



An
Coimisiún
Pleanála

Inspector's Report

PL-500998-DF-26

Development	PROTECTED STRUCTURE: Increase in number of dwelling units from 15 to 20 as granted under ABP-316498-23 & ABP-316504-23.
Location	Lands at Auburn House (Protected Structure) and Little Auburn off the R107 Malahide Road/Dublin Road, Malahide, Co. Dublin.
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F25A/1182E
Applicant(s)	Kinwest Limited
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	Kinwest Limited
Observer(s)	None
Date of Site Inspection	17 th April 2026
Inspector	Aisling MacNamara

1.0 Site Location and Description

- 1.1. The site is located within an existing permitted large scale residential development on lands at Auburn House protected structure within the settlement of Malahide in County Dublin.
- 1.2. The development is currently under construction.
- 1.3. In the permitted development, Auburn House fronts onto a large central open space area. The proposed development relates to the permitted northern and southern housing clusters located northeast and southeast of the main Auburn House and to the north and south of the front field open space.

2.0 Proposed Development

- 2.1. The proposal is for permission for amendments to the previously permitted development on the site granted under F22A/0580, ABP316498 (which was amended by 24A/0811E, 24A/0812E, 25A/0226E) and F22A/0581, ABP316504 (which was amended by 24A/1179E and now also 25A/0857E).
- 2.2. The proposed amendments provide for:
 - An increase in the number of units from 15 no. units to 20 no. units set out in two clusters as follows – the omission of the previously approved house plots no. 22-36 to be replaced by 20 units (Plots 01-08 in southern cluster known as Robin Gardens and Plot 01-12 in northern cluster known as Jackdaw Place).
 - Car parking, boundary treatment, landscaping works including drainage and SuDS that are necessary to accommodate the proposed amendments. This includes remodelling of the attenuation basin and associated berm and planting.

It is proposed to increase the number of units in the northern cluster from 10 to 12.

It is proposed to increase the number of units in the southern cluster from 5 to 8.

The permitted development comprises 3 no. 4 beds, 7 no. 3 bed and 5 no. 2 beds.

The proposed development comprises 3 no. 4 beds, 9 no. 3 beds and 8 no. 2 beds.

3.0 Planning Authority Decision

3.1. Decision

By order dated 19th February 2026, the planning authority refused permission for two reasons:

- 1. The scale and massing of the proposed development is considered to be excessive and, if permitted, would not sufficiently respect the setting, hierarchy and scale of development in the vicinity of the Protected Structure of Auburn House. The additional dwellings would have an overbearing impact on the Protected Structure and would erode the distinctive character being established for the historic core of the demesne lands. It is considered that the proposed development would extinguish the courtyard style pattern of development intended at these cluster locations, would result in overdevelopment and would create a visual perception of encroachment on the Protected Structure. The proposed development would seriously injure the visual and general amenities of the area and would contravene the provisions of the Fingal Development Plan 2023-2029, Policy HCAP12. The proposed development if permitted in this form, would therefore be contrary to the proper planning and sustainable development of the area.*
- 2. The proposed development would be detrimental to the vision set out for the development of lands at Auburn House and Little Auburn House, as set in the parent permissions pertaining to the subject site and, in this form, the proposal for additional dwellings on the courtyard style clusters would see the loss of the identity of these areas, would undermine the legibility of the wider scheme and, as such, create an undesirable precedent within a highly sensitive setting. The proposal would be contrary to good placemaking principles and as such contravene the provisions of the Fingal Development Plan 2023-2029 and Policy SPQHP5, as well as Policy and Objective 4.2 and the requirements set under in Section 4.4 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024.*

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The report of the Case Planner dated 19th February 2026 sets out a recommendation to refuse permission as per the decision.

3.2.2. Other Technical Reports

- Housing Department (23/12/2025) – Submit Part V proposal to reflect the changes to the permitted development; 30% of social housing should be accessible and of universal design.
- Parks and Green Infrastructure Division (05/02/2026) – No objection. Recommend condition for implementation of the submitted tree protection plan.
- Conservation Officer Section (28/01/2026) – Protected Structure Auburn House RPS no.448 is a late 18th century gentlemans residence with later modifications. There are only a small number of these house types in Fingal. The house was set within pastoral or picturesque landscape that was designed to appear ‘natural’ through strategic placed trees and woodland, the use of watercourse and open grassed areas. Auburn House quadrant including the historic house and open lands to the east and dense area of historic planting containing mature trees requires careful handling in relation to design, layout and number of units. The foreground to Auburn House is a sensitive development area (initial Streamstown LAP in 2009 identified the space for open space rather than development). Development in the foreground of Auburn House must be limited in number. The proposal is not appropriate or acceptable for this sensitive section of the overall site. The Auburn Quadrant is the suitable location for higher quality design and materials. The addition of new units into the courtyard clusters erodes the distinctive character being established for the historic core of the demesne lands. There have been a sequence of applications consistently amending the permitted development. In this location the changes are not appropriate and the scheme as previously permitted should proceed. The proposal erodes the small cluster development concept.
- Transportation Planning Section (27/01/2026)

Car parking – The car parking proposal is similar to the previously permitted development which is 1 space per 2-bed unit and 2 spaces per 3-bed and 4-bed unit.

Bicycle parking – The applicant is proposing that the bicycle parking for the houses is to be provided within the curtilage of each unit similar to the previously permitted development.

Conclusion – The Transport Section has no objection to the proposed development.

- Water Services Department (29/01/2026)

Flood risk – no objection

Surface water drainage – no objection subject to (1) no surface water / rainwater is to discharge into the foul system under any circumstances, (2) the surface water drainage must be in compliance with Greater Dublin Regional Code of Practice for Drainage Works

3.3. Prescribed Bodies

- Dublin Airport Authority (26/01/2026)

The proposed development is located in Dublin Airport Noise Zone C – Objective DAO11 of the CDP is to control new residential development / require noise insulation where appropriate within Zone C.

No objection in principle to residential development in Noise Zone C.

DAA requests that the following considerations be applied: The development should align with Noise Management Objectives to protect residential amenity; DAA requests the applicant be required by way of further information to conduct the required noise impact assessments to demonstrate that appropriate levels of indoor and outdoor residential amenity can be achieved having regard to the development location within the noise zones at Dublin Airport; require by condition that purchasers are advised that the development is within Noise Zone pertaining to Dublin Airport and thus is subject to higher aviation noise levels; require by condition the submission of compliance reports verifying the implementation of noise mitigation measures.

3.4. Third Party Observations

None

4.0 Planning History

The relevant planning history is set out below.

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

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

Condition 7(b) requires details of materials, colours and textures of all external finishes to the proposed dwellings within the northern and southern courtyard clusters and all boundary treatments to be agreed in writing with the planning authority prior to commencement of development.

Condition 18 relates to the construction, design, phasing, maintenance and management of public open space and communal open space.

Condition 27 requires all residential units to be provided with noise insulation to an appropriate standard having regard to the location of the site within Noise Zone C for Dublin Airport, to ensure compliance with objective DAO11 of the Fingal CDP 2023-2029 and to protect residential amenity.

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

associated ancillary site development infrastructure. An EIAR and NIS were submitted with this application.

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

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

Little Auburn:

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

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

F25A/0226E – Grant June 2025 – Permission - The proposed development will consist of amendments to the previously permitted development at the subject site, granted under Reg. Ref. F24A/0812E (which previously amended Reg. Ref. F22A/0580 / ABP Ref.

316498-23). The proposed amendments provide for change of 6 no. house plots to amend house typology and associated private open space (Nos. 19, 20, 21, 28, 29, and 30).

Auburn Park:

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

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

New application:

25A/0999E, 500685 ACP (application currently under appeal – due for decision 28/05/2026) – Council decided to Refuse December 2025 – Permission for Amendments to F22A/0580 (ABP-316498-23) and F22A/0581(ABP316504-23) for addition of 2 dwellings with all associated site works.

F26A/0354E – New application submitted 5th May 2026 – Amendments to previously permitted development granted under F22A/0579/ABP316444 – Proposal relates solely to 35 no. houses previously permitted (removal of 1-35 house units, replacement with 31 no. housing units) and associated works.

Other relevant decisions:

ABP 309907 – Refuse July 2021– SHD Application - Demolition of 'Little Auburn' and associated outbuildings, construction of 411 no. residential units (102 no. houses including

preservation of Auburn House and 309 no. apartments), childcare facilities and all other associated site works.

ABP 313360 – SHD Application – withdrawn

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

5.0 Policy Context

5.1. Development Plan

Fingal County Development Plan 2023-2029 (including variations no. 1 and no. 2 adopted 30th March 2026)

The site is zoned RA Residential Area.

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

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

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

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

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

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

Lands at Auburn House are within SFRA Flood Zone areas.

Chapter 3 Sustainable Placemaking and Quality Homes

3.5.1 Healthy Placemaking

Policy SPQHP1 – Healthy Placemaking The Council will support the development and creation throughout Fingal of successful and sustainable settlements which endorse the principles of healthy placemaking and which through a multi-faceted approach to planning, design and management continue to ensure the development of attractive high-quality places to live, work, recreate, visit and invest in, served by a range of local services, provision of quality public realms, diverse and accessible community facilities for all genders, non-binary or none and open spaces for the benefit of the community.

3.5.11 Quality of Residential Development

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

Policy SPQHP35 – Quality of Residential Development Promote a high quality of design and layout in new residential developments at appropriate densities across Fingal, ensuring high-quality living environments for all residents in terms of the standard of individual dwelling units and the overall layout and appearance of developments.

Residential developments must accord with the standards set out in the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG 2009 and the accompanying Urban Design Manual – A Best Practice Guide and the Sustainable Urban Housing; Design Standards for New Apartments (DHLGH as updated 2020) and the policies and objectives contained within the Urban Development and Building Heights Guidelines (December, 2018). Developments should be consistent with standards outlined in Chapter 14 Development Management Standards.

3.5.12 Private, Semi-Private and Public Open Space

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

3.5.13 Compact Growth, Consolidation and Regeneration

Objective SPQHO37 – Residential Consolidation and Sustainable Intensification Promote residential consolidation and sustainable intensification at appropriate locations, through the consolidation and rejuvenation of infill/brown-field development opportunities in line with the principles of compact growth and consolidation to meet the future housing needs of Fingal.

3.5.2 Successful Public Realms including Town Centre First Policy

Policy SPQHP5 – Quality Placemaking Add quality to the places where we live, work, and recreate by integrating high quality design into every aspect of the Plan, ensuring good quality accessible public realms, promotion of adaptable residential buildings, and by ensuring development contributes to a positive sense of place, local distinctiveness and character.

Chapter 8 Dublin Airport

8.5.7 Ensuring Environmental Protection and Sustainability

Objective DAO11 – Requirement for Noise Insulation Strictly control inappropriate development and require noise insulation where appropriate in accordance with Table 8.1 above within Noise Zone B and Noise Zone C and where necessary in Assessment Zone D, and actively resist new provision for residential development and other noise sensitive uses within Noise Zone A, as shown on the Development Plan maps, while recognising the housing needs of established families farming in the zone. To accept that time based operational restrictions on usage of the runways are not unreasonable to minimise the adverse impact of noise on existing housing within the inner and outer noise zone.

Chapter 10 Heritage, Culture and Arts

10.5.2 Architectural Heritage

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

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

Chapter 9 Green Infrastructure and Natural Heritage

9.6.9 Protection of Trees and Hedgerows

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

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

Chapter 14 Development Management Standards

14.6 Design Criteria for Residential Development in Fingal

14.6.4 Residential Standards

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

14.13 Open Space

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

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

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

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

Architectural Heritage Protection Guidelines for Planning Authorities, 2011

Design manual for Urban Roads and Streets, 2019

Urban Development and Building Heights Guidelines for Planning Authorities, 2018

5.3. **Natural Heritage Designations**

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

6.0 **EIA Screening**

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

7.0 **The Appeal**

7.1. **Grounds of Appeal**

A first party appeal has been received from the applicant.

The documentation submitted with the appeal includes the following:

- First Party Appeal Statement (Downey)
- Architects Report on Appeal (Conroy Crowe Kelly)
- Architectural Heritage Report (Sheehan & Barry)

The appeal documentation sets out details on the site location and planning context, planning history and details of the proposed development under F25A/1182E.

The grounds of appeal are summarised as follows:

Request ACP grant permission.

Seeking permission for only 5 additional units – a minor reconfiguration. Proposal is consistent with zoning policies of the site.

Reason for Refusal 1

House design – The scale of housing proposed is similar to that permitted. The proposed houses are two storey and the same as permitted. The overall form of housing is still clustered approach (northern and southern clusters) and while footprint is extended slightly, the hierarchy of space and development remains such that Auburn House continues to be the primary building in the immediate area and clusters are subservient to the house and the rest of the new housing development in Auburn. The design and materials of the houses is as per permitted house types within the area and as per the compliance submission for condition 7 of F22A/0580 and as such should be considered acceptable design.

Communal garden space – The proposed courtyard style design is to remain while also increasing communal open space from 318sqm (permitted layout F22A/0580) to 575sqm (subject application).

Impact on protected structure and visual impact – Streamstown LAP (expired) had a protected viewshed from Auburn House in direction of Malahide Demesne. The proposed housing clusters are located outside of the viewshed and there will be no impact on views from Auburn House. Verified View Montages demonstrate no perceivable impact on views from Auburn House towards proposed houses. Will not impact on character of Auburn House.

Reason for Refusal 2

Precedent of development – There have been numerous amendment applications to the parent permission of development within this site. Precedent is set for amendments.

Planning policies and objectives – The design of the development is consistent with the overall design within the wider Auburn House land in both design and quality. The proposal complies with Compact Settlement Guidelines – (a) layout and design of clusters ensure no impact on Auburn House as focal point in wider development, (b) design of the clusters has been established over multiple pre planning consultations, (c) clusters have

been designed in manner which ensure connectivity to surroundings, (d) houses designed to ensure passive surveillance, (e) houses are of high architectural quality, (f) materials and finishes of the houses ensure high quality materials are used which are durable and enhance visual amenities. The development is compliant with relevant planning policies and objectives and provide high quality development, appropriate mix of housing units and typology, provides sufficient open space and amenities. ACP invited to refer to CCK Architects report in support of the appeal which provides further architectural justification and rationale for the design of the proposal.

Architectural design and layout issues – Architects Report (Conroy Crowe Kelly)

This sets out a design response to the refusal reason. The refusal reason relates to visual intrusion, materials and built form. The adjustments proposed to the permitted scheme do not impact the essential relationship of the development to the defined view shed or alter the proposed materials and finishes of the permitted development. The subject amendment retains the essence of the simple agrarian form of courtyard development permitted under the parent permission. The mass of the two clusters has increased modestly, the result does not lead to any significantly increased impact on Auburn House or wider permitted development.

Impact on protected structure – Architectural Heritage Report (Sheehan & Barry)

There is minor adjustment to scale of northern and southern housing clusters.

Housing types are proposed to have minor adjustments but based on same vernacular and low rise forms as permitted.

Reason no. 1 – From a conservation standpoint, the chief point of interest is whether the proposed changes mark a distinct increase in impact on scale, context, setting and materiality in relation to the previously approved applications as apply to the northern and southern clusters.

One of the principle conservation principles established was designation of ‘view shed’ to preserve the sense of the original character lands within the demesne. Viewsheds are retained as previously established. As such the character remains as permitted. The subject application seeks to consolidate and enhance planting for the perimeter of the view shed which is designed to screen the amended development. Landscape adjustments include adjustments to planting and attenuation basin which do not represent a loss of

character to the landscape character of the view shed area. The proposed change in house forms have been managed so that previously approved and established housing profiles and silhouettes remain as before. The houses sought to recognise the particular importance of their context on the northern and southern edges of the permitted view shed by the use of traditional materials which acknowledge the connection, physical and visual relationship to the original dwelling. Noted that houses within the northern and southern clusters with the subject application employ high quality brick and natural slate materials to acknowledge the context. The changes incorporate improvements to the amenity spaces within the centre of the schemes. This has no discernible impact in conservation terms.

Reason no. 2 – While there is a higher density in the proposal, the fundamental typology of the cluster housing form remains as intended albeit reinforced.

Conclusion – the principle of development at the lands at Auburn House has been established under previous grants of permission and the conservation mitigation and design considerations have been permitted. The reasons for refusal as set out concentrate on issues of enhanced visual intrusion within the view field, materiality and changes to conservation impacts.

This application addresses any potential impacts identified in invalidated F25A/0953E.

7.2. Planning Authority Response

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

- The proposed development is considered to be excessive and if permitted would not sufficiently respect the setting, hierarchy and scale of development in the vicinity of the protected structure of Auburn House which would contravene the provisions of the CDP, Policy HCAP12.
- The applicant has been granted revisions to the parent permission F22A/0580 / ABP316498 in areas that were considered less sensitive. This proposal however would be detrimental to the courtyard style setting of those pockets of development designed as a way of creating hierarchy, legibility and identity granted under the parent permission.
- The proposed development would be contrary to good placemaking principles and as such contravene the provisions of CDP and policy SPQHP5 as well as Policy and

Objective 4.2 and the requirements of Section 4.4 of Sustainable Residential Development and Compact Guidelines for planning authorities 2024.

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

7.3. **Observations**

None

8.0 **Assessment**

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

- principle of development
- impact on protected structure
- design and placemaking
- other matters

8.2. **Principle of development**

8.2.1. The site is located on lands zoned under the Fingal County Development Plan (CDP) as RA Residential Area where the objective is 'to provide for new residential communities subject to the provision of the necessary social and physical infrastructure'.

8.2.2. The proposed development is for amendments to a permitted development F22A/0580, ABP316498 (as amended) and F22A/0581, ABP316504 (as amended) on the site of Auburn House protected structure. The proposal relates to the permitted northern cluster of houses 'Jackdaw Place' and southern cluster of houses 'Robin Gardens'. It is proposed to increase the number of units in the northern cluster from 10 permitted to 12 proposed. It is proposed to increase the number of units in the southern cluster from 5 permitted to 8 proposed.

8.2.3. The proposal to increase the number of residential units on the site is in accordance with higher order strategic objectives such as CDP objective SPQH037 to promote compact urban forms. The proposal is acceptable in principle and is in accordance with the zoning objective for the site.

8.3. **Impact on protected structure**

8.3.1. The planning authority refused permission for reason number 1 which states that the proposal would seriously injure the visual and general amenities of the area and would contravene HCAP12 of the CDP. Policy HCAP12 (interventions to protected structures) is to ensure that interventions to protected structures are guided by architectural conservation principles so that they are sympathetic, sensitive and appropriate to the special interest, appearance, character and setting of the protected structure and are sensitively scaled and designed. The planning authority considers that the scale and massing of the proposed development is excessive, that it would result in an overbearing impact on the protected structure, that the proposal extinguishes the courtyard style pattern of development planned for the site and that the development results in overdevelopment and visual encroachment on the protected structure and erodes the character of the protected structure.

8.3.2. The Architectural Heritage Protection Guidelines for planning authorities sets out guidance for the consideration of proposals impacting protected structures. Conservation principles to guide development are set out in chapter 7 Conservation Principles. Of relevance are sections 7.6 Protecting Special Interest and section 7.13 Avoiding Incremental Damage. I have had regard to the Guidelines in considering the proposal.

8.3.3. The proposal to increase the number of units in each cluster results in an increase in the scale and extent of development within each cluster including an increase in the footprints of each cluster. The separation distance between Auburn House and the northern cluster

is reduced from min 71.3m in the permitted layout to 63.8m in the proposed layout. The separation distance between Auburn House and the southern cluster is reduced from 84.5m in the permitted layout to 78.4m in the proposed layout. The separation between the two clusters is reduced from 83.6m in the permitted layout to 64.4m in the proposed layout. To accommodate the development changes, the size of the front field is reduced and there are minor changes to the route of the path and a small reduction in planting. An Arboricultural Impact Assessment report is submitted and there is no change to the number of existing trees to be retained, which is to remain as per permitted.

- 8.3.4. The character and special interest of a protected structure can be damaged by inappropriate work. The appeal documentation includes an Architectural Heritage Report. This report provides a description of the Auburn House protected structure including the features that contribute to its special character. The Auburn House, its curtilage structures and attendant grounds add up to form a 'gentleman's estate'. The report considers the impact of the proposed amendments on the protected structure. The report notes that the proposed changes do not impact on the 'view sheds' between Auburn House and the grounds and that there is no loss in character to the landscape character of view shed areas. The report comments that the fundamental typology of 'cluster' housing form remains as intended, that housing profiles and silhouettes remain essentially as before and there are minimal changes to visual impacts.
- 8.3.5. The permitted development was laid out in a manner so as to protect the 'view shed' between Auburn House and the eastern open space and that this contributes to protecting the integrity and setting of the protected structure. In the proposed development, the proposed clusters continue to be located behind this viewshed. The verified photomontages submitted show the differences between the permitted and proposed development. Photomontage view no. V48, V51 and V52 show views from Auburn House across the eastern open space and V54, V55, V56, V57 and V58 show views towards Auburn House from the eastern side of the central open spaces and paths. Essentially, the clusters continue to be located behind the circumference planting around the front field and this planting provides a screening buffer in views between the house and front field and the development. As the width of the planting is reduced there is a small increase in visibility, however overall I consider that the increased visibility is minor. The character of this area remains essentially as before with Auburn House, public open space and soft landscaping and planting being the predominant features in views. The house continues to

retain its relationship with the central open space and views from the house towards the eastern open space will continue to be protected and thereby the natural woodland setting of the house is protected.

8.3.6. The planning authority raise concerns that the revisions 'dilute' the originally envisaged low scale 'courtyard' format at the locations of the clusters closest to Auburn House, as a type of 'step down' between Auburn House and the denser more suburban typology within the rest of the development. The courtyards are increasing in size from 10 to 12 and from 5 to 8 units. Considering the scale and size of the overall development, there is a modest increase in numbers. These courtyard clusters continue to represent smaller elements within the overall scheme and are separated visually and functionally from Auburn House. The northern cluster internal courtyard is increased in size from 355m² permitted to 575m² proposed. The southern internal courtyard is increased in size from 175m² permitted to 235m² proposed. Whilst the form of the internal courtyard is altered to accommodate the additional units, it retains its 'courtyard' characteristics whereby the space is enclosed and addressed by the units. The housing typology has changed to accommodate the new units and whilst the clusters are larger in footprint, there is no significant change to the architectural traditional simple form or design, there is no significant change in the proportions of the built forms, there is no change in maximum ground to ridge height levels (which remains at max 7.72m in northern cluster and which remains at max 7.72m in southern cluster) and no change in finishes (which remain high quality and as per agreed condition 7, i.e. natural slate roof, brick facing, aluminium windows, aluminium gutters, composite timber panel front door). I consider that the form, massing, height and finishes of the development are acceptable and that essentially, the proposal retains the features of an informal low rise modest traditional courtyard which is an appropriate design at this sensitive location near the main Auburn House. The courtyards continue to be separated a good distance from Auburn House, they are located behind the lines of trees around the front field. The location, the low rise design and simple traditional design mean that Auburn House continues to hold its dominant position within the overall development.

8.3.7. In terms of cumulative changes, there have been permitted amendments to the overall scheme, however there have been no other amendments to the clusters since the granting of the permitted development. There are no other incremental changes to this part of the overall development which require consideration.

8.3.8. In summary, I consider that the amendments can be accommodated without significantly compromising the visual amenity of the development and without compromising the character or setting of the protected structure. I do not consider that the proposal will have an overbearing impact on Auburn House. I do not consider that the increase to the extent and scale of development is excessive and I do not consider that the proposal amounts to overdevelopment of this sensitive heritage site.

8.3.9. Having regard to the above, I consider that the proposed development is sympathetic to the special interest, appearance, character and setting of the protected structure and is sensitively scaled and designed and that as such the proposal is in accordance with policy HCAP12 of the CDP. I consider that the proposal would not adversely impact on the visual amenity of the scheme and would not adversely impact on the character and setting of the protected structure.

8.4. **Design and placemaking**

8.4.1. The planning authority refused permission for reason number 2 which states that the proposal would be contrary to placemaking principles and would contravene Policy SPQHP5 of the CDP and Policy and Objective 4.2 and the requirements of Section 4.4 of the Sustainable Residential Development and Compact Settlement Guidelines for planning authorities 2024. The refusal reason states that the development would be detrimental to the 'vision' of the development of the lands set by the parent permission.

8.4.2. Policy SPQH5 (quality placemaking) is for the integration of high quality design and to ensure development contributes to a positive sense of place, local distinctiveness and character.

8.4.3. Section 4 of the Sustainable and Compact Settlement Guidelines for planning authorities sets out guidance for quality urban design and placemaking. Policy and Objective 4.2 states the following: *"It is a policy and objective of these Guidelines that the key indicators of quality urban design and placemaking set out in Section 4.4 are applied within statutory development plans and in the consideration of individual planning applications."* The key indicators of quality design and placemaking are set out in Section 4.4 and include sustainable and efficient movement, mix and distribution of uses, green and blue infrastructure and responsive built form.

8.4.4. In considering the development proposal, I recognise that this proposal is part of an overall permitted development under construction and to the design and layout of this overall

scheme. The four indicators of quality urban design and placemaking are considered below:

8.4.5. Sustainable and efficient movement

8.4.6. Both clusters continue to be connected by footpaths and access road to the overall development. The units are provided with a network of pedestrian connections from the front and rear of units to the rear communal open space, the path around each cluster, the wider street network and the path connection to the large central 'front field' open space. The amendment includes revisions to the car parking facilities to serve the occupants of the clusters. Each unit has direct ground floor access and ground floor open space and cycle facilities can be provided within the curtilage. The report of the Council's Transportation Planning Section indicates that the revised car parking and cycle parking proposals are acceptable and they have no objection to the proposals. Residents are facilitated to walk and cycle through a layout and design which allows for safe and comfortable walking and cycling. The layout is not dominated by uptake of space by cars. I am satisfied that the development creates a permeable and legible urban environment and optimises use of sustainable modes and is easy to navigate. The proposal is well connected to the wider scheme. The proposal promotes the sustainable and efficient movement of residents and visitors.

8.4.7. Mix and distribution of uses

8.4.8. It is proposed to increase the number of units within the clusters and to provide a mix of two, three and four bed units. The proposal supports the opportunity for intensification and increased number of these more bespoke courtyard type units. The report of the case planner indicates that the proposal complies with and exceeds the requirements of objective DMSO19 (new residential development) which sets out design and floor area requirements. The Council's internal Housing Department requires the applicant to submit an updated Part V proposal to reflect these changes (noting that 30% of Part V housing is to be fully accessible and of universal design). The proposal facilitates compact housing and provides increased housing choice.

8.4.9. Green and blue infrastructure

8.4.10. The amendments require revisions to the overall open space and landscaping plans for the scheme. The planning authority are satisfied that each of the units are provided with private open space in accordance with the CDP standards. The area of the communal

open space in the northern and southern clusters is increased. This improves the quality and functionality of the space with increased space for play, sunlight etc. The boundary between the private open space and the courtyard is marked by low level brick walls with gates to access the courtyard space. The courtyards are constructed to high standard with paths and green planting. The area of front field 'small park' open space reduces from 1.434ha permitted to 1.0002ha proposed. The Council's Park and Green Infrastructure Division have submitted a report indicating no objection to the proposals. The site contains a considerable amount of public open space in a variety of forms ranging from woodland space, parks and landscaped areas. The amount of public open space provided within the overall site is in accordance with the CDP minimum requirements of Table 14.12. The submitted tree impact report indicates that there is no impact on the number of trees to be retained. A revised landscaping and planting plan is submitted. The proposals allow for the protection and enhancement of natural features. There are a variety of types of open spaces accessible for the use of residents. The drainage proposals have been updated. The proposed surface water drainage network incorporates SuDS features. The Council's Water Services have submitted a report indicating no objection to the proposals. The proposed development places an emphasis on the protection of natural assets and biodiversity.

8.4.11. Responsive built form

8.4.12. As set out above, in the consideration of impacts on protected structure, I consider that the scale, massing and height of the proposal is acceptable, there is a distinctive design strategy and a legible urban structure. The design respects and responds to the built and natural heritage features on the site.

8.4.13. Conclusion

8.4.14. Having regard to the above, I am satisfied that the proposal satisfies the key indicators of quality design and placemaking set out in section 4.4 of the Guidelines and therefore is in accordance with policy objective 4.2 of the Guidelines.

8.4.15. I consider that the proposal incorporates a high quality design that contributes to positive sense of place, local distinctiveness and character and therefore is in accordance with policy SPQHP5 of the CDP for the promotion of quality placemaking.

8.5. **Other matters**

8.5.1. Noise

8.5.2. Dublin Airport Authority has submitted a report indicating no objection to the development and raising that further information should be requested for the submission of a noise impact assessment having regard to the location of the development site within the noise zones at Dublin Airport and noting objective DAO11 of the CDP. The proposed development is an amendment to the permitted development. Condition 27 of ABP316498 requires all units to have noise insulation to an appropriate standard having regard to DAO11 and the location of the site in Noise Zone C. It is a standard condition that the development be carried out in accordance with the conditions of the parent permission. As such, this issue is addressed.

9.0 **AA Screening**

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

9.2. There are no Natura 2000 sites located on the site or in proximity to the site. The closest Natura 2000 sites are:

- Malahide Estuary SPA located c 1km from the site
- North-West Irish Sea SPA located c 3.5km from the site
- Baldoyle Bay SPA located c 3.4km from the site
- Ireland's Eye SPA located c 7.7km from the site
- Malahide Estuary SAC c 1km from the site
- Baldoyle Bay SAC c 3.4km from the site
- Rockabill to Dalkey Island AC c 7km from site
- Ireland's Eye SAC c 7.7km from the site

9.3. This development proposal is for an amendment to an already permitted residential development on the overall lands for 255 units. A Natura Impact Statement was submitted for the originally permitted development. The Board concluded that the proposed development would not adversely affect the integrity of a European site in view of the sites conservation objectives. The permitted development includes implementation of mitigation

measures for the purpose of protecting European sites. As the subject proposal is an amendment to the originally permitted scheme, these measures apply to the subject development.

- 9.4. The permitted scheme has been subject to permitted amendments which has reduced the number of units permitted on the site to 230 units (24A/0811E, 24A/0812E, 25A/0226E, 24A/1179E, 25A/0857E). The subject application would increase the number of units to 235 units. I also note the new applications proposed under 25A/0999E (currently on appeal) and F26/03541E (currently with planning authority) which are yet to be decided.
- 9.5. The proposed units are to connect to the existing permitted foul and storm water drainage networks. There are no direct connections to the Natura 2000 site network. The proposal would not result in any emissions beyond those already permitted. The proposed works do not impact on any trees. There is no significant impact on habitats.
- 9.6. Having regard to:
- the modest and domestic nature and scale of development proposed,
 - the distance to the European site network,
 - the lack of any new significant impacts arising from the subject development, taking into account the impacts in combination with permitted development on the site,

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

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

10.0 **Water Framework Directive**

- 10.1. An assessment of the proposed development has been undertaken in accordance with Article 4 of the EU Water Framework Directive including relevant EPA guidance including best practice in sustainable drainage design.
- 10.2. The proposed development is located in the Liffey and Dublin Bay WFD catchment and Mayne_SC_010 subcatchment. There are surface water drainage ditches / streams

traversing the overall development site. These drain to the Sluice 010 (poor status, under review).

- 10.3. The site overlays the Dublin ground water body (good status, under review). Foul effluent is to discharge to the public wastewater network and the Malahide WWTP with final outfall to Broadmeadow transitional water body (moderate status, at risk, wastewater pressure) and Malahide Bay coastal water body (moderate status, at risk, wastewater pressure).
- 10.4. The proposed development is an amendment to a permitted development. The permitted development includes water services infrastructure. The permitted surface water network incorporates Sustainable Drainage Systems (SuDS) designed to replicate greenfield runoff rates and provide treatment of surface water prior to discharge. The permitted foul network is designed to relevant standards to discharge to the public wastewater system.
- 10.5. The permitted development has been amended. In combination with the permitted amendments, the proposed amendment results in an overall reduced loading on the permitted infrastructure.
- 10.6. The permitted development includes the implementation of mitigation measures that protect water bodies. As the subject development is an amendment to the permitted development, these mitigation measures apply to the subject proposed development.
- 10.7. There will be no increase in pollutant loading or alteration of the receiving waterbody's hydrological regime arising from the subject development and no risk of deterioration in water quality or ecological status.
- 10.8. The proposed development will not impact on the achievement of environmental objectives for any water body and is therefore considered compliant with the requirements of Article 4.

11.0 Recommendation

I recommend permission be granted.

12.0 Reasons and Considerations

Having regard to the objectives of the Fingal County Development Plan 2023-2029 (as varied) and objectives of this plan, the Sustainable Residential Development and Compact

Settlements Guidelines for Planning Authorities, the Architectural Heritage Protection Guidelines for Planning Authorities, the permitted development on the site, the height, scale, layout and form of development, it is considered that subject to compliance with the conditions set out below, the proposed development would not adversely affect the built heritage or character and setting of the protected structure on site, would support high quality design and placemaking, would not seriously injure residential or visual amenities or the natural environment of the area or of property in the vicinity and would not be prejudicial to public health or traffic safety. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1	<p>The development shall be carried out in accordance with the plans and particulars submitted with the planning application except as may be otherwise required by 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 the development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: To clarify the plans and particulars for which permission is granted.</p>
2	<p>Apart from any departures specifically authorised by this permission, the development shall comply with the conditions of the parent permission Register Reference F22A/0580 (ABP316498) and F22A/0581 (ABP316504), unless the conditions set out hereunder specify otherwise. This permission shall expire on the same date as the parent permission.</p> <p>Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission(s).</p>
3	<p>Prior to commencement of this development, the following shall be submitted to and agreed in writing with the planning authority:</p>

	<p>(a) details of the materials, colours and textures of all external finishes to the proposed dwellings and all boundary treatments and residential units;</p> <p>(b) updated parking management plan, identifying car parking spaces to be assigned permanently and solely for residential units, including details for how all spaces are to be assigned segregated by user and continually managed;</p> <p>(c) updated public lighting proposals and details of the design, layout, finishes, road markings, signage of roads, footpaths and parking areas;</p> <p>(d) updated proposals for development name and numbering scheme and any signage;</p> <p>(e) updated proposals for the management of communal and public areas not to be taken in charge by the local authority.</p> <p>Reason: In the interest of orderly development, to protect the amenities of the area, and to ensure that the development shall be in accordance with the permission and that effective control be maintained.</p>
4	<p>Prior to the commencement of development the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for service connection(s) to the public water supply and/or wastewater collection network.</p> <p>Reason: In the interest of public health and to ensure adequate water/wastewater facilities.</p>
5	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such</p>

	<p>agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>
6	<p>Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority [in relation to the transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended], unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Coimisiún Pleanála for determination.</p> <p>Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan for the area.</p>
7	<p>Prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant residential units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p>

<p>Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.</p>

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Aisling Mac Namara
Planning Inspector

22nd June 2026

Appendix 1: Form 1 - EIA Pre-Screening

Case Reference	500998
Proposed Development Summary	Increase in number of dwelling units from 15 to 20 as granted under ABP-316498-23 & ABP-36504-23.
Development Address	Lands at Auburn House (Protected Structure) and Little Auburn off the R107 Malahide Road/Dublin Road,, Malahide, Co. 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? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.	

<p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>Schedule 5, Part 2,</p> <p>10 (b) (i) Construction of more than 500 dwelling units</p> <p>10 (iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.</p> <p>13(a) Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part1) which would: (i) result in the development being of a class listed I Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and (ii) result in an increase in size greater than 25 % or an amount equal to 50% of the appropriate threshold whichever is greater</p>

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

Inspector: _____ Date: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	500998
Proposed Development Summary	<p>Amendments to permitted residential scheme to allow for increase in number of units within permitted northern and southern clusters from 15 to 20 with all associated site works on lands with protected structure.</p> <p>The permitted scheme contained an EIAR. The EIAR set out measures to mitigate adverse impacts on the environment.</p> <p>The permitted scheme has been subject to amendments.</p>
Development Address	Lands at Auburn House (Protected Structure) and Little Auburn off the R107 Malahide Road/Dublin Road,, Malahide, Co. Dublin.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
<p>Characteristics of proposed development</p> <p>(In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<ul style="list-style-type: none"> - Proposed residential use is compatible with the permitted development on the site. - Modest size and intensity of development - Localised impact on natural resources - Connection to public water and foul network. Surface water disposal via SuDS and outfall to drainage streams. - Modest production of waste - No significant risk of pollution or nuisance - No significant risk of accidents / disasters to human health
<p>Location of development</p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<ul style="list-style-type: none"> - Urban area, site located within settlement boundary - Local ecology only on site. - No impact on trees to be protected. - Site on lands of protected structure. - Potential for archaeology. - No sites designated for natural heritage within the range of the site.
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent,</p>	<p>Having regard to the following:</p> <ul style="list-style-type: none"> - Modest scale of the development proposal to amend the development permitted on the site, - lack of significant environmental sensitivities on the subject site,

nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	<ul style="list-style-type: none"> - the measures to mitigate adverse environmental effects under 'parent' permitted developments. - absence of significant in combination effects, <p>there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</p>
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment. x	EIA is not required.

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)

Appendix 3: Water Framework Directive Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	500998	Townland, address	Lands at Auburn House (Protected Structure) and Little Auburn off the R107 Malahide Road/Dublin Road,, Malahide, Co. Dublin.
Description of project		5 additional units within permitted development ancillary site works	
Brief site description, relevant to WFD Screening		Stream/ ditches within overall site but no features directly at the subject site. Front field is a dry detention basin (attenuation basin increased from 1900m ³ to 2280m ³).	
Proposed surface water details		Connect to permitted surface water drainage network.	
Proposed water supply source & available capacity		Public mains	
Proposed wastewater treatment system & available capacity		Connect to permitted foul sewers and new pumping station. Engineering Assessment Report states that new pumping station has capacity to accommodate the subject amendments including permitted amendments. Public sewer connects to Malahide WWTP. UE Capacity Register 2026 indicates that Malahide WWTP has spare capacity available.	
Other issues			

Step 2: Identification of relevant water bodies and Step 3: S-P-R connection

Identified water body	Water body name(s) (code)	WFD status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface runoff, drainage, groundwater) Consider all phases	Mitigation measures SuDS proposed	Is mitigation sufficient? Will there be any residual impacts?
Ground	Dublin	Good	Review	-	Construction direct to ground Storm water to ground (filter drains/attenuation basin)	CEMP (condition 21 of ABP316498) SuDS and Storm Water Management Plan in accordance with Greater Dublin Strategic Drainage Study GSDSDS and SuDS Manual Ciria C753.	Acceptable
Surface	SLUICE_010	Poor	Review	-	Storm water discharge via drainage network	SuDS and Storm Water Management Plan in accordance with Greater Dublin Strategic Drainage Study GSDSDS and SuDS Manual Ciria C753.	Acceptable
Surface	GAYBROOK_010	Poor	Review	-	Storm water discharge via drainage network	SuDS and Storm Water Management Plan in accordance with Greater Dublin Strategic Drainage Study GSDSDS and SuDS Manual Ciria C753.	Acceptable