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**LARGE RESIDENTIAL
DEVELOPMENT
CORRESPONDENCE FORM**

Appeal No: ACP 324035-26

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Laura Grady Lawlor

From: Christopher Browne <christopher.browne@hpdc.ie>
Sent: Wednesday 18 February 2026 09:38
To: Appeals2; Bord
Subject: Greenhills Road LRD Response to Appeal ACP-324035-26
Attachments: Chadwicks-Greenhills_LRD Appeals_ACP_220126-1.pdf; FINAL Response to Third Party Appeal_Greenhills LRD 18022026 CB.pdf

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

Good morning,

I would like to submit the attached response to the third-party appeal for case number ACP-324035-26.

Kind regards,

Christopher Browne
Associate

Hughes Planning & Development Consultants

85 Merrion Square,

Dublin 2
D02 FX60

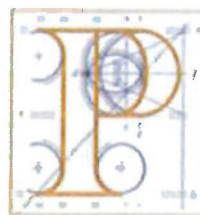
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Our Case Number: ACP-324035-26

Planning Authority Reference Number: LRD25A/C

Your Reference: Steeplefield Limited



**An
Coimisiún
Pleanála**

Hughes Planning and Development Consultants
85 Merrion Square South
Dublin 2
D02 FX60

Date: 22 January 2026

Re: Mixed use residential and commercial development 588 residential apartments 2 office buildings and childcare facility
Lands located at the former Chadwicks Builders Merchant site, South of Greenhills Road, North of the existing access road serving Greenhills Industrial Estate,, Greenhills Industrial Estate, Walkinstown, Dublin 12, D12 HD51, D12 N523,, D12 C602

Dear Sir / Madam,

Enclosed are copies of a large-scale residential development appeal under the Planning and Development Act 2000, as amended.

As a party to the appeal under section 129 of the Planning and Development Act 2000, as amended, you may make submissions or observations in writing to the Commission **within a period of 4 weeks** beginning on the date of this letter.

Any submissions or observations received by the Commission outside of that period shall not be considered and where none have been validly received, the Commission may determine the appeal without further notice to you.

Please note when making a response/submission only to the appeal it may be emailed to appeals@pleanala.ie and there is no fee required.

Please quote the above appeal reference number in any further correspondence.

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RESPONSE TO THIRD PARTY APPEAL

Residential Development

South Dublin County Council

An Coimisiún Pleanála Ref. ACP – 324035-26
South Dublin County Council Reg. Ref. LRD25A/0005W

Former Chadwicks Site, Greenhills Road, Walkinstown,
Dublin 12

February 2026

Submitted on behalf of:

Steeplefield Limited,
76 Baggot Street Lower,
Dublin 2.

85 Merrion Square, Dublin 2, D02 FX60
+353 (0)1 539 0710 info@hpdc.ie www.hpdc.ie

HUGHES
PLANNING
& DEVELOPMENT CONSULTANTS

1.0 Introduction

This appeal response has been prepared by Hughes Planning and Development Consultants, 85 Merrion Square, Dublin 2, on behalf of the applicant, Steeplefield Limited, 76 Baggot Street Lower, Dublin 2, in response to letter received from An Coimisiún Pleanála, dated 22nd January 2026 (Appendix A), concerning a third party appeal (ACP-324035-26) lodged with respect to a decision to grant planning permission by South Dublin County Council under Reg. Ref. LRD25A/0005W for the following development at Lands Located at 60-63 Leeson Street Upper, Dublin 4:

i. The demolition of the former Chadwicks Builders Merchant development comprising 1 no. two storey office building and 9 no. storage/warehouse buildings ranging in height from 3m – 9.9m as follows: Building A (8,764 sq.m.), Building B (1,293 sq.m.), Building C (two-storey office building) (527 sq.m.), Building D (47 sq.m.), Building E (29 sq.m.), Building F (207 sq.m.), Building G (101 sq.m.), Building H (80 sq.m.), Building I (28 sq.m.), and Building J (44 sq.m.), in total comprising 11,120 sq.m.; (ii) the construction of a mixed-use residential and commercial development comprising 588 no. residential apartment units (291 no. one-beds, 238 no. two-beds and 59 no. three-beds), 1 no. 570.91 sq.m. (443 sq.m. indoor space) childcare facility and 6 no. commercial/retail units in 4 no. blocks (A-D) ranging in height from 5 to 12 storeys as follows:

a. Block A comprises 170 no. apartments (103 no. 1 bed-units, 59 no. 2 bed-units and 8 no. 3- bed units) measuring 8 storeys in height.

b. Block B comprises 197 no. apartments (89 no. 1 bed-units, 92 no. 2 bed-units and 16 no. 3 bed-units) measuring 10 storeys in height.

c. Block C comprises 81 no. apartments (44 no. 1-bed units, 16 no. 2-bed units and 21 no. 3-bed units) measuring 12 storeys in height.

d. Block D comprises 140 no. apartments (55 no. 1 bed-units, 71 no. 2 bed-units and 14 no. 3 bed-units) measuring 8 storeys in height.

All apartments will be provided with private balconies/terraces; (iii) provision of indoor communal residential amenity (614.14 sq.m.) at ground and first floors of Block A, B & C; ; (iv) the construction of 1 no. childcare facility comprising 443 sq.m. with dedicated outdoor play area (128 sq.m.) located at ground floor of Block B; (v) the construction of 6 no. commercial units at ground floor level of Blocks A, B and D, and 1 no. commercial unit at first floor level of Block A as follows: Block A has 1 no. unit at ground floor comprising 455.8 sq.m. and 1 no. unit at first floor level comprising 160.79 sq.m., Block B has 1 no. unit at ground floor comprising 190.96 sq.m. and Block D has 4 no. units at ground floor comprising 361.6 sq.m., 232.3 sq.m., 238 sq.m. and 174.9 sq.m.; (vi) the construction of 4 no. vehicular entrances; a primary entrance via vehicular ramp from the north (access from Greenhills Road) and 3 no. secondary entrances from the south for access, emergency access and services (access from the existing road to the south of the site) with additional pedestrian accesses proposed along Greenhills Road; (vii) provision of 270 no. car parking spaces comprising 240 no. standard spaces (including 6 no. car club spaces) and 13 no. mobility spaces, and 8 no. motorbike spaces located at surface level and within undercroft car parks within Blocks A, B, C and D, 17 no. commercial/unloading/ drop-off parking spaces at ground level; (viii) provision of 1,269 no. bicycle parking spaces comprising 952 no. residents' bicycle spaces, 10 no. cargo/accessible bicycle spaces in 14 no. bicycle storerooms in surface and undercroft parking areas and 307 no. visitors' bicycle spaces located externally at ground floor level throughout the development; (ix) provision of outdoor communal amenity space (3,130.3 sq.m) comprising landscaped courtyards that include play areas, seating areas, grass areas, planting and scented gardens located on podiums at first floor level; provision of communal amenity roof gardens in Block A & B with seating area and planting (746.1 sq.m.) and inclusion of centrally located public open space (6,650 sq.m.) adjacent to Blocks A, B, C and D comprising grassed areas, planting, seating areas, play areas, water feature, flexible use space and incidental open space/public realm; (x) provision of toucan crossing and all associated road markings and signage from the subject site to a new footpath on northern side of Greenhills Road; (xi) development also includes landscaping and infrastructural works, foul and surface water drainage, bin storage, ESB substations, plant rooms, pv panels, boundary treatments, internal roads, cycle paths and footpaths and all associated site works to facilitate the development. This application is accompanied by an Environmental Impact Assessment Report (EIAR).

This response intends to address the 3rd party appeal and invites An Coimisiún Pleanála to uphold the decision of Dublin City Council and **grant permission** for the proposed development.

2.0 Grounds of 3rd Party Appeal

As noted, a third-party appeal has been lodged by KeyWaste, a waste collection company located to the west of the subject site.

The Appellant claims that the proposed development will introduce a sensitive land use adjacent to an established waste facility and would therefore potentially undermine the continued and lawful operation of that facility.

They then request the Commission to consider the appropriateness of the development and whether it complies with the proper planning and sustainable development of the lands, particularly focusing on the proximity of Block D to their site.

3.0 Justification of Proposed Development

3.1 Noise and Odour Concerns

From the outset, it is important to note that the proposed development will not impede upon the lawful operation of the KeyWaste facility. The proximity of the subject site to nearby industrial and commercial uses has been a key area of assessment for the Planning Authority.

The Planner's Report, dated 15th December 2025, noted the subject site's proximity to industrial and commercial uses, further noting that the potential impact on the residential units within the scheme *by way of external factors, including noise and air pollution or other nuisance from established adjacent industrial uses, is thus a key consideration.*

An observation was made by the National Environmental Health Service noted the concerns regarding the potential impact from the facility. South Dublin County Council was aware of the need to fully assess the potential impact, in response to the NEHS report. Upon review of the comprehensive and robust Environmental Impact Assessment Report, which accompanied the application, the Council decided to seek further information pertaining to air quality and noise impacts from the Key Waste facility. They also required the EIAR to be updated accordingly, with the Planner's Report stating:

*While the assessment with regard to the receiving environment is noted, further assessment regarding potential noise and odour implications for future residents of the proposed development is required, as detailed above and below in this report. To allow for a comprehensive assessment of the subject proposal, including the amenity levels of future residential units within the same, it is recommended that an additional noise and odour impact assessment be undertaken to reflect the full scope of operations of existing commercial premises located on lands adjacent to the subject site. It is recommended that this be addressed by way of **Additional Information**.*

The Planner's Reports conclude:

*Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028 and **the overall design, massing, and form of the development proposed it is considered that the principle of the proposed mixed-use residential development, as detailed, is compatible with the 'REGEN' zoning objective of the site.***

Notwithstanding same, confirmation of adequate wastewater management to serve the development, noise impact assessment with regard to the amenity of future residential units on site, and specifics of submitted particulars as presented as part of the final LRD application, and items raised as part of third party submissions, the following technical Additional Information shall be requested in line with the requirements of Section 32(2)(ga) of the Planning and Development Act 2000 (as amended):

1. Wastewater management, specifically connection and capacity.
2. Residential amenity of future units on site, specifically noise and odour impact assessment.
3. Clarity of particulars submitted, specifically confirmation regarding site area, density calculation, childcare provision, and single and dual aspect quantum and orientation.
4. Updated relevant EIR chapters to reflect additional information response, where appropriate.

Additional Information was subsequently requested by the Planning Authority on 08/07/25 to address the concerns above.

Response to Queries on Noise

In response to Item No. 2a, which related to Noise, Awn Consulting carried out additional and extended noise surveys on site. The survey was completed over a continuous 24-hour period between 1st and 2nd (Mon and Tue) July 2025 at the site boundary nearest to Key Waste (Monitoring Location UN1, detailed in Image 2 below), with measurements logged at 15-minute intervals in accordance with ISO 1996-2:2017 *Acoustics - Description, Measurement and Assessment of Environmental Noise - Determination of Sound Pressure Levels*.

The Planner's Report notes the following in response to the additional assessments carried out by Awn Consulting:

*As per the submitted Noise Survey report, prepared by Awn Consulting, during the installation and collection of the unattended noise meter, "birdsong, distant road traffic noise from the R819, and industrial operational activities at nearby facilities were noted. These included welding, vehicle movements, metallic impact noises, and mechanical drilling, which were the dominant sources of noise at this location. **Noise from KeyWaste was not specifically identified**". The survey notes that the average measured noise levels were 57 dB LAeq,16hr (daytime) and 48 dB LAeq,8hr (night-time), which, as indicated, are consistent with the values predicted in the previously submitted EIR.*

The additional assessment pertaining to Inward Noise Impact of the revised noise survey, states that the predicted noise levels within Chapter 8 of the EIR indicate that to the southwest portion of the site bordering the KeyWaste facility, predicted noise levels at a 4m height are approximately 55 dB LAeq, 16 hour during the daytime period and 45 dB LAeq, 8 hour during the night-time period. **It is indicated that the measured noise levels (as detailed within Table 3-3 of the noise impact survey) indicate "good agreement for the daytime period" when looking at the average measured levels, however, the predicted nighttime levels within the EIR are lower than the measured average nighttime noise level of 50 dB LAeq, 8 hour at position UN1 within Table 3-3.**

The findings of the updated assessment confirmed the conclusions presented in Section 8.6.4 of Chapter 8 of the EIR, namely that the site falls within the High to Medium Noise Risk Categories as defined in the Professional Practice Guidance on Planning & Noise (ProPG). While the overall noise risk categorisation remained unchanged, the additional monitoring identified marginally higher night-time noise levels at the south-western boundary of the site, attributable to the 24-hour operation of the KeyWaste facility.

In order to robustly address these findings and the concerns raised by KeyWaste, Awn Consulting recommended enhanced mitigation measures for the façades of Block D, which is located closest to the KeyWaste facility. These measures include upgraded façade and glazing specifications designed to ensure that internal noise levels within residential units comply with relevant guideline values and that a satisfactory standard of residential amenity is achieved for future occupants.

On this basis, the additional noise assessment demonstrates that the proposed development can be appropriately designed and mitigated to address the existing noise environment, including noise arising

from the adjacent KeyWaste facility, and that the site is suitable for residential use from a noise and vibration perspective.

For the full technical assessment, reference should be made to Chapter 8 of the EIAR, together with AWN Consulting Report No. 257501.0497NT0, which was prepared specifically to address the KeyWaste submission and the RFI issued by South Dublin County Council.

The Planner's Report concludes as follows:

*With regard to AI Item 2(a), noting the content of the submission, including revised assessments and mitigation measures introduced by way of the AI submission regarding acoustic glazing to interface elevations of the subject proposal and adjacent commercial premises; having regard to the 'REGEN' zoning objective of the site and context of same within the City Edge Framework boundary; and having regard to the content of **the report of the NEHS which includes no objection to the proposal**, it is considered that **the proposal as clarified and modified by way of Additional Information received has adequately addressed AI Item 2(a)** with regard to material planning considerations pertaining to the site.*

Response to Queries on Odour

In response to Item 2(b), additional assessments were undertaken by AWN Consulting on behalf of the Applicant to address concerns relating to odour and dust raised by KeyWaste in its submission dated 16 June 2025 and to respond to Item 2(b) of the Request for Further Information (RFI) issued by South Dublin County Council in July 2025.

The proposed development site adjoins the KeyWaste facility, which operates on a 24-hour basis under EPA Waste Licence Reg. No. W0045-01. The facility is regulated by the Environmental Protection Agency (EPA).

Dust emissions from the KeyWaste facility are regulated under Condition 6.9 of the waste licence, with monitoring requirements set out in Schedule E, Section E.2. Dust deposition monitoring is undertaken quarterly at four locations using the Bergerhoff method, with a compliance limit of 350 mg/m²/day averaged over a 30-day period. Dust levels below this threshold are not considered likely to give rise to dust nuisance. A review of EPA compliance records confirms that the most recent dust-related non-compliance occurred in 2020, with no subsequent breaches recorded.

As outlined in Section 9.4.2.1 of Chapter 9 of the EIAR, dust dispersion is influenced by local meteorological conditions, including rainfall, wind speed, and wind direction. The assessment concluded that prevailing westerly to south-westerly winds, based on Casement Aerodrome data, would generally direct any dust emissions away from the majority of the application site. While Block D, located adjacent to the KeyWaste facility along Beechlawn Industrial Estate Road, may experience occasional exposure due to its proximity, significant dust impacts are not anticipated, provided the facility continues to operate in compliance with its waste licence conditions, including the applicable dust emission limits.

The Commission's assessment cannot assume that KeyWaste would operate its facility otherwise than in accordance with law; that would be an impermissible assumption that KeyWaste would commit a crime. Indeed, in fairness to KeyWaste, no such conclusion is justified on the evidence before the Commission.

Odour emissions from the KeyWaste facility are regulated under Condition 6 of the waste licence, with Conditions 6.2, 6.6, and 6.9 specifically addressing odour control and nuisance prevention. As a waste transfer station, the facility does not typically involve prolonged waste storage, which reduces the potential for odour generation. EPA records indicate two isolated odour-related non-compliance events in recent years (one in 2023 and one in 2024); however, these infrequent occurrences do not suggest a persistent or significant odour risk to future residents of the proposed development.

Odour mitigation is most effectively managed at source, and the KeyWaste facility is required to implement appropriate housekeeping and operational controls to ensure compliance with its waste licence.

Should odour issues arise following the occupation of the proposed development, responsibility for further mitigation would rest with the facility operator under EPA oversight.

The only other nearby facility with potential odour emissions is the Brennan's Bread facility. Odours from this source were assessed in Section 9.4.3.2 and Table 9.14 of Chapter 9 of the EIAR and were classified as "Less Offensive" in accordance with Table 3.1 of the EPA AG9 Odour Emissions Guidance Note. No other surrounding commercial premises were identified as having the potential to generate odour impacts affecting the proposed development.

The proposed buildings have been designed in accordance with current Building Regulations and will achieve an A-rated Building Energy Rating (BER). As confirmed by C+W O'Brien Architects, the high standards of building envelope design, airtightness, and ventilation provide robust mitigation against odour ingress, ensuring that internal residential environments will not be adversely affected and that potential impacts on residential amenity are insignificant.

The Planner's Report concludes as follows:

With regard to AI Item 2(b), noting the content of the submission, including revised assessments and detailed construction methods of the proposed buildings with regard to potential odour ingress; 'REGEN' zoning of the site and location of same within the City Edge Framework boundary, and to the content of the NEHS report which includes no objection to the proposal, it is considered that the proposal as clarified by way of Additional Information received has adequately addressed AI Item 2(b) with regard to material planning considerations pertaining to the site.

In order to control the development and the proposed mitigation measures submitted as part of the Further Information request, the Planning Authority has attached the following Conditions.

1. **Development to be in accordance with submitted plans and details.** *The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Significant Further Information received on 22/10/25, save as may be required by the other conditions attached hereto.*

REASON: To ensure that the development shall be in accordance with the permission, and that effective control is maintained.

2. **All mitigation measures shall be implemented in full in accordance with the plans and particulars submitted with the planning application (as originally submitted on 15/05/25 and as modified by further information submitted on 22/10/25), and in accordance with the timescale for their implementation contained in the submitted Environmental Impact Assessment Report (EIAR), save as may otherwise be required by the following conditions. The developer shall appoint a project manager with appropriate experience to ensure the implementation of the mitigation measures within the timescales listed.**

REASON: In the interest of orderly development.

Section 34(4) of the Planning and Development Act 2000 (as amended) empowers Planning Authorities to attach conditions to grants of planning permission as they consider necessary for the proper planning and sustainable development of the area. Compliance with such conditions is a statutory requirement.

Any failure to comply with the conditions attached to a grant of permission renders the development liable to enforcement action by the Planning Authority pursuant to Section 154 of the Act, which provides for a range of enforcement measures where unauthorised development occurs.

In this context, the Appellant's assertions regarding the alleged unenforceability of the conditions referred to above are both unfounded and prejudicial. The conditions are clear, precise, and capable of enforcement under the Act. Furthermore, it would not be in the Applicant's interest—whether legally, financially, or procedurally—to disregard or fail to comply with the conditions attached to the permission, given the risk of enforcement proceedings and associated sanctions.

These conditions are standard, well understood, and routinely imposed in the grants of permission for this kind of development. The Commission cannot assume future breach of those conditions; that would be an impermissible assumption that the developer would commit a crime: *Cablelink v. An Bord Pleanála* [1999] IEHC 113 (the Board "could not assume that the owner of the land to which the planning permission attached would act illegally").

3.2 Zoning Objective

The South Dublin Development Plan 2022-2028 is the relevant statutory development plan for the proposed application site. The South Dublin Development Plan 2022-2028 was adopted by the Elected Members of South Dublin County Council at the Special Meeting of the Council and came into effect on 3rd August 2022.

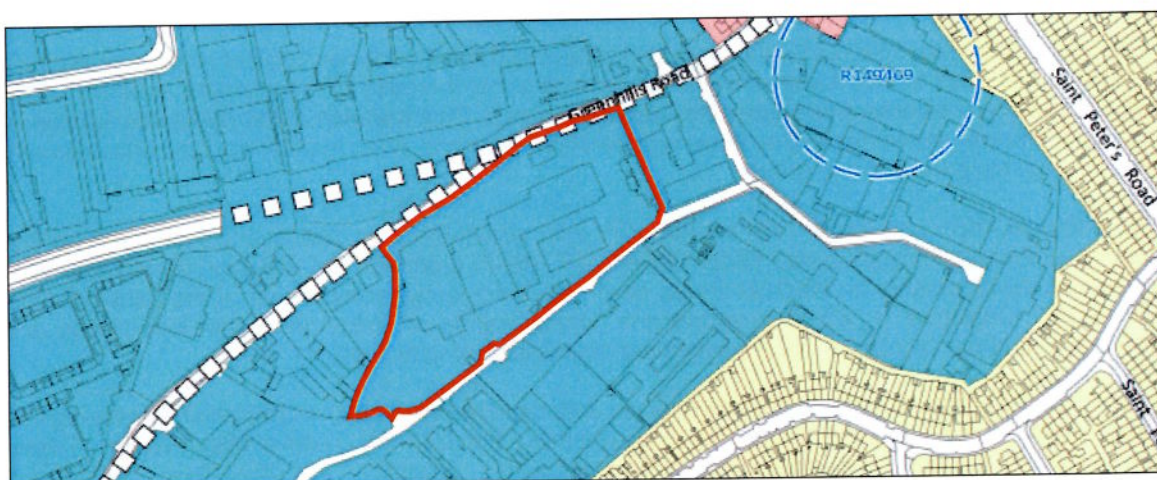


Figure 1.0 Extract from Sheet No. 5 of the Development Plan with the subject site outlined in red.

Under the South Dublin County Development Plan 2022-2028, the subject site is zoned 'REGEN', the objective of which is 'To facilitate enterprise and/or **residential-led regeneration** subject to a development framework or plan for the area incorporating phasing and infrastructure delivery'.

Permitted in Principle: Advertisements and Advertising Structures, Childcare Facilities, Community Centre, Education, Enterprise Centre, Health Centre, Home Based Economic Activities, Hotel / Hostel, Housing for Older People, Industry-Light, Live-Work Units, Motor Sales Outlet, Office-Based Industry, Office less than 100 sq m, Offices 100 sq m-1,000 sq m, Offices over 1,000 sq m, Open Space, Petrol Station, Public Services, Recreational Facility, **Residential**, Restaurant / Café, Residential Institution, Science and Technology Based Enterprise, Shop-Local, Sports Club / Facility, Stadium, Traveller Accommodation, Work-Live Units.

The 'REGEN' zone is a relatively new addition to the land-use zoning classifications, adopted in the previous South Dublin County Development Plan 2016-2022, and aimed at supporting and facilitating the regeneration of underutilised industrial lands that are within close proximity to town centres and/or public transport nodes, with a particular emphasis on more intensive enterprise and residential-led development. The 'REGEN' zone is a relatively broad zoning designation under which a wide range of uses may be permitted.

3.3 Urban Growth, Regeneration and Placemaking

Chapter 9.2.2 of the development plan seeks to support and guide the development and regeneration of underutilised lands within the county. The following policies are relevant to the subject site:

Policy EDE4 Support urban growth and regeneration through the promotion of good placemaking to attract employees and employers and to provide a competitive advantage to the County and a diverse investment opportunity.

EDE4 Objective 5 To ensure that proposals to diversify or densify underutilised industrial lands support the overarching goals of placemaking, consolidating growth centres along public transport corridors in a planned and/or sequential basis, and ensuring realisable linkages with nearby services and amenities.

The proposed development seeks to redevelop a disused and derelict builder's supplies yard. The yard, which once belonged to Chadwicks, has been vacant for c. 10 years. The existing buildings are in a dilapidated state, offering no economic contribution, commercial viability, or employment opportunities. The current condition of the site fails to align with the REGEN zoning objectives set out in the South Dublin County Development Plan.

In addition to the residential units, the proposed redevelopment introduces a mix of retail, commercial, childcare, and employment-supportive uses, ensuring a net increase in employment potential while delivering a more diverse and sustainable economic base. This transformation reinstates economic activity on the site, supports the City Edge regeneration ambitions, and contributes to the development of a thriving, mixed-use urban quarter.

The proposal integrates larger commercial units with adaptable floor plates and increased ceiling heights, ensuring compliance with EDE3 Objective 7, which promotes the inclusion of workspace in mixed-use developments on REGEN zoned land. The commercial components of the scheme align with EDE1 Objective 5, which supports the intensification of industrial lands and mixed-use development at the City Edge while maintaining sustainable employment.

In addition, the proposal features active frontages and improved streetscape integration, enhancing the public realm along Greenhills Road, as highlighted in the Delivery Team's observations. These improvements support pedestrian movement, economic vibrancy, and long-term commercial sustainability.

Finally, the proposed development sits next to an approved Bus Connects Spine route, which will offer high-frequency bus routes into Dublin city centre as well as connecting routes to other job and education centres. The proposed development complies fully with Policy EDE4 and EDE4 Objective 5.

Chapter 12.9.1 of the development provides further guidance and requires a Design Statement accompanying development proposals in Regeneration (REGEN) zones to also address the following criteria:

- Demonstrate a clear transition towards a more urban form of development and a traditional street network;
- Address connectivity and linkages in the area and demonstrate that the development of the site would not give rise to isolated piecemeal pockets of residential developments that are disconnected from shops, amenities and/or other residences;

The proposed development contains a grid-like street network connecting Greenhills Road to the road to the south of the site, thus improving permeability in the area. East-west connections are also improved within and outside the subject site, with improved footpaths and cycle lanes connecting the site to Walkinstown and the employment areas to the north and south of the site.

- Residential development should not be introduced at the ground floor level adjacent to busy roads, and/or roads that are subject to significant movements by Heavy Goods Vehicles (HGVs);

The proposed blocks are located at a significant distance from Greenhills Road, which is the main road in the area and is subject to heavy traffic. Instead, the ground floor units will front public open space.

- Given the transitional nature of Regeneration Zones, precautions will be taken to ensure that the potential for noise pollution, air pollution or other nuisance from established industrial uses will not exceed acceptable environmental standards. The Planning Authority may seek a report from a suitably qualified person to identify and quantify sources of noise pollution, air pollution, or nuisance, assess the potential impacts on the proposed development and provide a series of recommendations to mitigate the impacts of any pollutants insofar as possible (for instance, orientation and layout of dwellings, positioning of openings and insulation);

As part of the EIAR, AWN Consulting has prepared a Noise Assessment taking into account the nearby industrial units to the south. It found that with suitable mitigation measures, the industrial units will not pose a threat to the amenity of future residents.

3.4 City Edge

The subject site is located in the City Edge area, which comprises mostly industrial estates and business parks with some low-density residential development spotted throughout. There are currently some 5,000 people living in the City Edge area, with some 25,500 jobs provided across 1,500 businesses.

The vision is to create a new mixed-use and climate-resilient high-density urban quarter in the city, where the citizens of the Greater Dublin Area will be able to access affordable homes, live close to where they work, in an area home to outstanding public amenities and public transport services. Building upon its rich history of employment, the Study Area will support consolidation and the creation of new employment opportunities, culminating in the creation of a self-sustaining and integrated part of the city, where family, community, visitors and the economy can prosper in a distinctive Dublin setting.



Figure 2.0 Indicative spatial configuration of City Edge lands.

Regarding elements of the project which are more specific to the area of the site, we refer to Figure 2.0 of this report, which includes an extract from the Greenhills Character Area map included in the City Edge project. The subject site is situated on lands labelled 'Mixed-Use Employment & Residential & High Streets', which is characterised by:

'High-density employment such as offices. Residential mixed-use buildings, incorporating employment functions, and commercial ground floors. Residential mixed-use buildings, with supporting community infrastructure in parcels away from major routes and public transport.'

'Locations proposed to accommodate high-density employment such as offices; residential mixed-use buildings incorporating employment functions and commercial ground floors (retail/food and beverage); and residential mixed-use buildings with supporting community space and infrastructure in locations away from major routes and public transport.'

'A mixed-use employment and residential area. Running through the middle of this character area will be the Kylemore High Street. Defined by the Railway line to the north and the Grand Canal Linear Park to the south, with the rail interchange and the inner orbital transport corridor defining the intensity of development within this district.'

The area has the capacity to employ 15,500 – 16,500 people. Development on these lands is to be guided in a manner which supports a number of uses to improve the vitality and range of uses in the area to support more sustainable development. The Strategic Framework Document prepared for the project states the following with specific regard to Mixed-Use Employment & Residential & High Streets:

The mixed-use employment & residential with high street will be defined on the west by the Calmount High Street. Calmount Road is to be upgraded to a mixed-use high street with a SuDS-oriented focus, meaning sufficient width must be allocated for swales / green retention basins/rain gardens/tree planting etc. The design of the high street will be in conjunction with that of the BusConnects Corridor planned for Calmount Road, with the potential for this to transition to Tallaght to Kimmage Luas Post 2042 as per Draft GDA Transport Strategy. The Calmount Road high street will include segregated cycle lanes in both directions, as well as a footpath/emergency access adjacent to the building frontages. A strong, active building frontage line is envisioned for this street, and it should be landscaped with mature vegetation to break down its scale.

At the confluence of Calmount Road and Greenhills Road, west of the Walkinstown roundabout, a new commercial/ retail centre has been proposed. The BusConnects route will run through this centre, providing intensity. The centre itself will be accessible via pedestrian links from Walkinstown Avenue. This new centre will service the existing communities of Walkinstown and Greenhills, as well as new communities in and around Calmount Road.

The following objectives are relevant to the subject site:

1. *To maintain existing industrial land use on the western edge of the Greenhills District, acting as a buffer between the M50 and the Residential Led Mixed-Use areas.*

The proposed development will maintain commercial units with large floor plates and ceiling heights, thus maintaining employment on the site.

2. *Creating a finer urban grain, making better connections north-south and east-west.*

The proposed development has been laid out in a grid-like fashion, thus creating permeability through the site from north to south and east to west.

3. *Where suitable, the block structure should reflect that of a 'super block' concept, with clusters of inner-minor streets which are partially closed to traffic.*

As mentioned above, a grid street network has been created within the site and will facilitate pedestrian and cyclist traffic.

4. *To encourage connections with the proposed river corridors and along the proposed Tymon to Phoenix greenway, improving accessibility.*

The proposed development will provide improved external footpaths and cycle lanes, which will ultimately tie in with Bus Connects improvements along Calmount Road and Greenhills Road, thus creating connectivity between the site and nearby greenways.

5. *To encourage the new Luas line with associated stops to run on Calmount Road.*

The proposed development will not impede the delivery of LUAS stops along Calmount Road.

6. *To encourage the development of a new local centre and associated high street along Calmount Road.*

The proposed development will not impede the delivery of a local centre along Calmount Road.

7. *A major urban square of ca. 0.2 Hectares in or around the intersection of Ballymount Avenue and Calmount Rd. - subject to a future masterplan.*

The proposed development will not impede the delivery of a major urban square in or around the intersection of Ballymount Avenue and Calmount Road.

8. *To create a connection between the existing Ballymount Park, east of the M50, and the proposed blue and green infrastructure corridors.*

The proposed development will not impede the delivery of a connection between the existing Ballymount Park, east of the M50, and the proposed blue and green infrastructure corridors.

9. *Minimum of four community-level parks which are placed at suitable distances from each other.*

The proposed development contains public open space on the northern boundary, which merges with the proposed park to the north of the site, thus improving the delivery of green space in the area.

10. *A mix of tenure and dwelling types throughout the various districts.*

The proposed development contains 20% social housing, which will be offered to tenants through the local authority. This will be in addition to the proposed units, which will be rented and sold on a unit-by-unit basis, thus ensuring a mix of tenures in the scheme.

11. *Upgrade Calmount Road into a pedestrian-friendly, SuDS-oriented 'Green High Street'.*

The proposed landscape plan for the northern boundary will aid in the delivery of a pedestrian-friendly, SuDS-oriented 'Green High Street' on Calmount Road.

12. *Play and urban play should be integrated into any future masterplan.*

The proposed landscape plan for the site includes play equipment and complies with Objective 12 for Greenhills.

The proposed development fully complies with the objectives of City Edge and does not threaten the lawful operation of the KeyWaste facility.

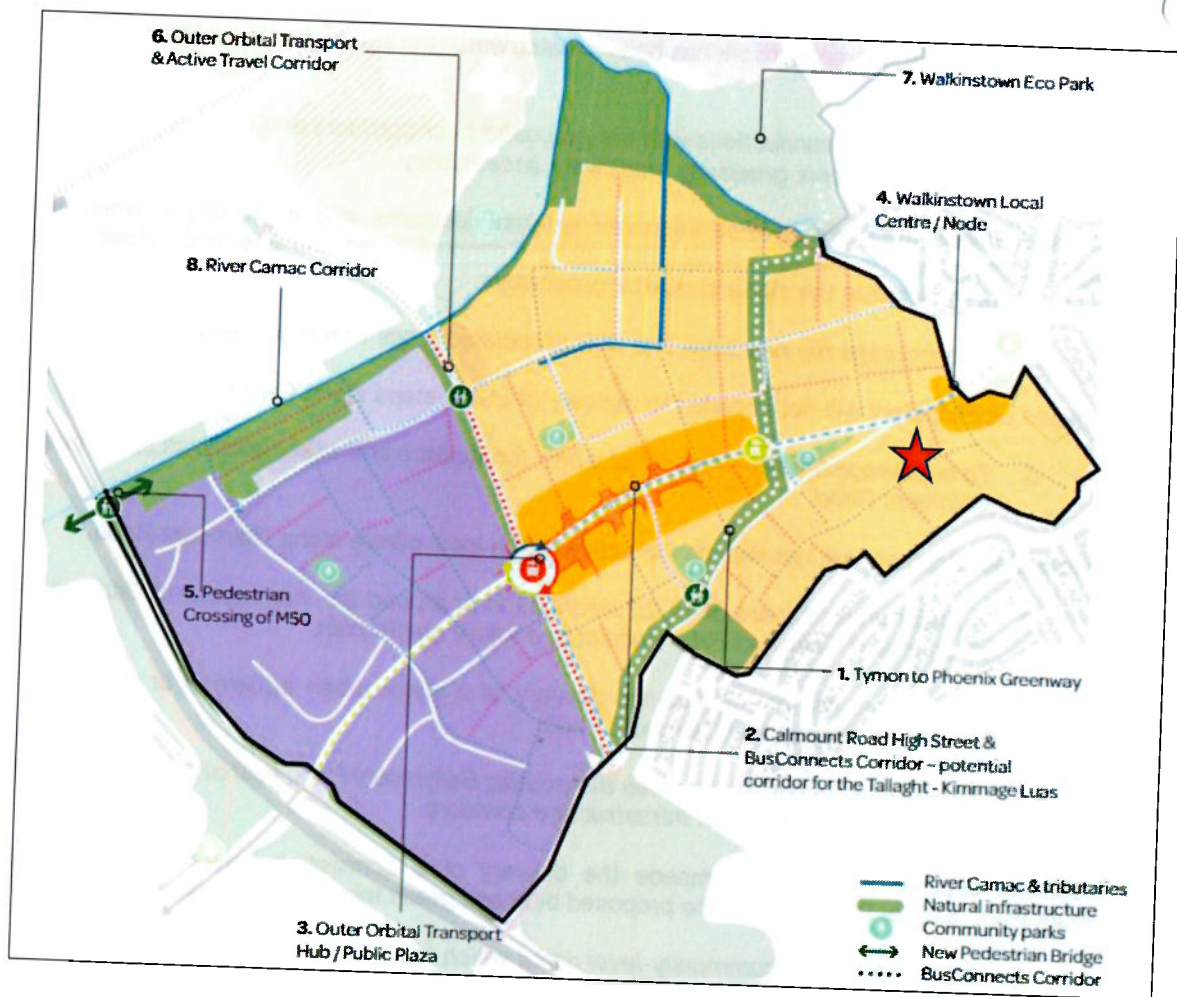


Figure 3.0 Indicative spatial plan for the Greenhills district with the subject site marked by the red star.

3.5 Compliance with Regeneration Objectives and City Edge

It is noted that the South Dublin Development Plan does not provide minimum separation distances between sensitive uses, such as the proposed residential development, and existing land uses, such as waste facilities. It is submitted that the Appellant's concerns regarding potential land-use conflict arising from the REGEN zoning objective are misplaced and fail to reflect the policy framework of the South Dublin County Development Plan 2022–2028.

The purpose of the REGEN zoning is to facilitate the **planned and managed regeneration** of lands that are currently occupied by underutilised, obsolete, or low-intensity industrial or commercial uses, while ensuring that any transition to a mixed-use or residential-led character occurs in a coordinated and sustainable manner. The zoning does not provide for unrestricted or piecemeal residential development, nor does it assume automatic compatibility between new residential uses and all existing activities.

The Development Plan explicitly addresses the issue of potential land-use conflict through a number of safeguards. Development within REGEN-zoned lands is required to be **comprehensive, plan-led, and coordinated**, often through masterplanning, phasing strategies, or area-based frameworks. This approach ensures that regeneration proposals are assessed in the context of the wider area rather than in isolation, thereby avoiding the introduction of sensitive uses in locations where they would give rise to conflict with established or appropriate employment uses.

Furthermore, the Plan seeks to **protect viable employment and enterprise uses** and does not support development that would prejudice their continued operation. Proposals for residential development

within REGEN areas must demonstrate that they will not undermine existing commercial or industrial activity, either through amenity impacts or through the introduction of incompatible uses that could lead to future operational constraints. The onus rests with the applicant to ensure that residential amenity can be adequately protected without imposing unreasonable limitations on neighbouring uses.

Potential conflicts are addressed through the **development management process**, including careful site layout, building orientation, appropriate separation, acoustic design, buffering, and operational mitigation measures where necessary. The Planning Authority retains full discretion to refuse proposals where unacceptable conflict cannot be satisfactorily mitigated.

In addition, the Development Plan supports the **phasing and sequencing of development** within regeneration areas. Residential development may be contingent on the relocation, cessation, or transformation of incompatible uses, ensuring that sensitive uses are introduced only where and when appropriate. This approach avoids premature residential development that could give rise to amenity conflicts or enforcement pressures.

In light of the above, it is clear that the REGEN zoning objective does not create inherent or unavoidable land-use conflict. On the contrary, it provides a robust and flexible policy framework that enables regeneration while safeguarding residential amenity, protecting employment uses, and ensuring the orderly and sustainable development of the area. The Appellant's concerns in this regard are therefore unfounded and should not weigh against the proposed development.

The proposed development fully accords with the objectives and intent of the REGEN zoning as set out in the South Dublin County Development Plan 2022–2028. The scheme forms part of a coordinated and plan-led regeneration of the subject lands and has been designed with regard to the existing and emerging character of the wider area.

The proposal does not prejudice the continued operation of any viable employment or enterprise uses and does not introduce sensitive residential development in a manner that would give rise to land-use conflict. Potential amenity impacts have been comprehensively addressed through site layout, building orientation, appropriate separation, acoustic design measures and landscaping, ensuring that a high standard of residential amenity is achieved without imposing constraints on neighbouring sites such as KeyWaste.



Figure 4.0 Aerial image of the subject site showing the separation distances from the façade of Block D and the KeyWaste facility

The development also facilitates the orderly transition of the site in accordance with the phased regeneration objectives of the Development Plan. The subject site is the next available REGEN site that is available for regeneration, is within walking distance of Walkinstown village, and is located on a Bus Connects spine route. Therefore, the development of the site complies with sequential development aspirations.

It has also been demonstrated that the proposed development will not be affected by external environmental factors such as noise and odour in a robust EIAR and CEMP. The Planner's Report expressed satisfaction, stating:

*Having regard to the information provided by way of the Significant Additional Information response, including revised EIAR, the Planning Authority is satisfied that AI Item 4 has been adequately addressed. All recommended mitigation measures within the EIAR, and any associated documents, should be implemented in full during the respective phases of development, to be ensured by way of **condition**.*

Accordingly, the proposed development represents an appropriate, sustainable and policy-compliant form of development within REGEN-zoned lands.

4.0 Precedent Case

As noted above, the development plan does not provide minimum separation distances between sensitive land uses and industrial/commercial uses. Instead, any potential conflicts are addressed through the development management process, including careful site layout, building orientation, appropriate separation, acoustic design, buffering, and operational mitigation measures where necessary.

It is important to draw attention to the quantum of older housing located adjacent to the KeyWaste facility. These properties would not be constructed to the same standards as the proposed development and, therefore, would be more susceptible to excessive noise and odour arising from the facility. However, as noted by AWN Consulting in their response, EPA records indicate two isolated odour-related non-compliance events in recent years (one in 2023 and one in 2024); however, these infrequent occurrences do not suggest a persistent or significant odour risk to future residents of the proposed development.

Additionally, the Commission's attention is drawn to the following precedent cases in which a new waste facility was granted permission adjacent to existing residential properties.

Panda Waste, Ballymount Road Upper, Ballymount, Dublin 24

ACP Ref. 318683 Demolition of all existing waste processing buildings on site and construction of a new modernised multi-processing facility.

The Board granted permission for this 24-hour facility, subject to conditions regarding mitigation measures to prevent nuisance noise and odour for nearby dwellings. The Inspector's Report notes:

The surrounding area is characterised by a partly established and partly developing industrial and commercial area. There are a number of residential properties located in the area, on Ballymount Road Upper to the southeast of the site, some of which have commercial interests from these properties. The closest residential receptor is located c. 40m southeast of the site boundary.

The Inspector further notes:

Technical details in relation to noise and odours are examined within the EIA section hereunder and will not be repeated here, however, it is important to note at this juncture that the waste management activities associated with the proposed development will be regulated under an EPA Industrial Emissions (IE) Licence, whereby emission threshold limits are set and monitored. The facility is currently authorised under IE Licence Reg. no. W0039-02, as amended.

The Inspector concluded that:

*Overall, having regard to the EIAR and the EIA undertaken in section 7.0 of this Inspector's Report, I am satisfied that **the proposed development, subject to mitigation measures detailed in the EIAR and through EPA licence regulation that the proposed development will not have a detrimental impact on nearby residential amenity and can be appropriately regulated to minimise nuisance on residential amenity.***

This decision clearly demonstrates that a waste management facility such as KeyWaste can continue to operate in proximity to residential development where appropriate mitigation measures are implemented and where the facility operates in full compliance with its EPA licence. The coexistence of such uses is therefore well established in principle, subject to proper environmental control and planning oversight.

The proposed development to which this response relates benefits from contemporary, high-quality construction standards and has been designed to ensure a robust level of separation from the KeyWaste facility, with distances ranging from approximately 96 metres to 209 metres. These separation distances are substantially in excess of the 40-metre separation accepted in the aforementioned case, further reducing the potential for any adverse amenity impacts.

In common with that decision, a comprehensive Environmental Impact Assessment Report (EIAR) and Construction Environmental Management Plan (CEMP) have been prepared in support of the proposed development. These documents demonstrate that potential impacts have been thoroughly assessed and that effective mitigation measures will be implemented to ensure that no material disamenity arises for future occupants of the development.

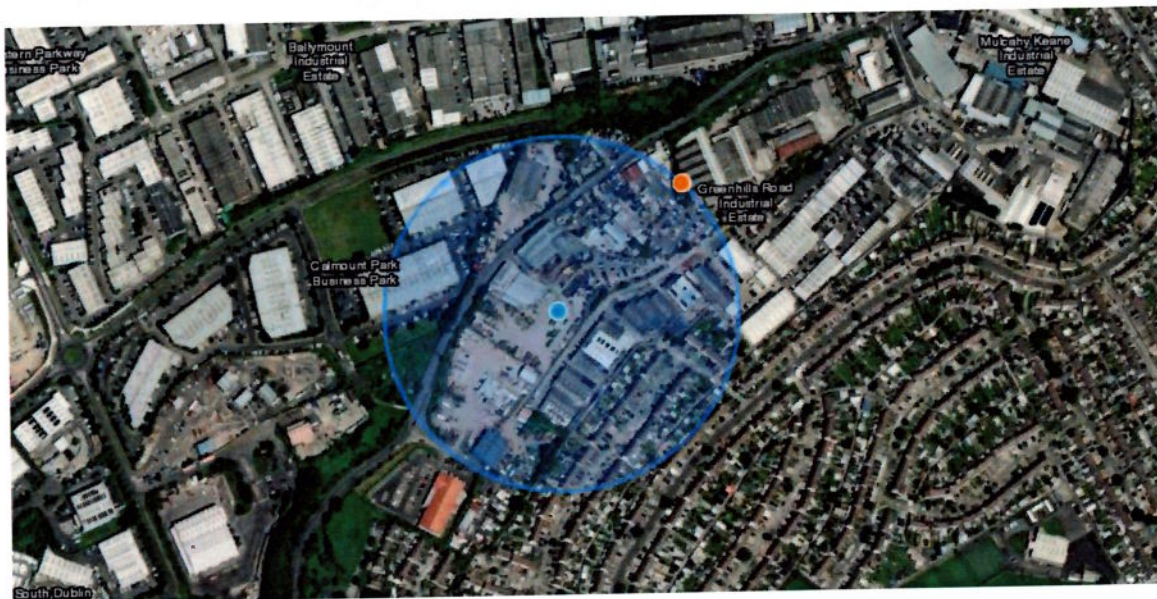


Figure 5.0 There is a substantial amount of existing housing within a 200m radius of the KeyWaste facility. This radius includes a minimal amount of Block D of the proposed scheme

It is also prudent to draw the Commission's attention to another case decided by the Board under **ABP Ref. 307804** within Dublin City Council's administrative area of City Edge. The decision to grant permission for 1000 residential units faced substantial objections and was appealed by BOC Gases, who have a SEVSO gas production facility 300m from the site. The Inspector and ultimately, the Board, were satisfied that the development could take place and noted the Health and Safety Authority's role in the matter as the competent authority, noting:

*In this case, the proposal was referred to the HSA as is appropriate, and the advice of the HSA is that **they would not advise against the proposal.** Having regard to this*

advice, I would consider that the proposal would not merit refusal or alteration on the basis of its proximity to the appellants' operation. In addition I would note that the proposal is consistent with land use policy as identified under the Dublin City Development Plan, national policy in regards to the provision of housing at appropriate locations (public transport corridors) and that land use policy has clearly identified the area as an appropriate area for increased provision of housing whereas the area has previously been more commercial in nature.

This case shares many similarities with the case currently before the Commission in that the HSA were consulted and did not recommend refusal. Instead, they published a list of conditions to be met by the applicant.

Also, the scheme is located in City Edge and complies with the relevant zoning objectives and local and national development objectives for the site. The proposed development at Greenhills Road also fully complies with the South Dublin Development Plan 2022-2028 as well as national policies on housing and access to mass transit.

5.0 Conclusion

In conclusion, this response has demonstrated that the proposed development of 588 no. apartments and commercial units at the subject site represent a carefully considered and policy-compliant form of residential regeneration development that responds appropriately to the REGEN zoned lands and any adjoining industrial or commercial properties.

As demonstrated in the EIAR, the development will not be negatively impacted by the KeyWaste facility, nor will it prejudice the ongoing operation of that facility. Nonetheless, additional mitigation measures have been introduced to the proposed scheme to further protect the amenity of future residents. An Bord Pleanála has demonstrated that waste facilities do not affect the amenity of residential development once the appropriate mitigation measures are implemented and the EPA license is adhered to, as demonstrated in ACP Ref. 318683.

The appeal grounds do not identify any material planning reason to set aside the Planning Authority's decision, and the proposal has been shown to protect residential amenity, does not affect the ongoing operation of the waste facility, and delivers high-quality housing in a sustainable and accessible location. Accordingly, it is respectfully requested that An Coimisiún Pleanála uphold the decision of South Dublin County Council and grant permission for the proposed development.



Kevin Hughes MIPI MRTPI
for HPDC Ltd