



An
Coimisiún
Pleanála

Inspector's Report

PL-500822-DF-26

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| Development | Permission to retain the current use as a Muslim Prayer, Cultural Community Centre |
| Location | Islamic Community Centre Swords, The Green (Off Rathbeale Road), Swords, Dublin |
| Planning Authority | Fingal County Council |
| Planning Authority Reg. Ref. | F25A/0050 |
| Applicant(s) | Tariq Salahuddin |
| Type of Application | Retention Permission |
| Planning Authority Decision | Refuse Retention |
| Type of Appeal | First Party Normal Planning Appeal |
| Appellant | Tariq Salahuddin |
| Observers | Therese and Paddy McKittrick Maeve & Richard Slattery Patrick Hughes |
| Date of Site Inspection | 1 st May 2026 |
| Inspector | Peter Nelson |

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1.0 Site Location and Description

- 1.1. The site is located on a laneway accessible from Rathneale Road, just beyond the commercial area of Swords. Covering approximately 0.11 hectares, it consists of one building with a floor area of 390 sqm. Currently, the building functions as a Muslim Prayer, Cultural, and Community centre. Previously, it was used as an An Post Sorting Office.
- 1.2. The laneway includes another commercial building and five residential properties. To the south of the site is St. Columba's Rise, an established residential street. Other residential streets nearby include Rathbeale Grove, Brackenstown Avenue, and Rathbeale Court. The site is within 300 metres of land zoned as 'Major Town Centre' in the Fingal County Development Plan 2023-2029.

2.0 Proposed Development

- 2.1. Permission is sought for the retention of the current use of a single-storey building at the Green (off the Rathbeale Road), Swords, as a Muslim Prayer, Cultural & Community Centre.

3.0 Planning Authority Decision

3.1. Further Information

On 19th March 2025, Fingal County Council requested the applicant to submit further information relating to the following:

- Full details of all the uses occurring in the existing building, including prayer times and the number of people attending each event.
- Details demonstrating compliance with Section 14.14.4 and Objective DMSO81 & DMSO82 regarding Places of Worship.
- Transportation details including car parking provision, expected number of trips, bicycle parking, mobility management plans, and drawings of available sightlines at the entrance to the access laneway off Rathbeale Road.
- A Noise Impact Assessment.

3.2. **Decision**

After a time extension, on the 20th January 2026, Fingal County Council refused permission for retention for two reasons:

1. The supporting vision for the 'RS' Residential zoning objective seeks to 'Ensure that any new development in existing areas would have a minimal impact on and enhance existing residential amenity'. The development to be retained, due to the intensification in the use of the site and the resulting impacts in terms of noise and disturbance to adjacent residential properties, would not be consistent with the zoning objectives and vision, and as such would be contrary to the proper planning and sustainable development of the area.
2. Objective DMSO8 of the Fingal Development Plan 2023-2029 'requires that new or enlarged places of worship be located in places where they do not create unacceptable traffic congestion or car parking difficulties nor cause a nuisance to existing residents or businesses.' Having regard to the constrained vehicular and pedestrian accessibility, the location of the subject site relative to residential properties and the noise and disturbance generated from the significant number of visitors, the proposal is considered to be contrary to this objective and the proper planning and sustainable development of the area.

3.3. **Planning Authority Reports**

3.3.1. Planning Reports

The main points of the initial planning report dated 19 March 2025 are summarised as follows:

- A community facility is 'Permitted in Principle' under Zoning Objective 'RS'
- A place of worship and a cultural facility is neither listed as 'Permitted in Principle' or 'Not Permitted'.
- It is unclear when the centre became fully operational, and the applicant will be asked to clarify this.

- It is noted from the submissions received that local residents are concerned about the traffic caused by the use and overspill parking in nearby estates.
- No information has been provided to fully assess its impact regarding the complete range of uses, opening hours, and attendance figures.
- Further information is needed on the use of the centre to evaluate its impact on the amenity of neighbouring residential properties and the level of traffic on the access lane and associated parking.
- The Transportation Section's request for further information is noted.
- The proposed development is not listed in Schedule 5 (Part 1 of Part 2) and no EIA is required.
- The proposed project will not have a significant effect on any European Site, and therefore, AA is not required.
- Places of worship should be situated in locations where they do not cause unacceptable traffic congestion, parking problems, or nuisance to existing residents or businesses.
- The applicant will be given the chance to submit further information as needed and demonstrate that the proposal complies with the RS zoning and Development Plan.
- Four points of Further Information are required.

The main points of the second planning report dated 20 January 2025 are summarised as follows:

- It is noted that the building is utilised for prayer groups, religious lessons, and Islamic occasions for the local Muslim community. Daily prayers take place five times a day for 20 minutes, with attendance ranging from approximately 10 to 30 people.
- 200-280 people attend the Friday Prayer Meeting.
- The travel plan submitted has been noted.
- The submitted Operational Noise plan has been noted.

- The PA is not satisfied that the location is appropriate, given the constrained nature of the site and the impact on surrounding residential areas.
- It remains uncertain whether the measures in the Travel Plan and the Management Plan are effective.
- Due to the site constraints and nearby residential properties, it is believed that retaining the development would cause significant noise and disturbance due to increased site usage.
- It is recommended that permission be refused.

3.3.2. Other Technical Reports

- Water Services Department's report, dated 24 February 2025, states no objection.
- Transportation Planning Section's first report, dated 12 March 2025, recommended that the applicant submit further information.
- Transportation Planning Section's second report dated 13 January 2026 states that a temporary permission could be considered, subject to conditions.
- Environment – Air and Noise Unit Section's report dated 14 January 2026 states that, as the hours of operation indicated by the applicant show that the activity occurs during night-time and early morning hours, this could affect nearby residential receptors.

3.4. **Prescribed Bodies**

None

3.5. **Third Party Observations**

The main points of the third-party observations on the original planning application can be summarised as follows:

- The traffic associated with this development negatively affects the use and flow of the surrounding road network.

- The access point is insufficient for large crowds arriving for gatherings.
- There is limited parking available on site.
- Vehicles parked on nearby residential roads are blocking sight lines at junctions.
- Since 2024, the use of the building has intensified.
- Potential access issues for emergency vehicles along the laneway
- Residents of Rathbeale Grove have organised a weekly presence to prevent on-street parking on their road every Friday afternoon.
- The area is becoming overdeveloped with excessive traffic.
- The site's zoning is RS-Residential, the objective of which is to provide for residential development and protect and improve residential amenity. However, this development does neither and therefore contravenes the Fingal Development Plan.
- The use from 4:30 am to 10:30 pm is inappropriate and inconsiderate within residential zone properties.
- There are more than the stated 30 or 40 people attending on Fridays.
- The development is causing additional vehicles, emissions, and noise in the residential area.
- Conditions attached to previous planning permissions have not been complied with.

The main points of the third-party observations on the Further Information submitted can be summarised as follows:

- The number of people attending the weekly service has increased dramatically since the application was submitted, and it is now outdated.
- The Prayer Hall is meant to serve as a local amenity, yet in the survey, the applicant mentions areas including Meath, D17, Lusk, Donabate, and Portmarnock.
- The main issue continues to be access, which is inadequate for the volume of traffic on a Friday afternoon.
- The applicant's audit acknowledges that the access road is narrow and can only hold one vehicle at a time, providing access to several residential units.

- The further information does not resolve the concern about the negative impact on existing residential amenity caused by traffic and parking.
- There is no lighting on the laneway, making it unsafe for prayer goers and local residents.
- It is unrealistic to think that users are arriving by bicycle to attend the Pray House.
- The mitigation measures in the Traffic Plan are unlikely to be effective.
- No sightline layout has been submitted at the entrance of the laneway from the busy Rathbeale Road.
- Since March 2024, this development has caused traffic congestion, parking problems, increased noise and pollution, and has become a nuisance to the existing residents.
- The facility should be located in an area with adequate parking and appropriate road infrastructure.

4.0 Planning History

4.1. Subject Site

P.A. Ref: F23A/017

Permission granted on 31 May 2023 for change of use previously approved under F15A/0474, ABP PL06F.246009, F18A/0227 & F21A/0264) of existing single storey building from Postal Sorting Office to Muslim Prayer, Cultural and Community centre, minor changes to internal layout and external elevations, partial demolition of existing storage shed, new pedestrian access gate and all associated site works at site An Post Sorting Office, The Green (Off Rathbeale Road) Swords , Co. Dublin.

Condition 2 states:

The use of the building as a prayer, cultural and community centre is hereby approved for a period of 2 years from the date of the final grant of permission and upon expiry of this period the use shall cease unless a prior grant of planning permission has been received from the Planning Authority and/or An Bord Pleanála on appeal.

REASON: In the interest of the proper planning and sustainable development of the area and to allow the Planning Authority to reassess the situation in light of the circumstances at this time.

P.A. Ref: F21A/0264

Permission granted on 10 May 2021 for change of use (previously approved under F15A/0474 and ABP PL 06F.246009 and F18A/0227) of existing single storey building from Postal Sorting Office to Muslim Prayer, Cultural and Community centre, minor changes to internal layout and external elevations, partial demolition of existing storage shed, new pedestrian access gate and all associated site works.

Condition 2 states:

The use of the building as a prayer, cultural and community centre is hereby approved for a period of 2 years from the date of the final grant of permission and upon expiry of this period the use shall cease unless a prior grant of planning permission has been received from the Planning Authority and/or An Bord Pleanála on appeal.

REASON: In the interest of the proper planning and sustainable development of the area and to allow the Planning Authority to reassess the situation in light of the circumstances at this time.

P.A. Ref: F18A/0277

Permission granted on 2 May 2018 for Change of use (previously approved under F15A/0474 and ABP PL 06F.246009) of existing single storey building from Postal Sorting Office to Muslim Prayer, Cultural and Community centre, minor changes to internal layout and external elevations, partial demolition of existing storage shed, new pedestrian access gate and all associated site works.

Condition No.2 states:

The use of the structure as a prayer, cultural and community centre is hereby approved for a period of 30 (thirty) months from the date of the Final Grant of Permission and upon expiry of this period the use shall cease unless a prior grant of planning permission has been received from the Planning Authority and An Bord Pleanála on appeal.

REASON: In the interest of the proper planning and sustainable development of the area and to allow the planning authority to reassess the situation in light of the circumstances at this time.

ACP. Ref: PL06F.246009

Permission granted with revised conditions on 21 April 2016 for the change of use of the existing single-storey building from a Postal Sorting Office to a Muslim Prayer Cultural and Community Centre.

Condition No.2 stated:

The use of the structure as a prayer, cultural and community centre is hereby approved for a period of two years from the date of the final grant of planning permission and upon expiry of this period the use shall cease unless a prior grant of planning permission has been received from the Planning Authority and An Bord Pleanála on appeal.

REASON: In the interest of the proper planning and sustainable development of the area and to permit the Planning Authority to re-assess the situation in light of the circumstances at this time.

Adjoining Site to the West.

P.A. Ref: F22A/0385

Permission refused on 19 September 2022 for

(A) Change of use from a glassworks industrial unit to a veterinary clinic with a surgery room, kennels, and a small retail shop.

(B) New signage and shop front include 1 no. acrylic lettering and logo sign above front door, and plywood shopfront with selected finish.

(C) Internal alterations and associated works.

The two reasons for refusal were:

1. Having regard to the location and layout of the site and proposals for the further intensification of use of the existing access lane serving the development and access junction from the Rathbeale Road together with the resulting increase in traffic on the lane, at this junction with poor visibility, combined with the potential for

overspill parking and increased conflict between cars with poor intervisibility between cars and pedestrians and the cumulative effects, it is therefore considered that the proposed development, would endanger public safety by reason of traffic hazard or obstruction of road users or otherwise, and would be contrary to the proper planning and sustainable development of the area.

2. Objective DMS 99 of the Fingal Development Plan 2017-2023 states inter alia that it is policy to ensure that in the case of veterinary surgeries, full details of all services provided on site shall be submitted including details of overnight facilities (including kennels/staff accommodation) and out of hours services shall be submitted together with noise mitigation measures where appropriate. Having regard to the level of information submitted with the application, it is considered the information provided lacks sufficient detail with regard to the overnight facilities (including kennels/staff accommodation), out of hours services and noise mitigation measures required to comply with Objective DMS 99 of the Fingal Development Plan 2017 – 2023 and to establish the impact of the proposed development on the adjacent residential properties. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

4.2. **Development Plan**

The Fingal Development Plan 2023–2029 is the operational plan for the area. It was adopted on 22nd February 2023 and came into force on 5th April 2023.

Two variations of the plan were adopted on 30th March 2026 which are not relevant to this appeal.

The subject site is located in an area designated with Zoning Objective 'RS', Residential, which aims to 'Provide for residential development and protect and improve residential amenity'.

The vision for this zoning is to 'Ensure that any new development in existing areas would have a minimal impact on and enhance existing residential amenity.'

Community Facility is a use permitted in principle under this zoning.

The site is located within a Zone of Archaeological Notification.

Relevant Policies

Section 4.5.1.9 Places of Worship/Multi-Faith Facilities

In line with the growing population is an increase in the number of faith communities and demand for additional places of worship throughout the County. Fingal County Council will continue to facilitate the development of new places of worship, ideally proximate to residential communities, where it is shown that these developments do not give rise to noise or traffic-related issues which may adversely affect the amenity of adjacent residents. Places of worship will be encouraged to utilise existing shared community facilities where appropriate.

Objective CIOSO31 – Places of Worship

Facilitate the development of additional places of worship through the designation and/or zoning of lands for such community requirements and examine locating places of worship within shared community facilities.

Objective CIOSO32 – Appropriate Locations for Places of Worship

Encourage and facilitate the development of places of worship in appropriate locations in urban centres or within existing community facilities and proximate to residential communities

Section 14.14.4 Places of Worship

Development proposals for the habitual use of a building as a place of public worship or religious instruction will be considered in the context of the land use zoning and the need to protect the amenities of established uses from impacts arising from traffic, noise or other disturbance. Planning applications for places of worship should be accompanied by details of the capacity of the facility (e.g. seating capacity), a traffic assessment and intended hours of operation.

Objective DMSO81 – Places of Worship

Facilitate the development of additional places of worship through the designation and/ or zoning of lands for such community requirements and examine locating places of worship within shared community facilities, to be delivered through actively engaging with the community to understand diverse religious needs for a place of worship and consulting with faith communities to understand which ones are compatible for shared premises/sites.

Objective DMSO82 – Location of Places of Worship

Require that new or enlarged places of worship be located in places where they do not create unacceptable traffic congestion or car parking difficulties nor cause a nuisance to existing residents or businesses.

Policy CMP5 – Mobility Management and Travel Planning

Promote best practice mobility management and travel planning through the requirement for proactive mobility strategies for developments focussed on prioritising sustainable modes of travel including walking, cycling and public transport.

4.3. Natural Heritage Designations

Malahide Estuary Special Area of Conservation is c.1.7 km from the appeal site.

Malahide Estuary Special Protection Area is c.1.7 km from the appeal site.

Malahide Estuary Proposed Natural Heritage Area is c.1.7 km from the appeal site.

5.0 EIA Screening

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

6.0 The Appeal

6.1. Grounds of Appeal

The main points of the First Party Appeal can be summarised as follows:

- The proposed development is consistent with the proper planning and sustainable development of the area and does not adversely impact residential amenity for the following reasons.
- Community facilities are appropriate and compatible within residential areas.

- The Islamic Community Centre Swords (ICCS) functions as a space for quiet prayer and reflection, educational facilities, community support and engagement, and cultural and social integration. These are low-impact uses that are comparable to other accepted community uses.
- The centre serves the local community and contributes to social cohesion, inclusion and wellbeing.
- The nature and scale of the activity are modest and respectful of residential amenity.
- Faith-based prayer and community gatherings are orderly, respectful, and well-organised, and do not cause the kind of disturbance associated with higher-impact uses.
- There is no demonstrable harm to residential amenity.
- The development has continued to operate without causing significant disruption to the area.
- Any perceived concerns about noise or disturbance are limited and do not warrant refusal on planning grounds.
- The retention of the Islamic Community Centre exemplifies sustainable development, as it offers vital community infrastructure, meets the needs of local residents, encourages social inclusion, diversity, and community integration, and makes efficient use of an existing building.
- The use is compatible with the spirit and intent of the residential zoning objective, providing a community use that does not undermine the residential character of the area.
- Independent expert consultant reports confirm there is no significant adverse impact regarding noise, disturbance, traffic, or residential amenity.
- The ICCS has prepared a travel plan to address the earlier issues with access and car parking.
- A noise assessment has identified specific mitigation measures to protect residential amenity.

- The proposal is acceptable in principle and would not lead to significant negative effects on the character of the area, residential amenity, traffic safety, or the proper planning and sustainable development of the locality.

6.2. **Planning Authority Response**

The main points of the response to the appeal statement from Fingal County Council can be summarised as follows:

- The application was assessed against the policies and objectives of the Fingal Development Plan 2023-2029 and current government policy and guidelines.
- Third-party submissions were acknowledged and considered.
- The further Information response did not resolve concerns about the intensification and suitability of the site to accommodate the prayer centre and its schedule of activities.
- The proposed development would conflict with the “RS” Zoning.
- The PA are not satisfied that the traffic impacts and vehicular trips to the facility can be adequately managed considering the site’s location.
- Request that permission be refused.

6.3. **Observations**

Three observations have been received. A summary of the key points raised is as follows:

- Temporary permission ceased in July 2025, but a significant number of vehicles and people have still continued to the area.
- Cars are parking on Brackenstown Avenue from 7 pm to 9 pm.
- The users are coming from elsewhere to park in the residential area adjacent to the centre.
- The existing use as An Post Sorting Office did not disturb the surrounding residential area.

- Since March 2024, the development has led to numerous cars and vehicles, causing traffic hazards, parking problems, noise, and pollution, which disturb residents.
- The development is leading to illegal parking and congestion in the local area, including Rathbeale Road, Rathbeale Court, Brackenstown Avenue, and other nearby streets.
- Problems exiting existing dwellings due to the extra parking.
- Providing bicycle parking will not resolve the parking issues.
- Hazardous on-street parking on Watery Lane.
- Underestimation of the capacity of people who attend weekly services.
- The number attending services has increased dramatically since the application was made in February 2025.
- The submitted survey lacks sufficient detail.
- The rise in traffic and parking issues is greatly affecting safety in the area during service times.

7.0 **Assessment**

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

- Planning History
- Principle of Development
- Residential Amenity
- Transport and Parking

7.1. **Planning History**

- 7.1.1. Planning permission was initially granted for the change of use of the An Post Sorting Office to a prayer, cultural, and community centre in April 2016 (ABP Ref: PL06F.246009). Condition No.2 attached to the grant of permission approved the use of the structure as a prayer, cultural and community centre for a period of two years from the date of the decision. In May 2018, permission was again granted for the change of use of the building from Postal Sorting Office to a Muslim Prayer, Cultural and Community centre, with minor changes to the internal layout and external elevations, partial demolition of the existing storage shed, and a new pedestrian access gate (PA. Ref: 18A/0227). A condition was attached approving the use of the structure for a period of 30 months from the date of the final grant of permission. In May 2021, permission was granted for the continued use of the building as a prayer, cultural and community centre. (F21A/0264). Again, a condition was attached approving the use for a period of two years from the date of the final grant. Finally, in April 2023, permission for the use of the building as a Muslim Prayer, Cultural and Community Centre was approved for another two-year period from the date of the final grant of permission.
- 7.1.2. I therefore note that the Muslim Prayer, Cultural and Community Centre has been in operation for approximately 10 years with the benefit of planning permission for most of that period.

7.2. Principle of Development

- 7.2.1. In the Fingal County Development Plan 2023-2029 (FDP), the site is zoned 'RS' Residential. The objective of this zoning is to 'provide for residential development and protect and improve residential amenity. The stated vision for this zoning is to 'ensure that any new development in existing areas would have a minimal impact on and enhance existing residential amenity'.
- 7.2.2. A community facility is a use class that is permitted in principle. A place of worship is neither listed as a use that is permitted in principle nor a use that is not permitted.
- 7.2.3. Section 14.14.4 of the FDP deals with Places of Worship and states that *'Development proposals for the habitual use of a building as a place of public worship or religious instruction will be considered in the context of the land use*

zoning and the need to protect the amenities of established uses from impacts arising from traffic, noise or other disturbance.'

- 7.2.4. It is an objective of the FDP, Objective CIOS032, to encourage and facilitate the development of places of worship in appropriate locations in urban centres or within existing community facilities and near to residential communities. The site of the ICCS is less than 300m from the Swords 'Major Town Centre zoned land and is surrounded by established residential areas. I therefore consider that, in principle, the proposed development is in an accessible location and surrounded by residential communities and therefore complies with Objective CIOS032.
- 7.2.5. Objective DMS082 of the FDP requires that new or enlarged places of worship be located in places where they do not create unacceptable traffic congestion or car parking difficulties, nor cause a nuisance to existing residents or businesses.
- 7.2.6. I consider that, in principle, this place of worship on this zoning is acceptable, provided that it does not create a nuisance to the existing residential area through traffic congestion or car parking and does have a minimal impact on existing residential amenity'. Potential traffic congestion and car parking difficulties, and the impact on the residential amenity are addressed in Sections 7.3 and 7.4 of this report.

7.3. Residential Amenity

- 7.3.1. The first reason for refusal states that, due to the intensification of use of the site and the resulting impacts in terms of noise and disturbance to adjacent properties, the development would be contrary to the zoning objectives and vision.
- 7.3.2. I note that as part of a Further Information request, the applicant was requested to submit a Noise Impact Assessment for the operational noise of the development, given its close proximity to the residential receptors. An Assessment of Operational Noise was submitted. The planner in their report stated that the submitted noise assessment did not fully address the concerns raised. The report from the Council's Environment Section dated the 14th January 2026 noted that the measured noise level from the activity is below all available guidance for standards for noise in and around noise-sensitive dwellings. The Environmental report also stated that, as

indicated by the hours of operation, the activity occurs during the nighttime and early morning hours, which may impact adjacent residential receptors.

- 7.3.3. As part of the further information submission, the applicant provided details on the use of the building. It states that the daily prayer occurs five times a day and takes about 20 minutes. The estimated attendance of these ranges from 10 to 30 people from the local community. The times of the prayers range from one hour before sunrise to one hour after sunset, the times change depending on the day and season. The times of the prayers are as follows:
- Fajre (early morning), about one hour before sunrise
 - Dhuhr (noon) around midday (12.20 pm in winter & 1.30 pm in summer).
 - Assr (2.00 pm in winter & 6.00 pm in summer),
 - Maghrin, at sunset,
 - Isha, at about one hour after sunset.
- 7.3.4. On a Friday, it is stated that there is a mass which accommodates 200-280 people. This begins around “Dhuhr” time, which is around midday. It is stated that during peak times, the Islamic Community Centre Swords (ICCS) offers two masses to reduce the number of people arriving at once.
- 7.3.5. During the month of Ramadan, Maghrib takes place approximately 30 minutes after sunset, with 20-40 people. Isha lasts an hour and a half, and the number of attendees increases as the month progresses and capped at 80 people.
- 7.3.6. Two Quran lessons occur each week with around 20 attendees. Casual gatherings, lectures, or weddings also happen about 10 times annually, attracting between 20 and 50 people.
- 7.3.7. In one of the third-party submissions, it is stated that the increase in traffic emissions and noise due to the increased number of people attending the centre is harmful to human health and air quality. The submission states that the EPA's strategy shows that the noise outside their house on Rathbeale Road exceeds 75dB, which is damaging to human health. After examining the EPA, it can be seen that a large section of Rathbeale Road is experiencing levels greater than 75 dB Lden (day, evening, night). Rathbeale Road is included in this EPA mapping because it exceeded the 3 million passenger flow threshold in 2022.

- 7.3.8. In the Assessment of Operational Noise of noise measurements, the existing noisescapes were taken while the ICCS was operating under normal conditions. The measurements began at 10.38 am on Thursday, 4th September, and continued until 15.45 pm on Saturday, 6th September 2025. This included a Friday, the centre's busiest day.
- 7.3.9. The noise report indicates that the dwellings most exposed to noise are not the ones physically closest to the ICCS building, but the residential properties to the north, which are affected by vehicle noise and the entry of worshippers along the access laneway. I am satisfied that this is correct and that the chosen noise monitoring location is also appropriate.
- 7.3.10. The report provides calculations of the resulting noise level at the nearest affected dwellings during prayer attendance periods, including those before sunrise. The highest LAeq during the centre's attendance was 33 dB at the dwelling on Friday at 13.30. The report states that specific noise from the ICCS will not be audible and will be fully masked by other ambient noise sources reaching the nearest affected dwellings during all daytime and nighttime attendance periods. It also notes that there are no amplifiers or speakers located outside the building. The report concludes that the noise levels attributable to the ICCS are below all relevant guidance and standards for noise around noise-sensitive dwellings.
- 7.3.11. Since the Assessment of Operational Noise has examined the noise effects of the ICCS during all prayers and gatherings, including night-time and early morning hours, I consider that the impact on nearby residential receptors has been sufficiently assessed for all periods of ICCS attendance.
- 7.3.12. The site of the ICCS is located in a busy urban area, less than 200m from the commercial town centre of Swords, 100m from General Employment land, and less than 60m from Rathbeale Road, a major regional road providing access to Swords town centre. At the time of my site inspection, which was on a Friday afternoon during 'Dhuhr', the busiest period of the week for the ICCS, given the level of ambient traffic noise, I did not find any significant noise disturbance arising from the ICCS.
- 7.3.13. Considering the Assessment of Operational Noise's contents and conclusions, along with my observations during the site visit, I do not believe that retaining the

ICCS development would cause significant noise disturbance to nearby residential properties. If the Commission is inclined to grant permission, I suggest attaching a condition to limit noise from the development and to prohibit the broadcast of music or other amplified sounds from the exterior of the ICCS.

7.4. Transport and Parking.

- 7.4.1. The second reason for refusal states that, having regard to the constrained vehicle and pedestrian accessibility, the location of the subject site relative to residential properties and the noise and disturbance generated from the significant number of visitors, the development is contrary to the proper planning and development of the area. The potential noise disturbance has been addressed above.
- 7.4.2. Parking standards are outlined in Table 14.19 of the FDP. Since the site is within 1600m of a planned metro station, the site is within Parking Zone 1 for car parking standards. The maximum parking standard for a 'Church, place of worship' is 1 space per 10 seats. The site has 9 parking spaces, including 1 disabled space. As part of the planning authority's request for Further Information, the applicant was requested to address the car parking provision and demonstrate that the proposed number complies with the FDP.
- 7.4.3. The applicant submitted a Travel Plan that addresses parking. The Travel Plan states that, according to the ICCS, the peak number of visitors per session is 80 people. The Travel Plan also states that, based on the Development Plan, 1 parking space is required for every 10 seats, and the provision of 9 parking spaces would be sufficient for 90 people; therefore, the parking spaces provided are sufficient for the facility.
- 7.4.4. As mentioned above, the ICCS has indicated that attendance at Friday prayers can range from 200 to 280 people. I note that the parking standard for a 'Church, place of worship' in Zone 1 in Table 14.19 of the FDP is the maximum number of spaces permitted. Since the number of car parking spaces provided does not exceed the maximum standards in Table 14.19 of the FDP, the ICCS complies with the standards of the FDP. Nevertheless, to ensure compliance with Objective DMS082 of the FDP, the impact of the stated attendance level at the ICCS on adjacent residential areas warrants further assessment.

- 7.4.5. The submitted Travel Plan highlights the walking and cycling catchment areas for the ICCS, demonstrating that the surrounding neighbourhoods of Swords are within a reasonable walking and cycling distance from the centre. The Plan indicates that the nearest bus stops are located within a 4-minute walk of the site on Rathbeale Road. Six different bus routes service these stops. Additional bus stops along Swords Main Street are less than a 10-minute walk from the site, with eighteen bus routes operating from them. The Plan also notes that Swords Express provides an express service from Swords to Dublin City. Given the ICCS's close proximity to Swords town centre and residential areas, I consider it highly accessible by foot and bicycle, and it is well served by public transport.
- 7.4.6. As part of the Travel Plan, a survey of 60 attendees was undertaken. The results are shown in the table below:

| Mode | Proportion |
|--------------|-------------------|
| Car | 56% |
| Car Share | 9% |
| Taxi | 4% |
| Bus | 7% |
| Walk | 19% |
| Cycle | 5% |
| Total | 100% |

- 7.4.7. The travel survey conducted showed that 55% of visitors travelling do so by carpooling.
- 7.4.8. One of the observers pointed out that the survey results indicate the attendees of the ICCS are not solely local and come from areas such as Meath, D17, Lusk, Donabate, and Portmarnock. However, I note that of the 60 people surveyed, 65% were from Swords, with others from nearby areas such as Rolestown and Malahide.
- 7.4.9. The Travel Plan indicates that there are currently measures in place to reduce car dependency among visitors to the ICCS. It states that the submitted travel plan

aims to address the following: decrease single-occupancy car use, reduce the reliance on cars commuting to the facility, promote sustainable transport modes, walking, and cycling. The ICCS has appointed a Travel Plan Coordinator whose role is to oversee the implementation of the Plan.

- 7.4.10. A series of measures has been implemented to encourage carpooling, walking, and cycling. During my site visit, the travel co-ordinator was at the junction of Rathbeale Road and the laneway, managing traffic during the prayer time at the centre. Some cars were parked on site. It appeared that no cars associated with the ICCS were parked along the laneway, and attendees were arriving on foot.
- 7.4.11. During my site inspection on a Friday afternoon, I observed that there was parking along the roads of the surrounding residential areas, particularly along St. Columba's Rise to the south of the centre. Visiting cars were also parked along Brackenstown Avenue and Rathbeale Court. At the entrance to Rathbeal Grove, there was a chair with a high-visibility vest and a sign on a traffic cone stating, 'No Parking'. The parking I noted was in areas with no parking restrictions, and it did not impede entry or exit from the residential homes, most of which have onsite parking. I did see some limited, irregular parking near the junction of Rathbeale Court and Rathbeale Road. The parking in the residential areas dissipated after the prayers.
- 7.4.12. I note that the Planning Authority's Transport Planning Section, in their report dated 23rd January 2026, assessed the submitted Further Information, including the Travel Plan, and recommended that temporary permission be granted subject to conditions. One of the conditions recommended that the Travel Plan be reviewed annually and submitted to the Planning Authority for approval. To reduce car trips to the ICCS and, consequently, lessen parking in the surrounding area during prayer times, if the Commission is minded to grant permission, I recommend attaching a condition requiring an annual review and agreement with the Planning Authority for a period of five years from the date of the grant of permission.
- 7.4.13. The observations and third-party submissions primarily concern the parking situation on a Friday afternoon. I believe that, based on my site visit on a Friday afternoon, any impacts from parking in residential areas are not significant and are short-lived.

- 7.4.14. I note that the assessment in the Planner's report dated 23rd January 2026 concluded that, due to constraints such as narrow access and proximity to residential properties, the location is unsuitable for the development seeking retention and would cause significant noise and disturbance from increased site use. As discussed above, based on the Assessment of Operational Noise's contents and conclusions, along with my observations during the site visit, I do not believe that retaining the ICCS development would result in considerable noise disturbance to nearby residential properties. I also believe that any impacts from parking in residential areas are not significant and short-term.
- 7.4.15. The Planning Authority's Transport Planning Section recommended a temporary permission. Considering the site's planning history, which includes four temporary permissions, I believe that attaching a condition for the annual review and agreement of the Travel Plan makes a temporary permission unnecessary in this case.

8.0 AA Screening

I have considered the retention of the Muslim Prayer and Cultural Community Centre in light of the requirements of S177U of the Planning and Development Act 2000 as amended.

The subject site is located in the urban area of Swords, c.1.7 km from the Malahide Estuary Special Area of Conservation and Malahide Estuary Special Protection Area.

Permission is sought to retain the current use of the building as a Muslim Prayer and Cultural Community Centre.

No nature conservation concerns were raised in the planning appeal.

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

The reason for this conclusion is as follows:

- Nature of works e.g. small scale and nature of the development

- Location-distance from nearest European site and lack of connections

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) is not required.

9.0 **Water Framework Directive**

An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive.

Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects.

In addition, the proposed development will not adversely affect the achievement of established environmental objectives, including the protection, maintenance, and improvement of water body status, as required under the Directive.

Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

10.0 **Recommendation**

I recommend that permission be granted.

11.0 **Reasons and Considerations**

Having regard to the Objective 'RS' Residential zoning of the site "to provide for residential development and protect and improve residential amenity", to Policy Objective CIO32 of the Fingal County Development Plan 2023-2029, which encourages and facilitates the development of places of worship in appropriate locations in urban centres or within existing community facilities and proximate to residential communities, the accessible location adjacent to Swords town centre

and residential areas and to the nature and scale of the proposed development, it is considered that, subject to conditions, the retention of current use of the Muslim Prayer Cultural Community Centre would not seriously injure the amenities of the area or of property in the vicinity, is consistent with the provisions of the Fingal County Development Plan 2023-2029, and is therefore in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 17th day of December 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. During the operational phase of the proposed development the noise level shall not exceed (a) 55 dB(A) rated sound level between the hours of 0700 to 2300, and (b) 45 dB(A) 15min and 60 dB LAfmax, 15min at all other times , (corrected for a tonal or impulsive component) as measured at the nearest noise sensitive location.

Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To protect the residential amenities of property in the vicinity of the site.

3. No external amplified music or other public address system shall be permitted externally within the site.

Reason: To protect the residential amenities of property in the vicinity.

4. The development shall be carried out and operated in accordance with the provisions of the Travel Plan submitted to the planning authority on 17th December 2025. The specific measures detailed in Section 7.3 of the Travel to achieve the objectives and modal split targets for the development shall be implemented in full. The applicant shall undertake an annual monitoring exercise to the satisfaction of the planning authority for the first 5 years following this grant of permission and shall submit the results to the planning authority for consideration and placement on the public file.

Reason: To achieve a reasonable modal split in transport and travel patterns in the interest of sustainable development.

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.”

Peter Nelson

Senior Planning Inspector

22 May 2026

Appendix 1: Form 1 EIA Pre-Screening

| | |
|--|--|
| Case Reference | PL-5008222-DF-26 |
| Proposed Development Summary | Permission to retain the current use as a Muslim Prayer Cultural Community Centre. |
| Development Address | Islamic Community Centre Swords, The Green (off Rathbeale Road), Swords, Dublin |
| IN ALL CASES CHECK BOX / OR LEAVE BLANK | |
| 1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA? | <input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2. |
| | <input type="checkbox"/> No, No further action required. |
| <p>(For the purposes of the Directive, "Project" means:</p> <ul style="list-style-type: none"> - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the | |

| | |
|--|------------------------------------|
| <p>extraction of mineral resources)</p> | |
| <p>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</p> | |
| <p><input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</p> | <p>State the Class here</p> |
| <p><input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3</p> | |
| <p>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?</p> | |
| <p><input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.</p> | |

| | |
|--|---|
| <input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required | State the Class and state the relevant threshold |
| <input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required) | State the Class and state the relevant threshold |
| 4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)? | |
| Yes <input type="checkbox"/> | |
| No <input checked="" type="checkbox"/> | |

Inspector: _____ Date: 22 May 2026