / walkways to bedrooms and the lack of passive overlooking I consider this to be a sub-standard design approach which requires a significant redesign of these units. It is my view that it would not be appropriate to redesign the layout by way of condition.

#### Housing Mix and Tenure

- 8.5.16. Policy SC12 of the Development Plan aims to promote a variety of housing and apartment types and sizes, as well as tenure diversity and mix, which will create both a distinctive

sense of place in particular areas and neighbourhoods, including coherent streets and open spaces and provide for communities to thrive.

8.5.17. DCC's Housing Strategy is set out in Appendix 1 of Volume 2 of the Development Plan. Section 6.4 of the Housing Strategy notes that Dublin City forms a unique and varied housing market area with strong existing and forecast future demand for housing. A further Housing Need Demand Assessment (HNDA) for the north inner city and the Liberties was prepared alongside the NHDA for the city. These areas were selected as they are differentiated from the wider city in terms of residential developmental pressure due to three factors (1) higher volumes of smaller housing stock, (2) significant regeneration opportunity lands and (3) in recent years they have experienced a high proportion of Strategic Housing Development applications, which have been dominated by BTR and a preponderance of smaller units. With regard to both the North Inner City and the Liberties, Table 37 of the Housing Strategy requires that in scheme of more than 15 units, a minimum of 15% of all units be 3-bedroom or more and a maximum of 25% - 30% be 1-bedroom. The proposed scheme provides for 25 no. apartments, 16 no duplex units and 8 no. houses with a unit mix of 9 no. (18%) 1-bed, 16 no. (33%) 2-bed and 24 no. (49%) 3-bed. Therefore, the unit mix complies with the DCC Housing Strategy.

8.5.18. The development comprises 100% social housing and is therefore exempt from the provisions of Part V of the Planning and Development Act 2000 (as amended). The DCC Housing Strategy sets out a clear demand for social housing which is supported by Development Plan Policies QHSN34 to promote the provision of social, affordable purchase, cost rental and rental housing and QHN35 to support a greater diversity of housing type and tenure.

8.5.19. I have no objection to the proposed housing tenure, unit mix or dwelling type. It is noted that no concerns were raised by the Planning Authority or the third parties in this regard.

#### SDRA 10

8.5.20. As noted above the appeal site is located within SDRA 10. The Development Plan sets out four housing objectives for SDRA 10. The following are relevant.

- *To promote an increased residential population and the successful integration of new and established residents and communities.*

8.5.21. Comment: The proposed development would increase the residential population. In my opinion the design and layout of the scheme would facilitate the integration of new and established residents and communities.

- *To ensure that new residential developments accord with the indicative layout illustrated in the framework, supporting social, community and amenity infrastructure/services in the local area.*

8.5.22. Comment: The proposed layout is reflective of the indicative layout of the appeal site provided within the Development Plan. However, as the appeal site does not include all of Opportunity Site 13 it not possible to create connectivity through the Health Centre site to the North Strand Road or provide open space, helping reduce the current shortfall of open space in the area.

8.5.23. The proposed scheme includes a 100sqm Arts and Community Space. While this space is welcomed in principle, it is my view that the applicant has not adequately demonstrated compliance with Objective CUO25 or Objective SDRAO1 of the Development Plan which requires developments in SDRAs to provide at a minimum for 5% community, arts and culture spaces.

8.5.24. Therefore, it is my view that the proposed development does not support social, community and amenity infrastructure/services in the local area and, therefore, does not comply with this housing objective of SDRA 10.

- *To promote a variety of house types and tenures, avoiding an over-concentration of specialist accommodation such as tourist and student accommodation, thereby, ensuring capacity for the growth of balanced residential communities.*

8.5.25. Comment: As outlined above the proposed scheme provides for 49 no. social housing units comprising 25 no. apartments, 16 no duplex units and 8 no. houses with a unit mix of 9 no. (18%) 1-bed, 16 no. (33%) 2-bed and 24 no. (49%) 3-bed. The unit mix complies with the DCC Housing Strategy, and I am satisfied that it results in an appropriate variety of house types and tenures.

8.5.26. SDRA 10 sets out three Social and Community Infrastructure Objectives. The following objective is relevant:

- *Further to the Mulvey Report recommendations, to support, (a) the diversification of the sports facilities available in the area (in conjunction with DCC's Sport and Wellbeing Partnership), including the provision of new outdoor playing space, (b) the development of facilities that encourage participation in the arts.*

8.5.27. The proposed scheme would result in the removal of an existing outdoor playing space. The letter of support from DCC's Housing Department which provides a commitment to upgrade existing recreational space at Dunne Street flat complex is noted. However, it is my opinion the applicant has not adequately demonstrated that the loss of the MUGA would be replaced by equivalent or better provision in terms of quantity or quality in an accessible and suitable location as part of proposed development.

8.5.28. The provision of the Community and Arts Space is welcomed. However, as outlined above I have concerns regarding the limited size of the space, and it is my view that the applicant has not adequately demonstrated compliance with Objective CUO25 of the Development Plan.

8.5.29. SDRA 10 includes five Open Space and Recreation Objectives. The following objective is relevant:

- *The provision of public open space on development sites should, where possible, be at locations that are visible, accessible and inviting to the wider public.*

8.5.30. **Comment:** The proposed scheme incorporates public open space in excess of Development Plan standards, which is welcomed. The area of public open space would be directly overlooked by the proposed residential units and would provide connectivity between Aldborough Place and Portland Row. I have no objection in principle to the quantity or quality of the proposed public open space. However, it is my view that the benefit of the area of proposed public open space does not outweigh the benefits of the existing MUGA.

#### **Placemaking**

8.5.31. Section 15.4.1 of the Development Plan states that it is essential that new developments have regard to good healthy placemaking principles to create climate resilient environments in which people want to engage, resulting in sustainable, well designed and strong communities. This is supported by Policy SC19 to promote development which positively

contributes to the city's built and natural environment, promotes healthy placemaking and incorporates exemplar standards of high-quality, sustainable and inclusive urban design and architecture befitting the city's environment and heritage and its diverse range of locally distinctive neighbourhoods.

8.5.32. Chapter 4 of the Compact Settlement Guidelines focuses on planning and design at settlement, neighbourhood and site levels. In accordance with Policy and Objective 4.2 of the Guidelines an assessment of the proposed development against the stated 'key indicators of quality design and placemaking' is outlined in the following table.

**Table 1: Placemaking**

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| <p>(i) Sustainable and Efficient Movement</p> | <p>(a) The proposed development would connect two existing separate backland sites and provide pedestrian and cycle connectivity from Aldborough Place to Portland Row via the appeal site. The appeal site is generally bound by rear gardens of existing residential properties and Aldborough Place. It is not possible as part of the proposed scheme to provide any additional connectivity to the wider area.</p> <p>I am satisfied that the proposed layout is permeable and legible and would be easy to navigate.</p> <p>(b) The appeal site is located within the north east inner city centre and is well served by high frequency and capacity public transport within the vicinity of the proposed development.</p> <p>(c) The proposed site is a limited (0.48 ha), brownfield backland site in the city centre. There is no car parking provided within the site, with all deliveries and servicing proposed from Aldborough Place. I am satisfied that the scheme would feel safe and comfortable for pedestrians and cyclists.</p> <p>(d) The proposed development does not include any car parking. The scheme incorporates works to Aldborough Place to provide 3 no. car parking spaces. Having regard to the highly accessible nature of this city centre site I am satisfied that the proposed quantum of car parking is acceptable in this instance.</p> <p>Overall, I am satisfied that the proposed scheme would be safe and would not be dominated by cars.</p> |
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|--------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Mix and Distribution of Uses</p>        | <p>(a) The site is located within the city Centre and is highly accessible by walking, cycling and public transport. The proposed scheme provides 49 no. social housing units with a density of 104 upa. Given the backland nature of the site and the proximity to existing 2-storey houses I am satisfied that the intensity of development is appropriate at this site.</p> <p>The proposed scheme also results in the loss of a MUGA. In my opinion the loss of the recreational space does not support the creation of an appropriate mix of uses within the NEIC, which has a proven deficient of public open space or an active and vibrant city centre.</p> <p>(b) The proposed scheme results in the loss of a MUGA in a part of the city where there is a deficit of public open space. I am not satisfied that proposed development had adequately demonstrated how the scheme would promote the activation of outdoor spaces or improve the public realm to promote more liveable city.</p> <p>(c) Less central area policy is not applicable.</p> <p>(d) The depot portion of the site comprises a vacant, brownfield site in the urban area. I am satisfied that the development of these lands would support the consolidation of the urban area.</p> <p>(e) The appeal site is highly accessible by public transport. I am satisfied that the proposed development would support the integration of land use and transportation.</p> <p>(f) The proposed scheme comprises 100% social housing comprising 25 no. apartments, 16 no duplex units and 8 no. houses with a unit mix of 9 no. (18%) 1-bed, 16 no. (33%) 2-bed and 24 no. (49%) 3-bed. The unit mix complies with the DCC Housing Strategy, and I am satisfied that the proposed development would provide an appropriate tenure and mix at this location.</p> |
| <p>(iii) Green and Blue Infrastructure</p> | <p>(a) The appeal site comprises two brownfield sites in the urban area that is generally covered in hard standing. There are no natural features, biodiversity or landscapes located within the site.</p> <p>(b) The proposed scheme comprises a medium density urban development. It includes communal and public open space as part of the scheme. However, given</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

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|                           | <p>the relatively limited size of the site and the deficiency of public open space in the environs of the site the scheme does not include multifunctioning and interlinked green spaces.</p> <p>(c) / (d) Surface water runoff will be intercepted, collected, slowed and attenuated within the site through the use nature-based rainwater management and sustainable urban drainage systems (SUDS). SUDS features include a Green Blue roof on Block C, Green roofs on the cycle storage sheds, permeable paving, rain gardens, bio-retention tree pit systems and a hydro brake system to regulate outflow. Surface water would be discharged to the public network on Aldborough Place at a greenfield rate (maximum 2.0 l/s). This is a 97% reduction from the current estimated surface water discharge on the site.</p> <p>The estimated attenuation volume is designed to cater for the 1:100-year return period. All drainage and flood risk calculations include 20% climate change.</p> |
| (iv) Public Open Space    | <p>As outlined above, the quantum of public open space proposed is in excess of the Development Plan standards. I have no objection to the quantity or quality of the proposed area of public open space and am satisfied that it would provide a high level of amenity for future occupants for the scheme. However, I have serious concerns regarding the loss of the existing MUGA.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| (v) Responsive Built Form | <p>(a) The proposed scheme results in the construction of 3 no. blocks. Blocks A and B comprise 2-storey houses and respond appropriately in scale and height the adjacent housing. Block C is a high density urban block which provides frontage onto Aldborough Place. I am satisfied that the layout of the blocks is an appropriate design response to the context of the site which supports the creation of a high quality and legible urban area.</p> <p>(b) The height, scale and massing of the blocks are similar to existing and previously approved developments within the NEIC. I am satisfied that the proposed development responds positively and appropriately to the established pattern of development.</p> <p>(c) The proposed scheme would redevelop the former depot which is an underutilised inner city brownfield site. While I am satisfied that the layout</p>                                                                                                          |

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|  | <p>supports the overall urban structure of the wider area, I have serious concerns regarding the loss of the MUGA.</p> <p>(d) This is a backland site within the inner city, with limited defined edges to existing streets. The proposed scheme would result in the loss of an existing public space. However, I am satisfied that the proposed public and communal open space within the scheme would be passively overlooked.</p> <p>(e) In general, I am satisfied that the proposed development comprises a high-quality contemporary design approach, with variety in height, scale and massing which result in a coherent urban scheme. Blocks A and B utilise traditional built forms with varied finishes the respects and enhances local character. I consider the proposed design of Block C reflects a contemporary modern design approach. However, it is my view that the access arrangements to the 10 no. duplex units at the upper levels is substandard and should be reconsidered.</p> <p>(f) As outlined above, the predominate external material is brick and metal cladding which is a high quality and durable material with elements of glazing. However, I have concerns regarding the use of render at the upper levels of the 3-storey duplexes.</p> |
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### *Conclusion*

- 8.5.33. Having regard to the inner city centre location, the backland and brownfield nature of the site it is my view that the proposed development successfully integrates into the streetscape and would support the consolidation of the urban environment and represents a reasonable response to its context and would not negatively impact on the built heritage of the surrounding area. Notwithstanding this, as outlined above it is my opinion that the loss of the MUGA would negatively impact on the residential amenity of existing residents and does not comply with the sites Z1 Residential Zoning Objective, *Policy GI25, Policy GI27 and Objective GIO23* and would be a material contravention of *Policy GI49* of the Dublin City Development Plan 2026. Therefore, it is my opinion that permission should be refused for residential development on the MUGA site.
- 8.5.34. I have no objection in principle to the provision of the proposed 16 no. houses and 16 no. duplex units on the vacant depot site. However, I consider the access arrangements to the 10 no. upper level duplex units to be substandard and that the applicant has not adequately

demonstrated compliance with Objective CUO25 of the Development Plan which requires a minimum for 5% community, arts and culture spaces. It is my opinion that to address these concerns may require a significant redesign of the scheme, which may not be appropriate by way of condition.

#### 8.6. ***Residential Amenity***

- 8.6.1. The third party raised concerns that the proposed scheme would negatively impact on the residential amenity of adjoining properties and undeveloped sites, in terms of overbearing impact, overlooking and overshadowing.

##### *Overlooking and Overbearing Impact*

- 8.6.2. SPPR 1 of the Compact Settlement Guidelines requires a separation distance of at least 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units and apartment units, above ground floor level. It further notes that separation distances below 16 metres may be considered acceptable in circumstances where there are no opposing windows serving habitable rooms and where suitable privacy measures have been designed into the scheme to prevent undue overlooking of habitable rooms and private amenity spaces.
- 8.6.3. Block A and B comprise a terrace of 4 no. 2-storey houses each. The rear elevation of Block A is located c. 9m from the sites boundary and c. 13.5m from the rear elevation of existing dwellings fronting onto Portland Row. These houses (House Type B1) are designed with no windows serving habitable rooms at the rear first floor level. Therefore, they would not result in any undue overlooking of the existing properties on Portland Row.
- 8.6.4. The rear elevation of Block B is located between c. 11m and 14m from the sites boundary and c. 15m - 18m from the rear elevation of existing dwellings fronting onto Dunne Street three of the four proposed houses have no windows serving habitable rooms at the rear first floor level. Therefore, they would not result in any undue overlooking of the existing properties on Dunne Street. House Type B1.1 has a window serving a bedroom at the rear first floor level. However, this window does not directly oppose an existing property. Therefore, I am satisfied that it would not result in any undue overlooking.
- 8.6.5. Block C is located a minimum of 5m from the sites boundary and a minimum of c. 23m from the rear elevation of existing properties fronting onto North Great Clarence Street. Having

regard to the separation distances between the residential units I am satisfied that the proposed development would not result in any undue overlooking of existing properties on North Great Clarence Street. Notwithstanding this, concerns are raised regarding undue overlooking of private rear amenity space. Block C has a staggered approach to height. There is a minimum c. 5m separation distance between the 3-storey element of Block C, a minimum c. 10m separation distance between the 4-storey element of Block C and a minimum c. 20m separation distance between the 4-storey element of Block C and the site boundary with the rear gardens of these existing dwellings fronting onto North Great Clarence Street. Having regard to the relatively limited separation distances between the external walkways serving the duplex unit and rear gardens of the properties and the 3-5 storey height of Block C the design includes large, 45 degree angled screens along the walkways. It is acknowledged that the screens would prevent undue overlooking of the adjacent rear gardens, however, as noted above I have serious concerns regarding this design approach as it also prevents passive surveillance of external walkways within the scheme.

- 8.6.6. Block A and C are separated by the proposed area of public open space. There is a c. 12m separation distance between the balconies serving duplex units in Block C and the front elevation of Block A. It is noted that there are directly opposing windows serving habitable rooms at first floor level. However, SPPR1 does not apply to the front of houses. Therefore, there is no requirement to provide a 16m separation distance.
- 8.6.7. Blocks A and B provided 2-storey back - to - back houses to existing 2-storey houses fronting onto Portland Row and Dunne Street. While the proposed houses would be visible from the existing properties, I am satisfied that they would not have an overbearing impact.
- 8.6.8. The limited separation distances between Block C and existing rear gardens of properties on North Great Clarence Street are noted and it is acknowledged that the proposed development would be highly visible from the rear of these properties. However, given the staggered approach to the height of Block C, the distance to the rear building line of the houses, the city centre location and the design and layout of the proposed development I am satisfied that Block C would not have an overbearing impact on existing residents of North Great Clarence Street.
- 8.6.9. Overall, it is my opinion that the proposed separation distances achieve an appropriate balance, at this city centre site, between protecting the residential amenities of future and

existing occupants from undue overlooking and overbearing impact and providing a sense of enclosure and passive overlooking of areas of open space.

*External Daylight, Sunlight and Overshadowing*

- 8.6.10. A Daylight, Sunlight and Overshadowing Study was submitted with the application, which follows the guidelines set out in the BRE (2022). The applicants report includes an assessment of Vertical Sky Component (VSC). In general, VSC is a measure of the amount of sky visible from a given point (usually the centre of a windows) within a structure. The 2022 BRE guidelines state that if the VSC, with the new development in place, is both less than 27% and less than 0.8 times its former value occupants of the existing building would notice the reduction in the amount of skylight.
- 8.6.11. The applicants report provides an assessment of the impact on no. 5-18 North Great Clarence Street, 9 – 15 and 17 North Strand Road, The five lamps suites hotel, 23 – 33 Portland Row. The assessment indicates that the impact on 5-18 North Great Clarence Street, five lamps suites hotel and 17 North Strand Road are within the BRE guidelines
- 8.6.12. 9-15 North Strand Road: The analysis provided in Section 9.3.3 of the applicants report indicates that with the proposed development in place 1 no. ground floor window on the rear elevation (windows 8) of an existing dwelling would notice a reduction in the amount of skylight with a reduction in VSC from 32.31% to 22.54%
- 8.6.13. 23 – 27 Portland Row: The analysis provided in Section 9.3.5 of the applicants report indicates that with the proposed development in place 5 no. ground floor window on the rear elevation (windows 14, 15, 16, 17 and 18) of existing houses fronting onto Portland Row would notice a reduction in the amount of skylight with a reduction in VSC, for example there would be a reduction in VSC from 33.5% to 20.3% for window 16.
- 8.6.14. 28-33 Portland Row: The analysis provided in Section 9.3.6 of the applicants report indicates that with the proposed development in place 2 no. ground floor window on the rear elevation (windows 18 and 19) of existing houses fronting onto Portland Row would notice a reduction in the amount of skylight with a reduction in VSC from 36.0% to 22.1% for window 18 and 34.9% to 26.6% for window 19.
- 8.6.15. Overall, the proposed development would result in a noticeable loss of light to 8 no. existing properties. It would appear from the information submitted that the loss of light is limited to

ground floor windows and does not have an impact on existing first floor level windows. The remaining VSC for these 8 no. windows ranges from a low of 20.32% to a high of 26.6%.

- 8.6.16. The applicant's report also carried out an assessment of the impact of the development on access to sunlight (Annual / Winter Probable Sunlight Hours (APSH / WPSH)) for living rooms in adjacent properties with a window facing within 90° of due south, which is in accordance with the BRE Guidance. If a room can receive more than 25% of Annual Probable Sunlight Hours (APSH) including at least 5% in winter, then a room should receive adequate sunlight. In accordance with BRE Guidance, given the height and orientation of the scheme only 5-18 North Great Clarence Street was assessed for APSH. The analysis carried out indicates that the proposed development would have a negligible impact on APSH and WPSH for existing properties.
- 8.6.17. It is noted that 94% (123 of the 131) windows assessed would meet or exceed the recommended VSC value and 100% of the 46 windows assessed for APSH and WPSH. While it is acknowledged that the proposed scheme would have a negative impact on VSC for 8 no. windows, the comparison is being made between an existing vacant brownfield site and the proposed 2-5 storey development and that inevitably there will be some impact. It is also noted that the Building Height Guidelines state that where a proposal may not be able to fully meet all the requirements of the daylight provisions the Board (Commission) should apply their discretion, having regard to local factors including specific site constraints and the balancing of that assessment against the desirability of achieving wider planning objectives. It is my view that given the city centre location and the wider benefits such as the redevelopment and regeneration of a brownfield site and the delivery of housing that the impact on these existing 8 windows is considered acceptable in this instance. In the interest of clarity this view relates to the impact of the development on access to daylight and sunlight for existing adjacent city centre properties and is not intended as a justification to remove the MUGA.
- 8.6.18. The BRE guide states that good site layout planning for daylight and sunlight should not limit itself to providing good natural lighting inside buildings. Sunlight in the spaces between buildings has an important impact on the overall appearance and ambience of a development. It is recommended that at least half of the amenity areas should receive at least 2 hours of sunlight on 21<sup>st</sup> March. It is noted that the proposed development would have a negligible impact on access to daylight and sunlight for existing amenity spaces.

### *Internal Daylight, Sunlight and Overshadowing*

- 8.6.19. Concerns are raised by the third parties that the scheme would not receive adequate daylight and sunlight. I.S. EN 17037 is a European wide standard which provides target spatial daylight autonomy (SDA) values to be applied for new residential developments, these values do not vary depending on the room function. Under I.S. EN 17037, at least 50% of the working plane should receive above 300 lux for at least half the daylight hours, with 95% of the working plane receiving above 100 lux. The applicants assessment indicates that 71% of bedrooms and 61% of LKD rooms achieve this target. This equates to an overall compliance rate of 68% for the scheme.
- 8.6.20. The 2022 BRE Guidelines gives alternative methodology for accessing access to daylight. In this regard, illuminance recommendations of 100 lux in bedrooms, 150 lux in living rooms and 200 lux in kitchens. These are the median illuminance, in accordance with the UK National Annex, which is reference in the guidelines, and these target lux levels are to be exceeded over at least 50% of the assessment points in the room for at least half of the daylight hours. The BRE notes that where rooms serve more than one function the higher target value should be applied. The applicant's assessment used the higher target (200 Lux). All 162 no. rooms within the scheme (49 no. LKD rooms and 113 bedrooms) were tested. The applicants report indicates that 100% all the rooms within Block A and B (houses) achieve this target. Within Block C, 94% of bedrooms and 85% of LKD's achieve this target. This equates to an overall compliance rate of 94% for the scheme.
- 8.6.21. The Building Height Guidelines state that where a proposal may not be able to fully meet all the requirements of the daylight provisions, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out. Compensatory measures are set out on in Section 12.2 of Appendix A of the applicant's report. The applicant notes that throughout the design process the design team worked hard to optimise the whole development to maximise the daylight within the proposed scheme. Design features to compensate for the lower levels of daylight include larger floor area, dual aspect units and the provision of communal amenity space and the arts and community space. I am satisfied that all of the rooms would receive adequate daylight and having regard to the need to development sites such as these at an appropriate density, full compliance with BRE targets is rarely achieved, nor is it mandatory for an applicant to achieve full compliance with same.

I am satisfied that adequate justification for non-compliance exists, and that the design solutions are appropriate

- 8.6.22. The BRE Guidelines also recommends that at least one habitable space within a dwelling should receive the recommended minimum value of 1.5 hours of sunlight on the 21st of March. The applicant assessed all apartments living room windows and a sample of duplex and houses. Of the 51 windows assessed 49 no (96%) achieved this minimum standard. All living room windows in the houses (Block A and B) achieved this minimum standard. Two windows (20 and 21) on the southwest elevation of Block C did not achieve this minimum standard. I am satisfied that the applicable main living room windows would appear reasonably well lit.
- 8.6.23. Section 3.3 of the BRE guidelines state that good site layout planning for daylight and sunlight should not limit itself to providing good natural lighting inside buildings. Sunlight in the spaces between buildings has an important impact on the overall appearance and ambience of a development. It is recommended that at least half of the amenity areas should receive at least 2 hours of sunlight on 21<sup>st</sup> March. Section 6.5.2 of the applicant's report indicates that the communal open space (61%) and public open space (92%) would achieve this target. With regard to the private amenity space serving the proposed 2-storey houses 5 of the 8 rear gardens would achieve this target. In this regard 2 no. rear gardens in Block A and 1 no. rear garden in Block B. It is noted that this is predominantly due to the orientation of the space.
- 8.6.1. Having regard to the information submitted I am satisfied that all of the rooms within the scheme would receive adequate daylight and sunlight and that areas of amenity space would be adequately well lit. I am also satisfied that the shortfalls are not significant in number or magnitude. I would also note, that in city centre schemes there are challenges in achieving the recommended standards in all instances, and to do so would unduly compromise the design / streetscape.

### *Conclusion*

- 8.6.2. As outlined above the proposed development does not achieve all of the standards set out in the BRE. The Building Height Guidelines state that appropriate and reasonable regard should be had to the quantitative approaches as set out in guides like the Building Research Establishment's 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2:

2008 – ‘Lighting for Buildings – Part 2: Code of Practice for Daylighting’. It is acknowledged in these Guidelines that, where a proposal does not fully meet the requirements of the daylight provisions, this must be clearly identified and a rationale for alternative, compensatory design solutions must be set out. The Board can apply discretion in these instances, having regard to local factors including site constraints, and in order to secure wider planning objectives, such as urban regeneration and an effective urban design and streetscape solution.

- 8.6.3. It is my opinion that the form, massing and height of the blocks and the relationship between the blocks results in a high quality and coherent urban scheme. It is also considered that this development results in wider planning benefits, such as the delivery of housing and the redevelopment of the former depot site, which is an underutilised urban site which would support the consolidation of the urban environment and, therefore, the shortfall outlined above are considered acceptable in this instance. As outlined above, my opinion relates to the impact of the development on access to daylight and sunlight for existing properties and the proposed development and is not intended as a justification to remove the MUGA.

## **8.7. *Transportation and Car Parking***

- 8.7.1. The appeal site is located within the city centre and is well served by public transport. There are bus stops on North Strand Road c. 150m from the appeal site which is served by a variety of routes. There is an additional bus stop on Summerhill Parade, c 230m from the appeal site. The site is located c. 450m south of Connolly Station which is served by heavy rail and Luas Red Line. The appeal site is also within 700m of Busaras and c. 900m of Green Line Luas stops at Parnell and Marlborough.
- 8.7.2. The proposed layout does not include any car parking within the scheme. The drawings submitted by way of further information indicates that 4 no. car parking spaces would be provided on Aldborough Place. These spaces comprise 1 no. accessible space, 1 no. standard space and 2 no. EV charging spaces. The taking in charge drawing submitted by way of further information indicates that these spaces are within the public area and would be taken in charge by DCC. Therefore, this space would not be assigned to the proposed development and would be public spaces.
- 8.7.3. Concerns are raised by the third parties regarding the loss of unrestricted car parking on Aldborough Place. Objective SMT023 of the Development Plan aims to progressively

eliminate all 'free' on street parking. While the concerns of the third parties are noted, having regard to the city centre location, the proximity to public transport and the provisions of Objective SMT023 I have no objection to the revised layout of Aldborough Place, which would result in the loss of unrestricted car parking.

- 8.7.4. Pedestrian access to the site is proposed from both Portland Row via the existing access and from Aldborough Place with a pedestrian / cycle route through the site. The improved permeability is welcomed and in accordance with the provisions of SDRA 10 to improve connectivity.
- 8.7.5. Vehicular access to the site is restricted by bollards. Concerns are raised by the third parties regarding the lack of car parking within the site, particularly having regard to the unit mix, which includes 24 no. 3-bed units. The third parties also note that due to the city centre location there is no capacity on the surrounding road network to accommodate any overspill car parking generated by the proposed development.
- 8.7.6. Table 2 of Appendix 5 of Volume 2 of the Development Plan sets out maximum car parking standards for various land uses. The appeal site is located within Zone 1 which permits, a maximum of 0.5 spaces per residential unit. The proposed scheme comprises 49 no. residential units, therefore, a maximum of 25 no. car parking spaces are permissible. Table 2 also sets out a maximum of 1 no. space per 350sqm of civic, community and religious spaces. The proposed Arts and Community spaces is c. 100sqm. Therefore, there is no requirement for car parking for this use. Appendix 4 states that a relaxation of maximum car parking standards will be considered in Zone 1 and Zone 2 for any site located within a highly accessible location subject to a number of criteria, including location, proximity to public transport, accessibility, proximity to services and employment, impact on amenities (overspill) and safety.
- 8.7.7. SPPR 3 (i) of the Compact Settlement Guidelines states that in urban neighbourhoods' car-parking provision should be minimised, substantially reduced or wholly eliminated. It further states that applicants should provide a rationale and justification for the proposed number of car parking spaces.
- 8.7.8. The applicants Traffic and Transport Assessment considers the level of car parking is appropriate having regard to the city centre location and proximity to public transport.

8.7.9. Having regard to the provisions of SPPR 3 of the Compact Settlement Guidelines, the maximum standards set out in the Development Plan, and the sites characteristics I have no objection to the proposed ratio of car parking and consider it appropriate at this highly accessible city centre site and in accordance with the maximum car parking standards set out in the Development Plan.

#### *Servicing and Emergency Vehicles*

8.7.10. The drawings submitted indicate that the scheme would be serviced from both Portland Row and Aldborough Place. The auto track drawings submitted by way of further information indicate that refuse trucks can access and egress the site from Portland Row and manoeuvre within the site to exit in a forward motion. It would appear that this is to serve the houses (Block A and B). The auto track drawings also indicate that a refuse truck can access Aldborough Place. The red line boundary of the appeal site was extended by way of further information to include a piece of public land to the rear of houses on Portland Row to facilitate turning movements of refuse trucks and allow them to exit the lane in a forward motion. This area is currently gated and in hardstanding. During my site visit in June 2026 there was a shed structure on the hardstanding. The information submitted states that this this area would remain in charge of Dublin City Council, and a letter of consent to carry out the works is provided with the response to further information. I am satisfied that this area can be utilised to accommodate turning movements for vehicles on Aldborough Place. However, as it did not form part of the original application site, no details are provided as to how this space would be landscaped or if any road markings would be provided. However, should the Commission be minded to grant permission, I am satisfied that this could be agreed by way of condition.

8.7.11. The applicants Traffic and Transport Assessment also indicates that emergency vehicles could access the site from both Portland Row and Aldborough Place.

### **8.8. *Built Heritage***

8.8.1. The third parties raised concerns that the design of the scheme has no regard to the established pattern of development or the built heritage of Portland Row. Portland Row generally comprises of 2-storey early 19<sup>th</sup> Century houses. Aldborough House, which is located on the opposite side of Portland Row c. 70m from the appeal site, is a protected structure (RPS 6844) and listed on the NIAH (Ref. No. 50010082) as a building with a

national rating. The building comprises a detached seven-bay three-storey mansion over raised basement, built c. 1795. This building is currently vacant and derelict. A terrace of five 2-storey houses, no 18-22 Portland Row, are also listed on the record of protected structures (Ref. 6839, 6840, 6841, 6842 and 6843) and no. 18-21 Portland Row are also listed on the NIAH (Ref. No. 50010081, 50010080, 50010079 and 50010078). These houses are located on the opposite side of Portland Row c. 40m from the appeal site. The appeal site is also located c. 50m from the five lamps which is a freestanding cast iron lamp standard and fountain effected in c. 1880 at the junction of North Strand Road, Portland Row, Killarney Street, Amiens Street and Seville Place. This historical landmark is listed on the NIAH (Ref. No. 50010060) as having a regional rating.

- 8.8.2. The historical context of the surrounding area is acknowledged. However, the appeal site does not contain and is not immediately adjacent to any protected structures, buildings of architectural merit and is not located within an Architectural Conservation Area. I am satisfied that the proposed development would not negatively impact on built heritage within the environs of the appeal site.

#### 8.9. ***Planning Assessment Conclusion***

- 8.10. As outlined above, it is my opinion that the form, massing and height of the blocks and the relationship between the blocks results in a high quality and coherent urban scheme with high quality public and communal open space, which would redevelop backland, infill and brownfield land in the city centre and support the consolidation of the urban area. It is also acknowledged that Opportunity Site 13 of SDRA 10 of the Development Plan identifies the appeal site as suitable for development. However, this indicative layout also includes the provision of a new area of public open space within an adjacent site and a new pedestrian connection between Portland Row and North Strand Row, which do not form part of the proposed development.
- 8.10.1. It is my opinion that the removal of the existing MUGA in the NEIC, which is an area with a documented deficiency in public open space, without adequately demonstrating that an alternative equivalent or better open space provision in terms of quantity or quality in an accessible and suitable location can be provided as part of proposed development, does not comply with the sites Z1 Residential Zoning Objective to protect, provide and improve residential amenities; Policy GI25 to ensure equality of access for all citizens to the public

parks and open spaces in Dublin City and to promote more open space with increased accessibility and passive surveillance where feasible; Policy GI27 to seek the provision of additional public open spaces in areas of deficiency as identified in the Dublin City Council Parks Strategy 2019; and Objective GIO23 to manage and protect and/or enhance the city's parks and public open spaces and would be a material contravention of Policy GI49 to protect existing and established sport and recreation facilities of the Dublin City Development Plan 2026. It is also my view that the loss of the MUGA to facilitate the proposed development does not fully comply with the Objectives of SDRA 10 of the Development Plan. It is my opinion that this should form the basis for a reason for refusal of permission.

8.10.2. I have no objection in principle to the redevelopment of the former depot site, which does not contain any publicly available open space or recreational amenity space, and would not contravene the development plan. It is noted that Blocks A and B and the duplex portion of Block C are generally located within the vacant depot site and that the Commission may consider granting an element of the scheme which is located within these lands. I have no objection to the provision of Blocks A and B. However, with regard to Block C, I have concerns regarding the use of external walkways / terrace to provide access to the duplex units at upper levels which I consider this to be a sub-standard design approach having regard to the lack of passive overlooking of these walkways / terraces and the proximity to bedrooms. It is also noted that access to these walkways / terraces is from the core of Block C, which is located within the site of the MUGA. It is also my view that the applicant has not adequately demonstrated compliance with Objective CUO25 and SDRAO1 of the Development Plan which requires developments in SDRAs to provide at a minimum for 5% community, arts and culture spaces including exhibition, performance, and artist workspaces predominantly internal floorspace as part of their development at the design stage. It is my opinion that it would not be appropriate to address these concerns by way of condition.

8.10.3. Therefore, while I have no objection in principle to Blocks A and B comprising 8 no. 2-storey terraced houses, to prevent an ad hoc or piecemeal development, it is my view that the proposed development be refused.

## 9.0 AA Screening

9.1.1. I refer the Commission to Appendix 3 of this report.

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

9.1.3. This determination is based on:

- The urban location.
- The nature and extent of the proposed development.
- The absence of any surface water feature in the vicinity of the appeal site and the distance from nearest water body.
- The distance to the nearest European Site and
- Lack of a direct hydrological or ecological pathway to a European Site.

## 10.0 Water Framework Directive

10.1. I refer the Commission to Appendix 4 of this report.

10.2. The appeal site is located within Dublin's Northeast Inner City. The nearest watercourse is The Royal Canal (IE\_09\_AWB\_RCMLE) located c. 175m north of the appeal site. This waterbody has a Good Status and is currently Under Review. The groundwater body underlying the site is Dublin (IE\_EA\_G\_008). The groundwater has a Good Status and is Not at Risk.

10.3. No water deterioration concerns were raised.

10.4. I have assessed the proposed development 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 and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and / or groundwater water bodies either qualitatively or quantitatively.

10.5. The reason for this conclusion is as follows

- The urban location.
- The nature and extent of the development.
- The absence of any surface water feature in the vicinity of the appeal site and the distance from nearest water body.
- The location of the appeal site outside an area at risk of flooding.

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

## 11.0 Recommendation

It is recommended that permission be refused for the following reason.

## 12.0 Reasons and Considerations

1. The appeal site is located in Dublin's North East Inner City. Strategic Development Regeneration Area (SDRA) 10 of the Dublin City Development Plan 2022-2028, the Dublin City Council Park's Strategy, 2019 and the Mulvey Report entitled "Dublin's North East Inner City – Creating a Brighter Future" 2017 clearly demonstrate that North East Inner City and the wider 'Central Area' administrative area of Dublin City Council experience a significant deficit of public open space in comparison to the overall Dublin City administrative area. A portion of the appeal site is located on the existing Aldborough Place Mixed Use Games Area (MUGA), which is a gated hardcourt pitch in active use by the local community. It is considered that the removal

of the MUGA to facilitate the proposed development would materially contravene Policy GI49 of the Dublin City Council Development Plan *to protect existing and established sport and recreation facilities, including pitches*. In accordance with the criteria set out in GI49 it is considered that that the applicant has not adequately demonstrated that there is no long term need for this MUGA or that the existing facility would be replaced by equivalent or better provision as part of this application. In addition, the proposed scheme is not for an alternative sports or recreation facility required to meet other open space deficiencies, the benefits of which clearly outweigh the loss of the current use.

Furthermore, the loss of the MUGA does not comply with the sites Z1 Residential Zoning Objective to protect, provide and improve residential amenities; Policy GI25 to ensure equality of access for all citizens to the public parks and open spaces in Dublin City and to promote more open space with increased accessibility and passive surveillance where feasible, in this regard, a city wide range of 2.5ha to 3.6ha of parks per 1,000 population benchmark for green/recreational space as set out in the 2019 Parks Strategy (or as updated) shall be a policy goal and quality standard; Policy GI27 to seek the provision of additional public open spaces in areas of deficiency as identified in the Dublin City Council Parks Strategy 2019; and Objective GIO23 to manage and protect and/or enhance the city's parks and public open spaces to meet the social, recreational, conservation and ecological needs of the city.

Therefore, the loss of an existing MUGA within an area of the city which has an evidence based deficit in public open space would be contrary to the proper planning and sustainable development of the area.

2. Objective CUO25 and Objective SDRAO1 of the Dublin City Development Plan 2022 – 2028 require that all new development in Strategic Development Regeneration Areas (SDRA's) provide a minimum for 5% community, arts and culture spaces as part of the development. The applicant has not adequately demonstrated that the proposed Community and Art Space complies with Objective CUO25 and Objective SDRAO1. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to the lack of passive overlooking of the external walkways that provide access to the upper levels of the duplex units and the proximity of these walkways to bedrooms it is considered that the access arrangements result in a substandard design approach and do not comply with Policy SC19 High Quality Architecture of the Dublin City Development Plan 2022 – 2028. 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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

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Elaine Power

Senior Planning Inspector

25<sup>th</sup> June 2026

### Appendix 1: EIA Pre-Screening

|                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                  |
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| <b>Case Reference</b>                                                                                                                                                                                                                                                  | PL-500535-DN-25                                                                                                                                                                                                  |
| <b>Proposed Development Summary</b>                                                                                                                                                                                                                                    | The demolition of existing structures and the construction of 49 no. residential units and a 100sqm Arts and Community space in 3 no. blocks ranging in height from 2 – 5 storeys and all associated site works. |
| <b>Development Address</b>                                                                                                                                                                                                                                             | Site at Portland Row and Aldborough Place, Dublin 1.                                                                                                                                                             |
| <b>IN ALL CASES CHECK BOX / OR LEAVE BLANK</b>                                                                                                                                                                                                                         |                                                                                                                                                                                                                  |
| <b>1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?</b>                                                                                                                                                             | <input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2.                                                                                                                                      |
|                                                                                                                                                                                                                                                                        | <input type="checkbox"/> No, No further action required.                                                                                                                                                         |
| (For the purposes of the Directive, "Project" means:<br>- The execution of construction works or of other installations or schemes,<br>- Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources). |                                                                                                                                                                                                                  |
| <b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>                                                                                                                        |                                                                                                                                                                                                                  |
| <input type="checkbox"/> Yes, it is a Class specified in Part 1.<br><b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>                                                                                                            |                                                                                                                                                                                                                  |
| <input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3                                                                                                                                                                           |                                                                                                                                                                                                                  |

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|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.<br><br><b>No Screening required.</b>                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.<br><br><b>EIA is Mandatory. No Screening Required</b>                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.<br><br><b>Preliminary examination required. (Form 2)</b><br><br><b>OR</b><br><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b>               | <p>Part 2, Schedule 5, Class 10 Infrastructure Projects – (b)</p> <p>(i) Construction of more than 500 dwelling units.</p> <p>(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.</p> <p>The number of housing units proposed in this instance is 49 which is significantly below the 500-unit threshold.</p> <p>The site area of c. 0.47 ha is also significantly below the 10ha threshold for urban development in other parts of a built-up area that's not a business district.</p> <p>15: Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development, but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.</p> |

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

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

## Appendix 2: EIA Preliminary Examination

|                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Case Reference</b>                                                                                                                                                                                                                                                                                                                             | PL-500535-DN-25                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Proposed Development Summary</b>                                                                                                                                                                                                                                                                                                               | The demolition of existing structures and the construction of 49 no. residential units and a 100sqm Arts and Community space in 3 no. blocks ranging in height from 2 – 5 storeys and all associated site works.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Development Address</b>                                                                                                                                                                                                                                                                                                                        | Site at Portland Row and Aldborough Place, Dublin 1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Characteristics of proposed development</b><br><br>(In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).                                                      | <p>The proposed development comprises the construction of 49 no. residential units in 3 no. Blocks ranging in height from 2 – 5 storeys. The nature and scale of the development is similar to the character of the surrounding area and the established pattern of development.</p> <p>The proposed development would use the public water and drainage services of Uisce Eireann and Dublin City Council.</p> <p>Having regard to the relatively limited nature and scale of the proposed development I am satisfied that it would not give rise to significant use of natural resources, production of waste, pollution, nuisance, or a risk of accidents.</p> <p>The site is not at risk of flooding.</p> <p>There are no Seveso / COMAH sites in the vicinity of this location.</p> |
| <b>Location of development</b><br>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated | <p>The proposed development is located within Dublin's Northeast Inner city. The site comprises two distinct elements, a vacant former depot and a MUGA. Both sites are covered in hardstanding.</p> <p>This site is not located on, in or adjacent to any ecologically sensitive site and does not have the potential to impact any such sites.</p> <p>The historical context of the surrounding area is acknowledged.</p> <p>However, the appeal site does not contain and is not immediately adjacent to any protected structures or buildings of architectural</p>                                                                                                                                                                                                                   |

|                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>areas, landscapes, sites of historic, cultural or archaeological significance).</p>                                                                                                                                                                                                | <p>merit and is not located within an Architectural Conservation Area. There are no sites of archaeological significance and no protected landscapes within or immediately adjacent to the site. The impact of the development on Built Heritage is not anticipated to be significant.</p> <p>Having regard to the city centre location of the site and the nature and scale of the development I am satisfied that there is no potential to significantly affect environmental sensitives in the area, including sites of historic, cultural or archaeological significance.</p> |
| <p><b>Types and characteristics of potential impacts</b></p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p> | <p>Having regard to the relatively modest nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</p>                                                                                                                                                                                                                             |
| <p><b>Conclusion</b></p>                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p><b>Likelihood of Significant Effects</b></p>                                                                                                                                                                                                                                       | <p><b>Conclusion in respect of EIA</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p><b>There is no real likelihood of significant effects on the environment.</b></p>                                                                                                                                                                                                  | <p><b>EIA is not required.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p><b>There is significant and realistic doubt regarding the</b></p>                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

|                                                                       |  |
|-----------------------------------------------------------------------|--|
| likelihood of significant effects on the environment.                 |  |
| There is a real likelihood of significant effects on the environment. |  |

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

DP/ADP: \_\_\_\_\_ Date: \_\_\_\_\_

(only where Schedule 7A information or EIAR required)

## Appendix 3 – AA Screening Determination (Stage 1)

| Screening for Appropriate Assessment<br>Screening Determination (Stage 1)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><i>Step 1: Description of the project</i></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>A description of the project is summarised in Section 2 of my report. In summary, the proposed development comprises the demolition of existing structures on site, the construction of 49 no. residential units in 3 no. Blocks ranging in height from 2 – 5 storeys and all associated site works.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b><i>Brief description of development site characteristics and potential impact mechanisms</i></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <p>The appeal site is located in Dublin’s Northeast Inner City. The appeal site has a stated area of 0.47ha and comprises two separate elements. In general, the northwestern portion of the site contains a former Dublin City Council Housing Maintenance Depot comprising two existing structures and hard standing vehicular parking depot. The southeastern portion of the site comprises Aldborough Place Mixed Use Games Area (MUGA), which is a gated hardcourt pitch, used for various sports, and a separate gated car park area.</p> <p>The site boundaries with existing 2-storey housing on Portland Row, Dunne Street and North Great Clarece Street comprise walls. There is a gated access to the site from Portland Row. The sites boundary with Aldborough Place comprises a mesh fence.</p> <p>There are no drainage ditches or surface water bodies within or immediately adjacent to the site. The nearest watercourse is The Royal Canal (IE_09_AWB_RCMLE) located c. 175m north of the appeal site, which drains to the River Liffey (Liffey Estuary Lower EA_090_0300), located c. 850m south of the appeal site.</p> <p>Surface water from the site would enter the public network, which discharges to the combined public sewer on Aldborough Place. Foul water from the site would also enter the combined sewer on Aldborough. The combined sewer is treated at Ringsend WWTP, which ultimately discharges to Dublin Bay.</p> <p>Given the hard standing nature of the site there is limited potential for surface water discharge to ground. Any discharge to ground would drain to the Royal Canal or the River Liffey and ultimately to Dublin Bay.</p> |
| <b><i>Screening Report / Natura Impact Statement</i></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>An Appropriate Assessment Screening Report was prepared by Ecofact Environmental Consultants was submitted in support of the application.</p> <p>An updated Appropriate Assessment Screening Report and a Natura Impact Statement were prepared by Ecofact Environmental Consultants and submitted by way of further information.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

In the interest of clarity this assessment relates the information submitted by way of further information, with reference to the original AA Screening Assessment Report where necessary.

### **Relevant Submissions**

No concerns raised by the third party, the prescribed bodies or the Planning Authority with regard to AA.

### **Identification of relevant European sites using the Source-pathway-receptor model**

The proposed development is not located within or adjacent to any designated site. Therefore, the proposed development would not result in any direct effects such as habitat loss on any European Site.

The applicant AA Screening report identified 18 no. European sites located within a 15km radius of the appeal site. These are listed in Table 2 of the AA Screening Report. Given the separation distances and the lack of a direct hydrological or ecological pathway to a number of these sites it is my view that they are not located within a potential zone of influence of the proposed development.

The sites that I consider to be located within a potential zone of influence of the proposed development are detailed in Table 1 below.

Site synopsis and conservation objectives can be found on the NPWS website ([www.npws.ie](http://www.npws.ie)).

I am satisfied that there is no ecological pathway to any other designated sites.

**Table 1: European Sites within the Zone of Influence.**

| European Site (code)                                            | Summary of Qualifying Interests                                                                                                                                            | Distance from proposed development | Ecological connections (source, pathway, receptor)                                                         | Consider further in screening Y/N |
|-----------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|------------------------------------------------------------------------------------------------------------|-----------------------------------|
| <b>South Dublin Bay and River Tolka Estuary SPA</b><br>(004024) | Light-bellied Brent Goose.<br>Oystercatcher.<br>Ringed Plover.<br>Grey Plover.<br>Knot.<br>Sanderling.<br>Dunlin.<br>Bar-tailed Godwit.<br>Redshank.<br>Black-headed Gull. | 1.2km                              | Yes. Indirect hydrological connect via the public surface water network and the public foul water network. | Yes                               |

|                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                        |       |                                                                                                            |     |
|-----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------------------------------------------------------------------------------------------------------------|-----|
|                                                     | <p>Roseate Tern.<br/>Common.</p> <p>Tern Arctic Tern.</p> <p>Wetlands &amp;<br/>Waterbirds.</p>                                                                                                                                                                                                                                                                                                                        |       |                                                                                                            |     |
| <p><b>South Dublin<br/>Bay SAC</b><br/>(000210)</p> | <p>Mudflats and sandflats not covered by seawater at low tide.</p> <p>Annual vegetation of drift lines.</p> <p>Salicornia and other annuals colonising mud and sand.</p> <p>Embryonic shifting dunes.</p>                                                                                                                                                                                                              | 3.2km | Yes. Indirect hydrological connect via the public surface water network and the public foul water network. | Yes |
| <p><b>North Dublin<br/>Bay SAC</b><br/>(000206)</p> | <p>Mudflats and sandflats not covered by seawater at low tide.</p> <p>Annual vegetation of drift lines.</p> <p>Salicornia and other annuals colonising mud and sand.</p> <p>Atlantic salt meadows.</p> <p>Mediterranean salt meadows.</p> <p>Embryonic shifting dunes.</p> <p>Shifting dunes along the shoreline with white dunes.</p> <p>Fixed coastal dunes with herbaceous vegetation.</p> <p>Humid dune slack.</p> | 4.3km | Yes. Indirect hydrological connect via the public surface water network and the public foul water network. | Yes |

|                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                            |       |                                                                                                            |     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------------------------------------------------------------------------------------------------------------|-----|
|                                                                                                                                                                                                   | Petalwort.                                                                                                                                                                                                                                                                                                                                                                 |       |                                                                                                            |     |
| North Bull Island SPA (004006)                                                                                                                                                                    | Light-bellied Brent Goose.<br>Shelduck.<br>Teal.<br>Pintail.<br>Oystercatcher.<br>Golden Plover.<br>Grey Plover.<br>Knot.<br>Sanderling.<br>Dunlin.<br>Black-tailed Godwit.<br>Bar-tailed Godwit.<br>Curlew.<br>Redshank.<br>Turnstone Black-headed Gull.<br>Shoveler.<br>Wetlands                                                                                         | 4.3km | Yes. Indirect hydrological connect via the public surface water network and the public foul water network. | Yes |
| North West Irish Sea SPA (004236)                                                                                                                                                                 | Red-throated Diver.<br>Great Northern Diver.<br>Fulmar.<br>Manx Shearwater.<br>Cormorant.<br>Shag.<br>Common Scoter.<br>Black-headed Gull.<br>Common Gull.<br>Lesser Black-backed Gull.<br>Herring Gull.<br>Great Black-backed Gull.<br>Kittiwake.<br>Roseate Tern.<br>Common Tern.<br>Arctic Tern.<br>Guillemot.<br>Razorbill.<br>Puffin.<br>Little Gull.<br>Little Tern. | 6.6km | Yes. Indirect hydrological connect via the public surface water network and the public foul water network. | Yes |
| <b>Likely effects of the project, alone or in combination on European Sites</b>                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                            |       |                                                                                                            |     |
| The development is not located within a designated site and, therefore, does not result in any direct effects on the site. However, due to the indirect hydrological connection to the designated |                                                                                                                                                                                                                                                                                                                                                                            |       |                                                                                                            |     |

sites within the inner section of Dublin Bay via groundwater infiltration, the combined public surface water drainage network and the foul network potential impacts generated by the construction and operational phases of the development requires consideration.

Sources of impact and likely significant effects are detailed in Table 2 below.

**Table 2: Screening Matrix**

| Site Name /<br>QI's are listed in<br>Table 1 above.             | Possibility of significant effects (alone) in view of the conservation objectives of the site                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                 | Impact                                                                                                                                                                                                                    | Effects                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>South Dublin Bay SAC</b><br>(000210)                         | <u>Direct:</u><br><br>No direct impacts                                                                                                                                                                                   | Due to the distant and interrupted hydrological connection, the nature and scale of the development and the distance and volume of water separating the application site from Natura 2000 sites in Dublin Bay (dilution factor) no effects are likely.<br><br>The foul and surface water discharge from the site via the combined public sewer is negligible in the context of the overall licenced discharge at Ringsend WWTP, and thus its impact on the overall discharge would be negligible.<br><br>There is no direct hydrogeological pathways from groundwater to any designated site. Due to the distance and intervening watercourses between the Proposed Development and the nearest European sites within Dublin Bay no effects are likely. |
| <b>South Dublin Bay and River Tolka Estuary SPA</b><br>(004024) | <u>Indirect:</u><br><br>Potential release of silt and sediment during site works and potential release of                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>North Dublin Bay SAC</b><br>(000206)                         | construction related compounds including                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>North Bull Island SPA</b><br>(004006)                        | hydrocarbons to surface water and ground water.                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>North West Irish Sea SPA</b><br>(004236)                     | Indirect impacts on water quality from an accidental spill or leak of a contaminant to surface water network or to groundwater during the operational phase.<br><br>Indirect impacts on water quality from Ringsend WWTP. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                        |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>Due to the significant separation distances, there is no pathway for indirect loss or disturbance of habitats within any Natura 2000 sites or other semi-natural habitats that may act as ecological corridors for important species associated with their qualifying interests; there is no potential for ex-situ impacts associated with any SPA qualifying interest species.</p> |  |
| Likelihood of significant effects from proposed development alone? <b>No</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                        |  |
| Likelihood of significant effects occurring in combination with other plans or projects? <b>No</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                        |  |
| <p><b>Comments:</b></p> <p><u>Habitat Loss</u></p> <p>Having regard to the current characteristics of the appeal site and as the intervening land is occupied by urban development and combined with the separation there is no pathway for loss or disturbance of habitats in any Natura 2000 site, or other semi-natural habitats that may act as ecological corridors or stepping stones for important species associated with the qualifying interests of Natura 2000 sites. No significant effects are likely to arise to Natura 2000 sites from this source.</p> <p><u>Habitat Disturbance/Ex situ impacts</u></p> <p>The appeal site comprises hardstanding and is located in the city centre. It is not identified as an ex-situ site for any protected species. There is no pathway for indirect loss or disturbance of habitats within any Natura 2000 site or other semi-natural habitats that may act as ecological corridors for important species associated with their qualifying interests.</p> <p><u>Hydrological Impacts – surface water during construction</u></p> <p>During the construction phase there will be earth works, however, the likelihood of sediment, or other construction pollutants entering the Royal Canal or River Liffey is low due to the separation distance to the nearest watercourse and the fact that the lands are already largely composed of hard surfaces, and so significant quantities of soil will not be disturbed. No significant effects are likely to arise to Natura 2000 sites from this source.</p> |                                                                                                                                                                                                                                                                                                                                                                                        |  |

#### Hydrological Impacts – surface water during operation

During the operational phase attenuated surface water would flow by gravity to the existing combined sewer under Aldborough Place. During both the construction and operational phases standard pollution control measures would be put in place. Pollution control measures are standard practices for urban sites and would be required for a development on any urban site in order to protect local receiving waters, irrespective of any potential hydrological connection to Natura 2000 sites. In the event that the pollution control and surface water treatment measures were not implemented or failed, I remain satisfied that the potential for likely significant effects on the qualifying interests of Natura 2000 sites in Dublin Bay can be excluded given the distant and interrupted hydrological connection, the nature and scale of the development and the distance and volume of water separating the application site from Natura 2000 sites in Dublin Bay (dilution factor).

#### Hydrological Impacts - wastewater

There is an indirect pathway between the development site and Natura 2000 sites in Dublin Bay. The foul discharge from the proposed development would drain, via the combined sewer, to Ringsend WWTP for treatment and ultimately discharge to Dublin Bay. Therefore, there is potential for an interrupted and distant hydrological connection between the site and sites in Dublin Bay due to the wastewater pathway.

The applicants AA Screening report notes that Ringsend WWTP outfall is located c. 223 m from the the South Dublin Bay and River Tolka Estuary SPA (004024). However, this section of Dublin Bay is separated from the SPA by the Great South Wall. The nearest direct hydrological connection to the SPA c. 470 m north of the outfall.

The applicants report incorrectly states that Ringsend WWTP is currently operating beyond its design capacity and is not in full compliance with the Urban Wastewater Treatment Directive and that any additional loading from the proposed development could contribute to significant water quality impacts within the South Dublin Bay and River Tolka Estuary SPA (004024). This may have been the case previously. However, works have been completed to increase the capacity of the WWTP. The Uisce Eireann Wastewater treatment capacity register indicates that there is capacity at Ringsend WWTP (green status). Therefore, I am satisfied that there is capacity within the Ringsend WWTP to accommodate the proposed development and do not agree with the applicants assessment that the proposed development has the potential to negatively impact on water quality which could negatively impact on the conservation objectives of the qualifying interests of the South Dublin Bay and River Tolka Estuary SPA (004024).

In addition, the foul discharge from the site is negligible in the context of the overall licenced discharge at Ringsend WWTP, and thus its impact on the overall discharge would be negligible.

#### Conclusion

While it is noted that the applicant submitted a NIS by way of further information I am satisfied that based on a consideration of the likely impacts arising from the proposed works and a review of their significance in terms of the conservation interests and objectives of the Natura 2000 Sites screened, that no significant impacts have been identified on the Natura 2000 sites as a result of the proposed development and an NIS is not required in this instance.

**Cumulative Impact:**

While there are other permissions and projects in the vicinity of the appeal site, I am satisfied that the cumulative residual impacts are not likely to be significant

**Conclusion**

I conclude that the proposed development (alone) would not result in likely significant effects on South Dublin Bay SAC (000210), South Dublin Bay and River Tolka Estuary SPA (004024), North Dublin Bay SAC (000206) or North Bull Island SPA (004006) or the North West Irish Sea SPA (004236). The proposed development would have no likely significant effect in combination with other plans and projects on any European sites. No further assessment is required for the project.

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

| Appendix 4: WFD IMPACT ASSESSMENT STAGE 1: SCREENING |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                      |
|------------------------------------------------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| Step 1: Nature of the Project, the Site and Locality |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                      |
| An Bord Pleanála ref. no.                            | PL-500535-DN-25 | Townland, address                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Site at Portland Row and Aldborough Place, Dublin 1. |
| Description of project                               |                 | The demolition of existing structures on the vacant depot site and the construction of the construction of 49 no. residential units in 3 blocks ranging in height from 2 – 5 storeys and all associated site works.                                                                                                                                                                                                                                                                                                                                                                  |                                                      |
| Brief site description, relevant to WFD Screening,   |                 | <p>The site comprises two distinct elements, a former DCC Housing Maintenance Depot and a MUGA within the north inner city. There is existing foul and combined foul infrastructure under the site. This is to be removed as part of the proposed development.</p> <p>The site is currently served by a combined sewer located under Portland Row. A second combined sewer is located under Aldborough Place.</p> <p>There are no water features within or adjoining the site. The existing site comprises hardstanding, with no on-site surface water storage or SUDS features.</p> |                                                      |
| Proposed surface water details                       |                 | All existing drainage network infrastructure would be decommissioned and removed and replaced by new infrastructure to serve the development.                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                      |

|                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                    | <p>Surface water runoff will be intercepted, collected, slowed and attenuated within the site through the use nature-based rainwater management and sustainable urban drainage systems (SUDS). SUDS features include a Green Blue roof on Block C, Green roofs on the cycle storage sheds, permeable paving, rain gardens, bio-retention tree pit systems and a hydro brake system to regulate outflow.</p> <p>Surface water would be discharged to the public network on Aldborough Place at a greenfield rate (maximum 2.0 l/s). This is a 97% reduction from the current estimated surface water discharge on the site. The surface water and foul water network within the proposed development would be separate before connecting into the combined public sewer.</p> |
| <b>Proposed water supply source &amp; available capacity</b>                       | <p>The appeal site contains two existing 3" cast iron watermain beneath the MUGA. All existing services within the development will be decommissioned and removed.</p> <p>The proposed development would connect to the public network on Portland Row. Appendix A of the applicants Engineering Assessment Report includes a Confirmation of Feasibility from Uisce Eireann indicates that a connection is feasible without infrastructure upgrade.</p>                                                                                                                                                                                                                                                                                                                    |
| <b>Proposed wastewater treatment system &amp; available capacity, other issues</b> | <p>All redundant foul and combined foul infrastructure under the site would be decommissioned and removed to facilitate the installation of new infrastructure for the proposed development.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|         | <p>The proposed development would connect to the combined foul network under Aldborough Place, which connects to the public network under Portland Row. The surface water and foul water network within the proposed development would be separate before connecting into the combined public sewer.</p> <p>Appendix A of the applicants Engineering Assessment Report includes a Confirmation of Feasibility from Uisce Eireann indicates that a connection is feasible without infrastructure upgrade.</p> <p>The Uisce Eireann Wastewater treatment capacity register indicates that there is capacity at Ringsend WWTP (green status).</p> |
| Others? | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

| Step 2: Identification of relevant water bodies and Step 3: S-P-R connection |                           |            |                                                  |                                          |                                                         |                              |                                                               |
|------------------------------------------------------------------------------|---------------------------|------------|--------------------------------------------------|------------------------------------------|---------------------------------------------------------|------------------------------|---------------------------------------------------------------|
| Identified water body                                                        | Water body name(s) (code) | WFD Status | Risk of not achieving WFD Objective e.g.at risk, | Identified pressures on that water body. | Pathway linkage to water feature (e.g. surface run-off, | Mitigation Measures Proposed | Is mitigation sufficient, will there be any residual impacts? |
|                                                                              |                           |            |                                                  |                                          |                                                         |                              |                                                               |

|                       |                                                                    |             |                            |              |                                                                                         |                                                                                                                       |                                                                                                                                     |
|-----------------------|--------------------------------------------------------------------|-------------|----------------------------|--------------|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
|                       |                                                                    |             | <b>review, not at risk</b> |              | <b>drainage, groundwater)</b>                                                           |                                                                                                                       |                                                                                                                                     |
| River Waterbody       | Royal Canal Main Line (Liffey and Dublin Bay)<br>(IE_09_AWB_RCMLE) | Good Status | Under Review               | Under Review | Surface Water run-off.                                                                  | Standard construction practices.<br><br>SuDS measures include them incorporation of grit and petrol/oil interceptors. | No residual risk.<br><br>I am satisfied that the preventative measures will reduce any possible effects to a non-significant level. |
| Groundwater Waterbody | Dublin<br>(IE_EA_G_008)                                            | Good Status | Under Review               | Under Review | Infiltration to groundwater.                                                            |                                                                                                                       |                                                                                                                                     |
| Coastal Waterbody     | Dublin Bay<br>(IE_EA_090_0000)                                     | Good Status | Not At Risk                | N/A          | The foul network is treated at Ringsend WWTP which ultimately discharges to Dublin Bay. | No mitigation measures proposed                                                                                       | No residual risk.                                                                                                                   |