



An
Bord
Pleanála

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

Inspector's Report on Recommended Opinion ABP-303131-18

Strategic Housing Development	75 apartments and 55 houses
Location	Shaldon Grange, Kiltiernan, Dublin 18
Planning Authority	Dun Laoghaire Rathdown County Council
Prospective Applicant	Heronvale Developments Ltd.
Date of Consultation Meeting	16 th January 2019
Date of Site Inspection	13 th January 2019
Inspector	Stephen J. O'Sullivan

1.0 Introduction

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 has a stated area of 2.9ha. It lies c16km south of the centre of Dublin on pastureland at the edge of the built-up area of the city. It has c220m of frontage onto the Enniskerry Road in Kiltiernan village opposite a church and school. The main part of the site lies between that road and the line of a proposed district distributor road to the north. A driveway to the detached houses at Shaldon Grange and Shaldon Lodge to the south crosses main part of the site. Another part of the site comprises a narrow strip that links to the Glenamuck Road c400m south east of the main part of the site. The site is part of a landholding of 6.7ha that includes land to the south and west of the main part of the site, and on the other side of the proposed Glenamuck District Distributor Road to the north.

3.0 Proposed Strategic Housing Development

3.1. It is proposed to build 75 apartments and 55 houses. The housing mix is as follows–

	1 bed	2 bed	3 bed	4 bed	5 bed	Total
Houses	-	5	11	25	14	55
Apts	28	47		-	-	75
Total	28	52	11	25	14	130

3.2. 60 of the apartments would be in 4 four-storey blocks on the northern boundary of the site along the line of the proposed district distributor road. The other 15 apartments would be in 5 three-storey buildings at the end of terraces with houses.

3.3. There would be a single vehicular access from the Enniskerry Road at the northern end of that boundary of the site. One of the internal roads would run parallel to the Enniskerry Road with houses on the other side of the internal road only. Two other pedestrian accesses would be provided to the Enniskerry Road, one opposite the church and the other at the southern end of that boundary of the site. Another pedestrian link is shown to the Glenamuck Road c400m south-east of the proposed housing. 204 car parking spaces would be provided and 158 spaces for bikes. There would be an open space of 3,010m² in the north-eastern corner of the site.

4.0 Planning History

4.1. ABP-300731-18 Adjacent Site to the South and West of the current site

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. The first reasons stated that the proposed development would not be 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, and that it would 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..
 2. The second reason stated that the information received was not 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.
 3. The third reason stated that 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, contrary to the principles espoused by the Design Manual for Road and Streets (2013) and the Urban Design Manual issue with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) and that it would not provide the necessary integration and permeability between different sections of the overall development area as set out in the Local Area Plan.
 4. The fourth reason stated that the development seriously injure the residential amenities of the house at Shaldon Lodge due to the location and height of the proposed houses, crèche/duplex block and apartments in and consequent overlooking, particularly from the terraces and balconies in the proposed development's most proximate duplex unit and apartments.
- 4.2. A request for a pre-application opinion for proposed development on the same site as above is currently before the board, **ABP-303099-18** refers.

5.0 Policy

5.1. National Policy

The government published the National Planning Framework in February 2018. Objective 3a is that 40% of new homes would be within the footprint of existing settlements. Objective 27 is to ensure the integration of safe and convenient alternatives to the car into the design of communities. Objective 33 is to prioritise the provision of new homes where they can support sustainable development at an appropriate scale.

The applicable section 28 guidelines include -

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

5.2. Dun Laoghaire Rathdown County Development Plan 2016-2022

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.

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, immediately to the south-east of the site.

5.3. Kiltiernan Glenamuck LAP 2013 – 2023

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.

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

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.

The development site is primarily within LAP land parcel 6 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 . 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.

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.

5.4. Kiltiernan Neighbourhood Framework Plan

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.

5.5. Enniskerry Road / Glenamuck Road Part VIII Scheme

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. Documentation Submitted

The prospective applicant submitted extensive documentation including drawings of the proposed development and an indicative layout for future development on the rest of the applicant's landholding. The documentation also included–

- A Statement of Consistency
- An Architectural Design Statement
- An EIA Screening Report
- An Appropriate Assessment Screening Report
- An Ecological Impact Assessment
- A Bat Report
- A Conservation Report
- A Site Specific Flood Risk Assessment Report
- A Geotechnical Report
- An Engineering Services Report
- An Arboricultural Report
- A Traffic Appraisal

6.2. Statement of consistency

The submitted statement says that the proposed development would have no impact on the protected structure at Shaldon Grange as demonstrated in the submitted conservation report. Neither would it affect the residential amenities of Shaldon Lodge. The proposal is for the residential development of zoned land in the urban area, and as such it would be in keeping with the objectives of the National Planning Framework; the Regional Planning Guidelines and the draft RSES. The site would best be described as within a “small town or village” under the 2009 sustainable urban residential guidelines, and the proposed density of 45dph would be in keeping with this, as well as providing an appropriate balance between the protection of amenity and the sustainable development of zoned land. The proposed development would deliver significant open space of more than 10% of the site area, but in the interests of clarity there is no subtraction from the site area to calculate the net residential density. The proposed pedestrian route focussed on the church would be suitably overlooked by four houses, while there would be a pedestrian link to the Glenamuck Road. The design would respect the village character of Kiltiernan. The layout would facilitate development on adjoining land. With respect to the 2018 apartment design guidelines, the site would be an ‘intermediate urban area’ where the proposed mix of unit types and density would be appropriate. As required under the childcare guidelines, a schedule is submitted showing the range of such facilities in the area, including one across the Enniskerry Road from the site, to justify the absence of a proposed one on the site. Proposals are submitted to comply with Part V of the planning act. A statement asserting compliance with DMURS is submitted. The site is in flood zone C under the guidelines on that topic, so the justification test does not apply. A site specific flood risk assessment is submitted. The proposed range of 2 to 4 storey buildings would comply with the 2018 guidelines on building heights.

The residential development is in line with the core strategy for the county and the zoning of the site set out in the development plan. The density, housing mix and open space provided meet the standards set out in the development plan. The scheme provides a sense of place and a design statement has been submitted. The parking provision is slightly above the development plan standard. Private open space in the form of gardens and balconies is provided in line with the development

plan standard, and proper refuse facilities would be provided. The proposed development takes account of the provisions of the LAP and would facilitate the development of adjoining lands, and so it should be given priority under the phasing scheme set out in the LAP.

6.3. Planning Authority Submission

The submission from the planning authority stated that most of the development envisaged at Kiltiernan will follow permission for the proposed distributor roads and the provision of large surface water attenuation ponds. The proposed development would be in keeping with the zoning of the site and the agreement regarding a vehicular link to the adjoining landholding is welcome, as is the proposed provision of a pedestrian and cycle link to Glenamuck Road in phase 1 of the development of the landholding. The preparation of a masterplan and reports for the whole landholding is also welcome. However the proposal for apartments so close to the line of the proposed district distributor would be premature pending the design of that road. The planning authority would prefer if the features to the south and east of Shaldon Grange were brought forward in the first phase of development, including the stream which is of ecological value, as this would facilitate links with the development on adjoining landholdings.

The proposed net density is 50dph which exceeds the limit of 45dph stated in the LAP. The latter is considered appropriate having regard to current guidelines as the lands are on the edge of the built up area without service from a public transport corridor. Building heights of 3 to 4 storeys accord with the LAP.

The proposed greenway links through the development are positive features. The design of the proposed apartments is repetitive. The proposed park should be more centrally located within the LAP area, overlooked by apartments, rather than beside the district distributor road. The Enniskerry Road should be framed by residential development, with internal roads perpendicular to it. The changes in levels could be provided with stepped buildings. The retention of the hedgerow along the road should be balanced against the need for traffic calming along it. A visual relationship with the road should be provided, and more footfall along it should be encouraged. The proposed buildings are set back by 15m from the public road. There is a concern about supervision of the proposed green link focussed on the church.

The proposed linkages through the landholding are welcome, but details of their vertical alignment are required due to the topography of the area.

The design of the proposed houses is acceptable. The 4 storey apartment blocks appear boxy. The mix of housing types is acceptable. The apartment design guidelines appear to be met. The information submitted regarding the provision of an adequate amount of open space is limited, and a conclusion on the matter is not offered.

The absence of a childcare facility or indoor community facilities should be reconsidered.

The Housing Section have indicated that Part V requirements can be met in the proposed development.

The preparation of an ecological impact assessment and bat survey are noted. The board is the competent authority for EIA and AA screening.

The Environment Section has issues regarding waste management

After the Part 8 consent was granted for the upgrade of the junction of the Enniskerry Road and the Glenamuck Road, the council concluded that an additional 350 homes (a total of 1050) could be provided on the LAP lands before the proposed distributor roads were provided. The inclusion of the proposed development in this allowance would have to be justified under the criteria set out in section 10.6 of the LAP.

A section 49 supplementary contribution scheme applies to Kiltiernan.

The planning authority therefore recommended that the prospective applicant be asked to address:

- The provision of the apartment blocks prior to the design of the adjoining distributor road
- The relationship with the Enniskerry Road
- Open space, landscaping, play areas, finishes and materials, vertical alignment of links, childcare, waste management and other issues
- The phasing requirements of the LAP

A report from the Drainage Planning Section of the council stated that there were various omissions from the information submitted on this topic.

6.4. Other submissions

A submission from Irish Water stated that a confirmation of feasibility in respect of 401 units had been issued for this site without requirements for upgrades to its networks.

A submission from the Department of Culture, Heritage and the Gaeltacht stated that the mitigation requested by the department during the previous application should be carried out for any future application.

6.5. The Consultation Meeting

A section 5 consultation meeting took place at the offices of the board at 1500 on Thursday 16th January 2019 between representatives of the board, the planning authority and the prospective applicants about the proposed development. A record of the meeting was made and is available. The main topics discussed at the meeting were –

- i. Urban Design, with particular reference to relationship between development and the Enniskerry Road and the proposed district distributor road
- ii. Masterplan, linkages to adjacent sites and phasing, having regard to Kiltarnan LAP provisions
- iii. Residential amenity, including the provision of open space and compliance with the apartment design guidelines
- iv. Drainage and Water Supply
- v. Any other matters

With regard to item i), the planning authority stated that a second road parallel to the Enniskerry Road should be avoided. The topography of the site is noted, but the Enniskerry Road could be addressed by perpendicular streets with stepped building levels along them. The LAP envisages traffic calming along the road between the churches after the distributor roads by-pass the village, but detailed proposals in this regard have not been designed. The prospective applicant stated that the proposed development was design driven. The character of the area is in transition. The houses proposed along the Enniskerry Road would be at lower levels behind a hedgerow and would maintain the rural appearance of the village. The parallel access would be a shared surface in a home zone rather than another road.

Maintaining the curves in the road is desirable. Perpendicular access to the roads would have slopes greater than allowed under the applicable roads standards. Houses with an East-West orientation provide better light and amenity for their occupants. The proposed pedestrian link would provide a view of the church, while the layout would provide a series of green spaces through the landholding towards the proposed park on the southern side of the Glenamuck Road. The proposal provide suitable frontage with higher buildings towards the proposed district distributor road. The planning authority welcomed the provision of frontage onto the proposed distributor road. However the design of the latter road has not been finalised and the reservation shown on the LAP map is not definitive. The proposed apartments may therefore be premature, although their omission might result in an inadequate density of development. The planning authority still consider the frontage onto the Enniskerry Road to be a matter of concern, and pointed out that there was a cluster of community uses at the school, church and creche across the road from the site. Proposed works to the public road should be included in the site boundary and properly described in any application. The prospective applicant stated that the line of the proposed distributor road in the LAP was taken as the basis of the submitted design. They were keen to progress the development and suggested that a phasing condition could imposed on any permission so that the apartments were not commenced or occupied until the road design was completed. The planning authority suggested that the proposed Block D could better address the adjoining open space. The applicant indicated that balconies overlooking that space. The board's representatives noted the extensive render finishes to the proposed apartments and stated that materials that required less maintenance are preferable on apartment buildings and that a life cycle report would be required under the 2018 apartment design guidelines.

With regard to item ii) the planning authority stated that it had facilitated meeting between the three landowners for parcel 6 of the LAP lands. Links between developments on these lands needed to work and vertical alignments are an issue given the topography of the site and the fall away from the Glenamuck Road where a pedestrian link is proposed. The authority welcomed the vehicular links shown the Victoria Homes site to the east. It noted that a vehicular link was not shown from the loop road through the adjoining lands to the south and west. The prospective

applicant stated that there was little opportunity for such a link from the strip of its land that adjoined that other landholding. The board's representatives stated that clarity is needed regarding the links between the various schemes including their levels and the timing of their provision. It would not be sufficient to show indicative position for links. A plan indicating areas to be taken in charge should be submitted with any application. The planning authority stated that a linked series of open spaces was needed. The parties concurred that consultation between the landowners and with the planning authority was necessary. With regard to phasing under the LAP, the planning authority noted the number of proposals for development and stated they needed to comply with the criteria for phasing set out in the plan. Facilitating orderly development was one of the criteria. Excessive proposals would be deemed premature. The prospective applicant stated that it was confident that its proposal would meet the criteria.

With regard to item iii) the prospective applicant outlined the open space strategy underlying the proposal. There would be a primary open space of 3,010m² centrally located in the overall landholding that would be part of a series of spaces from the proposed district distributor road towards the proposed park south of the Glenamuck road. The existing stream and trees along it would be incorporated into open space. The planning authority noted the retention of that amenity, but raised concerns about the overall loss of trees from the site. The prospective applicant stated that a lot of planting would occur as part of the development. The board's representatives queried the provision of open space around the apartment blocks and whether it would properly protect the amenities of residents, particularly those living on the ground floor. The prospective applicant stated that the proposed central open space would be more than 10% of the site area, and that details of the quantity of open space could be submitted with any application.

With regard to item iv), the planning authority referred to the written submission from its Drainage Division, in particular whether the attenuation calculations were based on the both phases of development on the landholding and the level at which the stream is crossed. The prospective applicant stated that the required information would be submitted with any application.

With regard to item v), the planning authority expressed concern with the absence of a proposed childcare facility. The submitted details of other such facilities in the area

was noted, but their spare capacity could be exhausted by the planned development in Kiltiernan. The location near the school would be suitable for a childcare facility. The prospective applicant expressed concern about the viability of another facility on the site, particularly when most of the proposed development would be apartments. The planning authority stated that details of waste storage would be required in any application. The prospective applicant expressed a view that the current site was located on the side of Kiltiernan nearest the existing built-up area of the city and was isolated from the other zoned land there, but within the village node. Its development could therefore be reasonably considered on its own merits and could proceed before the construction of the road upgrades required to service other development in the area. The traffic appraisal indicated that the scheme would not have a significant effect on the junction between the Enniskerry Road and the Glenamuck Road as the large majority of cars leaving it would turn right and travel towards Stepside. The apartment blocks could be delayed if they would affect the design of the proposed district distributor road allowing the other houses and apartments to proceed. The planning authority stated that the CPO for that road would be likely to be published next month and current indications are that it would not extend outside the line shown on the LAP. The road could be completed within two years of its approval and the confirmation of a CPO in respect of it.

7.0 Conclusion and Recommendation

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.

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 s.28 Ministerial Guidelines, and local policy, via the statutory 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 elements that are set out in the Recommended Opinion below.

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.

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

The Board 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.

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.

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:

1. Further consideration of the documentation relating to the co-ordination of the proposed development with the development of the adjoining lands in accordance with the provisions of the Kiltiernan Local Area Plan. The submitted documentation should demonstrate that proper connections for movements by pedestrians, cyclists and vehicles would be provided between the proposed development and future development on other lands between the Enniskerry Road, the Glenamuck Road and the planned district and link distributor roads and should specify the type, location and levels of the proposed connections. The documentation should include a plan showing that area of the proposed development that would be taken in charge by the planning authority that would include links to adjoining lands extending to the site's boundaries without any intervening strips. The submitted documentation should give an account of consultations on the matter with other landowners and the planning authority with a view to ensuring that such connections are consistently shown on the documentation submitted with any relevant applications. In this regard, it would be beneficial if an overall masterplan for the lands in question could be submitted that has been agreed with adjoining landowners in the interests of providing for a comprehensive urban development strategy which is cognisant of the adjoining third party lands and provides a local planning framework to deal with inter alia, movement, public realm, design and surface water managements proposals..
2. Further consideration of the documentation relating to the phasing of the proposed development in relation to the scheme set out in section 10 of the

Kiltarnan LAP, including the 13 criteria for interim development in section 10.6, that would justify proceeding with the development at the proposed time.

3. Further consideration of the documentation relating to the relationship of the proposed development to the Enniskerry Road. The documentation should demonstrate that the proposed development would provide appropriate frontage onto that road after its form and function have changed after the planned distributor roads have been completed from a regional road in a rural area to a street within the village core of Kiltarnan in accordance with the provisions of the local area plan.

4. Further consideration of the documentation relating to the relationship of the planned Glenamuck District Distributor Road and the proposed development, in particular the proposed apartment buildings on the northern part of the site. The submitted documentation should demonstrate that the proposed development would not be premature pending the final design of the distributor road, while ensuring that the proposed development provides suitable frontage onto that road, contains an adequate mix of housing types, achieves a sufficient density of development for an outer suburban greenfield site under section 5.11 of the Guidelines for Planning Authorities on Sustainable Urban Residential Development, 2009, and provides an appropriate level of amenity for the residents of dwellings in the vicinity of the planned road.

5. Further consideration of the documentation relating to the design of the proposed apartment buildings in the north of the site. The submitted documentation should provide a high standard of urban and architectural design using materials and finishes that do not entail excessive maintenance costs over the long term. The documentation should include a Building Life Cycle Report as required by section 6.13 of the Guidelines on the Design Standards for New Apartments issued in 2018.

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. National Transport Authority
2. Irish Water
3. Transport Infrastructure Ireland
4. The Minister for Culture, Heritage and the Gaeltacht,
5. The Heritage Council
6. An Taisce — the National Trust for Ireland
7. Failte Ireland
8. Dun Laoghaire Rathdown County Childcare Committee

Pursuant to article 285(5)(b)(i) and (ii) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that the following specific information should be submitted with any application for permission:

1. A housing quality assessment which provides the specific information regarding the proposed apartments required by the 2018 Guidelines on Design Standards for New Apartments. The assessment should also demonstrate how the proposed apartments comply with the various requirements of those guidelines, including its specific planning policy requirements.
2. A report demonstrating compliance with the applicable standards set out in DMURS.
3. A phasing scheme for the development which would indicate how open space and access for the proposed housing would be provided in a timely and orderly manner.

4. A Site Specific Flood Risk Assessment Report. The prospective applicant is advised to consult with the relevant technical section of the planning authority prior to the completion of this report which should describe this consultation and clarify if there are any outstanding matters on which agreement has not been reached with regard to surface water drainage.
5. Details of proposed boundary and surface treatments throughout the development, and of landscaping and planting including an arboricultural impact assessment.
6. A draft construction management plan
7. A draft waste management plan.

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.

Stephen J. O'Sullivan
Planning Inspector,
4th February 2019