



An
Coimisiún
Pleanála

Inspector's Report PL-500990-DF-26

Development	Change of use from 'residential' to 'place of worship', to include extension, internal and external alterations, and all associated site works.
Location	Valhalla, Moyne Road, Baldoyle, Dublin 13, D13 X7P1
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F25A/1213E
Applicant(s)	Clongriffin Community Centre Company Limited
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Appeal
Appellant(s)	Clongriffin Community Centre Company Limited
Observer(s)	None

Date of Site Inspection

23rd June 2026

Inspector

Shane McGlynn

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1.0 Site Location and Description

- 1.1. The appeal site, which has a stated area of 0.4ha, comprises a 2-storey dwelling and 2no. associated single storey outbuildings at 'Valhalla', Moyne Road, Baldoyle, Dublin 13. The site is within a rural cluster of 7no. properties located on the northern side of Moyne Road (R123) within the townland of Maynetown.
- 1.2. The site is bounded by greenfield lands to the north and west and Moyne Road to the south. To the south of Moyne Road is marshland associated with the Mayne River, which drains into Baldoyle Bay approximately 180m east of the site. The site is some 250m south of Portmarnock South and 550m north of Stapolin / Baldoyle, being the nearest urban areas. Access to the site is from Moyne Road, a single carriageway east-west road with a 60km/h speed limit. There is a narrow footpath on the northern side of the road to the west of the site, which terminates at the entrance to the site.
- 1.3. Based on the drawings provided with the application, the existing building at the site comprises a vacant 5-bedroom 2-storey detached dwelling with an overall floor area of c. 284 sq.m. The outbuildings respectively comprise a family room with storage (c. 47 sq.m) and a small shed (no plans provided). The site also includes a driveway, areas of hardstanding to the front and rear of the dwelling and a substantial lawn in front of the dwelling. The dwelling is set back c. 70m from the road in front. The width of the vehicular entrance and driveway is approximately 5m.

2.0 Proposed Development

- 2.1. The proposed development comprises: the change of use of existing ground floor from 'residential' to 'place of worship' (207 sq.m.), to include new ground floor link extension (7 sq.m.) and first floor extension (17 sq.m.), internal and external alterations, and all associated site works.
- 2.2. The first floor of the subject dwelling would remain in residential use as a result of the development. As such, the proposal results in the creation of a 3-bedroom (6-person) apartment at first floor level.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority made a decision to refuse permission on 23rd February 2026 for the following reasons:

1. The proposed development, if permitted, would erode the rural setting of the 'RC' Rural Cluster zoning at this location and be contrary to the vision for RC zoned lands set out on the Fingal Development Plan 2023-2029, which sets to 'provide for small scale infill development serving local needs while maintaining the rural nature of the cluster'. The proposal, with poor connectivity to active and public transport would have a negative impact on the rural setting and the residential amenity of 'RC' Rural Cluster zoned lands and, as such would set an undesirable precedent at this location and within rural areas of the County and would be contrary to proper planning and sustainable development.
2. The proposed development would result in an intensification of use and together with hours of operation and traffic movements would adversely impact on the residential amenity of the area and be contrary to objective DMS082 of the Fingal County Council Development Plan 2023-2029.
3. The development by reason of the substandard nature of the accommodation provided, including the overall floor space provision, the lack of internal storage and the absence of private open space, would result in a poor quality living environment for residents and would consequently seriously injure the amenities of the area, would contravene Objective DMS0198¹ and would be contrary to proper planning and sustainable development.

3.2. Planning Authority Reports

3.2.1. Planning Reports

¹ I note that this objective does not relate to the reasons for refusal and is likely a typographical error. I have concluded under Section 8.4 below that Objective DMS0198 is not relevant to my assessment of the appeal

- 'Place of Worship' is neither 'Permitted in Principle' or 'Not Permitted' under site's 'RC – Rural Cluster' zoning objective, therefore development assessed on contribution to achieving vision of zoning objective.
- Proposal would erode rural setting of site and rural cluster.
- Site is intended to provide housing in a rural setting, therefore loss of housing opportunity is not acceptable.
- Concerns expressed regarding disturbance to residential amenity contrary to Objective DMS082 of the County Development Plan, due to hours of operation, intensification of use, traffic related movements and size of catchment area served.
- Highlights remote rural setting, poor connectivity to active and public transport, wider community.
- Proposed apartment does not meet minimum County Development Plan standards for internal space, private amenity area and storage.
- Proposed car parking quantity aligns with CDP standards for Zone 1.
- Proposal is considered isolated due to absence of transport access and connections and would result in unsustainable travel patterns.
- There is no requirement for appropriate assessment or environmental impact assessment.

3.2.2. Other Technical Reports

- **Parks and Green Infrastructure Division:** No objection subject to conditions.
- **Transportation Planning Section:** A grant of permission subject to conditions was recommended. The following specific issues / items were raised in the report:
 - Required sightlines can be achieved;
 - Quantity of car parking aligns with County Development Plan standards;

- Footpath should be provided by applicant along southern boundary of site;
- Temporary permission could be considered to ascertain and review effectiveness of Mobility Management Plan.
- **Water Services Department:** No objection subject to conditions.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

The Planning Authority have stated that 3no. third party submissions were received.

Concerns raised include:

- Scale, use and intensity of development are not consistent with the 'RC – Rural Cluster' zoning objective.
- Proposal would negatively impact residential amenity and visual character of rural cluster.
- Proposed use conflicts with Green Belt policy, potential loss of biodiversity.
- Development would establish undesirable precedent for rural clusters.
- Inconsistent information regarding car parking provision in application documentation.
- Proposed car parking quantity is insufficient, would result in overspill and traffic hazards.
- Ground floor is capable of accommodating significantly greater numbers of attendees than is stated in the application; limits on attendees and opening hours are not enforceable.
- Potential archaeological sensitivities due to proximity of site to Recorded Monument; not correctly noted on submitted planning application form.
- Application was submitted prior to Christmas holidays when many interested parties would be away.

- Concern at potential overlooking due to position and elevation of proposal relative to neighbouring properties.
- Concern at capacity of local drainage to accommodate development.

4.0 Planning History

4.1. Subject Site

ACP Ref. JP06F.311315: Permission GRANTED for park development project (Racecourse Park) at a c. 84 ha site between Baldoyle/Stapolin and Portmarnock South.

Note: The site boundary for this application includes the site subject and rural cluster, however no works were proposed within this area.

4.2. Adjacent Lands

ACP Ref. PA06F.301908: Permission GRANTED for Greater Dublin Drainage Project in the townlands of Clonshagh, Dubber and Newtown, County Fingal and Dublin City.

Note: The construction phase of this project includes the temporary siting of a construction compound on the adjacent greenfield lands north of the appeal site.

5.0 Policy Context

5.1 Development Plan

The relevant Development Plan is the Fingal County Development Plan, 2023-2029 (as varied) (hereafter, the 'County Development Plan').

Zoning

The appeal site is zoned 'RC – Rural Cluster, with an objective to *“Provide for small scale infill development serving local needs while maintaining the rural nature of the cluster.”* The vision of the zoning objective is to:

“Provide a viable alternative to settlement in the open countryside, and support small-scale infill development by providing the rural community with an opportunity to choose more rural-style housing than is provided within the

Rural Villages, and by facilitating the development of small scale and home-based enterprise among members of the rural community.”

Section 13.1 of Chapter 13 (Land Use Zoning) provides that *“Uses which are neither ‘Permitted in Principle’ nor ‘Not Permitted’ will be assessed in terms of their contribution towards the achievement of the zoning objective and vision.”*

Chapter 3 (Sustainable Placemaking and Quality Homes)

Section 3.5.15.2 (Rural Clusters): *“Development within Rural Clusters will be limited to incremental local growth appropriate to their size and character. For the most part, Rural Clusters provide an opportunity for family members of existing households within the cluster to build a new home, or reuse and adapt an existing structure by sub-dividing large sites. They also provide the rural community with an opportunity to choose more rural-style housing than that which is provided within the Rural Villages.”*

Objective SPQHO67 (Character and Role of the Rural Cluster): *“Permit only development within the Rural Clusters which has regard to the existing character and role of the cluster within the wider rural area, with particular care being taken that clusters do not compete with villages in the services they provide or the role and function they play within their rural area.”*

Chapter 4 (Community Infrastructure and Open Space)

Section 4.5.1.9 (Places of Worship/Multi-Faith Facilities): *“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 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.*

Chapter 14 (Development Management Standards)

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 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.*

Section 14.6.4 (Residential Standards): *“The minimum size of habitable rooms for houses/apartments/and flats shall conform with appropriate National guidelines/standards in operation at the date of application for planning permission.”*

Objective DMSO19 (New Residential Development): Requires that planning applications for residential development comply with the design and floor area requirements set out in relevant Section 28 Ministerial Guidelines.

Section 14.13.3.4 (Apartment and Duplex Units): Requires a minimum provision of 9 sq.m of private open space for 3-bedroom apartments.

Section 14.17.7 (Car Parking): The appeal site is located in Car Parking Zone 1 of Table 14.18 (lands within 800m of BusConnects spine route). The applicable maximum parking standards as per Table 14.19 are 1no. space per 3-bedroom residential unit and 1no. space per 10no. seats for places of worship.

Appendix 8 (Map Based Local Objectives)

Objective No. 71 - *Provide upgrade for all road users along the Mayne Road from the Hole in the Wall Road / Mayne Road Upgrade scheme to the Coast Road junction.*

Strategic Flood Risk Assessment

The southern part of the site (comprising the site access, driveway, front lawn and most of the forecourt parking) is located within Flood Zone A, while the remaining

northern part of the site (comprising the dwelling, outbuildings, side and rear hardstanding areas) is located in Flood Zone C.

5.3 National Guidance

The following Section 28 Ministerial Guidelines are of relevance:

- 'Development Management Guidelines for Planning Authorities' (2007): Section 7.3 provides guidance on the scope of planning conditions.
- 'The Planning System and Flood Risk Management: Guidelines for Planning Authorities' (2009).
- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024): Table 3.8 sets out criteria for evaluating a site's relative level of accessibility.
- 'Planning Design Standards for Apartments: Guidelines for Planning Authorities' (2025): SPPR 2 and Appendix 1 provide quantitative standards for apartments.

5.4 Natural Heritage Designations

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

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

- c. 10m from Baldoyle Bay SAC (site code: 000199)
- c. 180m from Baldoyle Bay SPA (site code: 004016)
- c. 1.5km from North-West Irish Sea SPA (site code: 004236)
- c. 2.5km from North Bull Island SPA (site code: 004006)
- c. 2.5km from North Dublin Bay SAC (site code: 000206)
- c. 2.9km from Malahide Estuary SAC (site code: 000205)
- c. 3.7km from Malahide Estuary SPA (site code: 004025)
- c. 4.4km from Ireland's Eye SPA (site code: 004117)
- c. 4.5km from Rockabill to Dalkey Island SAC (site code: 003000)
- c. 4.6km from Ireland's Eye SAC (site code: 002193)
- c. 4.9km from Howth Head SAC (site code: 000202)

There are no Natural Heritage Areas within 5km of the appeal site.

6.0 EIA Screening

The proposed development does not come within the definition of a 'Project' for the purposes of EIA. The development is not a class specified in Part 1, Schedule 5 or 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. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required. I refer the Commission to the EIA pre-screening form contained in Appendix 1 of this report.

7.0 The Appeal

7.1. Grounds of Appeal

A First Party Appeal was received from Davey + Smith Architects representing the applicant, Clongriffin Community Centre Company Limited, against the decision made by the Planning Authority to refuse permission for the development.

The following is a summary of the grounds of appeal:

- Significant need for place of worship in the local area until such a time as a larger facility can be developed in the area.
- Local area is not traditionally 'rural' in character and becoming increasingly urbanised.
- Development strategy for Portmarnock South provides that all greenfield lands surrounding the site would become open space / ecological buffer areas forming part of the Racecourse Regional Park.
- Construction compound on lands to north of site as part of permitted Greater Dublin Drainage Project further demonstrates departure from rural character.
- Site location in Parking Zone 1 is evidence it is considered a more urban part of the County.

- Submits that the proposal could be conditioned to operate on a temporary basis pending development of larger facility, after which time building would revert to residential use.
 - Notes this was also suggested by Transport Planning Section.
- Site is very accessible via public transport.
 - No significant traffic generation anticipated.
- Expected attendance, hours of operation and traffic movements would not impact on surrounding residents.
 - Submits that facility could be conditioned to facilitate daily prayer sessions only (approximate attendance of 10 people) with larger attendance events taking place off-site.
- Proposed apartment is capable of meeting all relevant standards and providing high standard of accommodation.
 - Alternative layout provided (Appendix D) for 2-bedroom apartment with previous third bedroom to serve as office / study.
 - Minimum standards for accommodation exceeded for 2-bedroom unit.
 - Storage for bulky goods can be provided in ground floor level entrance lobby.
 - Private open space (12 sq.m) provided by way of terrace on existing flat-roof to rear.
 - Submits that a portion of the existing private open space to the front of the site could also provide segregated private open space for apartment.
- Site would not be suitable for infill residential development due to its location in Flood Zone A.
- Proposal would return a derelict structure to active and habitable use.

7.2. Planning Authority Response

The response from the Planning Authority notes the content of the first-party appeal. The Planning Authority request that the Commission support the Planning Authority's decision in this instance.

The Planning Authority request that a financial contribution condition is attached in accordance with their Section 48 Development Contribution Scheme in the event that the Commission decides to grant permission.

8.0 Assessment

Having examined the application details and all other documentation on file, including the contents of the appeal, having inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are the reasons for refusal and are therefore as follows:

- Principle of Development;
- Transport, Traffic and Associated Residential Amenity Impacts;
- Standard of Residential Accommodation;
- Flood Risk;
- Other Matters.

I wish to highlight to the Commission at this juncture that the appellant has submitted a revised layout relating to the first floor of the existing building, which seeks to address the issues regarding compliance with residential accommodation standards identified by the Planning Authority. I have addressed this matter further in Section 8.3.

8.1. Principle of Development

The appeal site is located on lands zoned 'RC – Rural Cluster' under the current County Development Plan, with a stated zoning objective to *"Provide for small scale infill development serving local needs while maintaining the rural nature of the cluster"*.

Place of Worship is neither 'Permitted in Principle' or 'Not Permitted' under this zoning objective. In this circumstance, Section 13.1 of the County Development Plan provides that a proposal is to be assessed in terms of its contribution towards the achievement of the zoning objective and vision.

The vision and supporting guidance of Section 3.5.15.2 (Rural Clusters) and Objective SPQHO67 (Character and Role of the Rural Cluster) of the County Development Plan provide that development within rural clusters is principally intended to be in the form of infill housing at a small scale for members of the rural community. Beyond this, any other forms of development within rural clusters should allow for incremental growth of the rural cluster only and should serve the 'wider rural area' in which the cluster is located.

The County Development Plan does not provide a specific definition for the 'wider rural area' in the context of a rural cluster. I note the appeal site is located in the townland of Maynetown which forms part of greenfield lands between Portmarnock South and the north city fringe. I consider it reasonable to interpret 'wider rural area' in this case to include Maynetown and to extend to adjacent greenbelt lands to the west of the Dublin-Belfast rail line. I consider that it would not be reasonable to extend this definition to the existing / emerging developments of Portmarnock South and Baldoyle/Stapolin farther to the north and south, as these are of a compact urban form, are contiguous with and form a natural extension of the respective large urban areas of Portmarnock and Dublin City.

The grounds of appeal state that the proposed place of worship is intended to serve a wide catchment area encompassing a number of settlements within north Dublin City and County, including Belmayne, Baldoyle, Clongriffin, Donaghmede and Portmarnock. Having regard to the information submitted with the application and appeal, it is noted that the proposed place of worship does not principally serve the rural cluster or wider rural area in which it is located. I consider that this is contrary to the 'RC – Rural Cluster' zoning objective to provide for small scale infill development serving local needs, and I consider that as it does not provide housing, small scale or home-based enterprise for the rural community, it does not contribute to the fulfilment of the vision for this zoning objective and is thereby contrary to the guidance of Section 13.1 of the County Development Plan.

The appellant submits in the grounds of appeal that the area in which the appeal site is located is not traditionally rural in character and becoming increasingly urbanised. They refer in this regard to the planned use of these lands as open space / ecological buffer lands as part of the development strategies for Stapolin/Baldoyle and Portmarnock South, in addition to the planned temporary use of adjacent lands as a construction compound and the cluster's location within Parking Zone 1 of the County Development Plan.

As I have set out above, I consider that the rural cluster currently forms part of a wider rural area which includes greenfield lands between Stapolin/Baldoyle and Portmarnock South. From my site inspection and having reviewed the site description information provided for ACP Ref. JP06F.311315 (see Section 4.0 above), I note that the lands within the rural area mainly comprise former agricultural lands (which now serve as a dedicated bird sanctuary for migratory birds), in addition to active agricultural lands (cattle grazing), rural housing and other ecological amenity lands forming part of the Baldoyle Bay SAC / SPA. I consider that this variety and mix of uses are not incompatible or uncharacteristic of a rural area, having regard to typical mix and variety of uses which occur in rural areas throughout Fingal. As set out above, I also consider this area to be distinct in character from the developing urban areas to the north or south. I therefore do not agree with the appellant's view that planned use of these lands as a future regional park / ecological buffer area would prejudice the rural area or its character. Having regard to the proposals in respect of this future park under ACP Ref. JP06F.311315, I consider that the development of the park would facilitate the continuation of the existing uses within the area. I therefore conclude that the Maynetown rural cluster is located in a defined rural area and that this is the relevant area to which any development proposals within the rural cluster must have regard under the provisions of the 'RC – Rural Cluster' zoning objective and vision.

I consider having regard to the foregoing that the proposed place of worship would not be consistent with the objective and vision of the 'RC – Rural Cluster' zoning of the site, as it would not serve the needs of the local rural area and would not contribute to maintaining the rural nature of the rural cluster.

8.2. Transport, Traffic and Associated Residential Amenity Impacts

The Planning Authority's first reason for refusal states that the proposed place of worship would have poor active travel and public transport connections, while the second reason for refusal raises concerns regarding the traffic movements and hours of operation. The Planning Authority consider that these issues would negatively impact the rural setting and the residential amenities of neighbouring properties, and would thereby be contrary to Objective DMSO82 (Location of Places of Worship).

Objective DMSO82 requires that new places of worship do not create unacceptable traffic congestion or car parking difficulties nor cause a nuisance to existing residents. I have assessed the development against these requirements in turn below.

8.2.1. Traffic Congestion

In relation to my assessment as to whether the development would cause traffic congestion as per Objective DMSO82 of the County Development Plan, I have had regard to the capacity, stated attendance, frequency of events and hours of operation of the place of worship, and to the Traffic Impact Assessment (TIA) submitted with the application.

The place of worship has a stated total capacity for 44no. attendees and I note the ground floor layout illustrates a total of 44no. spaces for attendees across 2no. rooms. The applicant states that 5no. prayer sessions will be hosted each day at times which vary throughout the year (first and last sessions taking place at sunrise and sunset respectively). They anticipate an approximate attendance of 10 people per prayer session. The applicant had proposed at application stage that sessions with larger attendance numbers would take place on Fridays and as part of occasional special events, however they have submitted in the grounds of appeal that a planning condition could be applied to the place of worship to regulate the type of prayer sessions held and to limit the number of attendees to approximately 10 per session.

The TIA includes surveys of traffic volumes on Moyne Road, which were conducted during school term (September 2025) for weekday peak times. The TIA concludes on the basis of the surveys that Moyne Road is moderately trafficked. The trip generation assessment in the TIA is based on a total of 75no. arrivals and 75no.

departures in a given day, and explains that this has accounted for a Friday including the larger prayer session. The TIA concludes that Moyne Road, the site access junction, the Moyne Road / Coast Road junction and Coast Road / Strand Road junction would have sufficient capacity to accommodate the place of worship at full attendance with negligible traffic impacts.

The TIA analysis is based on 75no. trips to/from the site per day, however I note that the capacity of the facility (44no. attendees) and 5no. daily prayer sessions could potentially yield in excess of 200no. daily attendees, based on the floor plans submitted and capacity indicated on same. Even though the larger Friday prayer session is accounted for in the analysis by calculating full attendance of 44no. persons at midday peak time, I consider that the analysis has not adequately demonstrated that the place of worship would not give rise to undue traffic congestion impacts on the local road network, in circumstances where there is a significant increase in the daily number of attendees bearing in mind the total capacity of the facility. I again note that the appellant has proposed that a condition could be attached to restrict the facility to the hosting of regular daily prayer sessions (i.e with special prayer sessions including the larger Friday session hosted off-site) with no more than 10no. attendees at each session. I consider that such a condition would ensure the development does not generate more than 75no. two-way trips per day and would be satisfied on this basis that there would be no undue traffic congestion impacts on the local road network, as required under Objective DMSO82 of the County Development Plan. I therefore recommend that a condition restricting the number of attendees to no more than 10no. per session should be attached in the event the Commission is minded to grant permission.

8.2.2. Public Transport and Active Travel Connectivity

As stated above, the Planning Authority's first reason for refusal notes the poor connectivity of the site to active and public transport in relation to the place of worship's conflict with the site's 'RC – Rural Cluster' zoning objective. I note this issue also relates to parking issues and nuisance arising from places of worship due to their location, as per Objective DMSO82.

The appeal site is within 500m (c. 5 minutes) walking distance of both the outbound and inbound bus stops located on Coast Road (R106). These stops are currently

served by bus routes H2 (Malahide to Dublin City Centre) and 102 (Sutton to Dublin Airport), each of which have peak frequencies of 2 buses per hour. Under the planned BusConnects network redesign, route 102 would be replaced with route L81, which would have a peak frequency of 3 buses per hour. Portmarnock Station, being the closest rail connection, is approximately 2km walking distance from the appeal site, accessed the Portmarnock Greenway and Station Road.

As the site is not served by a reasonably frequent bus service (i.e at least every 15 minutes) and is not within reasonable walking distance of any other public transport options as defined in Table 3.8 of the Compact Settlement Guidelines (2024), it constitutes a peripheral location.

The site does not directly connect to any active travel route but is within 500m of the Portmarnock Greenway, which provides segregated active travel connections to Stapolin/Baldoye and Sutton. Cyclists seeking to access the Place of Worship would need to travel on the carriageway or footpath of Moyne Road. I note that the Greater Dublin Area Cycle Network (NTA, 2022) does not include any proposals for future provision of cycle facilities on Moyne Road. I therefore consider that cycling is not a sufficiently safe or attractive travel option for attendees of the proposed place of worship given the traffic volumes and traffic speeds on Moyne Road. I consider in any case that the benefit of connectivity provided by the Portmarnock Greenway is limited given the wide catchment area for the development as defined by the applicant.

Having regard to the above, I consider that the appeal site is not well served by public transport or active travel connections, in particular in the context of the catchment area for the place of worship as defined by the applicant. Having regard to the information provided in the application and appeal, I consider that place of worship by reason of its poor level of accessibility would likely give rise to high reliance on travel by private car. I consider that this would exacerbate parking issues and impacts to residential amenities arising from the place of worship, and would thereby be contrary to Objective DMSO82 of the County Development Plan. I have assessed the place of worship in further detail below in relation to car parking.

8.2.3. Car Parking

Objective DMSO82 requires that the location of places of worship does not give rise to car parking difficulties.

8no. car parking spaces are proposed at the site, of which 5no. are allocated to the place of worship, 2no. to the residential unit and 1no. accessible space, as set out in the TIA. Table 14.19 of the County Development Plan requires a maximum provision of 1 space per 10 seats for places of worship and 1 space per 3-bedroom dwelling for sites located in Parking Zone 1. Section 14.17.7 of the County Development Plan provides guidance in relation to the application of the parking standards and does not provide for any flexibility to exceed the maximum standards.

Having regard to the County Development Plan parking standards, a maximum standard of 5no. spaces for the development on the basis of the 44no. total prayer space capacity of the place of worship (with no staff noted) and 1no. 3-bedroom apartment. The proposed car parking therefore exceeds the maximum allowance and I note no rationale has been provided by the applicant to address this exceedance. I consider that this therefore constitutes a material contravention of Table 14.19 of the County Development Plan. In accordance with the provisions of Section 37(2)(a) of the Planning and Development Act (2000, as amended), I note that the Commission may grant permission in circumstances where there is a material contravention of the County Development Plan which did not form the grounds of a reason for refusal of the Planning Authority. In this case, given the other substantive reasons for refusal I have outlined in my assessment, including in relation to the principle of development, private amenity space provision and travel needs, it may not be necessary to pursue the matter further.

Having regard to the proposed attendance of 10no. per prayer session and frequency of 5no. sessions per day at the place of worship, the proposed car parking would require a significant majority of attendees to travel to and from the facility by alternative means. As I have set out above, public transport and active travel connections to the site are poor. A Mobility Management Plan (MMP) is included in Appendix F of the TIA, however this does not provide an estimated modal split for the development or a target modal split. The initiatives proposed in the MMP are not specific to the proposed place of worship and many are not of relevance given the nature of the development. I therefore consider that the MMP does not clearly set out

the transport demands and needs of the development in accordance with the guidance of Section 6.5.5 (Mobility Management) of the County Development Plan.

Having regard to the site's public transport and active travel connections, which I have determined above to be poor, in particular in the context of the place of worship's stated catchment area, I conclude based on the information provided with the application and appeal that attendees would be highly reliant on travel to the facility by means of private car. I consider that the proposed quantity of car parking serving the place of worship is not adequate to meet demand and the development would therefore give rise to overspill parking within the site. I consider therefore that the proposal would be heavily reliant on car travel, thereby giving rise to unsustainable travel patterns and to ad hoc car parking on undesignated areas within the site. The site therefore constitutes an unsuitable location for the proposed place of worship of this scale and would thereby be contrary to the requirements of Objective DMSO82 (Location of Places of Worship) of the County Development Plan.

8.2.4. Hours of Operation / Residential Amenity Impacts

As stated above, prayer sessions at the place of worship would take place throughout each day with sessions aligning with sunset and sunrise. This would mean sessions taking place in the early morning and late evening during summer. These times would fall outside of regular operating hours for most public transport and would thereby exacerbate the identified issues arising from the site's poor connectivity.

As set out above, the appeal site is located adjacent to a row of residential dwellings which form the remainder of the Maynetown Rural Cluster. The likely number of daily private car trips to and from the site, as I have assessed above, would be significant in this context. This would give rise to noise and disturbance in the area due to car movements within the site and concentration of attendees in external parts of the site in early morning and late evening hours, which is compounded by the issues of overspill parking within the site as set out above. The proposed development would therefore be contrary to the requirements of Section 14.14.4 (Places of Worship) and Objective DMSO82 (Location of Places of Worship) of the County Development Plan.

8.2.5. Footpath Provision

Moyne Road accommodates a continuous footpath on its northern side, which terminates at the roadside verge in front of the site. The Transportation Planning Section's report recommended that the footpath should be extended along the verge to provide pedestrian access to the appeal site and that works should be at the applicant's expense. Having regard to the relatively short (c. 25m) length of footpath which would need to be provided, I consider this recommendation to be reasonable and proportionate to the scale of the development. I consider that the provision of pedestrian access to the site would be essential to support the proposed development and could be required by appropriate condition in the event the Commission is of a mind to grant permission.

8.3. **Standard of Residential Accommodation**

In relation to residential accommodation, Section 14.6.4 (Residential Standards) and Objective DMSO19 (New Residential Development) of the County Development Plan requires that planning applications for residential development comply with the design and floor area requirements set out in relevant Section 28 Ministerial Guidelines. Section 14.13.3.4 (Apartment and Duplex Units) of provides quantitative standards for private open space provision.

The Planning Authority's third reason for refusal submits that the residential accommodation at first floor level would be substandard due to insufficient provision of overall floor space, internal storage and private open space. The appellant's response to this includes a revised layout presented in the grounds of appeal for the first floor level residential accommodation. This revised layout seeks to address the shortcomings identified by the Planning Authority.

The revised layout comprises a 3D sketch plan of the first floor with no scale or dimensions are included. This does not meet the requirements for plans, drawings and maps as per Article 23 of Part 4 of the Planning and Development Regulations, 2001 (as amended). I therefore wish to highlight to the Commission that consideration of the revised layout submitted with the appeal would not, in my view, be appropriate as it constitutes a materially different proposal to that submitted at application stage and as there is an insufficient level of technical detail provided. I note in this regard that the public notices refer only to the change of use of the

ground floor and to the first floor extension element, therefore any revisions to the existing first floor level residential accommodation would require revised public notices and a full suite of drawings to the appropriate scale in accordance with Article 23 of Part 4. Additionally, the only illustration of the revised layout provided in the grounds of appeal consists of an image of a floor plan which does not include dimensions. I consider this is not sufficient to allow for a comprehensive assessment, in particular as a private terrace is newly proposed.

Accordingly, I have not considered the revised layout and I have confined my assessment to the original development proposal described in the plans and particulars submitted at application stage.

No alterations are proposed to the existing first floor residential accommodation as part of the planning application. I note however from the submitted floor plans that exempted works to the internal layout of the first floor are proposed to take place in tandem with the development in order to provide a self-contained 3-bedroom residential unit with separate access via a proposed staircore. As this is a self-contained residential unit at the first floor of a mixed use building, I regard it as an apartment for the purpose of applying residential standards.

Section 14.6.4 (Residential Standards) of the County Development Plan requires that minimum room sizes are to be assessed on the basis of current national guidance, and I have accordingly had regard to the standards of SPPR2 and Appendix 1 of the 'Planning Design Standards for Apartments: Guidelines for Planning Authorities, 2025' (hereafter, the Apartment Guidelines). Section 14.13.3.4 (Apartment and Duplex Units) of the County Development Plan provides quantitative standards for private open space. Having regard to the specific shortfalls in standards identified by the Planning Authority, I note the following:

- The apartment, not including the recessed balcony and proposed staircore extension, has an overall internal floor area of c. 122 sq.m. This exceeds the 90 sq.m minimum requirement for a 3-bed 5-person unit and I therefore consider it to be acceptable.
- 5 sq.m of internal storage is proposed. This falls short of the 9 sq.m minimum requirement for a 3-bed 5-person unit. The appellant has submitted in the grounds of appeal that the ground floor level of the staircore extension as

proposed at application stage can provide additional storage for the unit to make up the shortfall. I consider this to be an acceptable solution given that the staircore solely provides access to the apartment.

- The apartment is served by an existing 2 sq.m balcony to the front. This falls short of the 9 sq.m minimum private open space requirement for a 3-bedroom unit. The appellant has submitted in the grounds of appeal that a portion of the existing lawn in front of the apartment could also provide segregated private open space for apartment. I consider that this would not provide an adequate standard of private amenity as it is physically separated from the apartment by the shared driveway and car park, which the appellant states would be in use by attendees of the place of worship throughout the day.

On the basis of the above, having regard to the relevant provisions of the County Development Plan, I consider that the first floor apartment is compliant with Section 14.6.4 (Residential Standards) in relation to overall floor area and internal storage, however I consider that the apartment fails to provide a sufficient quantity of suitable private amenity space in accordance with Section 14.13.3.4 (Apartment and Duplex Units). I consider that the shortfall in private open space is significant and that material alterations to the development would be required to address it, therefore I recommend that permission is refused on this basis.

8.4. Flood Risk

The existing building subject of the proposed change of use works is located in Flood Zone C, while the southern portion of the site including the vehicular access, driveway and much of the forecourt parking area is located in Flood Zone A. Having regard to Section 5.28 of the 'The Planning System and Flood Risk Management: Guidelines for Planning Authorities' (2009), the proposal constitutes minor development unlikely to raise flood risk issues, however given that the location of the only access to the site is within Flood Zone A, a Flood Management Plan (FMP) is required as set out in Section 6.5.4 (Access and Egress) of the Strategic Flood Risk Assessment of the County Development Plan. The contents of the FMP are required to be set out in the applicant's Flood Risk Assessment (FRA).

Section 3.2.1 (Fluvial) of the FRA acknowledges the location of part of the site in Flood Zone A and proposes that a site-specific Flood Management and

Emergency Access Plan will be implemented. The FRA states this will include monitoring of OPW flood alerts, temporary suspension of activities during forecast flood events, and provision of clear evacuation and communication procedures.

Given that the proposed place of worship use would result in an increased concentration of people at the site multiple times a day on a daily basis, having regard to the close proximity of the site entrance to the Mayne River and the significant portion of the site on approach to the place of worship which is within Flood Zone A, I consider that the details provided in the FRA do not provide adequate assurance of the feasibility of an emergency access plan. While I accept that the full details of an emergency access plan would be agreed by way of condition, the FRA should provide some outline details of this plan having regard to the requirements of the Strategic Flood Risk Assessment of the County Development Plan, including safe evacuation routes and/or containment proposals, and analysis of the extent and duration of impacts to access/egress during the design flood event.

The Commission may wish to consider the above as a new issue and may wish to seek the views of the parties in relation to the issue. However, having regard to the other substantive reasons for refusal set out below, it may not be considered necessary to pursue the matter.

8.5. Other Matters

The Planning Authority's third reason for refusal states that the development would contravene Objective DMS0198 of the County Development Plan. This objective sets out the requirement to establish a buffer zone of not less than 100m from the odour producing units of wastewater treatment plants. I note there are no wastewater treatment facilities within 100m of the application site and the issue of encroachment on any such facilities or buffer zones was not raised in the planning or technical reports of the Planning Authority. I consider that assessment of the development's compliance with this objective is therefore not relevant to my assessment of the appeal. In relation to the third reason for refusal, I have instead had regard to Objective DMSO19 (New Residential Development), which requires that planning applications for residential development comply with the design and floor area requirements set out in relevant Section 28 Ministerial Guidelines.

9.0 AA Screening

9.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.

9.2. The subject site is located:

- c. 10m from Baldoyle Bay SAC (site code: 000199)
- c. 180m from Baldoyle Bay SPA (site code: 004016)
- c. 1.5km from North-West Irish Sea SPA (site code: 004236)
- c. 2.5km from North Bull Island SPA (site code: 004006)
- c. 2.5km from North Dublin Bay SAC (site code: 000206)
- c. 2.9km from Malahide Estuary SAC (site code: 000205)
- c. 3.7km from Malahide Estuary SPA (site code: 004025)
- c. 4.4km from Ireland's Eye SPA (site code: 004117)
- c. 4.5km from Rockabill to Dalkey Island SAC (site code: 003000)
- c. 4.6km from Ireland's Eye SAC (site code: 002193)
- c. 4.9km from Howth Head SAC (site code: 000202)

9.3. The proposed development comprises the partial change of use of an existing building from 'residential' to 'place of worship'. No nature conservation concerns were raised in the planning appeal.

9.4. 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.

9.5. The reason for this conclusion is as follows:

- The simple nature and limited scale of the proposed works.
- The distance from the nearest European site and lack of connections.
- The outcome of the screening report/determination by Fingal County Council.

- 9.6. 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.
- 9.7. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

- 10.1. The subject site is in a serviced area and is to connect to the existing sewer network. The area in which the site is located is categorised green on Uisce Eireann's Wastewater Treatment Capacity Register, indicating available spare capacity within the network. The proposed works comprise minor alterations and the change of use of an existing vacant dwelling. No significant construction works are anticipated. There are no water courses in the immediate vicinity of the appeal site, with the closest being the Mayne River (code: IE_EA_09M030500) c. 100m to the south.
- 10.2. 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 proposal 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.
- 10.3. 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 subject development is considered to be compliant with the requirements of Article 4 of the Water Framework Directive.

11.0 Recommendation

- 11.1. I recommend that permission be refused for the following reasons.

12.0 Reasons and Considerations

1. The proposed place of worship would not be consistent with the objective and vision of the site's 'RC – Rural Cluster' zoning objective of the Fingal County Development Plan, 2023-2029 (as varied), as it would not serve the needs of the local rural area nor contribute to maintaining the rural nature of the rural cluster, and would not be consistent with the existing character or role of the Rural Cluster contrary to the requirements of Objective SPQHO67 (Character and Role of the Rural Cluster).
2. The proposed place of worship, by reason of poor active travel and public transport connectivity and due to its hours of operation, would result in a significant volume of daily trips to and from the site by means of private car, which would in turn give rise to overspill parking, noise and disturbance impacts on the neighbouring residential area. The proposal would thereby be contrary to the requirements of Section 4.5.1.9 (Places of Worship/Multi-Faith Facilities) and Objective DMSO82 (Location of Places of Worship) of the Fingal County Development Plan, 2023-2029 (as varied).
3. The proposed development fails to provide a sufficient quantity of suitable private amenity space for the first floor level residential unit in accordance with the requirements of Section 14.13.3.4 (Apartment and Duplex Units) of the Fingal County Development Plan, 2023-2029 (as varied) and would therefore result in a poor quality living environment for residents.

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."

Shane McGlynn
Planning Inspector

14th July 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500990-DF-26
Proposed Development Summary	Change of use from 'residential' to 'place of worship', to include extension, internal and external alterations, and all associated site works. The development also results in the creation of a 3-bedroom apartment at first floor level.
Development Address	Valhalla, Moyne Road, Baldoye, Dublin 13, D13 X7P1
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?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ No.
(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)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1.	
☒ No, it is not a Class specified in Part 1.	

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?	
☒ 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.
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold.	
☐ Yes, the proposed development is of a Class but is sub-threshold.	

Inspector: _____ **Date:** _____