

Comhairle Chontae Atha Cliath Theas

PR/0948/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0157 **Application Date:** 30-May-2022
Submission Type: New Application **Registration Date:** 30-May-2022

Correspondence Name and Address: Armstrong Fenton Associates Unit 13, The Seapoint Building, 44/45, Clontarf Road, Dublin 3

Proposed Development: On site which forms part of an overall permitted residential development under Ref. SD17A/0468 & has the approved name of 'Ballycullen Gate'; The proposed development consists of a change of dwelling type and increase in number from 17 permitted houses to 26 proposed houses; The proposed dwellings are comprised of 12 three bed semi-detached 2 storey houses, 6 two bed semi-detached dormer houses, 6 two & three bed detached & semi-detached bungalows, 1 three bed detached 2 storey house and 1 four bed split level detached house; The proposed development also includes for all associated site development works, car parking, open spaces and landscaping, on a site area of 0.82ha; The effect of the proposed development will be a modification to an extant permission under Ref. SD17A/0468.

Location: Site South of Oldcourt Road, Firhouse, Dublin 24

Applicant Name: Capami Ltd

Application Type: Permission

(CM)

Description of Site and Surroundings

The site consists of agricultural land which was previously organised via traditional field boundary hedgerows. The land is currently in the early stages of development as per the existing permission and the adjoining permission for the main link street through the area. The site falls from a high point in the south west (126 ordnance datum) to a low point in the north east (107 ordnance datum), a difference of 19 metres over a maximum site width of 211 metres. The north western boundary of the site is formed by a ditch and hedgerow. A portion of the north eastern boundary abuts the Oldcourt Road, and a portion adjoins undeveloped agricultural lands and allotment lands. 220kv power lines run to the south west of the site. The main link street has been delivered to surface level though not finished, to the north of the site.

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Site Area: 0.82 Ha.

Site Visit: 22/07/2022

Proposed Development

On site which forms part of an overall permitted residential development under Ref. SD17A/0468 & has the approved name of 'Ballycullen Gate'.

The proposed development consists of **a change of dwelling type and increase in number from 17 permitted houses to 26 proposed houses;**

The proposed dwellings are comprised of 12 three bed semi-detached 2 storey houses, 6 two bed semidetached dormer houses, 6 two & three bed detached & semi-detached bungalows, 1 three bed detached 2 storey house and 1 four bed split level detached house;

The proposed development also includes for all associated site development works, car parking, open spaces and landscaping, on a site area of 0.82ha;

The effect of the proposed development will be a modification to an extant permission under Ref. SD17A/0468.

In summary, the application would **increase the number of units by 9.**

Zoning:

The site is zoned objective 'RES-N' – 'To provide for new residential communities in accordance with approved area plans,' under the South Dublin County Development Plan 2016 - 2022.

Consultations

Internal

Environmental Services:

Surface Water	Requests Additional Information.
Flood Risk	No objection, subject to conditions.
Roads	Requests Additional Information.
Public Realm	No objection, subject to conditions.
Housing	No report received.
Waste Management	No report received.

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External

Irish Water	No objection.
HSE Environmental Health Officer	No objection, subject to conditions.
Inland Fisheries Ireland	Recommends conditions.

SEA Environmental Sensitivity Screening

No overlap is recorded in the SEA monitoring system.

Submissions/Observations/Representations

None

Planning History

SD17A/0468 (Parent Permission) – Permission granted by SDCC for residential development comprising **64 dwellings on a site area of 3.8ha** located south of Oldcourt Road. Access to the development will be via a proposed new vehicular entrance from Oldcourt Road consisting of: 48 houses and 16 apartments comprising one 2 storey, 3-bed detached house, 24 2 storey, 3-bed semi-detached houses, 10 dormer, 2-bed semi-detached houses, 13 2-bed bungalows and 16 2-bed apartments in three 2 storey buildings. The proposed development also includes all associated site development works, car parking, open spaces and landscaping.

SD17A/0041, PL06S.249367 - Permission Granted by An Bord Pleanála (concurring with a decision of South Dublin County Council) for construction of the **Main Link Street** as shown in the Ballycullen - Oldcourt Local Area Plan 2014 with access onto the Oldcourt Road at Gunny Hill to the east and the Bohernabreena Road to the west.

- A portion of this link street runs through the North East of the subject site.
- This link street provides the main point of vehicular access for the proposed development.

Decision Due Date: 16/02/2018

Enforcement History

No recent relevant enforcement history recorded.

Relevant Policy

National Policy

The relevant policy documents are detailed below. The Planning Authority are of the opinion that of most significant relevance is the National Planning Framework (NPF). In this regard, National Strategic Outcome 1 of the NPF refers to and, stresses the importance, of 'Compact Growth'. The NPF states,

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‘From an urban development perspective, we will need to deliver a greater proportion of residential development within existing built-up areas of our cities, towns and villages and ensuring that, when it comes to choosing a home, there are viable attractive alternatives available to people.’

The NPF indicated that the delivery of compact growth will be through National Policy Objective 2a, which states,

‘A target of half (50%) of future population and employment growth will be focused in the existing five Cities and their suburbs.’

and National Policy Objective 3a, which states,

‘Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.’

The National Planning Framework also includes a specific Chapter, No. 6, entitled ‘People, Homes and Communities’. It includes 12 objectives among which Objective 27 seeks to ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages. Objective 33 seeks to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

Other Ministerial Guidelines and Policy

Regional, Spatial & Economic Strategy 2020-2032 (RSES), Eastern & Midlands Regional Assembly (2019)

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

Rebuilding Ireland: Action Plan for Housing and Homelessness, Government of Ireland (2016).

Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, Department of Housing, Planning and Local Government (2020).

Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment and Local Government (2009).

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Urban Design Manual, Department of the Environment, Heritage and Local Government, (2008).

Urban Development and Building Heights Guidelines for Planning Authorities, (2018)
Quality Housing for Sustainable Communities-Best Practice Guidelines, Department of the Environment, Heritage and Local Government (2007).

Design Manual for Urban Roads and Streets Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport (2013).

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).

The Planning System and Flood Risk Management - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government & OPW, (2009).

Departmental Circulars, Department of Housing, Planning and Local Government (2020) – as listed:

- PL02/2020: Covid-19 Measures
- PL03/2020: Planning Time Periods
- PL04/2020: Event Licensing
- PL05/2020: Planning Time Periods
- PL06/2020: Working Hours Planning Conditions
- PL07/2020: Public Access to Scanned Documents
- PL08/2020: Vacant Site Levy
- Circular NRUP 02/2021 - Residential Densities in Towns and Villages

Circular Letter NRUP 03/2021 – s.28 Guidelines on the Regulation of Institutional Investment in Housing

Relevant Policy in South Dublin County Development Plan 2016 – 2022

Policy CS1 Consolidation Areas within the Gateway

Policy CS2 Metropolitan Consolidation Towns

Policy CS3 Emerging Moderate Sustainable Growth Town

Policy CS4 Small Towns

Policy CS6 Local Area Plans

It is the policy of the Council to prepare Local Area Plans as appropriate, and to prioritise areas that are likely to experience large scale residential or commercial development or regeneration.

Policy CS6 Objective 1: To prepare Local Area Plans for areas that are likely to experience large scale residential or commercial development or regeneration.

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Policy CS6 Objective 2: To support a plan led approach in Local Area Plan areas by ensuring that development complies with the specific local requirements of the Local Area Plan, in addition to the policies and objectives contained in this Development Plan.

Policy H3 Housing for Older People

Policy H4 Student Accommodation

Policy H6 Sustainable Communities

It is the policy of the Council to support the development of sustainable communities and to ensure that new housing development is carried out in accordance with Government policy in relation to the development of housing and residential communities.

Policy H7 Urban Design in Residential Developments

It is the policy of the Council to ensure that all new residential development within the County is of high quality design and complies with Government guidance on the design of sustainable residential development and residential streets including that prepared by the Minister under Section 28 of the Planning & Development Act 2000 (as amended).

Policy H10 Mix of Dwelling Types

It is the policy of the Council to ensure that a wide variety of adaptable housing types, sizes and tenures are provided in the County in accordance with the provisions of the Interim South Dublin County Council Housing Strategy 2016-2022.

Section 2.3.0 Quality of Residential Development

Policy H11 Residential Design and Layout

It is the policy of the Council to promote a high quality of design and layout in new residential development and to ensure a high quality living environment for residents, in terms of the standard of individual dwelling units and the overall layout and appearance of the development.

Policy H12 Public Open Space

It is the policy of the Council to ensure that all residential development is served by a clear hierarchy and network of high quality public open spaces that provides for active and passive recreation and enhances the visual character, identity and amenity of the area.

Policy H13 Private and Semi-Private Open Space

It is the policy of the Council to ensure that all dwellings have access to high quality private open space (incl. semi-private open space for duplex and apartment units) and that private open space is carefully integrated into the design of new residential developments.

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Policy H14 Internal Residential Accommodation

It is the policy of the Council to ensure that all new housing provides a high standard of accommodation that is flexible and adaptable, to meet the long-term needs of a variety of household types and sizes.

Policy H15 Privacy and Security

It is the policy of the Council to promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing.

Policy H16 Steep or Varying Topography Sites

It is the policy of the Council to ensure that development on lands with a steep and/or varying topography is designed and sited to minimise impacts on the natural slope of the site.

Section 3.2.0 Community Facilities

Policy C1 Community Centres

It is the policy of the Council to ensure that all communities have access to multifunctional community centres that provide a focal point for community activities.

Section 3.13.0 Open Space Management & Use

Policy C12 Open Space

It is the policy of the Council that a hierarchical network of high quality open space is available to those who live, work and visit the County, providing for both passive and active recreation, and that the resource offered by public open spaces, parks and playing fields is maximised through effective management.

Section 6.3.0 Walking and Cycling

Policy TM3 Walking and Cycling

It is the policy of the Council to re-balance movement priorities towards more sustainable modes of transportation by prioritising the development of walking and cycling facilities within a safe and traffic calmed environment.

Section 6.4.3 Road and Street Design

Policy H12

It is the policy of Council to ensure that streets and roads within the County are designed to balance the needs of place and movement, to provide a safe traffic-calmed street environment, particularly in sensitive areas and where vulnerable users are present.

Section 6.4.4 Car Parking

Policy TM7 Car Parking

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Section 7.1.0 Water Supply & Wastewater

Policy IE1 Water & Wastewater

It is the policy of the Council to work in conjunction with Irish Water to protect existing water and drainage infrastructure and to promote investment in the water and drainage network to support environmental protection and facilitate the sustainable growth of the County.

Section 7.2.0 Surface Water & Groundwater

Policy IE2 Surface Water & Groundwater

It is the policy of the Council to manage surface water and to protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Section 7.3.0 Flood Risk Management

Policy IE3 Flood Risk

It is the policy of the Council to continue to incorporate Flood Risk Management into the spatial planning of the County, to meet the requirements of the EU Floods Directive and the EU Water Framework Directive.

Section 8.0 Green Infrastructure

Policy G1 Overarching

Policy G1 Green Infrastructure Network

Policy G3 Watercourses Network

Policy G4 Public Open Space and Landscape Setting

Policy G5 Sustainable Urban Drainage Systems

Policy G6 New Development in Urban Areas

Section 9.3.1 Natura 2000 Sites

Policy HCL12 Natura 2000 Sites

Section 10.0 Energy

Policy E4 Energy Performance in New Buildings

Section 11.2.0 Place Making and Urban Design

Section 11.2.1 Design Statements

Section 11.2.2 Masterplans

Table 11.17: Masterplan Considerations

Section 11.2.7 Building Height

Section 11.3.1 Residential

- (i) Mix of Dwelling Types*
- (ii) Residential Density*
- (iii) Public Open Space/Children's Play*

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- (iv) Dwelling Standards*
- (v) Privacy*
- (vi) Dual Aspect*
- (vii) Access Cores and Communal Areas*
- (viii) Clothes Drying Facilities*

Table 11.20: Minimum Space Standards for Houses

Table 11.21: Minimum Space Standards for Apartments

Section 11.4.1 Bicycle Parking Standards

Table 11.22: Minimum Bicycle Parking Rates

Section 11.4.2 Car Parking Standards

Table 11.24: Maximum Parking Rates (Residential Development)

Section 11.4.3 Car Parking for Electric Vehicles

Section 11.4.4 Car Parking Design and Layout

Section 11.4.5 Traffic and Transport Assessments

Section 11.6.1 (i) Flood Risk Assessment

Section 11.6.1 (ii) Surface Water

Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)

Section 11.6.1 (iv) Groundwater

Section 11.6.1 (v) Rainwater Harvesting

Section 11.6.1 (vi) Water Services

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.1 Environmental Impact Assessment

Section 11.8.2 Appropriate Assessment

Ballycullen-Oldcourt Local Area Plan 2014

- **LUD1**
- **LUD2**
- **LUD6**
- **LUD7**

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Assessment

The main issues for consideration are:

- Zoning & Policy
- Urban Design & Layout
- Residential Amenity
- Public Realm
- Access, Transport & Parking
- Water & Drainage
- Environmental Health
- Public Housing
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Policy

County Development Plan Zoning Objective

The site is subject to the 'RES-N' zoning objective in the South Dublin County Development Plan 2016 - 2022. The zoning objective reads:

“To provide for new residential communities in accordance with approved area plans.”

The zoning objective makes clear that the provisions of approved Local Area Plans should dictate the progress of development. This site is subject to the provisions of the Ballycullen-Oldcourt Local Area Plan 2014.

Phasing

The proposed application is a minor alteration to a permitted scheme and would not trigger new requirements under the LAP phasing.

Urban Design, Visual Impact and Layout

The proposed development comprises intensification of permitted development within the permitted street network as granted under SD17A/0468. The proposal intensifies the permitted development, replacing a number of houses with smaller houses on smaller plots. In the north-west corner, there is greater materiality to the proposal, as a link street is proposed to be removed, and two additional houses delivered in its place, with all four houses at that location now fronting onto The Close whereas they had previously fronted onto the link street and sided onto The Close.

In general, the proposed changes make modest alterations to the streetscapes in the area. Some gardens side onto the street and wraparound units may be more appropriate; however, given the scale of the proposal it is considered that the changes are generally acceptable.

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The north-west corner of the development presents a challenge, however; the permitted development provides for a vehicular link between the main link street (reg. ref. SD17A/0041) and the development site. The applicant is now proposing to sever the vehicular link and, in the place of the road, build additional housing fronting south onto The Close. The design of the north-western corner is acceptable in terms of its impact on The Close. In engineering terms, the loss of the vehicular link has been checked by the Roads Department (see below). The proposal meets difficulties in respect of planning process and landscape design, however.

The main link street has been partially constructed on-site. Though a site inspection has been undertaken, I have been unable to access the area of the junction with the main link street, and in any event the applicant is not proposing to amend permission SD17A/0041 to remove the southern spur of that junction. The situation if planning is permitted as proposed would therefore be that a southern spur of the main link street junction is a dead end, situated below and to the rear of houses on The Close.

Additional information would be required prior to a grant of permission. The applicant should comment on the current layout of the road as-constructed, and how the two layouts (SD17A/0041 and SD17A/0468 sites) would integrate, and any alterations required to the SD17A/0041 permission. In the event of such changes being required, the applicant should re-advertise the development as significant additional information. In addition to the above, the applicant should show on a layout drawing how the proposed development would interact with the main link street. The applicant should also clarify if the connection at this location is outside of their control.

As there are other reasons for refusal, however, the above should be added to a decision to **refuse permission**.

Building Height

As per Objective LUD7 of the LAP, the houses on the upper slopes should be 1 storey in height. Therefore, the applicant should amend the proposals for units 7, 8, 9 and 10. This should be amended by way of **additional information** prior to any grant of permission. As there are other reasons to refuse permission, however, this should be added to a decision to **refuse permission**.

Residential Density

The applicant applies a net site area of 2.34 ha. and a residential density of approx. 27 DpH. The proposed development would increase this density to 31.2 DpH. There is arguably cause to recalculate the net site area as 1.77 ha. based on removal of public open space around the development; however, this has not been applied in the below assessment.

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The LAP provides for **net** densities of 12 – 18 and 22 – 28 DpH for upper slopes and mid slopes lands respectively (LUD5 and LUD6). The site is located partially on the upper and mid slopes lands, and this is reflected in the original permission.

The Planner's Report on SD17A/0468 stated the following in relation to residential density:

“Notwithstanding the reduction in site area and the two separate density designations for the site, having regard to the overall proposed number of units and location of lower densities and reduced heights and single storey units in the upper slope lands adjacent to the green buffer along the southern fringe and location of slightly higher densities and 2 storey units in the mid slope lands it is considered that the overall density proposed is generally in accordance with the requirements of the Ballycullen Oldcourt Local Area Plan and is considered acceptable.”

The original permission allowed for some flexibility in applying the density standards of the Local Area Plan. The proposed permission would, however, further exceed the density limits, and would not comply with the Local Area Plan density guidelines.

The Planning Authority would welcome a masterplan approach to the RES-N lands to demonstrate compliance with the LAP.

National Policy

National policy on density has been altered in the intervening period, with national apartment guidelines (2018 and 2020) containing guidance on urban densities. Planning Circular 02/2021 further clarified density guidance, noting that lower densities are suitable in peripheral urban locations.

It is considered that national guidance in the Circular validates that approach in the Local Area Plan.

The proposed development, consisting of 9 additional units to a scheme of 64 units, should be **refused permission**.

Residential Amenity

Residential Standards

The Planning Authority is satisfied that the proposed houses comply with the relevant standards contained in the 'Quality Housing for Sustainable Communities - Best Practice Guidelines' (2007) and the County Development Plan.

Private and Public Amenity

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It appears from the layout that all houses are well served by private amenity areas. The communal amenity space for the apartment units is also of adequate size, and the layout of these units around the space is adequate.

Public Realm

The Public Realm Department has not made a comment on the application. There is an issue in relation to the treatment of the north-west corner. If a stronger connection is required there to tie in with the main street, this should be delivered on the original alignment (replacing the westernmost of the proposed houses), rather than bleeding into the public open space.

Access, Transport and Parking

The Roads Department has provided a report following initial verbal consultation. The comment and recommendations are as follows:

Access & Roads Layout:

Under the permitted SD17A/0468, there is provision for a second vehicular entrance. It is proposed to significantly amend this area of the site in the current application, with an increased housing provision, and to remove the vehicular entrance in doing so. Roads are satisfied that the removal of this entrance will not have a negative impact on traffic movement within the estate, nor for traffic accessing/egressing the estate.

Roads Dept wish to know whether (as per SD17A/0041) the second junction has been constructed to date, and also how this amended layout would affect the road network masterplan for the area.

Permeability:

Where it is proposed that the roadway be discontinued, the opportunity remains to retain a cycle pathway through the public open space. Applicant to provide a revised drawing which includes a formal two-way cycle path passing through this section of POS and that connects with the 'main link street'.

Taking in Charge:

A taking in charge drawing to be supplied which clearly shows the areas to be offered for taking in charge by South Dublin County Council.

- 1) Applicant is required to explain how the proposed amended layout (removal of second entrance) would affect the road network masterplan for the area.
- 2) Applicant to confirm whether (as per SD17A/0041) the second junction has been constructed to date
 - As-con drawing to be submitted if yes.

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- 3) Applicant to provide a revised drawing which includes a formal two-way cycle path passing through this section of POS and that connects with the 'main link street'.
- 4) Applicant to provide a revised drawing taking in charge drawing which clearly shows the areas to be offered for taking in charge to South Dublin County Council.

The above comments are accepted, and the proposed alterations and clarifications should be incorporated into a request for additional information prior to any grant of permission. As there are other reasons for refusal, they should be incorporated into a decision to **refuse permission**.

Water and Drainage

Irish Water has stated no objection, subject to a connection agreement. In relation to surface water, the Environmental Services Department has sought additional information in relation to SuDs proposals.

The applicant has not provided any information in relation to sustainable drainage systems or attenuation. Permission SD17A/0468 included, in condition 16, that the applicant should agree details relating to surface water drainage prior to construction. Records do not indicate that anything has been agreed under condition 16. This information should therefore be sought by way of additional information prior to any grant of permission. As there are other reasons to refuse permission, however, this should be incorporated into a decision to **refuse permission**.

The applicant should also be advised that under the South Dublin County Development Plan 2022 – 2028 (to be adopted in August 2022), additional requirements in terms of green infrastructure and the greening factor, are adopted as policy.

Environmental Health

The HSE Environmental Health Officer has stated no objection, subject to conditions regarding air quality and construction noise. These are appropriate to attach as conditions to a grant of permission.

Public Housing

The Housing Department has submitted a report. The preference of the council is to acquire units on site. The details are appropriate to be agreed in compliance.

Screening for Appropriate Assessment

The applicant has not provided an Appropriate Assessment Screening Report.

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Table 1: Description of the project and site characteristics

Planning File Reference	SD22A/0157
Brief description of the project	See description of development.
Brief description of site characteristics	See site description.
Application accompanied by a NIS Y/N	No.

Table 2: Identification of European Sites which may be impacted by the project

European Site	List of Qualifying Interest/ Special Conservation Interest	Distance from proposed development (km)	Connections (Source- Pathway- Receptor)	Considered further in screening Y/N
Glenasmole Valley SAC	3 Qualifying Interests [6210] Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) [6410] Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [7220] Petrifying springs with tufa formation (Cratoneurion)	2.4	Potential indirect hydrological connection via tributaries of the River Dodder.	Yes
Wicklow Mountains SAC	13 Qualifying Interests ConservationObjectives.rdl (npws.ie)	3.9	No links	No
Wicklow Mountains SPA	2 Qualifying Interests - Merlin (Falco columbarius) [A098] Peregrine (Falco peregrinus) [A103] CO004040.pdf (npws.ie)	4.2	No links – see applicant's report.	No
Rye Water Valley / Carton SAC	<ul style="list-style-type: none"> • Petrifying springs with tufa formation (Cratoneurion) [7220] • Vertigo angustior (Narrow-mouthed Whorl Snail) [1014] • Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016] 	14.5	No links – see applicant's report.	No

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Red Bog Kildare SAC	<ul style="list-style-type: none"> • Transition mires and quaking bogs [7140] 	>15km	No links	No
Poulaphouca Reservoir SPA	<ul style="list-style-type: none"> • Greylag Goose (Anser anser) [A043] • Lesser Black-backed Gull (Larus fuscus) [A183] 	>15km	No links	No
South Dublin Bay SAC	4 Qualifying Interests ConservationObjectives.rdl (npws.ie)	>15km	No.	No
South Dublin Bay and River Tolka Estuary SPA	14 Qualifying Interests ConservationObjectives.rdl (npws.ie)	>15km	No.	No

Table 3: Assessment of Likely Significant Effects

Identify all potential direct and indirect impacts (alone or in combination) that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project:	
Likely Impacts	Possible Significance of Impacts (duration, magnitude etc.)
Construction phase e.g. <ul style="list-style-type: none"> • Vegetation clearance • Demolition • Surface water runoff from soil excavation/infill/landscaping (including borrow pits) • Dust, noise, vibration • Lighting disturbance • Impact on groundwater/dewatering • Storage of excavated/construction materials • Access to site • Pests 	Potential impacts arising from link would not impact the qualifying interests (link is upstream). There is no potential for likely significant effects on any European site in view of their conservation objectives, as a result of the proposed development.
Operational phase e.g. <ul style="list-style-type: none"> • Direct emission to air and water • Surface water runoff containing contaminant or sediment 	Potential impacts arising from link would not impact the qualifying interests (link is upstream). There is no potential for likely significant effects on any European site in view of their conservation objectives, as a result of the

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<ul style="list-style-type: none"> • Lighting disturbance • Noise/vibration • Changes to water/groundwater due to drainage or abstraction • Presence of people, vehicles and activities • Physical presence of structures (e.g., collision risks) • Potential for accidents or incidents 	proposed development.
In-combination/Other	Potential impacts arising from link would not impact the qualifying interests (link is upstream). There is no potential for likely significant effects on any European site in view of their conservation objectives, as a result of the proposed development.

Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?
No

Table 4: Screening Determination Statement

Assessment of significance of effects:		
Describe how the proposed development (alone or in-combination) is/is <u>not likely</u> to have <u>significant</u> effects on European site(s) in view of its conservation objectives.		
Conclusion:		
	Indicate (X)	Recommendation
It is clear that there is no likelihood of significant effects on a European site	X	The proposal can be screened out. Appropriate assessment not required.
It is uncertain whether the proposal will have a significant effect on a European site		Request further information to complete screening Request NIS Refuse permission
Significant effects are likely		Request NIS Refuse permission
Completed by	CM	
Date	22 nd July 2022	

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Screening for Environmental Impact Assessment

Having regard to the scale of the proposed development, and the distance of the site from nearby sensitive receptors, there is no likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Conclusion

The proposed development would increase the density to 32 DpH, in excess of the 23 DpH that can reasonably be regarded as the maximum density on the subject lands under the Ballycullen – Oldcourt LAP. This would materially contravene Objectives LUD6 and LUD7 of the Ballycullen-Oldcourt Local Area Plan 2014. In addition, the following aspects of the proposal would not comply with the relevant policies and objectives of the Local Area Plan or the County Development Plan with respect of residential development at this location, or would for reasons of process be contrary to the interests of proper planning and sustainable development:

- The interface and link between this site and the main link street to the north-west has not been addressed in the application. Grant permission to this development would provide for a disconnected urban layout with leftover and superfluous junction spur on the main link street, and a poor connection into the subject site for pedestrians and cyclists. It is accepted however that the vehicular connection is not necessary.
- Proposed units 7, 8, 9 and 10 would breach the recommended height of 1 storey on the upper slopes lands as per Objective LUD7 of the Local Area Plan and would subsequently disrupt the landscape character of the area which has been carefully considered and addressed in the Local Area Plan.
- The applicant has not provided any information in relation to sustainable drainage systems.

Recommendation

I recommend that a decision to Refuse Permission be made under the Planning & Development Act, 2000 (as amended) for the reasons set out in the Schedule hereto:-

SCHEDULE

REASON(S)

1. Density and Local Area Plan

The proposed development would increase the density to 32 DpH, in excess of the 23 DpH that can reasonably be regarded as the maximum density on the subject lands under the Ballycullen – Oldcourt LAP, or the 28 DpH maximum density that would apply to

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Mid Slopes lands only. This would contravene Objectives LUD6 and LUD7 of the Ballycullen-Oldcourt Local Area Plan 2014. In addition, the following aspects of the proposal would not comply with the relevant policies and objectives of the Local Area Plan or the County Development Plan with respect of residential development at this location, or would for reasons of process be contrary to the interests of proper planning and sustainable development:

- The interface and link between this site and the main link street to the north-west has not been addressed in the application. A grant of permission to this development would provide for a disconnected urban layout with leftover and superfluous junction spur on the main link street, and a poor connection into the subject site for pedestrians and cyclists.
- Proposed units 7, 8, 9 and 10 would breach the recommended height of 1 storey on the upper slopes lands as per Objective LUD7 of the Local Area Plan, and would subsequently disrupt the landscape character of the area which has been carefully considered and addressed in the Local Area Plan.
- The applicant has not provided any information in relation to sustainable drainage systems.

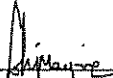
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PR/0948/22

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REG. REF. SD22A/0157

LOCATION: Site South of Oldcourt Road, Firhouse, Dublin 24

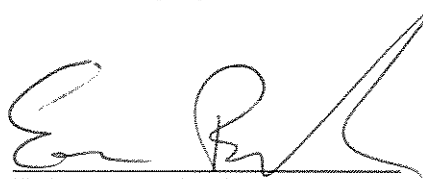


**Colm Maguire,
Executive Planner**

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000 (as amended) to Refuse Permission for the above proposal for the reasons set out above is hereby made.

Date:

25/7/22



Eoin Burke, Senior Planner