



**Development**

PROTECTED STRUCTURE:

Amendments to F22A/0580 (ABP-316498-23) and F22A/0581(ABP316504-23) for addition of 2 dwellings with all associated site works

**Location**

Lands at Auburn House (Protected Structure) and Little Auburn off the R107 Malahide Road/Dublin Road, Malahide, Co. Dublin.

**Planning Authority**

Fingal County Council

**Planning Authority Reg. Ref.**

F25A/0999E

**Applicant(s)**

Kinwest Limited

**Type of Application**

Permission

**Planning Authority Decision**

Refuse Permission

**Type of Appeal**

First Party Normal Planning Appeal

**Appellant(s)**

Kinwest Limited

**Observer(s)**

Savaron Ltd

**Date of Site Inspection**

17<sup>th</sup> April 2026

**Inspector**

Aisling MacNamara

## 1.0 Site Location and Description

- 1.1. The site is located within an existing permitted large scale residential development on lands at Auburn House protected structure within the settlement of Malahide in County Dublin.
- 1.2. The development is currently under construction.
- 1.3. In the permitted development, Auburn House fronts onto a large central open space and an eastern open space area. The subject development is located within these open space areas. The main vehicular access road serving the development traverses between these two open spaces and pedestrian/ cycle paths traverse the areas. The site is to be accessed via the existing permitted main access road and pedestrian path link.

## 2.0 Proposed Development

The proposal is for permission for amendments to the previously permitted development on the site granted under F22A/0580, ABP316498 (which was amended by 24A/0811E, 24A/0812E, 25A/0226E) and F22A/0581, ABP316504 (which was amended by 24A/1179E and now also 25A/0857E).

The proposed amendments provide for

- the addition of two houses comprising 1 no. 2 storey 3 bed detached unit and 1 no. 2 storey 4 bed detached unit along with in curtilage car parking and remodelling of attenuation basin, out of bank storage areas and play equipment in the open space of the previously permitted layout
- associated boundary treatment, landscaping and ancillary works

## 3.0 Planning Authority Decision

### 3.1. Decision

By order dated 18<sup>th</sup> December 2025 the planning authority decided to refuse permission for one reason as follows:

1. *The proposed development, if permitted, would result in undue encroachment onto an area of open space which had been designed as to ensure the housing development on the subject lands remained within clusters, alleviating impacts on the Protected Structure of Auburn House and its setting. The inclusion of individual and random pockets of houses at the entry point to the Auburn House quadrant would erode the distinctive character being established for the historic core of the demesne lands, and as such have a detrimental impact on these sensitive lands, which would materially contravene Policy HCAP12 of the Fingal Development Plan 2023-2029. The proposal would have a negative impact on the Protected Structure of Auburn House, its setting and the visual and general amenity of the area. The proposal therefore would be contrary to the proper planning and sustainable development of the area.*

## **3.2. Planning Authority Reports**

### **3.2.1. Planning Reports**

- The planners report of 18/12/2025 recommends refusal of permission.

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

- Heritage Officer 27/11/2025 sets out requirements for archaeological monitoring and archaeology report, reference made to condition 44 of parent permission.
- Water Services Department 01/12/2025 states no objection in relation to flood risk or surface water drainage, no surface water to discharge to foul system, drainage to comply with Greater Dublin Regional Code of Practice for Drainage Works
- Housing Department 17/11/2025 indicates requirements for new Part V agreements, 30% Part V to be accessible with universal design.
- Transportation Planning Section 08/12/2025 – requests further information in relation to design of entrance details, crossing and dishing of footpath should be reduced to 4.8m maximum and road / driveway to be perpendicular to

main access road at intersection with road, provide swept path analysis for cars entering and exiting all 4 no. car parking spaces, further consider the vehicular entrance detail, the interface between the path through the open space should be further developed, it would be preferential for the proposed new road and path to be separated, tactile paving to be provided.

- Conservation Officer 10/12/2025 – Protected structure Auburn House RPS448 is 18<sup>th</sup> century gentleman's residence set within pastoral / picturesque landscape designed to appear 'natural' through strategically placed trees and woodland, use of grassed areas. There have been a number of amendments. The Conservation Officer has not objected to certain amendments in less sensitive parts of the overall development. The Auburn House quadrant including historic house and open lands and dense historic planting requires more careful approach. The approach agreed was for clustering of development in two small courtyard developments with higher quality finishes. The current application is for the addition of two houses that are separate to the courtyard clusters. Notes the cumulative impact of amendments. The inclusion of random pockets of house types at the entry point to the Auburn House quadrant erodes the distinctive character being established for the historic core of the demesne lands. The Conservation Office is not in favour of any increase in the density of permitted development or number of houses to the courtyard clusters or in the lands of the Auburn House quadrant. The proposed development is not appropriate or acceptable.
- Parks and Green Infrastructure Division 25/11/2025 indicates no objection to the amendments. Notes the arborist report which states that proposed changes require only minor changes to tree protection line, notes the amended tree protection plan, The proposed public open space for the entire site is 1.9ha with 0.1284ha located within Little Auburn, the submitted landscape plan shows two residential units are located within public open space.

### 3.2.3. Prescribed bodies

DAA 28/11/2025 - No objection in principle, give consideration to noise matters, submit noise impact assessment to demonstrate appropriate levels of residential amenity can be achieved, recommended conditions included.

### 3.2.4. Third Party Observations

None

## 4.0 Planning History

The relevant planning history is set out below.

Three **concurrent 'parent permissions'** (note the subject application relates to the permissions at Little Auburn and Auburn Park) relating to the overall site:

**Phase 1 Little Auburn (east of Auburn House) F22A/0580, ABP316498** – Grant May 2024 – Permission. Permitted development is for preservation and protection of existing protected structure Auburn House, stable buildings and courtyard as 1 no. residential dwelling, construction of 95 residential units comprising 52 houses, 35 apartments and 8 duplexes, childcare facility in Apartment Block 4, associated car/bicycle parking, refuse/ cycle stores, landscaping; boundary treatments; public lighting; 1 ESB unit substation, demolition of existing dwelling Little Auburn and associated stable/shed building, all associated site infrastructure and engineering works necessary to facilitate the development. An EIAR and NIS were submitted with this application.

**Phase 2 Auburn Park (north of Auburn House) F22A/0581, ABP316504** – Grant May 2024 – Permission - Permitted development is for preservation and protection of existing protected structure Auburn House, stable buildings and courtyard as 1 no. residential dwelling, 91 no. residential units comprising 44 houses, 34 apartments and 13 duplexes, landscaped public and communal open spaces, public lighting, 1 ESB unit substation; 1 foul pumping station; foul sewer works, demolition of Little Auburn and stable/shed and all associated ancillary site development infrastructure. An EIAR and NIS were submitted with this application.

**Phase 3 Streamstown (south of Auburn House) F22A/0579 / ABP 316444** – Grant May 2024- Permission - Permitted development is for preservation and protection of existing protected structure Auburn House, stable buildings and courtyard as 1 no. residential dwelling, construction of 69 residential units comprising 35 houses and 34 apartments, associated surface level car/bicycle parking with refuse stores, bicycle store and plant at ground floor level; landscaping; boundary treatments; public lighting; 1 ESB unit substation, demolition works. The construction of a vehicular and pedestrian/cycle access from Carey's Lane and all associated site infrastructure and engineering works necessary to facilitate the development. An EIAR and NIS were submitted with this application.

The following relate to **amendments to the overall permitted 'parent permissions'**:

**Little Auburn:**

**F24A/0811E** – Grant Dec 2024 – Permission - The proposed development will consist of amendments to the previously permitted development at the subject site, granted under Reg. Ref. F22A/0580 (ABP Ref. 316498-23). The proposed amendments relates to 28 of the previously permitted houses (comprising 1 no. 3-bedroom unit and 27 no. 4-bedroom units) to be replaced by 28 no. houses (comprising 1 no. 2-bedroom unit and 27 no. 4-bedroom units).

**F24A/0812E** – Grant Dec 2024 – Permission - The proposed development will consist of amendments to the previously approved development at the subject site, as granted under Reg. Ref. F22A/0580 (ABP Ref. 316498-23). The proposed changes will see a reduction in the number of units from 52 no. units to 33 no. units and the provision of a new creche facility

**F25A/0226E** – Grant June 2025 – Permission - The proposed development will consist of amendments to the previously permitted development at the subject site, granted under Reg. Ref. F24A/0812E (which previously amended Reg. Ref. F22A/0580 / ABP Ref. 316498-23). The proposed amendments provide for change of 6 no. house plots to amend house typology and associated private open space (Nos. 19, 20, 21, 28, 29, and 30).

### **Auburn Park:**

**F24A/1179E** – Grant June 2025 – Permission - The proposed development seeks to provide amendments to the previously permitted development at the subject site, granted under Reg. Ref. F22A/0581 (ABP Ref. 316504-23). The proposed changes will see a net reduction of 6 no. units from 91 no. residential units (44 no. housing units, 34 no. apartment units, and 13 no. duplex units), to now provide 85 no. residential units (54 no. housing units and 31 no. duplex units) and alterations to pumping station

**F25A/0857E** – Grant Jan 2026 – Permission - The proposed development seeks to provide amendments to the previously permitted development at the subject site, granted under Reg. Ref. F22A/0581 / ABP Ref. 316504-23 (which was previously amended under Reg. Ref. F24A/1179E). The amendments relate to change of house types and plots for 14 houses (units 03, 04, 05, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 28).

### **New application:**

**25A/1182E, 500998 ABP** (application currently under appeal – due for decision 21/07/2026) – Council decided to Refuse Feb 2026 – Permission - The proposed development will consist of amendments to the previously permitted development at the subject site, granted under Reg. Ref. F22A/0580 /ABP-316498-23 (as amended by F24A/0811E, F24A/0812E and F25A/0226E), and Reg. Ref. F22A/0581 / ABP-316504-23 (as amended by F24A/1179E). The proposed changes will see an increase in the number of units from 15 no. units to 20 no. units, set out in two clusters

### **Other relevant decisions:**

**ABP 309907** – Refuse July 2021– SHD Application - Demolition of 'Little Auburn' and associated outbuildings, construction of 411 no. residential units (102 no. houses including preservation of Auburn House and 309 no. apartments), childcare facilities and all other associated site works.

**ABP 313360** – SHD Application – withdrawn

Note there is also planning history relating to inclusion of land on the residential zoned land tax.

## 5.0 Policy Context

### 5.1. Development Plan

Fingal County Development Plan 2023-2029 (Variation no.1 and no. 2 Adopted 30<sup>th</sup> March 2026)

The site is zoned RA Residential Area.

Objective Description: Provide for new residential communities subject to the provision of the necessary social and physical infrastructure.

Objective Vision: Ensure the provision of high quality new residential environments with good layout and design, with adequate public transport and cycle links and within walking distance of community facilities. Provide an appropriate mix of house sizes, types and tenures in order to meet household needs and to promote balanced communities.

Auburn House is protected structure (RPS Ref 448) described in the register as 'late 18<sup>th</sup> or early 19<sup>th</sup> century house, outbuildings and walled garden'.

Local Objective 46 states 'preserve the tree lined approach to Malahide'.

Local Objective 47 states 'New or widened entrances onto the Dublin Road between Streamstown lane and the Swords Junction will be restricted, to ensure the protection of the mature tree-lined approach along the Dublin Road to Malahide'.

A map based objective to protect and preserve trees, woodland and hedgerow is indicated on the map for wooded area to the rear of Auburn House.

Lands at Auburn House are within SFRA Flood Zone areas.

#### Chapter 3 Sustainable Placemaking and Quality Homes

Objective SPQHO10 – New Residential Development Focus new residential development on appropriately zoned lands within the County, within appropriate

locations proximate to existing settlement centres where infrastructural capacity is readily available, and along existing or proposed high quality public transport corridors and active travel infrastructure in a phased manner, alongside the delivery of appropriate physical and social infrastructure. Active travel options should also be considered while liaising with the National Transport Authority and Transport Infrastructure Ireland to ensure public transport options to and from new developments to local amenities such as shops and libraries.

Objective SPQHO34 – Integration of Residential Development Encourage higher residential densities where appropriate ensuring proposals provide for high quality design and ensure a balance between the protection of existing residential amenities and the established character of the surrounding area with a target minimum amount of 15% (except in cases where the developer can demonstrate that this is not possible, in which case the 12% to 15% range will apply) amount of green space, tree coverage and public space associated with every residential area.

Policy SPQHP35 – Quality of Residential Development Promote a high quality of design and layout in new residential developments at appropriate densities across Fingal, ensuring high-quality living environments for all residents in terms of the standard of individual dwelling units and the overall layout and appearance of developments. Residential developments must accord with the standards set out in the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG 2009 and the accompanying Urban Design Manual – A Best Practice Guide and the Sustainable Urban Housing; Design Standards for New Apartments (DHLGH as updated 2020) and the policies and objectives contained within the Urban Development and Building Heights Guidelines (December, 2018). Developments should be consistent with standards outlined in Chapter 14 Development Management Standards.

Objective SPQHO36 – Public open Space Public open space provision in new residential developments must comply with the quantitative and qualitative standards set out in Chapter 14 Development Management Standards

Objective SPQHO37 – Residential Consolidation and Sustainable Intensification Promote residential consolidation and sustainable intensification at appropriate locations, through the consolidation and rejuvenation of infill/brown-field

development opportunities in line with the principles of compact growth and consolidation to meet the future housing needs of Fingal.

#### Chapter 10 Heritage, Culture and Arts

Policy HCAP12 – Interventions to Protected Structures Ensure that direct or indirect interventions to Protected Structures or adjoining development affecting them are guided by architectural conservation principles so that they are sympathetic, sensitive and appropriate to the special interest, appearance, character, and setting of the Protected Structure and are sensitively scaled and designed.

Objective HCAO24 – Alteration and Development of Protected Structures and ACAs Require proposals for any development, modification, alteration, extension or energy retrofitting affecting a Protected Structure and/or its setting or a building that contributes to the character of an ACA are sensitively sited and designed, are compatible with the special character, and are appropriate in terms of the proposed scale, mass, height, density, architectural treatment, layout, materials, impact on architectural or historic features.

Objective HCAO25 – Architectural Heritage Impact Statement Require an Architectural Heritage Impact Statement as part of the planning documentation for development that has the potential to affect the relationship between the Protected Structure and any complex of adjoining associated buildings, designed landscape features, or designed views or vistas from or to the structure. This particularly relates to large landholdings such as country estates, institutional complexes, and industrial sites where groups of structures have a functional connection or historical relationship with the principal building

#### Chapter 9 Green Infrastructure and Natural Heritage

Policy GINHP21 – Protection of Trees and Hedgerows Protect existing woodlands, trees and hedgerows which are of amenity or biodiversity value and/ or contribute to landscape character and ensure that proper provision is made for their protection and management in line with the adopted Forest of Fingal-A Tree Strategy for Fingal.

Policy GINHP22 – Tree Planting Provide for appropriate protection of trees and hedgerows, recognising their value to our natural heritage, biodiversity and climate action and encourage tree planting in appropriate locations.

## Chapter 11 Infrastructure and Utilities

### 11.5.2 Surface Water and Flood Risk Management

Objective IUO11 – SuDS in New Developments SuDS shall be incorporated into all parts of a development (open spaces, roads, footpaths, private areas), and have regard to the FCC SuDs Guidance Document – Green/ Blue Infrastructure for Development, as amended (Appendix 11), and shall ensure: “ That the design of SuDS enhances the quality of open spaces and when included as part of any open space provision, it must contribute in a significant and positive way to the design and quality of the open space. ” Open space areas shall not be dominated by SuDS features. ” Underground tanked systems, whether concrete or plastic, are the least favoured means for surface water management and shall only be used when green solutions have proven not feasible. See also Appendix 11 (SuDS Guidance Document), and Chapter 14 Development Management Standards (Section 14.20.3 SuDS).

Objective IUO15 – Surface Water Management Plan Require the preparation of a Surface Water Management Plan as part of all new developments which shall include the following: “ Identify and assess the existing surface water movements through the development before considering and developing a surface water management system using SuDS, having regard to our Fingal Guidance Document – Green/ Blue Infrastructure for Development, as amended (Appendix 11). ” Incorporate SuDS along the route of the water movement to enhance the water quality effects of nature-based systems at the different stages – Treatment Train approach from source to discharge. > Require applications for new developments to submit details of surface water management plans during construction to ensure compliance with the water quality standards and to protect the water quality and flow regime of surface and groundwater resources.

Objective IUO16 – OPW Flood Risk Management Guidelines Have regard to the OPW Flood Risk Management Guidelines 2009, as revised by Circular PL 2/2014, when assessing planning applications and in the preparation of statutory and non-statutory plans and to require site specific flood risk assessments to be considered for all new developments within the County. All development must prepare a Stage 1 Flood Risk Analysis and if the flooding risk is not screened out, they must prepare a

Site-Specific Flood Risk Assessment (SSFRA) for the development, where appropriate.

Objective IUO17 –Strategic Flood Risk Assessment Implement and comply fully with the recommendations of the Strategic Flood Risk Assessment prepared as part of the Fingal Development Plan 2023–2029

## Chapter 14 Development Management Standards

### 14.6 Design Criteria for Residential Development in Fingal

#### 14.6.4 Residential Standards

Objective DMSO19 – New Residential Development Require that applications for residential developments comply with all design and floor area requirements set out in: “ Quality Housing for Sustainable Communities – Best Practice Guidelines 2007, “ Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas 2009, the companion Urban Design Manual – A Best Practice Guide, DEHLG 2009, “ Sustainable Urban Housing: Design Standards for New Apartments 2020.

#### 14.6.5 Open Space Serving Residential Development

##### Table 14.6: Open Space Categories Open Space

Public Open Space Public open space is accessible to the public at large and in general is intended to be ‘taken-in charge’ by the Local Authority, but in certain circumstances may be privately managed. Appropriate provision must be made for public open space within all new developments. In all instances where public open space is not provided a contribution under Section 48 will be required for the short fall. (Target minimum amount of 15% except in cases where the developer can demonstrate that this is not possible, in which case the 12% to 15% range will apply.)

### 14.13 Open Space

#### 14.13.1 Hierarchy and Accessibility

Table 14.11: Public Open Space and Play Space Hierarchy and Accessibility Standards

Objective DMSO49 – Permeable and Accessible Open Spaces Integrate and provide links through adjoining open spaces to create permeable and accessible areas, subject to Screening for Appropriate Assessment and consultation, including the public, as necessary

#### 14.13.2 Quantity

Objective DMSO51 – Minimum Public Open Space Provision Require a minimum public open space provision of 2.5 hectares per 1000 population. For the purposes of this calculation, public open space requirements are to be based on residential units with an agreed occupancy rate of 3.5 persons in the case of dwellings with three or more bedrooms and 1.5 persons in the case of dwellings with two or fewer bedrooms.

Table 14.12: Recommended Quantitative Standards (Sustainable Residential Developments in Urban Areas, Guidelines for Planning Authorities 2009)

Objective DMSO52 – Public Open Space Provision Public open space shall be provided in accordance with Table 14.12.

#### 14.13.3 Quality

##### 14.13.3.1 Design of Public Open Spaces

Open spaces must be designed to a high specification. Great emphasis must be placed on the quality and long-term sustainability of open space and details of the proposed landscaping, hard and soft, of these spaces will be required at the planning application stage. Public open spaces should be overlooked and designed in such a way that anti-social behaviour is reduced through passive surveillance. Potential for anti social behaviour associated with open spaces and associated screen planting must be designed out

Objective DMSO63 – Location of Open Space Ensure open spaces are not located to the side or the rear of housing units.

Objective DMSO64 – Design of Open Space Ensure open space provision is suitably proportioned and inappropriate narrow tracts are not provided.

## 5.2. **Relevant National or Regional Policy / Ministerial Guidelines**

Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024

Architectural Heritage Protection Guidelines for Planning Authorities, 2011

Design manual for Urban Roads and Streets, 2019

The Planning System and Flood Risk Management - Guidelines for Planning Authorities, 2009

Urban Development and Building Heights Guidelines for Planning Authorities, 2018

## 5.3. **Natural Heritage Designations**

There are no sites designated for natural heritage at the site or in the immediate vicinity of the site. The closest designated site is Feltrim Hill pNHA located c 0.63km from the site.

## 6.0 **EIA Screening**

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). 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**

A first party appeal has been received from the applicant.

The appeal includes the following documentation:

- Downey First Party Appeal statement report
- Conroy Crowe Kelly Architects and Urban Designers Appeal report

- Conroy Crowe Kelly Design Report
- Sheehan & Barry Conservation Architectural Heritage Report ( prepared by Grade 1 Conservation Architect)
- Waterman Moylan Consulting Engineers Response to the recommendations raised by FCC Transportation Planning Section.

The appeal documentation sets out the site location and planning context, planning history and details of development proposal.

The documentation includes a response to the issues raised in the FCC Planner's Report (refer Conroy Crowe appeal report).

The key issues raised in the grounds of appeal are summarised as follows:

#### Fingal County Council Reason for Refusal 1

##### Encroachment of open space

- The proposed development will reduce the area of eastern open space from 0.5383ha to 0.4610ha (773sqm). The overall development will be provided with sufficient public open space to cater for future residents. Total open space is 1.9073ha in the entire development (inclusive of 0.4610ha east /northeast of appeal site and 1.1434ha west of the appeal site. Note that Fingal County Council Park & Green Infrastructure Department did not have any objection to the proposed development.
- Confirm that the proposed development remains to provide sufficient public open space in compliance with Table 4.3 of the CDP requiring 10-15% of the net site area to be provided for public open space as well as the overall standard of 2.5ha of open space per 10000 population of any new development. As per the Architectural Design Statement submitted the proposed total number of residential units within both Little Auburn (F22A/0580 as amended) and Auburn Park (F22A/0581 as amended) are 163 no. houses. This equates to 498.5 people in overall development and subsequent overall requirement of 1.24625ha public open space. The subject application provides 1.9073ha public open space. The proposed development is compliant with this standard.

- The proposed houses are back to back with existing houses in Little Auburn and therefore cluster with existing development – consistent with existing design approach – other houses located near eastern boundary – houses are located outside of the viewshed of Auburn House. The development is consistent with the principle of clustering and wider design approach for the overall development.
- The proposed houses are located on land previously intended to provide 600m<sup>3</sup> of additional storage for out of bank flows from the existing stream. To accommodate the additional two houses the geometry of the out of bank flood storage has been altered and shifted to the north however the same volume of 600m<sup>3</sup> of additional storage is still provided. The increase number of houses requires an increase in the capacity of attenuation in the basin in the front field and that area has also been included within the amendment.

#### Urban design

Conroy Crowe Kelly Architects Design Report shows:

- Proposal is acceptable in terms of accommodation mix, heights, public / communal open space standards, private open space, car parking, bike parking, waste management and Part V.
- Design, layout and materials are in accordance with permitted scheme. The proposed pair take cues from the permitted courtyard houses in the front field. Proposed houses are simple vernacular form.
- Proposed houses are low in scale and appropriate to historic setting, subservient to Auburn House. Conservation report concludes no material diminution of the established mitigations to preserve the setting and context of the protected structure within the permitted development. No impact on viewshed of Auburn House – photomontages submitted.
- Proposed development provides drainage attenuation needs of the proposed development.
- The play space located at the edge of the out of bank storage has been reconfigured. The earth mounding and planting is remodelled.
- Revised landscape drawings submitted by TBS Landscape Consultants.

- Cover letter from Arborist concludes that with minor alteration to the tree protection extents, the proposal can be implemented.
- New public lighting proposals submitted.
- Proposal complies with principles of sustainable and efficient movement, mix of land uses, green and blue infrastructure and responsive built form (sustainable and compact settlement design checklist).
- Regard paid to interaction with new application for further modifications to the overall scheme.

#### Impact on protected structure and visual impact

- Addressed in Conroy Crowe Kelly Design Report and Sheehan & Barry Conservation Architects.
- Conservation Architect Report - Concludes that the proposed development “do not represent any significant diminution of heritage value or conservation character and as such may be considered as marginal in the conservation impacts.” The proposed development will be screened by new tree planting forming a screen to the permitted housing clusters and framing views within the view field and framing views both towards and away from Auburn House.
- Note that Streamstown LAP 2009 contained a protected viewshed that looked outward from Auburn House in the direction of Malahide Demesne. This LAP has expired and has no legislative basis. Notwithstanding, the proposal respects this viewshed. The two houses are located outside of this viewshed and there is no impact on views from Auburn House. Verified photomontages are submitted. Figure 8 taken from Auburn House shows there is no perceivable impact on views located from Auburn House towards the proposed houses. There is no negative impact on views or character of Auburn House.

#### Fingal County Council Transport Department

- Notes Council’s Transportation Department’s review indicated further information was required however the planning authority considered refusal was warranted. These items are now addressed.

- Waterman Moylan response report - The orientation and width of the vehicular entrance can be addressed at detailed design stage by way of condition. A swept path analysis drawing is submitted showing cars entering and exiting all 4 no. car parking spaces within the development which confirms that there is adequate space for safe movement of cars within the scheme. It is confirmed that the proposed vehicular access will operate as a shared surface with pedestrians. The pedestrian path will not be separated from the road but will incorporate tactile paving and surface treatment to provide a clear and legible transition between the shared surface and segregated footpath. The issues raised by the Council's Transport Section are addressed.

#### Conclusion

- The applicant has commenced construction of the site for the permitted scheme. Permission has been received for amendments to increase viability of the scheme and to make scheme more compliant with Compact Settlement Guidelines. Now seeking similar amendments. Request ACP grant permission for the proposed development subject to conditions as considered necessary.

### 7.2. Planning Authority Response

The planning authority have submitted a response to the grounds of appeal as follows:

- ACP is requested to uphold the decision of the planning authority. In the event that the appeal is successful, provision should be made in the determination for applying the following:
- A financial contribution and / or provision for any shortfall in open space and / or any special development contributions required in accordance with Fingal County Council's Section 48 Development Contribution Scheme.
- The inclusion of bond/ cash security for residential developments of 2 or more units.
- Conditions should be included where a tree bond or a contribution in respect of a shortfall of play provision facilities are required.

### 7.3. Observations

An observation has been received from Savaron Ltd who are consultant to the management company for the Abington Estate. The key issues raised are summarised as follows:

- Request ACP confirm the decision to refuse permission. Concern that any increase in development on the lands could exacerbate the already significant increase in ground water flooding which is encroaching into the Abington lands. Not convinced that enough consideration has been given to the Water Framework Directive and to ensure that groundwater is both reduced and contained within their own site. Prudent to refuse on conservation and amenity reasons along with the concerns regarding the development to contain and attenuate all flood water on the site – refer to WFD and the likely impacts the development would have on the observers land and houses.
- The development fails to meet objectives, policies and standards of CDP with regard to the character and pattern of development already in the area by creating a discordant and visually obtrusive building block which would compromise the setting of the protected structure and add to the flooding already apparent on the site.
- Proposal results in fragmented housing development on a sensitive site, intrusion on communal and public open space, negative impact on the visual and general amenity of the area.
- Negative impact on the character and setting of Auburn House – impacts on layout plan to ‘cluster’ development and retain character of natural/ pastoral landscape. Concerns over the impact of cumulative changes to the original development.
- Concern regarding risk to surface and groundwater both qualitatively and quantitatively – not satisfied that the proposal can be eliminated from further assessment of impacts with respect to Article 4 of Water Framework Directive. SuDS measures to reduce impact of surface /storm water entering their clients land have not been implemented to date. Photographs submitted of

flooding on the subject site and ground level changes undertaken by the applicant. The observer is concerned that the overall development will result in flood risk to their lands and deterioration of water bodies. The proposed development could jeopardise any water body in reaching its WFD objectives and consequently should be refused permission on these grounds.

- Details provided of objectives and provisions of Fingal County Development Plan. The proposal 'makes little sense' in terms of objectives and provisions of CDP (general policies and objectives set out – RS zoning objective, Local objective 46, general objective indicated by tree symbol on zoning map, SPQH036, objective SPQH037, objective SPQH038, Table 14.4 and 14.10.1, objective SPQH036). Refer RS zoning , local objective 46 and objective to protect and preserve trees (development does not preserve all of trees on the approach road to Malahide).

## 8.0 **Assessment**

8.1. Having examined the application details and all other documentation on file, including all submissions received in relation to the appeal and inspected the site and having regard to relevant local policies and guidance, I consider that the main issues in this appeal are as follows:

- principle of development
- impact on protected structure
- design considerations
- flooding
- traffic and roads considerations

### 8.2. **Principle of development**

8.2.1. The site is located on lands that have permission for an overall residential development on the site of Auburn House protected structure. The permitted development on the site was granted by An Bord Pleanála under three concurrent 'parent' permissions (22A/0580, 22A/0581, 22A/0579) resulting in a permitted 255 units. The overall original permitted scheme has been amended (refer 24A/0811E,

24A/0812E, 25A/0226E, 24A/1179E, 25A/0857E). These amendments reduce the overall permitted development to 230 units. The subject proposal relates to amendment to the phase 1 Little Auburn development granted under 22A/0580, ABP316498 (including amendments) and phase 2 Auburn Park development granted under 22A/0581, ABP316504 (as amended) which both overlap.

- 8.2.2. In the Fingal County Development Plan, the lands are zoned Residential Area to 'provide for new residential communities subject to the provision of necessary social and physical infrastructure'. The proposal to alter the permitted development to allow for the construction of two additional dwellings is acceptable in principle. The proposal to intensify development on the site is in accordance with higher order planning objectives to promote the consolidation and efficient use of urban lands.

### **8.3. Impact on protected structure**

- 8.3.1. The site contains Auburn House protected structure. The planning authority refused permission due to the negative impact of the proposal on the protected structure and its setting. The refusal reason cites that the development encroaches into an area of open space and outside of the housing clusters which are designed to alleviate impacts on the protected structure and that the development would erode the character being established for the demesne lands, that the proposal materially contravenes HCAP 12 of the CDP and that it negatively impacts on the protected structure, its setting and visual and general amenity of the area. Concerns regarding the impact of the development on the protected structure are raised in the report of the Council's Conservation Officer who states that the development is not acceptable.
- 8.3.2. Objective HCAP12 of the CDP is to ensure that direct or indirect interventions to protected structures or adjoining development affecting them are guided by architectural conservation principles that are sympathetic, sensitive and appropriate to the special interest, appearance, character and setting of the protected structure and are sensitively scaled and designed.
- 8.3.3. The appeal submission contains an Architectural Heritage Report. The report assesses the impact of the proposal on the character of the protected structure and against the conservation principles established in the permissions for the overall development. These are the retention of the main house as a single dwelling,

retention of stable yard as attendant structure to the main house, railings to enclose attendant grounds and construction of residential units within lands forming the present grounds. The assessment concludes that the amendment will have a marginal impact and will not cause any particular loss of character value or conservation interest. The report details that the two houses are to be located east of a central open space which serves as a 'view field'. The 'view field' frames views away from and towards the protected structure across a landscaped open space area which is framed by new tree planting which provides screening of the new residential development. The two additional houses are to be located outside of this 'view field'. The report concludes that the amendment will have a marginal impact and will not cause any loss of character value or conservation interest. Photomontages are submitted in support of the proposal.

- 8.3.4. Regard is to be paid to the Architectural Protection Guidelines for Planning Authorities. The conservation principles for conservation of architectural heritage are set out in chapter 7. One of the principles is 'avoiding incremental damage'. Regard must be given to the impact of small incremental alterations which can cumulatively detract from the overall quality and character of a building. In this regard I note the permissions granted for the alterations to the originally permitted development. These alterations are within the footprint of the originally permitted housing areas and as such do not significantly impact on the configuration of the originally permitted site layout.
- 8.3.5. Another conservation principle of the guidelines is 'protecting the special interest'. The character and special interest of a protected structure can be damaged by inappropriate works and stripped of distinctiveness and value by unsuitable alterations. The permitted central and eastern open spaces contribute to the distinctive 'natural' setting of the protected structure including views to and from the main house. I accept that the proposed houses are outside of the view field. That said, the proposed new houses are to be located in a prominent and exposed area of the open space. The houses interrupt the views from within the open space area across the landscaped open space areas. The development disrupts the form and natural character of the open space. The development will adversely impact on the open space that positively contributes to the character of the protected structure. I agree with the planning authority that the proposal is detrimental to the overall

character and setting of the protected structure. I do not consider that the proposed planting mitigates the adverse visual effect arising from the introduction of the new houses.

- 8.3.6. The proposal does not protect the character and special interest of the protected structure. The proposal is contrary to the Guidelines for Architectural Heritage.
- 8.3.7. The development layout is not sensitively sited and is not compatible with the character of the protected structure. I consider that the proposal contravenes the HCA024 which requires developments affecting the setting of protected structures to be sensitively sited and designed and compatible with the special character of protected structure.
- 8.3.8. Objective HCAP12 states that interventions should be guided by architectural conservation principles. The submitted Architectural Heritage Report shows the proposal has been guided by architectural conservation principles. As such I am not satisfied that it is clear that there is a material contravention of the objective. That said, I do consider that the proposal is contrary to the overarching conservation principles of the Architectural Heritage Protection Guidelines.

#### **8.4. Design considerations**

- 8.4.1. Objective SPQH036 of the CDP states public open space must comply with quantitative and qualitative development management standards. Standards are set out in section 14.13. The proposals were reviewed by the Council's Parks and Green Infrastructure Division who raised no objection to the proposals. The planning authority is satisfied that the quantity of resulting space is acceptable for the needs of the permitted and proposed development.
- 8.4.2. Notwithstanding that the open space in itself may be acceptable in terms of the quantitative and qualitative standards in the CDP, I have concerns regarding the impact of the changes to the overall layout and design of the scheme.
- 8.4.3. The Sustainable and Compact Settlement Guidelines states that that key indicators of urban design and placemaking are to be applied in the consideration of planning applications. Section (v) relates to responsive built form. New development is to support the formation of a legible coherent urban structure and new development

should respond positively to the pattern of development and strengthen the overall urban structure.

- 8.4.4. I consider that the proposal to construct the houses outside of the confines of the existing residential areas and within the open space results in a 'blurring' and fragmentation of the overall structure and results in a haphazard piecemeal form of development. The introduction of houses onto the large open space area diminishes the coherency of the planned layout. The path connection from the avenue is to be altered to allow for shared vehicular/ pedestrian access. The introduction of vehicles diminishes the attractiveness of the pathway connection. The pathway is to be relocated so that it loses its direct connection to the path on the larger central open space to the west. The play area is pushed further into the open space diluting the originally planned layout for play equipment around the paths. In my view, these alterations compromise the overall attractiveness and legibility of the built form and compromises the design and amenity of the scheme.
- 8.4.5. I therefore consider that the proposal is contrary to the design principles for good design set out in the Sustainable and Compact Settlement Guidelines.

## 8.5. **Flooding**

- 8.5.1. The observation received from the management company for the adjoining Abington Estate have raised concerns regarding the potential for additional flood risk associated with the proposed development.
- 8.5.2. Flood risk associated with river
- 8.5.3. Objective IU016 requires regard be paid to the OPW Flood Risk Management Guidelines when assessing applications and to require site specific flood risk assessments for development where appropriate.
- 8.5.4. The site is located on lands identified under the CDP SFRA as of flood risk. A site specific flood risk assessment for the overall development lands was carried out of the original permitted development. The assessment carried out included modelling of flooding on the site (refer JBA Consulting Flood Risk Assessment submitted under 22A/0580) and a site specific flood risk assessment in accordance with Guidelines (refer Waterman Moylan Flood Risk Assessment submitted under 22A/0580). The JBA report contains a model of the post development flood extent. This diagram

shows a single localised area of inundation during the 0.1% AEP event. Section 5 of the JBA report sets out flood mitigation measures. The report states the following:

*“To aid mitigation against any potential increase in flood risk due to infilling as part of the residential developments additional out of bank flood storage of 600m<sup>3</sup> has been provided along the bank of the stream through the site as presented in Figure 4-4. The flood storage / rain garden has been provided along the top of bank to ensure it is utilised at the beginning of any potential flood event.”*

- 8.5.5. The proposed development includes the remodelling of the out of bank storage, relocating it north. The same volume of 600m<sup>3</sup> storage is still provided.
- 8.5.6. The engineering report submitted with the subject application states that the revisions will have no material impact on flood risk for the development. It also states that the proposed dwellings have sufficient freeboard with finished floor levels set 350mm above the top of the berm of the out of bank storage and more than a meter above the base of the out of bank storage. The report of the Council’s Water Services Department indicates no objection to the proposed development on flood risk grounds.
- 8.5.7. The houses are located within the vicinity of the flood extent. The flood storage area is to be repositioned. There is a need to ensure that any works and changes in ground levels do not compromise the routing of flood waters from the stream to the storage area. Should the Commission grant permission, it is recommended that a condition be attached so that final designs and details of works and the the permitted and proposed ground levels are agreed prior to development in the interests of ensuring that the works to not compromise the effectiveness of the flood storage area.
- 8.5.8. Having regard to the fact that the proposal is for a small scale amendment to the permitted development which has been subject to detailed flood risk assessment and subject to condition to safeguard the effective functioning of the flood storage area, I am satisfied that flood risk has been addressed and that the development will not result in any new or increased flood risk to the site or adjoining lands.

8.5.9. Flood risk associated with surface water

8.5.10. Objective IU015 of the CDP sets out requirements for the management of surface water in developments.

8.5.11. The permitted surface water collection and drainage network is designed in accordance with a SuDS strategy. The storm water management plan for the site is based on the Greater Dublin Strategic Drainage Study and SuDS Manual Ciria C753. Measures are incorporated for interception, attenuation, treatment, storage and discharge. The measures are described in the Waterman Moylan Engineering Assessment Report submitted under 25A/0580.

8.5.12. The subject proposal, is an amendment to the permitted development which incorporates the surface water network.

8.5.13. The proposed development results in works to the permitted open space area and the proposed hard works result in additional surface water to be managed. The submitted engineers report considers the impact. The proposed new road and two additional houses have a total hardstanding area of c 400m<sup>2</sup> with attenuation increased by 40.7m<sup>3</sup>. The geometry of the central attenuation basin is proposed to be altered to increase the volume from 1900m<sup>3</sup> to 2280m<sup>3</sup>. This exceeds the volume required.

8.5.14. The Council's Water Services Department have no objection to the proposal.

8.5.15. Having regard to the fact that the proposal is for a small scale amendment to the permitted development which has been subject to a surface water management plan, I am satisfied that the proposals for the management of surface water is acceptable and will not result in any additional flood risk associated with surface water.

**8.6. Traffic and roads considerations**

8.6.1. The report of the Council's Transport section raised issues with the design of the access arrangements. The appeal submission includes an engineers report that addresses the issues raised by the Councils Transport section. The swept path analysis shows that turning movements associated with the houses can be accommodated. The access way is to be shared for pedestrians and vehicles with tactile paving.

- 8.6.2. Should the Commission grant permission, it is recommended that a condition be attached to require final designs to be agreed with the planning authority prior to development and in accordance with the Design Manual for Urban Roads and Streets, (section 4.3.4 Pedestrianised and shared surfaces).

## 9.0 AA Screening

- 9.1. I have considered the proposed development in light of the requirements of S177U of the Planning and Development Act 2000 as amended.
- 9.2. There are no Natura 2000 sites located on the site or in proximity to the site. The closest Natura 2000 sites are:
- Malahide Estuary SPA located c 1km from the site
  - North-West Irish Sea cSPA located c 3.5km from the site
  - Baldoyle Bay SPA located c 3.4km from the site
  - Ireland's Eye SPA located c 7.7km from the site
  - Malahide Estuary SAC c 1km from the site
  - Baldoyle Bay SAC c 3.4km from the site
  - Rockabill to Dalkey Island AC c 7km from site
  - Ireland's Eye SAC c 7.7km from the site
- 9.3. This development proposal is for an amendment to an already permitted development for residential development on the overall lands for 255 units. A Natura Impact Statement was submitted for the originally permitted development. The Board concluded that the proposed development would not adversely affect the integrity of a European site in view of the sites conservation objectives. The permitted development includes implementation of mitigation measures for the purpose of protecting European sites. As the subject proposal is an amendment to the originally permitted scheme, these measures apply to the subject development.
- 9.4. The permitted scheme has been subject to permitted amendments which has reduced the number of units permitted on the site to 230 units (24A/0811E,

24A/0812E, 25A/0226E, 24A/1179E, 25A/0857E). The subject application would increase the number of units to 232 units.

9.5. The proposed units are to connect to the existing permitted foul and storm water drainage networks. There are no direct connections to the Natura 2000 site network. The proposal would not result in any emissions beyond those already permitted. The proposed works do not impact on any trees. There is no significant impact on habitats.

9.6. Having regard to:

- the modest and domestic nature and scale of development proposed,
- the distance to the European site network,
- the lack of any new significant impacts arising from the subject development, taking into account the impacts in combination with permitted development on the site,

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

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

## 10.0 **Water Framework Directive**

10.1. An assessment of the proposed development has been undertaken in accordance with Article 4 of the EU Water Framework Directive including relevant EPA guidance including best practice in sustainable drainage design.

10.2. The proposed development is located in the Liffey and Dublin Bay WFD catchment and Mayne\_SC\_010 subcatchment. There are surface water drainage ditches / streams traversing the overall development site. These drain to the Sluice 010 (poor status, under review).

- 10.3. The site overlays the Dublin ground water body (good status, under review). Foul effluent is to discharge to the public wastewater network and the Malahide WWTP with final outfall to Broadmeadow transitional water body (moderate status, at risk, wastewater pressure) and Malahide Bay coastal water body (moderate status, at risk, wastewater pressure).
- 10.4. The proposed development is an amendment to a permitted development. The permitted development includes water services infrastructure. The permitted surface water network incorporates Sustainable Drainage Systems (SuDS) designed to replicate greenfield runoff rates and provide treatment of surface water prior to discharge. The permitted foul network is designed to relevant standards to discharge to the public wastewater system.
- 10.5. The permitted development has been amended. In combination with the permitted amendments, the proposed amendment results in an overall reduced loading on the permitted infrastructure.
- 10.6. The permitted development includes the implementation of mitigation measures that protect water bodies. As the subject development is an amendment to the permitted development, these mitigation measures apply to the subject proposed development.
- 10.7. There will be no increase in pollutant loading or alteration of the receiving waterbody's hydrological regime arising from the subject development and no risk of deterioration in water quality or ecological status.
- 10.8. The proposed development will not impact on the achievement of environmental objectives for any water body and is therefore considered compliant with the requirements of Article 4.
- 10.9. Note that the third party observer has raised concerns regarding flooding on the site during construction and the impacts on water bodies. In this regard, I note again that fluvial and pluvial flood risk associated with the subject development has been considered. I am satisfied that the permitted drainage infrastructure is designed to accommodate the loading of the overall development (permitted with amendments and including the subject proposal). I do not consider the proposal results in any additional flood risk and as such there are no material impacts on water bodies arising from flood risk. I note that the permitted development is currently under

construction with ground works being undertaken meaning that final ground levels have not yet been constructed.

## 11.0 Recommendation

I recommend refusal of permission.

## 12.0 Reasons and Considerations

1. The Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities 2024 promote 'responsive built form' as a key indicator of good design and placemaking to ensure the creation of attractive and well designed settlements.

The Architectural Heritage Protection Guidelines for Planning Authorities promotes the 'protection of special interest' of a protected structure as a key principle for the conservation of protected structures.

Having regard to:

- (i) The proposal to amend the permitted open space for the overall residential development permitted under F22A/0580, ABP316498 (as amended) and F22A/0581, ABP316504 (as amended) on the site of a protected structure Auburn House,
- (ii) The proposal to locate the proposed two houses and associated works within a prominent location within the permitted open space, outside of the permitted residential areas,
- (iii) The redesign of the permitted path network through the open space to allow for shared use of vehicles and pedestrians and the relocation of the path link away from the path on the central open space to the west,
- (iv) The relocation of the play area to a confined area further east,

it is considered that the proposed development diminishes the coherency and legibility of the permitted open space and path network and overall urban structure of the permitted development and this would diminish the attractiveness of the scheme, and that the proposed development would have

a detrimental impact on the open 'natural' character of the open space and this would adversely impact on the character and setting of the protected structure.

The proposed development would therefore seriously injure the residential and visual amenities of the permitted development, and would be contrary to the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities and the Architectural Heritage Protection Guidelines for Planning Authorities. 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.”

---

Aisling Mac Namara  
Planning Inspector

30<sup>th</sup> April 2026

## Appendix 1: Form 1 - EIA Pre-Screening

<b>Case Reference</b>	500685
<b>Proposed Development Summary</b>	Amendments to permitted residential scheme to allow for addition of 2 dwellings with all associated site works on lands with protected structure
<b>Development Address</b>	Lands at Auburn House (protected structure) and Little Auburn off the R107 Malahide Road / Dublin Road, Malahide, Co.Dublin
<b>In all cases check box /or leave blank</b>	
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (For the purposes of the Directive, "Project" means:  - The execution of construction works or of other installations or schemes,  - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested.</b>	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a	

<p>prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p><b>No Screening required.</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p><b>EIA is Mandatory. No Screening Required</b></p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	<p>Schedule 5, Part 2,</p> <p>10 (b) (i) Construction of more than 500 dwelling units</p> <p>10 (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>13(a) Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part1) which would: (i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and (ii) result in an increase in size greater than 25 % or an amount equal to 50% of the appropriate threshold whichever is greater</p>

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

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

## Appendix 2: Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	500685
<b>Proposed Development Summary</b>	<p>Amendments to permitted residential scheme to allow for addition of 2 dwellings with all associated site works on lands with protected structure.</p> <p>The permitted scheme contained an EIAR. The EIAR set out measures to mitigate adverse impacts on the environment.</p> <p>The permitted scheme has been subject to amendments.</p>
<b>Development Address</b>	Lands at Auburn House (protected structure) and Little Auburn off the R107 Malahide Road / Dublin Road, Malahide, Co.Dublin
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<p><b>Characteristics of proposed development</b></p> <p>(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>	<ul style="list-style-type: none"> <li>- Proposed residential use is compatible with the permitted development on the site.</li> <li>- Modest size and intensity of development</li> <li>- Localised impact on natural resources</li> <li>- Connection to public water and foul network. Surface water disposal via SuDS and outfall to drainage streams.</li> <li>- Modest production of waste</li> <li>- No significant risk of pollution or nuisance</li> <li>- No significant risk of accidents / disasters to human health</li> </ul>
<p><b>Location of development</b></p> <p>(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 areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<ul style="list-style-type: none"> <li>- Urban area, site located within settlement boundary</li> <li>- Local ecology only on site.</li> <li>- No impact on trees to be protected.</li> <li>- Site on lands of protected structure.</li> <li>- Potential for archology.</li> <li>- Stream located near the site.</li> <li>- No sites designated for natural heritage within the range of the site.</li> </ul>
<b>Types and characteristics of potential impacts</b>	<p>Having regard to the following:</p> <ul style="list-style-type: none"> <li>- Modest scale of the development proposal to amend the development permitted on the site,</li> </ul>

<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>	<ul style="list-style-type: none"> <li>- lack of significant environmental sensitivities on the subject site,</li> <li>- the measures to mitigate adverse environmental effects under 'parent' permitted developments.</li> <li>- absence of significant in combination effects,</li> </ul> <p>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>There is no real likelihood of significant effects on the environment.</p> <p>x</p>	<p>EIA is not required.</p>

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

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

(only where Schedule 7A information or EIAR required)