



An
Coimisiún
Pleanála

Inspector's Report PL-501376-DF-26

Development	Retention permission is requested for vehicular access and gate to the site. Permission is required for new ecofriendly community building and place of worship with new wastewater treatment system, parking and all associated site works
Location	Lands at Folio DN17884, R122 Curragh West Naul to Garristown Road, Co. Dublin
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F26A/0167E
Applicants	Celestial Church of Christ Ajijola-Jesu
Type of Application	Retention permission and permission
Planning Authority Decision	To refuse retention permission and permission
Type of Appeal	First Party
Appellants	Celestial Church of Christ Ajijola-Jesu
Observers	David and Gillian Miller
Date of Site Inspection	16 th July 2026
Inspector	Trevor Rue

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1.0 Site Location and Description

- 1.1. The application site is located in the countryside about 10 kilometres to the south west of Balbriggan, about 2.5 kilometres to the south west of Naul and about 4.5 kilometres to the east of Garristown. The site, which has a stated area of 0.203 hectares, comprises a roadside field to the east of the R122, which is bounded by trees on its northern, north-eastern, eastern and southern sides. There are plots containing single dwellings directly to the north and south of the site. The area is mainly agricultural.

2.0 Proposed Development

- 2.1. **Retention permission** is sought for a centrally placed vehicular access to the site, and an entrance gate. The submitted sightlines plan indicates visibility splays of 2 metres by 90 metres at the access, measured to the centre of the road.
- 2.2. **Permission** is sought for new community building and place of worship. The building would be of 1½-storey construction with a ridge height of 8.25 metres and a floor space of 432 square metres. It would be set back 24.8 metres from the gate with its gable facing the road. The central part of the front elevation, including the entrance porch, would have floor-to-ceiling glazing. The ground floor would accommodate a reception desk and exhibition space, a shop, offices, two community rooms separated by a retractable wall, toilets with five cubicles and two showers, and a kitchen/canteen. The first floor would be occupied by a pastor's office with a locker room and a toilet, storage space, and a seating area of 116 square metres, to include a large altar.
- 2.3. Provision would be made on the site for minibus and bicycle parking and for eight or nine car-parking spaces. The hard-surfaced area would have a permeable finish and rainwater would be harvested. A wastewater treatment and percolation area would be laid out in the north-western part of the site. Existing boundary trees would be retained and low-level native-species hedgerows would be planted.
- 2.4. The **rationale** for the proposed development was set out in a letter from the applicants and in an attached document dated July 2023, which contain the following information:
- For many years, the parish has served as a spiritual cornerstone for the community. It provides a place of worship, solace and support for countless individuals and families. However, the current place of worship in is no longer

adequate to meet the growing needs of the congregation. The proposed development would allow the church to expand its outreach programmes. It is envisaged that the centre would offer dedicated spaces for youth activities, a soup kitchen and food pantry to assist those in need, and a venue for local groups and organisations to gather and connect.

- In 2023, the church members lived in Balbriggan, Skerries, Lusk, Rush, Blanchardstown, Hollystown, Tyrrelstown, Ashbourne, Ratoath, Santry and Lucan. The application site is close to counties like Meath and Louth and to major towns in Co. Dublin where it is expected that future members will reside.
- The site is about 18 kilometres from the appellants' current and temporary place of worship at Hollystown, Dublin 15. The proposed relocation would reduce travel time for most members while adding at most 20 minutes' travel time for those few members who live in Lucan and Hollystown.
- The site has a beautiful, unobstructed view over the countryside and is placed between the scenic towns of Garristown and Naul, with easy access to the M1 and the M2. The M50 is also within reach via these motorways.
- The church members are professionals who have lived and worked in the Republic of Ireland for up to 30 years. They are particularly from the African community and especially from Nigeria. However, new members are welcome.
- The number of families worshipping in 2023 was 15, the average family size being four. The main worship time was between 11am and 1pm on Sundays. An average service was attended by 60% of the members (about nine families). A third depended on public transport and the rest arrived in five or six cars. It was hoped that in six years the number of worshippers would have doubled.

2.5. The application was supported by an **architectural design statement**, which may be summarised as follows:

- The design philosophy is sensitive integration. The building is conceived as a modern vernacular barn. It would be set deep into the site using natural topography to minimise its profile from key public vantage points. All significant boundary hedgerows and trees would be retained.

- To avoid uninterrupted walls, the massing would be broken into two interconnected wings. The sanctuary would be a slightly taller, vaulted space with a pitched roof, echoing traditional agricultural forms. A low-lying flat-roofed section for community facilities would be hidden behind the main volume. This would reduce the perceived scale of the building.
- Natural stone and timber would be used for the primary elevations to reflect the local built heritage. There would be a dark zinc/slate roof to minimise light reflect and ensure that the building would disappear when viewed from a distance. Large windows would be recessed or screened with timber louvres to prevent light spill at night.
- Grid paving would be used, allowing grass to grow through the parking spaces. This would maintain the green appearance of the site when the facility was not in use and would assist with sustainable drainage system requirements.

2.6. The application was also supported by a **site suitability assessment** for the proposed wastewater treatment system, the contents of which included the following:

- It was noted that the application site overlies a locally important aquifer of extreme vulnerability.
- Based on parameters relating to the use of function rooms by 25 persons, it was calculated that the proposed development would have the same loading as that of a house or apartment with a population equivalent of 4.
- Following a desk study, a visual assessment, trial hole and percolation tests, it was concluded that the site was suitable for groundwater discharge and that all minimum separation distances could be met.
- Based on a population equivalent of 4, it was proposed to install a SEPCON BAF PE6 secondary treatment system. Only grey and foul water should enter the sewage treatment system. It was proposed to use a soil polishing filter with a minimum capacity of 10 square metres and a 45-square-metre infiltration bed.
- Drawings were provided showing the proposed layout of the sewage treatment system and its relationship with neighbouring sewage systems.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. On 30th April 2026, Fingal County Council decided to refuse the application for the following reasons:

1. The proposed development would result in an unacceptable form of development that would not contribute to achieving the 'RU' zoning objectives or vision. Furthermore, the proposed development by virtue of its proposed location is in direct conflict with Objectives DMSO81 & Objectives DMSO82 of the development plan. For the above reasons, the proposed development would directly conflict with the relevant 'RU' zoning objectives or vision; would contravene with the relevant policies and objectives of the Fingal Development Plan 2023-2029; and, would therefore be contrary to the proper planning and sustainable development of the area.

2. It is considered that the proposed development raises serious concerns in relation to road safety as the subject site has substandard access and sightlines. The development to be retained would materially contravene Objective DMSO115 regarding new site access arrangements in such locations, as well as Objective DMSO118 which seeks to prevent the creation of traffic hazards. The development to be retained would conflict with the relevant policies and objectives of the Fingal Development Plan 2023-2029 and would endanger public safety by reason of traffic hazard or obstruction of road users or otherwise..

3.2. Planning Authority Reports

3.2.1. A **planning officer's report** typed on 28th April 2026 provided the reasoning for the authority's decision. The main points were as follows:

- Based on the information submitted, the proposed building would serve members of the church who live in nine urban centres. The development would encourage traffic movements from urban areas to a rural site which is not well served by public transport and so would encourage transport by private vehicle. Therefore, the development is not acceptable in principle at this location.

- The contemporary design of the structure, in combination with its overall mass and scale, is fundamentally at odds with the rural nature of the site. There would be an unacceptable contrast with the existing dwellings in the area.
- There are concerns about overlooking and loss of privacy affecting the dwellings to the north and south of the site. The development would also threaten local amenity through noise and disturbance associated with the use.

3.2.2. The Council's **Water Services Department** made the following points:

- It had no objection in relation to flood risk.
- The proposals involve additional roof-space and hard-standing areas. No surface water drainage details or ground investigation/ soakaway tests have been submitted. The applicant was requested to submit an engineering report containing this information.
- Any proposed soakaway shall be designed, using local rainfall data, to accommodate the 30-year critical-duration storm event from all additional impermeable surfaces with a minimum 20% allowance for climate change, and shall be at least 5 metres from any structure and 3 metres from any boundary.
- The proposed loading for the development for a population equivalent of 4 may be insufficient. Given the scale and nature of the scheme, the applicant should provide adequate justification for the loading calculations
- The proposed percolation area clearance separation distances to adjacent boundaries/structures should be in accordance with Code of Practice for Wastewater Treatment and Disposal Systems Serving Single Dwellings published by the Environmental Protection Agency (EPA) in 2021.

3.2.3. The Council's **Parks and Green Infrastructure Division** stated that as the site is in a highly sensitive landscape, particular emphasis must be placed on the retention of existing landscape features. There are trees and hedgerows along the site boundaries which are worthy of retention. While the submitted site layout plan appears to indicate hard standing, the proposed church itself due to its close proximity would have a negative impact on this vegetation. A complete tree survey, including an arboricultural impact assessment, tree constraints plan, tree protection plan and arboricultural method statement, is required.

3.2.4. The Council's **Transportation Planning Section** made the following points:

- The R122 has a speed limit of 80 kilometres per hour (km/h) at this location. As per the Transportation Infrastructure Ireland publication DN-GEO-3060, the sightlines required are 145 metres to the nearside edge of the road on both sides of the entrance, viewed from a 2.4-metre setback from the edge of the road, from a driver-eye height of 1.05 metres to an object height of 0.6 metres.
- The proposed sightlines are substandard. A 2-metre setback for sightlines can be applied only to single dwellings. The sightline right on exit must always be viewed to the nearside road edge and never the centre of the road. The sightline left on exit in this instance must be viewed to the nearside road edge, as overtaking is permitted.
- The submitted sightlines plan is inaccurate and does not use topographical survey data which is shown on the site layout plan. The observed sightlines for the constructed entrance are extremely poor. The sightline to the right on exit (northwards) measures about 12 metres to the nearside road edge from a 2.4-metre setback. The sightline to the left on exit (southwards) measures about 15 metres to the nearside road edge from a 2.4-metre setback. In its current form the development is a traffic hazard.
- To achieve the required sightline distance to the left on exit, the applicants' roadside fence and the roadside hedgerow on the adjoining site to the south would have to be recessed. This would require consent from the landowners. To maximise the sightline distance to the right on exit, the applicants' roadside fence and the roadside boundaries on the adjoining land to the north would have to be recessed. This too would require consent from the landowners. A sightline measuring 145 metres in this direction from the constructed entrance does not appear to be achievable due to [the proximity of] the brow of a hill.
- The constructed access is substandard for a church, which would have concentrated visiting times. This would give rise to vehicles queuing on the regional road trying to access the site and, in combination with limited forward visibility on approach to the site, could cause a traffic collision.

- Sufficient parking has not been demonstrated. Insufficient parking provision would give rise to *ad hoc* parking both on the site and in the vicinity on a rural regional road. This would restrict access for emergency vehicles.

3.3. Third Party Submissions

3.3.1. The Council received six submissions from third parties, all with addresses in Curragh West. One of these parties made observations at appeal stage, which are reported in Section 7.3.1 below. The following points were made by the other parties:

- As this is a rural location with no bus route at weekends and an extremely infrequent service midweek, attendees would have to drive, which is not environmentally friendly. This type of development should be in a town or village so that attendees can walk or get public transport. So far as is known, no local people would be walking or cycling to attend the proposed new church. There is no sensible reason for it to be built here.
- The proposed development is a destination-based institutional use serving a wide urban catchment and is not rural-related. It would materially contravene the Fingal Development Plan and the applicants have not demonstrated extenuating circumstances. Granting permission would set a precedent for inappropriate non-rural development in rural zones and undermine the Plan.
- The development would not respect the vernacular character of the Naul/Garristown area and would contribute to urban sprawl, undermining the urban/rural boundary. The scale and nature of the development, including parking and infrastructure, would be incompatible with the Highly Sensitive Landscape designation and would adversely affect protected views.

4.0 Planning History

4.1. Application Site

4.1.1. **FPP000385:** On 4th January 2024, a pre-application consultation request was submitted. The Council advised that it had not been demonstrated that the proposed development would contribute to achieving the RU zoning objective and vision and that the development was not considered acceptable in principle at this location.

4.2. Adjoining Site

- 4.2.1. **F05A/0679:** On 15th August 2005, the Council granted permission for a dormer bungalow on land immediately to the south of the present application site. A condition was attached stating that no development was to commence until the applicant submitted acceptable details of sightlines in accordance with road design standards for the written agreement of the Council's Transportation Department.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. Sheet 2 of the Fingal Development Plan 2023-2029 indicates that the application site is subject to a RU - Rural zoning, whose objective is to protect and promote, in a balanced way, the development of agriculture and rural-related enterprise, biodiversity, the rural landscape, and the built and cultural heritage.
- 5.1.2. The vision for this zoning, set out in Section 13.5 of the Plan, is to protect and promote the value of the rural area of the county. This rural value is based on agricultural and rural economic resources; visual remoteness from significant and distinctive urban influences; and a high level of natural features. Burial grounds and appropriately scaled ancillary facilities are permitted in principle. Community facilities are also permitted in principle where they are in proximity to residential settlements and would not generate unacceptable traffic problems. Places of worship are neither permitted in principle nor not permitted. Such uses will be assessed in terms of their contribution towards the achievement of the zoning objective and vision and their compliance and consistency with the policies and objectives of the Development Plan.
- 5.1.3 Policy CMP2 is to concentrate compact growth around existing and planned transport services ensuring that transport and land-use are integrated to the greatest extent possible so that the demand for travel in general and for car-based travel is reduced.
- 5.1.4. Objective HCAO68 is to establish an environment for promoting cross-cultural awareness, racial harmony, mutual understanding and appreciation of all religious and ethnic traditions within the county, including development of public spaces with cross-cultural appeal and relevance.

- 5.1.5. Section 4.1 states that community or social infrastructure includes facilities, services, places and spaces that provide a community with their social needs. The provision in appropriate accessible locations of good community infrastructure, such as education, sports and recreational facilities, libraries, childcare facilities, places of worship, health and community centres, is vital as it contributes positively to enhanced quality of life.
- 5.1.6. Objective CISCO31 is to facilitate the development of additional places of worship through the designation and/or zoning of lands for such community requirements and examine locating places of worship within shared community facilities. This wording is repeated in Objective DMSO81, which goes on to indicate that co-location is to be delivered through actively engaging with the community to understand diverse religious needs for a place of worship and consulting with faith communities to understand which ones are compatible for shared premises/sites.
- 5.1.7. Objective CISCO32 is to encourage and facilitate the development of places of worship in appropriate locations in urban centres or within existing community facilities and proximate to residential communities. Objective DMSO82 is to require that new or enlarged places of worship be located in places where they do not create unacceptable traffic congestion or car-parking difficulties or cause a nuisance to existing residents or businesses.
- 5.1.8. Sheet 14 (Green Infrastructure 1) indicates that the site is in a Highly Sensitive Landscape and that views along the R122 in the vicinity of the site are to be preserved. Objective GINHO59 is to ensure that new development does not impinge in any significant way on the character, integrity and distinctiveness of highly sensitive areas and does not detract from the scenic value of the area. Objective GINHO60 is to protect views and prospects that contribute to the character of the landscape, particularly those identified in the Development Plan, from inappropriate development.
- 5.1.9. Objective DMSO111 is to require the preparation and submission of a Mobility Management Plan for all new developments which are likely to generate a significant demand for travel, as part of the development management process. This requirement includes existing developments that are expanding or intensifying their use.
- 5.1.10. Section 14.17.5 states that for new developments, securing access on to the road network is a key issue, particularly in rural areas. The intensification of use of an existing access is normally preferable to the creation of a new access on to a rural

road. Where new entrances are necessary, the relevant road design standards will be applied. Objective DMSO115 is to restrict unnecessary new accesses directly off regional roads and to ensure that necessary new entrances are designed in accordance with [the relevant road design standards], thereby avoiding the creation of traffic hazards.

- 5.1.11. Section 14.17.6 states that in the design and/or improvement of roads and in the assessment of planning applications for new development, the safety of all road users, including pedestrians, cyclists and motorists will be a primary consideration. Objective DMSO118 is to promote road safety measures in conjunction with the relevant stakeholders and avoid the creation of traffic hazards.
- 5.1.12. Table 14.17 sets out bicycle parking standards for various land-use categories. For churches and places of worship the standard is one short-stay space per 10 seats, while for community centres the standard is one long-stay space per five staff plus one short-stay space per 50 square metres. Table 14.19 sets out car parking standards. In areas with poor access to public transport, for churches and places of worship the norm is one space per five seats, while for community centres the norm is one space per 50 square metres.
- 5.1.13. Objective DMSO125 is to protect, preserve and ensure the effective management of trees and groups of trees and hedgerows.

5.2. Transport Infrastructure Ireland Standards: Geometric Design of Junctions

- 5.2.1. This publication, referred to as GN-GEO-3060 and published in May 2023, includes guidance on direct accesses to public roads. Section 5.6.2.1 states that it is essential that drivers emerging from a minor road or direct access shall have adequate visibility in each direction to see the oncoming major road traffic in sufficient time to permit them to make their manoeuvres safely. The visibility requirement for drivers emerging from a minor road or direct access is to the high object (1.05 metres) on the major road.
- 5.2.2. Section 5.6.2.2 of the guidance explains that the distance back along the minor road or direct access from which the full visibility is measured is known as the 'x' distance. It is measured back along the centre line of the minor road or direct access from the continuation of the line of the nearside edge of the paved surface (including hard strip or hard shoulder) of the major road. The 'x' distances on the minor road for visibility

measurements shall be as defined in Table 5.4. In difficult circumstances the 'x' distance may be taken as a Relaxation as provided in Table 5.4.

- 5.2.3. Table 5.4 indicates that for all roads, the desirable minimum 'x' distance is 3.0 metres. On national roads at simple junctions with stop control, this may be relaxed to 2.4 metres. On regional and local roads at lightly trafficked accesses, it may be relaxed to 2.0 metres.
- 5.2.4. Section 5.6.2.2 of the guidance also explains that from the point 'x' metres back from the major road, a driver approaching the junction along the minor road shall be able to see clearly points to the left and right on the nearer edge of the major road running carriageway at a distance given in Table 5.5, measured from its intersection with the centreline of the minor road. This is called the 'y' distance.
- 5.2.5. Table 5.5 indicates that where the design speed on the major road is 60 km/h, the 'y' distance is 90 metres. Where the speed is 70km/h, the 'y' distance is 120 metres. Where the speed is 85km/h, the 'y' distance is 160 metres.

5.3. Environmental Protection Agency Guidance

- 5.3.1. **“Wastewater Treatment Manuals – Treatment Systems for Small Communities, Business, Leisure Centres and Hotels”** was published in 1999. It provides guidance on the selection, operation and maintenance of small wastewater treatment systems for population equivalents between 10 and 500. Section 2.5 states that all relevant details pertaining to the discharge should be collected prior to designing a treatment system. Where no data can be obtained (for example, in the case of a new activity), information contained in Table 3 of the guidance may be used.
- 5.3.2. Table 3 is headed “Recommended Wastewater Loading Rates from Commercial Premises”. A series of land uses are listed: industrial, schools, hotels, pubs and clubs, amenity sites and hospitals. These are broken down into sub-categories; function rooms are a sub-category of amenity sites. For each sub-category, figures are given for flow in litres per day per person and five-day biochemical oxygen demand in grams per day per person.
- 5.3.3. **“Code of Practice – Domestic Waste Water Treatment Systems (Population Equivalent ≤10)”** was published in 2021. Table 3.2 sets out a calculation of design capacity based on the size of dwelling served; for dwellings with one or two bedroom,

the population equivalent is given as 4. It is stated that a typical daily hydraulic loading of 150 litres per person should be used for all domestic wastewater treatment systems to ensure that adequate treatment is provided. The term “population equivalent” is defined in the glossary as a measurement of the organic biodegradable load. A population equivalent of 1 means the organic biodegradable load having a five-day biochemical oxygen demand of 60 grams of oxygen per day.

- 5.3.4. Table 6.2 sets out minimum separation distances from the entire domestic wastewater treatment system to selected features including wells, watercourses and streams, drainage ditches, dwelling houses, surface water soakaways, roads, trees and site boundaries. It is stated at the foot of the table that the soakaway for surface water drainage should be located down-gradient of the infiltration/treatment area.

5.4 Natural Heritage Designations

- 5.4.1. The application site is not within any Natura 2000 European site of nature conservation importance. The nearest Natura 2000 sites to the site are:
- Rogerstown Estuary Special Area of Conservation (SAC), about 11 kilometres to the south east of the site, designated for estuaries, mudflats and sandflats, annuals colonising mud and sand, salt meadows and dunes;
 - Malahide Estuary SAC, about 13 kilometres to the south east of the site, designated for mudflats and sandflats, annuals colonising mud and sand, salt meadows and dunes;
 - River Nanny Estuary and Shore Special Protection Area [for birds] (SPA), about 12 kilometres to the north east of the site;
 - Malahide Estuary SPA, about 13 kilometres to the south east of the site;
 - North-west Irish Sea SPA, about 14 kilometres to the east of the site; and
 - Skerries Islands SPA, roughly 15 kilometres to the east of the site.
- 5.4.2. The application site is not in any Natural Heritage Area (NHA). The only NHA in Fingal is Skerries Islands, which is also a SPA. There are 17 proposed NHAs in Fingal, which are identified on Green Infrastructure Map 2 (Sheet 15) of the Development Plan. The nearest of these areas to the application site are Knock Lake and Bog of the Ring.

6.0 Environmental Impact Assessment Screening

- 6.1. The proposed development has been subject to preliminary examination for environmental impact assessment; refer to Form 1 and Form 2 in Appendix 1 to this report. Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, I am satisfied that there is no real likelihood of significant effects on the environment. I conclude, therefore, that the proposed development does not trigger a requirement for EIA screening and that an EIA report is not required.

7.0 The Appeal

7.1. Grounds of Appeal

- 7.1.1. The appeal statement and its appendices may be summarised as follows:

- A church is generally considered to be a community facility or closely aligned with one. A community facility is permitted in principle under the RU zoning, as are burial grounds, which are often associated with churches. There is no blanket ban on churches in the rural area. The Council's assumes that the development should be in an urban area for the sake of being in an urban area, yet rural churches exist all across Ireland and serve dispersed congregations.
- After a county-wide search, the appellants could find no more suitably zoned premises or lands. The site is in close proximity to residential settlements and the development would not generate unacceptable traffic problems. It is the most sustainable location for the congregation as a whole. It would provide a small number of parking spaces and generate a small number of traffic movements. This would be a small church for a small congregation.
- The need for mobility management measures is accepted. The appellants are committed to organised car-pooling initiatives for members coming from urban centres. The development proposal includes provision of high-standard bicycle parking. A schedule of use is proposed that would minimise peak-hour traffic and ensure that no nuisance would be caused to neighbouring residents. The appellants have purchased a minibus that collects attendees to avoid

unnecessary car transport. These proposals far exceed what most rural churches offer. The Commission is asked to impose a condition requiring the submission of a mobility management plan.

- The application site is on a safe stretch of road with a dashed white centre line. The road serves various commercial developments, large farms and houses. It has been deemed suitable for many new entrances over the past 20 to 25 years in what is a dispersed rural community or *de facto* village. This is an area where heavy vehicles pass close to dwellings and traffic noise is normal.
- The proposal constitutes an infill development between two existing dwellings. It is for a domestic-size building designed to look much like a rural dwelling. There are rural dwellings which accommodate large families that generate more traffic than the proposed development would. It is not accepted that the development would give rise to overlooking.
- Had the Council requested further information, a revised access drawing could have been submitted. Even with topography taken into account, the requirement for 2.4-metre by 145-metre sightlines could be achieved. The entrance to be retained is in the centre of the site's road frontage and the hedgerows on either side are very low.
- The commercial and agricultural yards in the vicinity are served by large vehicles which often turn into the road in both directions without any problems. There has never been any vehicular accident at the domestic entrances to the north and south of the site. The property to the south has low hedgerows which allow unrestricted views in both directions along a straight road, which are more than sufficient for safe vehicle manoeuvres.
- The sightline to the left emerging from the property to the north of the site is far from perfect. While the owner needs consent from the appellants to improve the sightline, it is not in fact causing any traffic hazard as the context allows safe entry and exit. The Council could have requested a letter of consent, as both the application site and the adjoining property would benefit from sightline improvement works.
- The proposed parking provision is at the level required by the congregation. The site could accommodate more car parking but that was deemed

unnecessary. The provision is below that required by the Development Plan. As the development would include community rooms, ancillary areas and an auditorium for services, chairs would be spread over two floors. The proposed parking would be adequate for the number of chairs.

7.2. Planning Authority Response

- 7.2.1. The planning authority requested the Commission to uphold its decision. In the event that the appeal is successful, provision should be made in the determination for applying a financial contribution and/or any special development contribution required in accordance with the Council's Development Contribution Scheme, and a condition should also be included where a tree bond is required.

7.3. Observations

- 7.3.1. The observations made by local residents, incorporating their submission to the planning authority, may be summarised as follows:
- The application does not demonstrate compliance with the RU zoning objective or with the rural development strategy of the Development Plan, which focuses on meeting the needs of local farmers, residents and those with a rural link, aiming to prevent the suburbanisation of the countryside.
 - The development would place additional pressure on local roads and parking availability. The site adjoins what is really the only straight stretch of the road from Naul and cars go down it at dangerous speeds. It is also the main overtaking area when drivers are stuck behind tractors and farm machinery. The most dangerous part is the blind bend [to the north of the site]. The unauthorised entrance on the application site, where hedgerow and trees have been ripped out and replaced by a gate and a wooden fence, is already causing problems. Drivers think it is a good place to U-turn when cars are coming over the hill at high speeds.
 - The application does not adequately address safe access and egress or increased traffic volumes. The R122 has large volumes of traffic due to the presence of a log-cabin and shed factory, a care house for troubled teenagers, allotments with more than 20 plots, and farms. The road is used by vehicles

diverted from the M1 when there is an accident or heavy traffic and as a short cut from the M1 to the N2 at Ashbourne.

- It is impossible to see how road parking would not occur as only nine spaces would be provided. The number of visitors to the site is expected to increase over the coming years. There is no public transport and it is hard to believe that the purchase of a minibus would ensure that there would be no extra congestion. This raises legitimate concerns for the safety of pedestrians and other road users.
- The height, massing or materials of the proposed building would be visually intrusive. Green space, trees or biodiversity would be lost. A 1-metre-wide stream that runs down the full length of the southern site boundary is used by frogs and newts. There is potential for negative impact on drainage or surface water management. The application did not include a flood-risk assessment.
- The development would have a significant negative impact on the amenity of neighbouring properties. The proposed structure, due to its height and position, would cause overlooking and loss of privacy. The development would also cause increased noise or disturbance. According to its website, the church holds services every Sunday at 10am, every Wednesday at 9am and 6pm, every Friday at 6pm and at midnight on the first Thursday of every month.

8.0 Assessment

8.1. Issues

8.1.1. Having inspected the site and considered in detail the documentation on file for this first-party appeal, it seems to me that the main planning issues are:

- whether the proposed development is acceptable in principle at this location;
- the effect of the development on the safety and convenience of road users;
- its effect on visual and residential amenity; and
- the adequacy of the proposals for wastewater treatment and disposal and for surface water drainage.

8.2. Acceptability in Principle

- 8.2.1. I deduce from the appellants' evidence that the primary purpose of the proposed building is to provide a permanent place of worship for a dispersed, but mainly urban, congregation. The building would also be used for a variety of community outreach activities ancillary or incidental to the primary use as a place of worship.
- 8.2.2. There is no evidence that the church has any current connection with the rural community in the vicinity of the Curragh West site. Nevertheless, it seems to me that in line with Objective HCAO68 of the Development Plan, which seeks to promote mutual understanding and appreciation of all religious and ethnic traditions, the appellants are entitled to have their application considered on exactly the same basis as any other proposal for a place of worship in the rural area of Fingal.
- 8.2.3. The objective of the RU zoning, to which the application site is subject, is to protect and promote, in a balanced way, the development of agriculture and rural-related enterprise, biodiversity, the rural landscape, and the built and cultural heritage. The vision for this zoning is to protect and promote the value of the rural area of the county. The Development Plan states that the value of the rural area is based on, among other things, visual remoteness from significant and distinctive urban influences. In my opinion, the relocation to a rural area of an existing urban-based place of worship would not contribute to the achievement of the RU zoning objective and vision.
- 8.2.4. It seems to me that Policy CMP2 of the Plan, which refers to concentrating compact growth round transport services and integrating transport and land use, is strategic in character and does not amount to a requirement that every new development, regardless of its nature and scale, must be located adjacent to a transport hub.
- 8.2.5. The Development Plan contains various provisions specific to places of worship. Objectives CISCO31 and DMSO81 refer to designating or zoning sites for such uses. Objective CISCO32 is about locating them in urban centres, within existing community facilities and proximate to residential communities. None of these objectives is supportive of the present proposal.
- 8.2.6. Objective DMSO82 requires new places of worship to be located where they do not create unacceptable traffic congestion or car-parking difficulties or cause a nuisance to existing residents or businesses. For reasons I set out below, I find that the proposed development would provide insufficient car parking and would be likely to

cause nuisance and disturbance to existing residents. I therefore consider that the development would conflict with Objective DMSO82. My analysis of the relevant provisions of the Development Plan leads me to conclude that the proposed development is not acceptable in principle at this location.

8.3. Safety and Convenience of Road Users

- 8.3.1. It seems to me that it would not be physically possible to achieve vehicular access to a new church at the application site other than directly from the R122. The question to be considered, therefore, is whether it would be possible to design such an access in accordance with the relevant road design standards.
- 8.3.2. Having considered the guidance in GN-GEO-3060, I agree with the Council's Transportation Planning Section that a 2-metre setback for sightlines would not be adequate for a church, as multiple traffic movements would occur at certain times. I accept that a minimum 'x' distance of 2.4 metres is reasonable and that, by interpolation, a 'y' distance of 145 metres is necessary on an 80km/h road. To fulfil its function, the 'y' distance must be measured to the nearside edge of the running carriageway and not to the centre of the road. The appellants' sightlines plan does not meet the requirements of GN-GEO-3060. My site inspection confirmed that sightlines at the constructed entrance are extremely poor. I am satisfied that retention of the access in its present form is unacceptable.
- 8.3.3. The appellants have suggested that the required 2.4-metre by 145-metre sightlines could be achieved by removing obstructions from the frontages of lands to north and south of the application site. A drawing has not been submitted indicating the areas to be cleared and there are no letters of consent from the landowners concerned. In any case, I am not convinced that visibility of 145 metres to the right emerging is possible, as there is a change in the horizontal and vertical alignment of the road roughly 100 metres to the north of the access. I conclude that it would not be possible to create a safe access for a place of worship at this location.
- 8.3.4. The Council's second reason for refusal stated that the development to be retained would materially contravene Objectives DMSO115 and DMSO118. While both of these objectives seek to avoid the creation of traffic hazards, DMSO115 is concerned with new access arrangements whereas DMSO118 is to do with a different matter,

namely road safety measures in the design or improvement of roads or in conjunction with new development. Given the specific wording of Objective DMSO115 and the extent of the precedent that would be created, I am satisfied that the authorisation of the access as currently laid out would represent a material contravention of that objective. If the Commission accepts this conclusion, then it may grant permission only if it considers that one or more of the circumstances set out in Section 37(2)(b) of the Planning and Development Act 2000, as amended, applies.

8.3.5. I do not consider that any of the circumstances in Section 37(2)(b) arises in this appeal:

- The development, relating only to one access intended to serve one building, is not of strategic or national importance.
- In so far as the development is concerned, there are no conflicting objectives in the Development Plan. Objective DMSO115 is clearly stated.
- There is no evidence to suggest that the development is mandated by the local authority's statutory obligations, by Ministerial guidelines or by national and regional planning policies.
- The largely undeveloped character of the area does not justify the development. On the evidence presented, no permissions have been granted in the area since the making of the Development Plan.

8.3.6. According to the information it provided, the church had 60 worshippers in 2023. It hopes to recruit new members in Meath and Louth and major towns in Co. Dublin and to double the number of worshippers by 2029. It is reasonable to assume therefore that on occasions, especially when special services and events would be taking place, up to 120 people would be in attendance. The principal first-floor room would be large enough to accommodate 120 seats. The normal car-parking requirement for a church with 120 seats is 24 spaces. The appellants have acknowledged that the proposed provision of eight or nine spaces is below that required by the Development Plan.

8.3.7. In my opinion, use of a minibus and implementation of a mobility management plan would not eliminate the likelihood that the development would give rise to more than occasional parking on the adjacent regional road. Roadside parking would create a significant traffic hazard as it would cause drivers passing the site at speeds of up to

80 km/h to cross the white line into the opposing traffic lane. I therefore conclude that the development would be prejudicial to the safety and convenience of road users.

8.4. Visual and Residential Amenity

- 8.4.1. The proposed building would be placed on gently rising ground towards the south-eastern corner of the site. With its A-line roof and glazed front, it would not resemble a traditional Irish rural dwelling. However, I do not see why a church should not have a distinctive appearance provided it is well integrated into the landscape.
- 8.4.2. The submitted site layout plan has a notation which refers to existing trees and proposed low-level hedgerows, but it is not obvious precisely what is intended. Some of the trees marked on the plan are not currently in existence and it is unclear which existing trees would be retained. The plan indicates that trees on those parts of the north-eastern and southern site boundaries that flank the proposed building would be removed and replaced by hedgerows.
- 8.4.3. In my judgement, it would be possible to ensure that the proposed church is capable of being integrated satisfactorily into the landscape provided the existing boundary trees between the road and the front of the building and behind the building were retained, and provided carefully designed further planting were carried out within the site. The use of grass-grid paving would help soften the appearance of the parking area. Should the Commission decide to grant planning permission, a condition could be attached requiring the submission of a comprehensive tree survey and a detailed landscaping plan prior to the commencement of development. I am satisfied that, with appropriate landscaping arrangements in place, the proposed development would not impinge in any significant way on the character, integrity and distinctiveness of the Highly Sensitive Landscape or disturb protected views along the R122.
- 8.4.4. The proposed church would be more than 30 metres from the dwellings to the north and south. Taking into account the juxtaposition of the existing and proposed buildings, I judge that the proposed development would not cause any undue overlooking or loss of privacy to the principal rooms of those dwellings. However, in the absence of detailed proposals for re-planting on the boundaries flanking the proposed church, the possibility that its upper-floor side windows might overlook adjacent areas of the curtilages of the dwellings cannot be discounted. Moreover, I

am not confident that on-site activities, including frequent comings and goings, would not cause significant noise, nuisance and disturbance to the residents. This reinforces my view that the proposed development is not acceptable at this location.

8.5. Waste Water Treatment and Surface Water Drainage (New Issue)

- 8.5.1. The proposed floor plans show that the building would have a kitchen/canteen, six toilets, and two showers. However, the wastewater treatment system has been designed for a loading equivalent to that of a house or apartment occupied by only four people.
- 8.5.2. It is unclear why the proposed place of worship is considered to have similar characteristics to those of a function room. While Table 3 of the EPA's 1999 guidance document does not provide loading rates for places of worship, it does so for various other types of development, including for example schools, conference centres and golf clubs, all of which have higher loading rates than a function room. It is unclear how the figure of 25 users aligns with the appellants' evidence about 2023 attendance levels and the desire to double the number of worshippers by 2029. It is also unclear whether the number of services per week and the proposed provision for ancillary community-related activities have been factored in.
- 8.5.3. I share the concern of the Council's Water Services Department that the loading of the proposed wastewater treatment system may have been significantly underestimated. As the application site overlies a locally important aquifer of extreme vulnerability, an overloaded system could lead to serious groundwater contamination. In my opinion, in the absence of information explaining and justifying the choice of the parameters that led to its selection, the wastewater treatment system is not acceptable. This is a new issue and the Commission may wish to seek the views of the parties. However, having regard to the other substantive reasons for refusal which I have identified, it may not be considered necessary to pursue the matter.
- 8.5.4. It is stated on the application form that surface water drainage would be by rainwater harvesting and permeable means. The site layout plan does not show the location of any harvesting tanks or barrels, soak pits, storm drains or points of discharge into a waterway. No ground investigation test results have been provided. No measures have been identified to protect the percolation area and polishing filter from surface

water runoff from higher ground. However, the Water Services Department did not object to the development on flood-risk grounds and there is no good reason to suppose that a satisfactory drainage system could not be devised. There is also no persuasive evidence that the development would pose a threat to wildlife in the stream that runs along the southern site boundary. In the event that permission is granted, a condition could be attached requiring full information on surface water disposal to be submitted for approval prior to the commencement of development.

9.0 Appropriate Assessment Screening

9.1. Having considered the nature, location and modest scale of the proposed development, the nature of the foreseeable emissions therefrom, the distance from the nearest European site and the absence of any known hydrological link between the application site and any European site, I am content on the basis of objective information that the development is not likely to have a significant effect on any European site, either alone or in combination with other plans or projects. I therefore conclude that the carrying out of an appropriate assessment under Section 177V of the Planning and Development Act 2000 is not required.

10.0 Water Framework Directive

- 10.1. The application site is located 280 metres from a tributary of the Delvin River. The proposed development comprises retention of a vehicular access and construction of a community building and place of worship. No water deterioration concerns were raised in the planning appeal.
- 10.2. I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive (WFD) which seek to protect and, where necessary, restore surface and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, and the details provided in respect of wastewater treatment, I am not satisfied that it can be eliminated with certainty from further assessment.

- 10.3. The reason for this conclusion is the lack of detail with regard to the capacity of the proposed development and the design standard for the proposed wastewater treatment plant. **This new issue is discussed at Section 8.5.3 above.**
- 10.4. I therefore cannot conclude on the basis of objective information that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

- 11.1. I recommend to the Commission that planning permission be refused.

12.0 Reasons and Considerations

- 12.1. It is considered that the proposed development, involving the relocation to a rural area of an existing urban-based place of worship, would not contribute to the achievement of the RU zoning objective and vision set out in the Fingal Development Plan 2023-2029; that it would not be consistent with Objective DMSO82 as it would create unacceptable car-parking difficulties and cause a nuisance to existing residents; and that it would therefore be contrary to the proper planning and sustainable development of the area.
- 12.2. It is considered that the access proposed to be retained materially contravenes Objective DMSO115 of the Fingal Development Plan 2023-2029, as it is not designed in accordance with the relevant road design standards and has inadequate sightlines which constitute a traffic hazard. It is also considered that it would not be possible to create a safe access for a place of worship at this location and that the proposed development would lead to roadside parking which would represent an obstruction to road users and endanger public safety.
- 12.3. The site overlies a locally important aquifer of extreme vulnerability. On the information provided, there is no certainty that the proposed wastewater treatment system would have sufficient capacity to treat and dispose of foul effluent from the development in a manner that would not cause groundwater to become contaminated.

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.



TREVOR A RUE

Planning Inspector

28th July 2026

Appendix A: Form 1 – EIA Pre-Screening

Case Reference	PL-501376-DF-26
Proposed Development Summary	Retention of vehicular access and construction of community building and place of worship
Development Address	Curragh West, Naul, Co. Dublin
In all cases check box /or leave blank	
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2.
2. Is the proposed development of a CLASS specified in <u>Part 1</u>, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☒ 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?	
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required (Form 2).	State the Class and state the relevant threshold Class: 10(b)(iv) Threshold: 20 hectares
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)?	
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: Trevor A Rue

TREVOR A RUE

Date: 28th July 2026

Appendix B: Form 2 – EIA Preliminary Examination

Case Reference	<i>PL-501376-DF-26</i>
Proposed Development Summary	<i>Retention of vehicular access and construction of community building and place of worship</i>
Development Address	<i>Curragh West, Naul, Co. Dublin</i>
This preliminary examination should be read with, and in the light of, the rest of the Inspector's report attached herewith.	
Characteristics of the Proposed Development (in particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health)	Briefly comment on the key characteristics of the development, having regard to the criteria listed. <i>The development has a modest footprint, comes forward as a standalone project and does not require demolition works or the use of substantial natural resources. It gives rise to localised risks of pollution and nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster and is not vulnerable to climate change. It presents a localised risk to human health.</i>
Location of Development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance)	Briefly comment on the location of the development, having regard to the criteria listed. <i>The application site is in a rural area on agricultural land which is abundant in the area. The development is removed from sensitive natural habitats, centres of population and designated sites and landscapes of identified significance in the Development Plan.</i>
Types and Characteristics of Potential Impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation)	Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects. <i>Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, the likely limited magnitude and spatial extent of effects and absence of in-combination effects, there is no potential for significant effects on the environmental factors listed in Section 171A of the Planning and Development Act 2000.</i>

Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
<i>There is no real likelihood of significant effects on the environment.</i>	<i>EIA is not required.</i>

Inspector: Trevor A Rue

Date: 28th July 2026

TREVOR A RUE