



An
Bord
Pleanála

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

Inspector's Report ABP-300731-18

Strategic Housing Development	Reisdnietai development of 141 units, 234 sq.m childcare facility on a site of c.4.5 hectares and infrastructural works.
Location	Lands at Glenamuck Road, Kiltiernan, Dublin 18
Planning Authority	Dun Laoghaire Rathdown County Council
Applicant	Declan Taite and Anne O'Dwyer, Joint Statutory Receivers to Certain Assets of Michael Doran and Martin Doran
Prescribed Bodies	Irish Water Transport Infrastructure Ireland Development Application Unit (Dept.

Culture, Heritage and the Gaeltacht)

Observer(s)

Declan Flynn & Michelle Donohue
The Residents of Golden Ball Cottages
Leah & Graham Coleman
Gareth & Kathryn Healy
Nigel Start
Mel Columb
Louise & Philip Curran
Victoria Homes

Date of Site Inspection

12 & 14 April 2018

Inspector

Una Crosse

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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 Declan Taite & Anne O'Dwyer, Joint Statutory Receivers to Certain Assets of Michael Doran and Martin Doran and was received by the Board on 19 January 2018.

2.0 Site Location and Description

The subject site, which has a stated area of approximately 4.5 hectares, is located to the east of the built-up area of Kiltarnan, Co. Dublin. It is irregular in shape with the majority of its frontage onto the Glenamuck Road with a relatively narrow frontage onto the Enniskerry Road. It is currently under grass, apart from the area of the two houses proposed for demolition. The land is sloping in nature with a difference in gradient across the site from north-eastern corner to the south-western portion of c.20 metre. A powerline traverses the site. The site is bounded to the west by the Enniskerry Road and by the rear gardens of residential properties known as the Golden Ball Cottages which address the Enniskerry Road. There is a small residential development of houses and apartments close to the junction and adjoining the southwest corner of the site known as Cromlech Close. The site also includes an access from the Enniskerry Road to a residential property known as Tra Dha Mhin located to the north of the site close to the Enniskerry Road boundary. Further to the north of the site there are two residential properties known as Long Meadow and Shandon Lodge both of which are located close to the boundary of the site. To the east and northeast of the site there are agricultural lands which are traversed by a power line. To the south, the site is adjoined by two properties (Rocklands and Glencarrick) which address the Glenamuck Road.

3.0 Proposed Strategic Housing Development

The development as proposed comprises the demolition of two existing dwellings (Greenmount & Dun Oir) and the construction of 141 residential units with 32 apartments, 11 duplexes and 98 houses as follows:

No. of Units	Type
40	3-bed house
33	4-bed house
25	5-bed house
8	1-bed apartments
24	2-bed apartments
2	1-bed duplex
5	2-bed duplex
4	3-bed duplex
141	

Unit Mix

Unit Type	No. of Units	% of Units
1-bed	10	7
2-bed	29	21
3-bed	44	31
4-bed	33	23
5-bed	25	18

Building Type and Height of Houses

Name of Unit	Type of Unit	No. of Beds	No. of Units	Building Height
Type A	Semi-detached	4-bed	3	2-storey
Type A1	Semi-detached	3-bed	2	2-storey
Type B	Semi-detached	5-bed	24	3-storey
Type B1	Semi-detached	5-bed	1	3-storey
Type C	Semi-detached	3-bed	9	2-storey
Type D	Terrace	3-bed	29	2-storey
Type E	Semi-detached	4-bed	28	2-storey
Type E1	Semi-detached	4-bed	2	2-storey

Apartment Block

32 apartment units are proposed with 8 one bed units and 24 two-bed units within a 4 storey block with underground car parking. 22 of the apartments are dual aspect (75%).

Duplex Block & Crèche

11 duplex units are proposed with 2 one bed units, 5 two-bed units and 4 three-bed units within a 3 storey block which includes the crèche (234 sq.m) at ground floor which has an associated area of open space to the rear at the northern end of the block.

Roads, Access and Parking

The proposal also includes the construction of a link access road between the Enniskerry and Glenamuck Roads with vehicular access points on both the Enniskerry and Glenamuck Roads. Provision is also provided for future access to lands to the north of the site. An additional pedestrian/cycle link is proposed to the south west of the site onto the Glenamuck Road with a possible future pedestrian link shown to the northeast. The access into the property known as Tra Dha Mhin has been realigned with a new access point and lands to be ceded to the owner of same.

It is also proposed to construct the Enniskerry Road and Glenamuck Road Junction Upgrade Scheme approved by Dun Laoghaire Rathdown County Council under Part 8. The attenuation pond and works for same is proposed on a site located on the opposite side of the Glenamuck Road.

In relation to car parking, 286 car parking spaces of which 196 are proposed for the houses, 44 for the apartment block, 17 for the duplexes and 17 for visitors and 11 for the crèche. Bicycle parking is proposed for the apartment block. The site is proposed to be serviced via connections to existing services with attenuation storage proposed on site for storm water management.

Three phases of development are proposed as follows:

- Phase 1 – Entrance from Enniskerry Road, 52 houses north/north-western corner, access roads, pocket park, large central open space and playground and construction of the Enniskerry Road/Glenamuck Road upgrade works including surface water retention pond adjacent to Glenamuck Road.
- Phase 2 – construction of 46 houses in south/southeastern corner, complete remaining section of link road and site access onto Glenamuck Road, parks, etc.
- Phase 3 – construction of apartment block and duplex block and crèche and communal garden playground adjacent to apartment.

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

Detail	Proposal
No. of Units	141 (98 houses, 11 duplexes, 32 apartments)
Site Area	4.5 hectares
Density	41.4 units net per hectare based on net area of 3.4ha
Building Height	Houses 2 & 3 storeys, Apartments 4-storeys, Duplexes 3-storeys
Public Open Space	4,710 sq.m (3,648 sq.m & 1062 sq.m.)
Car parking	286 spaces (2 spaces per housing unit, 1 space per one bed and 1.5 spaces per 2+ bed apartment)
Dual Aspect	22 (75%)

Apartments	
Bicycle Parking	17 spaces for the apartment building
Crèche	234 sq.m of floorspace with 225 sq.m of open space and 11 car parking spaces.
Part V	14 units

In addition to the drawings the application was accompanied by the following reports:

- Statement of Consistency with Planning Policy
- Statement of Response to the Notice of Pre-Application Consultation Opinion
- Planning Report
- Architectural Design Statement
- Universal Design Statement
- Verified View Montages and CGI's
- Infrastructure Design Report – Drainage and Potable Water
- Traffic and Transport Assessment
- Flood Risk Assessment
- Mobility Management Plan
- Design Process Traffic Management Plan
- Infrastructure Design Report – Roads
- Stormwater Impact Assessment
- Walking and Cycling Audit
- Stage 1 Road Safety Audit
- Construction and Environmental Management Plan
- Ecological Impact Assessment
- Appropriate Assessment Screening Statement Report
- Construction and Demolition Waste Management Plan

- Operational Waste Management Plan
- Arboricultural Report
- Outdoor Lighting Report
- Letters of Consent
- Part V Proposal Letter

4.0 **Planning History**

The following history on the site and adjoining lands is considered to be relevant:

4.1. **Reg. Ref. D16A/0054 (PL06D.247097)**

Permission REFUSED on appeal for construction of 139 residential units on the subject lands for the reason that the proposal would be premature by reference to the existing deficiencies in the road network serving the area of the proposed development and the period within which the constraints involved may reasonably be expected to cease, resulting in significant intensification of vehicular traffic on Glenamuck Road where deficiencies in capacity, width, alignment and structural condition of the road prevail.

4.2. **Reg. Ref. D08A/1408**

Permission REFUSED for demolition of two dwellings and construction of residential development of 50 units, one entrance from Glenamuck Road and 90 car parking spaces. Reasons related to inadequate quality of design, lack of feature building, visual impact of surface parking, compatibility with future phases and masterplan for the site.

4.3. **Reg. Ref. D07A/1545 (PL06D.227711)**

Permission REFUSED for demolition of two dwellings and construction of 250 units including 150 apartments in 5 blocks ranging from 4-5 storeys, 100 houses in 7 blocks all 3-storey comprising 16 three-bed, 46 four-bed and 38 five-beds. Reasons

related to traffic levels and deficiencies in existing roads, excessive density and height and inadequate sightlines at proposed entrances.

5.0 Section 5 Pre Application Consultation

5.1. Notice of Pre-Application Consultation Opinion – Ref. TC0028

A notice of pre-application consultation opinion was issued by the Board on 4th December 2017 under Section 6(7) of the Planning and Development (Housing) and Residential Tenancies Act 2016 following the submission of the application request on 10th October 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 the documents as they relate to the Enniskerry and Glenamuck Road upgrades proposed as part of the subject development. This consideration should include documentation showing, inter alia, timelines relating to design and construction stages of the road relative to the construction of the overall residential development; any proposed phasing arrangements and relevant letters of consent from landowners. The submitted documents should clearly outline that the road upgrade stage of development will be delivered in a timely and orderly manner. The further consideration of these issues may require an amendment to the documents and/or design proposals submitted.
2. Further consideration/justification of the documents as they relate to the density proposed in the proposed development. This consideration and justification should have regard to, inter alia, the minimum densities provided for in the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (May 2009) in relation to such sites. The inclusion, or otherwise, of open space within these calculations should be clearly justified at application stage.

3. Further consideration of the documents as they relate to Part V provision proposed in the subject development. This consideration and justification should address the location of the proposed Part V units, the mix and type of units proposed, indicative costs and all further details as required under article 297(2) of the Regulations of 2017. The further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

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. Ecological Impact Assessment (as referred to in the report of the Biodiversity Officer, attached to the Opinion of the Planning Authority).
2. Drainage details, having regard to the Drainage Planning report, attached to the Opinion of the Planning Authority dated 27th October, 2017 and consultation with Irish Water.
3. Indicative masterplan for the site and adjoining lands within Parcel 6B, having regard to the provisions of the Kiltiernan Glenamuck Local Area Plan 2013 and DMURS which clearly shows proposed pedestrian, cycle and vehicular linkages.
4. A site layout plan showing which areas are to be taken in charge by the Planning Authority.
5. Cross-sections, photomontages and any other information deemed relevant, showing proposed development relative to existing residential development in the vicinity.
6. Traffic Impact Assessment.
7. Site Specific Construction and Environment Management Plan (CEMP).

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 statement entitled 'Statement of Response to the Notice of Pre-Application Consultation Opinion' submitted with the application, the applicant's agent outlines a response to the matters specifically required by the Board which is summarised as follows:

5.2.1. Road Upgrades (Item 1)

The applicant states that the proposal is to be developed in three phases. The first phase includes 52 houses in the north/northwestern area of the site, in addition to services and internal roads it is proposed to construct the entirety of the Enniskerry Road/Glenamuck Road upgrade works including the surface water retention pond. It is also stated that the houses constructed as part of the Phase 1 will not be occupied prior to the completion of the Enniskerry Road/Glenamuck Road upgrade works. It is proposed to construct 46 houses in phase 2 as well as the completion of internal roads and services and in Phase 3 it is proposed to construct the apartment blocks (32 apartments), the duplex apartments (11) and the crèche in addition to completion of roads and services. Drawing 2306 0584 (Coady Architects) and drawings 5157801/EWE/DR/0441, 5157801/EWE/DR/0501, 5157801/EWE/DR/0520 (Atkins Consulting Engineers) provide details of the phasing.

5.2.2. Density (Item 2)

Reference is made to Section 5.11 of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Area as it relates to outer suburban/greenfield sites where the net density range is 35-50 units per hectare. It is stated that the net density of the proposed development is 41.4 units per hectares with the area of the site used for the purposes of calculating net density stated to be 3.406 hectares (gross site area is 4.5 hectares). A drawing from Coady Architects (2306 0580) outlines the areas excluded for the purposes of calculating the net density.

Reference is also made to the orderly development of the lands within Land Parcel 6B in the Glenamuck Local Area Plan 2013 of which the subject site is part and the requirement to have a comprehensive and master planned approach to the development of the land parcel that addressed access, including pedestrian access

and public open space. It is stated that while the applicants do not have control of the adjoining lands in the parcel that the Architectural Design Statement submitted contains an indicative masterplan showing how the application site relates and a possible development scenario of the entire parcel 6B including those outside the applicants control.

It is stated that the approach for the exclusion of the wider infrastructure elements (roads and open space) is in keeping with the approach set out in Appendix A of the Guidelines for PA's on Sustainable Residential Development in Urban Areas. The areas to be ceded to facilitate the road upgrade scheme and facilitates the construction of the local distributor road and the development of other sites within the area. Reference is also made to a decision made by the Board under Reg. PL06D.244520 which related to the calculation of density.

5.2.3. **Part V (Item 3)**

Consultation with the Housing Section of DLRCC undertaken and agreement has been reached on the Part V proposals with the transfer of 14 units which are shown on drawing 2360 0585 (Coady Architects).

5.2.4. **Specified Additional Information**

The following specified additional information was requested by the Board:

- Ecological Impact Assessment – ecological impact assessment attached with results of a winter assessment of bats, bat impact assessment and management plan for removal of Japanese Knotweed;
- Drainage Details – Stormwater impact assessment report attached;
- Indicative Masterplan – indicative masterplan of the lands included within Parcel 6B (LAP) included in the Architectural Design Statement;
- Taking in Charge – proposed that only the link road through the site required by the LAP will be taken in charge with all other roads, pathways and spaces to be maintained by a management company, Extent of link road to be taken in charge shown on drawing 2360 0581 (Coady Architects);
- Cross-sections, photomontages relate to existing residential development – Relationship of proposal to adjoining existing residential development shown on

the following drawings: 2360 0505, 2360 0506, 2360 0507, 2360 0510, 2360 0511, 2360 0512, 2360 0513, 2360 0514, 2360 0515, 2360 0516, 2360 0590 (Coady Architects),

- Traffic Impact Assessment – A traffic impact assessment has been included with the application;
- Site Specific Construction and Environment Management Plan (CEMP) – A site specific construction and environmental management plan has been 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 seeks to increase densities in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

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' (March 2018).

- ‘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. **Dun Laoghaire Rathdown County Development Plan 2016-2022**

The Dun Laoghaire - Rathdown County Development Plan 2016 applies. Kiltiernan is designated as a ‘future development area’ in the Core Strategy as outlined in Figure 1.1 of the Plan (Core Strategy Map). The subject site is zoned ‘Objective A’ in the current Dun Laoghaire - Rathdown County Development Plan, which seeks ‘to protect and/or improve residential amenity’. Residential development is ‘permitted in principle’ under this zoning objective while childcare service is ‘open for consideration’. There is a specific local objective – No. 40 – pertaining to the lands which seeks to develop the Kiltiernan/Glenamuck area in accordance with the policies and objectives of the adopted LAP. There is also a proposed quality bus/bus priority route running along the Glenamuck Road to the east of the site. In addition, there are six year road upgrade proposals on the Enniskerry and Glenamuck Roads. There are two protected structures in the vicinity of the site, Shaldon Lodge to the north and Rockville Lodge and House on the opposite side of the Glenamuck Road.

6.4. **Kiltiernan Glenamuck LAP 2013**

6.4.1. **Zoning and Strategy**

The subject site is zoned objective A, the objective of which is ‘to protect and/or improve residential amenity’. Primary objectives are outlined VO1-VO7 including V04 which seeks to guide sustainable development in order to establish the character of the two component areas that comprise the LAP. Broad framework and principles of development are included at Section 2.2 which objectives RE01-RE09 relating to residential development which includes RE03 which seeks to facilitate the provision of appropriate residential densities and a mixture of dwelling units, types and tenures taking into account proximity to public transport corridors, site topography, sites of archaeological interest/protected structures and natural features.

The site is part of a larger development land parcel referenced as 6B in the LAP. At section 2.2.2 of the LAP it is stated that *'development on Parcel No. 6b will be 40-45 du/net ha with heights of 2/3 storeys with four storey elements adjacent to major road alignments. An access loop road will be required to service these lands'*. In relation to the Golden Ball Cottages, it is stated *'that it is anticipated some small-scale infill development could occur and would be considered in accordance with relevant development management guidelines. An alternative scenario, where a number of the Cottages are acquired and the amalgamated lands developed as a single scheme may be considered by the Council. Development guidelines for Parcel No. 6 would apply in any such scenario'*.

Water Catchment Areas and Surface Drainage is outlined in section 3.1.5.

Residential development is addressed at Section 4 with residential addressed at section 4.2. The following is noted: *'the Council's approach to residential density must be consistent with Central Government's policy on sustainable residential development in urban areas, with particular regard to development within the catchment of high quality rail-based transport. Pressure to reduce residential densities, on a wholesale basis, regardless of whether the land is well located in relation to high quality rail-based public transport, and based solely on short-term market demand, has the potential to undermine the viability of public transport and the sustainable development principles of the County Development Plan and cannot, therefore, be supported by the Council'*.

Section 5 of the Plan deals with public transport and the road network which includes the 6 year road proposals for the Glenamuck District Distributor Road and the Glenamuck Link Distributor Road.

6.4.2. **Phasing**

Section 10 of the LAP states the following: *'at present, the area is serviced principally by Glenamuck Road and Enniskerry Road. The configuration, width and alignment of these Roads are not sufficient to accommodate the extensive areas of land available and zoned for development in the County Development Plan and the LAP. As identified in the LAP, new roads and, indeed, some upgrading of existing roads are required to facilitate the scale of development envisaged within the LAP area. These inter alia include the following:*

- *The new Glenamuck District Distributor Road.*
- *The new Link Distributor Road.*
- *Some upgrading of the existing Glenamuck Road – principally pedestrian/cycle facilities and the removal of the ‘pinch point’ at the Golden Ball end of the corridor’.*

Section 10.6 of the LAP provides for an interim proposal to accommodate development as follows:

Dun Laoghaire-Rathdown’s Transportation Department considers that up to 700 dwelling units could be accommodated on an upgraded existing road network (Phase 1). The development of additional units in excess of these 700 dwelling units would, however, require the construction of the Glenamuck District Distributor Road Scheme roads. The possibility exists that the GDDR Scheme could possibly be further phased with the Main Distributor Road being constructed first to be followed by the construction of the Link Distributor Road.

Outlined below are the recommended planning criteria to be used in the assessment of planning applications for development of up to 700 dwelling units (Phase 1).

Precedence will be given to applications for planning permission which best achieve and satisfy the following criteria:

- 1. Conformity with the Kiltiernan / Glenamuck Local Area Plan, 2013-2019, and which promote and facilitate the achievement of its vision and objectives.*
- 2. Demonstration of a high level of architectural quality and urban design and are sympathetic to the special character of Kiltiernan / Glenamuck.*
- 3. Achievement of local road / footpath improvement and traffic management measures.*
- 4. Consolidation of the existing development node at Glenamuck Road (northern section), including ‘The Park’ development at Carrickmines.*
- 5. Consolidation of Kiltiernan village.*
- 6. Planned within the context of an overall outline Master Plan for individual and affiliated land holdings (in order to prevent piecemeal development).*
- 7. Compatibility with later phases of development.*

- 8. Facilitation of the orderly development of adjoining property/land holdings.*
- 9. Proximity to the Luas Line B1 and within the catchment area for the Section 49 Supplementary Development Contribution Scheme for Luas Line B1.*
- 10. Availability of environmental services. Specifically, the Council will monitor and have regard to capacity at the Shanganagh Wastewater Treatment Works to ensure that wastewater from any proposed development in the LAP area can be accommodated in accordance with the Wastewater Discharge License for the Works.*
- 11. Incorporation of acceptable Sustainable Drainage System (SUDS) measures on each development site.*
- 12. Likelihood of early construction.*
- 13. Provision of an appropriate level of active and passive open space and community facilities. Specifically, the Council, in conjunction with the Department of Education and Skills, will have regard to the capacity of local schools to accommodate development, in accordance with the “Code of Practice on the Provision of Schools and the Planning System”*

To this end, the following is relevant in the context of Phasing:

Given the above-mentioned overall/general criteria, the following locations would generally be considered as part of Phase 1:

PHASE 1 (a) to comprise c. 350 dwelling units:

A. GLENAMUCK ROAD UPPER/NORTH PORTION (c. 200 dwelling units)

This area encompasses the lands designated as ‘medium-higher density residential’ at the northern section of Glenamuck Road.

B. NODE AT JUNCTION OF ENNISKERRY AND GLENAMUCK ROADS (c. 150 dwelling units)

This area includes the lands designated as ‘medium density residential’ to the east of the Enniskerry Road. Any proposed developments must include the improvement of Glenamuck Road.

In relation to surface water attenuation the following is noted:

In advance of the construction of the Regional Surface Water Attenuation Ponds it will be necessary to incorporate stringent Sustainable Drainage Systems (SUDS) measures on each development site. In particular for all sites whose site plan area is greater than 0.5 hectares (ha) or where the number of residential units proposed exceeds twenty (20) or whose proposed commercial area exceeds 500 square metres it is proposed to require the preparation of Stormwater Impact Assessments and Stormwater Audits.

6.4.3. Land Parcel 6B

This area has been designated for 'medium/higher density' residential development. The parameters for the development of land parcel 6B are set out in Section 11 of the LAP. The following are key considerations:

Density: 40-45 du/ha

Height: 2-4 storeys. Any four-storey element to be concentrated along the proposed main and link distributor roads, and/or at key entrances to the sites

Comments on 6B parcel:

- Is constrained by 220kv overhead powerlines
- Access to be provided off existing Glenamuck and Enniskerry Roads
- Requirement for local access loop road within the site- provisions to prevent rat-running
- Presence of Protected Structure (Shaldon Lodge) to be acknowledged.

6.5. Other Considerations

Part 8 approval for the upgrade of the Glenamuck Road/Enniskerry Road and removal of pinch point was approved by the Council in September 2017.

6.6. 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 complies with the objectives in the National Spatial Strategy and the Draft (now adopted) National Planning Framework;

- Site is undeveloped in an area designated for development sequentially proximate to existing and proposed commercial hub of Kiltiernan with proposal in compliance with Sustainable Residential Development Guidelines with a crèche proposed to support new population and is proximate and well connected to a range of existing facilities;
- Site is located c.1.5km from the nearest Luas stop with Guidelines recommending net densities of 50 dwellings per ha at rail stations/bus stops decreasing with distance away from such nodes;
- Reference is made to outer suburban/greenfield sites in Guidelines and density range of 35-50 units per hectare with proposed density 41.4 units per/ha;
- Architectural Design Statement examines proposal against 12 criteria in Urban Design Manual with proposal favourable in context of criteria;
- Proposal accords with Delivering Homes, Sustainable Communities Guidance with proposal providing a mix of dwelling types and scales with units addressing open spaces and gables enlivened;
- Proposal complies with Design Standards for New Apartments (2015) in terms of floor areas, private amenity spaces, floor to ceiling heights, dual aspect;
- Proposal complies with DMURS with street layout delivering a high place function with self-regulating street environment and high levels of permeability along streets, through open spaces and into adjacent masterplan lands and onto public roads;
- Crèche proposed in compliance with Childcare Guidelines;
- Proposal consistent with Smarter Travel through consistency of proposal with Transport Strategy;
- In compliance with Flood Risk Guidelines, assessment report concludes that there is no potential flood risk identified in the vicinity of the proposal;
- Proposal complies with Transport Strategy for Greater Dublin Area with provision of fully integrated pedestrian and cyclist links within the site with pedestrian links through and around the proposal facilitating connections to adjoining lands with Bus services in vicinity;

- Proposal complies with the plan vision, core strategy and sustainable communities strategy included in County Plan, in addition to the zoning objective and specific local objective;
- It is outlined that the proposal complies with the residential development policies and objectives outlined in the CDP such as the creation of new residential/mixed use sustainable communities at already identified greenfield growth nodes proximate to planned strategic public transport corridors;
- The development management criteria for quality residential design are outlined with the proposal stated to accord with same;
- In terms of public open space the requirement is between 4,420-8,840 sq.m with 4,710 sq.m provided in two locations with two pocket parks close to road boundaries facilitating retention of trees;
- The school, sports and community facilities within the area are outlined with the site conveniently located in proximity to same with proposal complying with policies relating to trees, woodland, greenway network, hierarchy of parks and open space;
- Noted that PA have previously stated that proposal comes within the 150 units indicated as being acceptable within Phase 1(b) in the LAP;
- Recommended 13 planning criteria set out in Section 10.6 to facilitate the development of Phase 1 (700 units) with applications which best achieve given preference with proposal stated to comply with same;
- Noted in relation to 'overall masterplan' that applicant does not have ownership of the adjoining parcels and the masterplan is the design teams interpretation of how the wider lands could be developed and facilitates the remainder of land parcel 6B to be appropriately and comprehensively developed. it also states that it specifically includes for road connections to adjoining lands within land parcel 6B and for the proposed open space to form part of wider open space areas within the land parcel;

7.0 Observer Submissions

Eight observer submissions were received by An Bord Pleanála. Appendix One of this report summarises each of the submissions received. Many of the issues were common to the submissions so the following provides a summary of the main issues arising:

- None of the issues raised in the previous reasons for refusal have been addressed;
- Concerns remain with capacity, width, alignment and site entrances even with proposed new junction layout;
- Delivery of units on the lands predicated on delivery of proposed Glenamuck District Distributor and Link Roads;
- Proposed link road not the local access loop road required in LAP with no provisions to prevent potential rat-running;
- Concern at sightlines at entrance onto Enniskerry Road;
- Proposed access to Glenamuck Road has deficient sightlines;
- Improvement of small section of the road may not improve the issues on the Glenamuck Road;
- Roads are already congested at peak times with proposal creating more traffic on both already congested roads;
- No engagement from applicant with adjoining property owners with engagement an objective of the LAP;
- Proposal ignores precedent of setback of cottages and Glencarrick and concerns at setbacks in refusal
- Impact of proposal on residential amenity of Saint Anne's;
- Height of proposed units to rear of Golden Ball Cottages;
- Concern at boundary treatment to Golden Ball Cottages;
- Impact on local schools questioned given existing schools in area small and over-stretched;

- Request amendments made to proposal to incorporate both the foul water and surface water drainage needs of Glencarrick and Rockalnds into the wider development;
- Boundary treatment to Glencarrick;
- Retain Tree No. 98
- Impact on residential amenity of Shaldon Lodge particularly given gradients;
- Proximity of crèche/duplex building to boundary and impact of same with changes requested;
- Sycamore tree (No. 29) should be retained and given 9m clearance;
- Boundary treatment along boundary with Shaldon Lodge;
- Proposal materially contravenes Local Area Plan in relation to density, height and refusal to engage in masterplanning;
- Concerns regarding location and design of retention pond;
- Right of way through the site to Tra Dha Mhin has not been formally shown on any of the layouts, has not been agreed with lack of engagement;
- Land now shown to be ceded in brown (Drawing 0506) conflicts with grassed area shown on Landscape Masterplan;
- No proposals for security of property, interface between property and public using entrance;
- Elevated roadway will detract from semi-rural environment;
- Appears intent of application is to include the junction upgrade works with letter of consent included but no details of the road improvement works included;
- Attractive views from Golden Ball Cottages obliterated by removal of hedgerows and construction of 2m high block walls and this should be addressed;
- Surprise applicant has developed a detailed and extensive masterplan covering an extensive area outside their site without any consultation/engagement;
- Masterplan only relates to 5B and 6B of the LAP but areas 5A & 6A should be included north of GDDR to allow for design of integrated services and SuDS;

- Potential access point to lands to the east but proposal does not facilitate such a connection in vicinity of access to apartment block with such vehicular and/or pedestrian/cycle connections desirable;
- Potential for integration of open space provision fronting the Glenamuck Road and ecological corridors;
- Footpath on northern side of Glenamuck Road terminates at no particular rational point stopping short of main vehicular entrance and should be extended to full extent of northern side of Glenamuck Road;
- Allocation of units to LAP lands should be allocated to Area B with observer looking for equity in treatment of allocation of development capacity;
- Calculation of net density references open space serving wider area but no connectivity of open space;
- Proposal at 5 storeys/6 storey equivalent adjoining observer is a material breach of the LAP;
- Significant overlooking and potential overshadowing from apartment block of the proposed scheme being prepared to the east;
- Concern expressed in relation to manhole cover levels, storm water attenuation, site investigations and outfall.

8.0 Planning Authority Submission

8.1. Overview

The planning authority, Dun Laoghaire Rathdown 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 15th March 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 Area Committee Meetings held on 26 February 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.

8.2. Views of Elected Members

The views of the Elected Members of the Housing, Economic Development, Community and Cultural Development, Planning and Infrastructure and Climate Change Business, Area Committee was outlined at a meeting held on 26th February in Dundrum. The following is a summary of the views expressed:

- Concern regarding water pressure on the Glenamuck Road;
- Ransom strips should be avoided with the Council to take change of roads up to site boundaries, in particular into the Golden Ball Cottages and Rocklands and Glencarrick sites;
- Welcomes residential mix and acknowledges family friendly layout;
- Fits well into context;
- Open Space welcomed;
- Concern with tree loss esp. on northern boundaries;
- Maximise existing tree and hedgerow retention and protection;
- Concern with position of apartment block on site as will read higher than 4-storey;
- Good quality development;
- Need increased provision of roads and footpaths;
- Concern with adequacy of sight lines on Enniskerry Road;
- Capacity of Glenamuck Road entrance to deal with crèche drop offs;
- School availability for future children in development;
- Sylvan character of area changing and loss should be reduced;
- Concern regarding size and quality of the open space;

8.3. 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:

- National and local policy context outlined;
- Proposal consistent with zoning, needs to be assessed against RPG's and DLRCC Core Strategy which identifies Kiltiernan as a 'future development area';

- Proposal has a stated net density of 41.4 units per hectare based on exclusion of public open space, link road, connections to adjoining lands, road upgrades, land ceded to others and areas for retention of trees;
- Inspectors Report on PL06D.249144 makes references to table 4.1 in LAP where gross area for each parcel is reduced by 30% to get net area and used by applicant to argue density calculation but PA have different interpretation;
- Table relates to wider land parcel areas and included in LAP to indicate overall number of units to be delivered in plan area with compliance with national policy regarding density outlined in section 4.2 of the LAP;
- Considered density calculation should be as per Guidelines on Sustainable Residential Development in Urban Areas which does not exclude roads, open space unless they serve wider area with open space serving proposed development and not wider area, appropriate to exclude spine road, works to Glenamuck Road and grove of trees as these serve wider area;
- The appropriate net site area is 3.77 ha with density of 37.38 units per ha under the stated density of 40-45 units per ha;
- Considered reasonable that opportunity to increase density is explored with omission of semi-detached units to southeast (B49, B50, B51, B1-52, E1-53, E54) which can be omitted by condition and replaced with apartments/duplexes subject to a future application;
- Proposed mix strongly skewed towards semi-detached units with 3-beds with only 28% one & two beds with CDP stating 55% of households in County consists of one and two persons in 2011 census;
- No courtyard type housing and beneficial is quantum of other dwelling types could be increased such as apartments, duplex and courtyard type with an improved mix increasing density with replacement of units noted above providing opportunity;
- Considered subject proposal in addition to proposal permitted under Ref. D17A/0793 and Part 8 scheme of 15 units at Cromlech Close can be accommodated within Phase 1A(b) of LAP;

- Considered previous refusal has been overcome with delivery of upgrade works to junction part of Phase 1 of scheme;
- Appears to be discrepancies in drainage drawings submitted with regard to site levels with conditions recommended to clarify;
- Considered restricted flow from site of 20.5l/s will not affect capacity of receiving system to any significant extent and condition of existing pipes system to be dealt with by condition as are other issues raised by 3rd parties;
- Noted that ditch currently taking runoff from Glenamuck Road but that as part of Part 8 scheme a new surface water sewer will be laid on Glenamuck Road to a regional pond located on far side of Road;
- Full detailed design of Part 8 scheme requested by way of compliance condition;
- Transportation Dept. conditions on Part 8 noted but considered that given what is proposed is identical to Part 8 that a number of simpler conditions proposed;
- Phasing programme noted but considered that 52 houses proposed in Phase 1 should not be occupied until completion of upgrade works;
- Road link to future development lands to north proposed but intentions of landowner unknown;
- Amendment proposed to boundary treatment to include gates to facilitate proposed and future permeability with condition recommended ensuring provision of links up to site boundary with no ransom strip remaining;
- Signage required for one-way system in apartment building;
- Access road to apartments should be shown to continue to site boundary with no ransom strip and constructed to taking in charge standard to ensure future connectivity to wider 6B lands;
- As site is first in 6B lands importance of ensuring connectivity and compliance with the LAP of utmost importance with number of access roads and home zones in close proximity to site boundary but not continued to the boundary;
- Revised details required provision of Stop line road marking at back of upgraded/new footpath at new vehicular entrances to maintain pedestrian priority;

- Conditions proposed based on recommendation of the Design Process Traffic Management Plan and Stage 1 Road Safety Audit;
- Condition required requesting applicant undertake in writing that car park spaces are sold off with units and not sold separately or let;
- Bicycle spaces should be covered, secure and correctly designed;
- Insufficient detail submitted to demonstrate provision of an accessible shared pedestrian and cycle link from development onto the Glenamuck Road;
- Larger 3-storey duplex units and 4-storey apartment building sits across the more steeply sloping contours;
- LAP states 2-4 storeys may be appropriate at entrances to sites and while not at the entrance the apartment block is close to the entrance on the Glenamuck Road and at a low level of the site with proposed heights in accordance with Building Heights Strategy in CDP and those identified in LAP for land 6B;
- Concern re. relationship and design of houses D01, D02, D03 fronting Enniskerry Road with existing Saint Anne's with redesign required and unit D01 reduced to one storey with revised drawings;
- Concern re. relationship and design of proposed duplex and crèche and proximity to boundary with Shaldon Lodge with set back of 4m required to reduce impact;
- Insufficient details on extent of proposed retaining structure at location between duplex units and units B75-B82 (SD) with full details required;
- Concern that home zone areas as streets are not continued to site boundaries and access to adjoining lands within wider 6B not utilised with number of roads not proposed for taking in charge which may pose future issues with connectivity;
- Proposed access route to apartment block requires redesign to ensure future connectivity to the lands to the northeast;
- Road terminating at house E54 (next to Rocklands), road in front of crèche and home zone to front of B13, B14, B17 & B18 should be continued to boundary with all taken in charge, a compliance condition required with no ransom strip remaining with Board asked to address this issues as connectivity critical to the future development of the wider 6B land parcel;

- 24 apartments (75%) are dual aspect and lift cores serving 4 units acceptable, confirmed pallet of finishes is required by way of compliance condition;
- Details of screening of terraces to rear of duplex units required;
- Inclusion of natural play area in central open space welcomed and request it be extended and formal play area omitted;
- Open space not shown to be taken in charge with universal access required;
- Trees proposed for retention welcomed but Parks Department request that tree group 75-91 should be retained but noted as location of vehicular entrance, previously accepted under previous application with access in accordance with LAP and on balance layout showing retention of significant number of trees;
- Recommend a condition is attached requiring applicant explore if existing hedging can be retained can be retained with an alternative boundary in order to protect visual amenities;
- Part V condition requested;
- Phasing proposal acceptable subject to occupation of dwellings in phase 1 dependent on delivery of road upgrade works;
- Adequacy of street lighting at proposed entrances not addressed;
- Taking in charge drawing to include future potential links road and open space;

8.4. Response to Prescribed Bodies/Observers

Section 9 of the report summarises the views of the two prescribed bodies and 8 observers. This summary of similar to that outlined in Section 7 above.

8.5. Other Technical Reports

8.5.1. Drainage Report

- Drawing No's 506 & 550 & 560 do not show any referenced level datum;
- Drawing No. 512 (Section F-F) does not show referenced level datum for the access road;

- States that whatever methodology applied there is a conflict in the figures applied to calculate road levels and stated that in the absence of further information that it cannot be resolved as part of the report and may have to be addressed by the Board in a manner in which they see fit;
- Using referenced road level datum at manhole S142 of 117.40m (as its shown on a number of drawings) to proceed with rest of report;
- Cover level of MH S141 shown as 117.40 on Atkins drawing 5057801/HW/501 but conflicts with the ground (approx.. cover levels) of 116m on Coady drawing 540 & 541;
- If 116.00 m level is correct surface water sewer run S138-S141 cannot be constructed to drain to Attenuation Tank B and while reversal of flow from S138 to S140 to S93 may be possible it would involve increase in storage volumes in attenuation system A and in absence of FI cannot be resolved in this report with a proposed condition outlined;
- Restricted flow from the site of 20.5 l/s will not affect the capacity of the receiving system to any extent with condition of existing pipes to be addressed by condition;
- Ditch currently takes runoff from Glenamuck Road and as part of upgrade scheme a new surface water sewer is proposed to regional pond beyond the application site with run-off from the site flowing to regional pond;
- Atkins Drawing 5157801/HQ/501 mislabels tank in Catchment B 'Catchment A' and mislabels Catchment A tank 'Catchment B';
- Concerns were raised at pre-planning about location of attenuation tank for Catchment B (in close proximity to boundaries) and the tank for Catchment A with DLRCC requiring provision for infiltration if ground conditions permitted and depending on ground conditions encountered the type of tank is to be revised;
- Provision of a foul drainage connection from existing properties adjoining the site to an existing or future public foul sewer is a matter for the property owners and Irish Water and noted that there is no requirement for the applicant to lay a foul sewer along this section of the Glenamuck Road;

- In the absence of any evidence that surface water drainage from adjoining properties is linked to application site that best dealt with as a civil matter;
- 15 conditions are recommended which are summarised in section 8.6 below.

8.5.2. **Parks and Landscape Services**

- Tree no. 48, an Austrian pine, is within an important grove of coniferous trees. Trees 47 and 53 also worth maintaining as part of this grove with plan showing encroachment on root protection area on three sides of the grove;
- Present proposed arrangement does not make enough effort to protect this group of trees in its entirety;
- Other trees worth noting are collection of birch trees at north eastern corner – 9 B2 category silver birch trees (75-91) with greater effort required to preserve them;
- First dwelling unit at entrance at Glenamuck Road presents a gable end to the road and turning the unit would create a more satisfactory arrangement as it is a prominent and important building;
- Scope of natural play elements should be expanded and arranged to take advantage of the existing elevation on the site;
- Formal playground should be omitted;
- 1:3 slope of proposed bank too steep for maintenance and should be changed to a gentler gradient (1:4/1:5);
- Concern at inclusion of steps at southern end of space given requirement for universal access:
- While scheme addresses some concerns, concerns remain regarding trees;
- If permission granted conditions recommended relating to the items outlined above;

8.5.3. **Biodiversity**

Conditions recommended relating to

- Mitigation measures in Ecological Impact Assessment;

- Timing of vegetation clearance;
- Examination of buildings and trees prior to demolition/felling for evidence of bats by a bat specialist; NPWS derogation licence in advance of demotion/felling; programme for timing and implementation of bat mitigation measures and conditions of NPWS licence; Implementation of compensatory measures under supervision of bat specialist; letter from bat specialist submitted to PA prior to commencement of development;
- Updated Construction and Environmental Management Plan including measures to avoid runoff, incorporation of site specific biosecurity issues and invasive species management plan; measures relating to bats;

8.5.4. **Traffic and Transportation**

- Part 8 scheme currently developed to preliminary design level and will require to be further developed to full detail design level before scheme can progress to construction with design details to be agreed with various departments in DLRCC including road construction, drainage, public lighting, signal controls, landscaping etc;
- Regional attenuation pond shown on Drawing 5157801/HTR/DR/0001 within redline and design layout of the pond is preliminary. The detailed design of the attenuation pond while included within Glenamuck District Distributor Road Scheme will not be determined prior to determination of subject application and scope of work is to be agreed with DLRCC;
- Formal agreement required with DLRCC for the implementation of the junction upgrade scheme;
- Condition required so that housing not occupied prior to completion of upgrade works;
- LAP (S.10.6) facilitates development of 700 units on an upgraded road network prior to construction of the Glenamuck DDR. Upgrade scheme traffic analysis (PC/IC/01/17) concludes upgrade scheme at Golden Ball junction can cater for both increase in background traffic and additional development traffic of up to 1050 units across LAP phasing map areas;
- Intentions of landowner unknown into whose land future link road to north shown;

- Consideration of amendment to proposed boundary treatments such as inclusion of gates to facilitate proposed and future potential permeability connections recommended;
- Signage for a one-way traffic system in apartment building required;
- Outward opening doors in bin store and plant room in apartment block should be inward to avoid conflict with pedestrians;
- Parking spaces for residential units to be sold off with the units;
- Applicant to prevent parked vehicles at the parking spaces overriding the pathways;
- Bicycle spaces to be covered, secure and correctly designed;
- E-car supply layout;
- Insufficient detail submitted to demonstrate provision of an accessible shared Pedestrian and Cycle Link from the development on to Glenamuck Road;
- Street lighting details;
- Revised details showing STOP line road marking at back of the upgraded/new footpath at the new vehicular entrances to maintain pedestrian priority;
- Design Process Traffic Management Plan for construction phase;
- Conditions recommended reflecting the matters addressed above;

8.5.5. **Housing**

- On site proposal capable of complying with the requirements of Part V subject to agreement on land values and development costs and funding being available;
- Detailed submission required post planning with Part V condition recommended;

8.5.6. **Waste Management**

- Happy with general contents of the Outline Construction and Demolition Waste Management Plan subject to a number of issues being addressed including submitting of a detailed CDW Plan;
- Happy with general contents of the Outline Operational Waste Management Plan with condition proposed for a detailed Plan;

- Requirement for a Noise Management Plan;

8.6. Recommended Conditions

A suite of 58 conditions is proposed and included at Section 14 of the Report. A summary of same is outlined as follows:

1. Control on development as approved;
2. Units B49, B50, B51, B1-52, E1-53, E54 omitted and a new application to ensure net density reaches 40-45 units per hectare;
3. Unit D01 reduced to single storey with revised drawings;
4. Crèche building set back 4m from northern boundary with revised drawings;
5. Design of proposed retaining structure between duplex units and units B75-B82;
6. Details of screening of terraces at first floor level to rear of duplex units;
7. Detailed design of proposed upgrade works to Enniskerry/Glenamuck Roads junction upgrade scheme and associated attenuation pond to be agreed in writing (noted that DLRCC will provide preliminary design detail to the applicant to facilitate the commencement of design upgrade work);
8. No dwelling to be occupied until upgrade works completed;
9. Roads (list outlined) to be continued up to site boundaries with no ransom strips;
10. Green verges not considered as conditioned open space;
11. Full details demonstrating provision of an accessible pedestrian route along the Glenamuck Road and Enniskerry Road frontage;
12. Recommendation of Stage 1 Road Safety Audit carried out at developer's expense;
13. Cycle parking areas designed in accordance with DLRCC standards;
14. Parked vehicles at car parking spaces shall not override pedestrian walkways;
15. Revised details showing provision of a stop line road marking at entrances;
16. All development works to be designed to taking in charge standards;

17. Underground services situated under impermeable pavements types with required insitu concrete kerb restraints;
18. Proposed lighting at entrances;
19. Detailed construction management plan;
20. Updated construction and environmental Management Plan (with specific requirements outlined);
21. Construction Waste Management Plan;
22. Construction Traffic Management Plan (with specific requirements outlined);
23. Reassessment and probable re-design of elements of surface water drainage layout (with specific requirements outlined);
24. Additional site investigation results at location of proposed attenuation tanks (detention basin) and (Adjacent apartment block) and construction details;
25. CCTV survey of existing surface water sewer;
26. CCTV survey of as constructed surface water pipes to be taken in charge or bigger than 225mm;
27. Full details of attenuation storage systems;
28. Full details of green roofs with clarification on area to be provided;
29. Supporting calculations demonstrating how the interception and treatment volume requirements (if requires) of entire site are being achieved.
30. Prior to first occupation of Phase 1, surface water drainage proposals including attenuation storage and surface water system serving phase 1 but located in phase 2 areas to be completed;
31. Draft wayleave agreement in favour of DLRCC for sections of carriageways not shown to be taken in charge;
32. Longitudinal sections of surface water sewerage system;
33. Road levels at proposed ramp to car park serving apartment block demonstrating emergency flow (flood) routes can be managed;
34. Confirmation that detention basin and swales designed in accordance with SuDS Manual;

35. Details of proposed headwalls at detention basin with enhancements to soften appearance;
36. Retain trees – 48, 47 and details of how encroachment on the RPA's of this grove is addressed;
37. Revised landscape proposals designed to taking in charge standard with central open altered;
38. Detailed design of hard and soft landscaping areas;
39. Tree and Hedgerow Bond of €75,000
40. Qualified arborist to be employed for entire construction period;
41. Details of foundation/works with root protection areas;
42. Landscape Architect to be employed for entire construction period;
43. Part V
44. Alternative boundary treatment between rear garden areas of E48-D26 and land parcel 7;
45. Mitigation measures in Ecological impact assessment report to be implemented;
46. Vegetation clearance and tree removal outside of bird season;
47. Mitigation measures related to bats;
48. Archaeology – pre-development testing;
49. Each unit used as a single dwelling unit and not sub-divided;
50. Street naming and house numbering scheme;
51. Details of external finishes;
52. Public services to be underground;
53. Works to the public road at applicants expense and to taking in charge standards;
54. Road Opening Licence;
55. Areas to be taken in charge to be agreed and to be clearly detailed on a layout map;

56. Hours of Construction

57. Financial Contribution

58. Financial Contribution towards the cost of the Glenamuck District Distributor Road Scheme and Surface Water Attenuation Ponds Scheme.

9.0 **Prescribed Bodies**

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

9.1. **Transport Infrastructure Ireland (TII)**

The submission from the TII is summarised as follows:

Proposal to be undertaken in accordance with the recommendations of the Transport Impact Assessment and Road Safety Audit submitted with any recommendations arising incorporated as conditions. Any additional works required as a result of either the TIA or RSA should be funded by the developer.

9.2. **Department of Culture, Heritage and the Gaeltacht – Development Applications Units**

The submission from the Development Applications Unit is summarised as follows:

Noted proposal large in scale and located in an area of high archaeological potential with the Department recommending that a condition is attached requiring pre-development testing in advance of the commencement of any construction.

10.0 **Assessment**

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 and Parking
- Residential Amenity
- Surface Water Management
- Ecology
- Other Matters
- AA Screening

10.1. Principle of Proposal

10.1.1. Zoning

The site is zoned for residential development with a crèche open for consideration in the zone and in this regard I consider that the proposed development complies with the zoning objective.

10.1.2. Phasing

While this matter is principally related to the road network which is discussed separately below in relation to traffic etc. I consider that the matter of the phasing of the proposed road upgrade and the phasing of units as outlined in the LAP and the acceptability of a certain amount of units in advance of more strategic infrastructural improvements is a matter of principle.

Firstly, the phasing of the proposed road upgrade, in the Opinion issued the Board sought that the documentation submitted should clearly show the timelines relating to the design and construction stages of the road relative to the construction of the overall residential development; any proposed phasing arrangements and relevant letters of consent from landowners. It was also required that the submitted documents should clearly outline that the road upgrade stage of development will be delivered in a timely and orderly manner. In response the applicant states that the proposal is to be developed in three phases. The first phase includes 52 houses in the north/northwestern area of the site, in addition to services and internal roads it is proposed to construct the entirety of the Enniskerry Road/Glenamuck Road upgrade works including the surface water retention pond. It is also stated that the houses

constructed as part of the Phase 1 will not be occupied prior to the completion of the Enniskerry Road/Glenamuck Road upgrade works. I consider that this is a reasonable response to the requirement and if the Board are minded to permit the proposed development that a condition is attached to any grant of permission requiring compliance with same.

Section 10.6 of the LAP provides for an interim proposal to accommodate development of up to 700 dwelling units on an upgraded existing road network referred to as (Phase 1). In order to comply with this phase, recommended planning criteria of which there are 13, are outlined which it is stated will be addressed in the assessment of planning applications for development of up to 700 dwelling units (Phase 1). I would note that the first of the 13 criteria is the requirement for conformity with the Kiltiernan / Glenamuck Local Area Plan, 2013-2019, and which promote and facilitate the achievement of its vision and objectives. I consider that in principle having regard to the zoning as outlined above, that the proposal complies with same. While the criteria are addressed, where relevant, elsewhere in this report and are set out for the Board's information at section 6.4 above, subject to the development complying with same which I will address elsewhere, in principle I consider that the proposed development is specifically planned for in the context of phase 1(a) which provides for c.350 dwellings in two locations which are *A. GLENAMUCK ROAD UPPER/NORTH PORTION (c. 200 dwelling units) which is described as an area encompassing the lands designated as 'medium-higher density residential' at the northern section of Glenamuck Road and B. NODE AT JUNCTION OF ENNISKERRY AND GLENAMUCK ROADS (c. 150 dwelling units) which is stated as including the lands designated as 'medium density residential' to the east of the Enniskerry Road. Any proposed developments must include the improvement of Glenamuck Road.* These are the subject lands as outlined on the Phasing Map included in the LAP. Therefore, in this context and subject to compliance with the relevant 13 criteria I consider that in principle the proposal can be accommodated on an upgraded existing road network. I note the comments of the observer who owns land to the east and to their request for an equitable allocation of the units in this Phase. Such allocation, I would suggest, is not a function of the Board.

10.1.3. Masterplan

One of the 13 criteria referred to above for compliance with Phase 1 of development relates to Masterplans and requires that the development is (6) planned within the context of an overall outline Master Plan for individual and affiliated land holdings (in order to prevent piecemeal development). I would also note that two further criteria are related to this those being (7) compatibility with later phases of development and (8) facilitation of the orderly development of adjoining property/land holdings.

Firstly I would note that the requirement is an outline masterplan for individual and affiliated landholdings. I would suggest that the affiliated landholdings in this instance are the other lands within the 6B parcel. I note the request in the Board Opinion for the submission of an indicative masterplan for the site and adjoining lands within Parcel 6B, having regard to the provisions of the Kiltiernan Glenamuck Local Area Plan 2013 and DMURS which clearly shows proposed pedestrian, cycle and vehicular linkages. An indicative masterplan has been submitted and is included as part of the Architectural Design Statement (figure 52 pg 34). I would note that in response to the requirements in relation to density the applicant states that reference is also made to the orderly development of the lands within Land Parcel 6B in the Glenamuck Local Area Plan 2013 of which the subject site is part and the requirement to have a comprehensive and master planned approach to the development of the land parcel that addressed access, including pedestrian access and public open space. It is stated that while the applicants do not have control of the adjoining lands in the parcel that the Architectural Design Statement submitted contains an indicative masterplan showing how the application site relates to the possible development scenario of the entire parcel 6B including those outside the applicants control.

A number of observers set out their concerns at what they consider was a lack of engagement with adjoining landowners. While I would suggest that engagement with adjoining landowners would have provided a more collaborative approach neither the Boards requirement nor the LAP outline the nature of the process required with the Board requiring an indicative masterplan and the LAP requiring an outline masterplan. In this regard I would suggest that there is no statutory requirement to undertake engagement. I would suggest that it is for the Board to assess the contents of the masterplan submitted in the context of what it was required to do, both in the opinion and the LAP which the Opinion references.

As noted, the LAP requirement seeks that development is planned within the context of an overall outline Master Plan for individual and affiliated land holdings (in order to prevent piecemeal development), in addition to the LAP the Boards opinion includes compliance with DMURS which clearly shows proposed pedestrian, cycle and vehicular linkages. The site forms part of a larger parcel of land referred to as 6B. I would note that the masterplan indicates primary internal roads with the proposed loop road to the site shown. In addition internal roads are shown from the northern boundary of the site with two accesses shown into the adjoining lands to the north. In relation to vehicular access points, the proposed site layout plan shows a proposed access into the property known as Tra Dha Mhin and a possible future vehicular link into the property holding known as Long Meadow. While I note that two vehicular accesses are shown I would suggest that if the Board are minded to grant permission, that it would be appropriate that in addition to the main spine road, that the verge along the northern boundary also be taken in charge in order to facilitate the provision of options for the location of a future vehicular access point.

In relation to pedestrian/cycle routes, the masterplan shows two proposed access points for same along the northern site boundary, one into the lands to the east and another along the Glenamuck Road. In the proposed site layout plan, the shared pedestrian and cycle link is shown onto the Glenamuck Road, there are two proposed pedestrian/vehicular links on the northern boundary but there is no link shown along the eastern boundary of the lands. This is a significant omission in my opinion. While shown, quite rightly I would suggest in the context of DMURS and the Urban Design Manual, in the masterplan the site layout plan does not provide any potential connection to the lands to the east. I would note that the absence of such a connection along the eastern boundary was raised by the agents for Victoria Homes who own the lands to the east and whom I note also reference the need to plan ecological corridors within the context of the masterplan lands. I would suggest to the Board that a revised site layout plan is required for the proposed development in this area of the site which provides for a pedestrian/cycle connection right up to the boundary. Whether this can be done by condition or would require a material redesign is a matter which requires consideration and which I address below in the context of connectivity.

I would also note that the site layout plan does not show all proposed connections to adjoining lands right up to the boundary with some roads falling somewhat short of the boundary and in some cases strips of open space separating the boundary from the connection creating ransom strips. I would note that the Roads Layout for the site does show some of the roads up to the boundary but there appears to be a lack of consistency between the Roads and Architects drawings in this regard. The failure to show connections to boundaries is not acceptable and if the Board are minded to grant permission this requires a revised specific taking in charge plan.

Specifically in respect of the lands to the north, I would note that a vehicular access connection is proposed to the north but as pointed out by the Planning Authority it accesses into the lands of a small residential site rather than a larger holding. While this is the case, I would suggest that the owner of this property should in the context of the development of their land be required to continue this connection into adjoining lands. Level changes are stated to make vehicular connections further northeast more challenging however I would suggest that given the works proposed on the site to facilitate access to the crèche that the road could possibly be continued to the boundary at this location to facilitate a potential future access into the rear of the lands currently occupied by Shaldon Lodge. I consider the site survey and site sections across the site terminate at the site boundary thereby not facilitating a clear indication of the actual level change at this location.

Many of the observations refer to the lack of engagement and lack of connection to the Golden Ball Cottages located to the west of the application site. Firstly, I would note that the Golden Ball Cottages are not within Land Parcel 6B. They are within a defined land parcel of their own referenced as Land Parcel 7. I note that the specific considerations set out in the LAP for land parcel 6B do not reference the Cottages. However, section 2.2.2 of the LAP states in relation to the Golden Ball Cottages, *'that it is anticipated some small-scale infill development could occur and would be considered in accordance with relevant development management guidelines. An alternative scenario, where a number of the Cottages are acquired and the amalgamated lands developed as a single scheme may be considered by the Council. Development guidelines for Parcel No. 6 would apply in any such scenario'*.

So while the specific considerations set out for land parcel 6 do not reference the cottages, the LAP does reference the potential for access from land parcel 6B. The

parameters for land parcel 7 state that the type of development envisaged includes either infill residential development subject to criteria for backland development with the potential existing for land parcel assembly and subsequent development. In terms of access in terms of access from the Enniskerry Road it states that it would be preferable to reduce the number of access driveways at this location. It also states that any adjacent development incorporating a new access road to the rear of the cottages would enable development of the back gardens. While the potential for access from the application site may exist no evidence of any proposed amalgamation of units or rear gardens has been advanced. There is no indication in the observation from the residents of the Cottages of how many of the units are amenable to such development. However, I would note, that if the Board are minded to grant permission, that the layout as proposed may provide a solution in that access to the rear of the cottages by way of the homezone created between Units 11-18 provides for the potential of access into the rear of Saint Anne's which adjoins the cottages and which is also within Land Parcel 7. Again this road should be included in the taking in charge drawing right up to the boundary if the Board are minded to grant permission.

10.2. **Development Strategy**

While the previous section addresses the principle of the proposal and the issues raised in relation to the phasing of the proposed development and the masterplan prepared to inform the development, this section addresses the development strategy of the proposal before the Board which is outlined as follows:

- Density and Mix
- Connectivity DMURS
- Open Space
- Boundary Treatments and Trees

10.2.1. **Density and Mix**

Firstly, I would note that Kiltiernan has been designated as a 'Future Development Area' in the Core Strategy set out in the Dun Laoghaire Rathdown County Development Plan 2016-2022. Secondly, the CDP includes a specific objective for a

proposed quality bus/bus priority route running along the Glenamuck Road to the east of the site. The 44 Dublin Bus Service currently operates along the Enniskerry Road with another service serving Dun Laoghaire (63). An additional service, the 118 provides one/two daily services to Eden Quay. I would also note that the Luas is located 1.5km from the site. Therefore, given the designation of area as a future development area and the proposed bus priority route, seeking to achieve sustainable density is a priority in my opinion. This site is also one of the first substantial sites within this area and within this parcel of designated land and therefore the density permitted on it will establish a precedent for other parts of the land parcel and beyond. The applicants in their documentation consider section 5.11 of the Sustainable Residential Guidelines applies to the site. This is the section relating to outer suburban/greenfield sites where densities of 35-50 are appropriate and while the site may arguably comprise such a site I would argue that section 5.8 which refers to public transport corridors would be more appropriate. Section 5.8 refers to land within existing or planned transport corridors. In order to achieve the quantum of development required to make such planned corridors viable higher densities must be sought with this section of the guidelines seeking minimum net densities of 50 units per hectare but with a provision that minimum densities can be specified in LAP's. In this regard, the LAP sets a minimum density of 40-45 hectares. I would also note that the recently publishes Sustainable Urban Housing: Design Standards for New Apartments provide flexibility in the provision of for example car parking.

The opinion which issued from the Board following the pre-application consultation process required further consideration/justification of the documents as they relate to the density proposed in the proposed development. This consideration and justification should have regard to, inter alia, the minimum densities provided for in the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (May 2009) in relation to such sites. It also stated that the inclusion, or otherwise, of open space within these calculations should be clearly justified at application stage.

In response the applicant refers to section 5.11 of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Area as it relates to outer suburban/greenfield sites where the net density range is 35-50 units per

hectare. It is stated that the net density of the proposed development is 41.4 units per hectares with the area of the site used for the purposes of calculating net density stated to be 3.406 hectares (gross site area is 4.5 hectares). A drawing from Coady Architects (2306 0580) outlines the areas excluded for the purposes of calculating the net density. It is stated that the approach for the exclusion of the wider infrastructure elements (roads and open space) is in keeping with the approach set out in Appendix A of the Guidelines for PA's on Sustainable Residential Development in Urban Areas. The areas to be ceded to facilitate the road upgrade scheme facilitates the construction of the local distributor road and the development of other sites within the area. Reference is also made to a decision made by the Board under Reg. PL06D.244520 which relates to the calculation of density.

I would suggest to the Board that the approach set out at Appendix A is the most appropriate way of interpreting density. This facilitates the exclusion of major and local distributor roads and open spaces serving a wider area. In this regard, I would note that the referenced decisions from the Board both interpret density on the basis of a 30% reduction in area as espoused in Table 4.1 of the LAP. This table refers to areas/extent of residential and includes a column entitled net area (ha) less 10% OS & 20% (roads and services) which I would note is a 30% reduction on the land area. A further column then calculates the number of units in for example 6B as providing 550-630 units which is based on the area 14 ha multiplied by both 40-45 that being the proposed density per hectare for these lands.

I would refer the Board to the response of the PA to this approach in their opinion. They state that the table relates to the wider land parcel areas and is included in LAP to indicate overall number of units to be delivered in the plan area with compliance with national policy regarding density outlined in section 4.2 of the LAP. Section 4.2 of the LAP refers to the requirement of the Council's approach being consistent with Central Government policy on sustainable residential in urban areas. They state that they consider density calculation should be as per the Guidelines on Sustainable Residential Development in Urban Areas which does not exclude roads, open space unless they serve the wider area with the open space in this case serving the proposed development and not wider area. They consider it appropriate to exclude the spine road, works to Glenamuck Road and the grove of trees as these serve wider area. They consider that the appropriate net site area is 3.77 ha with density of

37.38 units per ha which is under the stated density of 40-45 units per ha. I would agree with the PA and I would suggest that rather than seeking to meet the minimum of 40 in the LAP that the proposal should at least meet the 45 unit mark. Compliance with the National Guidelines in this regard is a more appropriate means of assessing density on the site. I would also note that the two appeal references (244520 & 249144) relate to 28 & 15 units respectively and therefore do not and would not have comprised strategic housing applications if they were made under the current legislation.

While I discuss open space below, the open space provision on the site is c.10%. The open space is not designated in the LAP as fulfilling any neighbourhood or district park function. Furthermore, the argument that the open spaces on the site serve the wider area is further weakened by the absence of any link to the lands to the east which would provide meaningful connectivity, albeit that a link was proposed in the masterplan. I therefore contend that the density proposed on the site is too low and I do not consider that the applicants have satisfactorily addressed the Boards concerns regarding density as included in the opinion.

The PA have provided a potential option for the Board in terms of increasing the density on the site. They consider that there is an opportunity to increase density with the omission of semi-detached units to the southeast (B49, B50, B51, B1-52, E1-53, E54) which could be omitted by condition and replaced with apartments/duplexes subject to a future application. While such a proposal might facilitate an increase in the density on the site it would necessitate a new application on this area of the site and I would suggest that the omission of six units may not be sufficient to achieve any meaningful increase in density and therefore I consider on the basis of the significant revisions required to the proposed development that a refusal of permission is the most appropriate measure.

In relation to housing mix, I would note the comments from the Planning Authority that the proposal is strongly skewed towards semi-detached 3-bed units with only 28% of the units either one or two-beds and that no courtyard type units are included. It is considered that it would be beneficial if the quantum of other dwelling types could be increased such as apartments and duplexes and such an improvement in the mix would increase the density. I would agree and as I outline in

relation to density above a revision of the scheme to increase the density on the site would assist in providing a greater mix of units.

10.2.2. **Connectivity/DMURS**

Firstly, I would note that the Infrastructure Design Report submitted with the application addresses DMURS outlining compliance of the proposal with same. I would note that a number of observers refer to the possible rat running through the estate that may occur and the requirement in the LAP to avoid same. I would note that impeding access and connectivity would be contrary to the principles of DMURS. The road does however include measures to slow traffic with parking spaces designed with cars required to reverse onto the road.

While I have addressed the matter of connectivity in terms of the masterplan above I consider it is important to point out that while the masterplan has provided indicative connections to adjoining lands, that in a number of instances that the connection or the extent of connection has not translated appropriately onto the proposed site layout plan. I would note that many of these issues were outlined in the Planning Authority opinion.

While I note that the Road Layout Drawings show some roads taken up to the boundary, there is concern that home zone areas as streets are not continued to site boundaries and access to adjoining lands within the wider 6B cannot be utilised with a number of roads not proposed for taking in charge which may pose future issues with connectivity. As specifically pointed out by the Planning Authority the road terminating at house E54 (next to Rocklands), the road in front of the crèche and the home zone to front of B13, B14, B17 & B18 should be continued to the boundary with same all taken in charge and in this regard a compliance condition is required to ensure no ransom strip remains, if the Board are minded to grant permission. As noted by the PA connectivity is critical to the future development of the wider 6B land parcel. I would also consider it appropriate that the grass verge along the northern boundary of the site should also be taken in charge so as to provide some flexibility regarding the location of potential future access points to the lands to the north. I would note that the taking in charge drawing in the previous application included all roads and areas of open space.

I would note that the report from the Transportation Section of DLRCC included with the Opinion states that consideration should be given to the amendment of proposed boundary treatments such as the inclusion of gates to facilitate proposed and future potential permeability connections. This is a very sensible recommendation in my opinion and would facilitate the creation of visual connections to adjoining lands in advance of the actual connections being created. If the Board are minded to grant permission for the proposed development, a condition should be included requiring that gates are incorporated into the boundary treatment at each proposed connection.

As I have outlined above, that while there was a proposed pedestrian/cycle route shown to the lands to the east of the site in the masterplan this is not shown on the site layout plan. I would also note that a link is shown on a diagram included as figure 2 of the Planning Report (pg 14) but again this is not included in the proposed site layout plan. I have also addressed this issue as it relates to the calculation of density on the site above. The proposed access route to the apartment block to the east of the site requires a redesign in order to ensure future connectivity to the lands to the east and northeast. This is particularly important in the context of DMURS. In this regard the Board may decide that the matter can be addressed appropriately by way of condition requiring that a pedestrian/cycle path be included adjacent to the access road to the apartments but in the context of the amendments required to the area that permission should be refused.

10.2.3. **Open Space**

The application proposes 4,710 sq.m of public open space which is just over 10% of the site which is 4.5 hectares in area. There are two areas of public open space proposed, the larger at the centre of the site measuring 3,648 sq.m and a smaller area in the northern part of the site which measures 1,062 sq.m. There are two further pockets of open space adjoining the Glenamuck Road and at the Enniskerry Road entrance to the proposal. As I outline above, I do not concur with the applicants approach to excluding the open space from the calculation of density on the basis that it serves a wider area. As I note above, this area has not been designated to provide a district or neighbourhood space and the absence of links especially to the east of the site would not support its use by the wider community.

The PA have raised some concerns about universal access to the larger open space and have suggested the formal play area is omitted with the less formal space continued in lieu of same. I consider that the amendments proposed are reasonable and should be conditioned if the Board are minded to grant permission.

The matter of ecological corridors has also been raised in an observation received and it is noted that what appears to be an ecological corridor to the north of the site as included in the masterplan is not incorporated into the site layout plan. I would note that while there is a strip of landscaping incorporating existing trees on the north eastern corridor that the observer appears correct in their interpretation of the proposed ecological corridor in the Masterplan.

10.2.4. **Boundary Treatments and Trees**

Boundary Treatments

There is some considerable discussion of boundary treatments in the observations received and I will address same as they relate to the adjoining properties. I would note that there are a variety of proposed boundary treatments which are set out in Mitchell & Associates Drawing 103 (boundary treatments location plan).

In the vicinity of Tra Dha Mhin, the property located to the northwest of the site, it is proposed to provide a 2m high feature local granite wall around the land to be ceded to this property owner. I consider that this is appropriate. The proposal then proposed a 1.8m high boundary railing along the remainder of the observers boundary. While I note the suggestion that a 2m high concrete wall along the boundary would alleviate some of the reisdnietaal amenity concerns (discussed below) I do consider that the proposed boundary railing would be visually more appropriate and would facilitate retention of hedgerows. I note that the boundary with Long Meadow further along the northern boundary provides for a 1.8m high concrete post and concrete panel boundary. I would suggest that the continuation of the proposed 1.8m high boundary railing would be more appropriate as changing this boundary treatment along the entrance roadway would be visually odd and this should be conditioned if the Board are minded to grant permission.

The boundary with Shaldon Lodge comprises a mix of a proposed retaining wall to Engineers detail which is located along part of the boundary with the remainder

proposed as a 1.8m high boundary railing which extends along most of the eastern boundary of the site. I note that the boundary treatment drawing indicates a hedge running along the observers side of the boundary and I would suggest that the rationale for the open railing is to protect the hedge. I consider that this is a more appropriate approach given the hedging and note that the observer has an existing fence along their boundary.

The boundary of the site with the existing remaining properties on the Glenamcuk Road (Glencarrick and Rocklands) is proposed to be a 1.8m high concrete post and concrete panel boundary. The owners of Glencarrick have in their submission requested a 2m high concrete block wall in lieu of the proposed treatment with an additional 1m high timber fence panel. I would suggest that a 3m high boundary would be visually overbearing and I consider that the treatment as proposed is appropriate.

The boundary of the site with the property known as Saint Anne's extends along the side and rear boundary of the existing property. It is proposed to provide a 2m high concrete wall along most of the boundary with a 2m feature local granite wall proposed for a short stretch along the area bounding the road within the home zone. I consider that the treatment proposed is appropriate.

In relation to the Golden Ball Cottages it is stated that the existing boundaries are hedgerows which it is proposed should be retained. The proposal seeks to provide a 2m high concrete blockwork wall and I would suggest that the walls should be constructed such that the hedgerows are maintained within the curtilage of the cottages.

Finally, as I note above, the report from the Transportation Section of DLRCC included with the Opinion states that consideration should be given to the amendment of proposed boundary treatments such as the inclusion of gates to facilitate proposed and future potential permeability connections. As I note above, if the Board are minded to grant permission for the proposed development, a condition should be included requiring that gates are incorporated into the boundary treatment at each proposed connection point.

Trees

The proposed layout seeks to retain a considerable number of trees on the site. While I note the area in the vicinity of the Glenamuck Road above in relation to density I consider that the proposed tree retention proposals on the remainder of the site is appropriate. The trees to be retained are included on the Tree Protection Plan. A number of trees have been specifically mentioned by a number of observers in terms of their protection. Firstly, tree number 98 located adjoining the boundary with the property known as Glencarrick. The owners state that the tree is located on the party line and should be retained as it is integral to the hedgerow. I would note that the Arboricultural report references this tree as being a Wych Elm which in terms of its structural condition is heavily distorted and unsuitable for retention. Matters relating to the party boundary are civil matters but if the applicant has sufficient legal interest to remove the tree then I would consider it appropriate to do so on the basis of the expert's opinion about its condition.

The owners of Shaldon Lodge are seeking the retention of Tree number 29 which they state is located on the boundary between the properties and which was previously proposed for retention. I would note that the Arboricultural report references this tree as being a sycamore which is a large specimen heavily divided at 1.5m that has been severely cut back on its north-western side. It continues by stating that it appears to be maintained excelling vigour and vitality. I would note that the proposed preliminary management recommendation is to review with regard to retention context. I would note that it would appear from the layout drawings on the previous application that this tree was also proposed for removal.

10.3. Transportation, Access and Parking

A number of the observations refer to the previous decision of the Board to refuse permission for development based on deficiencies in the local road network. The previous refusal predated the Part 8 process for the upgrade works to the junction of the Glenamuck and Enniskerry Roads and ancillary works to both roads in the vicinity of the junction. For the Boards information, the Part 8 upgrade comprises the following works:

- Right and left turning lanes at the Glenamuck Road approach to the junction;
- Enniskerry Road, southern approach to junction – new right turning lane;

- Improved pedestrian crossings;
- Cycles lane/racks on Glenamuck Road;
- General upgrading of junction to improve pedestrian and cycle facilities;
- Removal of pinchpoint on the Glenamuck road;
- Public lighting upgraded;
- Attenuation pond to the east of Glenamuck Road;

The report and drawings for the Part 8 process are included in Appendix A and B of the Infrastructure Design Report submitted with the application.

The previous proposal which was refused did not include any works to the junction nor was the junction or the roads in the vicinity of same included within the application boundary. I would note that it did include the removal of the pinchpoint on the Glenamuck Road. As outlined above in relation to phasing (10.1.2) a certain number of units will be facilitated by the Council in advance of the GDDR subject to certain upgrades to the existing road. I consider that the works proposed herein which relate to the works permitted by the Part 8 process involving the junction upgrade would facilitate the development of the number of units proposed.

Concern has been expressed by the Observers in relation to the sightlines at both the Enniskerry Road access and the Glenamuck Road access. I would note that this matter was not addressed by the Planning Authority in their opinion. I would note that the PA Opinion does not address this matter nor has any technical evidence been provided to substantiate the concerns regarding the sightlines.

The matter of the areas of the site to be taken in charge is one which the Planning Opinion references in some detail. I would note that in the previous application (D16A/0054), refused by the Board, a taking in charge drawing included all roads and open spaces up to the boundaries on all sides of the site. There is concern that ransom strips would be created by reason of roads not being shown to terminate at the boundaries. It is also considered that the areas of public open space should be taken in charge. In this regard I would propose that if the Board are minded to grant permission that a specific condition is attached which requires a revised taking in charge drawing which specifies exactly what should be included for taking in charge such as the following:

- the public open spaces;
- the strip of open space along the northern boundary of the site
- All roads within the scheme and that all roads and streets are continued to the site boundaries with no ransom strips remaining.
- A proposed pedestrian/cycle access point to the eastern boundary is provided and is taken in charge up to the site boundary;
- Amendment of proposed boundary treatments such as the inclusion of gates to facilitate proposed and future potential permeability connections.

One of the observers, the owner of the property known as Tra Dha Mhin located to the north west of the site has included some concerns regarding the proposed development. This property is accessed via the proposed entrance to the subject site from the Enniskerry Road. It is proposed to alter the access to the observer's property and to provide a revised entrance arrangement which includes the ceding of some land to the observer. Reference is made to a right of way and legal agreements and I would suggest to the Board that while the site location plan does not include any right of way it is clear from the drawings that the observers property is accessed via same and that a properly engineered entrance is provided. I would also note that the previous proposal on the application site sought a similar arrangement. I would suggest that the Board may wish to reference Section 13(34) of the Planning and Development Act 2000, as amended in respect of legal matters, if the Board are minded to grant permission. The same observer also questions the documentation lodged in respect of the roads elements of the proposal which include the works granted under Part 8. There is a concern that the drawings do not include sufficient detail. I would refer the Board to the documentation included in respect of the road improvement works which include junction layouts and long sections. I note the comments of the Transportation Department of DLRCC that these are preliminary drawings with more detailed designs required. I would suggest that the documentation and detail included is as would be expected of any proposed development for planning stage which includes road improvement works and that more detailed drawings would be required in order to assist the construction phase.

The owners of the lands to the east state that while the Part 8 extends to include part of the road frontage the footpath on the northern side of the Glenamuck Road

terminates at no particular rational point stopping short of main vehicular entrance and should be extended to full extent of northern side of Glenamuck Road. I note that the footpath terminates to the front of the property known as Rockalnds on the Glenamuck Road. While the applicant may not have sufficient legal interest to develop a footpath outside the adjacent property known as Glencarrick it would be advisable that a footpath be provided along the stretch of the Glenamuck Road in the vicinity of the proposed entrance such that it can be continued in the future to the east. I would suggest that this may be conditioned, if the Board are minded to grant permission.

I would note that the owner of Shaldon Lodge refers to their ownership of a 12m strip along the eastern boundary of the site and to that being a legal right of way to their property and to the potential impact of re-establishing this entrance. I would suggest to the Board that this legal right of way and the potential for re-establishing an entrance is outside the scope of this application.

10.4. Residential Amenity

I am going to address the matter of residential amenity as it addresses each of the adjoining boundaries and existing properties where relevant.

In relation to Tra Dha Mhin the boundary of this property is adjoined by the proposed internal spine road with dwellings proposed to address same. The dwellings are c.18 metres from the boundary and given the extent of the existing hedging the residential amenity of the existing property would not be compromised. I would note that the same considerations apply to the property known as Long Meadow which also adjoins the northern boundary.

In relation to Saint Anne's which is located to the south of the access into the site on the Enniskerry Road. The owners of the property have expressed concern at the location of properties 1-3 forward of the building line of Saint Anne's and concern at the location of 3 storey properties 13-14 and 17-18 in such close proximity to the boundary of their property and the resultant overlooking. They also consider that their property has been misrepresented in drawings. The PA have outlined their concerns regarding the relationship and design of houses D01, D02, D03 which front Enniskerry Road with existing Saint Anne's with redesign required and unit D01

reduced to one storey with revised drawings required. Firstly, I would note that units D01-03 are proposed as two-storey units with the rear building line in line with the front building line of Saint Anne's. There are no windows on the first floor of the side elevation addressing Saint Anne's. Therefore I consider that any overlooking would be perceived and would be oblique and would not be significant. Similarly the three storey units located adjoining the rear boundary of Saint Anne's which I note has a substantial existing boundary hedge have no windows on the side elevations addressing the boundary and therefore again any perceived overlooking would be oblique.

The proposed dwellings to the rear of the Golden Ball Cottages comprise a mix of 2-storey terrace and semi-detached properties with gardens all in excess of 11 metres. Therefore the amenity of the properties would be appropriately protected.

I consider that the issues raised in the previous refusal (D16A/0054) regarding the potential impact on the residential amenity of the property on the Glenamuck Road known as Glencarrick have been addressed with sufficient distance between the rear elevations of proposed properties and the boundary of the site to which the dwelling is adjacent.

Shaldon Lodge is located to the northwest of the site and the owner expresses concern at the potential impact of the proposed crèche/duplex block and apartment block on the residential amenity of their property. Firstly, in relation to the crèche/duplex block I would note that in the previous application, refused by the Board (D16A/0054), a two storey residential unit was proposed adjoining this boundary. The current proposal provides for a three storey structure with a crèche on the ground floor and what appears to be three bed duplex units overhead. I would note for the Boards information that the plans for the Duplex Block are unhelpful in that they do not set out precise floor plans across the block for each level. They provide a floor plan for a unit type and indicate in the key plan where that unit is located.

While the proposed side elevation of the three storey block addressing the observers (Shaldon Lodge) property has no openings I would note that the balconies on the front and rear elevation of the first floor of the proposed units are c. 5 metres from the boundary and therefore I would suggest that overlooking is a matter of concern

as it doesn't appear that any screening is proposed. In addition at 12m in height I consider it imposes quite an overbearing impact on the adjoining property which is at a lower level. While the drawings entitled 'Adjacencies to Existing Development' looks at the adjacencies from Shaldon Lodge to the proposed residential units 83-87 I would note that no such exercise is undertaken from Shaldon Lodge to the Crèche/Duplex building which is more proximate and higher, the height of the structure and its proximity to the boundary would in my opinion create an overbearing impact. I would also note that site section EE fails to include the observer's property which would have been useful to determine impacts. While a shadow analysis was included with the documentation it refers to March 21st only.

The PA outline their concern regarding the relationship and design of the proposed duplex and crèche block and its proximity to the boundary with Shaldon Lodge and they recommend a setback of 4m in order to reduce the impact. I consider that the proposal at this location requires some further consideration. While the observer also raises concerns about the height and location of the proposed Apartment Block I consider that given the separation distances between the observer's property and the Apartment Block and its location on a lower level of the site that the proposed Block is acceptable.

In terms of internal amenity I note the concerns expressed by the PA that there was insufficient detail submitted in relation to the extent of proposed retaining structure at the location between the duplex units and units B75-B82 (SD) with full details required. I would recommend that if the Board are minded to grant permission that a condition requiring agreement on this detail is attached.

10.5. Surface Water Management

The application was accompanied by a report entitled storm water impact assessment report. This report outlines the proposed surface water design and the proposed site characteristics. I would note that section 2.13 of the report outlines the proposed SuDS measures noting that there are 2 proposed zones within the proposal with the SuDS techniques including filter drains within each rear garden, permeable paving in parking bays, swales, by-pass petrol interceptor and a sedum roof on the apartment building. Catchment A includes most of the site with Catchment B including the Crèche/Duplex block and the Apartment Block. Both

catchments are proposed to have a flow control device to limit discharge rates to Q_{bar} run off rates and provide attenuation storage. The proposed discharge rates are 18.3l/s in Catchment A and 2.2l/s in Catchment B.

The report details that the proposed attenuation for Catchment A is proposed via an underground storage system with a volume of c.450m³ with events up to 1 in 100 year critical events catered for by an additional volume of 205m³ in the detention basin which is proposed within the open space adjacent to the Glenamuck Road entrance. This detention basin also provides the attenuation for Catchment B. It is stated in the report that during modelling of the network that a maximum volume of 110m³ is required using a flow control of 2.2l/s. However as noted by the Municipal Services Department in the Drainage Planning Report, references to the catchments appear to have been mixed up. The Drainage Layout drawing 5157801/EWE/DR/0501 clearly shows the stormwater from Catchment B (Crèche/duplex and Apartments) draining to the attenuation tank along the north eastern boundary which is labelled Catchment Area A and the storm water from Catchment Area A – the houses – draining to the detention basin labelled Catchment Area B. I would also note that reference is made in the report to drawings 5157801/HW/0501-5157801/HW/0503. However I would note that the only drawings received by the Board in respect of storm water management were the layouts which are referenced 5157801/EWE/DR/0501 & 5157801/EWE/DR/0502.

An observation received on behalf of Victoria Homes included a detailed assessment of the SuDs and storm water drainage system included as an Appendix to the observation which was prepared by NJ O’Gorman Consulting Engineers. This observation was in turn addressed in the Drainage Report from DLRC. A significant number of issues were addressed.

There was concern at the lack of any trail hole investigation at specific SuDS attenuation locations in catchment areas A&B. It was stated that details of the construction of underground stormwater attenuation tank system was not provided in the planning documents. The location of the proposed underground stormwater attenuation tank in a trafficked area with the edge of the tank less than c.1m from north eastern site boundary was questioned. In addition, concern was expressed regarding the slope stability and the impact on adjoining lands from the attenuation tank in catchment area A which adjoins site boundary with concern at the presence

of solid rock c.2-3m below ground level and additional investigations necessary to confirm existing ground conditions and water table levels at catchment area A. The report from the Municipal Services Department also outlines that concerns were raised at pre-planning about the location of the attenuation tank for catchment B (in close proximity to boundaries) and the tank for Catchment A with DLRCC requiring provision for infiltration if ground conditions permitted and depending on ground conditions encountered the type of tank was to be revised. In addition the observer considered that there is inadequate details on groundwater provided for catchment area B with no specific information on the actual water table level with the potential for groundwater to flood the attenuation tank with the design proposals not acceptable. It is stated that additional site investigations were required to confirm existing ground conditions at Catchment B.

There was considerable detail provided by the observer's agent as to the proposed levels of the manholes and design invert levels serving the underground tank. There was also issues raised about the levels of the basement and manhole cover levels. The Drainage Planning report received from the Municipal Services Department notes that one of the key points in the observation (referenced above) is the apparent discrepancy in the cover level of manhole numbers S141 and S142. It then outlines omissions from a number of the Architects Layouts principally any referenced level datum. It is stated that whatever methodology is applied that there is a conflict in the figures applied to calculate road levels and it is stated that in the absence of further information that it cannot be resolved as part of the report and may have to be addressed by the Board in a manner in which they see fit. It further emphasises conflicts in the drawings by stating that the cover level of MH S141 is shown as 117.40 on Atkins drawing 5057801/HW/501 but conflicts with the ground (approx.. cover levels) of 116.00 on Architects drawing 540 & 541. It further states that if 116.00 m level is correct that the surface water sewer run S138-S141 cannot be constructed to drain to Attenuation Tank B and while reversal of flow from S138 to S140 to S93 may be possible it would involve an increase in storage volumes in attenuation system A and in absence of FI cannot be resolved in this report with a proposed condition outlined.

It was noted that the outfall from the existing stormwater manhole on the Glenamuck Road discharges into the existing ditch within the observer's lands and that

information on the existing storm water sewer on Glenamuck Road has not been provided and it has not demonstrated that the proposal will not result in flooding of the adjoining lands. In response to this matter the Municipal Services Department in their Drainage Planning Report state that the restricted flow from the site of 20.5 l/s will not affect the capacity of the receiving system to any extent with condition of existing pipes to be addressed by condition and that the ditch currently takes runoff from the Glenamuck Road and as part of the upgrade scheme a new surface water sewer is proposed to the regional pond beyond the application site with run-off from the site flowing to the regional pond.

I would note that there are a significant amount of discrepancies in the information submitted by the applicant's agent both in terms of consistency in levels, the requirement to reevaluate the proposed manhole cover levels and design invert levels and to clearly outline the catchments on a layout plan. In addition, there are concerns expressed about ground conditions at locations for proposed attenuation tanks, proximity to boundaries and other concerns as outlined above. I note that the Planning Authority by way of the Drainage Planning Report have outlined a series of conditions which would assist in addressing the concerns outlined. However, the information submitted is haphazard and in my opinion is deficient in respect of the detail required to enable a proper assessment of the proposed storm water proposals.

I would note the Flood Risk Assessment submitted and the conclusions of same and do not consider that flooding requires further consideration in this regard.

10.6. Ecology

The applicant has submitted an ecological impact assessment with the proposal. Particularly in relation to bats I would note the comments outlined in the Biodiversity report from DLRCC and in this regard, if the Board are minded to grant permission, for the proposed development I would recommend that a specific condition is attached, which requires that the mitigation measures proposed in respect of bats are complied with in full in addition to the proposed measures outlined by the Biodiversity Officer.

10.7. Other Matters

Archaeology

I note the submission from the DAU requiring pre-development testing in advance of the commencement of any construction and, if the Board are minded to grant permission, I would recommend that a condition is attached requiring pre-development testing in advance of the commencement of any construction.

Servicing of Adjoining Sites

One of the observers is seeking that their septic tank systems and surface water drainage would effectively be incorporated into the proposed development. I note the comments outlined in the Drainage Report from Dun Laoghaire Rathdown County Council which states that provision of a foul drainage connection from existing properties adjoining the site to an existing or future public foul sewer is a matter for the property owners and Irish Water. Additionally they state there is no requirement for the applicant to lay a foul sewer along this section of the Glenamuck Road. I would agree with the Council's response to this request.

Section 49 Condition

The PA in their opinion recommend that a condition is attached (condition No. 58) requiring a financial contribution is paid towards the cost of the Glenamuck District Distributor Road Scheme and Surface Water Attenuation Ponds Scheme. It is stated in the reason for the condition that the contribution has been provided for in the Supplementary Development Contribution Scheme adopted by the Council in November 2008. Given the strategic contribution that the road would provide to the area I consider that it is reasonable to require that a contribution is paid towards this infrastructure. I would also note that the Board have included such a condition under References PL06D.244520 and PL06D.249144.

10.8. 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. It addresses a number of sites within the 15km catchment. I would note that the nearest European sites are Knocksink Wood SAC (3.4km) and

Ballyman Glen SAC (4.2km). Both of these sites are at a higher elevation than the proposed site and are within a different river catchment and therefore are not hydrologically linked. The qualifying interests of both would not be affected by the proposed development.

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 sites 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.

10.9. Conclusion

While I consider that the principle of the residential development on the subject lands is acceptable and that the road network issues raised in the previous refusal have been addressed by way of the proposed junction upgrade which was permitted by way of the Part 8 process there are a significant amount of issues outstanding in the current proposal which would require considerable amendments to the scheme. The principle concern is the density of the proposal which I consider requires a significant redesign of the scheme. Other issues as outlined above include, inter alia, the significant amendments required to the layouts and accompanying details regarding storm water management which as presented is wholly unsatisfactory; the necessity to revise the layout of the scheme along the eastern boundary to facilitate a future pedestrian/cycle access route to the lands to the east and the concerns raised about the proposed areas for taking in charge; and the amendments required in relation to the crèche/duplex building and the inadequate drawings submitted for this block. While I have outlined within the assessment above my recommendation regarding possible conditions, if the Board are minded to grant permission, I do not consider that such a significant suite of amending conditions seeking to remedy the scheme would be in the interest of proper planning or the sustainable development of the area and in this regard the most appropriate means of rectifying the matters arising is to refuse permission.

11.0 Recommendation

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

12.0 Reasons and Considerations

1. Kiltiernan has been designated as a 'Future Development Area' in the Core Strategy set out in the Dun Laoghaire Rathdown County Development Plan 2016-2022. Furthermore, the County Development Plan includes a specific objective for a proposed quality bus/bus priority route running along the Glenamuck Road to the east of the site. The Board considers that the density of the proposed development is contrary to the provisions of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), issued to planning authorities under section 28 of the Planning and Development Act. The site of the proposed development is on serviceable lands, within the development boundary of Kiltiernan, in an area earmarked for residential development with access to existing and planned public transport. Having regard to the proposed density of development, it is considered that the proposed development would not be developed at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage given the proximity of the site to Dublin City and to the established social and community services in the immediate vicinity. In addition, the proposed development does not have an adequate mix of dwelling types, being predominantly semi-detached housing. It is considered that the density proposed would be contrary to the aforementioned Ministerial Guidelines as it relates to Cities and Towns and in particular to sites serviced by existing and planned public transport with minimum net densities appropriately addressed in Local Area Plans. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The Board is not satisfied on the basis of the information submitted that the information received, both drawings and accompany report, is appropriately referenced, sufficiently detailed and supported by site specific investigations to facilitate a comprehensive examination of the storm water proposals for the

proposed development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The proposed layout would result in a substandard level of pedestrian/cycle connection particularly to the lands to the east of the application site. The links identified in the indicative masterplan (Architectural Design Statement, figure 52 pg 34) submitted with the application have not been provided for in the proposed layout to the east of the site. The lack of connectivity would be contrary to the principles espoused by the Design Manual for Road and Streets (2013) and the Urban Design Manual a companion document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) which includes 'Connections' as one of the 12 criteria for the design of residential development. Therefore, the proposed development would be contrary to the proper planning and sustainable development of the area.

4. Having regard to the proposed location of the crèche/duplex block with a height of 12 metres within 2 metres of the northern site boundary it is considered that the proposed development would impact significantly on the residential amenity of the residential dwelling to the north by reason of its overbearing impact and the overlooking from the terraces and balconies in the proposed most proximate duplex unit. The proposed development would be contrary to the proper planning and sustainable development of the area.

Una Crosse

Senior Planning Inspector

April 2018

APPENDIX ONE

OBSERVER SUBMISSIONS

The following provides a summary of each of the submissions received by the Board. A summary of the issues raised is outlined in Section 7 above.

Eight Observer Submissions were received from the following:

1. Declan Flynn & Michelle Donohue
2. The Residents of Golden Ball Cottages
3. Leah & Graham Coleman
4. Gareth & Kathryn Healy
5. Nigel Start
6. Mel Columb
7. Louise & Philip Curran
8. Victoria Homes

The issues raised in each will be addressed in turn:

Declan Flynn & Michelle Donohue (Saint Anne's, Enniskerry Road)

Submission received is summarised as follows

- Planning history of the site set out with reference to the intensification of traffic on the Glenamuck/Enniskerry Roads where deficiencies exist;
- Concerns remain with capacity, width, alignment and site entrances even with proposed new junction layout with creation of 2 lanes for 85m and removal of pinchpoint having no effect on traffic heading south at junction to Enniskerry;
- Delivery of units on the lands predicated on delivery of proposed Glenamuck District Distributor and Link Roads;

- Glenamuck & Enniskerry Roads intensified with traffic trying to avoid M50;
- Proposed link road not the local access loop road required in LAP with no provisions to prevent potential rat-running through the site and through the village which would be inevitable;
- Concern at sightlines at entrance onto Enniskerry Road with entrance aligned to entrance opposite with sightlines reduced creating traffic hazard;
- Proposed entrance onto Enniskerry Road not provided for in LAP which has a vision to bypass village core of Kiltiernan;
- Lack of engagement with owners of Golden Ball Cottages by receivers as required by LAP;
- Small scale infill development anticipated in LAP for Golden Ball Cottages which are within Land Parcel 6B and where it was envisaged it would be planned within the overall masterplan with engagement required;
- No engagement from receivers making application leading to frustration with engagement an objective of the LAP with the relevant sections of the LAP by observer;
- Engagement referenced in the applicants planning report however despite approach from residents, receivers not willing to engage;
- Part of Pre-Application documentation requested by the Board was an indicative masterplan for Land Parcel 6B;
- Ireland 2040 and Sustainable Reisdnieta Development Guidelines reference and encourage infill opportunities;
- For masterplan for Land Parcel 6B to be successfully implemented it must be in conjunction with residential developments explicitly mentioned;
- Advised to keep extension to Saint Anne's within keeping of the character of the single storey cottage;
- Proposal ignores precedent of setback of cottages and Glencarrick and concerns at setbacks in refusal (D08A/1408) with Saint Anne's only 3m from rear of 3-storey units 1-3 which is insufficient to prevent overlooking and creates overbearing effect;

- Misrepresentation of separation distance and roof heights between Saint Anne's and No. 1 in drawings;
- Impact of Units 13 & 14 on Saint Anne's as three storeys with lack of privacy contrary to objectives in CDP to protect privacy with proposal intentionally overlooking in the design;
- Concerns outlined about impact of previous proposal on Glencarrick relevant to Saint Anne's in this instance;
- Concern about excavation works close to boundary with Saint Anne's with potential vibration from excavation of granite, potential issues with structural integrity;
- Potential rat-running though the site of concern, potential level of traffic and safety concern with negative impacts from noise, CO2 emissions;
- Concern at 2m block wall surrounding most of Golden Ball Cottages which are not in keeping with Saint Anne's having a feature local granite wall for part of the boundary which should be in all boundary walls if hedgerows not maintained;

The Residents of Golden Ball Cottages

Submission received signed by 10 parties is summarised as follows:

- None of the issues raised in the previous reasons for refusal have been addressed with the new entrance onto the Enniskerry Road highlighting inadequacies in the Plan;
- The proposed delivery of the link road in the LAP referenced by applicant is false as LAP provides for a loop road and not a link road;
- Existing sightline issues at proposed Enniskerry Road access will not be addressed with proposed entrance moved further towards the bad bend diminishing sightlines;
- Golden Ball cottages within Land Parcel 6B with potential for development of infill lands attached to the cottages;
- No engagement from receivers making application leading to frustration with engagement an objective of the LAP;

- Engagement referenced in the applicants planning report and despite approach from residents, receivers not willing to engage;
- Part of Pre-Application documentation requested by the Board was an indicative masterplan for Land Parcel 6B;
- Ireland 2040 and Sustainable Reisdnieta Development Guidelines reference and encourage infill opportunities;
- For masterplan for Land Parcel 6B to be successfully implemented it must be in conjunction with residential development explicitly mentioned;
- Boundary treatment around cottages are hedgerows which it is proposed to replace with 2m high concrete block walls with preference that hedgerows are maintained or that walls were finished in local granite;
- Request permission refused until interested parties concerns are addressed;

Leah & Graham Coleman (Golden Ball Cottages)

Submission received is summarised as follows:

- Reason for refusal on previous application still applies;
- Neither of proposed entrances ideal but Enniskerry Road worse given development on opposite side of road and proximity to the bend;
- Improvement of small section of the road may not improve the issues on the Glenamuck Road;
- Roads are already congested at peak times with proposal creating more traffic on both already congested roads;
- Proposal will create a short cut through the development magnifying safety and visibility issues at the proposed access junctions;
- Proposed 2m high block wall at boundary with Golden Ball Cottages (east boundary) with current boundaries hedgerows or granite and request boundaries blend with existing;
- Three storey dwelling proposed to rear of observer's property (No. 180 Golden Ball Cottages) and are higher and closer to observers property than would have hoped with negative effect on privacy;

- Impact on local schools questioned given existing schools in area small and over-stretched;
- Consider refusal of permission would allow time for additional consultation and modification of plans;

Gareth & Kathryn Healy (Glenamuck Road)

Submission received is summarised as follows:

- Owner of property adjoining site on Glenamuck Road (Glencarrick) and in addition to other adjoining property (Rocklands) do not have access to a main sewerage connection along this section of Glenamuck Road and rely on septic tank (location of septic tanks and percolation areas shown on an attached plan);
- Objective EL05 in LAP advocates changeover from septic tanks to mains where feasible with opportunity to remove existing systems presenting itself;
- All drainage from Glencarrick is via natural gradient flow and very old French drains in the garden with drawing linked to application site but impact of development on observers property not addressed and request amendments made to proposal to incorporate both the foul water and surface water drainage needs of both properties into the wider development;
- Proposed boundary to nw boundary of Glencarrick shown on plan as 1.8m high concrete post and panels and request 2m high concrete block wall instead with additional 1m timber fence panel;
- No visual detail provided to show junction between application site and observer property on Glenamuck Road with visual montage No. 4 not showing boundary detail tie in with verbal discussion and agreement required on this interface;
- Tree No. 98 proposed for removal should be retained as it is on party line, provides screening and is an integral part of hedgerow.

Nigel Start (Shaldon Lodge, Kiltiernan)

Submission received is summarised as follows:

- Joint receivers have not taken up invitation to work together on finding mutually agreeable solutions with significant deficiencies highlighted in application 2 years ago not addressed;
- Sunlight will be fully blocked from many areas of rear garden of Shaldon Lodge and other areas in shadow for much for the year with 12m & 16m buildings towering over home and garden with particular concern at blockage of light to internal living areas;
- Crèche/duplex buildings 1.5m from boundary and 12m high will block all morning sunlight to kitchen and family rooms throughout the year;
- Development to southwest is 4.5m above ground floor of observer property due to land topography with houses in excess of 15.5m above home blocking light to garden and rear living areas;
- Request applicant consider design, elevation and positioning of housing to southeast, south and southwest of Shaldon Lodge allowing for ground topography and reduce height of crèche/duplex units to max of 6m adequately set back from boundary;
- Proposal excessively intrusive on privacy of rear garden of Shaldon Lodge referring to concerns outlined in Inspectors report on 2016 application with Shaldon Lodge omitted from consideration in planning report;
- Crèche/Duplex units sited with no regard to privacy of Shaldon Lodge with two balconies at first floor level looking directly into rear of house with balconies in apartment building overlooking Shaldon Lodge;
- Second floor roof windows of housing units 82-87 are 12m above the existing ground level of Shaldon Lodge with overlooking into rooms, houses should be limited to 2 storeys or have no 2nd floor eye level windows with 2-storey split level design more appropriate;
- Sycamore tree (No. 29) proposed for removal located on boundary between properties and previously proposed for retention and is miscategorised in some documents, it should be retained and given 9m clearance;

- Proposed crèche and duplex buildings at 12m high and 1.5m from boundary will have a visual impact on Shaldon Lodge with crèche and apartment building closer to boundary than in previous proposal with 9m clearance from tree No. 29 required;
- Applicant states hedges to be trimmed back but drawings show fencing from 1.8-2m to be constructed at centre line of hedges, considered minimum of 1m setback should be provided from existing hedgerows;
- Open railing proposed along rear boundary of Shaldon Lodge leaving open visibility into rear of property with a wall required;
- No consultation or engagement with applicants with no agreed masterplan for land parcel 6B;
- Reference in planning report to discussion with landowners to north incorrect with an outline of communications from end of 2014 outlined with lack of interest from applicant documented, also noted that DLRCC have encouraged engagement with adjoining landowners and previous applications and decisions have outlined masterplanning of lands;
- Proposal materially contravenes Local Area Plan but not noted in the form or in documentation;
 - Density of 31.33 units per/ha contravenes LAP requirement of 40 per/ha providing an inefficient use of land with reference to wider use of open space on site;
 - Apartment building effectively 5 storeys in height from adjoining lands to the north-east with maximum allowable 2-3 storeys which is a major contravention;
 - Refusal to engage in masterplanning of Land Parcel 6B required by LAP;
- Proposed apartment block sited without regard to surrounding topography towering 19m above adjacent development land and should be relocated to southern corner adjacent to Glenamuck Road;

- Proposed diversion of 10kV lines cannot be implemented as will not meet ESB Networks design standards due to proximity to dwellings to north of site, presence of trees , installing a new post of lands owned by observers running powerlines through gardens and no agreement in place to allow connection from observers land to apartment block substation with engagement necessary through development of a masterplan;
- Proposed access to Glenamuck Road does not take account of requirements specified by Council in previous applications and has deficient sightlines;
- Compounded by location of only legal right of way to Shaldon Lodge (12m strip) located immediately adjacent to proposed entrance and proposal would impact on viability of re-establishing this entrance as it is within the sightline requirements, may not facilitate 2.4m setback, query legal entitlement to maintain hedgerow on boundary to provide sightlines and while amenable to sharing an entrance no approach has been made;
- Proposed location of retention pond fails to take account of land topography with 4.8m drop across the proposed site location with design necessitating construction of significant retaining wall or steep embankment to northeast adjoining shared boundary with design flawed with dangerous drops and major risk to children when full with water;
- Proposal does not provide suitable safe play areas for children with proposed main green area adjacent to roadway which will be used as a rat-run;
- Topography of site requires parking on significant gradients causing road safety hazard;
- Creation of rat-run within the development will impact on families living within the proposed development which should be addressed;

Mel Columb (Enniskerry Road, Kiltiernan)

Submission received from Kieran O'Malley & Co. Ltd on behalf of Mr. Columb which is summarised as follows:

- Observer's property (Tra Dha Mhin) is immediately north of the site adjacent to Enniskerry Road and accessed via a right of way through the site which has not been formally shown on any of the layouts;
- Concern about negative impact on amenity and privacy of family home and lack of engagement by applicant especially given longstanding vehicular access to the proposal, proposal for new gates and boundary wall and land to be ceded to him (land shaded brown on Drawing 0506 Rev. 1);
- Right of way cannot be altered without agreement and alignment shown on Drawing 0506 different to alignment on existing site survey Drawing 0502 with no agreement made;
- Previous discussions were undertaken during previous application but no agreement made;
- Land now shown to be ceded in brown (Drawing 0506) conflicts with grassed area shown on Landscape Masterplan drawing with Drawing 103 boundary Treatment Plan showing land to be ceded creating some confusion;
- No proposals for security of property, interface between property and public using entrance or timescale or method to control entrance change over and should be included in application;
- In addition to additional development potential of the lands the proposal will materially impinge on quality of life of observer by excessive traffic generation, movement, noise and air pollution;
- House is 4.5m from site boundary so elevated roadway will detract from semi-rural environment;
- Considered 2m high concrete block wall above level of proposed public road along boundary with observer's property would alleviate some of the concerns;
- Application relies on the Part 8 process and does not include the necessary plans, elevations and sections of the road works referred to in the statutory notices;

- From a review of the Part 8 documents there are no section drawings, elevations or details of the proposed road upgrade and no fee has been paid for the works to 500m of public road;
- Appears intent of application is to include the junction upgrade works with letter of consent included but no details of the road improvement works included;

Louise & Philip Curran (Golden Ball Cottages)

Submission received is summarised as follows:

- Planning history of the site set out with reference to the intensification of traffic on the Glenamuck/Enniskerry Roads where deficiencies exist;
- Concerns remain with capacity, width, alignment and site entrances even with proposed new junction layout with creation of 2 lanes for 85m and removal of pinchpoint having no effect on traffic heading south at junction to Enniskerry;
- Delivery of units on the lands predicated on delivery of proposed Glenamuck District Distributor and Link Roads;
- Glenamuck & Enniskerry Roads intensified with traffic trying to avoid M50;
- Proposed link road not the local access loop road required in LAP with no provisions to prevent potential rat-running through the site and through the village which would be inevitable;
- Concern at sightlines at entrance onto Enniskerry Road with entrance aligned to entrance opposite with sightlines reduced creating traffic hazard;
- Proposed entrance onto Enniskerry Road not provided for in LAP which has a vision to bypass village core of Kiltiernan;
- Lack of engagement with owners of Golden Ball Cottages by receivers as required by LAP;
- Small scale infill development anticipated in LAP for Golden Ball Cottages which are within Land Parcel 6B and where it was envisaged it would be planned within the overall masterplan with engagement required;
- No engagement from receivers making application leading to frustration with engagement an objective of the LAP;

- Engagement referenced in the applicants planning report however despite approach from residents, receivers not willing to engage;
- Part of Pre-Application documentation requested by the Board was an indicative masterplan for Land Parcel 6b;
- Ireland 2040 and Sustainable Residential Development Guidelines reference and encourage infill opportunities;
- For masterplan for Land Parcel 6B to be successfully implemented it must be in conjunction with residential developments explicitly mentioned;
- Height of houses along boundary with Golden Ball Cottages excessive in particular houses 38-41 obliterating attracting views from the cottages with permission refused for an extension (observers property) due to excessive height;
- Attractive views obliterated by removal of hedgerows and construction of 2m high block walls and this should be addressed;

Victoria Homes

Submission received from MacCabe Durney Barnes on behalf of Victoria Homes which is summarised as follows:

- Observer has an interest in c.18.9 hectares of land adjoining application site impacted by District and Link Distributor Roads and power lines with intention to prepare a development proposal in near future and support principle of well planned development integrated with development on adjoining lands;
- Surprise applicant has developed a detailed and extensive masterplan covering an extensive area outside their site without any consultation/engagement;
- While applicant consulted with landowner to the north (as per minutes of pre-app meeting with ABP) there has been no liaison with landowner to the east however connectivity to adjoining lands was not part of recommended opinion;
- Landowner to north appealed previous decision and considered that engaging in a masterplan process through a planning application is problematic;

- Masterplan only relates to 5B and 6B of the LAP but suggest that areas 5A & 6A should be included north of GDDR should be included to allow for comprehensive design of integrated services and SuDS;
- Observer has prepared a masterplan for their lands (Fig. 3 of submission) with potential access point to application site (eastern boundary) through intervening 10m strip of land owned by another landowner but proposal does not facilitate such a connection in vicinity of access to apartment block with such vehicular and/or pedestrian/cycle connections desirable;
- Potential for integration of open space provision fronting the Glenamuck Road and ecological corridors but they should be designed to relate to each other with masterplan not prepared with such a view;
- Upgrade of the Glenamuck Road required irrespective of when the GDDR and GLDR proceeds and while Part 8 extends to include part of road frontage the footpath on northern side of Glenamuck Road terminates at no particular rational point stopping short of main vehicular entrance and should be extended to full extent of northern side of Glenamuck Road;
- Applicants have made case, following previous refusal, that permission can be considered for 150 units given upgrade of Glenamuck Road/Enniskerry Road junction with Part 8 environmental report stating a traffic analysis required to determine how junction will perform with additional units in place with Council accepting 350 units can be accommodated in advance of the GDDR;
- Allocation of units to LAP lands should be allocated to Area B given junction upgrade and absence of significant development proposals elsewhere with observer looking for equity in treatment of allocation of development capacity;
- In terms of calculation of net density reference made to open space serving wider area but connectivity of open space as detailed above is an issue with each site also required to be self-sufficient in open space with no overprovision to ensure appropriate densities;

- Height of the proposed apartment block vis a vis adjoining lands to northeast which are c.3m lower would create a six storey structure above level of observers proposed dwellings creating overbearing impact;
- LAP indicates 2-3 storeys with section 4.8 indicating 4/5 storeys along distributor routes but proposed not fronting GDDR/GLDR with proposal at 5 storeys/6 storey equivalent adjoining observer is a material breach of the LAP;
- Significant overlooking from apartment block of the proposed scheme being prepared to the east given separation distance and proposed balconies with no shadow analysis provided of impact on lands to east of apartment block;
- Detailed assessment of the SuDs and storm water drainage system included as Appendix AA prepared by NJ O’Gorman Consulting Engineers and summarised as follows:
 - Lack of any trail hole investigation at specific SuDS attenuation locations in catchment areas A&B;
 - Details of construction of underground stormwater attenuation tank system not provided in planning documents;
 - Proposed underground stormwater attenuation tank located in trafficked area with edge of tank less than c.1m from north eastern site boundary;
 - Proposed manholes (S141 & 142) serving the underground tank have a design cover level of 117.4m and depth of 1.2m and 1.35m with design invert level of tank 116.50m on this basis;
 - Basement floor level in apartment block and proposed access road are at similar 116.5m and not possible to have manhole cover of 117.4 given basement floor accessed from road above Catchment Area A with manholes required to be lowered or apartment building raised also impacting on pipe linking the manholes with the new manhole on the Glenamuck Road with a redesign required;
 - Outfall from the existing stormwater manhole on Glenamuck Road discharges into existing ditch within observers lands;

- Information on existing storm water sewer on Glenamuck Road has not been provided and not demonstrated that proposal will not result in flooding of adjoining lands;
- Concern regarding slope stability and impact on adjoining lands from the attenuation tank in Catchment Area A which adjoins site boundary, concern at presence of solid rock c.2-3m below ground level and additional investigations necessary to confirm existing ground conditions and water table level at Catchment Area A;
- Inadequate details on groundwater provided for Catchment Area B with no specific information on actual water table level with potential for groundwater to flood the attenuation tank and design proposals not acceptable;
- Additional site investigations required to confirm existing ground conditions at Catchment B.