



An
Bord
Pleanála

**S. 6(7) of Planning and
Development (Housing)
and Residential
Tenancies Act 2016**

**Inspector's Report on
Recommended Opinion
ABP-302801-18**

Strategic Housing Development

203 no. residential units, crèche, local shop, social / amenity facility and associated site works.

Location

Glenamuck Road South, Kiltiernan.
Co. Dublin.

Planning Authority

Dun Laoghaire Rathdown County
Council

Prospective Applicant

Victoria Homes Ltd.

Date of Consultation Meeting

28th November 2018

Date of Site Inspection

6th December 2018

Inspector

Sarah Moran

1.0 Introduction

- 1.1. Having regard to the consultation that has taken place in relation to the proposed development and also having regard to the submissions from the planning authority, the purpose of this report is to form a recommended opinion as to whether the documentation submitted with the consultation request under section 5(5) of the Planning and Development (Housing) and Residential Tenancies Act 2016 - (i) constitutes a reasonable basis for an application under section 4, or (ii) requires further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

2.0 Site Location and Description

- 2.1. The site is located on the Glenamuck Road, east of the Golden Ball cross roads. It is undeveloped fields at present. It has a stated area of 4.28 ha and is traversed by a 220 kV power line running in a north/south direction. There is a hedgerow along the Glenamuck Road frontage and field boundaries within the site area. There is a fall of 5m across the site from south to north, away from the Glenamuck Road. The site is the eastern portion of a larger landholding of c. 19 ha that wraps around the existing Shaldon Wood scheme at the Golden Ball cross roads. The indicative route for the Glenamuck Link Distributor road (GLDR) passes nearby to the east of the site. The Carrickmines stream runs along the northern site boundary, this is a tributary of the Shanganagh River which ultimately discharges to Killiney Bay. There is a protected structure, Shaldon Grange, accessed from the Enniskerry Road c. 100m to the north west of the site. There is also another protected structure, Rockville House, within a housing development that is currently under construction on the opposite side of the Glenamuck Road.

3.0 Proposed Strategic Housing Development

- 3.1. The proposed development involves 203 no. residential units as follows:

UNIT TYPE	NO. OF UNITS	%
Houses		
3 bed	20	10%
4 bed	10	5%
Apartments		
1 bed	31	15%
2 bed	124	61%
3 bed	18	9%
TOTAL	203	

The development has a stated net residential density of 48 units/ha.

3.2. The scheme also includes:

- Crèche (480.4 sq.m.) to cater for up to 80 children, located on the ground floor of block H1. The development would require a crèche with 54 spaces to comply with the 2001 Childcare Guidelines. The proposed larger facility is to cater for other existing / permitted / future developments in the vicinity.
- Social / amenity facility (299.4 sq.m.) including a gym located on the ground floor of block H1.
- Local shop / café (83.5 sq.m.) on the ground floor of block G1.
- ESB substation
- 315 car parking spaces (180 surface, 133 basement), 220 bicycle spaces, 20 spaces for motor cycles
- Foul outfall to be discharged to a public sewer to the north of the site near the Carrickmines Stream. Attenuated surface water discharge to the Carrickmines Stream. The outfalls are included in the red line site boundary. SUDS measures are proposed including permeable paving, swales and green roofs to apartment blocks G and K. The development is to connect to an existing IW watermain also running to the north of the site.

- Part V proposals comprising provision of 20 units at the site, 6 no. 1 bed apartments, 6 no. 2 bed apartments, 6 no. 3 bed houses and 2 no. 4 bed houses.
- 3.3. The development is sub-threshold for EIA with regard to schedule 5, Part 2, Class 10(b) of the Planning and Development Regulations 2001 (as amended). A Screening Report is submitted. The application is to be accompanied by an Ecological Impact Assessment and AA Screening.
- 3.4. The scheme is proposed as the first phase of a Masterplan area including the remainder of the overall landholding.

4.0 Planning History

4.1. ABP-300731-18 Adjacent Site to the West

- 4.1.1. Relating to a 4.5 ha site on the northern side of the Glenamuck Road, to the immediate west of the subject site. Permission sought by Declan Taite and Anne O'Dwyer, Joint Statutory Receivers to Certain Assets of Michael Doran and Martin Doran for 141 no. residential units (98 no. houses and 43 no. apartments / duplexes), crèche and link access road between Enniskerry Road and Glenamuck Road.
- 4.1.2. The Board refused permission on 26th April 2018 for the following 4 reasons:
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. In addition, the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) indicate that residential densities within existing or planned public transport corridors should be a minimum of 50 units per hectare, but with a provision that minimum net densities can be specified in Local Area Plans. In this regard, the Kiltiernan Glenamuck Local Area Plan 2013 specifies that minimum net densities of 40 – 45 units per hectare should apply to the subject site and adjoining lands. 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, and would not conform to the minimum densities required in the Local Area Plan and the Guidelines. Furthermore, it is considered that the proposed development does not provide for an appropriate mix of dwelling types, being predominantly semi-detached housing, to comply with the overall provisions set out in the County Development Plan. The proposed development would, therefore, be contrary to the provisions of the County Development Plan, Local Area Plan and to these Ministerial Guidelines, and would be contrary to the proper planning and sustainable development of the area.

2. The Board is not satisfied, on the basis of the documentation submitted with the application, both in the drawings and accompanying report, that the information received is appropriately referenced, sufficiently detailed and supported by site specific investigations, in order 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 / north-east of the application site. This 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. The proposed development would fail to provide for the necessary integration and permeability between different sections of the overall development area as set out in the Local Area Plan, and would be contrary to national policy guidance, and would, therefore, be contrary to the proper planning and sustainable development of the area.

4. Having regard to the location and height of the proposed houses, crèche/duplex block and apartments in close proximity to the adjoining residential property to the north (Shaldon Lodge), it is considered that the proposed development would seriously injure the residential amenities of this residential dwelling, by reason of its overbearing impact and by reason of overlooking, particularly from the terraces and balconies in the proposed development's most proximate duplex unit and apartments. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

4.2. D17A/0793 and D18A/0566 Adjacent site to the South (Rockville House)

4.2.1. D17A/0793 related to a 2.22 ha site to the south, on the opposite side of the Glenamuck Road. The site comprised Rockville House, a protected structure, and the associated gate lodge and other structures and adjoining lands. Permission sought by Frederick Jackson for demolition of existing agricultural outbuilding, retention of Rockville House and gate lodge as 2 no. separate dwellings, also retention of an associated walled garden as public open space; 49 no. dwellings consisting of 37 no. detached, semi-detached and terraced 2/3 storey houses and 12 no. apartments in 1 no. 4 storey apartment block; new vehicular access from Glenamuck Road South and retention and re-use of existing vehicular access to Rockville House and gate lodge for pedestrian and cyclist use; upgrades to Glenamuck Road including new footpath, resurfacing of the carriageway and public lighting. Described as the first phase of development on the residential zoned lands at Rockville House. Permission granted subject to conditions, none of which required any substantial amendments to the proposed scheme.

4.2.2. D18A/0566. Permission granted to Goodrock Project Management Ltd. for 6 no. 4 bed dwellings on a site to the immediate south of D17A/0793, to be accessed from the permitted local road within D17A/0793.

5.0 National and Local Planning Policy

5.1. Project Ireland 2040 - National Planning Framework

5.1.1. 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.

5.2. Section 28 Ministerial Guidelines

5.2.1. 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 section 28 Ministerial Guidelines are:

- ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (including the associated ‘Urban Design Manual’)
- ‘Design Standards for New Apartments – Guidelines for Planning Authorities’ (updated 2018)
- ‘Design Manual for Urban Roads and Streets’
- ‘The Planning System and Flood Risk Management’ (including the associated ‘Technical Appendices’)
- ‘Childcare Facilities Guidelines for Planning Authorities’
- ‘Urban Development and Building Heights – Guidelines for Planning Authorities’, (2018)

5.3. Dun Laoghaire Rathdown County Development Plan 2016-2022

5.3.1. Kiltiernan is designated as a ‘future development area’ in the Core Strategy as outlined in Figure 1.1 of the Plan (Core Strategy Map) and is within the Metropolitan Area of the county. Development plan section 1.3.4.2 sets out the basis for the Kiltiernan – Genamuck LAP. It is anticipated that the plan area will ultimately accommodate c. 2,500-3,000 residential units, a neighbourhood centre, two tranches of public open space and a large employment node adjacent to the established mixed-use development at The Park, Carrickmines. The key elements of the overall

planning framework for the area include the proposal to provide a bypass road of the Village Core of Kiltiernan, the implementation of a Neighbourhood Framework Plan to consolidate the Village Core, the graduation of residential densities from higher densities adjacent to the Luas line to lower densities further removed from this main public transport artery and the implementation of a centrally located major public open space / school site.

- 5.3.2. The site is zoned 'Objective A' in the development plan, '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 proposed quality bus / bus priority route running along the Glenamuck Road and the Enniskerry Road. In addition, there are 6 year road upgrade proposals on the Enniskerry and Glenamuck Roads. The site is subject to Specific Local Objective (SLO) 40 'To implement and develop the lands at Kiltiernan / Glenamuck in accordance with the Kiltiernan / Glenamuck Local Area Plan'. There is a protected structure, Shaldon Lodge, nearby to the west of the site.

5.4. **Kiltiernan Glenamuck LAP 2013 – 2023**

- 5.4.1. The overall strategy for the LAP lands reflects that of the County Development Plan, based on the roads improvement objectives for the Glenamuck District Distributor Road (GDDR) and Glenamuck Local Distributor Road (GLDR) to bypass Kiltiernan village, facilitating the development of the village centre and a new civic node. The LAP also provides for some upgrading of the existing Glenamuck Road to provide pedestrian and cycle facilities and the upgrading of the Enniskerry Road to a traffic calmed street to function as part of the neighbourhood centre. There is a Section 49 Supplementary Development Contribution Scheme for the GDDR, which also includes as a separate infrastructure project of Regional Surface Water Attenuation Ponds that are required to effect the SUDS drainage scheme for the new roads and the development lands within the LAP area.
- 5.4.2. DLRCC Transportation Dept. considers that up to 700 dwelling units can be accommodated on an existing upgraded road network, in advance of the GDDR scheme, as Phase 1. LAP section 10.6 sets out 13 criteria to be considered in the case of developments in advance of that scheme, with the following locations to 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). 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). Lands designated as 'medium density residential' to the east of Enniskerry Road. Any proposed developments must include the improvement of the Glenamuck Road.

Phase 1(b) to comprise c. 350 dwelling units:

- C. Concentrated at village core / along Enniskerry Road. Including lands zoned as 'neighbourhood centre' and 'residential' along the Enniskerry Road. Development is dependent on delivery of a traffic calming scheme and must include the improvement of the Enniskerry Road through the 'village core'.

The site is within Phase 1(a) B as per the LAP phasing map. LAP section 10.6 also states that it will be necessary to incorporate stringent SUDS measures in advance of the development of the Regional Surface Water Attenuation Ponds, in particular for sites > 0.5 ha or proposed developments > 20 units or where the proposed commercial area is > 500 sq.m. In such cases it is proposed to require the preparation of Stormwater Impact Assessments

5.4.3. The Transportation Dept. have revised the total number from 700 units up to 1050 units on foot of the Part VIII road works outlined below.

5.4.4. The development site is primarily within LAP land parcel 6 b with a small portion of the eastern side of the site within land parcel 5 b. The following objectives for land parcels 6 a and b are noted:

- Medium density residential. Detached houses, terraces, duplexes, courtyard type housing. Apartments may be appropriate adjacent to the GDDR and to provide a buffer to the proposed medium density residential to the south. Density of 40-45 units/ha.
- Height of 2-4 storeys at 6b. Any 4 storey element to be concentrated along the proposed main road and link / distributor roads and / or at key entrances to sites. Heights of up to 5 storeys at 6a fronting to the distributor road.

- Site is constrained by the 220 kv overhead power lines.
- Access to be provided off existing Glenamuck Road and Enniskerry Road.
- Requirement for a local access loop road within the site. Provisions to prevent 'rat running' through the site between the Glenamuck Road and the Enniskerry Road.
- Presence of Sheldon Lodge protected structure and curtilage to be acknowledged.

The LAP also provides for a 'greenway' route west of the landholding and outside the development site, connecting the Glenamuck Road with the Enniskerry Road west of the Golden Ball.

5.4.5. LAP objective RE03 provides:

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.

LAP Table 4.1 provides for a total of 2600 – 3000 new residential units. Land Parcel 6b is identified as a 'constrained site', to be developed at a density of 40-45 units/ha or 550-630 units. LAP section 4.8 sets out design guidance for residential development. The LAP Building Heights Map indicates 2-4 stories for the entire development site. The LAP envisages 3 bands of residential density, i.e. a band of higher density proximate to the Luas catchment (45-55 units/ha), a medium density band further from the Luas catchment but close to the village core (40-45 units/ha) and the lowest density band west of Enniskerry Road and south of Ballychorus Road (35-40 units/ha). LAP objective 4.3 requires 20% of all dwelling units in new developments to be provided as social / affordable units.

5.4.6. LAP chapter 5 includes the following movement and transportation objectives in addition to those mentioned above:

- The existing Enniskerry Road and Glenamuck Road are to be the main public transport routes for the area with a new bus gate where the Enniskerry Road joins with the extended GLDR. Only public transport vehicles, cyclists and pedestrians are to be allowed access to and from Kiltiernan Village from the Enniskerry Road at the bus gate. All other vehicles will not be allowed to make

this movement. Another bus gate at the junction of the Glenamuck Road and the GLDR, to the east of the development site.

- Traffic improvements proposed for the portion of (traffic calmed) Enniskerry Road aligned through the Kiltiernan Village Core, from The Church of Ireland Parish site to the north to the Enniskerry / Ballybetagh Road junction to include provisions for cyclists and pedestrians. Upgrading of the section of Enniskerry Road that traverses the Kiltiernan civic node with traffic calming measures.

5.5. Kiltiernan Neighbourhood Framework Plan

- 5.5.1. This is incorporated as an appendix of the current LAP. The framework plan sets out masterplan provisions with regard to block structure, use mix, architectural style and materials but does not include any specific provisions for the development site.

5.6. Enniskerry Road / Glenamuck Road Part VIII Scheme

- 5.6.1. The Part VIII scheme relates to the Enniskerry Road / Glenamuck Road (Golden Ball) junction. It extends as far as the entrance to Rockville on the Glenamuck Road but does not include the development site frontage. The scheme involves the following:

- Widening of both sides of the Glenamuck Road to allow for the provision of left and right turning lanes, cycle lanes and footpath approaching the Golden Ball junction. Also removal of a 'pinch point' at Cromlech Close.
- General upgrading of the Golden Ball junction to provide improved pedestrian and cycle facilities.
- Provision of a new right turning lane on the Enniskerry Road at the southern approach to the Golden Ball junction with a new frontage to the Kiltiernan Country Market at the eastern side of the road.
- Improved pedestrian crossings incorporated within signalised junction including new crossings on the northern and western sides of Enniskerry Road.
- Upgraded public lighting

Part VIII approval was granted at a meeting of Dun Laoghaire Rathdown County Council on 11th September 2017.

6.0 Forming of the Opinion

6.1. Pursuant to section 6(7) of the Act of 2016, regard is had in the forming of the opinion to the documentation submitted by the prospective applicant; the planning authority submissions and the discussions which took place during the tripartite consultation meeting. I shall provide a brief detail on each of these elements hereunder.

6.2. Documentation Submitted

6.2.1. The prospective applicant has submitted information pursuant to section 5(5)(a) of the Planning & Development (Housing) and Residential Tenancies Act 2016 and Article 285 of the Planning and Development (Strategic Housing Development) Regulations 2017. This information included, inter alia, the following:

Completed application form; planning report; Housing Quality Assessment; site layout plan and details of proposed house types, floor plans, elevations and section; duplex floor plans, sections and elevations and apartment block floor plans, elevations and sections; design statement; 3D drawings; Masterplan; landscape report; arboricultural report; engineering services report; Irish Water Confirmation of Feasibility; soakaway test summary report; report on ground conditions; traffic assessment; EIA screening; schools and crèche audit; ecological impact assessment; AA screening; Part V details.

6.2.2. Section 5(5)(b) of the Act of 2016 requires the submission of a statement that, in the prospective applicant's opinion, the proposal is consistent with both the relevant objectives of the development plan or local area plan concerned, and the relevant guidelines issued by the Minister under section 28 of the Act of 2000. These statements have been submitted, as required.

6.2.3. I have reviewed and considered all of the above-mentioned documents and drawings.

6.3. Planning Authority Submission

6.3.1. In compliance with section 6(4)(b) of the 2016 Act the planning authority for the area in which the proposed development is located, Dun Laoghaire Rathdown County Council, submitted a copy of their section 247 consultations with the prospective applicant and also their opinion in relation to the proposal. These were received by

An Bord Pleanála on the 26th November 2018. The planning authority's 'opinion' included the following matters.

6.3.2. PA Comment on Principle of Development

- A total of 1050 dwelling units can be permitted in the LAP area on implementation of the Part VIII Enniskerry Road / Glenamuck Road upgrade and in advance of the GDDR scheme, to be distributed across the LAP area. The development is to be considered with regard to the 13 criteria set out in the LAP pending permission for the GDDR and GLDR and the provision of surface water attenuation ponds.
- The Masterplan approach of the applicant to the development of the entire landholding is welcomed, particularly the provision of a vehicular link between the development site and the adjoining landholding with third party agreement. The masterplan is in accordance with the LAP.
- Having regard to the development plan core strategy, the zoning of the lands and the provisions of the Kiltiernan LAP, the development of land parcel 6b is acceptable in principle. Proposals for a local shop, crèche and indoor social / amenity facility are also acceptable in principle.
- The applicant may wish to seek an EIA screening determination from ABP in advance of lodging an application having regard to project splitting considerations or cumulative impact considerations with regard to the overall size of the landholding and the total no. of dwellings planned in phases 1-3.

6.3.3. PA Comment on Residential Density, Building Heights, Site Layout and Urban Design

- The proposed treatment of the sterilisation corridor along the electricity line as residual public open space is welcomed.
- The development has a gross residential density of 47 units / ha or 57 units / ha if the electricity restriction corridor is omitted. The LAP development brief for land parcel 6b indicates a net density of 40-45 units / ha. The Board decision ABP-300731-18 is noted. However, the proposed net density exceeds the LAP maxima and, in the opinion of the planning authority, should be amended to bring it in line with the LAP.

- The proposed development west of the restriction corridor ties in well with masterplan proposals for the adjoining greenway west of the landholding and pedestrian connections are provided for along this boundary. The proposed siting of areas of public open space close to the 3 storey apartment / duplex blocks west of the restriction corridor is appropriate. The co-location of smaller dwelling units alongside larger units in this part of the site is welcome. The prospective building heights, building typologies and block structure of this area accord with the LAP development brief for land parcel 6b.
- East of the restriction corridor, the drop in levels will reduce the visual prominence of the 4-6 storey apartment blocks in views from the Glenamuck Road. However, the planning authority is concerned that the blocks are overly tall and urban in appearance, increased by hard surfacing and the removal of hedgerow in this part of the site. The LAP has an aspiration for development sympathetic to Kiltiernan's rural character and provides for heights of up to 5 storeys adjoining parts of the GDDR, however a maximum height of 4 storeys applies to land parcel 6b. It is acknowledged that the policy context for building heights may have changed at planning stage if ministerial guidelines are finalised. Preference for soft landscaping and the retention of the hedgerow in this part of the site.
- The proposed vehicular and pedestrian linkages to the adjoining landholding and to the remainder of the landholding outside the site boundary reflect the wider vision of the area and are welcomed.
- The proposed quantum of public open space is significantly in excess of that required by the Apartment Guidelines and the development plan, discounting the open space associated with the electricity corridor.
- The applicant should provide additional details of landscaping, play areas and the use / hierarchy of open spaces, also tree retention and the relationship with the prospective greenway west of the development site as per the LAP. The planning authority has concerns about the removal of the hedgerow along the Glenamuck Road frontage and favours its retention, additional details to be submitted at application stage.

- The surface car parking is visually dominant throughout the site. Could grouped parking to the rear of blocks H1 and G1 be placed underground? Also opportunities to reduce the area of roads within the site.
- Redesign of duplex blocks to increase passive surveillance to the rear and sides of the blocks.
- Applicant to review the use of large modular stone panels to the apartment blocks.

6.3.4. PA Comment on Housing Quality / Mix

- The proposed mix of dwelling units is consistent with development plan policy Res 7 and the Apartment Guidelines SPPR 1 and 2. The internal floor areas and private open spaces of the apartments are stated to be in accordance with the Apartment Guidelines.
- The open spaces of the houses meet development plan requirements.

6.3.5. PA Comment on Community Infrastructure

- The proposed childcare facility meets the requirements of the 2001 guidelines. The proposed location in Block H is welcomed. The site is accessible to a new school site on the GLDR.
- The shop and social community facility are welcomed. The scale of the convenience shop is consistent with development plan policy RET7.

6.3.6. PA Comment on Transport

- The development can only be implemented subsequent to the Part VIII works or is otherwise premature. The applicant should also be mindful of the status of an upcoming application to ABP for the Glenamuck District Roads Scheme (GDRS).
- The access from Glenamuck Road South will require set back from the road frontage to facilitate future alignment as part of the GDRS. The junction may need to be relocated further west to avoid conflict with nearby existing access. Details to be agreed with the Transportation Dept. Requirement for a footpath along the Glenamuck Road frontage with uncontrolled pedestrian crossings at desire lines.

- Applicant to submit further details of car and cycle parking provision including allocation of car parking spaces for the apartments.
- Applicant to meet requirements for areas to be taken in charge to include consideration of rights of way and future permeability to adjoining lands.

6.3.7. PA Comment on Drainage and Flood Risk

- The development is to drain to a stream and not to the regional attenuation ponds provided for in the GDRS. This is acceptable however the potential for additional treatment is lost. Applicant to demonstrate that they can achieve equivalent level of treatment, e.g. ponds, bioretention systems or retention basins.
- Further drainage details requested.
- Details of overland flow routes to the undeveloped lands north of the site.

6.3.8. PA Comment on Other Matters

- Special S49 development contribution payable with respect to developments in Kiltiernan.
- Part V proposal acceptable subject to agreement on costs.

6.4. **Irish Water Submission**

6.4.1. The proposed connection to the Irish Water network can be facilitated subject to a valid connection agreement. The development will require the following:

- Diversion of existing watermain to the north of the development site.
- Upsizing of existing watermain at Glenamuck Road.

Upgrades to existing watermains in the area are planned to cater for zoned lands. These are to be installed by DLRCC Roads and must be commissioned prior to supplying demand.

6.5. **Consultation Meeting**

6.5.1. A section 5 Consultation meeting took place at the offices of An Bord Pleanála on the 28th November 2018. Representatives of the prospective applicant, the planning authority and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting.

- 6.5.2. The main topics raised for discussion at the tripartite meeting were based on the Agenda that issued in advanced and contained the following issues:
1. Kiltiernan Glenamuck Local Area Plan 2013-2023; phasing of development; residential density
 2. Design and layout of development; impacts on visual amenities; relationship with adjoining sites
 3. Roads and transportation issues; roads layout; interaction with the adjacent public transport corridor; pedestrian and cycle connections; car and cycle parking provision
 4. Drainage and Flood Risk
 5. Any other matters.

6.5.3. In relation to the Kiltiernan Glenamuck Local Area Plan 2013-2023; phasing of development; residential density, ABP representatives sought further elaboration / discussion on:

- Quantum and density of residential development
- Completion of Part VIII works at Golden Ball and progress of Glenamuck distributor road scheme.
- Phasing in Kiltiernan LAP
- Progress of masterplan and discussions with adjoining landowners

6.5.4. In relation to the design and layout of development; impacts on visual amenities; relationship with adjoining sites, ABP representatives sought further elaboration / discussion on:

- Frontage onto Glenamuck Road, tree retention along the road frontage
- How apartments fit into remainder of development. Layout of development adjacent to the Glenamuck Road access and compatibility with Glenamuck district road works.
- Pedestrian and cycle facilities at the Glenamuck Road frontage and compatibility with Glenamuck road works.

- Height of apartment blocks with regard to LAP and national policy on building heights.
- Parking provision, compliance with development plan parking standards, apartment standards and DMURS. Layout of parking areas.

6.5.5. In relation to roads and transportation issues; roads layout; interaction with the adjacent public transport corridor; pedestrian and cycle connections; car and cycle parking provision, ABP representatives sought further elaboration / discussion on:

- Status of 'possible future connections' to adjoining sites.
- Proposed frontage to Glenamuck Road, retention of hedgerow, interaction with GLDR.

6.5.6. In relation to drainage and flood risk, ABP representatives sought further elaboration / discussion on:

- Surface water outfall to Carrickmines Stream.

6.5.7. In relation to any other matters, ABP representatives sought further elaboration / discussion on:

- EIA
- AA Screening
- Applicant to have regard to possible Material Contravention.

6.5.8. Both the prospective applicant and the planning authority were given an opportunity to comment and respond to the issues raised by the representatives of ABP. Those comments and responses are recorded in the 'Record of Meeting ABP-302801-18' which is on file. I have fully considered the responses and comments of the prospective applicant and planning authority in preparing the Recommended Opinion hereunder.

7.0 Conclusion and Recommendation

7.1. Based on the entirety of the information before me, it would appear that the proposed development falls within the definition of Strategic Housing Development,

as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

- 7.2. I have examined all of the information and submissions before me including the documentation submitted by the prospective applicant, the submissions of the planning authority and the discussions which took place at the tripartite meeting. I have had regard to both national policy, via the section 28 Ministerial Guidelines, and local policy, via the statutory development plan for the area.

Having regard to all of the above, I recommend that further consideration and/or possible amendment of the documents submitted are required at application stage in respect of the following elements:

- **Phasing, density and quantum of development with regard to the Kiltiernan Glenamuck Local Area Plan 2013-2021 and the permitted Part VIII works**
- **Design and layout of residential development**
- **Glenamuck Road frontage and access**

details of which are set out in the Recommended Opinion below.

- 7.3. Having regard to the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act **requires further consideration and amendment in order to constitute a reasonable basis for an application** under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

- 7.4. I would also recommend that the prospective applicant be notified, pursuant to article 285(5)(b) of the 2017 Regulations, that specified information (as outlined hereunder) be submitted with any application for permission that may follow. I believe the specified information will assist the Board at application stage in its decision making process. I am also recommending that a number of prescribed bodies (as listed hereunder) be notified by the prospective applicant of the making of the application.

8.0 Recommended Opinion

- 8.1. An Bord Pleanála refers to your request pursuant to section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. Section 6(7)(a) of the Act provides that the Board shall form an opinion as to whether the documents submitted with the consultation request (i) constitute a reasonable basis for an application under section 4 of the Act, or (ii) require further consideration and amendment in order to constitute a reasonable basis for an application under section 4.
- 8.2. Following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, An Bord Pleanála is of the opinion that the documentation submitted **requires further consideration and amendment to constitute a reasonable basis for an application** for strategic housing development to An Bord Pleanála.
- 8.3. In the opinion of An Bord Pleanála, the following issues need to be addressed in the documents submitted to which section 5(5) of the Act of 2016 relates that could result in them constituting a reasonable basis for an application for strategic housing development:

Phasing, Density and Quantum of Development with Regard to the Kiltiernan Glenamuck Local Area Plan 2013-2021 and the Permitted Part VIII Works

Rationale for the proposed quantum of development with regard to the provisions of the Kiltiernan Glenamuck Local Area Plan 2013-2021, along with detailed phasing proposals with regard to the provision of the permitted Part VIII works at the Glenamuck Road / Enniskerry Road junction. The rationale is to have regard to the 13 phasing criteria set out in the LAP.

Design and Layout of Residential Development

Further consideration/justification of the documents as they relate to the design and layout of residential development, in particular (i) the height of the proposed apartment blocks with regard to their visual impact on the Glenamuck district roads scheme and their relationship with adjoining sites and the adjoining public open space and (ii) the layout of the apartment blocks, crèche and commercial unit at the Glenamuck Road frontage of the site. The further consideration of this issue may

require an amendment to the documents and/or design proposals submitted relating to the design and layout of the proposed development.

Glenamuck Road Frontage and Access

Further consideration/justification of the documents as they relate to the Glenamuck Road frontage and access to the scheme, in particular (i) compatibility with the Glenamuck Link Distributor Road layout and the Enniskerry Road / Glenamuck Road Part VIII Scheme (ii) the provision of pedestrian and cycle facilities on the Glenamuck Road and (iii) the retention of trees at the Glenamuck Road frontage of the site. The further consideration of this issue may require an amendment to the documents and/or design proposals submitted relating to the design and layout of the proposed development.

8.4. Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission:

1. Rationale for the proposed quantum, density and height of development with regard to the phasing provisions of the Kiltiernan Glenamuck Local Area Plan 2013-2021; the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual'); The 'Design Standards for New Apartments – Guidelines for Planning Authorities' (2018) and the 'Urban Development and Building Heights – Guidelines for Planning Authorities' (2018).
2. Landscape and Visual Impact Assessment with photomontages and 3D modelling, to include consideration of impacts on the Glenamuck District Distributor Road Scheme, Shaldon Grange protected structure and the wider area.
3. Landscaping proposals to include (i) Arboricultural Impact Assessment and details of measures to protect trees and hedgerows to be retained at the site; (ii) particular consideration of trees at the Glenamuck Road frontage of the site; (iii)

rationale for proposed public open space provision, to include an open space hierarchy and detailed layouts for the public open spaces and (iv) to provide for connection to the greenroute in the adjoining lands to the west as per the Kiltiernan Neighbourhood Framework Plan.

4. Rationale for proposed parking provision with regard to the parking standards set out in the Dun Laoghaire Rathdown County Development Plan 2016-2022 and to the 'Sustainable Urban Housing Design Standards for New Apartments – Guidelines for Planning Authorities' (2018), to include details of parking management for the apartments. The proposed car and cycle parking provision should include areas designated for parking or drop off purposes associated with the commercial unit and childcare facility.
 5. Detailed surface water drainage proposals to include (i) SUDS measures; (ii) applicant to demonstrate that they can achieve a level of treatment equivalent to the regional attenuation ponds provided for in the Glanamuck Distributor Road Scheme prior to discharge; (iii) a Stormwater Impact Assessment; (iv) outline proposals that demonstrate that the surface water drainage system for the site can be adapted for adjacent future additional development lands in the applicant's ownership; (v) legal agreement regarding the surface water outfall through land outside the site boundary; (vi) rationale for the locations of swales.
 6. Assessment of the capacity of schools in the area.
- 8.5. Pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:
1. Irish Water
 2. Transport Infrastructure Ireland
 3. National Transport Authority
 4. Department of Culture, Heritage and the Gaeltacht

5. An Taisce-the National Trust for Ireland
6. The Heritage Council
7. Failte Ireland
8. An Comhairle Ealaíonn
9. Dun Laoghaire Rathdown County Council Childcare Committee

PLEASE NOTE:

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

Sarah Moran

Senior Planning Inspector

18th December 2018