



An
Bord
Pleanála

S. 4(1) of Planning and Development (Housing) and Residential Tenancies Act 2016

Inspector's Report ABP-300555-18.

Strategic Housing Development

526 dwelling units comprising 262 3-bed 2-storey units, 197 4-bed 3-storey terraced and end of terrace units and 37 2-bed duplex units and 30 2-bed apartments in 2 & 3 storey residential blocks, district parks, neighbourhood and pocket parks. Vehicular access provided via a new signalised junction to the south-east of the site replacing an existing roundabout and new vehicular access points from Garter Lane with provision for future access from Bianconi Avenue. Pedestrian links and an area of 2.9 ha identified for future development. 804 car parking spaces.

Location

Fortunestown Lane & Garter Lane,
Saggart, Co. Dublin

Planning Authority

South Dublin County Council

Applicant

Greenacre Residential DAC

Prescribed Bodies

Irish Water

Transport Infrastructure Ireland

National Transport Authority

Observer(s)

Lisa Lucas

Date of Site Inspection

26 February and 9 March 2018

Inspector

Una Crosse

Contents

1.0 Introduction	4
2.0 Site Location and Description	4
3.0 Proposed Strategic Housing Development	5
4.0 Planning History.....	8
5.0 Section 5 Pre Application Consultation – TC0013	9
6.0 Relevant Planning Policy	14
7.0 Applicant’s Statement	16
8.0 Observer Submissions.....	17
9.0 Planning Authority Submission	17
10.0 Prescribed Bodies	26
11.0 Assessment.....	30
12.0 Environmental Impact Assessment	50
13.0 Recommendation	67
14.0 Reasons and Considerations	68
15.0 Conditions	69

1.0 Introduction

This is an assessment of a proposed strategic housing development submitted to the Board under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016. The application, made by Greenacre Residential DAC and was received by the Board on 21 December 2017.

2.0 Site Location and Description

- 2.1. The proposed development is located on an overall site of approximately 24 hectares which it is proposed to develop in two phases. The application site is located within approximately 130 metres, at its nearest point, of the N7 to north of the site. Saggart Village is located approximately 600m south-west of the site. The lands in question are bounded by Garter Lane to the west, Bianconi Avenue to the north, Saggart Luas stop /Luas line to the south and the City West Business Campus lands to the east. Access to the N7 southbound is available travelling north on Garter Lane. To access the N7 northbound one can travel along Bianconi Avenue to the north of the site and access the interchange at Brownsbarn.
- 2.2. The site is undeveloped and comprises a broadly rectangular shaped area of ground with a gentle slope from south to north. The site currently accommodates spoil from the adjoining construction site which gives it a slightly undulating character. Bianconi Avenue (to the north) is in private ownership and serves industrial/commercial lands within the Citywest campus to the north. The 'Miele' commercial building which has frontage onto the N7 is located immediately north of the application site. Garter Lane is characterised by a windy alignment and a narrow footpath on the side opposite the application site. There is a bus stop along this stretch of road. A rectangular shaped area of ground to the south east of the site adjoining the corner of Garters Lane and Fortunestown Lane is outside of the site boundary.
- 2.3. There is an existing roundabout in place to the south-east corner of the site. It is proposed to access the lands from this location subject to proposed revisions. This will also provide direct access to the school site which is a rectangular shaped site outside of the application site boundary, where there is an extant permission for two schools. The lands to the south of the site (facing the Luas Stop) consist of mainly four storey apartment blocks. There are large commercial/business units located to

the east of the site accessed from Orchard Avenue. The 'TLC' nursing home bounds a portion of the school lands to the southeast. There is a housing development, Clúin Duin, mainly two-storey dwellings under construction and nearing completion to the south-east of the site which are also within the applicant's landholding.

3.0 Proposed Strategic Housing Development

The development as proposed comprises the construction of 526 residential units as follows:

No. of Units	Type	Height	% of Proposed Development
262	3-bed terrace	2-storey	50%
197	4-bed terrace & end-of-terrace	2 & 3 storey	37%
37	2-bed terrace duplex	2-storey* within 3-storey block	7%
30	2-bed terrace and end-of-terrace apartments	1 storey* within 3-storey block.	6%
526			

A hierarchy of open space is proposed as follows:

Type of OS	Area (ha)	No. of Spaces
District Park	4.3 ha	1
Neighbourhood Parks	0.7 ha	2
Pocket Parks	0.9 ha	3
Local Square*	Part of phase 2* (interim layout and pedestrian link to access Luas Stop from Phase 1)	1

Vehicular and Pedestrian Access

Location	Access Type	No.
Fortunestown Lane (southeast)	Vehicular and Pedestrian/Cycle (signalised junction to replace roundabout)	1
Bianconi Avenue (North)	Provision made for future vehicular and pedestrian/cycle access	1
Garters Lane (west)	Vehicular and Pedestrian/Cycle	2
Saggart Luas Stop (south)	Pedestrian & Cycle through Local Square	1
School Site (east)	1 x Vehicular and Pedestrian/Cycle (from signalised) as permitted. 2 x Pedestrian	3

The proposal also includes 804 car parking spaces (as per public notice), bin storage areas, ESB substations and associated site development works. Connection to Irish Water's existing trunk sewer is via a private gravity sewer within the applicant's ownership with connection proposed at the north-western corner of the site. Water supply is proposed via the existing 200mm watermain on Garter Lane with connection to be made at the north-western corner of the site. The surface water management strategy for the site is integrated with the landscape strategy and involves a linear detention basin around the proposed district park designed to cater for Phase 1 & 2. It is proposed that the detention basin will drain to the existing stream at the north-eastern corner of the site, discharged with a control device.

The following table provides the key details for the proposed development:

Detail	Proposal
No. of Units	526
Site Area	24 hectares
Density	39 units net per hectare

Building Height	2 and 3 storeys
Open Space	5.1 hectares
Car parking	804 spaces (1.53 per unit) (as per public notice) 755 residential/49 non-residential 76 electric car/ 4 disabled* (*TTA Table 3.2 where the electric and disabled spaces appear additional to the 804)
Bicycle Parking	128 spaces 104 short-term/24 long-term
Crèche	None proposed – crèche proposed in adjoining development.
Part V	52 units

The application was accompanied by the following reports:

- Planning Statement
- Design Statement
- Infrastructure Design Report
- Traffic and Transport Assessment
- Site Specific Flood Risk Assessment
- Appropriate Assessment Screening Report
- Outline Construction and Demolition Waste Management Plan
- Outline Operational Waste Management Plan
- Outline Construction Management Plan
- Tree Survey Report
- Environmental Impact Assessment Report

4.0 Planning History

There is no relevant history on the subject site. The following history on adjoining lands is considered to be relevant

Lands to south-east of the existing roundabout

(Cúil Duin Housing Development)

File Ref. 14A/0121 Permission granted for 224 residential units including 397 car parking spaces, stand-alone crèche and a neighbourhood park with children's playground.

File Ref. No. SD15A/0095 Permission granted for revisions/modifications to the permitted 224-unit residential development. This permission provided for alterations to permitted house types and a minor re-alignment of internal access roads and revised private gardens.

File Ref. PL.06S.247507 / SD16A/0297 Permission granted on appeal for modifications to development permitted by File Ref. No. SD15A/0095 from 12 dwellings to 24 no. apartments. The appeal related to the northern most area of the overall lands where a residential development was permitted.

Lands to the east

File Ref. No. SD16A/0255 Permission granted for two 2-storey primary school buildings. School 1 comprises 16 classrooms, 2 classroom Special Needs Unit, support teaching spaces and ancillary accommodation with a total floor area of 3180sq.m. School 2 comprises 16 classrooms, 2 classroom Special Needs Unit, support teaching spaces and ancillary accommodation with a total floor area of 3130sq.m. The site works to the school grounds will consist of 2 no. 15sq.m external storage buildings, bin stores, playing pitch, ball courts, project gardens, cycle storage, landscaping and boundary treatment and all other associated site development works for each school. The works to the remainder of the school consist of the provision of 63 car parking spaces, drop-off and pick-up facilities.

5.0 Section 5 Pre Application Consultation – TC0013

5.1. Notice of Pre-Application Consultation Opinion

A notice of pre-application consultation opinion was issued by the Board on 12th October 2017 under Section 6(7) of the Planning and Development (Housing) and Residential Tenancies Act 2016 following the submission of the application request on 30th August 2017.

The notice of Pre-Application Consultation Opinion states that the Board has considered the issues raised in the pre-application consultation process and, having regard to the consultation meeting and the submission of the planning authority, is of the opinion that the documents submitted with the request to enter into consultations require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development. The matters included are as follows:

1. Further consideration of documents as they relate to the development strategy of the prospective lands specifically in relation to the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (May 2009) as they refer to minimum net densities of 50 dwellings per hectare along public transport corridors subject to appropriate design and amenity standards (section 5.8 of the Guidelines) and considerations that arise when planning for sustainable neighbourhoods (Chapter 4 of the Guidelines). Particular regard should be had to the provision of said Guidelines to develop at a sufficiently high density to provide for an efficiency in serviceable land usage given the proximity of the site along a public transport corridor. The further consideration of this issue may require an amendment to the documents and/or design proposals. Proposals for phase 2 in the context of Phase 1 having particular regard to overall density, urban design, building heights and unit mix and type should be included. This further consideration may provide for the inclusion of the phase 2 lands within the first phase.

2. Further consideration of the documents as they relate to the design rationale/justification for the proposed development strategy of the lands having regard to the identification of the lands within Flood Zones A and B and the need for a Justification Test as provided for in section 3.6 and 3.7 of 'The Planning System

and Flood Risk Management, Guidelines for Planning Authorities, 2009' and the application of this test as set out in section 5.15 of these Guidelines. A site layout plan identifying the location of the different flood risk zones in the context of the location of the proposed residential units should be submitted. Consideration should also be given to the flood risk on open space areas particularly in the context of functionality and usability of the lands identified as a district park and/or neighbourhood parklands and public safety concerns regarding accessibility of open space lands that flood. The further consideration of this issue may require an amendment to the documents and/or design proposal submitted.

3. Further consideration of documents as they relate to the location of the proposed district park and neighbourhood park and the interface of these open space lands with the proposed residential development and school lands. Consideration should also be given to the location of the district parklands in the context of ease of accessibility to these lands relative to the population of the Saggart-Cooldown Commons Neighbourhood. Further consideration of passive surveillance of the district and neighbourhood park noting indicative building heights and the overall topography of the district park may require an amendment to the documents and/or design proposals submitted. In this regard, appropriately scaled landscape drawings and cross-sections that clearly detail the finished contours of the public open space areas relative to the finished floor areas of the residential units and road infrastructure should be considered.

4. Further consideration of documents as they relate to the proposed street hierarchy of the overall lands and design speed of the main boulevard. In particular regard should be given to section 4.1.2 of Design Manual for Urban Roads and Streets, which refers to Self-Regulating Streets and that design response is closely aligned with the design speed.

Pursuant to Article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2016, the prospective applicant was notified of specific information to be submitted with any application, in addition to the requirements specified in articles 297 and 298 of the Regulations. This was as follows:

1. A phasing arrangement for the proposed development should be provided.

2. Details of all relevant consents where it is proposed to connect to any third party infrastructure.
3. Details of existing childcare facilities within the vicinity of the application lands and existing and likely demand for such facilities arising from the proposed development.
4. A site layout plan, which clearly indicates what areas are to be taken in charge by the Local Authority.

5.2. **Applicant's Statement**

Article 297(3) of the Regulations provides that where, under section 6(7) of the Act of 2016, the Board issued a notice to the prospective applicant of its opinion that the documents enclosed with the request for pre-application consultations required further consideration and amendment in order to constitute a reasonable basis for an application for permission, the application shall be accompanied by a statement of the proposals included in the application to address the issues set out in the notice.

In a planning statement submitted with the application, the applicant's agent provides a statement in relation to the matters specifically required by the Board which is summarised as follows:

5.2.1. **Residential Density (Item 1)**

The current application (phase 1) has a density of c.39 / ha. In response to the Board's opinion the following is stated:

- An indicative Phase 2 block layout (subject to future planning application) is included which indicates layout, scale/ massing, building heights, number of units etc. and this is included in outline on the enclosed Site Layout Plan.
- The Architecture Design Statement includes a section on the Phase 2 development indicating how the overall masterplan has been conceived and how the Phase 2 development is integrated within the overall development.
- The planning application addresses the Phase 2 development insofar as relevant in the Planning Statement, Environmental Impact Assessment Report and the various technical reports included with the application.

It is stated that while the Phase 1 application site has been considered in detail in consultation with both SDCC and the Board, the detail of the Phase 2 development has not been fully designed or examined. On this basis the applicant has taken the decision to exclude Phase 2 at this stage as its inclusion would raise new issues and would delay the Phase 1 planning process and the delivery of much needed new housing.

5.2.2. Flood Risk (Item 2)

A Site-Specific Flood Risk Assessment (SSFRA) has been submitted with the current application. The SSFRA identifies the flood risk zones on the site and provides a series of mitigation measures to reduce the risk of flooding on the site and adjoining lands. The design of the swales in the district park has been revised to create shallower and wider depressions allowing passive surveillance into these landscape features from adjoining footpaths and open spaces. The slopes of the swales have a 1:3 gradient which reflects best practice in terms of design and ensures public safety across all areas of public open space.

5.2.3. District Park and Neighbourhood Park (Item 3)

The layout has been reviewed and the neighbourhood park has been relocated south into the development as indicated previously by SDCC. The revised neighbourhood park layout is more accessible to the proposed dwellings and has enhanced passive surveillance. A landscaped buffer is maintained along the north and north-western boundary of the site to safeguard the residential amenity of the proposed dwellings at this location. The revised layout achieves the same number of houses (i.e. 526).

It is stated that access to the neighbourhood park and associated children's play facilities is improved by moving this park south and closer to the centre of the development. The district park, which is intended to serve the Saggart - Cooldown Commons neighbourhood, is located on the central green corridor which runs north-south through the current application site and east-west through the neighbouring Cuil Duin development and is accessible to the all future residents of the neighbourhood.

The district park is also accessible to the proposed access points from Garter Lane and will provide an additional amenity space for residents of the development to north west across Garter Lane and south west within Saggart Village. A diagram illustrating the accessibility of the district park to the Saggart – Cooldown Commons neighbourhood is enclosed within the Design Statement.

It is stated that passive surveillance of the district and neighbourhood parks is enhanced by the revised layout arrangement. The relocated dwelling units are now located along the western boundary of the district park, and combined with the proposed dwellings along the southern boundary, provide for passive surveillance along the principle boundaries of the district park within the site. The relocated neighbourhood park is now bound on four sides by dwelling units providing suitable passive surveillance of this public open space. The site sections enclosed with the current application illustrate the relationship between the proposed dwelling units and the proposed public opens spaces.

5.2.4. **DMURS Audit (Item 4)**

The Design Statement includes a statement of consistency with DMURS that demonstrates how the street design incorporates DMURS measures. The proposed Roads Layout Plans have been updated to identify the proposed road hierarchy and DMURS measures within the street design.

5.2.5. **Specified Additional Information requested by the Board**

- Phasing Arrangements – phasing plan including in Outline Construction Management Plan;
- Infrastructure Consents – not proposed to connect to any infrastructure within third part ownership;
- Childcare Facilities – details of existing and permitted childcare facilities and childcare requirements set out in s.5.4 of Planning Statement.
- Taking in Charge – Taking in charge drawing submitted.

6.0 Relevant Planning Policy

6.1. Project Ireland 2040 - National Planning Framework

The recently published National Planning Framework 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. Objective 35

6.2. Section 28 Ministerial Guidelines

Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the planning authority, I am of the opinion that the directly relevant S.28 Ministerial Guidelines are:

- 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual')
- 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities'
- 'Design Manual for Urban Roads and Streets' (DMURS)
- 'The Planning System and Flood Risk Management' (including the associated 'Technical Appendices')
- 'Childcare Facilities – Guidelines for Planning Authorities'

6.3. South Dublin County Development Plan 2016-2022

The South Dublin County Development Plan is the statutory plan for the area. The site also forms part of the lands identified in the Fortunestown Local Area Plan 2012-2018. The lands are zoned Object RES-N the objective of which is "*to provide for residential communities in accordance with approved area plans*".

In the settlement hierarchy, Saggart/Citywest is designated as an Emerging Moderate Sustainable Growth Town where it is Council policy to support and facilitate development on zoned lands on a phased basis subject to approved LAP's. Chapter 2 of the Plan outlines policies and objectives in relation to new housing and includes objectives relating to urban design, densities, building heights, mix of dwelling types and open space. In particular, section 2.2.2 of the South Dublin Development Plan sets out that densities should take account of the location of a site, the proposed mix of dwelling types and the availability of public transport services. As a general principle, higher densities should be located within walking distance of town and district centres and high capacity public transport facilities. Policies H8 Objectives 1 and 2 promote higher densities at appropriate locations. Development Management Standards are included in Chapter 11.

6.4. Fortunestown Local Area Plan 2012

The Fortunestown Local Area Plan came into operation on the 14th May 2012. On 12th June 2017, by resolution, the Local Area Plan was extended until 13th May 2022. The LAP addresses a specific area of land in the vicinity of Fortunestown, City West and Boherboy and the boundary of the LAP is outlined in Figure 1.1 of the Plan. The Plan outlines urban design principles for the overall plan area with the overall framework outlined in Figure 6.1.

The Plan then identifies specific areas within the Plan area. The subject site is within Framework 5: Saggart-Cooldown Commons Neighbourhood which is addressed at Section 6.5 of the Plan and which outlines objectives for the development of the lands (SSNN1-7). It provides that residential development across the Saggart-Cooldown Commons Neighbourhood will be laid out in a grid like format that incorporates perimeter blocks and a hierarchy of streets. It states that in order to facilitate the provision of own door housing, net residential densities of 30-50 dwellings per hectare shall apply to the plan lands. The Plan outlines an accessibility and movement strategy for the lands in Figure 6.22, green infrastructure in Figure 6.23, a built form framework in Figure 6.24 and a land-use and density framework in Figure 6.25. A neighbourhood framework plan is then combined in Figure 6.26.

Section 7 of the Plan outlines the standards and design criteria to be applied which are based on the 12 criteria included in the Urban Design Manual. Section 8 deals with Phasing for each of the framework areas and seeks to ensure infrastructure and amenities are delivered in conjunction with residential and commercial development. Table 8.1 outlines 4 phases of development for each framework area. For the Saggart-Cooldown Commons area it is as follows: Phase 1 – 136, Phase 2 – 204, Phase 3 – 273 and Phase 4 – 573 giving a total of 1,186 units. Key outcomes for each phase are contained in Tables 8.2-8.5.

7.0 Applicant's Statement

The applicant's statement of consistency with relevant policy required under Section 8(1)(iv) of the Act is summarised as follows:

- Proposal will deliver new residential accommodation on an undeveloped and underutilised site adjacent to the Luas close to retail and commercial services.
- Proposal is consistent with Development Plan requirements for new housing developments;
- Proposal consistent with objectives SCCN1-7 of Fortunestown LAP with access to secondary streets, integrated cycle and pedestrian facilities, Garter Lane boundary treatment, associated amenity and recreational spaces, net residential density of 39 units per ha and hierarchy of green spaces.
- Design and layout in accordance with 12 criteria contained in the Urban Design Manual;
- LAP provides flexibility in phasing requirements with required outcomes of Phase 1-3 have been/are being addressed with applicant in process of providing a number of required phasing outcomes;
- TTA shown that in absence of Citywest Ave. extension, signalised 3-arm junction will operate within capacity with the proposed residential development in place;
- TTA concludes that proposal will not result in a material deterioration of existing road conditions with no significant traffic or transportation related issues arising;
- Proposal is consistent with DMURS;

- Design and layout consistent with standards set out in the 2015 apartment guidelines with housing quality assessment confirming proposed housing in accordance with Housing design Guidelines;
- Permission for a childcare facility within Cuil Duin development (540 sq.m) which will facilitate existing and proposed developments based on population equivalents with additional childcare facilities proposed within Phase 2.
- Site specific Flood Risk Assessment which concludes that mitigation strategy will remove flood risk from site and reduce residual risk to adjacent properties;
- EIAR concludes that there are no material or significant environmental issues arising;
- Significant effects are not likely to arise either alone or in combination with other plans or projects on a European site.

8.0 **Observer Submissions**

8.1. One observer submission was made under section 8(1)(vii) of the Act of 2016 from Lisa Lucas and it is summarised as follows:

- Imperative to ensure children's education throughout both primary and secondary is facilitated within the locality;
- No provision for a secondary school with permission granted on an adjoining site for 2 primary schools with Scoil Aoife recently opened nearby but no secondary school;
- Lands were designated for a secondary school with lack of secondary facilities for the three primary school facilities which appears to be an overprovision.

9.0 **Planning Authority Submission**

9.1. **Overview**

The planning authority, South Dublin County Council has made a submission in accordance with the requirements of section 8(5)(a) of the Act of 2016 which was received by the Board on 23rd February 2018. It summarises the observer

comments as per section 8(5)(a)(i) and the views of the relevant elected members as expressed at the Tallaght Area Committee Meetings held on 22 January 2018 & 31 January 2018, as per section 8(5)(a)(iii). The matters raised in both summaries are similar to those stated in the submission, above, and the Planning Authority's planning and technical assessments, below.

9.2. Views of Elected Members

As noted above, the views of the relevant elected members as expressed at the Tallaght Area Committee Meetings held on 22 January 2018 & 31 January 2018 and can be summarised as follows:

- Concerns regarding Secondary School capacity in the area given permission granted for two primary schools;
- Support design and densities as long as it complies with LAP;
- Concerned at Dept. Education allocation of pupils based on birth certs;
- Queries as to whether the Board were pushing higher densities at Luas

9.3. Planning Analysis

The planning and technical analysis in accordance with the requirements of section 8(5)(a)(ii) and 8(5)(b)(i) may be summarised as follows:

- Pre-planning outlined noting an increase of 14 units from that originally proposed;
- Detailed outline of planning history within the area and the relevant national policy, relevant policies from the SDCC County Development Plan 2016-2022 and the Fortunestown Local Area Plan.
- Proposal complies generally with Development Plan polices relating to provision of neighbourhoods with active, passively observed streets and open space;
- 22m separation distance not achieved in all cases but given nature and scale of proposal and need to achieve density it is considered acceptable;
- Proposal consistent with National Apartment standards in terms of room size, mix, dual aspect ratios, storage standards and floor to ceiling heights;

- While private amenity open space standards met, the configuration of some units relative to the spaces not considered uniform in terms of shape and layout and suggest a condition is attached which limits Class 1 exempted development;
- Design of Phase 2 will need to address residential and visual amenity of Phase 1;
- Revisions to proposal with relocation of neighbourhood Park provides an improved layout with requirement to condition that 25m open space area into school not eroded by future development;
- Public open space acceptable with conditions proposed re. lodgement and implementation of landscape plan and retention of landscape architect;
- Proposal contains features and design solutions which could be classed as consistent with principles of DMURS and note the 540m central north-south link road which has little curvature but includes interventions such as raised tables and therefore considered consistent;
- Considered appropriate to move into Phase 3 of the LAP phasing;
- Two key outcomes of Phase 2 ongoing, requirement for secondary school and community floorspace (780sqm), with none included by applicant;
- Provision of community floorspace not imperative in current application given public open space proposed but should be included with Phase 2, with suggestion that a residential unit be used as a community floorspace;
- While proposal exceeds number of units proposed in Phase 2 by 385, key outcomes in Phase 3 have been reached or are ongoing with 800 units proposed in Phase 3;
- LAP provides that 1500 units can be delivered prior to delivery of secondary school;
- Proposed density generally accords with the LAP density requirements;
- While site located adjacent to public transport number of constraints in place such as requirement for public open spaces, location within flood zone, significant development in the area which informed elected members rational for density in LAP, travel time to city centre on Luas, absence of any proposed improvements

to Red Line and impact on same of high density proposal, potential impact of high density development on road network;

- 17% of units below minimum 110sq.m floor area but averages across site;
- LAP requires minimum of 85% dwellings are own door on own site with max.15% apartment/duplexes with proposal not in compliance as 13% of overall units apartments/duplexes but consider proposal acceptable;
- Proposal complies with 3-storey height limit with proposed layout substantially in compliance with the layout and design outlined in LAP with relocation of neighbourhood park a significant improvement;
- Proposal fails to include Phase 2 as part of application which is a significant omission with the PA detailing strong and significant preference for inclusion of all lands within one application allowing a comprehensive assessment;
- Concern that future residents walking through a vacant site with low degree of passive surveillance with 'de minimum' approach considered to be delivery of Local Square, commercial facilities and crèche alongside proposed housing units but given proposal will deliver residential development compatible with LAP, PA accept rationale subject to condition requiring Local Square in place prior to occupation of first dwelling;
- Proposal complies generally with 12 criteria in Urban Design Manual with concerns regarding connectivity to Luas and mix of uses, location of footpaths between cycle lanes and vehicular lanes, configuration of private amenity space,
- Overprovision of car parking by 75 spaces which should result in additional costs being imposed by condition which is provided for in the SDCC Dev. Contribution Scheme (Section 10(vii));
- Anomaly in documentation regarding number of parking spaces which would ordinarily be clarified by further information, but recommended that a condition is attached specifying number of each type of car parking space;
- PA object to rationale relating to proposed future crèche within Phase 2 and rationale that needs of proposed population would be met within existing provisions with Guidelines recommending facilities in vicinity of schools, adjacent public transport corridors and in new communities/larger housing developments;

- Provision of a crèche is a vital and integral part of residential development and a condition should be included requiring a crèche facility within the subject site;
- Proposed boundary treatments acceptable;
- Standard public lighting condition recommended;
- Standard taking in charge condition recommended;
- PA note and acknowledge concerns raised by ABP in relation to flood risk including considerations that should be given to the flood risk of open space areas particularly in context of functionality and usability;
- Standard Archaeology conditions should apply;
- File not referred to EHO but standards conditions relating to noise, hours of construction and dust proposed;
- Bin storage appropriate;
- Part V condition recommended;
- Standard Operational WMP and CDWMP should be required by condition;
- Masterplan phasing programme in outline CMP not acceptable especially delivery of District Park in 'Phase F' contradicting principle of delivery of sustainable and vibrant residential communities. Condition proposed for phasing.
- ABP competent authority for EIA with PA utilising information/detail contained in EIAR in terms of recommendations contained in report;
- AA screening/assessment responsibility of ABP;
- In terms of development contributions it is noted that there are 75 spaces surplus to development plan standards;
- Conclusion recommends permission be granted subject to conditions outlined (see below – section 9.5)

9.4. **Response to Prescribed Bodies/Observers**

Transport Infrastructure Ireland

- PA considers SDCC Roads Report is a robust and comprehensive assessment of proposed development and proposal will not have a detrimental impact on operation safety and/or capacity of surrounding road network;
- Address concerns by way of condition which would state that the Local Square which links the development to the Luas stop be completed prior to occupation of first dwelling.

National Transport Authority

- SDCC Roads report does not contain similar concerns in relation to the location of proposed cycle infrastructure but acknowledged by the PA given their expertise in the area;
- Provision of a safe cycle and pedestrian access in accordance with provisions detailed in National Cycle Manual of paramount importance to PA and issues outlined by NTA should be conditioned;

Observers

- Concern regarding need for a secondary school with reference to further information response to planning application (SD16A/0255) regarding omission of secondary school due to more pressing need for additional primary facility;

9.5. Other Technical Reports

While not appended separately to the report, the reports received from the Roads Department and Environment Services are included within the Planning Analysis. For ease of reference they are summarised separately in this section as follows:

9.5.1. Roads

The Roads report included in the Report from the PA is summarised as follows:

- Site access arrangements are acceptable;
- Gradients of a number of roads considered very flat (road south of Block T and north of Block R & T) and should be revised so that minimum gradient allows water to flow off the surface;

- No turning head proposed to top of main north/south link road to allow turning prior to connection to Bianconi Ave and should be provided until such a connection is made;
- Sightlines within the development acceptable and presence of traffic calming measures support compliance with DMURS;
- Pedestrian crossing point north of Block M not considered necessary given pedestrian facilities at both ends of the road and unclear if parking on north side of the road is for residents of Block M with residents in other areas not provided with crossing facilities to access car parking in a similar configuration;
- Road layout at junction to west of site adjacent to Blocks D/J/K may cause confusion, considered all arms should be required to stop before proceeding and a table ramp required to promote low speeds and allow pedestrian priority;
- Swept path at turning heads to west of Blocks K, R & T conflict with proposed shared pedestrian/cycle track to west of the site , undesirable that shared pedestrian/cycle track pass through turning head adjacent Block K as it is not a shared space;
- Swept Path analysis required for perpendicular parking bays in home zones with roads of 5m and feeder streets with roads of 5.5m;
- Interim design for Local Square should be implemented prior to occupation of any dwelling with details of both interim and final design to be to be agreed;
- Proposal to provide a shared pedestrian/cycle track within the site along Garters Lane not satisfactory as it segregates the track from the established right of way along Garters Lane and may create impression track is within a private area;
- Propose hedgerow removed and a 3m wide shared pedestrian/cycle track provided along Garters Lane adjacent to existing carriageway with public lighting along Garters Lane upgraded and that carriageway width of 7m maintained along the site frontage;
- Sightlines at junctions on Garters Lane acceptable;
- Stage 2 Road Safety Audit required for proposal and upgrade works to surrounding road network, not enough separation between the right turn

pockets/lanes at junction of Garters Lane and Bianconi Ave with potential for conflict between vehicles and should be addressed in RSA;

- Tactile paving at south of junction between Garters Lane and northern entrance to the site undesirable location for a pedestrian crossing as not tactile parking opposite and three lanes of traffic in this location and pedestrian crossing should be moved north of this junction and tactile paving proposed on both sides and a refuge island provided at centre of crossing point;
- Over provision of car parking spaces by 75 spaces and not clear how parking will be managed and applicant required to submit a Parking Strategy to demonstrate how parking would be managed and in particular interaction between parking for residential and district park and prevention of Luas users using site as park and ride;
- The report summarises elements of the TTA;
- Development is well situated in terms of access to public transport and will aid completion of some of the LAP objectives;
- A revised site layout plan is recommended which incorporate the changes outlined above and include the following:
- Clarification is sought on the proposal outlined in the TTA to upgrade the Fortunestown lane/Garters Lane junction to include a new turn flare from Garters Lane onto Fortunestown Lane on the junctions southern arm;
- Construction Traffic Management Plan required;
- Mobility Management Plan required within six months of grant of permission;
- Materials and surface finishes for road construction to be agreed with the Roads Department;
- Public Lighting Plan;

9.5.2. Environmental Services

No objection subject to conditions as follows:

- Develop an integrated constructed wetland prior to discharge of surface water to public watercourse or public water network;

- Protective metal screen at entrance and exit points of culverts or large pipes;
- Water butt/s at each proposed house as part of SUDS;
- Complete separation of foul and surface water drainage systems within site in terms of installation and use;
- Precast SW manholes to have minimum thickness of 150mm concrete class B;
- All works to comply with Greater Dublin Regional Code of Practice for drainage works;

9.6. Recommended Conditions

9.6.1. A suite of 39 conditions is proposed and included in Appendix 1 of the Report. A summary of same is outlined as follows:

1. Control on development as approved;
2. Revisions to include: residential unit to be converted to a community floorspace, provision of a crèche in lieu of a residential units with plans to be agreed with the PA;
3. Detailed phasing plan;
4. Dishing of kerbs,
5. Irish Water connection requirements;
6. Revised drainage plans;
7. No subdivision of units;
8. De-exempt Class 1 and Class 3 to protect private amenity space;
9. Underground public services;
10. Public lighting scheme;
11. Archaeological Monitoring
12. Archaeological monitoring report;
13. No occupancy prior to completion of all services;
14. Street Naming and Numbering;
15. Taking in charge standards;
16. Taking in charge Plan;
17. Written agreement from Air Corps Air Traffic Services;
18. Samples of materials and Finishes;

19. Part V
20. Ensure no adverse impact on Luas operation and Safety;
21. Written agreement of TII and SDCC prior to works in vicinity of Luas tracks;
22. Revised plans for Roads Department requirements;
23. Revised plans taking account of NTA requirements;
24. Maximum no. of car parking spaces (numbers omitted);
25. Pedestrian access to the school – Section 47 agreement;
26. Revised plans to provide facilities for charging electric vehicles;
27. Minimise air borne dust;
28. Construction Noise
29. Construction Traffic Management Plan;
30. Public realm debris avoidance
31. Japanese Knotweed;
32. Construction Waste Management;
33. Landscape Architect to be engaged;
34. Implementation of Revised Landscape Plan;
35. Retention of Landscape architect and Certificate of Practical Completion;
36. Protection of Open spaces during construction works;
37. Bond for public realm;
38. Financial Construction;
39. Bond for Satisfactory Completion.

10.0 Prescribed Bodies

Submissions were received from the following prescribed bodies with a summary of the response outlined under each:

10.1. Irish Water

Irish Water confirms that subject to a valid connection agreement being put in place the proposed connections to the Irish Water networks can be facilitated.

10.2. Transport Infrastructure Ireland (TII)

The submission from the TII is summarised as follows:

- Site located between the N7 and N81 with number of junctions in vicinity at/in excess of capacity and extensive queuing with trip distribution in TTA indicating significant proportion of vehicular trips to/from proposed using these junctions;
- No traffic surveys undertaken of the junctions outlined and in particular N7 and no assessment of impact of additional trips on the N7 junctions;
- TII strongly recommend traffic surveys and junction assessments be undertaken for N7 junctions concerned and commentary on impact of proposed on operation of N7 mainline needs;
- Information submitted insufficient to fully assess potential impact of proposal on strategic national road network and TII unable to determine potential impact on capacity, safety or operational efficiency of national road network;
- Primary concern to entire ongoing safe and efficient operation of existing Luas with great care needed in development management to ensure appropriate engineering and technical processes are undertaken;
- Sufficient deficiencies in information to assist determination of impact on Luas network with particular concerns on impacts of proposed on Luas Fortunestown Lane/Luas junction and site access and former N82 roundabout with Citywest drive;
- Stacking space between the existing signalised Fortunestown Lane junction and proposed junction is limited (c.65m) with queues at junctions to be stored so as to minimise impacts on nearby Luas operations;
- Former N82 roundabout with Citywest Drive at/in excess of capacity with extensive queues developing impacting on Luas;
- No diagram provided to explain junction arm notation for junction A & F assessment for the Fortunestown Lane/Luas junction and site access with notation in TTA not tallying with the Transyt outputs and results difficult to interpret;

- Current proposal would indicated mean max. queue lengths on Arms C1 and D1 generally occupy and exceed available stacking space during AM peak which is highly inappropriate and could negatively impact on Luas operations;
- Queues at these junctions to be stored in a manner that minimises impacts on Luas operations;
- Fortunestown Lane/Luas junction should be operationally linked to the site access signalised junction the design of which would need to be undertaken in detailed discussion with TII to ensure vehicle stacking does not impede the Luas with this matter has not been dealt with nor can it be addressed adequately by condition;
- Access to proposal from Carrigmore Glen and Fortunestown Lane proposed through a signalised junction to south east corner which would require vehicles accessing the site crossing the Luas alignment;
- TII will require highest priority for Luas at this junction is maintained which has not been dealt with nor can it be addressed adequately by condition;
- TTA does not accord with TII's Traffic and Transport Assessment Guidelines (May 2014) in terms of method of trip generation;
- Preferred approach is to identify number of person trips to be generated rather than development of vehicular trip rates from TRICS with the person trips then broken down into vehicular/PT/walking/cycling using modal splits extracted from SAPMAP;
- Approach to assignment of vehicle trips appears weak as basis for distribution with source such as POWSCAR dataset recommended to inform and underpin distribution of trips with revised TTA required on this basis;
- Concern about access to Saggart Luas stop with current proposals an obstacle/barrier for residents in accessing Luas services with proposal not making walking, cycling and use of public transport a priority;
- To ensure habits of sustainable travel are established a pathway from northern portion of the site to the southern portion should be provided as soon as dwellings are occupied in keeping with the LAP;

- Given proximity of site to public transport concern at proposal for 884 car parking spaces which exceeds the 756 CDP requirement;
- Amended Construction Traffic Management Plan required to account for Luas operations and infrastructure;
- ABP should ensure no adverse impact on Luas operation and safety and that development complete with TII's Code of Engineering Practice for works, on, near, or adjacent the Luas Light Rail system;
- No pre-planning consultation undertaken with SDCC or ABP with the TII which would have highlighted the issues outlined in the observation.

10.3. National Transport Authority (NTA)

The submission from the NTA is summarised as follows:

- NTA support proposal from strategic perspective as it seeks to deliver – when phase 2 is considered – a medium density residential development served by Luas;
- Road layout provides for full permeability for all modes of transport including private car in a direct and convenient manner with concern that layout will promote car use for short trips to nearby services;
- Concern that allowing external traffic to disperse and penetrate through the entire residential cell via three access points with potential for five will attract inappropriate levels of traffic into the development seeking to avoid delays on the regional road network;
- Recommend a condition attached requiring applicant to prepare a scheme for providing filtered permeability within the proposed including restricting through traffic for those using private car but allowing full permeability for pedestrians and cyclists and agreement for revised scheme with the NTA;
- Proposed signalised junction at entrance and associated positioning of cyclists and pedestrians on the principal site access route is of concern to the NTA with design proposed positioning pedestrian between motorised traffic and cyclists

which would be travelling at higher speeds and which is not consistent with National Cycle Manual which places pedestrians to left of cyclists;

- Number of conflict points between pedestrian and cyclists where existing on-road cycle lanes become segregated cycle tracks and relative positions of pedestrians and cyclists change;
- Reliance on shared space including shared crossings is of concern from point of view of pedestrian /cyclist conflict which would be removed by implementing a design consistent with the National Cycle Manual;
- Younger users should be able to use a footpath which is at maximum remove from motorised traffic with experienced cyclists able to use segregated cycle track;
- NTA recommend that the signalised junction and adjacent sections of the principal site access route are redesigned so as to remove potential conflicts between pedestrians and cyclists by providing fully segregated cycle and pedestrian facilities along the links and through the junction are consistent with the National Cycle Manual with the design agreed with the NTA.

11.0 **Assessment**

11.1. **Introduction**

Pursuant to site inspection and inspection of the surrounding environs including the road network, examination of all documentation, plans and particulars and submissions/observations on file, I consider the following the relevant planning considerations of this application:

- Principle of Proposal
- Development Strategy
- Transportation, Access, DMURS and Parking
- Surface Water Management and Flood Risk
- AA Screening

11.2. Principle of Proposal

11.2.1. Zoning

The site is zoned residential in the Fortunestown LAP and therefore the proposal to provide residential units is appropriate. While I address the mix of units and other matters relating to the proposed development strategy on the site in the next section, I am satisfied that the principle of proposal is acceptable.

11.2.2. Exclusion of Phase 2

One of the critical considerations is the exclusion of the area referred to as Phase 2 from the proposed development. This is the area of ground located adjacent to the Luas Stop. The first matter outlined in the Opinion issued by the Board in respect of the Pre-Application process stated that proposals for phase 2 in the context of Phase 1 having particular regard to overall density, urban design, building heights and unit mix and type should be included and that this further consideration may provide for the inclusion of the phase 2 lands within the first phase.

In their response the applicant states that an indicative Phase 2 block layout (subject to future planning application) is included which indicates layout, scale/ massing, building heights, number of units etc. and this is included in outline on the enclosed Site Layout Plan. It is also stated that the Architecture Design Statement includes a section on the Phase 2 development indicating how the overall masterplan has been conceived and how the Phase 2 development is integrated within the overall development. The planning application addresses the Phase 2 development insofar as relevant in the Planning Statement, Environmental Impact Assessment Report and the various technical reports included with the application. It is stated that while the Phase 1 application site has been considered in detail in consultation with both SDCC and the Board, the detail of the Phase 2 development has not been fully designed or examined. On this basis the applicant has taken the decision to exclude Phase 2 at this stage as its inclusion would raise new issues and would delay the Phase 1 planning process and the delivery of much needed new housing.

The PA refer to the failure to include Phase 2 as part of application which they consider is a significant omission with the PA detailing strong and significant preference for inclusion of all lands within one application allowing a comprehensive

assessment. The PA state their concern that future residents walking through a vacant site with a low degree of passive surveillance with the 'de minimus' approach considered to be delivery of Local Square, commercial facilities and crèche alongside proposed housing units but given proposal will deliver residential development compatible with LAP, PA accept rationale subject to condition requiring Local Square in place prior to occupation of first dwelling.

While I consider that it would have been more convenient to consider the entire development site within the context of one application, the applicant is entitled to seek permission for the proposal in phases and in this regard I consider that it is acceptable for the Board to consider the proposal herein on the basis of an indicative strategy for Phase 2. Character Area No. 6 on page 26 of Architectural and Landscape Design Statement (Volume 1 of A3 documents submitted) provides an indication of the heights and density which could be achieved in this area which is c.3 hectares and I consider that this is acceptable. I agree with the recommendation from the Planning Authority that a condition is included which would require a detailed designs of the interim Local Square solution. However at this stage I do not consider it is reasonable to require a detailed design of the final Square in advance of an application for that Phase of development.

11.2.3. LAP Phasing

The LAP includes a very detailed phasing programme for the delivery of residential units in tandem with key social and community infrastructure. While this complies with the principles of proper planning, I would also note the National imperative to deliver residential units in the State. The PA in their submission state that two key outcomes of Phase 2 of the LAP are ongoing, that being a requirement for a secondary school and the provision of community floorspace (780sqm). I address the matter of the secondary school in the next section, in relation to the community floorspace, the PA note that while the provision of community floorspace is not imperative in the current application given the public open space proposed but that it should be included with Phase 2 of the site. It is also suggested that a residential unit within the proposed development be conditioned to be used as a community floorspace. While I acknowledge the intention to provide a facility, I consider that such an ad hoc proposal may lead to the creation of a unit which is isolated from

other planned facilities and of a scale and design that may not be usable as a community space. I consider that it would be more appropriate to deliver the community floorspace within a more defined facility and close to other community and commercial facilities.

In terms of the number of units within each phase, it is stated that while the proposal exceeds the number of units proposed in Phase 2 by 385, key outcomes in Phase 3 have been reached or are ongoing with 800 units proposed in Phase 3 thereby providing the proposal would be acceptable within the delivery of the LAP.

11.2.4. **Childcare facilities**

In relation to the absence of a childcare facility within the proposal, the applicant states that there is permission for a childcare facility within Cuil Duin development (540 sq.m) which will facilitate existing and proposed developments based on population equivalents with additional childcare facilities proposed within Phase 2. The PA state in their submission that they object to the applicant's rationale relating to proposed future crèche within Phase 2 and the rationale that the needs of the proposed population would be met within the existing facilities within the area. They refer to the Childcare Guidelines which recommend facilities are located in the vicinity of schools, adjacent to public transport corridors and in new communities/larger housing developments. They consider that the provision of a crèche is a vital and integral part of residential developments and recommend a condition should be included requiring a crèche facility is provided within the subject site in lieu of some residential units.

While I agree that the site is suitably located in principle for a crèche facility, I consider that given the location of Phase 2 adjacent to the Luas it would be more appropriately located within Phase 2. I also note the layout included for Character Area no. 6 on page 26 of Architectural and Landscape Design Statement (Volume 1) which includes a crèche facility. Furthermore, as outlined above in relation to the community facility, I consider that such an ad hoc proposal may lead to the creation of a unit which is isolated from other planned facilities and of a scale and design that may not be usable as an appropriate childcare facility. I consider that it would be more appropriate to deliver the childcare facility within a more defined facility and

close to other community and commercial facilities as part of Phase 2 of the site development.

11.2.5. **Secondary School**

The observer submission received references the absence of provision for a secondary school with permission granted on an adjoining site for two primary schools and Scoil Aoife recently opened nearby but no secondary school provided. As outlined in the previous section, the lands the subject of this application are zoned for residential development. The lands were not provided with any specific objective to provide for a secondary school facility. I note the comments from the PA in respect of the observation and in particular to the phasing outlined in the LAP and in particular it states that LAP provides that 1500 units can be delivered prior to delivery of secondary school.

11.3. **Development Strategy**

While the previous section addresses the principle of the proposal and the issues raised in relation to elements excluded from the proposed development, this section addresses the development strategy of the proposal before the Board.

11.3.1. **Density**

The density of the proposed development is stated to be 39 units per hectare. The site is located adjacent to the Saggart Luas Stop and therefore at a location where higher densities are promoted. I note the comments included by the applicant in relation to the exclusion of Phase 2 from the current application which as indicated would include for a higher density development thereby increasing the overall density on the site.

The PA consider that the proposed density generally accords with the LAP density requirements and that while the site is located adjacent to public transport that there are a number of constraints in place on the site which dictate the density suitable for the site. These include the requirement for public open spaces, the location within a flood zone, the significant development in the area which informed elected members rational for density in the LAP, travel time to city centre on Luas, absence of any proposed improvements to the Red Line and the impact on same of high density

proposals. The potential impact of high density development on the road network is also outlined.

While I acknowledge the constraints outlined by the PA I would also note the indicative proposals outlined for Phase 2 as presented by the applicant and I consider that Phase 2 would provide for a higher density development which would accord with the location of the proposal adjacent to a high quality public transport corridor.

11.3.2. Phasing

While phasing of the overall lands is addressed above, this section deals with the phasing of the development proposed within the current application. The outline Construction Management Plan states that it is estimated that the construction will take approximately 3.5 – 4 years for the development proposed in Phase 1 with the master development programme included in Figure 1. It is stated that it is not possible to prescribe a detailed construction programme at this stage as this is dependent on contractor appointment post grant of planning permission, market conditions and other considerations. However, it is the case that the development can be considered with reference to the sub-areas identified in Figure 2 (Phasing Plan) which are likely to form the basis of discrete projects or contracts. Finally, it is stated that the district park's development will commence in conjunction with Phase F as prescribed in the Phasing Plan.

The PA, quite rightly in my opinion, state that the masterplan phasing programme in the outline CMP is not acceptable especially the delivery of District Park in 'Phase F' contradicting the principle of delivery of sustainable and vibrant residential communities. They suggest a condition is proposed for phasing and I would consider that this is appropriate. I would also note the surface water management strategy for the site which is outlined in Section 11.5 below and which includes detention basins proposed around the north, west and south of the district park. In order to develop the site in an orderly manner I would consider that the resolution of this north eastern corner of the site would be a particularly important part of the construction strategy.

The PA suggest a condition is proposed for phasing and I would consider that this is appropriate.

11.3.3. Open Space

The proposed development includes a significant area of public open space including the proposed District Park. I note the comments of the PA in respect of the improvements to the location of the public open space during the pre-application process and I would agree. The public open spaces are well located, well connected and well overlooked with the natural surveillance provided by proposed residential units.

In terms of private open space, the PA state that while private amenity open space standards are met that the configuration of a number of units relative to the spaces is not considered uniform in terms of shape and layout and suggest a condition is attached which limits Class 1 exempted development. The units specifically referenced are No. S-09-T1 Block S, P-14-T4 Block P, C-13-T1 Block C. I would agree that these spaces have unusually configured private amenity spaces, however, I consider that the future owners may come up with innovative solutions to any extensions which may or may not be developed and in this regard I do not consider it is necessary to include such a condition, should the Board decide to grant permission. I note the recommended conditions in relation to the submission of a detailed landscape plan and implementation of same including the retention of a landscape architect for its delivery which I consider is a reasonable requirement given the scale of the open space and the importance of its delivery to the area.

11.4. Transportation, Access, DMURS and Parking

11.4.1. Impact of National Road Network

The TII have concerns that no traffic surveys were undertaken at key junctions in the vicinity of the site and in particular the N7 and that no assessment of the impact of additional trips on the N7 junctions has been undertaken and strongly recommend traffic surveys and junction assessments be undertaken for N7 junctions concerned. They consider that the information submitted is insufficient to fully assess the

potential impact of the proposal on the strategic national road network and are therefore unable to determine potential impact on capacity, safety or operational efficiency of the national road network. While I acknowledge the concerns expressed by the TII, these lands have been identified in the LAP since 2012 as residential lands with the capacity, along with the other identified lands to deliver in excess of 1500 residential units. This LAP was subject to SEA as was the County Development Plan which informed the LAP. I would suggest that this matter is a strategic issue which would be addressed by the Planning Authority during the SEA process.

I would also note that the Roads Department of South Dublin County Council consider that the proposal will not have a detrimental impact on the operation safety and/or capacity of the local road network. An EIAR and TTA have been prepared and submitted for the proposal, and I do not consider that the absence of the traffic surveys outlined are integral to the consideration of the proposal in light of the sites inclusion in the LAP.

Furthermore, The TII have outlined a number of concerns in relation to the methodology employed in the TTA. The TII state that it does not accord with TII's Traffic and Transport Assessment Guidelines (May 2014) in terms of method of trip generation, they state the preferred approach is to identify number of person trips to be generated rather than development of vehicular trip rates from TRICS with the person trips then broken down into vehicular/PT/walking/cycling using modal splits extracted from SAPMAP. While the TII may outline their preferred approach, it is not the only approach available to be undertaken and in this regard, I consider that the TTA robustly defends the approach used. I would also reiterate that this is an urban area, adjacent to a high quality public transport corridor and is served by Dublin Bus.

11.4.2. Impact on Operation of Luas

The TII consider that a primary concern is to ensure the ongoing safe and efficient operation of existing Luas with great care needed in development management to ensure appropriate engineering and technical processes are undertaken. They

consider that there are sufficient deficiencies in information to assist determination of the impact on the Luas network with particular concerns on impacts of proposal on Luas Fortunestown Lane/Luas junction and site access and former N82 roundabout with Citywest Drive. It is stated that stacking space between the existing signalised Fortunestown Lane junction and proposed junction is limited (c.65m) with queues at junctions to be stored so as to minimise impacts on nearby Luas operations.

The TII outline a series of concerns regarding the assessment undertaken in the Traffic and Transport Assessment. These include: the absence of diagrams to explain the junction arm notation for junctions, exceedance of available stacking space during AM peak which is highly inappropriate and could negatively impact on Luas operations. Much of the other concerns relate to the need to ensure that vehicle stacking does not impede the Luas with the requirement to seek that the Fortunestown Lane/Luas junction should be operationally linked to the site access signalised junction. There is also a consideration to some of the matters arising cannot be addressed adequately by condition. They state that the TII will require highest priority for Luas at this junction is maintained which has not been dealt with nor can it be addressed adequately by condition.

While the concerns expressed are acknowledged, the Luas traverses the City Centre and busy city suburbs and measures are put in place elsewhere such as yellow boxes to facilitate the safe and continued operation of the Luas. The subject site is located adjacent to a high quality transport corridor in an urban area subject to expansion with a Local Area Plan in place to guide development to this area on the basis of its attributes to create sustainable neighbourhoods. In this regard, while the concerns are acknowledged, the matters arising can be addressed by detailed design as they are in other areas of the city where the Luas traverses.

The TII state that the Board should ensure no adverse impact on Luas operation and safety and that development should comply with TII's Code of Engineering Practice for works, on, near, or adjacent the Luas Light Rail system. They also state that the amended Construction Traffic Management Plan should be required to account for

Luas operations and infrastructure. Having regard to the location of the site adjoining the Luas corridor, I consider that these recommendations are reasonable and should be conditioned.

11.4.3. Permeability of Proposal for Cars

The NTA raise concerns regarding the road layout of the proposal which they consider provides for full permeability for all modes of transport including the private car in a direct and convenient manner with concern that the layout will promote car use for short trips to nearby services. They express concern that allowing external traffic to disperse and penetrate through the entire residential cell via three access points with potential for five will attract inappropriate levels of traffic into the development seeking to avoid delays on the regional road network. They recommend that a condition is attached requiring the applicant to prepare a scheme providing for filtered permeability within the proposal including restricting through traffic for those using private car but allowing full permeability for pedestrians and cyclists and agreement for revised scheme with the NTA. While I appreciate the concerns expressed, I would note that in particular the location of the two proposed primary schools to the east of the site. In terms of accessing same and providing an alternative road access to the school other than through the proposed signalised junction, I consider that the layout and permeability proposed with three vehicular access points to the site and the potential for a fourth (Bianconi Avenue) is acceptable.

11.4.4. Cycle Facilities

The National Transport Authority outline a number of concerns with regard to the design of the proposed pedestrian/cycle tracks within the scheme which they consider are not consistent with the National Cycle Manual. They state that the proposed signalised junction at the entrance and associated positioning of cyclists and pedestrians on the principal site access route is of concern to the NTA with the design proposed positioning pedestrians between motorised traffic and cyclists

which would be travelling at higher speeds and which is not consistent with National Cycle Manual which places pedestrians to left of cyclists. The NTA recommend that the signalised junction and adjacent sections of the principal site access route are redesigned so as to remove potential conflicts between pedestrians and cyclists by providing fully segregated cycle and pedestrian facilities along the links and through the junction are consistent with the National Cycle Manual with the design agreed with the NTA.

They also consider that there are a number of conflict points between pedestrian and cyclists where existing on-road cycle lanes become segregated cycle tracks and relative positions of pedestrians and cyclists change. There is a concern regarding the reliance on shared space including shared crossings from the point of view of pedestrian/cyclist conflict which would be removed by implementing a design consistent with the National Cycle Manual. I consider that the concerns expressed are relevant and I would recommend that the layout is revised to ensure compliance with the National Cycle Manual and that the applicant is required to consult with the NTA in this regard.

With particular regard to the cycle/pedestrian track along Garters Lane, the PA state that the proposal to provide a shared pedestrian/cycle track within the site along Garters Lane is not satisfactory as it segregates the track from the established right of way along Garters Lane and may create the impression that the track is within a private area. In order to address this concern they propose that the hedgerow is removed and a 3m wide shared pedestrian/cycle track is provided along Garters Lane adjacent to the existing carriageway with public lighting provided along Garters Lane upgraded and that a carriageway width of 7m is maintained along the site frontage. I would note that it is proposed to retain the treeline along the western boundary of the site along Garters Lane as set out in the Biodiversity Section of the EIAR with existing trees to be supplemented with new trees and the rural character of the area retained by same.

Furthermore, the lands to the southwest of site along Garters Lane and at the junction of Garters Lane and Fortunestown Lane is not within the applicant's

ownership. It is not clear whether this site will be developed within any reasonable timescale which would provide that the PA's proposal to develop the shared pedestrian/cycle track along the edge of the road along Garters Lane would terminate along Garters Lane with no connection to the junction with Fortunestown Lane and the Luas. As proposed the cycle track can provide for connectivity from Garters Lane through to the Luas and the schools. In this regard, I consider that the proposal as set out is acceptable.

11.4.5. **DMURS**

I would note the PA's opinion regarding the north-south spine road which traverses the site and while I note the absence of any curvature on the alignment, I would agree with the PA that the traffic calming measures included within the design of the road would be consistent with the requirements of DMURS. I consider that the proposal provides for good permeability with the site well connected to the adjoining school site, the Luas and to the adjoining road network.

One matter which remains outstanding is access to Bianconi Avenue to the north. Currently, this roadway is in private ownership and the applicant does not have legal interest in the roadway such would facilitate a through connection. The proposal presently provides for the road to terminate at the site boundary. The PA have recommended that a condition is attached which requires the inclusion of a turning head at this location until such time as a connection through to Bianconi Avenue can be achieved. I consider that the inclusion of a turning head at this location is appropriate.

11.4.6. **Car Parking**

I would note the concerns expressed by the PA regarding what they consider is the overprovision of car parking by what they state is 75 spaces which should, they consider, result in additional costs being imposed by condition which is provided for in the SDCC Dev. Contribution Scheme (Section 10(vii)). The TII state that given the proximity of the site to public transport they are concerned at the proposal for 884 car parking spaces which exceeds the 756 CDP requirement.

The public notices state that 804 spaces are proposed for the development 755 of which are proposed for the residential development and 49 spaces are proposed for the district and neighbourhood parks. The ratio of spaces for the residential units is 1.43 spaces per unit. The maximum parking standard in the SDCC would be 756 spaces for the proposal. I note section 3.1.7 of the TTA states that the proposal provides for 884 spaces and refers to Table 3.2 where the proposed parking schedules is outlined and includes a total car allocation of 804 (755 residential and 49 non-residential). It then states that there are 76 e-car spaces and 4 disabled spaces which gives a total of 884 spaces. The PA state that the applicant has associated 831 spaces with the residential aspect of the proposal which is the 755 spaces referenced in the public notice and 76 electric car spaces.

While it is not abundantly clear whether the 76 electric car spaces and 4 disabled spaces are additional to the 804 as would appear from the public notices or additional as would appear in Table 3.2 of the TTA, I concur with the concerns expressed by the PA in respect of the overprovision of car parking spaces. However, I do not consider it is appropriate to seek to seek a financial contribution for same. I consider that it would be more appropriate to condition that the development shall have no more than 804 car parking spaces and that the proposed electric and disabled spaces are subsumed proportionally within that number and that if required that the layout is revised accordingly.

11.4.7. **Other Matters**

The Roads Department include a number of other matters within their recommendation other than those which have been addressed above. These include concern at the gradients of a number of roads with a condition proposed which is considered acceptable. It is considered that a pedestrian crossing point north of Block M is not necessary however I do not have an issue with its location. The parking north of Block M is unclear in their opinion however I would consider given its location adjoining the open space it is most likely non-residential in nature. The junction to the west of the site adjacent to Blocks D/J/K has the potential to cause confusion. I would agree that its staggered nature may not provide clarity on right of

way and consider that it would be reasonable to require all arms to stop before proceeding with the proposal to provide a table ramp appropriate.

It is considered that there is a requirement for swept path analysis at a number of locations in order to ensure conflict is avoided between vehicles and pedestrian/cyclists and to ensure parking bays are suitably designed. This is reasonable. There is also concern that turning heads to the west of Block's K, R & T may interfere with the shared pedestrian/cycle track to the west of the site and I would suggest that a condition is attached requiring that no conflict should arise in this regard. Concern is expressed at the use of tactile paving to the south of the junction between Garters Lane and the northern entrance to the site with the Roads Department stating that it is an undesirable location for a pedestrian crossings there is no tactile paving on the opposite side of the road. It is proposed that the pedestrian facilities are moved. I would suggest that a condition is attached requiring agreement with the PA as to the most appropriate location and treatment of the pedestrian facilities in this area. In addition to other matters which I propose to include by condition such as the requirement for a mobility management plan, clarification is sought on the proposals set out in the TTA to upgrade the Fortunestown lane/Garters Lane junction to include a new turn flare from Garters Lane onto Fortunestown lane on the junction's southern arm shall be agreed in writing with the Planning Authority prior to commencement of development. I would also note the conditions proposed in relation to signal timings of the signalised junction proposed. I consider this is necessary and should be included particularly having regard to the proximity of this junction to the Luas.

11.5. Surface Water Management and Flood Risk

Surface Water Management

- 11.5.1. The Infrastructure Design Report submitted with the application outlines in detail the surface water management strategy proposed for the site. I would also note that this strategy is related to the consideration of flood risk which is addressed separately in the next part of this section of the report. In outline, the surface water management

strategy for the site (Phase 1 and Phase 2) is to discharge attenuated surface water runoff from the site to the Vershoyle's Stream in the north east corner of the site. Surface water runoff from the development is proposed to be attenuated to greenfield runoff (Q_{bar}), with surface water flows in excess of this stored in two surface water detention basins (A & B) in the district park in the north east corner of the site. The detention basins are designed to store runoff from a 1 in 100 year storm event.

11.5.2. The primary surface water drainage system for the development is stated to comprise traditional pipework and manholes located along main access roads, collecting surface water runoff from impermeable surfaces including roofs, roadways, footpaths, cyclepaths / lanes and car parking. The SUDs features proposed for the development include a 'raingarden' along the green link avenue running north-south. The raingarden is designed to accommodate runoff from adjacent footpaths and from some cycle paths and the concrete buffer adjacent to parallel parking. Filter drains proposed in rear gardens and rainwater butts are also proposed to collect rainwater from roofs. The primary SUDs features for the development include a high level linear "swale" detention basin in the large district park in the north east corner of the site which connects to a lower level detention basin, in the north east corner of the district park. The storage of surface water in both detention basins is controlled using hydrobrake flow controls, with the hydrobrake immediately downstream of the lower level detention basin set at the allowable outflow rate or Q_{bar} . A petrol interceptor is also proposed downstream of the hydrobrake. It should be noted that permeable paving is not proposed for parking spaces as it is proposed to offer the parking to South Dublin County Council for "taking in charge" and at present this paving is not "taken in charge" by the Local Authority. It is stated by the applicant, that should this arrangement change in the future, that permeable paving may be introduced to the scheme at compliance stage.

11.5.3. In terms of storage, it is proposed to store surface water runoff from the development site in two detention basins located in the district park in the north east corner of the site. The upper detention basin 'A', is a linear detention basin which is designed to convey surface water runoff and to provide circa 2482m³ of storage for a rainfall event of up to a 1 in 100 year return period. The storage is maximised by installing two hydrobrakes on the outlet to limit the outflow to the lower level detention basin

'B' to 502l/s. The lower level detention basin 'B' is designed to provide storage of 2843m³, with the outlet from the lower level detention basin limited to Qbar or 139l/s. The total storage volume provided in both detention basins is 5325m³. As a point of note, the surface water drainage report states that the proposed storage volume includes allowance for the future development of the Phase 2 development. I consider that the surface water management strategy for the site, in combination with the flood risk mitigation measures addressed in the next section is acceptable and has been well considered.

Flood Risk

- 11.5.4. In the Pre-Consultation Opinion issued by the Board the matter of Flood Risk was addressed further consideration of the documents was required as they relate to the design rationale/justification for the proposed development strategy of the lands having regard to the identification of the lands within Flood Zones A and B and the need for a Justification Test as provided for in section 3.6 and 3.7 of 'The Planning System and Flood Risk Management, Guidelines for Planning Authorities, 2009' and the application of this test as set out in section 5.15 of these Guidelines. It was also required that a site layout plan identifying the location of the different flood risk zones in the context of the location of the proposed residential units should be submitted. Consideration should also be given to the flood risk on open space areas particularly in the context of functionality and usability of the lands identified as a district park and/or neighbourhood parklands and public safety concerns regarding accessibility of open space lands that flood.
- 11.5.5. In response, it is stated in the applicant's statement that a Site-Specific Flood Risk Assessment (SSFRA) has been submitted with the current application. The SSFRA identifies the flood risk zones on the site and provides a series of mitigation measures to reduce the risk to flooding of the site and adjoining lands. The design of the swales in the district park has been revised to create shallower and wider depressions allowing passive surveillance into these landscape features from adjoining footpaths and open spaces. The slopes of the swales have a 1:3 gradient which reflects best practice in terms of design and ensures public safety is across all area of public open space.

- 11.5.6. The SSFRA outlines in Figures 4-3 and 4-4 the areas of the site which are located within Flood Zones A & B as identified by the Eastern CFRAM study. To provide some context for the Board I would note that the Site Specific Flood Risk Assessment (SSFRA) states that there are two tributaries of the Camac River which flow adjacent to the east and west boundaries of the site. The most significant tributary of the Camac River is along the east boundary referred to as the Vershoyles Stream (which is culverted in parts) within the Eastern CFRAM. It is outlined that there is known historical flooding across the site resulting from over bank flows within the former golf course to the south and overland flow at the roundabout adjacent to the south east corner of the site. The flows coming from the former golf course are stated to be sufficient enough to cross over Fortunestown Road and the Luas line situated across the southern boundary of the site.
- 11.5.7. As part of the assessment process a hydraulic model was developed to appropriately assess conveyance within the Vershoyles Stream downstream of Fortunestown Road. It is stated that the CFRAM mapping indicates fluvial flooding at the site location is the result of a culvert far upstream of the site and that no overtopping of Vershoyles Stream occurs downstream of Fortunestown Road. The results from the hydraulic modelling for the 1% and 0.1% AEP flood events are presented in Figure 4-3 and Figure 4-4 of the FRA. It is stated that inundation occurs onsite during both flood events. The flood flow pathways and extents are similar to the ECFRAM flood outlines which are presented in Figure 3-4 of the SSFRA. It is outlined that as per the ECFRAM mapping, the main cause of inundation onsite results from the ingress of overland flows along the southern boundary of the site. The main flow pathway traverses the site from the site centre at the southern boundary, through the site to the north-eastern corner. Flows are shallow during both flood events with depths predominantly less than 250mm (0.25m). Greater flood extents are recorded during the 0.1% AEP flood event. It is stated that the mapping shows flooding on the east boundary along Vershoyles Stream at the Fortunestown Road culvert system and at the twin 1200mm circular culverts where out of channel spill occurs.
- 11.5.8. To manage inundation of the site, it is proposed that an open channel drain (flood conveyance channel) is placed across part of the southern boundary of the site running parallel to Fortunestown Road. This is proposed as a 4m wide channel to be fenced on the southern side with the boundary treatment to the northern edge

subject to detail design. I would note the treatment of the boundaries of this surface water feature is an important consideration particularly in the context of the landscape strategy for the site and the creation of visually acceptable design and this should be given careful consideration. I would however note that the treatment of the open stream in the Cuil Duin development to the southeast of the site with a low green fence is visually acceptable. In terms of its proposed function, this swale is proposed to redirect shallow flows across the site back into the Vershoyses Stream. Preliminary estimates propose that a 4m wide channel has the capacity to intercept shallow flows. Additional measures include modification to the existing link road to Fortunestown Lane to channel overland flow back into the Vershoyses Stream. Some re-grading of the Vershoyses Stream is also required between the Fortunestown Road junction and the twin culvert system. The purpose of the outlined mitigation measures is to ensure that no overtopping occurs onto the proposed development during the 1% & 0.1% AEP flood events.

11.5.9. A hydraulic model was developed to test the effectiveness of the channel during both the 1% & 0.1% AEP flood events. The results are depicted in Figure 4-5 & Figure 4-6 of the FRA where it is stated it is confirmed that the proposed channel has sufficient capacity to channel both the 1% and 0.1% AEP flood events around the site and back to the Vershoyses Stream. The proposed mitigation measures achieve the objective of intercepting all overland flows onto the site. Section 5 of the SSFRA outlines the proposed 'Flood Risk Mitigation' which include the Overland Flow Swale outlined above (flood conveyance channel). In addition, the specific design of the site layout, the landscaping and finished floor levels. In this regard it is stated that the urban storm water drainage will discharge to the stream, and will form an important constraint for flood levels within this flat site. It is proposed that all finished floor levels (FFLs) should allow in excess of 500mm freeboard above 1% storage level within the urban drainage system. Review of the detention basin cross sections indicate a 1% AEP storage levels of 105m (detention basin addressed in the section above on surface water management. The minimum finished floor level across the site is 106.6m, providing a freeboard of 1.6m. All FFLs are 150mm above garden areas, with all paths sloping away from doorways and roadways are designed to convey flows in excess of 1% AEP event to green areas and away from dwellings. Figure 5-

1 contained in the FRA shows an example of a cross section across the site which outlines the finished floor levels compared to attenuation storage at the site.

11.5.10. In terms of access and egress to the site it is stated that same will be provided via the existing roundabout off Fortunestown Road and there are additional two access points from Garter Lane which are not at risk of flooding. While I do not consider it is relevant to the consideration of flood risk, I would note that this existing roundabout is proposed to be replaced by a signalised junction in this application. It is stated that the re-design of road levels and inclusion of the on-site open channel will reduce the risk of shallow flows over the road. The entrance to the development from Fortunestown Lane at the south east corner of the site is at risk from the 1% AEP and 0.1% AEP flood events. Flood depths are shallow at <0.1m. Therefore, access and egress will not be impeded during these flood events.

11.5.11. In terms of drainage design, it is stated that the drainage system has been assessed for 30 and 100-year return period events for a full range of storm events with no out of system flooding. I would note that a climate change factor of 10% has been incorporated into the stormwater calculations. The SSFRA considers 'Residual Risk' at section 5.5 and notes that after a review of the twin 1200mm culvert design on the eastern boundary of the site, it was determined that the potential blockage of the culvert due to its current design is increasing flood risk in the area. By re-designing the open channel upstream of the twin 1200 Culvert to include a gradual slope downwards to the culvert opening and providing a more efficient trash screen, the risk of blockages would be decreased. This would reduce the risk of flooding for the surrounding area. I would also note that clearing debris from the existing stream would also assist flows.

11.5.12. Section 5.6 addresses 'Impacts on flood risk through development' and states that as shown in the hydraulic modelling, there is no impact to flood risk in the 1% AEP as the existing channel and structures have the capacity to contain the 1% AEP flow including allowance for climate change. There is existing flood risk in the 0.1% AEP event to the industrial property adjacent to the eastern boundary of the site due to the poor design and construction of the twin 1200mm culverts. It is stated that these culverts were constructed following planning permission for the affected site. The flood risks to the industrial properties to the east have been significantly reduced as all flood waters are contained in channel. Overland flow pathways that posed a

flood risk have now been intercepted. The improvement in the entrance of the twin culvert will reduce the flood risk to this site.

11.5.13. Section 5.7 provides the required 'Justification Test' and states that the proposed buildings predominately lie within Flood Zone C. As the development encroaches into Flood Zone A, the Justification Test for Development Management has been applied and passed and outlined that the zoning and designation of the overall site demonstrates that the development complies with Section 1 of the Justification Test.

11.5.14. The Proposal has been subject to an appropriate flood risk assessment which shows:

- i. The Development will not significantly increase flood risk elsewhere
- ii. The development (building FFL) is raised above the 1% AEP event including climate change and freeboard to minimise the risk to people and property as far as is possible. Flood flows are managed by an open channel drain diversion which routes any overland flows around the site in channel.
- iii. Residual risk is managed by the setting of appropriate finished floor levels, building placement and landscaping on site. Improvements to the culvert entrance will improve the hydraulics and reduce the residual risk.
- iv. The development meets the standards of typical residential development design.

11.5.15. I consider that the matter of Flood Risk has been comprehensively and satisfactorily addressed and that the implementation of the mitigation proposed, particularly the Flood Conveyance Channel to the south of the site will provide satisfactory mitigation for the proposed development.

11.6. AA Screening

An AA screening report was submitted with the application. The report describes the development and identifies that the site is not located within or directly adjacent to any Natura 2000 sites. The report considers the area within 2km of the site within which there are no Natura 2000 sites. However it is noted that the site is hydrologically linked to two Natura 2000 sites. To the east of the site, the Corbally

Stream is in the catchment of the Camac River which is a tributary of the River Liffey which enters the sea at Dublin Bay. The report considers that there are therefore two sites of relevance, the South Dublin Bay and Tolka Estuary SPA (site code 004024) and South Dublin Bay SAC (site code 000210).

As outlined in the screening report there are only two sites i.e. the South Dublin Bay and Tolka Estuary SPA (site code 004024) and South Dublin Bay SAC (site code 000210), which are potentially linked to the proposed development site. The pathway is stated to be via the surface water body referenced in the AA screening report as the Corbally stream (which I note is referenced as the Vershoyles Stream in the Flood Risk Assessment and the Water Section of the EIAR) which joins the Camac River north of the N7 which in turn meets the River Liffey close to Heuston Station which then enters the sea at Dublin Bay. A draft construction management plan has been prepared for the overall development and I would note that should the Board be minded to grant permission that a condition would be attached requiring the submission of a comprehensive CMP. The screening report concludes that the development either on its own or in-combination with other developments will have no impact on designated sites and outlines a number of Best Practice measures which will be adopted. I would suggest that given the attenuation and SUDS measures on the site that the proposal would not be any adverse effect from surface water run-off.

Having regard to the nature and scale of the proposed development on serviced lands, the nature of the receiving environment and proximity to the nearest European site it is reasonable to conclude that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site in view of the sites' conservation objectives and a Stage 2 Appropriate Assessment is not therefore required.

12.0 Environmental Impact Assessment

12.1. Statutory Provisions

- 12.1.1. Schedule 5 (Part 2) of the Planning and Development Regulations 2001 (as amended) sets mandatory thresholds for each project class. The proposal is of a

class specified in Schedule 5 which exceeds a quantity, area or other limit specified in that schedule, i.e. Class 10 - Infrastructure projects and the application is accompanied by an Environmental Impact Assessment Report (EIAR). This application was submitted after 16 May 2017, the date for transposition of Directive 2014/52/EU amending the 2011 Directive. While the Directive has not been transposed into Irish legislation to date, in accordance with the advice on administration provisions in advance of transposition contained in Circular letter PL1/2017, it is proposed to apply the requirements of Directive 2014/52/EU.

12.1.2. The EIAR contains one volume in two documents. The Non-Technical Summary is provided at the outset of the main document which is then divided into three parts. Part A provides an Introduction and Background, Part B addresses the Effects on the Environment and Part C includes the Technical Appendices. Appendix 14B includes photomontages which are bound in a separate A3 document. Part A, Chapter 1 sets out an introduction to the project, methodology used and provides a list of the qualified experts involved in the preparation of the EIAR. Chapter 2 sets out the planning policy context from national to local level. Chapter 3 provides a description of the proposed development including an outline (section 3.4) on construction with deals with the management of the construction period which for Phase 1 is estimated at between 3.5-4 years. Chapter 3 also addresses the alternatives considered. The likely significant direct and indirect effects of the proposed development on the environment are considered in the remaining chapters of the EIAR which collectively address the following headings, as set out in Article 3 of the EIA Directive 2014/52/EU:

- Population and human health;
- Biodiversity, with particular attention to the species and habitats protected under Directive 92/43/EEC and Directive 2009/147/EC;
- Land, soil, water, air and climate
- Material assets, cultural heritage and the landscape;
- The interaction between the factors referred to in points (a) to (d).

12.1.3. I am satisfied that the information contained in the EIAR has been prepared by competent experts and complies with article 94 of the Planning and Development

Regulations 2000, as amended and the provisions of Article 5 of the EIA Directive 2014/52/EU.

12.1.4. I have carried out an examination of the information presented by the applicant, including the EIAR, and the submissions made during the course of the application. A summary of the matters outlined in the submissions made by the planning authority, prescribed bodies and the observer has been set out in sections 8, 9 and 10 of this report.

12.2. Alternatives

12.2.1. Article 5(1)(d) of the 2014 Directive requires: “a description of the reasonable alternatives studied by the developer, which are relevant to the project and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the project on the environment”.

12.2.2. Annex (IV) of the Directive provides more guidance on reasonable alternatives as follows: “a description of the reasonable alternatives (for example in terms of project design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects”.

12.2.3. Section 3.5 in Chapter 3 of the EIAR addresses alternatives examined. The EIAR states that in the first instance the proposal is considered relative to the ‘do-nothing’, ‘do-minimum’ and ‘do-maximum’ scenarios. Reference is made to the consideration of alternative land uses undertaken in the Fortunestown LAP SEA with the SEA considering 4 scenarios of alternative visions for the development of the area. The ‘do-nothing’ scenario is not considered attractive in the context of the positive benefits stated to accrue to the national, regional and local community from the implementation of the LAP and the development of this site. The ‘do-minimum’ scenario would result in reduced efficiencies it is considered particularly in the context of housing density. In relation to the ‘do-maximum’ scenario, the development of the entire phase of development in one phase c.950 units would it is felt create greater disruption to the receiving environment.

12.2.4. It is considered that the location and type of development proposed has been determined by the lands use zoning objectives in the County Development Plan and in the Fortunestown LAP and for this reason that apart from localised interpretation of the LAP to suit conditions on the ground no alternative sites were considered as the development of the site for the uses proposed has been identified as a strategic objective. The applicants then reference the EPA Guidelines statement that in some instances neither the applicant nor the competent authority can be expected to examine options which have already been determined by a higher authority with the examples of national plans or spatial plans provided. I would suggest to the Board that this this a reasonable position to take in terms of residentially zoned land identified within an LAP. In terms of design alternatives it is stated that the design parameters are determined in the first instance by the LAP with alterative layouts, designs and phasing arrangements considered for the project informing the design of the proposed development.

12.2.5. I am satisfied that the EIAR has provided a description of the reasonable alternatives studied by the applicant which are relevant to the proposed project.

12.3. Likely Significant Direct and Indirect Effects

12.3.1. Article 3 of the EIA Directive 2014/52/EU requires the consideration of the following in the EIAR:

- Population and human health
- Biodiversity, with particular attention to the species and habitats protected under Directive 92/43/EEC and Directive 2009/147/EC
- Land, soil, water, air and climate
- Material assets, cultural heritage and the landscape;
- The interaction between the factors referred to in points (a) to (d).

12.3.2. Part B of the EIAR addresses Effects on the Environment. The likely significant direct and indirect effects of the proposed development are considered under the following headings:

- Population and human health

- Biodiversity/Species and Habitats
- Land and Soil
- Water
- Air and Climate
- Noise and Vibration
- Material Assets: Built Services
- Material Assets: Transportation
- Material Assets: Resource and Waste Management
- Cultural Heritage
- The Landscape
- Identification of Significant Impacts/Interactions

12.3.3. The following sections address the likely significant direct and indirect effects of the proposed development under the headings set out in the EIAR.

Population and Human Health

12.3.4. The assessment provided by the applicant describes the area within which the site is situated as an emerging outer suburb. Population growth within the study area identified for the purposes of the assessment, which I would note is broadly similar to the area included in the Fortunestown LAP, is c.11% from 2011-2016. The number of households in the area increased by 5% in the same intercensal period. The age profile shows that the study area has a young profile with 84% of the population under 44 years which is compared to 66% in the State. In relation to construction impacts, the main areas of impact are considered to be slight/moderate negative and include residential amenity, land take and planning permissions which alludes to the likelihood that other developments may be under construction at the same time. Employment arising from the construction phase, estimated at 3.5-4 years, is considered positive. In terms of mitigation, a construction management plan is proposed with mitigation to address impacts arising from noise, air and traffic addressed in the sections below. Working hours are also proposed to be limited to 7-7 Monday to Friday and 9-1 on Saturday.

12.3.5. In terms of operational impacts, which include land use planning policy, population, community and outdoor facilities the impacts are considered to be positive. Impacts

and mitigation relating to traffic and the Luas are addressed separately below. Mitigation measures, other than as it relates to matters addressed in other Chapters and addressed elsewhere in this assessment, is not considered necessary. The residual impacts identified are all positive and include the implementation of the County and LAP proposals for the lands, the provision of new outdoor amenities for existing and future population, new pedestrian and cycle links between Bianconi Avenue and the Saggart Luas Stop and public realm improvements at the Luas stop. The mitigation measures proposed within the EIAR are such that they will reduce the potential for any temporary direct and indirect effects on human health during the construction stage in particular e.g. noise, dust abatements etc.

12.3.6. I have considered all of the information submitted in respect of population and human health. I am satisfied that they have been appropriately addressed in terms of the application and the information submitted by the applicant and that no significant adverse direct, indirect or cumulative effects on population and human health are likely to arise.

Biodiversity (Species and Habitats)

12.3.7. The EIAR indicates that the initial zone of influence for the purposes of the assessment is a radius of 2km of the site as per best practice guidance. Screening for appropriate assessment was undertaken by the applicant and it concluded that Stage 2 appropriate assessment was not required. In this regard, I refer the Board to my assessment on appropriate assessment in section 11.8 of this report. It is stated that the website of the National Biodiversity Data Centre contains a mapping tool that indicates records of legally protected species within a selected OS 2km grid square and that no species of protected flowering plant within the square within which the site is located. In terms of flora, the site is stated to be almost entirely comprised of a large area of dry meadow which is a habitat typical of lands following cessation of agriculture which is stated to have been the use of the lands until the mid-1990's. External boundaries are noted to be highly variable with no southern edge. The eastern boundary is noted an original field boundary with an established treeline including Beech, Oak and Hawthorn. The hedgerows are considered of lower significance with the treeline of higher significance.

12.3.8. It is stated that despite appearing on maps there is no evidence of a water course on the western boundary and it is suggested it may have been a field drain that has

dried up. It is also noted that the Corbally Stream is culverted under Fortunestown Lane and flows north along the mature treeline (I would note that the Corbally Stream is referenced as the Vershoyles Stream elsewhere in the documentation submitted – e.g. Water Section EIAR, Site Specific Flood Risk Assessment).

12.3.9. In relation to fauna, the site survey noted incidental sightings of faunal activity. It is stated that there are no habitats on the site which are suitable for the majority of protected species and no evidence of badger activity. It is noted that the stream is extensively culverted and therefore not suitable for Otter. The absence of suitable roosting sites for bats provided that a detector based bat survey was not undertaken. In terms of birds, a Meadow Pipit (high concern/red list) and Kestrel (medium concern/amber list) were observed. The proposal will see the clearance of the site with the exception of the tree line and the Corbally Stream. A 10m buffer zone is proposed to be maintained along the open stream which it is proposed to integrate into future amenity open space. In terms of construction impacts habitat loss and direct mortality of species are noted with the potential pollution of watercourses. In terms of mitigation, clearance of vegetation is proposed outside of the March to August period where possible with inspection of bird nests by an ecologist within this period. Guidance from the IFI to be followed to prevent pollution of the watercourse. In relation to operational impacts, the following potential impacts are noted: pollution of water from foul wastewater arising from the proposal, pollution of water from surface water run-off and impact to protected areas. However no negative impacts are predicted and no mitigation is considered necessary. No significant residual impacts are expected.

12.3.10. I have considered all of the information submitted in respect of biodiversity/flora and fauna in addition to those specifically identified in this section of the report. I am satisfied that they have been appropriately addressed in terms of the application and the information submitted by the applicant and that no significant adverse effect is likely to arise.

Land and Soils

12.3.11. Chapter 6 of the EIAR notes that the site is a greenfield site with a fall from south to north east and a gradient of c. 1 in 60. It is stated that the site is generally poorly drained and dominated by marshy areas. It is stated that topsoil from other adjacent development sites is stored on the subject site. The subsoil is stated to be

till derived from limestone which overlays the underlying limestone bedrock with the site investigations confirming same. Three of the four soakaways failed.

Environmental testing of soil from the three boreholes are below criteria for inert waste landfill. Rock was found in two of the three boreholes. Groundwater vulnerability is stated as low, with the underlying aquifer 'locally important'. It is estimated that c. 87,000m³ of cut and 70,000m³ of fill will be required leaving c. 17,000m³ of cut material.

12.3.12. In terms of construction impacts, potential impacts for phase 1 & phase 2 of the proposal are outlined including exposure of subsoil and significant earthworks for the park area. Section 6.5.2 of the EIAR outline a series of mitigation measures proposed which refer in the main to topsoil stripping, storage and re-use. Construction phase monitoring is also proposed including the adherence to the Construction and Demolition Waste Management Plan proposed for the site. In terms of operational impacts, no long term impacts are predicted with the only mitigation measures proposed the regular maintenance of SUDS features with monitoring of the district park to be ongoing. The primary residual impacts is the removal of material unsuitable for reuse.

12.3.13. I have considered all of the information submitted in respect of land and soils in addition to those specifically identified in this section of the report. I am satisfied that they have been appropriately addressed in terms of the application and the information submitted by the applicant and that no significant adverse effect is likely to arise.

Water

12.3.14. The EIAR in Chapter 7 provides details on all the sources of information, reports and surveys undertaken to inform this Chapter with site investigations outlined in the proceeding section referenced. The main surface water bodies are outlined in section 7.3.1 and include the Vershoyles Streams, the River Camac downstream of same and surface water sewers in the surrounding area. The site is within the River Camac Catchment area which is with the Eastern River Basin District. The underlying aquifer as noted above is local importance with the vulnerability classified as low. While groundwater flow was not measured it is stated that it would be expected to follow the topography of the site, from south to north. Flood risk is addressed and references the site specific flood risk assessment

prepared for the site which I address above in Section 11.6. In relation to water quality, the EPA do not specify a status for the Vershoyses Stream.

12.3.15. In relation to characteristics of the proposed development it is stated that the proposal is designed to limit surface water run-off to greenfield runoff and to store flows exceeding this in two surface water detention basins in the district park. Allowable surface water runoff for the site (phases 1 & 2) is calculated at 139l/s with the storage volume required to accommodate runoff from the 1% AEP calculated at 5,700 m³. Proposed finished floor levels of all dwellings are set a minimum of 500mm above estimated 1 in 100 year return period storage level. For storms exceeding a 100 year even overland flood routes via roads and streets and a rainwater garden to direct flood water away from houses to open space areas. A linear flood conveyance channel, as discussed above in section 11.6 is also proposed along the southern boundary of the Phase 2 lands. It is not considered that the proposal will require the removal of rock.

12.3.16. Potential construction phase impacts are outlined which relate to the replacement of permeable soil with impermeable roads etc. It is stated that the construction of the linear flood conveyance channel to the south of the site is a positive impact. In terms of mitigation, best practice construction methods are proposed with a site specific Construction and Environment Management Plan proposed. Monitoring of the construction phase and adherence to the aforementioned plan are outlined.

12.3.17. In relation to operational impacts, the increased impermeable surface area reducing local groundwater recharge is outlined increasing surface water runoff and flooding. This impact is considered to be slight, permanent and adverse. Accidental leaks and contamination risk are also outlined. It is reiterated that the construction of the linear flood conveyance channel to the south of the site is a positive impact. Mitigation by way of site levels, surface water attenuation and the maintenance of flow control devices and attenuation storage facilities are outlined. Monitoring of the water infrastructure is outlined and maintenance if required. No adverse residual impacts are predicted.

12.3.18. I have considered all of the information submitted in respect of water in addition to those specifically identified in this section of the report. I am satisfied that

they have been appropriately addressed in terms of the application and the information submitted by the applicant and that no significant adverse effect is likely to arise.

Air Quality and Climate

12.3.19. Chapter 8 of the EIAR deals with air and climate. It states that background concentrations of key pollutants (NO₂, PM₁₀, PM_{2.5}, benzene and CO₂ are all significantly below limit values for the proposed location. In relation to construction impacts, construction dust is stated to have the potential to cause local impacts through dust nuisance at nearby houses. A range of dust minimisation measures are included in the Dust Minimisation Plan (Appendix 8A), if implemented the likely effect of fugitive emissions will be imperceptible. Monitoring of dust deposition levels is recommended. The EIAR indicates that the impact of the proposal in terms of CO, benzene, PM₁₀, PM_{2.5} and NO₂ are not predicted to be exceeded and that the likely overall magnitude of the changes on air quality in the operational phase is imperceptible. It is considered that appropriate mitigation measures have been outlined and should be implemented in full during the construction and operational stages. With appropriate mitigation measures in place it is shown that residual impacts of the proposal on air quality and climate will be negligible.

12.3.20. I have considered all of the information submitted in respect of air quality and climate in addition to those specifically identified in this section of the report. I am satisfied that they have been appropriately addressed in terms of the application and the information submitted by the applicant and that no significant adverse effect is likely to arise.

Noise and Vibration

12.3.21. Chapter 9 of the EIAR deals with noise and vibration and states that baseline noise monitoring has been undertaken in the vicinity of the site in order to characterise the existing noise environment. Key existing noise sources include the road traffic on the N7 and adjoining roads and the Luas. In relation to the construction phase, reference is made to the Dublin Agglomeration Noise Action Plan 2013-2018 which refers to the use of BS 5228:2009+A1:2014 Code of Practice for Noise and Vibration Control on Construction and Open Sites which sets out guidance on permissible noise levels relative to the existing noise environment. It is

noted that the nearest residential dwelling is 60m from the site boundary. No significant impacts are predicted during the construction phase at the closest noise sensitive location subject to mitigation measures which include construction working hours, noise limits and hoarding of 2.4m height around the perimeter of the construction site.

12.3.22. Operational noise generated from the proposal would be limited to noise traffic with the impact imperceptible other than on Fortunestown Lane where the impact would be minor. This Chapter also addressed the inward impact of road and rail traffic on the proposal itself and recommends that an acoustic barrier is proposed along the northern boundary with attenuation measures to the front facades of external buildings with the insulation depending on location within the site as outlined in Figure 9.3.

12.3.23. I have considered all of the information submitted in respect of noise and vibration in addition to those specifically identified in this section of the report. I am satisfied that they have been appropriately addressed in terms of the application and the information submitted by the applicant and that no significant adverse effect is likely to arise.

Material Assets – Built Services

12.3.24. Chapter 20 deals with material assets as it refers to built services which include surface water and foul drainage networks and utility services. The existing service provision is outlined and the proposals for the servicing of the proposed development is detailed. Potential construction impacts are outlined as they relate to surface water, foul water, watermain and power, gas and telecommunications. No adverse impacts are predicted and it is proposed to install services in parallel where possible. It is also noted that much of the impact will be on the site itself. Mitigation is proposed with the Construction Management Plan a key tool in the proposed measures. In terms of operational impacts, the main potential impacts relate to the impact on the capacity of the services with the proposal to be phased and no adverse impacts predicted.

12.3.25. I have considered all of the information submitted in respect of built services in addition to those specifically identified in this section of the report. I am satisfied that they have been appropriately addressed in terms of the application and the

information submitted by the applicant and that no significant adverse effect is likely to arise.

Material Assets – Transportation

12.3.26. In order to quantify existing traffic movements within the local road network a number of local traffic surveys were carried out during the AM (0700-1000) and PM (1600-1900) periods. These include 5 junctions which are outlined in Figure 11.1. It is stated that the surveys established the AM and PM peaks to be 0815-0915 and 1700-1800 respectively. It is stated that the site benefits from excellent public transport accessibility levels including both light rail (Luas) and bus (Dublin Bus -3 services). The existing road and pedestrian/cycle facilities are also outlined. Reference is also made to the proposed City West Avenue extension which is outlined in Figure 11.10 and which would provide a link to the N82 bypassing the District Centre creating a more pedestrian and cycle friendly junction. In terms of construction phase traffic impacts which it is stated will be governed by a Constriction Traffic Management Plan (CTMP) an associated part of the Construction Management Plan, an outline of which was included with the application. I would note the concerns outlined above in section 11.3.2 regarding the phasing of the proposed development and in that regard a condition is proposed requiring the phasing plan is revised. I would note that providing the mitigation measures and management procedures outlined in section 11.5.2 are implemented, the impacts are noted as being temporary in nature and neutral in terms of quality or effect.

12.3.27. The proposed development traffic generation is outlined in Table 11.7 with details of committed developments in the area outlined in Figure 11.12. I would note that the assessment assumes the completion of the remainder of the Citywest Extension for the adopted 2033 future design year. Part of it has been completed to the southeast of the site. The proposed developments network impact is outlined in Table 11.8 with the impact categorisation for each of the junctions outlined. I would note that two of the junctions – Site Access and Link Road and Site Access and Garter Lane are considered to have a high level impact during the AM peak hour. The Fortunestown Lane/Link Road has a predicated medium/high impact level. During the PM peak the Site Access and Garter Lane and Fortunestown Lane/Link Road have a high predicted impact. The remainder of the junctions have a low-

medium impact prediction during AM and PM peaks. I would note that the junctions impacted are all adjoining the site and therefore it would be expected that the proposal would impact on same. I would note the comments of the TII regarding the deficiencies in the information submitted by reason of the absence of surveys on the N7 and associated junctions. I have addressed same above. Mitigation measures are proposed at section 11.6.3 and I would note they include the compilation of a mobility management plan and other upgrades to the local network. The completion of the Citywest Avenue extension is also included. In terms of residual impacts, there are significant impacts predicted at both AM and PM on the Fortunestown Lane/Link Road junction which directly adjoins the site. Given the location of the site in an urban area which is highly accessible by way of public transport I consider that such impacts are acceptable.

- 12.3.28. I have considered all of the information submitted in respect of transportation in addition to those specifically identified in this section of the report. I am satisfied that they have been appropriately addressed in terms of the application and the information submitted by the applicant and that no significant adverse effect is likely to arise.

Waste Management

- 12.3.29. Waste Management is addressed in Chapter 12 of the EIAR. In relation to the construction phase, it is stated that materials will be generated from the excavation of topsoil and subsoils across the site with an estimate of c.100,000 m³ of soil and stone of which 81,000m³ will be reused. It is also noted that the Construction and Demolition waste Management Plan will address the matter of waste management and section 12.54.2 outlines the mitigation measures proposed which will be included in this Plan. It is stated typical construction waste materials will be source segregated on-site into appropriate skips/containers and removed from site by suitably permitted waste contractors to authorised waste facilities. Materials will be reused on-site, where feasible, to minimise raw material consumption. It is proposed to segregate waste materials on site which will improve the re-use opportunities of recyclable materials off-site. Construction of foundations and services will require the excavation of soil/stones and rock. As the site is a greenfield site it is expected that the excavated material will not be contaminated and would be suitable for re-use. It is estimated that all excavated material will be reused onsite. Any material deemed

not appropriate for re-use will be removed off-site to appropriately authorised facilities.

12.3.30. Dedicated areas have been allocated for storage of waste materials generated during the operational phase of the development. This waste will be generated from residents and will comprise of typical municipal waste types. It is stated that the waste storage areas have been allocated to ensure a convenient and efficient management strategy with source segregation a priority again. Waste will be collected from the roadway by permitted waste contractors and removed off-site for re-use, recycling, recovery or disposal.

12.3.31. I have considered all of the information submitted in respect of waste management in addition to those specifically identified in this section of the report. I am satisfied that they have been appropriately addressed in terms of the application and the information submitted by the applicant and that no significant adverse effect is likely to arise.

Cultural Heritage

12.3.32. Cultural heritage is addressed in Chapter 13. It is stated that while there are no specific recorded monuments or structures on the site that part of the site (southwest section) is within the zone of archaeological potential associated with Saggart Village. There are a number of structures of architectural merit in the vicinity of the site, also to the southwest with Brownsbarn to the North West of the site and on the opposite site of the N7 a protected structure. The zone of archaeological potential and the structures of architectural interest are outlined in Figure 13.1. The field inspection undertaken noted that nothing but disturbed ground was noted in the area where the zone of archaeological potential extends into the site.

12.3.33. In terms of construction impacts, it is stated that while the site has been disturbed, it is not clear as to what degree those disturbances may have impacted upon the potential archaeological resource that may have been located within the site and ground disturbance associated with the proposal may have a significant profound negative and direct impact on any such unrecorded remains. In terms of mitigation, a programme of archaeological monitoring is proposed during topsoil stripping and I would suggest that a condition is attached to any grant of permission requiring same. No operational impacts are predicted.

12.3.34. I have considered all of the information submitted in respect of cultural heritage in addition to those specifically identified in this section of the report. I am satisfied that they have been appropriately addressed in terms of the application and the information submitted by the applicant and that no significant adverse effect is likely to arise.

The Landscape

12.3.35. Chapter 14 deals with the Landscape where it is stated that while visually the site appears level that there is a significant fall of over 12m from the southwest corner to the northeast corner. In terms of the wider area the EIAR states that development in the environs of the site in recent years has been very varied in form, style and layout and that as the Luas corridor matures that a new urban sense of place is developing. In terms of construction impacts, it is stated that the construction stage will involve further site clearance with limited impact or effect outside the site from a landscape or visual perspective with the mitigation necessary considered to be good site management.

12.3.36. It is the operational phase of the proposal where the impact of the proposal is relevant with the impact that of changing the site from an open field to a new urbanised area/residential community and I would suggest that this is a reasonable approach to the consideration of visual impact. The landscape sensitivity is considered to be low with the magnitude of change medium to high with the significance of this change considered to be slight to moderate. The EIAR includes 8 photomontages which are assessed for impact (the photomontages are contained in a separately bound A3 document – Appendix 14B. View 1 is from Fortunestown Lane to the south of the site looking north across the site from the Heritage Village development. Three angles are provided for the purposes of this view. It is noted that in time the view would change by reason of the proposed Phase 2 element of the site. The magnitude of change is described as medium which provides that prominent elements are introduced but given the context they are not uncharacteristic with the quality of the change described as beneficial. View 2 is from the entrance to Carrig Court to the south east of the site. Again, it is noted that in time the view would change by reason of the proposed Phase 2 development of the site. The magnitude of change is described in this view as low which provides the

introduction of not uncharacteristic elements with a slight to moderate significance and the quality of the change described as beneficial.

12.3.37. View 3 is from the entrance to Cuil Duin to the south east of the site adjacent to the existing roundabout located within the site. Again, it is noted that in time the view would change by reason of the proposed Phase 2 development of the lands. The magnitude of change is described as high which provides that extensive intrusion of the view with the significance of the change significant with the quality of the change described as beneficial. View 4 is from Garter Lane to the west of the site. The magnitude of change is described as high which provides that extensive intrusion of the view with the significance of the change significant with the quality of the change described as beneficial. View 5 is from the Citywest Apartments to the northwest of the site. The magnitude of change is described as medium which provides that prominent elements are introduced but given the context they are not uncharacteristic with the significance of the change significant and the quality of the change described as beneficial.

12.3.38. View 6 is from Garter Lane as one would enter from the N7. The magnitude of change is described as medium which provides that prominent elements are introduced but given the context they are not uncharacteristic with a slight to moderate significance and the quality of the change described as beneficial. View 7 is from Bianconi Avenue to the northeast of the site. The magnitude of change is described in this view as low which provides for a minor intrusion with the introduction of not uncharacteristic elements with a slight to moderate significance and the quality of the change described as beneficial. View 8 is from Lugg Hill which represents a panoramic view over west Dublin and the nearby Saggart area with the viewpoint sensitivity classified as high. The magnitude of change is described in this view as low which provides for a minor intrusion with the introduction of not uncharacteristic elements with a slight to moderate significance and the quality of the change described as neutral. In relation to mitigation the EIAR notes that the development will be overwhelmingly beneficial with the mitigation of adverse effects achieved by design and layout.

12.3.39. I have considered all of the information submitted in respect of landscape in addition to those specifically identified in this section of the report. I am satisfied that they have been appropriately addressed in terms of the application and the

information submitted by the applicant and that no significant adverse effect is likely to arise.

Interactions between environmental factors

12.3.40. Chapter 15 of the EIAR deals with the interactions between environmental factors. Firstly, each environmental factor is outlined as addressed in the preceding Chapters summarising the consideration of impacts which provides a useful outline of the relevant predicted impacts where they are considered to arise. Then reference is made to Table 15.1 which outlines where there is an interaction between aspects of the environment. Other Impacts are also considered such as direct and indirect effects resulting from the use of natural resources with no likely significant effects predicted. Furthermore, the direct and indirect effects resulting from emission of pollutants, creation of nuisances and elimination of waste are addressed with no likely significant effects predicted. I consider this approach to be satisfactory and that adequate consideration has been given to interactions. The primary interactions are summarised in Table 15.1 of the EIAR as follows:

- Population and human health with air, climate, noise and vibration, material assets, use of natural resources/waste management, risk of major accidents/disaster, cultural heritage and landscape.
- Biodiversity with land and soils, water, material assets and landscape.
- Land and Soils with biodiversity, water, air, noise and vibration, material assets, use of natural resources/waste management, risk of major accidents/disaster.
- Water with biodiversity, land and soils, material assets and risk of major accidents/disaster.
- Air and Climate with population and human health and material assets.
- Noise and Vibration with population and human health and material assets.
- Material Assets: Built Services with land and soils and water.
- Material Assets: Transportation with population and human health, water, air, noise and vibration, use of natural resources/waste management, emission of pollutants and residues and risk of major accidents/disaster.

- Material Assets: Resource and Waste Management with population and human health, land and soils, and use of natural resources/waste management.
- Cultural Heritage with population and human health and landscape.
- Landscape with population and human health, biodiversity and cultural heritage.

12.3.41. I have considered the interrelationships between factors and whether these might as a whole affect the environment, even though the effects may be acceptable when considered on an individual basis. In particular, the concerns pertaining to surface water management/flooding and traffic and access as outlined in my assessment of this report and the potential for environmental effects to arise, may give rise to some impacts on the other factors such as population and human health.

12.3.42. In conclusion, I am satisfied that there where feasible such effects can be avoided, managed and mitigated by the measures which form part of the proposed development, mitigation measures and suitable conditions. There is, therefore, nothing to prevent the granting of permission on the grounds of cumulative effects.

12.4. Reasoned Conclusion on the Significant Effects

Having regard to the examination of the environmental information contained above, and in particular to the EIAR and supplementary information provided by the developer in the application documentation, and the submission from the planning authority, prescribed bodies and observer in the course of the application, it is considered that the main significant direct and indirect effects of the proposed development on the environment are as follows:

- increased surface water run-off and flooding which will be mitigated by the construction of the linear flood conveyance channel to the south of the site and SUDS measures for surface water attenuation and storage.
- impacts predicted at both AM and PM on the local junctions and in particular the Fortunestown Lane/Link Road junction which will be mitigated by the compilation

of a mobility management plan, key infrastructure upgrades at junctions in the vicinity and the completion of the Citywest Avenue corridor.

I am, therefore, satisfied that the proposed development would not have any unacceptable direct or indirect effects on the environment.

13.0 Recommendation

13.1. Having regard to the assessment outlined in the preceding sections, I recommend that section 9(4)(c) of the Act of 2016 be applied and that permission is GRANTED for the development as proposed for the reasons and considerations and subject to the conditions set out below.

14.0 Reasons and Considerations

Having regard to the:

- a) the policies and objectives in the South Dublin County Development Plan 2016-2022;
- b) the policies and objectives in the Fortunestown Local Area Plan 2012;
- c) Rebuilding Ireland Action Plan for Housing and Homelessness;
- d) nature, scale and design of the proposed development and the availability in the area of a wide range of social and transport infrastructure including the Luas;
- e) pattern of existing and permitted development in the area, and
- f) submissions and observations received,

It is considered that, subject to compliance with the conditions set out below that the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would respect the existing character of the area and would be acceptable in terms of traffic and pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

15.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

In default of agreement, the matter(s) in dispute shall be referred to An Board Pleanala for determination.

Reason: In the interest of clarity.

2. Roads & Pedestrian/Cycle Requirements
 - (a) The roads and traffic arrangements serving the site (including signage and road markings) shall be in accordance with the detailed requirements of the planning authority for such works and shall be carried out at the developer's expense.
 - (b) The roads layout shall comply with the requirements of the Design Manual for Urban Roads and Streets, in particular carriageway widths.
 - (c) Prior to commencement of development, the detailed design including signal timings of the signalised junction to the south east of the site shall be submitted and agreed in writing with the Planning Authority and shall include such requirements as considered necessary to operationally link the junction to other signalised junctions in the vicinity of the site.
 - (d) The proposed pedestrian and cycle network shall be revised to comply with the requirements of the National Cycle Manual and a revised site layout plan shall be submitted for the written agreement of the Planning Authority prior to commencement of development.

- (e) No more than 804 car parking spaces shall be provided on the site including proposed electric and disabled spaces. A revised site layout plan shall be submitted for the written agreement of the Planning Authority prior to commencement of development.
- (f) No road gradients shall be less than 1:180.
- (g) A turning head shall be provided at the top of the main north south spine road until such time as connection to Bianconi Avenue is provided.
- (h) The junction to the west of the site adjacent to Blocks D/J/K shall include a table ramp and shall be provided with suitable stopping signage on all arms.
- (i) Turning heads to the west of Blocks K, R & T shall not conflict with the shared pedestrian/cycle track to the west of the site.
- (j) Swept path analysis is required at locations where there is perpendicular parking on home zones with roads of 5m and feeder streets of 5.5m.
- (k) A Stage 2 Road Safety Audit shall be submitted to and agreed with the Planning Authority prior to commencement of development.
- (l) The location and treatment of the road surface and pedestrian facilities to the south of the junction between Garters Lane and the northern entrance of the site shall be agreed in writing with the Planning Authority prior to commencement of development.
- (m) Public Lighting Plan shall be submitted to and agreed in writing prior to commencement of development.
- (n) A Mobility Management Plan shall be submitted to and agreed in writing prior to commencement of development.
- (o) Details of materials and surfaces for roads and pathways and all items to be taken in charge shall be submitted to and agreed in writing prior to commencement of development.
- (p) Proposals to upgrade the Fortunestown lane/Garters Lane junction to include a new turn flare from Garters Lane onto Fortunestown lane on

the junction's southern arm shall be agreed in writing with the Planning Authority prior to commencement of development.

(q) The development shall comply with TII's Code of Engineering Practice for works, on, near, or adjacent the Luas Light Rail system.

Reason: In the interests of traffic, cyclist and pedestrian safety.

3. Prior to commencement of development detailed designs including cross sections shall be submitted for the Local Square which links the proposed development to the Luas Stop. The interim Local Square shall be completed prior to occupation of the first dwelling.

Reason: In the interest of residential amenity and orderly development.

4. A revised Phasing Plan for the proposed development shall be submitted which provides for the construction of the proposed District Park within the first phase of development.

Reason: In the interest of orderly development.

5. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This shall include detailed design of boundary treatments to surface water features which should integrate with the landscape design for the site. The developer shall retain the services of a suitably qualified Landscape Architect throughout the duration of the site development works.

Reason: In the interest of residential and visual amenity.

6. Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

7. (a) During the operational phase of the proposed development, the noise level arising from the development, as measured at the nearest dwelling shall not exceed:-
- (i) An Leq,1h value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday inclusive.
 - (ii) An Leq,15 min value of 45 dB(A) at any other time. The noise at such time shall not contain a tonal component.
- (b) All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics - Description and Measurement of Environmental Noise.

Reason: To protect the residential amenities of property in the vicinity of the site.

8. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

9. (a) All foul sewage and soiled water shall be discharged to the public foul sewer.
- (b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.

Reason: In the interest of public health.

10. Mitigation and monitoring measures outlined in the Environmental Impact Assessment Report submitted with this application, shall be carried out in full, except where otherwise required by conditions attached to this permission.

Reason: In the interest of protecting the environment and in the interest of public health.

11. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

12. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -
 - (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
 - (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
 - (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

13. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006.

Reason: In the interest of sustainable waste management.

14. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

15. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional

circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

16. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

17. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interests of public safety and residential amenity.

18. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the

application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Una Crosse
Senior Planning Inspector

March 2018