



An
Coimisiún
Pleanála

Inspector's Report PL-501273-DF-26

Development	Installation of secondary vehicular exit with raised pedestrian crossing and all associated site works.
Location	Swords Shopping Centre, Rathbeale Road, Swords, Co. Dublin
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F26A/0127E
Applicant(s)	J.C. Savage Supermarket Unlimited Company
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party v Refusal of Permission
Appellant	J.C. Savage Supermarket Unlimited Company
Observer(s)	None
Date of Site Inspection	6 th July 2026
Inspector	Anthony Kelly

1.0 Site Location and Description

- 1.1. The site comprises Swords Shopping Centre on the north side of Rathbeale Road (R125), approximately 500 metres northwest of Swords town centre. The site is occupied by a two-storey shopping centre containing JC's Supermarket, Dunnes Stores (Textile and Homeware Store), a Café Sol, and Swords Library, among others, as well as extensive surface level car parking with 277 spaces¹. Vehicular access is currently via a three-arm signalised traffic junction in the southwest corner of the site which was upgraded from a priority junction in October 2024².
- 1.2. The specific area of the site subject of the application is the southeast area. It is occupied by car parking spaces and vehicular circulation areas, the site boundary, and a public area comprising a grass verge and a footpath adjacent to Rathbeale Road³. The ground level of the public area is approximately 1 metre higher than the shopping centre area.
- 1.3. The site has an area of 1.83 hectares.

2.0 Proposed Development

- 2.1. Permission is sought for a secondary vehicular exit junction to Rathbeale Road incorporating a raised pedestrian crossing and new pedestrian access, and all associated works including 'No Entry' signage and internal car park layout adjustments.
- 2.2. In addition to standard plans and particulars the planning application was accompanied by a 'Traffic and Transport Assessment Report' (TTA) dated 14th August 2025 and a 'Drainage Report' dated 30th January 2026.

¹ As per page 1 of the grounds of appeal.

² As per both the planning application and the FCC internal Transportation Planning Section report.

³ A 'Land Registry Compliant Map' was submitted with the application which shows the 'public areas' under applicant's folios.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. Fingal County Council (FCC) refused the planning application for the following reason:

‘The Planning Authority considers that the applicant has failed to demonstrate a need or justification for the proposed additional vehicular exit. The proposed development would endanger public safety and constitute a traffic hazard to pedestrians, vulnerable road users and vehicular movement and would be contrary to the requirements of Policy CMP34 – Road and Street Design and Objective DMSO118 of the Fingal Development Plan 2023-2029 which aim to promote road safety, place-making and sustainable movement and avoid the creation of traffic hazards. In addition, it is considered that the proposed vehicular exit by reason of its location would create an obstacle to the improved active travel infrastructure on Rathbeale Road and the proposed 5% gradient would not align with the TII document DN-GEO-03060’.

3.2. Planning Authority Reports

3.2.1. One Planning Report was prepared by FCC. This included a site location and description, a planning history, a policy context, and a summary of third-party submissions and internal departmental reports. An Assessment was also carried out. Some excerpts from this are:

- The principle of development is acceptable subject to compliance with development plan standards and objectives, particularly relating to traffic and transport.
- It is not considered that the proposed exit will have an impact on visual amenity.
- In light of the issues highlighted by the Transportation Planning Department, the Planning Department does not support the proposed development.
- No appropriate assessment (AA) or environmental impact assessment (EIA) issues arise.
- A refusal of permission was recommended for one reason, as per the decision.

3.2.2. Other Technical Reports

Transportation Planning Section – Commentary was provided under a number of subheadings. Concern was set out in relation to, among other things, the rationale for the proposed development, a disimprovement in the existing situation for vulnerable road users, the existing proliferation of priority junctions, Policy CMP34 of the Fingal Development Plan (FDP) 2023-2029, presenting an obstacle to improved active travel infrastructure, and the gradient of the internal approach to the junction. A refusal of permission was recommended.

Water Services Department – No objection subject to conditions in relation to surface water and no objection in relation to flooding.

Public Lighting Section – A public lighting design is to be submitted and approved.

Parks and Green Infrastructure Division – No objection subject to conditions.

3.3. Prescribed Bodies

3.3.1. None.

3.4. Third Party Observations

3.4.1. Fourteen submissions were received by FCC from local residents. The main issues raised can be broadly and briefly summarised as follows:

- The signalised junction has improved access significantly to the shopping centre / delays are likely a consequence of increased traffic volumes
- Traffic lights have worsened congestion / yellow boxes are ignored
- Concern about the proximity to the Lidl, Rathbeale Crescent (a cul-de-sac), and Brackenstown Avenue junctions creating additional conflict points / houses along Rathbeale Road have difficulty exiting / increased hazard for Rathbeale Crescent residents accessing or egressing / creation of an overly complex interface / who will police the exit only system / the TTA is incomplete
- While the development may ease congestion within the site it will be at the expense of road safety and traffic flow on Rathbeale Road / it is impossible to assess how many vehicles will use the exit / the proposed exit allows traffic turn

left and right. If the road is not clear to allow traffic turn right it will cause a backlog of traffic within the car park

- Increased risk to pedestrians
- The proposed development would adversely affect road safety, traffic flow, and residential amenity / overconcentration of junctions on a short stretch of road
- Contrary to objectives of the FDP 2023-2029
- Visual and accessibility concerns about the proposed raised pedestrian crossing
- An independent traffic study should be carried out for Rathbeale Road / piecemeal approach to granting new access points is inconsistent with good transport-planning practice
- There is the possibility of a vehicular exit only point from the rear of the site / new road needed
- No meaningful engagement with residents
- It may appear the exit would help a new application for the HSE who were refused permission at the existing junction under F25A/0412E

4.0 Planning History

- 4.1.1. While there have been a number of previous applications on site, these are not particularly relevant to the subject development. Previous applications include a grant of retention for a café/takeaway trailer in the car park (P.A. Reg. Ref. F23A/0174 / ACP Reg. Ref. ABP-317501-23), a grant of permission for extensions and alterations to the shopping centre including reconfiguration, resurfacing and upgrade of the surface car park (P.A. Reg. Ref. F17A/0325 / ACP Reg. Ref. ABP-300934-18), and a grant of permission for alterations and extensions to the shopping centre including reconfiguration and upgrade of the southeastern surface car park (P.A. Reg. Ref. F15A/0024 / ABP Reg. Ref. PL 06F.245567).
- 4.1.2. Notwithstanding, there is a concurrent appeal with the Commission as follows:

P.A. Reg. Ref. F26A/0234E / ACP Reg. Ref. PL06F.501528 – This is a first-party appeal of the FCC split-decision to grant retention permission for the revised car parking layout to accommodate three 'Click & Collect' parking bays including the installation of associated informational and directional signage, Café Sol's Sunday and Bank Holiday opening times, and signage, and to refuse retention permission for a 42.17sqm portacabin structure and associated access ramp to accommodate the processing and storage of online grocery orders for collection. A decision is due by 15th October 2026.

5.0 Policy Context

5.1. Design Manual for Urban Roads and Streets (DMURS) (2019)

- 5.1.1. DMURS provides guidance relating to the design of urban roads and streets. It presents a series of principles, approaches and standards that are necessary to achieve balanced, best practice design outcomes with regard to street networks and individual streets.

5.2. Transport Infrastructure Ireland (TII) Geometric Design of Junctions DN-GEO-03060 (May 2023)

- 5.2.1. I include this publication because it was referenced in the reason for refusal. It sets out the standards and advice for the geometric design of junctions. The design principles and geometric parameters which shall be considered when developing safe and efficient junction layouts and vehicular accesses onto new and improved national roads are outlined.
- 5.2.2. The FCC Transportation Planning Section report states that as there is no guidance contained in DMURS on approach gradients on the minor arm of a priority junction in the urban realm, as this is a busy regional road, DN-GEO-03060 is considered to provide the relevant guidance. Section 5.6.3 (Approach Gradients) states,

'Gradients on minor roads shall be in accordance with DN-GEO-03031. The gradient on the minor road immediately next to the major road should be considerably less, and a "dwell" area of at least 15m shall be provided immediately adjacent to the major

road carriageway. Where site conditions are particularly difficult this area may be reduced to 10m as a Relaxation. In the case of a direct access to dwellings, it may be reduced to 3m as a Relaxation. A combined relaxation in dwell area length and approach gradient is not regarded as a departure. The gradient for the dwell area shall lie between plus and minus 2.5%. In difficult situations, this may be increased to between plus and minus 4% as a Relaxation’.

- 5.2.3. The Transportation Planning Section report states ‘The existing topographical difference between the carpark and the road means that the applicant is proposing a 5% gradient, which would be a steep gradient and would not align with the TII document DN-GEO-03060; and we would consider this to be too steep for a new junction at this busy location’.

5.3. Fingal Development Plan (FDP) 2023-2029

- 5.3.1. The site is in an area zoned ‘LC – Local Centre’ which has a zoning objective ‘Protect, provide for and/or improve local centre facilities’. There is a specific objective along Rathbeale Road at the site location for a ‘(GDA⁴) Cycle Network Plan’.

- 5.3.2. Chapters 6 (Connectivity and Movement) and 14 (Development Management Standards) of the Plan are relevant to the proposed development. A policy and an objective are specifically cited in the reason for refusal. These are:

Policy CMP34 (Road and Street Design) – Ensure that roads and streets within the County are designed to balance the needs of all road users, including children and other vulnerable road users and promote road safety, place-making and sustainable movement, providing a street environment that prioritises active travel and public transport whilst ensuring the needs of commercial servicing is accommodated.

Objective DMSO118 (Road Safety Measures) – Promote road safety measures in conjunction with the relevant stakeholders and avoid the creation of traffic hazards.

- 5.3.3. There are other provisions of the Plan relevant to the proposed development which I refer to, where necessary, in this Inspector’s Report (IR).

⁴ Greater Dublin Area

5.4. Natural Heritage Designations

- 5.4.1. The nearest area of natural heritage designation is Malahide Estuary special area of conservation (SAC) approximately 1.5km to the northeast. This is also a proposed natural heritage area (pNHA; Malahide Estuary pNHA). The closest special protection area (SPA) is Malahide Estuary SPA approximately 1.7km to the northeast. All distances are in a direct line.

6.0 Environmental Impact Assessment (EIA) Screening

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

7.0 The Appeal

7.1. Grounds of Appeal

- 7.1.1. The first-party grounds of appeal can be summarised as follows:
- The development management objective governing vehicular accesses onto regional roads is DMSO115⁵. This permits properly designed necessary accesses which do not create traffic hazards. The proposed development arises from the need to manage traffic flows safely and efficiently following the reconfiguration of access arrangements imposed by FCC. In such circumstances the additional exit cannot be described as unnecessary.

⁵ Objective DMSO115 (Restriction of New Access Arrangements) of the FDP 2023-2029 – Restrict unnecessary new accesses directly off Regional Roads. Ensure premature obsolescence of all County/local roads does not occur by avoiding excessive levels of individual entrances. Ensure that necessary new entrances are designed in accordance with DMRB or DMURS as appropriate, thereby avoiding the creation of traffic hazards.

- The supporting documents submitted with the planning application clearly demonstrate the justification for the secondary exit having regard to the operational context of the site and the recent changes to the road network. The signalised junction resulted in congestion and operational inefficiencies within the car park. The internal circulation was reconfigured but has not fully addressed issues. The proposal is a proportionate and targeted response and it will have no impact on the regional and local road network.
- Policy CMP34 specifically refers to ensuring the needs of commercial servicing is accommodated. It calls for a balanced assessment and does not prohibit new vehicular exits, particularly when needed to serve commercial developments.
- DMURS notes that increased vehicular permeability in urban street networks does not result in higher collision risk. It recognises that more frequent lightly trafficked junctions can contribute to traffic calming. No evidence has been provided by FCC to demonstrate that vulnerable road users would be at risk.
- The contention that the proposed exit would create an obstacle to providing improved active travel infrastructure is not supported by evidence. The Cycle Network Plan is a strategic, long-term aspiration rather than a committed scheme. Any potential interface could be appropriately addressed in future and a refusal of permission on the basis of future active travel infrastructure is not justified.
- The proposed 5% gradient accords with DMURS guidance. The TII publication relates to national roads. It is not intended to govern the design of local urban access ramps. It has no statutory force. The FDP 2023-2029 does not require application of this in place of DMURS. In addition, no evidence has been presented that the proposed gradient would give rise to traffic or road safety concern.

7.2. Planning Authority Response

7.2.1. The planning authority's response can be summarised as follows:

- The proposed junction would have a negative impact on the public realm and would contravene Policy CMP34 as this portion of Rathbeale Road already has a proliferation of priority junctions.

- High usage of the proposed junction would have an impact on vulnerable road users and the junction would create an obstacle to improved active travel infrastructure.
- Notwithstanding the grounds of appeal, the issues raised under F26A/0127E are still outstanding and have not been dealt with. The Commission is requested to uphold the decision.

7.3. Observations

7.3.1. None.

8.0 Assessment

Having examined the application and appeal details and all other documentation on file, and having inspected the site, I consider that the only substantive issue in this appeal is the Planning Authority's Reason for Refusal.

8.1. The Planning Authority's Reason for Refusal

- 8.1.1. The planning authority's reason for refusal is set out in paragraph 3.1.1 of this IR. The planning application proposes a secondary, exit-only, vehicular egress point from Swords Shopping Centre onto Rathbeale Road, a busy regional road (R125)⁶ within the built-up area of Swords and within the 50kph speed limit area. I consider that the proposed development, in principle, would not be inconsistent with the existing commercial land use and zoning, subject to more detailed consideration. The shopping centre is already served, in the southwestern corner of the site, by a signalised junction to Rathbeale Road.
- 8.1.2. The planning application was supported by a cover letter and a TTA. The rationale for the proposed development is that the FCC upgrade of the access to the shopping centre in October 2024 from a priority junction to a signalised junction resulted in significant congestion both on Rathbeale Road and within the shopping centre car

⁶ Rathbeale Road is described as 'moderately trafficked' in paragraph 2.4 of the TTA.

park. A one-way system was implemented within the car park; however queuing continues to occur during peak periods. The proposed development is intended to improve traffic flow and reduce delays within the car park and it is considered to represent a pragmatic improvement to the site's vehicular infrastructure without increasing traffic volumes. The TTA concluded that the provision of a secondary access results in reduced overall delay at the signal-controlled junction with a net gain for road network performance, particularly in the PM peak.

8.1.3. The planning authority's decision and the rationale for it has been summarised in Section 3 of this IR along with a summary of the fourteen submissions received. The applicant's grounds of appeal and the planning authority's response to same are summarised in Section 7.

8.1.4. There are a number of separate but interrelated issues contained within the planning authority's single reason for refusal. I address these issues under the following subheadings.

Need or justification for the proposed additional vehicular exit

8.1.5. In my opinion the rationale behind the proposed development has been clearly identified in the planning application i.e. address congestion and egress issues from within the shopping centre site. Notwithstanding, as referenced in the internal FCC Transportation Planning Section report, Table 4.1 of the TTA shows that the existing junction is operating well within capacity. The report also states that the planning authority's own monitoring and observation of the junction indicates that it is operating well within capacity. It seems that the first sentence of the reason for refusal relates to a technical need or justification as opposed to one not being provided in the first instance.

Public safety/traffic hazard

8.1.6. The reason for refusal stated that the proposed development would endanger public safety and constitute a traffic hazard to pedestrians, vulnerable road users, and vehicular movement.

8.1.7. Paragraph 3.5 of the TTA estimates that approximately 40% of existing left turners and 30% of right turners would use the proposed priority exit i.e. approximately 40 vehicles in the AM peak and approximately 92 vehicles in the PM peak according to

Appendix C to the TTA. The Transport Planning Section report did not identify usage numbers but assumed 'a steady flow of vehicles exiting, and hence a disimprovement of the existing situation from the perspective of pedestrians, cyclists and vulnerable road users generally'.

- 8.1.8. Apart from traffic on Rathbeale Road itself there are two existing junctions in very close proximity that would, in my opinion, generate the potential for conflict with vehicles exiting from the proposed access. The Rathbeale Road/Rathbeale Crescent junction is on the opposite side of the road and very slightly to the west of the proposed exit. This is a cul-de-sac serving approximately 39 houses. There is a Lidl development with surface car parking approximately 40 metres to the east⁷. The TTA does not refer to either of these or consider the possibility of conflict from having a new exit in such close proximity to existing junctions. Appendix B does include manual classified junction turning counts at the Rathbeale Road/Rathbeale Crescent junction but the TTA primarily focuses on the shopping centre site, the redistribution of traffic from it, and the impact of that on Rathbeale Road, rather than the wider implications of the proposed exit on potential conflict with existing junctions. The application appears to be attempting to address internal issues by potentially creating an adverse situation external to the site.
- 8.1.9. The Transport Planning Section report noted that vehicles 'would technically have priority over pedestrians who want to cross the junction'. The proposed site layout plans in Appendix A to the TTA refer to the pedestrian crossing as a 'courtesy crossing'. In DMURS, courtesy crossings 'are generally defined by a change in material and/or vertical deflection ... allow pedestrians to informally assert a degree of priority over drivers'. Figure 4.38 of DMURS shows an example of a courtesy crossing with the accompanying commentary 'Drivers stop and wait for pedestrians to cross as a courtesy'. Therefore, as per the Transport Planning Section report, drivers would technically have priority. I consider this to be relevant in future driver behaviour at this exit. Egress from the site, particularly turning right, would likely regularly require quick movements given the nature of the road and the number of junctions in close proximity. Drawing no. NRB-TA-002 (Proposed Additional Exit Only Layout) in Appendix A shows a 'stop' sign before the raised table so vehicles would be expected to stop

⁷ The Brackenstown Avenue junction which was referenced in a number of submissions is approximately 110 metres to the east on the opposite side of the road.

approximately 3.5 metres – 4 metres back from the road edge. However, the sightlines drawing (drawing no. NRB-TA-003) show that the sightlines are measured from a location forward of this. It is therefore not clear that sightlines can be achieved from the location of the stop sign so that means that vehicles may have to be positioned on the raised courtesy crossing table for periods of time in order to be able to act quickly when an opportunity to exit onto Rathbeale Road presents itself. This would not benefit pedestrians or other vulnerable road users, in my opinion.

- 8.1.10. In addition, I note that the proposed pedestrian access is on the west side of the proposed exit. This means that every pedestrian approaching from the east would have to cross the vehicular exit to access the proposed pedestrian footpath. There would be negligible use of the proposed footpath by pedestrians approaching from the west because they would likely use the existing stepped pedestrian access in the centre of the roadside boundary.
- 8.1.11. Additional vehicular exits increase the potential for conflict because there are more locations where vehicles and vulnerable road users can interface. While the proposed development may reduce queuing and congestion within the site, notwithstanding Table 4.1 of the TTA, it would do so by the creation of a new access point across a footpath. As I have set out in paragraph 8.1.9, I have concerns about the design of this junction. The Rathbeale Crescent and Lidl junctions also present issues in my opinion given that they would generate traffic onto Rathbeale Road in close proximity to the proposed exit.
- 8.1.12. It may be the case that FCC and the landowner could revise the timings of the traffic signalisation system. However, in my opinion, the hazard to vulnerable road users that may occur as a result of the additional exit would be greater than the benefits arising in the operation of the car park and I do not consider the additional exit to be appropriate.

Policy CMP34

- 8.1.13. Policy CMP34 of the FDP 2023-2029 is set out in paragraph 5.3.2 of this IR. The grounds of appeal states that the policy seeks to balance the needs of all road users. Emphasis is placed on the inclusion of the phrase ensuring the 'needs of commercial servicing is accommodated'. In my opinion the grounds of appeal misinterpret what 'commercial servicing' means in this context. I consider that commercial servicing in

this context relates to matters such as loading and unloading of deliveries and refuse collection. The shopping centre has sufficient space for these. I do not consider that commercial servicing in this context means an additional egress point from a car park in addition to a signalised junction. I consider that the inclusion of this policy in the reason for refusal is reasonable. The proposed egress point would, in my view, adversely impact vulnerable road users and road safety.

Objective DMSO118

8.1.14. Objective DMSO118 of the FDP 2023-2029 is also set out in paragraph 5.3.2 of this IR. For reasons set out elsewhere in this section I do not consider that the proposed development would avoid the creation of traffic hazards and its inclusion in the reason for refusal is reasonable.

8.1.15. The grounds of appeal reference Objective DMSO115 (Restriction of New Access Arrangements) of the FDP 2023-2029⁸, and it considers that this objective supports the proposed development by permitting 'necessary accesses where they are properly designed in accordance with DMURS and do not create traffic hazards' (paragraph 17 of the grounds of appeal). Given the rationale for the proposed development, 'the additional exit only access cannot be described as unnecessary' (paragraph 18). While I note the rationale for the proposed development, and that it may be desirable from the applicant's perspective, in my opinion the rationale does not reach a threshold whereby the creation of a new access directly off the regional road is necessary. I consider that the proposed development would be contrary to this objective and warrants inclusion in the reason for refusal. In addition, as set out elsewhere in this section it has not been satisfactorily demonstrated that the new junction would not create a traffic hazard.

Active travel infrastructure

8.1.16. The grounds of appeal note that there is no bicycle lane on Rathbeale Road and there are no defined infrastructure proposals or committed schemes. The grounds of appeal state that any potential interface between the proposed junction and future infrastructure can be appropriately addressed.

⁸ Objective DMSO115 (Restriction of New Access Arrangements) – 'Restrict unnecessary new accesses directly off Regional Roads ... Ensure that necessary new entrances are designed in accordance with DMRB or DMURS as appropriate, thereby avoiding the creation of traffic hazards'. The policy does not differentiate between urban and rural regional roads or different speed limit zones.

8.1.17. I agree with the broad point being made in the grounds of appeal that, should an active travel scheme be carried out on Rathbeale Road, the interface between the junction and the scheme could be addressed at that time. In principle it would be no different to the layout designs that would be required across the Lidl, Rathbeale Crescent, and existing signalised junctions. Therefore, I do not consider that the reference to active travel infrastructure in the refusal reason is warranted. Notwithstanding, the creation of the access in the first instance would, in my opinion, create an issue for vulnerable road users. I consider the comments of the Transport Planning Section to be relevant in this regard; 'We have concerns with the introduction of an additional intensive vehicular exit onto a section of regional road that already has a proliferation of existing priority junctions, and it's effects [sic] on the surrounding public realm and the experience of pedestrians and cyclists and vulnerable road users generally, who would have another junction to navigate'.

5% gradient

8.1.18. The grounds of appeal consider that TII document DN-GEO-03060 is not relevant to the application and that, as the 5% gradient is acceptable under DMURS, that is sufficient.

8.1.19. It is clear from Section 1 (Introduction) of DN-GEO-03060 that the document applies only to national roads. Section 6.5.10.3 (Roads and Streets Design) of the FDP 2023-2029 states 'The design of streets in urban areas is guided by the Design Manual for Urban Roads and Streets 2019 (DMURS) ...' Therefore it is clear, in my view, that DMURS is the relevant document in this regard. The grounds of appeal (paragraph 32) reproduce an excerpt from DMURS (Section 4.4.6 (Alignment and Curvature)) which states that 'In urban areas, it is likely that the comfort of vulnerable road users will be the determining factor for desirable maximum longitudinal gradients on streets. Part M of the building regulations advises that access routes with a gradient of 1:20 or less are preferred. Therefore a maximum gradient of 5% is desirable on streets where pedestrians are active'. As such I consider that the 5% gradient is acceptable and its inclusion in the reason for refusal is not warranted.

Conclusion

8.1.20. Having regard to the foregoing, I consider that the basis of the planning authority's decision to refuse is reasonable and I consider that a refusal of permission is the

appropriate recommendation. I consider that the unnecessary creation of a new egress point, in such close proximity to existing junctions, would endanger public safety and constitute a traffic hazard, and would be contrary to the provisions of Policy CMP34 and Objectives DMSO115 and DMSO118 of the FDP 2023-2029.

9.0 Appropriate Assessment (AA) Screening

- 9.1. I have considered the proposed development in light of the requirements of Section 177U of the Planning & Development Act, 2000 (as amended).
- 9.2. The subject site is located in a built-up urban area approximately 1.5km southwest of Malahide Estuary SAC.
- 9.3. The proposed development comprises the construction of a secondary vehicular exit from Swords Shopping Centre onto Rathbeale Road.
- 9.4. No nature conservation concerns were raised in the planning appeal.
- 9.5. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European site.
- 9.6. The reason for this conclusion is as follows:
 - The small scale and nature of the proposed works within the built-up urban area
 - The distance of the subject site from the nearest European site and the absence of a source-pathway-receptor connection
- 9.7. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.
- 9.8. Likely significant effects are excluded and therefore AA (under Section 177V of the Planning & Development Act, 2000 (as amended)) is not required.

10.0 Water Framework Directive

- 10.1. An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive.
- 10.2. Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects.
- 10.3. In addition, the proposed development will not adversely affect the achievement of established environmental objectives, including the protection, maintenance, and improvement of water body status, as required under the Directive.
- 10.4. Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

11.0 Recommendation

- 11.1. I recommend that planning permission be refused.

12.0 Reasons and Considerations

1. The unnecessary creation of an additional egress point onto the R125 Regional Road from Swords Shopping Centre, in a location which is in close proximity to existing road junctions, would be contrary to the provisions of Policy CMP34 (Road and Street Design), Objective DMSO115 (Restriction of New Access Arrangements), and Objective DMSO118 (Road Safety Measures) of the Fingal Development Plan 2023-2029, would endanger public safety by reason of traffic hazard or obstruction of road users or otherwise, and would be contrary to the proper planning and sustainable development of the area.

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.

Anthony Kelly

Planning Inspector

10th August 2026

Appendix 1 – Environmental Impact Assessment Pre-Screening

Case Reference	ACP-501273-DF-26
Proposed Development Summary	Secondary vehicular exit junction to Rathbeale Road
Development Address	Swords Shopping Centre, Rathbeale Road, Swords
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 & Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested.	State the Class here
☒ No, it is not a Class specified in Part 1. Proceed to Q.3.	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning & 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. OR If Schedule 7A information submitted proceed to Q4.	State the Class and state the relevant threshold
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____

