



An
Coimisiún
Pleanála

Inspector's Report

PL-501080-DF-26

Development

Demolition of structures, construction of 86 dwellings with all associated site works. NIS submitted with application

Location

A site comprising The Orchard and The Orchard Gate Lodge, Carpenterstown Road, Dublin 15, D15R2RV &, D15XPW4

Planning Authority

Fingal County Council

Planning Authority Reg. Ref.

FW25A/0380E

Applicant(s)

B&C Contractors Carpenterstown Limited

Type of Application

Permission

Planning Authority Decision

Grant Permission

Type of Appeal

Third Party v. Condition

Appellant(s)

John Byrne
Alan and Aimee Fitzpatrick

Observer(s)

None

Date of Site Inspection

17 June 2026

Inspector

Cáit Ryan

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1.0 Site Location and Description

- 1.1.** The subject site is located at Carpenterstown Road, Dublin 15. The M50 flyover is approx. 90m to the south east as the crow flies. Coolmine Railway Station is approx. 1.3km walking distance to the north west, which adjoins the Royal Canal. There is a local centre approx. 600m to the west, located north of Tir na nÓg Park and east of Castleknock Community College.
- 1.2.** The area is characterised generally by both established and more recently constructed housing estates, such as the small 14-unit Outfarm Wood scheme on the opposite (northern) side of Carpenterstown Road. A new, large apartment scheme Balroy Hall is located to west of the appeal site.
- 1.3.** The overall 1.9ha site is roughly square-shaped, save for a narrow linear area extending along Carpenterstown Road. There is a dwelling and gate lodge on site. The site is bounded –
- To north by Carpenterstown Road
 - To south (rear) by Mulberry Park and Mulberry Drive
 - To east by Mulberry Crescent, Mulberry Court and by Ros na Rí, a detached house on large grounds on a corner site which has frontage to Carpenterstown Road to north and to east.
 - To west by Balroy Hall apartment scheme, directly west of which is Winterwood, a substantial dwelling house on large grounds, and which appears unoccupied.
- 1.4.** There is a signalised crossroads approx. 110m east of the site, from which the separate cul-de-sac residential developments at Bracken Park (to north) and College Gate (to east) are accessed. Carpenterstown Road continues in a southerly direction from this junction under the M50 and then curves in an easterly direction past Castleknock College grounds towards the signalised crossroads at Tower Road/College Road/White's Road.
- 1.5.** On site visit, I noted that there is an irregular-shaped area of open space to south of Mulberry Park. There are mature trees/hedgerow to west and south of this open space area, which bound a large meadow-type area at the Diswellstown residential scheme to west and south west of Mulberry Park. This 'meadow' area is at a higher

ground level to the open space at Mulberry Park. There is no pedestrian or vehicular access between this open space at the Mulberry housing estate and the adjoining 'meadow' area in the Diswellstown scheme.

2.0 Proposed Development

2.1. Permission is sought for the following on a c.1.6ha site

- Demolition of dwelling and gate lodge (c.1,140sqm)
- Construction of 86no. residential units comprising 42no. 3-storey houses and 44no. apartments in a part 5- to part-6 storey building
- Widening of existing vehicular access; pedestrian access along Carpenterstown Road; car parking, bicycle and motorcycle parking spaces, single storey bicycle store; bin storage; landscaping; boundary treatments; and all associated site works above and below ground
- The total site area is c.1.94ha including the development site, road works and infrastructural works. Works are proposed along Carpenterstown Road to facilitate continuation of the existing cycle lane to the west and connections into existing wastewater, surface water and watermain infrastructure.

2.2. The breakdown of 86no. unit types is as follows:

Houses (42no.): 6no. 3 bed units
 36no. 4 bed units

Apartments (44no.): 13no. 1 bed units
 31no. 2 bed units

2.3. Documentation lodged with the application includes the following:

- Planning Report
- EIA Screening Report
- Natura Impact Statement (NIS)
- Social Infrastructure Audit
- Design Statement

- Ecological Impact Assessment
- Infrastructure Design Report
- Traffic and Transport Assessment Report
- Design Statement
- Resource Waste Management Plan
- Construction & Demolition Environmental Management Plan (CDEMP)
- Landscape Report
- Arboricultural Assessment Impact & Tree Protection Report
- Bat Assessment
- Building Lifecycle Report
- Demolition Justification
- Energy and Utilities Statement
- Daylight and Sunlight Assessment
- Fingal County Council Letter of Consent
- Housing Quality Assessment
- Operational Waste Management Plan
- Public Lighting Report
- Stage 1 Road Safety Audit Report
- Letter of consent from owner of part of lands
- Part V Validation Letter
- Schedule of Accommodation
- CGIs and Verified Views

2.4. Following a request for Further Information (FI), the scheme was modified and re-advertised. The Significant Further Information (SFI) show does not amend the overall number of residential units (86no.) Main amendments to the scheme originally lodged are as follows:

- The red line boundary is amended along the southern site boundary, to take account of the proposed pedestrian connection into Mulberry Park
- Revised boundary treatment along southern and part of eastern site boundaries, to comprise a 2m high rendered and capped blockwork wall
- The footprint and alignment of the apartment block is amended. Its separation distance to the eastern boundary has been increased from c. 6.2m-9.7m range to 8m-10.29m range.
- The proposed vehicular entrance has been re-positioned from near the western end of road frontage further to the east, whereby it is relocated to just west of the apartment block.
- The breakdown of the 42no. proposed houses is amended to –
 - 4no. 3-bed units
 - 38no. 4-bed units

Composition of apartments (13no. 1-bed & 31no. 2-bed) remains unchanged.

2.5. In addition to revised plans and particulars, documentation lodged with SFI response includes:

- Planning consultant's Response to a Request for Further Information – Summary Report
- Housing Quality Assessment
- Schedule of Accommodation
- Landscape Strategy

3.0 Planning Authority Decision

3.1. Decision

Following a request for Further Information, the planning authority made a decision to grant permission for 86no. residential units subject to 40no. conditions, including:

Condition 1: Development shall be carried out in accordance with application lodged

and Significant AI received on 12 January 2026, save as required by other conditions

Condition 13: Agree revised site layout prior to construction addressing (a) front boundary set back 6.0m from nearside road edge of Carpenterstown Road

Condition 14: Submit and agree (b) revised taking in charge layout and (e) parking and cycle management plan for the apartments

Condition 15: A pedestrian link, to be permanently open and without gates, shall be facilitated from the development by the applicant/developer to Mulberry Park.

Reason: In the interest of public safety and the sustainable development of the area.

Condition 17: Comply with (d) Residential Travel Plan/Mobility Management Plan and appoint Mobility Management Coordinator

Condition 18: Submit and agree revised landscape plan

Condition 25: Implement all mitigation measures in Bat Assessment dated June 2025

Condition 26: (a) If any potential bat roosts are identified, developer shall apply for Derogation Licence in accordance with Regulation 54(2) of European Communities (Birds and Natural Habitats) Regulations, 2011

(b) Subject to any requirement to obtain Felling Licence from Dept. of Agriculture, Food and Marine, removal of mature trees should not occur during 1 Mar. – 31 Aug.

(c) Undertake badger survey before works. If active badger setts are located, adhere to NRA Guidelines for treatment of setts prior to construction of road schemes

Condition 27: Implement all mitigation measures in NIS and related documentation

Condition 28: On completion submit environmental report confirming all works completed in accordance with mitigation measures in NIS and related documentation

Condition 29: (a) engage archaeologist to monitor topsoil stripping. (b) should archaeological material be found, archaeologist shall have work stopped and be prepared to be advised by Department regarding mitigation (c) furnish planning authority and National Monuments Service with report describing monitoring results.

Condition 38: Lodge bond of €688,000 or €344,000 cash sum

Condition 39: Pay €197,483.53 financial contribution in lieu of open space provision

Condition 40: Pay contribution of €1,470,596.40

3.2. Planning Authority Reports

3.2.1. Planning Reports

Planner's Reports (28 October 2025, 04 March 2026)

First Planer's Report considers proposed density acceptable, that extent of public open space requires clarification, that increased separation distance required between apartment block and eastern site boundary, notes internal reports and submissions received. It states that there is no real likelihood of significant effects on the environment and thereby no requirement for EIA and that Council has determined that the proposed development is not likely to have a significant effect on any European sites, either alone or in combination with other plans or projects, and therefore AA is not required.

Recommendation for Further Information on 8no. Items reflects Planner's Report.

Planner's Report is endorsed by Senior Executive Planner.

Second Planner's Report notes revised apartment block, shortfall in public open space provision, proposed patio levels in rear gardens of dwellings 33-42 and considers the SFI response to be acceptable. Grant of permission subject to 41no. conditions is recommended.

Planner's Report is endorsed Senior Executive Planner.

3.2.2. Other Technical Reports

Parks and Green Infrastructure Division (09 October 2025, 27 January 2026):

First Report: No objection. If FI requested, required information is set out.

Second Report: No objection subject to conditions.

Air & Noise Unit: (10 October 2025, 18 February 2026):

First Report: Recommends FI. Second Report: Recommends conditions

Public Lighting Section (03 October 2025, 12 January 2026):

First Report: Recommends FI. Second Report: Recommends conditions.

Architects Department (06 October 2025): Recommends elements be reconsidered.

Environment Section (Waste Enforcement & Regulation) (08 October 2025, 08 January 2026): First Report: Recommends FI. Second Report: Recommends condition

Transportation Planning (15 October 2025, 19 February 2026) First Report: Recommends FI. Second Report: No objection subject to conditions.

Water Services Department (01 October 2025, 21 January 2026): First Report: No objection subject to conditions. Second Report: No objection subject to conditions.

Housing Department (18 September 2025): Recommends condition.

Ecologist (03 March 2026): No alteration to initial assessment.

External Consultant Report (23 October 2025): Review of Appropriate Assessment (AA) and of applicant's AA Screening Report and NIS:

Review of NIS:

- NIS states that 4no. European sites (South Dublin Bay and River Tolka Estuary SPA, South Dublin Bay SAC, North Dublin Bay SAC and North Bull Island SPA) are within zone of influence (Zol) due to potential hydrological connection via local network of drainage ditches and concludes NIS required.
- Reference to River Slaney is typographical error and it can be assumed 4no. listed European sites are screened in
- Presence of pathway, particularly one as tenuous as link between site and Dublin Bay, direct or not, does not automatically mean that significant effects are likely. It is doubtful that significant effects on any European sites are likely.
- No assessment of adverse impacts is provided, other than statements (Tables 18 & 20) that potential deterioration in water quality could have indirect effects on SCI features for which South Dublin Bay and River Tolka Estuary SPA and North Bull Island SPA are designated.
- Mitigation measures proposed are standard measures

AA Screening

- 19no. Natura 2000 sites listed in potential Zol. 4no. sites screened in
- European sites associated with Dublin Bay are between 10km - 12km from

site. There is possible hydrological link to Dublin Bay via a ditch, leading to a stream, that enters River Liffey. Applicant has screened in for AA on basis of potential construction phase pollution of downstream waters only.

- Infrastructure Design Report states existing dry ditches identified on site and no other formal water feature evident. Notwithstanding NIS statement that potential hydrological connection between drainage ditches that border site and unnamed stream to east cannot be ruled out, planning authority can be satisfied that proposal will not impact watercourses or designated sites via hydrological pathway
- Mitigation measures in NIS (CDEMP) are standard construction industry methodologies

Conclusion

- Proposed development, individually or in combination with other plans or projects would not be likely to have significant effect on South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and the North Bull Island SPA, or any other European site, in view of sites' Conservation Objectives and having regard to nature and scale of proposal, its location, significant separation distance and lack of any realistic pathway.
- proposed development would not be likely to give rise to significant effect individually or in combination with other plans or projects on any European site
- No requirement to proceed to Stage 2 Appropriate Assessment

Note

- If planning authority seeks FI, recommends submitted documentation be reviewed, and revised/updated to take account of changes to design/ construction methodology, or assessment of potential environmental impacts.

3.3. Prescribed Bodies

Department of Housing, Local Government and Heritage in a letter dated 8 October 2025 states

- With regard to archaeology, that given the scale, extent and location of the proposed development it is possible that subsurface archaeological remains

could be encountered during construction phases that involve ground disturbance. It recommends a condition be included in any grant of planning permission relating to archaeology.

- With regard to nature conservation, it is of the view that this development has potential to disturb -
 - roosting habitat of a population of bat species listed under Annex IV of EU Habitats Directive (Council Directive 92/43/EEC)
 - nesting birds protected under Section 22 of Wildlife Act 1976 (as amended).
 - badger sett due to scrub habitat in the proposed development. Badgers and their setts are protected under Wildlife Act 1976 (as amended).

This potential impact would be caused by

- Removal of mature trees, which may host protected resting places of bat species and potentially disturbing breeding places of nesting bird species
- Demolition of dwelling and gate lodge, identified as possible bat roosting locations.
- Removal of Scrub habitat, commonly used as location for badger setts.

To mitigate potential impacts, it recommends the following conditions:

- If any potential bat roosts are identified, developer must apply for Derogation Licence in accordance with Regulation 54(2) of European Communities (Birds and Natural Habitats) Regulations, 2011. Adhere to mitigation in 'Bat assessment'.
- Subject to any requirement to obtain Felling Licence from Forest Service of Department of Agriculture, Food and the Marine, any removal of mature trees should not occur within the period of 1 March to 31 August.
- Badger survey be undertaken before any works take place. If any active badger setts are located, NRA Guidelines for treatment of setts prior to construction of road schemes' is adhered to.

Uisce Éireann (UÉ) in a letter dated 10 October 2025 states that a Confirmation of Feasibility CDS25001335 has issued advising that water and wastewater connections are feasible. It outlines:

- Water Connection - Feasible without infrastructure upgrade by Uisce Éireann

- Wastewater Connection - Feasible subject to upgrades

Approx. 150m of network extension will be required to facilitate this connection.

These extension works are not currently on an Uisce Éireann investment plan therefore, the applicant will be required to fund these local network upgrades. Fee will be calculated at a connection application stage.

It sets out standard conditions relating to connection agreements, compliance with UÉ standards, and requirements where applicant proposes to build over or divert existing water or wastewater services.

Department of Defence in a letter dated 22 September 2025 outlines that given the proximity to Casement Aerodrome, operation of cranes should be coordinated with Air Corps Air Traffic Services, no later than 30 days before use.

3.4. Observations to the Planning Authority

41no. observations were received by the planning authority, 4no. of which were received further to Significant FI advertised.

2no. observations were received from public representatives, namely Cllr. John Walsh and Emer Currie TD.

The issues raised are summarised as security and antisocial behaviour concerns, parking, traffic and emergency access, pedestrian and cycle access to Mulberry Park, inadequate public open space, overdevelopment, overshadowing and overbearing effects, height, loss of privacy, social infrastructure and public transport impacts, undesirable precedent, conflict with Development Plan objectives, biodiversity risks, tree removal and habitat loss, impacts on bats, noise and disturbance.

4.0 Planning History

Subject Site:

There is no recent planning history on the subject site.

Sites in the Vicinity:

P.A. Ref. SHDW/021/19 and ABP-309126-21: Permission granted in 2021 for

192no. apartments are Balroy House, Carpenterstown Road. This scheme has been implemented as 'Balroy Hall' and adjoins the appeal site to the west.

P.A. Ref. LRD0056/S3E and ACP-322813-25: Permission granted in 2025 for 175no. residential units at Winterwood, a site located directly west of Balroy Hall. As viewed on site visit, construction had not commenced on site to date.

5.0 Policy Context

5.1. Fingal Development Plan 2023-2029, as varied

The subject site is located within the Core Strategy's 'Blanchardstown', and within 'Dublin City and Suburbs' area; Fig. 2.1 Core Strategy Map refers.

2no. Variations to Fingal Development Plan 2023-2029 have been adopted in 2026, as set out below.

- Variation No. 1 (adopted 30 March 2026) varies a number of sections of the Plan, particularly population and housing projections, to take account of National Planning Framework First Revision April 2025. It replaces Table 2.14: Core Strategy – 2023 -2029 Fingal Development Plan which shows a projected housing demand of 1,625no. units for the City and Castleknock Local Electoral Area (in which the site is located) with a higher figure of 1,782no. units.

No specific amendments are shown at or in the immediate vicinity of the subject site. Approx. 2km to north east, the previous specific objective Long Term Strategic Reserve at Dunsink (comprising 435.9ha) has been amended to Urban Area Plan.

- Variation No. 2 (adopted 30 March 2026) relates to rezoning of lands at Barberstown Lane South, Barnhill, approx. 4.5km north east of the subject site, and is not relevant to the subject case.

Vol. 1: Written Statement

There is an extensive number of policies and objectives in the Development Plan relevant to the proposed development, a number of which are outlined below.

Chapter 13: Land Use Zoning

The site is zoned RS – Residential, whereby it is an objective to provide for residential development and protect and improve residential amenity. The vision is ensure that any new development in existing areas would have a minimal impact on and enhance existing residential amenity.

Chapter 2: Planning for Growth Core Strategy Settlement Strategy

Policy CSP2 – Compact Growth and Regeneration

Objective CSO6 – Phased Development

Policy CSP14 – Consolidation and Re-Intensification of Infill/Brownfield Sites

Policy CSP17 – Socially and Economically Balanced Sustainable Communities

Policy CSP18 – Promotion of Residential Development

Objective CSO17 – Mixture of House Types

Objective CSO20 – Network of Pathways/Cycleways

Policy CSP20 – Blanchardstown

Chapter 3: Sustainable Placemaking and Quality Homes

Objective SPQHO1 – Sustainable Communities

Objective SPQHO2 – Key Principles

Policy SPQHP35 – Quality of Residential Development

Objective SPQHO31 – Variety of Housing Types

Objective SPQHO34 – Integration of Residential Development

Chapter 4: Community Infrastructure and Open Space

Objective CIOSO51 – Permeability Ensure permeability and connections between public open spaces including connections between new and existing spaces, in consultation with residents.

Chapter 6:

Objective CMO3 – Integration of Public Transport and Development: Facilitate high-density, mixed-use development and trip intensive uses along public transport corridors and to ensure integration of high-quality permeability links and public realm in conjunction with public transport services delivery through plan frameworks to

generate sustainable patterns of compact growth and development

Objective CMO22 – Safe Routes to School Measures: Promote walking and cycling for school trips by implementing measures including prioritising school routes for permeability projects including potential for shorter and safer school routes by removal of physical barriers to active movement and provision of pedestrian and cycle ways.

Section 6.5.6.6 Permeability outlines that this Plan seeks to ensure that all development areas are permeable for pedestrians and cyclists and opportunities to improve permeability in existing developed areas will be sought. The principle of ‘filtered permeability’ will apply in all new development, to create a more attractive environment for walking and cycling, while maintaining accessibility for local residents, deliveries or emergencies.

Chapter 14: Development Management Standards

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

Development Plan Mapping

- There is a map-based objective to protect and preserve trees, woodlands and hedgerows.
- Site is within a Highly Sensitive Landscape. Landscape Character Type is River Valleys/Canal
- NTA GDA Cycle Network Plan showing Primary Radial Route Type extends along the Carpenterstown Road frontage of the development site.
- Nearest Parks Biodiversity Nature Development Area is approx. 400m to south east, described as Steep gravel pits either side of the river, features is Grassland, and is of Farmland type.
- Site is not within Flood Zone A or B, and as such is within Flood Zone C.
- The site is not within a Dublin Airport Noise Zone

5.2. Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (Department of Housing, Local Government and Heritage, 2024)

These guidelines replace Sustainable Residential Development in Urban Areas Guidelines 2009. These are Ministerial Guidelines under Section 28 of the Planning and Development Act 2000 (as amended), such that planning authorities and An Coimisiún Pleanála shall have regard to Ministerial Guidelines and shall apply any specific planning policy requirements (SPPRs) of the Guidelines.

The guidelines set out policy and guidance in relation to planning and development of urban and rural settlements. They outline key priorities for city and metropolitan growth including strengthening city, town and village centres, protecting and enhancing amenity and biodiversity, and realising opportunities for incremental brownfield and infill development.

It sets out (at Section 3.4.1) that the NTA's Public Transport Accessibility Level (PTAL) should be used in the consideration of individual applications.

It outlines (at Section 4.4 (ii)) that key principles that should be applied in the preparation of local plans and in consideration of planning applications includes (a) new developments should include a street network that creates a permeable urban environment and optimises movement for sustainable modes (walking, cycles and public transport) and (b) new developments should improve connections between communities, to public transport, local services and amenities such as shops, parks and schools, where possible.

At Section 5.3.4, Special Planning Policy Requirement (SPPR) 3 – Car Parking outlines maximum rates of car parking provision for residential development:

- (i) City centres and urban neighbourhoods of the 5 cities (defined at Table 3.1 and Table 3.2): car parking should be minimised, substantially reduced or wholly eliminated. Maximum, where justified, shall be 1no. space per dwelling
- (ii) Accessible locations (defined at Table 3.8): car parking should be substantially reduced. Maximum, where justified, shall be 1.5no. spaces per dwelling
- (iii) Intermediate and peripheral locations (Table 3.8): Maximum, where justified, shall be 2no. spaces per dwelling

5.3 Planning Design Standards for Apartments Guidelines for Planning Authorities, Department of Housing, Local Government and Heritage, 2025

These Ministerial Guidelines under Section 28 of the Planning and Development Act 2000 (as amended) set out policy and guidance in relation to the planning and development of apartments in all housing or mixed-use developments that include apartments.

5.4 Design Manual for Urban Roads and Streets (DMURS), (Department of Transport, Tourism and Sport and the Department of Housing, Planning and Local Government, 2019)

This design manual outlines in its introduction that it recognises the importance of assigning higher priority to pedestrians and cyclists, without unduly compromising vehicle movement, in order to create secure, connected places that work for all members of the community. It focuses on streets as attractive places, whether new or existing, and seeks to encourage designs appropriate to context, character and location that can be used safely and enjoyably by the public.

It sets out (at Section 3.3.3) that retrospective application of a permeable network to increase connectivity levels within more segregated street patterns can be problematic. Well placed links can lead to substantial benefits for the local community in terms of reducing walking distances to essential services, and research has found that increased local movement is beneficial to security. Designers should seek to engage closely with local communities to highlight such benefits. Processes and design principles that may assist in gaining greater community support include

- Rather than seeking to retrofit a fully permeable network, i.e., maximising all connections, focus on key desire lines where the maximum gain can be achieved through the minimum amount of intervention
- Ensure any plan highlights reductions in journey times, walking distances, etc.
- Ensure links are short, overlooked, have clear sight lines and are well lit to mitigate anti-social behaviour
- Implement parking management plans to mitigate any possible influx of vehicles seeking to 'park and ride' on neighbouring streets

5.5 Natural Heritage Designations

The site is not located within or adjacent to a European site. The nearest European sites are (approx.):

- South Dublin Bay and River Tolka Estuary SPA (004024): 10km to east
- North Bull Island SPA (004006): 14km to east
- North Dublin Bay SAC (000206): 14km to east
- South Dublin Bay SAC (000210): 12km to south east
- Rye Water Valley/Carton SAC (001398): 7.5km to west

The nearest proposed Natural Heritage Areas (pNHAs) are (approx.):

- Royal Canal pNHA (002103): 1km to north
- Liffey Valley pNHA (000128): 0.5km to south east

6.0 EIA Screening

6.1. The application includes an EIA Screening Report. It confirms (at Section 3.1) that this Screening is drafted based on the requirements of EU Directive 2014/52/EU, and with reference to Schedules 5, 7 and 7A of the Planning and Development Regulations 2001, as amended. It outlines (at Section 3.4) that the development would not fall within any classes of development listed in Part 1 of Schedule 5 of the Planning and Development Regulations 2001 (as amended), and thresholds that are applicable under Part 2 are Class 10 Infrastructure Projects are as follows:

- (b) (i) Construction of more than 500 dwelling units.
- (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.

The submitted Screening Report concludes that

- Proposed development is below mandatory threshold required for an EIAR.
- Proposal is well situated and appropriate to the area
- Potential for proposal to cause significant adverse environmental impacts by

itself, or in combination with other developments, during operational phases are not anticipated to be significant

- Possible impacts during construction phases would be amenable to standard construction controls. Potential risks are discrete and may be assessed individually should further information be required to clarify potential environmental impacts
- It considers an EIAR would not be required to be completed for this project

6.2. I have assessed the proposed development with regard to EIA screening at Appendix 1(a): Form 1 EIA Pre-Screening and Appendix 1(b): Environmental Impact Assessment Screening Determination.

6.3. Appendix 1(b) sets out (at Section D: Main Reasons and Considerations) the matters to which regard has been had in this assessment. The recommended conclusion of this assessment is that by reason of the nature, scale and location of the project, the development would not be likely to have significant effects on the environment and that an EIA and the preparation of an EIAR would not, therefore, be required.

7.0 The Appeal

7.1. Grounds of Appeal

2no. third party appeals have been received against the planning authority's decision to grant permission subject to conditions from:

- John Byrne
- Alan and Aimee Fitzpatrick

The parties reside at Mulberry Park, an established residential development located directly south of the appeal site. The grounds of appeal are set out below.

Appeal from John Byrne:

Grounds of appeal relate to new pedestrian opening between development and Mulberry Park

- It will significantly lower value of home

- Concerns relate to privacy and security of appellant's home and introduction of pedestrian, e-scooter and e-bike traffic outside their home
- Walkway would introduce potentially up to 300 pedestrians each day
- Cites Condition 15. States it makes no sense, as an estate is safer from crime with one entry point, and the opening doesn't lead anywhere for residents of the new estate
- Developer, local councillors and TDs have said they do not want this opening
- Permeability should be considered on a case by case basis

Appeal from Alan and Aimee Fitzpatrick

Grounds of appeal relate to Condition 15 only, as follows -

- Decision gives clear and open access for pedestrians, e-bikes and e-scooters
- Additional access point could lead to increased crime and anti-social behaviour
- Insufficient number of parking spaces in new development could lead to (new) residents parking in Mulberry estate
- A number of residents met with the developer who advised that he does not wish to have this pedestrian access
- This gate serves no real benefit
- No objection to the new development going ahead. A small change to remove this entrance should be accommodated.

7.2. Applicant Response

None

7.3. Planning Authority Response

The planning authority advise that it is Fingal County Council policy to promote pedestrian access as asset out in the Transportation Planning Section Report (15 October 2025), and request An Coimisiún Pleanála to uphold the decision of the

planning authority.

In the event the planning authority's decision is upheld, provision should be made in the determination for applying the following:

- Financial contribution and/or provision for any shortfall in open space and/or special development contributions required in accordance with Fingal County Council's Section 48 Development Contribution Scheme.
- Inclusion of bond/cash security for residential developments of 2 or more units
- Conditions should be included where a tree bond or a contribution in respect of a shortfall in play provision facilities are required

7.4. Observations

None

8.0 Assessment

- 8.1.** Having examined the application details and all other documentation on file, including the submissions received in relation to the appeal, the reports of the local authority, and having visited the site, and having regard to relevant local and national policies and guidance, I consider that an assessment of this application as if it had been made to it in the first instance would not be warranted. In this instance, I intend to limit consideration to the matters raised in relation to the terms of **Condition 15**.
- 8.2.** As such, it is recommended that having regard to the nature of this condition, that the determination by the Commission of the application as if it had been made to it in the first instance would not be warranted, and that this appeal may be considered in accordance with Section 139 of the Planning and Development Act 2000, as amended.
- 8.3.** However, for completeness, I also draw the matter of discrepancies on drawings to the Commission's attention. Accordingly, the substantive issues to be considered in this appeal are as follows:
- Discrepancies on Drawings

- Condition 15

8.4. Discrepancies on Drawings

- 8.4.1. For completeness, I draw to the Commission's attention that there are some discrepancies on the SFI drawings relating to the proposed apartment block. For example,
- no entrance is shown from the communal corridor to Units 40 or 41 (L5_Fifth Floor; Drawing No. ORC-AA-ZZ-DR-JFA-AR-P2003);
 - apartment entrances to the following apartments are inaccurately drawn:
 - Unit 11 (L1_First Floor; Drawing No. ORC-AA-ZZ-DR-JFA-AR-P2001)
 - Unit 19 (L2_Second Floor; Drawing No. ORC-AA-ZZ-DR-JFA-AR-P2002)
 - Unit 27 (L3_Third Floor; Drawing No. ORC-AA-ZZ-DR-JFA-AR-P2002)
 - Unit 35 (L4_Fourth Floor; Drawing No. ORC-AA-ZZ-DR-JFA-AR-P2003)
- 8.4.2. General Notes on these drawings include (3) all discrepancies to be reported to architect and (4) contractor is responsible for checking all levels and dimensions. While noting the discrepancies on the drawings outlined above, I do not consider that they materially impact on the assessment of the appeal.

8.5. Planning Authority's Condition 15

Planning authority's Further Information Item 3 request and Condition 15

- 8.5.1. Condition 15 is set out in full at Section 3.0 of this report. It requires a permanently open, non-gated link between the proposed development and the existing Mulberry Park development. The reason for the condition is in the interest of public safety and sustainable development of the area. As outlined previously, Mulberry Park is a cul-de-sac located directly south of the subject site, near the western end of the shared boundary with the subject site. Mulberry Drive cul-de-sac is located to east of Mulberry Park, and also bounds the site's southern boundary.
- 8.5.2. For completeness, I note that First Transportation Planning Section Report (15 October 2025) states that Mulberry Estate roads and footpaths are in charge of Fingal County Council so the pedestrian and cycle connections can be achieved. The matter of pedestrian and cycle connections from the appeal site to Mulberry Park and

Mulberry Drive were raised in FI Item 3, whereby the applicant

(c) was required to amend letter of consent from the Council and extend the red line boundary to cover the provision of pedestrian and cycle connections to both Mulberry Park and Mulberry Drive cul de sacs to the development, and

(d) was advised to consult with Transportation Planning Section and Parks and Green Infrastructure Division to agree extent and design of the boundary treatment and connection details between the developments prior to submission.

- 8.5.3. I note that the Mulberry Park Access Detail shown on drawing titled Mulberry Park Boundary Elevation and Section (Drawings No. 25FG01-DR-0402; Rev.-) submitted as Further Information on 07 January 2026, includes a 1.2m wide gate.
- 8.5.4. However, with regard to the Mulberry Drive cul-de-sac located near the eastern end of the site's southern boundary, I note that no connection between the development site and this cul-de-sac is shown on the FI drawings. The FI Transport Technical Report response to FI Item 3(c) and (d) does not specifically refer to Mulberry Drive.
- 8.5.5. The planning authority's assessment (as per Planner's Report) of the FI Item 3(c) response considered that the revised letter of consent from FCC based on the revised red line boundary, dated December 2025, and provision of pedestrian and cycle connection were acceptable.
- 8.5.6. With regard to (d), the Planner's Report noted that the applicant agreed the boundary needs a 'bow top railing' along boundaries between developments, and that the railing allows for the pedestrian link to be open and visible so that pedestrians feel safe.
- 8.5.7. While I note the detail of the proposed link between the development site and Mulberry Park shown in the FI response, and as further amended by Condition 15 which requires that the pedestrian link is not gated, I consider that the key issue is whether the provision of a new link between the proposed 86-unit residential scheme and the established Mulberry residential development would be acceptable in principle. This matter is further discussed in the following section.

Site Context and Planning Policy

- 8.5.8. The development site is roughly square-shaped, save for the narrow, linear extent which extends to west of the site along Carpenterstown Road. This road extends

eastward along the subject site's northern boundary, before continuing south at the signalised crossroads towards (and continuing underneath) the M50 flyover. The Mulberry housing scheme to south and partially to east of the subject site is a mature residential area.

- 8.5.9. There are 2no. cul-de-sacs in the Mulberry housing estate which are located directly south of the subject site. The cul-de-sac at Mulberry Park is located at the western side of the shared boundary. A new pedestrian/cycling connecting link is proposed to connect the new scheme with the existing Mulberry Park cul-de-sac. As outlined at Section 1.0, I noted on site visit that the irregular-shaped area of open space to south of Mulberry Park (south of the internal access road) is bounded to south along its boundary to the M50 motorway and to west by mature trees/hedgerow. This grassed open space area south of Mulberry Park appears to be in use for informal active recreation.
- 8.5.10. The mature planting to west of the open space in turn bounds a large meadow-type area at the substantial Diswellstown residential scheme to west and south west of Mulberry Park. As previously outlined, this 'meadow' area is at a higher ground level to the open space at Mulberry Park, and there is no pedestrian/cyclist/vehicular access between Mulberry Park and the more recent Diswellstown scheme. The large meadow area at the Diswellstown scheme continues further south west to a large, landscaped open space area which incorporates a small playground.

(a) Impacts for future occupiers of the proposed development

- 8.5.11. The grounds of appeal (from John Byrne) include that the opening does not lead anywhere for residents of the new estate, and (from Alan and Aimee Fitzpatrick) that this gate serves no real benefit.
- 8.5.12. Given that there is no existing access between the existing Mulberry housing estate and the much larger Diswellstown scheme, I consider that the creation of a connectivity link between the subject site and Mulberry Park would not lead to any identifiable desire lines for future occupiers of the proposed development to south/south west of Mulberry Park, given the absence of any connection to the large Diswellstown housing scheme and its associated open spaces/play areas. With regard to the surrounding area to the south east, the principal community facility along this part of Carpenterstown Road appears to be Castleknock College.

However, I consider that there would be no discernible difference in walking/cycling distances between (a) accessing Carpenterstown Road at the northern extent of the subject site and (b) accessing Carpenterstown Road via the Mulberry housing scheme to travel (on foot) to Castleknock College.

- 8.5.13. I note that Development Plan mapping does not show any indicative future connectivity routes/links at/to the existing Mulberry scheme.
- 8.5.14. On the basis of the information on file, and having visited the surrounding area, and in particular having regard to the absence of any links from Mulberry Park to adjoining open spaces, other amenities or commercial/community facilities at Diswellstown and the wider Carpenterstown area, I do not consider that future occupiers of the proposed development would benefit from a new pedestrian link to Mulberry Park, due to the absence of any significant desire lines.
- 8.5.15. Accordingly, I do not consider that the provision of a link, to serve future occupiers of the proposed development, would be required in this instance. However, the matter of the appropriateness of providing a pedestrian link, in terms of the impacts of same on the occupiers of the existing Mulberry estate are discussed below.

(b) Impacts for occupiers of Mulberry estate

Access and travel distances

- 8.5.16. The Infrastructure Design Report lodged with the application includes at Section 8.2.1 DMURS Statement of Consistency. It states that psychological and physical traffic calming measures have been adopted within the proposed site layout to balance the functional needs of various carriageway users in particular Vulnerable Roads Users (VRUs), one of which is designed pedestrian and cyclist connectivity to the adjacent lands.
- 8.5.17. The separate Traffic and Transport Assessment lodged with the application outlines (at Section 1.2) that the proposed development includes 1no. pedestrian and cyclist access to Mulberry Park
- 8.5.18. First Transportation Planning Section Report (15 October 2025) states proposal:
- is within a 17-minute walking distance to the Coolmine train station
 - is currently served by bus route 37

- would be within 650m/10-minute walking distance to the future Bus Connects Redesign Network radial route no. 34 (Blanchardstown Shopping Centre – Coolmine – Castleknock – Burlington Road) which will have an 8-minute frequency at peak hours and a 15-minute frequency outside the peak.

8.5.19. I note that the provision of a pedestrian link at Mulberry Park to the subject site would result in shorter travel distances from the Mulberry estate to Carpenterstown Road along the subject site's northern roadside frontage. I estimate, based on Tailte Éireann mapping (www.tailte.ie, accessed 10 July 2026) that the walking distance from the northern point of Mulberry Park cul-de-sac (approximately at the subject site's southern boundary, in the vicinity of No. 27 Mulberry Park) to the site's proposed vehicular entrance on Carpenterstown Road (as per SFI proposed site plan), via Carpenterstown Road/Bracken Park/ College Gate crossroads, is approx. 640m. In contrast, in the event the connectivity link is provided, the walking/cycling route from this point through the subject site (as per SFI proposed site plan) to Carpenterstown Road is reduced to approx. 170m, i.e. a difference of 470m.

8.5.20. I estimate as measured on www.tailte.ie (accessed on 10 July 2026) that this in turn would result in reduced travel time from Mulberry Park cul-de-sac to St. Patrick's National School, located at Diswellstown Road/Diswellstown Avenue via Burnell Avenue, from approx. 1.4km to 0.93km, a difference of 0.47km (470m).

8.5.21. Similarly, I note that provision of a new pedestrian link would also reduce sustainable transport travel times from the overall Mulberry scheme to Coolmine train station, approx. 1.3km north east of the subject site's northern (Carpenterstown Road) frontage. As outlined in the First Transportation Planning Section Report, the subject site would be within the future Bus Connects Redesign Network radial route no. 34.

8.5.22. Accordingly, I consider that the provision of a pedestrian link would result in potential benefits for occupiers of the existing Mulberry estate in terms of reduced sustainable transport travel times to the existing school/community facilities at Diswellstown and to schools in the wider Carpenterstown area, in addition to shorter walking routes to other community/commercial facilities in Carpenterstown, to Coolmine train station and to future Bus Connects public transport provision.

8.5.23. In addition, I note that the concept of permeability is supported in a range of Development Plan policies and objectives. For example, **Policy CMP3 Integrated**

Land-Use and Transport Approach is to provide an integrated approach to land-use and transportation aimed at minimising demand for travel and prioritising sustainable modes of transport including walking, cycling and public transport.

Objective CMO22 – Safe Routes to School Measures is to promote walking and cycling for school trips by implementing measures including prioritising school routes for permeability projects including removal of physical barriers to active movement and provision of pedestrian and cycle ways. It is also outlined (at **Section 1.3.3 Social Inclusion**) that promotion of inclusive neighbourhoods that offer quality of opportunity and good services to all is a key priority of the Plan.

8.5.24. Accordingly, based on the information on file and having regard to the site context, I am satisfied that the provision of a new pedestrian link as required by Condition 15 would be in compliance with a range of Development Plan policies and objectives. I consider in the particular circumstances of this case that the provision of a pedestrian link at this location would be acceptable in principle.

8.5.25. In terms of detail, the design of the proposed access point shown on drawing titled Mulberry Park Boundary Elevation and Section (Drawing No. 25FG01-DR-0402; Rev.-) submitted as Further Information on 07 January 2026, includes a 1.2m wide gate. I consider that the boundary treatment which incorporates railings at this location to be generally acceptable. This drawing indicates

- that ground level on the Mulberry Park Boundary at link location is +59.340.
- a 2m high boundary wall, height measured from development side. Boundary wall is to sit behind existing boundary walls/fences on Mulberry Park and Mulberry Drive side, and refers to computer generated images (CGIs).
- Existing post and panel fence will be removed over a 7.2m distance at the link
- Section 01 shows wall height varies on Mulberry Park side.

8.5.26. I note that no discernible difference in existing or proposed ground levels either side of the proposed link location are indicated on SFI Drawing No. 25FG01-DR-0402; Rev.-. However, in the interest of clarity, I consider that should the Commission be minded to grant permission for the link, that revised drawings would be required showing the omission of the gate and further detailing relating to existing and proposed ground levels on either side of the link. Accordingly, it is recommended that

Condition 15 is AMENDED.

8.5.27. Other matters raised by the third parties in their grounds of appeal relating to the provision of the link are discussed further below.

8.5.28. However, for completeness, I have also noted in this assessment that Development Plan **Objective CIOSO51 – Permeability** is to ‘ensure permeability and connections between public open spaces including connections between new and existing spaces, in consultation with residents’. (emphasis added) While Objective CIOSO51 specifically refers to ‘in consultation with residents’, I note that the matter of ensuring permeability in this objective relates to ‘between public open spaces’. In this regard I do not consider that Objective CIOSO51 is directly relevant to the assessment of Condition 15, given that the proposed permeability in the subject case relates to connecting the cul-de-sac area of Mulberry Park to a cul-de-sac within the proposed scheme, as distinct from connecting any existing or proposed areas of public open space.

Anti-social behaviour and security

8.5.29. While noting the benefits that would arise from the proposed link in terms of reducing travel time to public transport for occupiers of Mulberry estate discussed above, I note also the concerns raised by the 2no. third parties who reside within this established residential scheme regarding the provision of this link.

8.5.30. With regard to concerns raised in the grounds of appeal relating to anti-social behaviour, I consider that the proposed connection which would facilitate access from within Mulberry estate to the subject site and to Carpenterstown Road would generate sufficient activity to justify the link, and they would be passively supervised by existing houses at Mulberry Park and those within the new residential scheme. I do not consider that the proposed development would create or increase anti-social behaviour, and I do not consider that this would be an appropriate reason to remove the proposed permeability.

Impacts on residential amenities – parking and traffic

8.5.31. While there would be an increase in pedestrian traffic, including potentially e-bike/e-scooter traffic, within Mulberry Park as a result of the proposed link, footpaths are in place for pedestrians within the existing scheme, and cycle traffic would share the

road. This is normal practice. The detailing of the link and boundary treatment would allow for adequate inter-visibility at this point. I consider that the additional pedestrian and cycle traffic would have a negligible impact on the residential amenities of the dwellings at Mulberry Park.

8.5.32. With regard to parking provision in the subject scheme, and with regard to concerns relating to cars associated with the proposed development parking within the Mulberry estate, I note that the Planning Report lodged with the application outlines (at Section 5.1.6) that

- based on the definitions provided in Tables 3.1, 3.2 and 3.8 of the (Compact Settlement) Guidelines, the site falls within the 'intermediate and peripheral locations' categorisation as the closest bus stop is c.600m from the subject site and operates a 5-20 minute peak frequency service
- 121no. car parking spaces is considered acceptable due to proximate existing and proposed bus services and Coolmine train station.

8.5.33. Separately, I note the content of the First (15 October 2025) and Second (19 February 2026) Transportation Planning Section Reports, and the planning authority's Conditions 14(e) and 17(d) as follows –

- First report outlines the maximum car parking allowance in Zone 1 is 64 as per Development Plan, maximum allowance is 172 as per Sustainable Residential Development and Compact Settlement Guidelines, 2024 (hereafter referred to as the 'Compact Settlement Guidelines'), and the proposed rate is 121no. It states proposed car parking provision generally complies with standards of the Development Plan and Compact Settlement Guidelines.
- Second report states no objection subject to conditions, including that a revised layout that addresses parking and cycle parking management plan for the apartments be agreed prior to commencement of development.
- Condition 14(e) states prior to commencement of construction, a parking and cycle parking management plan for the apartments shall be submitted for the written agreement of the planning authority.
- Condition 17(d) requires Residential Travel Plan/Mobility Management Plan to be provided and adhered to, and appointment of Mobility Management Coordinator

8.5.34. I note the overall number of car parking spaces proposed to serve the 86no. unit development is 121no., as outlined in SFI Schedule of Accommodation, comprising:

- 84no. spaces to serve 42no. houses, i.e., 2no. spaces per house
- 28no. spaces to serve 44no. apartments, i.e., 0.64 per apartment
- 9no. visitor spaces

I would agree with the planning authority's view that the proposed development is located within Development Plan Zone 1 for the purposes of car parking standards, given that it is approx. 1.3km from Coolmine train station, i.e., in the context of approved Dart+west project, the subject site is within 1600m of an existing or planned Luas/DART/Metro rail station. However, I consider that the proposed 2no. parking spaces per house exceeds the maximum allowable in the Development Plan; Table 14.19 refers. For houses, the maximum (for 3 and 3+ bedroom houses) is 1 per unit, which would result in a maximum 42no. spaces to serve the proposed houses, and not 84no. as proposed.

With regard to apartments, the maximum allowable as per Table 14.19 would be 22no., based on 0.5 spaces per unit (1-2 bedroom). The proposed 28no. car parking spaces to serve the apartments therefore also exceeds Development Plan standards.

Accordingly, based on the assessment outlined above, I consider that the proposed development does not comply with, i.e., it exceeds, car parking standards for residential development as set out in Table 14.19 of the Development Plan.

8.5.35. However, I consider it relevant to also assess the proposed car parking provision with reference to the Compact Settlement Guidelines, as outlined below.

8.5.36. With regard to the National Transport Authority's (NTA) Public Transport Accessibility Level (PTAL) tool, cited in the Compact Settlement Guidelines, I note that PTAL indicates that a limited area at the north western corner of the site only is within 'Medium Level of Service', as viewed on the NTA's website www.nationaltransport.ie (accessed on 13 July 2026). The north western corner of the site is the approximate location of the public open space in the proposed scheme. The remainder of the site is not included in any of the 4no. Level of Service categories (namely High, Medium-High, Medium and Low).

8.5.37. Table 3.8 of the Compact Settlement Guidelines defines 'Intermediate Location' as

lands within 500m-1000m (i.e., 10-12 minute walk) of existing or planned high frequency (i.e. 10-minute peak hour frequency) urban bus services. While PTAL indicates that the north western part of the site has a Medium Level of Service, and no level of services is indicated for the remainder of the site, I note also that the First Transportation Planning Section report states the proposed development would be within 650m/10-minute walking distance to the future Bus Connects Redesign Network radial route no. 34 (Blanchardstown Shopping Centre – Coolmine – Castleknock – Burlington Road) which will have an 8-minute frequency at peak hours. On this basis I am satisfied that the proposed development, as per the criteria in the Compact Settlement Guidelines, comes within the meaning of an ‘Intermediate Location’.

8.5.38. Specific Planning Policy Requirement (SPPR) 3 of the Guidelines states that in (iii) intermediate and peripheral locations, defined in Chapter 3 (Table 3.8), the maximum rate of car parking provision for residential development, where justified, shall be 2no. spaces per dwelling. In this regard I consider that

- provision of 2no. spaces per house (84no. spaces) would comply with the Guidelines
- provision of 0.64 spaces per apartment (28no. parking spaces) would be below the maximum specified, and therefore comply with the Guidelines
- Given that SPPR 3 states the maximum standards include provision for visitor parking, provision of 9no. visitor spaces would comply with the Guidelines

Having regard to the assessment outlined above, I am satisfied that the provision of car parking within the proposed development would be in compliance with SPPR 3.

8.5.39. Based on the criteria set out in the Compact Settlement Guidelines, in particular Table 3.8 and SPPR 3 – Car Parking, the quantum of car parking proposed which includes provision for visitor parking, and having regard also to Condition 14(e) which requires a parking and cycle parking management plan for the apartments to be agreed, and Condition 17(d) which requires Residential Travel Plan/Mobility Management Plan to be provided and adhered to, and the appointment of Mobility Management Coordinator, I do not consider that overspill car parking would likely arise within the Mulberry estate as a result of the proposed development.

Accordingly, while noting that the proposed car parking provision would exceed Development Plan standards, I am satisfied that the quantum of parking is in compliance SPPR 3 of the Compact Settlement Guidelines, and is therefore acceptable in this regard.

Devaluation of Property

- 8.5.40. The grounds of appeal (John Byrne) state that the proposed development will significantly lower the value of his home. I note the concerns raised in respect of the devaluation of the appellant's property. However, having regard to the assessment set out above, I am satisfied that the proposed development would not seriously injure the amenities of the area to such an extent that would adversely affect the value of property in the vicinity.

Conclusion

- 8.5.41. Having regard to nature of this third party appeal which seeks removal of Condition 15 only, I am satisfied, having visited the surrounding site context including the Mulberry housing estate directly to south and east of the subject site and the wider context of Carpenterstown Road, the Diswellstown area and the various school locations in the vicinity, that the provision of a pedestrian link as proposed between a new residential scheme and the existing Mulberry estate would be acceptable in principle in this instance, and would be in compliance with Development Plan Policy CMP3 and Objective CMO22. Accordingly, I consider that the proposed development would be in compliance with the Development Plan and with the proper planning and sustainable development of the area. In terms of the detailing of the proposed link, it is recommended that this can be adequately addressed by way of minor alteration to Condition 15. Accordingly, it is recommended that Condition 15 be AMENDED, as set out at Section 11.0 of this report.

9.0 AA Screening

- 9.1. Appropriate Assessment Screening is set out at Appendix 2 of this report.
- 9.2. I also draw to the Commission's attention that a Technical Note [Ecology] relating to AA is attached at Appendix 4; R501080_TN refers.
- 9.3. In accordance with Section 177U of the Planning and Development Act 2000 (as

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

9.4. This determination is based on:

- the nature and scale of the proposed development;
- the urban context of the site;
- the absence of any direct pathway to a European site;
- the considerable separation distances involved;
- the absence of sensitive aquatic ecological receptors associated with the site;
- the lack of evidence demonstrating a realistic mechanism by which the conservation objectives of the Dublin Bay European sites could be affected; and
- the lack of impact mechanisms that could significantly undermine the conservation status of the QIs.

10.0 Water Framework Directive

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

10.2. An assessment of the proposed development has been undertaken in accordance with Article 4 of the EU Water Framework Directive (2000/60/EC), as transposed by the European Communities (Water Policy) Regulations 2003, as amended, and with regard to the Eastern/South Eastern River Basin Management Plan 2022–2027.

10.3. The receiving water environment has been identified and assessed, see Appendix 3. Having regard to the nature, scale, and location of the proposed development, and the mitigation measures incorporated into the design and as proposed in the Construction and Demolition Environmental Management Plan submitted with the application, it is concluded that the proposed development will not:

- Result in deterioration of the ecological, chemical, or quantitative status of any

relevant surface water or groundwater body;

- Increase pollutant loading or alter the hydrological regime of any receiving watercourse;
- prevent or impede achievement of environmental objectives under the applicable River Basin Management Plan.

Any residual risks are capable of being addressed through the proposed mitigation measures and implementation of a Construction Environmental Management Plan (CEMP).

The proposed development is considered to be in compliance with the requirements of Article 4 of the Water Framework Directive.

11.0 Recommendation

11.1. It is recommended that Condition 15 be AMENDED.

Having regard to the nature of the condition subject of the appeal, the Commission is satisfied that the determination by the Commission of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000, as amended, to AMEND Condition 15 and the reason therefor as follows:

15. (a) A pedestrian link, to be permanently open and without gates, shall be facilitated from the development by the applicant/developer to Mulberry Park.
- (b) Prior to commencement of development, clearly annotated revised drawings to suitable scale shall be submitted to and agreed in writing by the planning authority, which shall show plans, elevations and sections of the proposed pedestrian link, to include existing and proposed ground levels either side of the link, i.e., within the subject site and within Mulberry Park.

Reason: In the interest of public safety and the sustainable development of the area.

12.0 Reasons and Considerations

Having regard to the 'RS Residential' land use zoning for the site in Fingal Development Plan 2023-2029, as varied, and to the pattern of development in the area, it is considered that the provision of a pedestrian link, to be permanently open and without gates, would be in compliance with the zoning objective to provide for residential development and protect and improve residential amenity, and would not seriously injure the residential amenities of the area. In addition, the provision of a pedestrian link in this instance would be in compliance with Development Plan Policy CMP3 and Objective CMO22. The AMENDMENT of Condition 15 would therefore be in accordance with these provisions of the current Development Plan and would be in accordance with the proper planning and sustainable development of the area.

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

Cáit Ryan

Senior Planning Inspector

10 August 2026

Appendix 1(a): Form 1 EIA Pre-Screening

Case Reference	PL-501080-DF-26
Proposed Development Summary	Permission is sought for on a c.1.6ha site for: - Demolition of dwelling and gate lodge - Construction of 86no. residential units (42no. houses and 44no. apartments in a part 5/part-6 storey building - Widening of existing vehicular access; pedestrian access along Carpenterstown Road - Total site area is c.1.94ha including the development site, road works and infrastructural works. Works are proposed along Carpenterstown Road to facilitate continuation of existing cycle lane to west and connections into existing wastewater, surface water and watermain infrastructure. Significant Further Information (SFI) was received on this application. Amendments include alterations to red line boundary, access point from Carpenterstown Road and unit type. SFI does not amend total number of units proposed (86no.) The proposed development is further described at Section 2.0 of main report.
Development Address	The Orchard and The Orchard Gate Lodge, Carpenterstown Road, Dublin 15, D15R2RV & D15XPW4.
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, No further action required.

(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. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☒ 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?	
☐ 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. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Class 10(b)(i) Construction of 100 dwellings or more Class 10(b)(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 (In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☒	Screening Determination required (Complete Form 3)
No ☐	

Inspector: _____

Date: _____

Appendix 1(b): Environmental Impact Assessment Screening Determination

A. CASE DETAILS		
An Bord Pleanála Case Reference	PL-501080-DF-26	
Development Summary	Permission is sought on a c.1.6ha site comprising The Orchard and The Orchard Gate Lodge, Carpenterstown Road, Dublin 15, D15R2RV &, D15XPW4 for the following: - Demolition of dwelling and gate lodge - Construction of 86no. residential units (42no. houses and 44no. apartments in a part 5/part-6 storey building) - Widening of existing vehicular access; pedestrian access along Carpenterstown Rd. - Total site area is c.1.94ha including the development site, road works and infrastructural works. Works are proposed along Carpenterstown Road to facilitate continuation of existing cycle lane to west and connections into existing wastewater, surface water and watermain infrastructure. Significant Further Information (SFI) was received on this application. Amendments include alterations to red line boundary, access point from Carpenterstown Road and unit type. SFI does not amend total number of units proposed (86no.) The proposed development is further described at Section 2.0 of main report.	
	Yes / No / N/A	Comment (if relevant)

1. Was a Screening Determination carried out by the PA?	No	The submitted EIA Screening report is discussed in the Planner's Report. It concludes that based on a <u>preliminary examination</u> there is no real likelihood of significant effects on the environment and thereby no requirement for EIA.
2. Has Schedule 7A information been submitted?	Yes	EIA Screening Report lodged with the application, which considers the EIA Directive 2011/92/EU as amended by 2014/52/EU).
3. Has an AA screening report or NIS been submitted?	Yes	Appropriate Assessment Screening and Stage 2 Natura Impact Statement lodged with application, and amended version submitted as Significant Further Information (SFI), which considers the Habitats Directive (92/43/EEC), Birds Directive (2009/147/EC) and Water Framework Directive (2000/60/EC). The document lodged with the application and as amended in the SFI response is titled 'Natura Impact Statement' and incorporates AA Screening.
4. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No	
5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA	Yes	Other assessments carried out include: • Ecological Impact Statement (EclA) which considers the Habitats Directive (92/43/EEC), Birds Directive (2009/147/EC) and content of the Water Framework Directive (2000/60/EC) • Operational Waste Management Plan which considers European Communities (Waste Directive) Regulations 2011 (S.I. No. 126 of 2011) as amended • Resource Waste Management Plan which considers European Communities (Waste Directive) Regulations 2011 (SI 126 of 2011) as amended 2011 (S.I. No. 323 of 2011) and 2016 (S.I 315 of 2016) • Construction and Demolition Environmental Management Plan (CDEMP) which considers EU Birds Directive and (regarding noise) European Commission Directive 2000/14/EC. It cites policies in the Eastern and Midland Region Regional Spatial and Economic Strategy (RSES) 2019-2031 relating to EU Environmental Noise Directive (RPO 7.8), Water Framework Directive (RPO

		7.10), Habitats Directive (RPO 7.16) and Urban Waste Water Treatment Directive (RPO 10.10) • Bat Assessment which considers the Habitats Directive (92/43/EEC) • Energy and Utilities Statement which considers European Performance of Building Directive SEA and AA carried out for Fingal Development Plan 2023-2029, as varied.	
B. EXAMINATION	Yes/ No/ Uncertain	Briefly describe the nature and extent and Mitigation Measures (where relevant) (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) Mitigation measures –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.	Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain
This screening examination should be read with, and in light of, the rest of the Inspector's Report attached herewith			
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)			
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	No	<u>Submitted EIA Screening:</u> Overall development consists of construction of 86 units on approx. 1.94ha site to include infrastructure works at The Orchard, Carpenterstown Road, Dublin 15. Section 1.2.2: Site currently consists of existing residential dwelling and associated gate lodge with remainder consisting of greenfield. <u>Comment:</u> The project including proposed apartment block is not significantly different in character or scale to the Balroy Hall	No

		apartment scheme recently completed at adjoining site to west. Proposed houses of 3-storey scale at southern end of site are similar to that established along much of Carpenterstown Road to north of site, and would be taller than those in Mulberry estate to south and east, particularly along eastern boundary due to higher FFL. For clarity, I note that excluding part of the subject site outlined in red to west along Carpenterstown Road, the project site comprises 1.6ha. Given that there is an existing house and associated gate lodge on these substantial grounds, I consider that the proposed development can be considered to be part-brownfield, part-greenfield.	
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	Yes	<u>Submitted EIA Screening:</u> Section 4.5.1.2: The overall site topography varies from 63 mAOD to 60 mAOD sloping from west to east. Section 5.3.4: Topography of the area is defined by a gradient that declines very gently to the northwest to southeast. Section 5.1: Site is located in Diswellstown townland in western suburban area of Dublin City, and is zoned as 'RS – Residential' in Fingal County Development Plan 2023-2029. Land in immediate vicinity and surrounding area is mainly comprised of residential estates, linear residential development, urban green space, community facilities and services and commercial units. The development will require removal of existing hedgerows and a number of trees on site. Proposed landscape plan includes additional planting. A change of the existing land use to residential would not have a significant impact. Section 4.5.1.2: There are no mapped watercourses on site. There are 2no. drainage ditches, along western and eastern	No

		site boundaries. It is proposed to infill the drainage ditch along the western boundary. Section 5.3.1: Works are proposed in close proximity to the drainage ditch to east. CDEMP includes measures for protection of water quality. Section 1.2.2: Water will be provided via a new connection to an existing watermain. Surface water design includes use of SuDS measures to provide surface water attenuation onsite prior to release, and ultimately discharge to an existing surface water sewer along Carpenterstown Road. Wastewater would be directed by gravity to a proposed wastewater pump station at northwest of the development site. Wastewater will be pumped via a new rising main to an existing wastewater gravity manhole on Carpenterstown Road to northwest of the site. Irish Water has confirmed feasibility of connection to the networks subject to infrastructure upgrades. Foul water will be directed to Ringsend WWTP which will discharge to Lower Liffey Estuary. <u>Comment:</u> This large site is located in a built-up urban area, with mature trees along site boundaries and within the site. Proposal includes demolition of a vacant dwelling and a gate lodge (c.1,140sqm), and construction of 86no. dwelling units comprising a mix of houses and apartments. The proposed development does not result in a change of land use, as the proposed land use is residential. Proposal will cause physical changes to the appearance of the site during site development works. I note the CDEMP	
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		includes standard construction practices that would be used to protect water quality during construction phase. Subject to adherence to standard construction practices at construction phase, I consider that the proposed infilling of the drainage ditch along the western boundary and the carrying out of works in the vicinity of the ditch to east of the site would not result in changes to waterbodies. Accordingly, I do not consider that the physical changes arising from the proposed development are likely to result in significant effects on the environment in terms of topography, land use and water bodies.	
1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	Yes	Proposed water supply connection is outlined at Item 1.2 above. Uisce Éireann has confirmed that connection is feasible without upgrade. <u>Submitted EIA Screening:</u> Section 4.3: At construction resources required include concrete, stone fill material, sand, concrete blocks and timber, which would be sourced from local suppliers and quarries. No uncommon use of natural resources for construction would be expected. Proposed landscape involves retention of existing trees, planting of additional trees, hedgerows and meadow areas, and provision of public and communal open space. Operational phase would cause no significant use of natural resources. Section 5.2.1: Topsoil and overburden excavated would be stored on-site during construction. Once construction phase has been completed, this topsoil would be used to landscape and level areas around the site. Excess soil would be removed offsite.	No

		<u>Comment:</u> The site is a part-brownfield/part-greenfield site, given that there is an existing house and separate gate lodge on a substantial c.1.6ha site. I note that it is proposed to re-use excavated topsoil and soil for landscaping within the site, with the excess being removed off-site. I consider that the quantities of construction materials will be relatively small given the scale of the project. Having regard to the matters outlined above including UÉ letter on file relating to water connection, I consider that the project's use of natural resources would not result in significant effects on the environment.	
1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	Yes	<u>Submitted EIA Screening:</u> Section 4.6: Typical construction methods and practices would be anticipated to adequately mitigate against accidents or risks to human health. Site does not fall within Seveso III Regulations or European Communities (Control of Major Accident Hazards involving Dangerous Substances) Regulations 2015, as no dangerous substances are being used at the site. All potentially polluting substances, including chemicals and fuels, will be appropriately stored and banded within the site. <u>CDEMP:</u> Section 5.9: A resource and waste inventory of all residual resources is provided in Resource Waste Management Plan. Small amounts of other waste streams would comprise of masonry, wood, packaging, hazardous materials and other waste materials. Low volumes of excess subsoil/topsoil may be sold, subject to Article 27 notification to EPA, and transported off-site to other construction sites by a licenced haulier. Remaining volume of excess subsoil/topsoil will be transferred offsite as a waste material.	No

		Section 7.5: If excavated materials are deemed hazardous, Contractor is responsible for pre-treating waste soils using a method approved by landfill operator and in compliance with EPA guidelines. <u>Resource Waste Management Plan (RWMP)</u> Section 8.12.1: Potential for hazardous soil and stones to be encountered during construction is likely to be low, given the low risk partial brownfield/partial greenfield site setting and former use. Contractor will plan to manage potentially contaminated or contaminated soil in the event these materials are encountered. The project Soil Waste Classification Report (prepared post planning and pre construction) will need to be consulted prior to excavation of the in-situ ground. <u>Comment:</u> Having regard to the information provided in the EIA Screening Report, CDEMP and RWMP relating to excavation and waste management at construction phase, I note that it is outlined that any hazardous material would be treated appropriately. I consider that the proposed development would not be harmful to human health or the environment.	
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	Yes	<u>Submitted EIA Screening:</u> As above for Item 1.4 relating to Section 4.6. Section 5.3.1: No significant volumes of chemicals or potentially hazardous liquids present at the site during the operational phase are anticipated, due to nature of the development as a residential housing estate. Section 4.5.1.1: No significant emissions to air from the site at operational phase, due to the nature of the development.	No

		<u>CDEMP:</u> Section 7.5: Excavated material/spoil has potential to cause deterioration in water quality and nuisance to nearby dwellings due to high dust levels if not appropriately managed. If excavated materials are deemed hazardous, Contractor is responsible for pre-treating waste soils using a method approved by landfill operator and in compliance with EPA guidelines. Proposed dust control measures are outlined. <u>Comment:</u> Having regard to the measures outlined in the documents on file cited above, and the relevant information outlined at Item 1.4 above, I do not consider that the production of waste or generation of pollutants in the project likely to result in significant effects on the environment.	
1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	Yes	<u>Submitted EIA Screening Report:</u> Section 4.5.1.2: There are no mapped water courses within the site's red line boundary. A drainage ditch within the site runs along western boundary, and a drainage ditch is adjacent to eastern site boundary. With implementation of standard construction control measures, no significant risk to water quality during construction works is anticipated. During operational phase, contamination of waters is not considered likely due to nature of development (residential housing estate). Section 5.3.1: Nearest mapped watercourse is an unnamed stream (Order 1) located approx. 120m from the eastern boundary of the site (see Fig. 5.5) <u>Comment:</u> I note that the 'unnamed stream' is Liffey_180, as viewed on www.catchments.ie (accessed 14 July 2026). I estimate that	No

		this stream is approx. 140m east of the subject site, as viewed on Tailte Eireann mapping (www.tailte.ie), as opposed to approx. 120m outlined in the submitted documentation. As outlined in Item 1.2, at operation phase proposed development would be served by connection to public sewer, and surface water management includes a range of SuDS measures, with connection to public infrastructure. At construction phase, I am satisfied based on all information on file that the proposed development would not, subject to compliance with standard construction practices and measures outlined in the CDEMP and RWMP, result in release of pollutants to surface or groundwaters, nor ultimately to coastal waters or the sea. In this regard I note that the Significant Further Information (SFI) AA Screening Report has determined that during construction the proposed development has potential to impact on the QIs/special conservation objectives of the Slaney River Valley SAC due to water quality deterioration given the proximity of the works to eastern drainage ditch and the infill works within the western drainage ditch. The reference to Slaney River Valley SAC would appear to be in error, as this SAC is approx. 43km from the site and there are no hydrological or other pathways to this SAC from the project site. Notwithstanding this, I have examined the proposed development with regard to AA, as set out in Appendix 2 of this report, and have concluded that the potential for likely significant impacts of the proposed development on any European sites can be screened out. See also Item 2.1 below. In addition, I have outlined in the main report that the proposed development is considered to be in compliance with the	
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		requirements of Article 4 of the Water Framework Directive (WFD), and which also refers to Appendix 3 relating to WFD screening.	
1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	Yes	<u>Submitted EIA Screening Report:</u> Section 6.1.6: Completed development would result in modern and energy efficient residential houses. <u>CDEMP:</u> At Section 5.1: Construction schedule includes installation of external lighting. At Section 7.2: Construction noise, while inherently noisy and disruptive, is temporary in duration. Demolition and construction activities are expected to have a duration of approx. 2-3 weeks and 18 months respectively. Noise impact assessment (NIA) determined that exceedance of 65 dB daytime noise guidance standard is possible during construction. A number of noise sensitive receptors are located in proximity to the proposed site and noise control measures should be implemented to limit any potential impact caused by construction. Proposed noise control measures include screens, use of silencers on mechanical plant and mufflers/silencers on pneumatic tools and use of acoustic enclosures on compressors. No vibration impacts are anticipated, due to nature of the development. <u>Comment:</u> Having regard to the information on file and the nature of the construction project, I consider that the project would cause some noise and release of light during construction phase, and do not consider that these would be significant impacts. I consider that matters relating to noise and lighting would be	No

		adequately addressed in the CDEMP, and I note that no vibration impacts are predicted. At operation phase, the provision of energy efficient residential units is a positive impact. Noise and light impacts associated with the increased intensity of the residential use on site are also likely. However, these are anticipated to be typical of such mid-scaled schemes. Lighting impacts will be mitigated by the provision of a public lighting plan. Condition 33(a) requires submission of a final public lighting plan to be agreed in writing. Accordingly, I do not consider this aspect of the project likely to result in significant effects on the environment in terms of air quality (noise, vibration, light pollution).	
1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	Yes	See Items 1.2 and 1.6 above regarding potential water contamination. See Item 1.7 above with regard to potential noise impacts. <u>Submitted EIA Screening:</u> Section 7.5: Excavations and earth moving operations may generate quantities of construction dust, particularly in drier weather conditions. Proposed dust control measures including stockpiling of materials will be designed to minimise exposure to wind, vehicles will be fitted with covers where possible to prevent material loss, road sweeper will be used and Noise and Dust Monitoring will be carried out by independent specialist company. <u>Comment:</u> The potential for water contamination air pollution (noise and dust emissions) during construction phase is likely. These works will be managed through implementation of the final CEMP, as required by Condition 23. Construction phase is short term in duration, and	No

		impacts arising will be temporary, localised and will be addressed by mitigation measures. In terms of risk to human health, I do not consider this aspect of the proposed development likely to result in a significant effect on the environment.	
1.9 Will there be any risk of major accidents that could affect human health or the environment?	No	<u>Submitted EIA Screening:</u> Section 4.6: Scale of construction occurring at any one time would be moderate, with moderate quantities of materials present. Typical construction methods and practices would be anticipated to adequately mitigate against accidents or risks to human health. Site does not fall within Seveso III Regulations or European Communities (Control of Major Accident Hazards involving Dangerous Substances) Regulations 2015, as no dangerous substances are being used at the site. Site is not at a significant risk of natural disasters. OPW National Catchment Flood Risk Assessment and Management (CFRAM) and National Indicative Fluvial flood mapping show the site is not located within any fluvial, pluvial or groundwater flood zones. <u>Commentary</u> I note Fingal Development Plan 2023-2029 includes (at Table 14.27) 9no. Upper Tier Seveso/COMAH sites, none of which are within consultation distances of the subject site. The site is not within the consultation distances for either Upper or Lower Tier Establishments listed for Dublin and Meath, as viewed on the Health and Safety Authority's website (www.hsa.ie, accessed 26 June 2026). As outlined above, the site is not within a flood zone.	No

		I do not consider that the proposed development would give rise to risk of major accidents that could significantly affect human health or the environment.	
1.10 Will the project affect the social environment (population, employment)	Yes	<u>Submitted EIA Screening Report</u> At Section 6.1.1: potentially impacted population numbers would be moderate. At Section 6.1.7: Positive in-combination impact on the local economy and community by providing employment during construction is expected, with the creation of modern residential housing. <u>Comment:</u> I consider that the proposed development would have potential positive benefits on the social environment: - In terms of potential employment at construction phase - In terms of accommodating increased population at operation phase	No
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	Yes	See also Item 1.2 above. <u>Submitted EIA Screening Report:</u> Section 4.1: Table 4.1 lists approx. 31no. EIA developments within 5km of the site. Table 4.2 lists approx. 55no. other developments within 500m. Section 4.2.1: Nearest approved EIA scale development consists of railway works which extend approx. 40km from city centre to Maynooth. This would be approx. 1km northeast of proposed development at its closest. There are a number of sub-EIA scale approved housing type developments within 500m comprising extensions/modifications of existing dwellings and construction of individual dwellings and housing	No

		estates. Duration for demolition and construction phase is estimated to be 2 – 3 weeks and 18 months respectively. It is not known if approved developments will commence during the project construction phase. There is potential for in combination construction effects including nuisance (noise, dust, vibration etc.), use of resources and construction traffic. However, construction phase of each project would be temporary. Standard construction management practices would prevent significant environmental impacts or nuisance from proposed development and reduce potential for in-combination effects. It is not considered that cumulative environmental effects from construction of the project requires further investigation within an EIAR. Section 4.2.2: Existing residential estates, houses and commercial properties in the locality, in combination with the development, have potential to have an impact on a number of environmental elements and municipal services. Wastewater would be directed to existing foul water network. IW confirmed feasibility of connection. Foul water will be directed to Ringsend WWTP, which will discharge to Lower Liffey. Existing p.e. of the agglomeration is 2,100,000 and the WWTP would be able to accommodate the project. Significant adverse effect on the local air quality is not anticipated at operational phase due to nature of the development (residential housing). Air emissions would primarily be associated with traffic and electricity generation. Proposed residential units will be heated by new exhaust air heat pumps, which emits significantly less emissions in comparison to fossil fuel (Gas or Kerosene) burners. Once completed, traffic would consist of vehicles related to occupants of residential dwellings. Traffic volumes are anticipated to increase on local road network. However, these	
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		increases are not likely to be significant and traffic impacts associated with the development would be minimal. Local road network and new access road are anticipated to be sufficient to accommodate site related traffic. It is not considered that cumulative environmental effects from proposed development requires further investigation within an EIAR. <u>Comment:</u> The project relates to provision of 86no. residential units on a 1.6ha site, and which is part of a larger 1.9ha site. I note the nature and scale of approved developments listed in the submitted EIA Screening Report, and the project site's distance to same, including in particular the permitted 175no. residential units at Winterwood, Carpenterstown Road, approx.150m to west. However, having regard to the nature and scale of the developments outlined which have been permitted in the vicinity in recent years, and the nature and scale of the proposed development, I consider that the proposed development does not form part of a wider large scale change that could result in cumulative effects on the environment.	
2. Location of proposed development			
2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: - European site (SAC/ SPA/ pSAC/ pSPA) - NHA/ pNHA	No	- European site (SAC/ SPA/ pSAC/ pSPA) - NHA/ pNHA <u>Submitted EIA Screening Report:</u> Section 5.3.3: Table 5.2 outlines 7no. SACs and SPAs in the range of 7.3km to 19.2km from the subject site. Table 5.3 outlines 9no. proposed NHAs in the range of 0.38km to 14.1km from the subject site.	No

- Designated Nature Reserve - Designated refuge for flora or fauna - Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan	Designated sites considered to be within zone of influence are South Dublin Bay and River Tolka Estuary SAC (Site Code: 000781), North Dublin Bay SAC (Site Code: 000206), North Bull Island SPA (Site Code: 004006) and South Dublin Bay SAC (Site Code: 000210) due to potential hydrological connection via local network of drainage ditches. NIS and Ecological Impact Assessment (EclA) were carried out to ascertain potential significant impacts due to habitat loss/fragmentation, direct disturbance/mortality, spread of invasive species or water quality deterioration. It was considered that there is no potential for any significant impacts to QIs of designated sites, subject to mitigation measures. EclA proposed mitigation measures for protection of biodiversity during construction and operational phases. Bat survey found numerous trees on site with moderate to high bat roost potential. Surveys recorded little activity on site however continuous bat activity was recorded onsite by static bat detectors over 2-week period. Four bat species were recorded including Common pipistrelle (<i>Pipistrellus pipistrellus</i>), Soprano pipistrelle (<i>Pipistrellus pygmaeus</i>), Leisler's bat (<i>Nyctalus leisleri</i>) and Brown long eared bat (<i>Plecotus auritus</i>). Report determined that there is potential for moderate long term to permanent negative impact on bat activity due to enhanced lighting associated with housing, tree removal and increased urbanisation, in absence of mitigation. Mitigation measures for bat protection included in EclA and Bat Survey Report. It is not considered that project would require further assessment within an EIAR in terms of biodiversity and designated sites. <u>Comment:</u>	
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		The project is not located in, on or adjacent to any European site, any designated or proposed NHA or any other listed area of ecological interest or protection. There are indirect hydrological connections between the subject site and European sites in Dublin Bay, via surface water and wastewater pathways as part of public drainage networks, River Liffey and Irish Sea. The AA screening process outlined at Appendix 2 of this report concluded that the project would not have a likely significant effect on any European site either alone or in combination with other plans or projects. I do not consider that the proposed development would likely result in significant effects on the environment in terms of ecological designations or biodiversity. - <i>Designated Nature Reserve</i> - <i>Designated refuge for flora or fauna</i> <u>Comment:</u> The submitted EIA Screening Report does not comment on any designated nature reserve or designated refuge for flora or fauna. I note as viewed on the National Parks and Wildlife Service (NPWS) website (www.npws.ie, accessed on 26 June 2026) that the subject site is not located within any Nature Reserve, Wildfowl Sanctuary or National Park. For completeness, I note that the EIA Screening Report (at Section 5.3.3) states protected fauna species of note recorded within the NBDC 10km square (Hectad – O03) include the protected species Freshwater White-clawed Crayfish (<i>Austropotamobius pallipes</i>), Brown Long-eared Bat (<i>Plecotus auritus</i>), Daubenton's Bat (<i>Myotis daubentonii</i>), Badger (<i>Meles meles</i>), European Otter (<i>Lutra lutra</i>), Leisler's Bat (<i>Nyctalus leisleri</i>), Nathusius's Pipistrelle (<i>Pipistrellus nathusii</i>), Natterer's Bat (<i>Myotis nattereri</i>), Common Pipistrelle	
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		(Pipistrellus pipistrellus sensu lato) and Soprano Pipistrelle (Pipistrellus pygmaeus) It continues to state that bird species of note recorded for the most recent 30 years include Brent Goose (Branta bernicla), Common Tern (Sterna hirundo), Cormorant (Phalacrocorax carbo), Golden Plover (Pluvialis apricaria), Great Black-backed Gull (Larus marinus), Lapwing (Vanellus vanellus), Shoveler (Spatula clypeata), Teal (Anas crecca), Whooper Swan (Cygnus cygnus) and Wigeon (Mareca penelope). However, based on the information viewed on the NPWS website as outlined above, I am satisfied that the project site is not a Designated Nature Reserve nor Designated refuge for flora or fauna. - <i>Place, site or feature of ecological interest, the reservation/ conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan</i> <u>Submitted EIA Screening Report:</u> Section 5.3.3: An onsite assessment of existing habitats and species was carried out on 13th June 2025. Table 5.4 sets out main habitats found in and outside the site boundary. It is stated elsewhere in this section that habitats present onsite do not contain any potential links to protected habitats. <u>Comment:</u> I note that the subject site is not a place, site or feature of ecological interest, the reservation/conservation/ protection of which is an objective of a development plan/LAP/draft plan or variation of a plan. I do not consider that the proposed development would likely result in significant effects on the environment in	
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		terms of impacts on places/site/features of ecological interest.	
2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?	Yes	See Item 2.1 above. In addition - <u>Submitted EcIA:</u> Section 5.1: (bird survey) None of the species recorded onsite is red listed under *BoCCI classification. Herring Gull and Goldcrest are amber listed. None of the species recorded is listed under Annex I of E.U. Birds Directive. Section 5.2: No sighting or evidence of badger Section 5.3.2: Bat survey found no roosts on site. Four bat species were recorded. Report determined there will be slight to moderate, medium term negative impact. Long term negative impacts will be slight following mitigation. Section 7.0 outlines a range of control/monitoring measures at construction and operational phases. Section 9: With full implementation of bat protection measures and lighting during operational and construction phase, project would have a low impact on local bat populations. Landscape plan to include planting of linear habitats comprised of native species will provide connectivity for foraging bats to commute. Any potential impact on bats, birds and other fauna due to tree removal would be temporary until planting schedule becomes established. Lighting scheme will be sensitive to wildlife and avoid directional lighting of treelines/ hedgerows, trees and aquatic habitats. With implementation of mitigation measures, it is not considered that the proposal would have potential to cause water quality deterioration within Liffey and Dublin Bay Catchment during construction and operational phases.	No

		*Birds of Conservation Concern in Ireland <u>Comment:</u> I note that control/monitoring measures comprise designed-in and other mitigation measures to address potential impacts on biodiversity. These include implementation of noise, surface water and groundwater protection measures, time-restricted development works, and installation of bat boxes and a lighting scheme that will be sensitive to wildlife. Having regard to information outlined above and at Item 2.1, I do not consider that the project likely to result in a significant effect on the environment in terms of biodiversity (protected habitats, flora, fauna).	
2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	Yes	<u>Submitted EIA Screening Report:</u> At Section 5.3.4: Development would be located in Development Plan Landscape Character Type River Valley and Canal, classified as having high landscape value and high landscape sensitivity. Despite its location in a high sensitivity Landscape Character Type which has limited ability to absorb new development, much of surrounding area is dominated by urban features and proposal would adhere to area's overall development pattern. It is not located within the viewshed of any protected views or prospects. Topography of the area is defined by a gradient that declines very gently to the northwest to southeast. The site is publicly visible mostly in areas along Carpenterstown Road and from residential area to south and west. It will have a similar visual impact as other residential developments in the direct vicinity. Additional investigation within an EIAR for visual and landscape impacts from the development would not be required.	No

		At Section 5.3.5: Table 5.5 lists 6no. archaeological heritage sites within 1km of the site, ranging from 396m to 880m. There are no national monument(s) within development site. Nearest national monument is a holy well, at approx. 396m. Excavations.ie have a number of recorded excavations in the vicinity, the nearest being 287m to south west, carried out in response to a FI request, with 14no. test trenches excavated. No features or finds of archaeological interest were identified. Table 5.6 lists 25no. National Inventory of Architectural Heritage (NIAH) within 1km of the site, ranging from 371m to 999m. Nearest NIAH building is a stone road bridge 371m to south-southeast. Existing structures are not listed as protected structures and are not listed as NIAH building. The proposed development is not located in any Architectural Conservation Area. <u>Comment:</u> I note that the submitted EIA Screening Report cites excavation.ie, which would appear to be www.excavation.ie, a database of Irish excavation reports. The proposed development would result in a change in the character of the existing house plot, primarily by reason of the scale of the proposed 5-storey to 6-storey apartment block near the Carpenterstown Road frontage of the site. However, having regard to its site context in a built-up area, particularly the recently completed Balroy Hall apartment scheme to the west, I do not consider that the proposed development would result in significant adverse effects on features of landscape. Having regard to the site location, the information provided in the submitted EIA Screening Report, and the absence of any	
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		known archaeological features or of any buildings of architectural significance, I consider that the proposed development would not result in significant effects on features of landscape, historic, archaeological or cultural importance.	
2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	No	<u>Submitted EIA Screening Report</u> Section 4.3: Resources required include concrete, stone fill material, sand, concrete blocks and timber, which would be sourced from local suppliers and quarries. No uncommon use of natural resources for construction is expected. The (1.94 ha) area currently consists of a private residential dwelling with associated outhouses. It would be replaced with urban fabric, characteristic of the surrounding area. It is not anticipated that the consequential land take would have a significant environmental impact. Proposed landscape involves retention of existing trees, planting of additional trees, hedgerows and meadow areas, and provision of public open space and communal open space. The operational phase would cause no significant use of natural resources. <u>Comment:</u> Having regard to the site location, the nature of the proposed development and the information provided in the submitted EIA Screening Report, I consider that there are no important, high quality or scarce resources on or close to the site that could be affected by the proposal.	No
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected	Yes	See Items 1.2, 1.6 and 1.9 above. In particular, I have outlined in the main report that the proposed development is considered to be in compliance with requirements of Article 4 of the Water Framework Directive	No

by the project, particularly in terms of their volume and flood risk?		(WFD). I draw the Commission's attention to Appendix 3 of this report which outlines the WFD screening.	
2.6 Is the location susceptible to subsidence, landslides or erosion?	No	<u>Submitted EIA Screening Report</u> Section 4.6: The proposed site is in an area with low susceptibility to landslides, as per GSI mapping. The nearest recorded landslide event occurred at Diswellstown townland approx. 700m to south. <u>Comment:</u> I note that the Geological Society of Ireland (GSI) website (www.gsi.ie, accessed 29 June 2026) shows the Landslide Susceptibility Classification as 'D', and Susceptibility Description as Low. Location is described as Knockmaroon Glen Quarry Diswellstown, Strawberry Beds. With regard to the nearest recorded landslide, I note that the location shown online is east of the M50 motorway and south of Luttrellstown Road. The next nearest landslide is further distant at approx. 4km to south west, at a location west of Lower Lucan Road, Lucan, and west of River Liffey. Having regard to the information outlined in the submitted EIA Screening Report, the distance of the subject site from the nearest landslide event and to the information viewed on the GSI website outlined above, I am satisfied that the location is not susceptible to subsidence, landslides or erosion.	No
2.7 Are there any key transport routes (eg National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	Yes	<u>Submitted EIA Screening Report</u> Section 5.3.6: Construction: Site can be accessed via Carpenterstown Road to north which connects with Diswellstown Road to west and continues into Phoenix Park to east via White's Road. Site entrance works would be required to make it accessible to vehicles. Site has good connectivity to M50 motorway via N3 Navan Road and Junction 6.	No

		Construction works have potential to impact upon traffic volumes, which may impact on noise and dust emissions. Majority of HGV movements would take place during initial demolition and construction phases. This is a moderate sized development. Surrounding road network is well laid out and capable of carrying increased construction traffic. Cognisance should be taken of recommended traffic mitigation measures within NRA (2008) Environmental Impact Assessment of National Road Schemes and EPA (2006) Environmental Management in the Extractive Industry. Operation: Traffic volumes anticipated to increase on local road network are not likely to be significant. Traffic impacts would be minimal. Local road network and new access road are anticipated to be sufficient to accommodate site related traffic. 121 no. car parking and 131 no. bicycle parking spaces will be provided. Site is serviced by Dublin Bus route 37 which runs from Baggot Street/ Wilton Terrace to Blanchardstown Centre, with nearest bus stop approx. 650m from the site. Coolmine Train Station approx. 1.4km away accommodates commuter rail services between Maynooth and Dublin Connolly stations. Traffic and Transport Assessment concluded the proposal is expected to have negligible impact on operation of local road network. <u>Submitted Traffic and Transport Assessment:</u> Section 3.3: Fig. 3.1 Site Location and Local Road Network Section 3.5: Fig. 3.5: Subject Site Walking Catchment Section 6.7: Do-Something Scenario The percentage change through the assessed junctions due to traffic generated by the proposal during peak hours in the assumed year of opening is projected to result in:	
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		• increase of 0.86% and 0.90% through the 4-arm Carpenterstown Road/Diswellstown Road roundabout junction in AM and PM peak hours respectively; • increase of 1.41% and 1.32% through the 5-arm Carpenterstown Road/College Road/ White's Road/Castleknock College signal-controlled junction in AM and PM peak hours respectively Forecast additional traffic through the assessed junctions is significantly below the 5% threshold TII's Traffic and Transport Assessment Guidelines, and the 2.5% FCC threshold. Therefore, the proposal is not anticipated to have any material impact on operation of the adjoining road network. <u>Comment:</u> I note that the site would be accessed from the local road network. As viewed on Tailte Ireland mapping (www.tailte.ie, accessed 29 June 2026), the site is approx. 3.7km driving distance from N3, and approx. 4.1km from the N3/M50 junction (Junction 6). The M50 flyover is approx. 90m south east of the site, and by its nature is elevated above Carpenterstown Road, a short distance south of the junction of Carpenterstown Road/College Gate/Bracken Park. Having regard to the site's distance from the N3 and the N3/M50 junction (Junction 6), the findings of the Traffic and Transport Assessment regarding trip generation for the proposed development's opening year, I consider that the project would not affect key transport routes such as the M50, nor the N3/M50 junction. I do not consider that the proposed development would likely result in a significant effect on the environment in terms of transportation.	
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2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	No	<u>Submitted EIA Screening Report:</u> Section 5.1: Land in the immediate vicinity and surrounding area is mainly comprised of residential estates, linear residential development, urban green space, community facilities and services and commercial units. Section 5.3.4: Phoenix Park (is) to east, Castleknock Golf Club and GAA Club to south and Castleknock Community College to west. <u>Submitted Social Infrastructure Audit</u> Section 4.1: There are 11no. primary and 6no. post-primary schools within the catchment Section 4.2: 11 No. TUSLA registered childcare facilities are identified within 1km radius and 36 No. facilities within 2km radius. Fig. 4.5 shows Map of Subject Site, and Childcare Locations within Catchment Area. Section 4.3: 2no. community and social services and facilities within 1km, and 24no. assets within 2km radius. Fig. 4.5 shows Map of Subject Site, Social and Community Assets. Section 4.5 Healthcare and Emergency Services: 44no. health services and facilities, comprising 18no. General Practitioners and Health Centres, 1no. National Hospital (Connolly Hospital Campus), 11no. Pharmacies, 1no. Nursing Home and 5no. Dental Care Practices, were identified within and bordering the Study Area. A significant concentration of health facilities and infrastructure are located closer to Blanchardstown centre. <u>Comment:</u> I note the content of the submitted EIA Screening Report and Social Infrastructure Audit. I estimate that St. Patrick's National School is approx. 0.5km distant as the crow flies (as estimated from www.tailte.ie, accessed 29 June 2026). Adjoining land uses are residential, comprising apartment scheme (to west),	No
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		housing estate (to south) and house on substantial grounds (to east). The opposite (northern) side of Carpenterstown Road comprises a residential area of varying house types, some long established and others more recently completed such as Outfarm Wood. Based on the nature and scale of the proposal and separation distances to various more sensitive land uses such as hospitals and schools, I consider that the proposal would not significantly affect any existing sensitive land uses or community facilities.	
3. Any other factors that should be considered which could lead to environmental impacts			
3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	Yes	<u>Submitted EIA Screening Report:</u> As outlined at Section 1.11 above - Section 4.1: Table 4.1 lists approx. 31no. EIA developments within 5km. Table 4.2 lists approx. 55no. other developments within 500m. Section 6.1.7: There are several sub-EIA scale approved housing type developments within 500m of the site, comprising extensions/modifications of existing dwellings and construction of housing estates. There is potential for in-combination construction effects, including nuisance (noise, dust, vibration etc.), use of resources and construction traffic. However, construction phase of each project would be temporary. Standard construction management practices would prevent significant environmental impacts or nuisance from and reduce potential for in-combination effects. The completed housing development would be anticipated to have cumulative effects with existing housing and business developments in the area. However, proposed design and control infrastructure are such as to have no significant in-combination effect on the quality and capacities of the receiving environment, and there would be a low likelihood of significant cumulative environmental impacts.	No

		The development would be expected to have a positive in-combination impact on the local economy and community by providing employment during construction, with the creation of modern residential housing during operational phase. <u>Comment:</u> I note the wide range of permitted developments listed in the submitted EIA Screening Report. While most are very minor in scale, I note that subject site's proximity to the Winterwood site approx. 150m to east, whereby 175no. residential units have been permitted (LRD0056/S3E and ACP-322813-25 refers). I noted on site visit that no construction works have commenced on the Winterwood site. I consider that in the event construction is underway at both the subject and Winterwood sites at the same time, this would give rise to increased traffic generation in the form of construction traffic/deliveries and other potential impacts such as noise and dust. However, this development is of a nature and scale that has been determined to not have likely significant effects on the environment. In addition, I consider that subject to compliance with standard construction practices/CEMP measures at the subject site and, if relevant, any other active construction sites, the proposed development would not result in any significant in-combination effects. At operational phase, the proposed development and other permitted developments, if implemented, would result in increased demand on amenities and facilities in the area. However, given that the subject site is a part-brownfield/part-greenfield site located in a built-up area, I am satisfied that the principal in-combination effect would be delivery of housing units proximate to public transport and other amenities and facilities.	
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3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No	<u>Submitted EIA Screening Report:</u> Section 6.1.3: The proposed development is located a significant distance from international boundaries, and is unlikely that emissions would have any significant transboundary impacts. <u>Comment:</u> Having regard to the location of the site distant from any international boundaries, I am satisfied that no transboundary effects would arise.	No
3.3 Are there any other relevant considerations?	No		
C. CONCLUSION			
No real likelihood of significant effects on the environment.	☒	EIAR Not Required	
Real likelihood of significant effects on the environment.	☐	EIAR Required	
D. MAIN REASONS AND CONSIDERATIONS			
Regard has been had to: (a) The nature and scale of the project, which is below the thresholds in respect of Class 10(b)(i) and Class 10(b)(iv) of Schedule 5, Part 2 of Planning and Development Regulations, 2001, as amended, (b) The location of the site on zoned lands (Zoning Objective 'RS' Residential, and other relevant policies and objectives in the Fingal Development Plan 2023-2029, as varied, and the results of the strategic environmental assessment of this plan undertaken in accordance with the SEA Directive (2001/42/EC),			

- (c) The infill nature of the site (greenfield/brownfield) and its location in an urban neighbourhood which is served by public services and infrastructure,
- (d) The pattern of existing and permitted development in the area,
- (e) The location of the site outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001, as amended and absence of any potential impacts on such locations,
- (f) The guidance set out in the 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development', issued by the Department of Environment, Heritage and Local Government (2003),
- (g) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended,
- (h) The available results, where relevant, of preliminary verifications or assessments of the effects on the environment carried out pursuant to European Union legislation other than the EIA Directive,
- (i) The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment including those identified in the Construction and Demolition Environmental Management Plan, Resource Waste Management Plan, Ecological Impact Assessment, Natura Impact Statement (incorporating Appropriate Assessment Screening), Infrastructure Design Report, Traffic and Transport Assessment Report, Landscape Report, Aboricultural Assessment Impact & Tree Protection Report and Bat Assessment,
- (j) In so doing, the Commission concluded that by reason of the nature, scale and location of the project, the development would not be likely to have significant effects on the environment and that an Environmental Impact Assessment and the preparation of an Environmental Impact Assessment Report would not, therefore, be required.

Inspector _____

Date _____

Approved (DP/ADP) _____

Date _____

Appendix 2: AA Screening Determination

Screening for Appropriate Assessment	
Case Reference Number: PL-501080-DF-26	
Step 1: Description of the project and local site characteristics	
Brief description of project	Permission is sought for on a c.1.6ha site for: - Demolition of dwelling and gate lodge - Construction of 86no. residential units (42no. houses and 44no. apartments in a part 5/part-6 storey building - Widening of existing vehicular access; pedestrian access along Carpenterstown Road - Total site area is c.1.94ha including the development site, road works and infrastructural works. Works are proposed along Carpenterstown Road to facilitate continuation of existing cycle lane to west and connections into existing wastewater, surface water and watermain infrastructure. Significant Further Information (SFI) was re-advertised. No changes are proposed to the number of dwelling units originally proposed. The proposal as originally submitted and as amended by SFI is further described at Section 2.0 of main report.
Brief description of development site characteristics and potential impact mechanisms	The overall c.1.9ha site is located at Carpenterstown Road, Dublin 15. The M50 is approx. 90m to south east as the crow flies. The site and surrounding area are described at Section 1.0 of the main report. The subject site is not located within or adjacent to any European site.
Screening report	Submitted AA Screening Report describes (at Section 4.2) Existing Environment and details of habitat classification: • Dry calcareous and neutral grassland (GS1) • Buildings and artificial surfaces (BL2) • Amenity grassland (GA2) • Treelines (WL2) • Ornamental/non-native shrub (WS3) • Recolonising bare ground (ED4) • Hedgerow (WL1) • Scrub (WS1) • Drainage ditch (FW4) The report identified the following: • Water will be supplied by mains. • Surface water drainage network has been designed in accordance with Site Development Works for Housing Areas and Greater Dublin Strategic Drainage Study (GDSDS). SuDS features will reduce volume of water within the network. A proposed network of 225-300mm dia. pipes will

	direct excess surface water to the existing surface water drainage sewer on Carpenterstown Road. • Foul water will be directed to existing wastewater sewer on Carpenterstown Road via a new wastewater pump station and rising main. Foul water will be directed to Ringsend WWTP which currently has available capacity. Irish Water has confirmed feasibility of connection subject to 150m of network extension. Ringsend WWTP discharges treated water in Liffey Estuary. • Estimated duration of demolition works is 2-3 weeks and of construction works is 18 months. Approx. 5291.71m³ of infill material will be imported onto site. There are no hazardous materials on site. • Closest Natura 2000 sites are Rye Water Valley/Cartron SAC, South Dublin Bay and Riber Tolka SPA, South Dublin Bay SAC, North Dublin Bay SAC and North Bull Island SPA. • Rye Water Valley/Cartron SAC, North-West Irish Sea SPA and Rockabill to Dalkey SAC screened out. • Nearest mapped watercourse (online EPA maps) is an unnamed stream (Segment Code: 09_1510-Order 1), approx. 120m to east. It runs in an easterly direction for approx. 966m until it joins River Liffey, which flows in an easterly direction for approx. 14.3km until it discharges into Dublin Bay. Dublin Bay at its closest to the site forms part of South Dublin Bay and River Tolka Estuary SPA, South Dublin Bay SAC, North Dublin Bay SAC and North Bull Island SPA. Other watercourses include Astagob stream and Quarryvale stream which join River Liffey approx. 1.4km to south west. • There is a drainage ditch on site along the western boundary. Drainage maps show a 10mm dia. pipe potentially connecting this ditch to a surface water drainage pipe under Carpenterstown Road. This ditch will be infilled. • A drainage ditch outside red line boundary, adjacent to east boundary, drains into surface water drainage pipe under Carpenterstown Road. Surface water flows to east within existing pipes under Carpenterstown Road. It was not possible to ascertain whether this existing infrastructure is connected to a mapped watercourse downstream. Therefore, a potential hydrological connection between the drainage ditches that border the site and the unnamed stream to the east cannot be ruled out. • Site is located on Dublin ground waterbody IE_EA_G_008. It has achieved a Good water quality status during 2016-2021 period. It is considered Not at risk. Groundwater vulnerability is considered high. • Flood Risk Review is within Infrastructure Design Report. Site is not located within an area of fluvial, pluvial or groundwater flooding, indicative of 10% AEP (10 year) event, 1% AEP (100 year) event or 0.1% AEP (1000 year) event. • Drainage ditch along <u>western boundary</u> had minimal stagnant water during assessment. During construction, in the absence of mitigation measures, infill works have a slight potential to cause sedimentation/water quality
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	deterioration downstream. - Only minor excavation works are required for construction of 2m high boundary wall at <u>eastern boundary</u>. Area between proposed buildings and drainage ditch is well vegetated which would reduce potential for surface water run off from construction area to reach this ditch. Drainage ditch had minimal stagnant water at time of assessment. Given proximity of construction/soil disturbing works, in the absence of mitigation, there is potential for sedimentation/water quality deterioration to occur downstream. - Screening Conclusion – Proposed development would not result in any significant risk to protected habitats and species of South Dublin Bay and River Tolka Estuary SAC, North Dublin Bay SAC, North Bull Island SPA and South Dublin Bay SAC due to habitat fragmentation or loss, disturbance, reduction in species density or species diversity. - No invasive species present on site. No potential to impact protected sites downstream due to spreading of invasive plants. - During operational phase, no adverse effects expected on water quality of drainage ditch to west, River and Dublin Bay Catchment or the SACs/SPAs. - During construction, proposal has potential to impact upon qualifying interests/special conservation interests of *Slaney River Valley SAC due to water quality due to water quality deterioration given proximity of the works to the eastern drainage ditch and the infill works within the western drainage ditch. Therefore, NIS is required. *I note the reference of Slaney River Valley SAC would appear to be in error, given its substantial distance (approx. 43km as the crow flies) to south west. It is assumed that the authors intended to screen in: - South Dublin Bay and River Tolka SPA - South Dublin Bay SAC - North Dublin Bay SAC - North Bull Island SPA
Natura Impact Statement	Yes
Relevant submissions	Department of Housing, Local Government and Heritage (8 October 2025) states with regard to nature conservation that it is of the view that this development has potential to disturb - - roosting habitat of a population of bat species listed under Annex IV of the EU Habitats Directive (Council Directive 92/43/EEC) - nesting birds protected under Section 22 of the Wildlife Act 1976 (as amended). - badger sett due to scrub habitat. Badgers and their setts are protected under Wildlife Act 1976 (as amended). This would be caused by removal of mature trees and scrub

	habitat and demolition of dwelling and gate lodge. To mitigate potential impacts, it recommends conditions: - If potential bat roosts identified, developer must apply for Derogation Licence in accordance with Regulation 54(2) of European Communities (Birds and Natural Habitats) Regulations, 2011. Mitigation outlined in accompanying 'Bat assessment' is adhered to. - Subject to any requirement to obtain Felling Licence from Forest Service of DAFM, mature tree removal should not occur within 1 March to 31 August period - Badger survey be undertaken before works take place. If active badger setts are located, NRA Guidelines for treatment of setts prior to construction of road schemes is adhered to. An overview of the Department's submission is outlined in the main report. Matters raised relating to archaeology are not re-stated here. Uisce Éireann (ÚÉ) (10 October 2025) states Confirmation of Feasibility CDS25001335 has issued to applicant advising that water and wastewater connections are feasible. It outlines: • Water Connection - Feasible without infrastructure upgrade by Uisce Éireann • Wastewater Connection - Feasible subject to upgrades Approx. 150m of network extension will be required to facilitate connection. These works are not on an ÚÉ investment plan. Applicant will be required to fund local network upgrades. Fee will be calculated at connection application stage. Report sets out standard conditions relating to connection agreements, compliance with ÚÉ standards, and requirements where applicant proposes to build over or divert existing water or wastewater services. Department of Defence letter (22 September 2025) does not raise matters relevant to AA.
Ecology Technical Note	An Ecologist's Internal Technical Note (30 July 2026) has been received on this file, and is included at Appendix 4 of this report. In summary, it notes - - the applicant's ecological consultant identifies 4no. European sites within the Zol - South Dublin Bay SAC; North Dublin Bay SAC; South Dublin Bay and River Tolka Estuary SPA; and North Bull Island SPA, identified a potential indirect hydrological pathway to these European sites and proceeded to Stage 2 AA. - The P.A.'s ecological consultant concluded that significant effects on European sites could be excluded. It outlines the existence of a hydrological connection does not, in itself, establish the likelihood of significant effects. In undertaking screening for AA, consideration must be given not only to whether a pathway exists, but also to whether there is a credible

	mechanism by which the proposed development could give rise to effects that are likely to undermine the conservation objectives of a European site. Having regard to - • the nature and scale of the proposed development; • the urban context of the site; • the absence of any direct pathway to a European site; • the considerable separation distances involved; • the absence of sensitive aquatic ecological receptors associated with the site; • the lack of evidence demonstrating a realistic mechanism by which the conservation objectives of the Dublin Bay European sites could be affected; and • the lack of impact mechanisms that could significantly undermine the conservation status of the Qis, the Ecologist is satisfied that likely significant effects on European sites can be excluded on the basis of objective scientific information. The Ecologist - agrees with P.A. ecological consultant's conclusion that the proposed development is not likely to have a significant effect on any European site, either alone or in combination with other plans or projects. - Considers *Condition 27 is reasonable as an environmental management and compliance condition and should not be regarded as mitigation necessary to support the Appropriate Assessment screening conclusion. *See Other Information: <u>Note 3</u> in following section.
Other Information: <u>Note 1:</u> An external consultant's report (dated 23 October 2025) relating to review of AA, of AA Screening Report and NIS is on file. The content and conclusion of the external report is outlined at Section 3.0 of the main report. In brief, it states • Site is not within or anywhere near a European site. There will be no loss or alteration of habitat, or habitat/species fragmentation as a result of the proposal. European sites associated with Dublin Bay are between 10km -12km from the site (straight line distance). There is a possible hydrological link to Dublin Bay via a ditch, leading to a stream, that enters River Liffey. • Notwithstanding statement in NIS that a potential hydrological connection between drainage ditches that border the site and the unnamed stream to the east cannot be ruled out, the planning authority can be satisfied that the proposed development will not impact on any watercourses or on any designated sites via hydrological pathway. • Mitigation measures contained in NIS (and CDEMP) are standard construction industry methodologies, expected on projects of this scale • Planning authority may conclude, on basis of information submitted by applicant, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and the North Bull Island SPA, or any other European site, in view of these sites' Conservation Objectives, having regard to the	

nature and scale of the proposed development, its location, the significant separation distance to European sites and the lack of any realistic pathway.

- The proposed development would not be likely to give rise to a significant effect individually or in combination with other plans or projects on any European site.
- There is no requirement to proceed to Stage 2 AA.

First Planner's Report notes content of external consultant's report, agrees with conclusion of AA screening and determined that AA is not required.

Ecologist Officer Section report (03 March 2026) considers that information submitted at FI stage has not altered conclusions made in respect of AA in the initial assessment.

Note 2:

This assessment of this AA Screening Report notes all information received on the file, including planning authority's external consultant's report (23 October 2025), Ecologist Officer Section report (03 March 2026) and internal Technical Note (R501808_TN), in addition to the revised Natura Impact Statement document submitted to the planning authority as Significant Further Information (received on 07 January 2026).

FI Item 8 requested the applicant to update the NIS where any other amendments are made or additional material (is) submitted in response to Additional Information.

Save for the reference at Section 1.0 (Introduction) that this NIS report has been updated in response to a Request for Further Information, the SFI NIS document does not appear to expressly highlight the updated/revised content. However, I note for example that the updated version states that the nearest distance between the proposed buildings and the drainage ditch that runs adjacent to the east boundary is 8m. This is in contrast to 6.12m stated in the original document.

The updated reference to an approx. 8m separation distance is outlined at Section 4.1 Proposed Development and Section 6.3 Potential Impacts on Water Quality (as part of AA Screening).

Note 3:

The matters raised in the DHLGH's submission are addressed in the planning authority's conditions as follows:

- Condition 25: Implement measures in bat assessment
- Condition 26: (a) potential bat roosts (b) tree felling and (c) badger survey

In addition, Condition 27 requires all mitigation measures in NIS and related documentation to be complied with in full.

Note 4:

The submitted AA Screening report states the nearest watercourse is the un-named stream approx. 120m to east. However, I note that the 'unnamed stream' is Liffey_180, as viewed on www.catchments.ie (accessed 14 July 2026). I estimate this stream is approx. 140m east of the site, as viewed on Tailte Éireann mapping (www.tailte.ie), as opposed to approx. 120m outlined in the submitted documentation. For the purposes of this assessment, I outline below the separation distance as approx. 140m.

Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
South Dublin Bay and River Tolka Estuary SPA (004024)	Source: S.I. No. 212 of 2010 (accessed via NPWS website www.npws.ie on 13 July 2026) <u>Bird Species:</u> Light-bellied Brent Goose Oystercatcher Ringed Plover Grey Plover Knot Sanderling Dunlin Bar-tailed Godwit Redshank Black-headed Gull Roseate Tern Common Tern Arctic Tern <u>Wetland and Waterbirds</u>	10km to east	No direct connection. Possible indirect.	Y
North Bull Island SPA (004006)	Source: S.I. No. 211 of 2010 (accessed via NPWS website www.npws.ie 13 July 2026) <u>Bird Species:</u> Light-bellied Brent Goose Shelduck Teal Pintail Shoveler Oystercatcher Golden Plover Grey Plover Knot Sanderling Dunlin Black-tailed Godwit Bar-tailed Godwit Curlew	14km to east	No direct connection. Possible indirect.	Y

	Redshank Turnstone Black-headed Gull			
North Dublin Bay SAC (000206)	Source: S.I. No. 549 of 2019 (accessed via NPWS website www.npws.ie 13 July 2026) <u>Natural Habitat Type:</u> Mudflats and sandflats not covered by seawater at low tide Annual vegetation of drift lines Salicornia and other annuals colonising mud and sand Atlantic salt meadows (Glauco-Puccinellietalia maritimae) Mediterranean salt meadows (Juncetalia maritimi) Embryonic shifting dunes Shifting dunes along the shoreline with Ammophila arenaria (white dunes) Fixed coastal dunes with herbaceous vegetation (grey dunes)* Humid dune slacks <u>Animal and Plant Species</u> Petalwort	13km to east	No direct connection. Possible indirect.	Y
South Dublin Bay SAC (000210)	Source: S.I. No. 525 of 2019 (accessed via NPWS website www.npws.ie 13 July 2026)	12km to south east	No direct connection. Possible indirect.	Y

	<u>Natural Habitat Type:</u> Mudflats and sandflats not covered by seawater at low tide Annual vegetation of drift lines Salicornia and other annuals colonising mud and sand Embryonic shifting dunes			
North-West Irish Sea SPA (004236)	Source: NPWS website (www.npws.ie, accessed 13 July 2026) Red-throated Diver Great Northern Diver Fulmar Manx Shearwater Cormorant Shag Common Scoter Black-headed Gull Common Gull Lesser Black-backed Gull Herring Gull Great Black-backed Gull Kittiwake Roseate Tern Common Tern Arctic Tern Guillemot Razorbill Puffin Little Gull Little Tern	17km to east	Weak connection due to distance and dilution and dispersal effects of Irish Sea.	N
Rye Water Valley/Carton SAC (001398)	Source: S.I. No. 494 of 2018 (accessed via NPWS website www.npws.ie 13 July 2026) <u>Natural Habitat Type:</u>	7.5km to west	Weak connection as SAC is upriver of River Liffey (which is approx. 1km to south of subject site).	N

	Petrifying springs with tufa formation <u>Animal and Plant Species</u> Narrow-mouthed Whorl Snail Desmoulin's Whorl Snail			
Rockabill to Dalkey SAC (003000)	Source: S.I. No. 94 of 2019 (accessed via NPWS website www.npws.ie 13 July 2026) <u>Natural Habitat Type:</u> Reefs <u>Animal and Plant Species</u> Harbour Porpoise	19km to east	Weak connection due to distance and dilution and dispersal effects of the Irish Sea.	N

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site	
	Impacts	Effects
Site 1: South Dublin Bay and River Tolka Estuary SPA (004024) Conservation Objective: Maintain (all, save for Grey Plover; see Note below) Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Ringed Plover (<i>Charadrius hiaticula</i>) [A137] *Grey Plover (<i>Pluvialis squatarola</i>) [A141]	No direct impacts and no risk of habitat loss, fragmentation or any other direct impact. Possible hydrological link to Dublin Bay via a ditch, leading to a stream, that enters River Liffey. Low risk of sediment/pollution-laden surface water runoff at construction phase.	Ecological information submitted shows the site would not contain species for which the SPA has been designated as most of the bird species are estuarine/marine, or feed mostly on invertebrates of mudflats or sandflats. I consider that the nature and scale of the development, the contained nature of the site and distance from mudflats, sandflats and waters of this SPA, along with the use of standard best practice construction techniques make it unlikely that the proposed development could generate impacts of a magnitude that could effect European sites. Notwithstanding the proximity of the drainage ditch to the east, the stream is 140m further east and it discharges approx. 1km further south to River Liffey.

Knot (<i>Calidris canutus</i>) [A143] Sanderling (<i>Calidris alba</i>) [A144] Dunlin (<i>Calidris alpina</i>) [A149] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Redshank (<i>Tringa totanus</i>) [A162] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Roseate Tern (<i>Sterna dougallii</i>) [A192] Common Tern (<i>Sterna hirundo</i>) [A193] Arctic Tern (<i>Sterna paradisaea</i>) [A194] <u>Wetland and Waterbirds</u> Member States are required under Article 4 of Directive to pay attention to protection of wetlands. Wetland habitat contained within SPA and waterbirds that utilise this resource are listed as special conservation interest for this site, listed as "Wetland and Waterbirds". *Note: As Grey Plover is proposed for removal from list of SCIs this SPA, a site-specific conservation objective has not been set for this species (Conservation Objective Series for this SPA refers, as viewed on NPWS website, www.npws.ie, accessed 14 July 2026)		Given the potential indirect substantial hydrological distance between the subject site and the estuarine and coastal location of the SPA, I consider that the effects of any potential pollution-laden surface water runoff on sites or species associated with this SPA would be negligible due to the dispersal and dilution effects of the Irish Sea. The site has not been identified as an ex-situ site for qualifying interests. Conservation objectives would not be undermined.
	Likelihood of significant effects from proposed development (alone):No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site	
	Impacts	Effects
Site 2: North Bull Island SPA (004006) Conservation Objective: Maintain (all) Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Shelduck (<i>Tadorna tadorna</i>) [A048] Teal (<i>Anas crecca</i>) [A052] Pintail (<i>Anas acuta</i>) [A054] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Knot (<i>Calidris canutus</i>) [A143] Sanderling (<i>Calidris alba</i>) [A144] Dunlin (<i>Calidris alpina</i>) [A149] Black-tailed Godwit (<i>Limosa limosa</i>) [A156] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Curlew (<i>Numenius arquata</i>) [A160] Redshank (<i>Tringa totanus</i>) [A162] Turnstone (<i>Arenaria interpres</i>) [A169] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Shoveler (<i>Spatula clypeata</i>) [A857]	As above for Site 1.	SFI AA Screening (within NIS document) states the site would not contain any habitats which would have potential links to qualifying interests of this SPA. Hydrological distance between the development site and this SPA is approx. 14km. I consider that having regard to the nature and scale of the development, the contained nature of the site and site's distance to mapped habitats of this SPA, along with the use of standard best practice construction techniques, I consider it unlikely that the proposed development could generate impacts of a magnitude that could effect European sites. Notwithstanding the proximity of the drainage ditch to the east, the stream is 140m further east and it discharges approx. 1km further south to River Liffey. Given the potential indirect substantial hydrological distance between the subject site and this SPA, I consider that the effects of any potential pollution-laden surface water runoff on sites or species associated with this SPA would be negligible due to the dispersal and dilution effects of the Irish Sea. The site has not been identified as an ex-situ site for qualifying interests. Conservation objectives would not be undermined.

Embryonic shifting dunes [2110]	Restore	development could generate impacts of a magnitude that could effect European sites. Notwithstanding the proximity of the drainage ditch to the east, the stream is 140m further east and it discharges approx. 1km further south to River Liffey. I note in this assessment that the conservation objective for 6no. of these SCIs is to 'restore'. However, given the potential indirect substantial hydrological distance between the subject site and this SAC, I consider that the effects of any potential pollution-laden surface water runoff on sites or species associated with this SAC would be negligible due to the dispersal and dilution effects of the Irish Sea. Conservation objectives would not be undermined.
Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]	Restore	
Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]	Restore	
Humid dune slacks [2190]	Restore	
<i>Petalophyllum ralfsii</i> (Petalwort) [1395]	Maintain	
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site	
	Impacts	Effects
Site 4: South Dublin Bay SAC (000210) Conservation Objective: Maintain (all) Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Salicornia and other annuals colonising mud and sand [1310]	As above for Site 1.	SFI AA Screening (within NIS document) states development site would not contain estuarine/ dune habitats for which SAC has been designated. Nearest mapped mudflats and sandflats within SAC are approx. 11.6km (16km hydrologically downstream) to east. QIs for which SAC has been designated are sensitive to sedimentation. I have viewed mapping associated with this SAC on the NPWS website (accessed 13 July 2026) and estimate the project site is approx. 12km (straight line distance) from any mapped habitats associated within the SAC. Having regard to the nature and scale of the development, the contained nature of the site and the site's distance to this SAC's mapped habitats, along with the use of standard best practice construction

Embryonic shifting dunes [2110]		techniques, I consider it unlikely that the proposed development could generate impacts of a magnitude that could effect European sites. Notwithstanding the proximity of the drainage ditch to the east, the stream is 140m further east and it discharges approx. 1km further south to River Liffey. Given the potential indirect substantial hydrological distance between the subject site and this SAC, I consider that the effects of any potential pollution-laden surface water runoff on sites or species associated with this SAC would be negligible due to the dispersal and dilution effects of the Irish Sea. Conservation objectives would not be undermined.
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
<u>Comment:</u> I have noted in this assessment that the submitted AA Screening report (within SFI NIS document) refers to a drainage ditch to east of the subject site. However, notwithstanding the proximity of this ditch, having regard to the 140m distance to a stream further to the east, which in turn discharges to River Liffer approx. 1km to south, I consider that any indirect hydrological link to the 4no. European sites outlined at Step 2 above would not result in likely significant effects on any QIs/special conservation interests of these European sites. I note the Ecology Technical Note (R501080_TN) on file, which states that the Applicant's assessment places considerable emphasis on the existence of a potential hydrological connection. The Technical Note outlines that the existence of a hydrological connection does not, in itself, establish the likelihood of significant effects. In undertaking screening for Appropriate Assessment, consideration must be given not only to whether a pathway exists, but also to whether there is a credible mechanism by which the proposed development could give rise to effects that are likely to undermine the conservation objectives of a European site. It further outlines that having regard to - • the nature and scale of the proposed development; • the urban context of the site; • the absence of any direct pathway to a European site; • the considerable separation distances involved; • the absence of sensitive aquatic ecological receptors associated with the site;		

- the lack of evidence demonstrating a realistic mechanism by which the conservation objectives of the Dublin Bay European sites could be affected; and
- the lack of impact mechanisms that could significantly undermine the conservation status of the Qis,

the Ecologist is satisfied that likely significant effects on European sites can be excluded on the basis of objective scientific information, and agrees with the P.A.'s ecological consultant's conclusion that the proposed development is not likely to have a significant effect on any European site, either alone or in combination with other plans or projects.

On the basis of all information on file, I concur with the assessment and conclusion of the Technical Note, and consider that the proposed development is not likely to have a significant effect on any European site, either alone or in combination with other plans or projects.

For completeness, I note the Mitigation Measures listed at Section 8.0 of the SFI NIS. I consider these measures are standard construction practices and are not specifically designed to avoid impacts on European sites. Neither this Section 8.0 nor the separate CDEMP lodged with the application propose to appoint an Ecological Clerk of Works (EcOW) or an environmental manager for construction phase. Standard pollution control measures would be required for a development on any urban site in order to protect local receiving waters, regardless of any potential hydrological connection to Natura 2000 sites.

I draw Condition 27 to the Commission's attention, which states that all mitigation measures outlined in the NIS and related documentation shall be implemented in full. The AA Screening forms part of the document titled Natura Impact Statement (as lodged with the original application and SFI). While the planning authority's Condition 27 specifically refers to 'mitigation measures as outlined in the Natura Impact Statement', I am satisfied, as outlined above, that these measures are standard construction practices.

In this regard the Technical Note states that having reviewed the NIS and CDEMP, it is noted that the measures referred to therein comprise pollution prevention, sediment control and environmental management measures that are generally expected as part of good construction practice and which would be undertaken regardless of the presence of a European site downstream. The Ecologist considers that Condition 27 is reasonable as an environmental management and compliance condition, and would not regard this condition as mitigation required to support a conclusion of no likely significant effects. I concur with this view of the Technical Report.

I have noted in this assessment that the applicant's AA Screening concludes that Stage 2 AA is required. The applicant submitted a Natura Impact Statement, as amended by SFI. In deciding to prepare and submit a NIS, I consider that an over-abundance of caution approach has been taken and is not required in this instance.

I consider that having regard to the nature of the receiving environment in a built-up area, the distances to the nearest European sites and the hydrological pathway considerations, the information submitted as part of the applicant's AA Screening report and the information viewed on the NPWS website, that the proposed development, by itself or in combination with other development, plans and projects in the vicinity, the proposed development would not be likely to have a significant effect on South Dublin Bay and

River Tolka Estuary SPA (004024), North Bull Island SPA (004006), North Dublin Bay SAC (000206) and South Dublin Bay SAC (000210).

The AA screening conclusion is further set out in the following Step 4.

Step 4: Conclude if the proposed development could result in likely significant effects on a European site

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

No mitigation measures are required to come to these conclusions.

Screening Determination

Finding of no likely significant effects

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

This determination is based on:

- the nature and scale of the proposed development;
- the urban context of the site;
- the absence of any direct pathway to a European site;
- the considerable separation distances involved;
- the absence of sensitive aquatic ecological receptors associated with the site;
- the lack of evidence demonstrating a realistic mechanism by which the conservation objectives of the Dublin Bay European sites could be affected; and
- the lack of impact mechanisms that could significantly undermine the conservation status of the QIs.

Appendix 3: Water Framework Directive

WFD IMPACT ASSESSMENT SCOPING TABLE			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	PL-501080-DF-26	Townland, address	A site comprising The Orchard and The Orchard Gate Lodge, Carpenterstown Road, Dublin 15, D15R2RV &, D15XPW4
Description of project	Permission is sought for on a c.1.6ha site comprising The Orchard and The Orchard Gate Lodge, Carpenterstown Road, Dublin 15, D15R2RV &, D15XPW4 for: - Demolition of dwelling and gate lodge - Construction of 86no. residential units (42no. houses and 44no. apartments in a part 5/part-6 storey building) - Widening of existing vehicular access; pedestrian access along Carpenterstown Rd. - Total site area is c.1.94ha including the development site, road works and infrastructural works. Works are proposed along Carpenterstown Road to facilitate continuation of existing cycle lane to west and connections into existing wastewater, surface water and watermain infrastructure. Significant Further Information (SFI) was received on this application. Amendments include alterations to red line boundary, access point from Carpenterstown Road and unit type. SFI does not amend total number of units proposed (86no.) The proposed development is further described at Section 2.0 of main report.		
Brief site description, relevant to WFD Screening,	• Part brownfield/part greenfield infill site within an urban area • Submitted EIA Screening report: - Section 4.5.1.2: The overall site topography varies from 63 mAOD to 60 mAOD sloping from west to east. - Section 4.5.1.2: There are no mapped watercourses on site. There are 2no. drainage ditches, along western and eastern site boundaries. It is proposed to infill the drainage ditch along the western boundary. Section 5.3.1: Works are proposed in close proximity to the drainage ditch to east of the site. Construction and Demolition Environmental Management Plan (CDEMP) includes measures for protection of water quality.		

	- Section 4.5.1.2: There are no mapped water courses within the site's red line boundary. A drainage ditch within the site runs along the western boundary, and a drainage ditch is located adjacent to the eastern site boundary. • Submitted Infrastructure Design Report states (at Section 1) the site is within Flood Zone C and (at Section 7) a flood risk review has been prepared. Site is not located within or adjacent to any identified fluvial, pluvial, coastal or groundwater flood zones. Proposal does not pose risk to people, property or surrounding area and Site Specific Flood Risk Assessment is not required. Irish Sea is c.10.3km to east, 1.1km north of River Liffey and 1.7km south of River Tolka. • Information viewed on Geological Survey of Ireland website (www.gsi.ie, accessed 14 July 2026) shows this location in underlaid by deep well drained mineral soil. • Information viewed on EPA source (www.catchments.ie, accessed 14 July 2026) shows: - Groundwater: overall status for IE_EA_G_008 is Good (2019-2024) and the WFD Risk is Review. - Groundwater vulnerability is High. Nearest mapped watercourse is • IE_EA_09L012350 (LIFFEY 180; EPA name: TEMP_09D55; Segment Code: 09_1510) approx. 140m to east of the subject site. • This discharges to IE_EA_09L012350 (LIFFEY_180; EPA name: Liffey; Segment Code: 09_2126), approx. 1km to south. • This in turn discharges to IE_EA_090_0400 (Liffey Estuary Upper; EPA name: Liffey) further south east at Irish National War Memorial Gardens. This is a transitional waterbody. • This in turn discharges to IE_EA_090_0300 (Liffey Estuary Lower; EPA name: Liffey) in the city centre, direct east of Matt Talbot Bridge. This is a transitional waterbody. • This in turn discharges to IE_EA_090_0000 (Dublin Bay), a coastal waterbody.
Proposed surface water details	Surface water design includes use of SuDS measures to provide surface water attenuation onsite, and ultimately discharge to an existing surface water sewer along Carpenterstown Road.

Proposed water supply source & available capacity	Water will be provided via a new connection to an existing watermain. Uisce Éireann (ÚÉ) (10 October 2025) states Confirmation of Feasibility CDS25001335 has issued to applicant advising that water and wastewater connections are feasible. It outlines: • Water Connection - Feasible without infrastructure upgrade by Uisce Éireann
Proposed wastewater treatment system & available capacity, other issues	<u>Submitted EIA Screening Report:</u> Wastewater would be directed by gravity to proposed wastewater pump station at northwest of the site. Wastewater will be pumped via a new rising main to an existing wastewater gravity manhole on Carpenterstown Road to northwest of the site. Irish Water has confirmed feasibility of connection to the networks subject to infrastructure upgrades. Foul water will be directed to Ringsend WWTP which will discharge to Lower Liffey Estuary. <u>Uisce Éireann (ÚÉ) (10 October 2025) states Confirmation of Feasibility CDS25001335 has issued to applicant advising that water and wastewater connections are feasible. It outlines:</u> • Wastewater Connection - Feasible subject to upgrades Approx. 150m of network extension will be required to facilitate connection. These works are not on an ÚÉ investment plan. Applicant will be required to fund local network upgrades. Fee will be calculated at connection application stage. Report sets out standard conditions relating to connection agreements, compliance with ÚÉ standards, and requirements where applicant proposes to build over or divert existing water or wastewater services. <u>Uisce Éireann website:</u> Separately, I note that the ÚÉ's capacity register (www.water.ie, accessed 14 July 2026) published April 2026 indicates that there is available capacity for Dublin City and Suburbs at Ringsend WWTP and that WWTP Project is planned/underway.
Others?	<u>Water Services Department Reports</u> (01 October 2025 and 21 January 2026): - First report: Regarding flood risk, states no objection. Regarding surface water drainage, states no objection subject to standard conditions. - Second report: Regarding flood risk, states no objection. Regarding surface water drainage, states no objection subject to conditions including an updated engineering design, calculation and drawings accounting for revised site layout to be submitted for approval.

	<u>External consultant's report</u> (dated 23 October 2025) relating to Appropriate Assessment states: - There is a possible hydrological link to Dublin Bay via a ditch, leading to a stream, that enters River Liffey. - Notwithstanding statement in NIS that a potential hydrological connection between drainage ditches that border the site and the unnamed stream to the east cannot be ruled out, the planning authority can be satisfied that the proposed development will not impact on any watercourses or on any designated sites via hydrological pathway.
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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 run-off, drainage, groundwater) (Consider all phases)	Mitigation Measures proposed	Is mitigation sufficient? Will there be any residual impacts?
River	IE_EA_09L012350 LIFFEY_180 EPA name: TEMP_09D55 Segment Code: 09_1510	Poor (2019-2024)	At risk	Urban Wastewater, Urban Run-Off Significant Pressures: Nutrients, Organic	Surface water run-off at construction and operational phases	<u>Construction phase:</u> CEMP, Standard construction practices <u>Operational phase:</u> Design, SuDS	Mitigation sufficient. No residual impacts anticipated.
River	IE_EA_09L012350 LIFFEY_180 EPA Name: Liffey	Poor (2019-2024)	At risk	Urban Wastewater, Urban Run-Off	Surface water run-off at construction and operational phases	As above	Mitigation sufficient. No residual impacts anticipated.

	Segment Code: 09_2126			Significant Pressures: Nutrients, Organic			
Transitional	IE_EA_090_0400 Liffey Estuary Upper EPA name: Liffey	Moderate (2019-2024)	Review	No Identified Issues. No Significant Pressures.	Surface water run-off at construction and operational phases	As above	Mitigation sufficient. No residual impacts anticipated.
Transitional	IE_EA_090_0300 Liffey Estuary Lower EPA name: Liffey	Moderate (2019-2024)	At risk	Urban Waste Water Significant Pressures: Nutrients.	Surface water run-off at construction and operational phases	As above	Mitigation sufficient. No residual impacts anticipated.
Coastal	IE_EA_090_0000 Dublin Bay	Good (2019-2024)	Not at Risk	No Identified Issues. No Significant Pressures.	Surface water run-off at construction and operational phases	As above	Mitigation sufficient. No residual impacts anticipated.
Ground	IE_EA_G_008	Good (2019-2024)	Review	None. Significant Pressures: None	Infiltration to groundwater.	As above	Mitigation sufficient. No residual impacts anticipated.

Appendix 4: Technical Note [Ecology]: R_501080_TN



An
Coimisiún
Pleanála

Internal Technical Note

R501080_TN

To	Cáit Ryan
From	Donncha Madden
Development	Proposed residential development at The Orchard and The Orchard Gate Lodge, Carpenterstown Road, Dublin 15
Topic	Ecology
Date	Appropriate Assessment 30 July 2026

1.0 Introduction

1.1. Background

1.1.1. This note has been prepared in response to the Inspector's memorandum dated 16 July 2026 requesting specialist ecological expertise from the ACP in-house ecology section regarding:

1. the conclusions of the Planning Authority's ecological consultant;
2. whether Condition 27 is reasonable; and
3. if Ecology Section does not agree with the Planning Authority's consultant's conclusions, the rationale for that position.

1.2. Scope of Technical Note

1.2.1. In preparing this note, I have reviewed the following documentation:

- Natura Impact Statement (NIS) prepared by Panther Ecology (December 2025) on behalf of the Applicant;

- Construction and Demolition Environmental Management Plan (CDEMP) prepared by Panther Environmental Solutions (September 2025) on behalf of the Applicant;
- Ecological review prepared for Fingal County Council by Brady Shipman Martin (BSM) (October 2025); and
- Inspector's Memorandum (July 2026).

1.2.2. This note provides ecological observations to assist the Inspector and does not constitute an Appropriate Assessment.

2.0 Issues examined and suggestions for consideration by the Commission

2.1. Conclusions of the Planning Authority's Ecological Consultant

2.1.1. The NIS identifies the following European sites within the zone of influence of the project:

- South Dublin Bay SAC;
- North Dublin Bay SAC;
- South Dublin Bay and River Tolka Estuary SPA; and
- North Bull Island SPA.

2.1.2. The proposed development site is not located within, nor immediately adjacent to, any European site. There will be no direct habitat loss, fragmentation, disturbance or land-take within any European site arising from the proposed development.

2.1.3. The Applicant identifies a potential indirect hydrological pathway between the site and the Dublin Bay European sites via local drainage infrastructure, an unnamed stream, the River Liffey catchment and Dublin Bay. On this basis the Applicant proceeded to Stage 2 Appropriate Assessment.

2.1.4. The Planning Authority's ecological consultant (BSM) reviewed this pathway and concluded that the Planning Authority could be satisfied that the proposed development would not impact watercourses and would not impact designated sites

via the identified hydrological pathway. The consultant therefore concluded that significant effects on European sites could be excluded.

2.1.5. I have reviewed the information available on file and I agree with the conclusions of the Planning Authority's ecological consultant (BSM).

2.1.6. In my opinion, the Applicant's assessment places considerable emphasis on the existence of a potential hydrological connection. However, the existence of a hydrological connection does not, in itself, establish the likelihood of significant effects. In undertaking screening for Appropriate Assessment, consideration must be given not only to whether a pathway exists, but also to whether there is a credible mechanism by which the proposed development could give rise to effects that are likely to undermine the conservation objectives of a European site.

2.1.7. Having regard to:

- the nature and scale of the proposed development;
- the urban context of the site;
- the absence of any direct pathway to a European site;
- the considerable separation distances involved;
- the absence of sensitive aquatic ecological receptors associated with the site;
- the lack of evidence demonstrating a realistic mechanism by which the conservation objectives of the Dublin Bay European sites could be affected; and
- the lack of impact mechanisms that could significantly undermine the conservation status of the Qis,

I am satisfied that likely significant effects on European sites can be excluded on the basis of objective scientific information.

2.1.8. Accordingly, I agree with the Planning Authority ecological consultant's conclusion that the proposed development is not likely to have a significant effect on any European site, either alone or in combination with other plans or projects.

3.0 Whether Condition 27 is Reasonable

- 3.1.1. Having reviewed the NIS and CDEMP, I note that the measures referred to therein comprise pollution prevention, sediment control and environmental management measures that are generally expected as part of good construction practice and which would be undertaken regardless of the presence of a European site downstream.
- 3.1.2. I consider that Condition 27 is reasonable as an environmental management and compliance condition.
- 3.1.3. I do not consider that the conclusion of no likely significant effects on European sites is dependent upon the implementation of Condition 27. Rather, the condition provides an appropriate mechanism for securing environmental protection measures during the construction phase.
- 3.1.4. Accordingly, I would not regard Condition 27 as mitigation required to support a conclusion of no likely significant effects. The conclusion that the proposed development is not likely to have a significant effect on any European site can be reached independently of the measures secured by that condition.

4.0 Conclusions

- 4.1. In summary, the following is my professional opinion on the questions posed by the Planning Inspector:
- I agree with the conclusions of the Planning Authority's ecological consultant as I consider that whilst there is a potential hydrological connection between the site and downstream European sites, the information available does not demonstrate a credible mechanism by which the conservation objectives of those sites could be affected.
 - There is therefore no requirement, in my opinion, to proceed to Stage 2 Appropriate Assessment.

- I consider that Condition 27 is reasonable as an environmental management and compliance condition and should not be regarded as mitigation necessary to support the Appropriate Assessment screening conclusion.



Donncha Madden

Senior Ecologist

30 July 2026

I confirm that this report represents my professional ecological 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.