



An
Bord
Pleanála

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

Inspector's Report ABP-306160-19

Strategic Housing Development

Demolition of Greenmount and Dun Oir, construction of 197 no. residential units (62 no. houses, 135 apartments) and associated site works.

Location

Glenamuck Road, Enniskerry Road, Kiltiernan, Dublin 18.

Planning Authority

Dun Laoghaire Rathdown County Council

Applicant

Declan Taite and Anne O' Dwyer, Joint Statutory Receivers of Certain Assets of M and M Doran

Prescribed Bodies

TII

Irish Water

Observer(s)

Ann Colville

David and Gwen Ryan

Declan Flynn and Michele Donohue

Gareth and Kathryn Healy

James and Ann Colville

Nigel and Ciara Start

Inland Fisheries Ireland

Date of Site Inspection

9th March 2020

Inspector

Erika Casey

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1.0 Introduction

- 1.1 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 was received by the Board on the 13th of December 2019 from Declan Taite and Anne O' Dwyer, Joint Statutory Receivers of Certain Assets of M and M Doran.

2.0 Site Location and Description

- 2.1. The subject site, which has a stated area of approximately 4.5 hectares, is located north of the Glenamuck Road, east of the Golden Ball cross roads and the built up area of Kiltiernan. The site is part of a larger land parcel identified as parcel 6b under the Kiltiernan Glenamuck LAP 2013. The site 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 (Greenmount and Dun Oir) proposed for demolition. The land is sloping in nature with a difference in gradient across the site from the north-eastern corner to the south-western portion of c.20 metres. A powerline traverses part of the site at the south east corner.
- 2.2. 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 newly developed Wayside Football Club and associated playing fields are located on the opposite side of the Glenamuck Road.
- 2.3. 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. Part of the site at the entrance will be ceded to this dwelling. Further to the north of the site there are two residential properties known as Long Meadow and Shaldon 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.

The site is located c. 1km to the south west of the Carrickmines Retail Park, c. 1.4km southwest of Ballyogan Wood Luas stop and c. 1.9km west of Carrickmines stop.

The general character of the area in the vicinity is rural comprising of large detached houses on individual plots. This character is however, changing rapidly with a number of large scale residential developments permitted in the vicinity of the site.

3.0 Proposed Strategic Housing Development

3.1 The proposed development provides for the construction of a housing development comprising:

- Demolition of 2 habitable dwellings on the site referred to as 'Greenmount' and 'Dun Oir'.
- Construction of 197 residential units comprising:
 - 62 no. houses comprising 25 no. three bedroom houses, 25 no. four bedroom houses and 12 no. five bedroom houses.
 - 115 no. apartments comprising 65 no. 1 bed units and 50 no. 2 bed units in 7 blocks ranging in height from 3 to 4 storeys.
 - 20 no. duplex apartments comprising 10 no. 2 bed units and 10 no. 3 bed units in 4 no. three storey blocks.
- Construction of a crèche with a floor area of 275 sq. metres.
- The construction of the link access road between Enniskerry Road and Glenamuck Road required under the Kiltiernan/Glenamuck Local Area Plan including vehicular access points onto the Enniskerry Road and Glenamuck Road.
- The provision of access points at the boundaries with lands to the north, north east and west of the site to provide for future vehicular, pedestrian and cycle access.
- Landscaped public open space and all other site works required to facilitate the development.
- The development includes 299 car parking spaces, 381 bicycle spaces and 12 motor bike spaces to be provided at surface and basement level.

3.2 The proposed housing mix is as follows:

Unit Type	Quantity	%
3 bed house	25	13
4 bed house	25	13
5 bed house	12	6
Duplex 2 bed	10	5
Duplex 3 bed	10	5.
Apartment 1 bed	65	33
Apartment 2 bed	50	25
Total	197	100

Unit Mix

Unit Type	No.	%
1 bed	65	33
2 bed	60	30
3 bed	35	18
4 bed	25	13
5 bed	12	6
Total	197	100

Development Parameter Summary

Parameter	Site Proposal
Application Site	4.52 ha
No. of houses	62 houses 25 no. 3 bed 25 no. 4 bed 12 no. 5 bed
No. of apartments	115 apartments 65 no. 1 bed 50 no. 2 bed
No. of duplex units	20 duplex units 10 no. 2 bed 10 no. 3 bed
Other Uses	Crèche – 275 sq. metres
Density	44.9 units per ha (net)
Plot Ratio	0.49
Site Coverage	21%
Dual Aspect	77.4%
Car Parking	299 spaces
Bicycle parking	299 plus 82 visitor cycling spaces.
Height	2 to 5 storeys
Open Space	4,650 sq. metres

3.3 In addition to the architectural and engineering drawings, the application was accompanied by the following reports and documentation:

- Cover Letter
- Copy of Site Notice
- Copy of Newspaper Notice
- Completed Application Form
- Letters to Prescribed Bodies
- Schedule of Drawings, Documents and Reports
- Architectural Drawings
- Verified View Montages and CGI's
- Landscape Drawings
- Arboricultural Drawings
- Engineering Drawings
- Public Lighting Layout
- Statement of Consistency
- Statement of Response to the Notice of Pre Application Consultation Opinion
- Planning Report
- Architectural Design Statement
- Universal Access Statement
- Building Lifecycle Report
- Landscape Outline Softworks Specification
- Masterplan Connections and Open Space Hierarchy Report
- Flood Risk Assessment
- Infrastructure Design Report
- Traffic and Transport Assessment
- Mobility Management Plan
- Design Process Traffic Management Plan

- Infrastructure Design Report
- Stormwater Impact Assessment
- Walking and Cycling Audit
- Stage 1 Road Safety Audit
- Construction and Environmental Management Plan
- Ecological Impact Assessment and Bat Impact Assessment
- Appropriate Assessment Screening Statement
- Construction and Demolition Waste Management Plan
- Operational Waste Management Plan
- Tree Survey Report
- Outdoor Lighting Report
- M and E Proposed Site Services Report
- Sustainability Report

4.0 **Planning History**

Subject site

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

- 4.1 Permission Refused by the Board in August 2008 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 no. three-bed, 46 no. four-bed and 38 no. five-beds. Reasons related to that the development would be premature pending the determination of by the Planning Authority of the final road layout in the area and arrangements for the upgrading of the existing road network; would be overdevelopment of the site; would seriously injure the amenities of future and adjoining residents and due to the inadequate sightlines, would endanger public safety by reason of a traffic hazard.

Reg. Ref. D08A/1408

- 4.2 Permission refused by Dun Laoghaire Rathdown County Council on the 14th of December 2009 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, configuration of internal access road network and compatibility with future phases and masterplan for the site.

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

- 4.3 Permission refused by the Board in December 2016 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.

ABP-300731-18

- 4.4 Permission refused by the Board on April 2018 for a development comprising 141 no. residential units (98 no. houses and 43 no. apartments / duplexes), crèche and link access road between Enniskerry Road and Glenamuck Road.
- 4.5 There were 4 reasons for refusal:
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.*

Other relevant permissions in the vicinity

ABP 303978-19

- 4.6 Permission granted by the Board in June 2019 for a development on the site located to the immediate east comprising the construction of 203 number residential units including:

- 30 number houses (20 number three-bedroom and 10 number four-bedroom, up to three storeys)
- 173 number apartments, (31 number one-bed, 124 number two-bed and 18 number three-bed within 12 blocks up to six storeys). The apartments incorporate duplex units.
- The provision of a crèche/childcare facility (circa 480.4 square metres).
- The provision of a retail unit (circa 83.5 square metres).
- The provision of a social/amenity facility (circa 299.4 square metres).
- The development also provided for a new access from Glenamuck Road and the provision of access connection points, (vehicular, cycle and pedestrian) to future adjacent development lands; provision of internal roads, cycle paths, foot paths, landscaped public open space and play areas; parking at surface and basement (268 number total spaces for car parking, 312 number spaces for bicycles and 24 number spaces for motor cycles). The development included a new access from Glenamuck Road and the provision of access points,

(vehicular, cycle and pedestrian) to future development lands and adjacent lands to the west and north west.

Reg. Ref. D17A/0793 and D18A/0566 site to the South (Rockville House)

- 4.7 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 was sought for demolition of existing agricultural outbuilding, retention of Rockville House and gate lodge as 2 no. separate dwellings, 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.
- 4.8 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.

Reg. Ref. D18A/0940/ABP PL06S.303324

- 4.9 Permission refused by Dun Laoghaire Rathdown County Council for Phase 2B residential development on a site located to the south east of Phase 1 residential development permitted under Reg. Ref. D17A/0793 at Rockville House, Glenamuck Road South. The development relates to a 4 storey apartment block comprising 57 residential units. Reasons for refusal related to prematurity pending the determination of the PA of the GLDR; under provision of a childcare facility; having regard to the car dominated layout of the development, the provision of open space within the restriction corridor of the 220 Kv electricity line and the lack of own door units, it was considered the development would fail to provide an adequate sense of place. The application was appealed to the Board and was refused on the 7th of May 2019.

4.10 The reason for refusal stated:

“Having regard to the Dun Laoghaire-Rathdown County Development Plan 2016-2022 and the Kiltiernan Glenamuck Local Area Plan 2013, and to the objective to provide a Glenamuck Link Distributor Road, it is considered that the proposed development would be premature pending the determination by the planning authority of the road layout for the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.”

An Bord Pleanála Reference PL06D.303945 and PL06D. 304174

4.11 Part 10 application for the Glenamuck District Distributor Road Scheme (GDDRS) and a Compulsory Purchase Order for the acquisition of the necessary land to construct the GDRS was granted by the Board in December 2019.

Reg. Ref. PC/IC/01/17

4.12 Consent issued in 2017 for a Part VII Scheme for upgrade works at the Glenamuck Road. See section 6.3 below for further detail.

Other

4.13 There have also been a number of pre-application consultation opinions issued with respect to other sites in the vicinity of the site including the former Wayside Celtic Football Club Sports Grounds (302409-18 and 304820-19) and Shaldon Grange (303131-18).

5.0 Section 5 Pre Application Consultation

Notice of Pre-Application Consultation Opinion – Ref. ABP-302127

5.1 A notice of pre-application consultation opinion was issued by the Board on 04.02.2019 under Section 6(7) of the Planning and Development (Housing) and Residential Tenancies Act 2016 following the submission of the application request on 27.11.2018.

5.2 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. Storm Water Proposals

Further consideration and/or justification of the documents as they relate to the storm water management proposals and the supporting information regarding method of calculations with regard to discharge and attenuation rates.

Consideration should be given to any potential impact of surface water management on adjoining lands particularly where differences in levels may arise. Further consideration of this issue may require an amendment to the documents and/or design proposal submitted.

2. Connectivity and Permeability

Further consideration and/or justification of the documents as they relate to the provision of vehicular, cycle and pedestrian connections and permeability through the site to contiguous residential lands particularly to the north and east of the development site. Details of existing and proposed levels through adjoining lands including cross-sections should be provided. Further consideration should also be given to the provision of a connection to the rear of the Golden Ball cottages as indicated under section 2.2.2 of the Kiltiernan Local Area Plan. Documentation giving an account of consultation and agreement with adjoining landowners and the planning authority regarding proposed connections should be submitted where possible. Further consideration of this issue may require an amendment to the documents and/or design proposal submitted.

3. Masterplan and Phasing

Further consideration and/or justification of the documents as they relate to the overall development of the lands identified in the land parcel '6b' in the Kiltiernan Local Area Plan. In this regard, it would be beneficial if an overall masterplan for the lands in question could be submitted which 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. Further

consideration of this issue may require an amendment to the documents and/or design proposal submitted.

Specified Information

5.3 The following specific information was also requested:

1. A clear statement as to how the proposed net density is being calculated and a rationale for the exclusion of lands in accordance with the provisions of Appendix A of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Town and Villages).
2. A 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 should have regard to the 13 phasing criteria set out in Section 10.6 of the LAP.
3. Landscaping proposals including an overall landscaping masterplan for the development site and a site layout plan indicating the full extent of tree retention and removal. Details of proposed tree protection measures during construction. Details pertaining to the quantity, type and location of all proposed hard and soft landscaping including details of play equipment, street furniture including public lighting and boundary treatments should be submitted.
4. Photomontages and cross sections at appropriate intervals for the proposed development including how the development will interface with contiguous lands.
5. Details of existing and proposed levels across the development site relative to adjoining lands in particular contiguous residential properties. Full details of any changes in levels proposed should be provided.
6. A Building Life Cycle Report in respect of the proposed apartments as per section 6.13 of Sustainable Urban Housing: Design Standards for New Apartments- Guidelines for Planning Authorities (2018).
7. A construction and demolition waste management plan.

8. A phasing plan for the proposed development which includes the phasing arrangements for the delivery of the public open spaces, surface water management proposals having regard to sub-catchments within the scheme and Part V provision.
9. A site layout plan indicating all areas to be taken in charge.

Applicant's Statement

- 5.4 Article 298(3) of the Regulations provides:

“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.”

- 5.5 The applicant has submitted a Response to Opinion of An Bord Pleanála which can be summarised as follows:

Introduction

- Note that the development has been modified from that which was the subject of the consultations with the Board. The total number of units has increased and the various typologies amended.
- Additional connections have been provided and permeability improved. A pedestrian/vehicular connection is provided to the rear of the Golden Ball Cottages and a direct pedestrian/cycle link has been provided between the public open space and the lands to the north east of the site. The levels have been revised to minimise changes at connection points to adjacent lands. Proposed roads are continued to the common boundaries. Amendments have also been made to the proposed boundary treatments. There have been revisions to the layout to enable the preservation of more trees and amendments made to the public open space design.

Storm Water Proposals

- Full details of the proposed storm water management systems including supporting information regarding method of calculations with regard to

discharge and attenuation rates are submitted with the application.

Connectivity and Permeability

- The Masterplan, Connections and Open Space Hierarchy document submitted with the application sets out vehicular, cycle and pedestrian connections and permeability through the site to contiguous residential lands. The proposed connections have been co-ordinated with the adjoining landowners. Additional drawings submitted indicating site levels and site sections.

Masterplan and Phasing

- Masterplan, Connections and Open Space Hierarchy document shows how the proposed development sits within an overall proposed masterplan that the applicant and the owners of land that immediately abut the subject site have prepared for land parcel 6b. The masterplan has been informed by topographical and ecological conditions and has regard to the presence of water course, tree stands as well as existing infrastructure. The masterplan illustrates how the lands will be developed in accordance with best practice and in a manner that facilitates the appropriate and comprehensive development of the lands within parcel 6b.

Response to Specified Information

1. The net density is calculated to be 45 units per ha. Lands required for the road upgrades/footpaths/cyclepath on the Glenamuck Road have been excluded from the gross site area for the purposes of the net density calculation.
2. The Co. Co. have confirmed that that the approved upgrade works to the Enniskerry Road/Glenamuck Road as approved can cater for approximately 1,050 residential units. Permission has been granted for 496 residential units in the LAP area leaving a balance of 556 units. The development, therefore, can be accommodated on the road network.

The LAP notes that some interim development can be facilitated on an upgraded existing road network. These upgrades include the improvement of the Glenamuck Road (improved pedestrian/cycle facilities and the removal of the pinchpoint at the Golden Ball end). The approved Enniskerry Road/Glenamuck Road Junction Upgrade Scheme that extends from the

junction part way down Glenamuck Road partially along the frontage of the application site will necessitate the removal of existing trees and banks of natural vegetation on the northern and southern side of the road. The Council have indicated that the upgrade scheme will be implemented as part of the works for the Glenamuck District Roads Scheme.

The appropriateness of the development is considered in the context of the 13 planning criteria set out in the LAP.

3. A comprehensive landscape plan for the site is submitted. It details the quality, type and location of all proposed hard and soft landscaping including details of play equipment, street furniture and boundary treatments.
4. Photomontages of the proposed development are submitted with the application. Views are included that show the proposed development in the context of adjoining lands.
5. Drawings indicating existing site levels and proposed site sections are submitted.
6. Building Life Cycle report submitted with the application.
7. Construction and Demolition Waste Management Plan submitted.
8. Phasing Plan submitted.

6.0 Relevant Planning Policy

6.1. Project Ireland 2040 - National Planning Framework

- 6.1.1. 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.

6.2. **Regional Spatial and Economic Strategy (RSES) for Eastern and Midland Assembly, 2019**

6.2.1 EMRA's Regional Spatial and Economic Strategy 2019-2031 (RSES) sets out that the Metropolitan Area Strategic Plan (MASP) identifies strategic residential and employment corridors. One of these corridors includes the 'Metrolink/Luas Greenlink' corridor which the subject site falls within and is tasked with providing 71,000 people with 'new residential communities in Ballyogan and environs and Kiltiernan-Glenamuck'.

6.3. **Section 28 Ministerial Guidelines**

6.3.1. 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).
- Delivering Homes, Sustaining Communities and the accompanying Best Practice Guidelines – Quality Housing for Sustainable Communities.

6.4. **Local Planning Policy**

Dun Laoghaire Rathdown County Development Plan 2016-2022

6.4.1. 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 – Glenamuck 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.

- 6.4.2. 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 whilst 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 Grange, nearby to the north of the site. Rockville Lodge and House on the opposite side of the Glenamuck Road is also a protected structure.
- 6.4.3. The plan sets out a number of policies and objectives including RES3: Residential Density, RES4: Existing Housing Stock and Densification and RES7: Overall Housing Mix. Section 8.1.2.3 addresses the Building Height Strategy. The plan details that in the Kiltiernan 'node', recommended heights range from *"2/3 storeys with 4 storey elements adjacent to major road alignments."*

Kiltiernan Glenamuck LAP 2013 – 2023

- 6.4.4. 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. There is a Section 49 Supplementary Development Contribution Scheme for the GDDR,

which also includes 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.

6.4.5. 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. Section 2.2 of the plan sets out a broad framework and principles of development including objectives RE01-RE09 relating to residential development and which includes RE03 which seeks to facilitate the provision of appropriate densities and a mixture of dwelling types and tenures taking into account proximity to public transport corridors, site topography, sites of archaeological interest/protected structures and natural features.

6.4.6. Section 10 of the LAP sets out the phasing requirements and details that up to 700 dwelling units can be accommodated on an existing upgraded road network, in advance of the GDDR scheme, as Phase 1. It is stated however, that 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. 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). 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 Enniskerry Road. Any proposed developments must include the improvement of the 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.”

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.

- 6.4.7 The 13 planning criteria to be used in the assessment of planning applications up to 700 dwellings are as follows:

- 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”.

6.4.8 The Transportation Department (on foot of the conclusions of the Part 8 Council Enniskerry Road/Glenamuck Road Junction Upgrade Part 8 Environmental Report Volume 1 (May 2017)) have stated that the number of units that can be accommodated within Phase 1 has been increased from 700 units up to 1,050 units.

6.4.9 The development site is primarily within LAP land parcel 6b. 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 Shaldon Grange protected structure and curtilage to be

acknowledged.

6.4.10 In relation to the Golden Ball Cottages which adjoins the site, the LAP states *“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 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”*.

6.4.11 LAP objective RE03 states:

“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.”

6.4.12 LAP Table 4.1 provides for a total of 2,600 – 3,000 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 storeys 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.

6.4.13 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.

Kiltiernan Neighbourhood Framework Plan

6.4.14 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.

Enniskerry Road / Glenamuck Road Part VIII Scheme

6.4.15 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. 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. Cycle lane/tracks on Glenamuck Road.
- 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 junctions including new crossings on the northern and western sides of Enniskerry Road.
- Upgraded public lighting.
- Attenuation pond to the east of Glenamuck Road.

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

6.5 Applicant's Statement of Consistency

6.5.1 The applicant has submitted a Statement of Consistency as per Section 8(1)(iv) of the Act of 2016, which indicates how the proposal is consistent with the policies and

objectives of Section 28 guidelines and the County Development Plan/LAP. The following points are noted:

- The development is in accordance with the objectives of the National Planning Framework. It will provide for an appropriate density of development on zoned lands.
- The net density of development is 45 units per ha which is in line with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas. The development is compliant with the 12 criteria set out in the Urban Design Manual as detailed in the Architectural Design Statement.
- House units within the development have been designed in accordance with Delivering Homes, Sustaining Communities and the accompanying Best Practice Guidelines – Quality Housing for Sustainable Communities. A range of dwelling types and scale are proposed. All units meet the quantitative standards set out in the guidelines.
- The development complies with the qualitative and quantitative standards set out in the apartment guidelines. 77% of the apartments are dual aspect and are grouped between 3 and 4 units per circulation core. All units meet or exceed the size thresholds set out in the guidelines.
- The development has been designed in accordance with DMURS. The street layout has been developed to deliver a high place function wherein the streets and open spaces form part of the social fabric and are used for congregation and play.
- In accordance with Childcare Facilities – Guidelines for Planning Authorities, the development provides for a crèche facility of 275 sq. metres.
- A Flood Risk Assessment report is submitted with the application and concludes that there is no potential flood risk identified in the vicinity of the proposed residential development site.
- The proposed development is consistent with the policy objectives of the Regional Planning Guidelines and in particular, its emphasis on the consolidation of the urban area and the promotion of residential development close to existing services and transport links.
- The development is in accordance with the zoning objective pertaining to the site. It is in accordance with the policies and objectives set out in the County

Development Plan. It complies with the residential development policies including the creation of new residential/mixed use sustainable communities. The scheme accords with the development management criteria for quality residential design.

- The development is in accordance with the phasing strategy set out in the Kiltiernan Glenamuck LAP as well as the 13 planning criteria for the assessment of planning applications.

7.0 Third Party Submissions

7.1 6 no. third party submissions were received with respect of the proposed development. Issues overlap and can be summarised as follows:

Traffic

- Concern regarding the impact of the development on the local road network. Consider that the proposed upgrade of the Glenamuck Road/Enniskerry Road junction will not address existing constraints sufficiently.
- Consider that a link road through the site will facilitate rat running.
- State that the access from the Enniskerry Road has inadequate sightlines. Development will result in a traffic hazard.
- Consider that the Board should limit the extent of development until the completion of the Glenamuck District Distributor Road, in its entirety.

Residential Amenity

- Concern regarding height and scale of proposed apartment blocks, that they are out of character and will result in overlooking, overshadowing and loss of privacy to adjacent properties.
- Concerns regarding overshadowing impact to Shaldon Lodge. Consider that the development will have an adverse visual impact and result in loss of privacy. State that there is inadequate separation distances between proposed housing and Shaldon Lodge. Impact will be exacerbated due to level differences.
- Concern regarding the impact of the development as it adjoins the property known as St. Anne's. Consider that the development will be overbearing and

cause overlooking and that the dwellings abutting the common boundary should be bungalows.

- Concerns regarding antisocial behaviour, vandalism and security. Development will result in a devaluation of property values.
- Concerns regarding noise intrusion and odour from rubbish storage.
- Concern regarding loss of mature trees along common boundary, particularly from a security and biodiversity perspective.
- Consider that fencing should be set back from hedgerows to ensure their preservation. Different materials should be considered for boundary treatment and granite walls should be constructed in lieu of fencing.
- Concern that roofs of apartment blocks will be used as communal open space areas.
- Object to loss of semi-rural character of the area.

Master Planning

- State that full agreement has not been reached with the Golden Ball residents regarding the masterplan for Land Parcel 6b and future access arrangements to land parcel 7. It is imperative that the plan does not land lock the infill development potential of any land owner adjoining these lands.
- State no meaningful consultation was undertaken between the applicant and the owners of Shaldon Lodge. Object to proposed gateway to the rear garden of Shaldon Lodge.
- Concern regarding lack of consultation with adjoining properties including Rockville and Glencarrick.
- Concern regarding delivery of NW SE cycle and pedestrian route through site. This will remain an eyesore if not completed.

Drainage

- The development has omitted Rocklands and Glencarrick in relation to the wider foul and surface water drainage system. Both existing properties have rudimentary foul and surface water drainage systems.

Other

- Concerns regarding impacts during construction phase from excavating works, noise and dust.
- Request that further consideration be given to location of construction access and location of site offices etc.
- Consider that development is a material contravention of the Local Area Plan.
- Inaccuracies in drawings.
- State that lands outside the control of the applicant have been included in the application boundary.

8.0 Planning Authority Submission

8.1 Overview

8.1.1 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 the 17th of February 2020. 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.

8.2 Planning Opinion

Principle

- The proposed residential development and childcare facility is considered to be in accordance with the land use zoning objective and LAP land use concept for the site.
- Neither of the houses proposed for demolition have any distinctive architectural merit and do not contribute to the area in terms of visual amenity. The principle of their demolition is acceptable.

Phasing

- In advance of the GDRS completion, 1,050 units can be constructed. The LAP provides for three different phases. The subject site is located within Phase 1 (a) B and has capacity for an interim threshold of 266 units. To date 275 no. units have been permitted in Phase 1(a) B.

- The PA calculate that there are extant and live permissions for a total of 701 dwellings across the entire LAP area. It is clear that the proposed quantum of permitted development for the area has been reached and anything in excess of this, would require the construction of the Glenamuck District Distributor Roads Scheme roads.
- The Transportation Planning Section have commented that it is now considered likely that the Enniskerry Road/Glenamuck Road Junction Upgrade Scheme will be implemented as part of the works for the Glenamuck District Roads Scheme and that the proposed upgraded junction layout at the Golden Ball junction can adequately cater for both the increase in background traffic and the additional development traffic of up to 1,050 residential units distributed across the LAP phasing maps. However, in accordance with the requirements of the LAP, the proposed development can only be accommodated on an upgraded road network. This includes the implementation of the Enniskerry Road/Glenamuck Road Junction Upgrade Scheme.
- The Transportation Planning Department consider the proposed development is premature and recommend refusal. Note that as delivery of the GDRS and Enniskerry Road/Glenamuck Road Junction Upgrade Scheme is not within the control of the applicant, a condition such as 'prior to occupation' at this time may not be enforceable/implementable. Until the GDRS is constructed, any significant development applications relying on upgraded road network may be premature.

Masterplan

- An indicative masterplan has been submitted with the application. This considers how the development site may connect and integrate with adjoining development lands outside the ownership of the applicant. The masterplan has already been accepted as it is near identical to the masterplan submitted as part of reg. ref. ABP303978-19. It is proposed that in order to manage the future development of lands beyond the site, that this is done by way of conditions seeking the delivery of the pedestrian /cycle routes prior to occupation of any of the units and the taking in charge plan as per Condition 8 of the aforementioned Board decision.

Density

- The proposed density of 45 units per ha is considered appropriate and in accordance with County Development Plan Policy and the proper planning and sustainable development of the area and also in line with and at the upper level of the stated 40-45 units per ha for land parcel 6b as outlined in the LAP. Note that cognisance should be given to the fact that this area does not, nor is it planned to, have comparable levels of access to transport and higher order services as other growth nodes in this part of the county such as Sandyford and Cherrywood.

Height

- The area is in a period of transition with changes in height from 1-2 storeys to 2-6 storeys. Note that since the Development Plan and LAP were adopted, the Building Height Guidelines have been published. In accordance with SPPR 3, the Planning Authority may approve a development even where a specific objective of the relevant development plan or local area plan may indicate otherwise. Height approach is generally considered acceptable.
- Some concern regarding the height of the scheme on Shaldon Lodge which sits several metres below the site level. Notes however, that the scheme has been revised since last refusal and the relationship with Shaldon Lodge improved notably. Consider that the arrangement between existing dwellings and proposed dwelling would not give rise to an undue loss of residential amenity.

Design, Form and Layout

- The use of granite on the boundary walls and entrance to the site and design details like window cills and lintels throughout the site is welcomed.
- There is an emerging urban design vision for the area which seeks the creation of streets for living. It is envisaged that this section of the Glenamuck Road will be downgraded to a more local function following the delivery of the GDRS, There is, therefore, an opportunity to orient new scheme towards the road and to create an engaged streetscape. The Board is encouraged to consider requiring by condition the creation of a more engaged frontage to the eastern most house within the scheme to the southwest of the main Glenamuck Road

entrance including the relocation of its front door and the inclusion of fenestration facing Glenamuck Road. The Board may also wish to consider requiring the relocation of Apartment Block A/C towards the Glenamuck Road and the repositioning of the associated car parking from the south of this block to the north of it.

Residential Amenities

- No concerns raised regarding separation distances.
- Note that no sunlight/daylight analysis has been submitted with the application. The shadow study drawings for spring and autumn are noted, but this information is not as informative as a full daylight/sunlight analysis.

Standard of Accommodation

- A HQA accompanies the application. This demonstrates that the development meets the required qualitative and quantitative standards for residential development.
- Over 77% of the apartments are dual aspect well in excess of the guideline's standards. The proposed apartments are all generous in size and are well in excess of the minimum unit size required. It is considered that a high standard of accommodation will be provided for future occupants.

Open Space, Trees and Recreational Amenity

- The development falls short of the recommended provision of open space by 1,942-4,140 sq. metres. It does however, meet the minimum of 10% of the site area. It is considered that the layout provides for an appropriate mix of open spaces to accommodate all future resident's needs and is generally of an acceptable quality and design.
- The additional connection to the Golden Ball Cottages is welcomed. However, it appears consent from the adjoining landowners has not been given for the proposed future connections and the likelihood of these links being delivered is not certain.
- With regard to boundary treatment, there are a variety of proposed boundary treatments. Whilst some observers have asked for a granite wall finish, the

Inspector's Report for reg. ref. ABP30073118 details what the inspector considered would be appropriate and advised in detail what should be erected, which appears to have been followed by the applicant.

- No objection to proposed tree removal and note proposed new significant tree planting which would help mitigate against their loss.

Supporting Community Infrastructure

- Crèche provision is welcomed.
- Development area is considered to lack communal facilities. None of the schools referred to in the applicant's documentation are within the Kiltiernan LAP. The two existing schools in Kiltiernan LAP are at/near capacity.

Drainage Planning

- Further details requested regarding the surface water flow path, specifically in locations where the flow path appears to be directed towards third party lands and in the vicinity of the apartment basement entrance. The applicant must demonstrate that flood waters are prevented from entering the basement of apartments and from entering adjacent lands.

Car/Cycle Planning

- There is a shortfall in residential car parking spaces however, it is acknowledged that given the Apartment Guidelines, a reduction in the apartment spaces must be deemed acceptable.
- Bicycle parking meets the Development Plan standards.

Recommendation

- Recommend Refusal:

“The proposed development 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 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. No firm timeframe has been established with regards to the construction of the Enniskerry Road/Glenamuck Road Junction Upgrade road

works and the Glenamuck District Roads Scheme. The area has reached capacity in terms of unit number and no further development can take place until these infrastructure development have been constructed.”

8.4 **Recommended Conditions**

8.4.1 The Planning Authority recommends the imposition of 50 conditions. The majority are standard in nature. Of note are the following:

Condition 9: Prior to commencement of development, the applicant shall submit revised drawings to the Planning Authority for its written agreement the following:

i) Revised gable frontage onto Glenamuck Road, including the relocation of its front door and the inclusion of fenestration facing Glenamuck Road.

ii) The relocation of Apartment Block A/C towards Glenamuck Road and the repositioning of the associated car parking from the south of this block to the north of it.

Condition 10: Wayleave agreement for sections of proposed public surface water infrastructure not to be taken in charge.

Condition 18: Submit further details regarding Surface Water Flow Path, specifically in locations where the flow path appears to be directed towards third party lands and in the vicinity of the apartment basement entrance.

Condition 21: Details of the layout and all works to be carried out at Glenamuck Road South.

Condition 30: Roads to be constructed up to the boundaries with no ransom strips remaining.

8.5 **Views of Elected Members**

- Concern raised regarding the proposed road leading up to Rocklands House. This should be indicated as a road to be taken in charge.
- Consider density of 45 units per ha to be low in the context of densities being permitted in other areas of the County.
- Open space is considered inadequate and play provision is poor.
- Public transport provision in the area is inadequate.

- Lack of community infrastructure in the area and schools are at capacity.
- Proposed Enniskerry Road/Glenamuck Road junction upgrade Part 8 should be prioritised and built.
- Development premature pending the construction of the Glenamuck Distributor Road Scheme.
- Concerns regarding traffic and increase car journeys.
- Natural hedgerows should be preserved.

9.0 Prescribed Bodies

9.1 Pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017 and in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, the applicant was informed that the following authorities should be notified in the event of the making of an application:

1. Irish Water
2. Transport Infrastructure Ireland
3. National Transport Authority
4. Dun Laoghaire Rathdown County Council Childcare Committee

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

Transport Infrastructure Ireland (06.01.2020)

- No observations to make.

Irish Water (25.02.2020)

- IW confirms that subject to a valid connection agreement being put in place between Irish Water and the developer, the proposed connection(s) to Irish Water network(s) can be facilitated.
- The applicant has been advised the water connection shall be to the 300mm DI main on the Enniskerry Road. High pressure occurs in the 300mm DI main so pressure reduction will be required as it enters the site.

9.3 A submission was also received from Inland Fisheries Ireland.

Inland Fisheries Ireland (21.01.2020)

- The development is located in the catchment of the Loughlinstown River and the river system supports migratory Sea trout and resident Brown trout populations.
- Best practice should be implemented in relation to any activities that may impact on surface water or riparian habitats. Comprehensive surface water management measures must be implemented at the construction and operational state to prevent any pollution of local surface waters.
- All discharges must be in compliance with the European Communities (Surface Water) Regulations 2009 and the European Communities (Groundwater) regulations 2010.

10.0 Environmental Impact Assessment (EIS) Preliminary Assessment

10.1 The proposed development is below the thresholds of a mandatory EIAR. It is also considered that a sub threshold EIAR is not required in this instance. I refer the Board to the EIA Screening Determination on file.

10.2 The current proposal is an urban development project that would be in the built up area but not in a business district. It is, therefore, within the class of development described at 10(b) of Part 2 of Schedule 5 of the planning regulations, and an Environmental Impact Assessment would be mandatory if it exceeded the threshold of 500 dwelling units or 10 hectares. The proposal is for 197 residential units on a site of 4.5ha. The site area is significantly below the stated threshold of 10 hectares and the number of units significantly below the threshold of 500 units.

10.3 As per section 172(1)(b) of the Planning and Development Act 2000 (as amended), EIA is required for applications for developments that are of a class specified in Part 1 or 2 of Schedule 5 of the 2001 Regulations but are sub-threshold where the Board determines that the proposed development is likely to have a significant effect on the environment. For all sub-threshold developments listed in Schedule 5 Part 2, where no EIAR is submitted or EIA determination requested, a screening determination is required to be undertaken by the competent authority unless, on preliminary examination it can be concluded that there is no real likelihood of significant effects

on the environment. This preliminary examination has been carried out and concludes that, based on the nature, size and location of the development, there is no real likelihood of significant effects on the environment. The need for EIA is, therefore, precluded and a screening determination is not required.

11.0 Appropriate Assessment Screening

11.1 An AA screening report is 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 a 15km catchment. I have reviewed the NPWS web site and consider that there are no other sites that would be within the zone of influence of the subject site or that have a potential hydrological link to the site. The nearest European site to the subject site is Knocksink Wood SAC, located c. 3.4 km from the site. Ballyman Glen SAC is c. 4.2 km south and Rockabill to Dalkey Island SAC c. 7km to the east. The Screening Report considers whether the proposed development would have any potential impact on the qualifying interests and conservation objectives of these sites.

Site Name (Site Code)	Approximate Distance to Development Site	Qualifying Interest
Knocksink Wood SAC	3.4km	7220 Petrifying springs with tufa formation (Cratoneurion)* 91E) Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, <i>Alnion incanae</i> , <i>Salicion albae</i>)*
Ballyman Glen SAC	4.2km	7220 Petrifying springs with tufa formation (Cratoneurion)□ 7230 Alkaline fens
Rockabill to Dalkey Island SAC	7.0km	1170 Reefs 1351 Harbour porpoise <i>Phocoena phocoena</i>

11.2 Both Knocksink Woods SAC and the Ballyman Glen SAC are at a higher elevation than the subject site and are located in a separate river catchment. There is, therefore, no scope for the development to negatively impact the groundwater which

feeds these habitats. The qualifying interests of both sites would not be affected by the proposed development.

- 11.3 Sewage from the proposed development will be directed to the existing Carrickmines Valley Sewer which runs to the Shanganagh WWTP. The Rockabill to Dalkey Islands SAC is located off shore approximately 1.4km from the mouth of the Shanganagh River. The proposed development is likely to result in a marginal increase in the discharge of wastewater to the Irish Sea. The development will incorporate SuDS and drain to the municipal system. It is considered that there is no risk that pollutants could reach the SAC in sufficient concentrations to have any likely significant effects on its qualifying interests.

In Combination or Cumulative Effects

- 11.4 It is noted in the Screening Report that a number of developments have been permitted in the Glenamuck and Kiltiernan area. It is stated that as long as drainage and wastewater treatment requirements are implemented for these developments then there will be no significant adverse effects due to the proposed project as a result of any in combination effects with these individual planning applications.

AA Screening Conclusion

- 11.5 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 on the basis of the information on file, which I consider adequate in order to issue a screening determination that the proposed development either individually or in combination with other plans or projects, would not be likely to have a significant effect on a European site in view of the sites' conservation objectives and a Stage 2 Appropriate Assessment is, therefore, not required.

12.0 Assessment

- 12.1. The following are the principal issues to be considered in this case:

- Principle of Development
 - Zoning
 - Demolition

- Housing Mix
- Density
- Quantum of Development having regard to the Kiltiernan Glenamuck LAP 2013-2021 and the Permitted Part VII works
- Height
- Masterplanning
- Development Strategy
 - Design, Form and Layout
 - Standard of Accommodation/Internal Standards
 - Open Space and Recreational Amenity
 - DMURS
 - Boundary Treatment
- Site Services, Surface Water and Flooding
- Transport, Parking, Pedestrian/Cycle Facilities
- Residential Amenity
- Impact on Biodiversity
- Other Issues
 - Archaeology
 - Social Infrastructure
 - Section 49 Contribution
 - Construction Impacts

12.2 Principle of Development

Introduction

12.2.1 Having regard to the nature and scale of development proposed, namely a 197 unit residential scheme with associated crèche (275 sq. metres), I am of the opinion, 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.

Zoning

- 12.2.2 The subject site is located in the administrative area of Dun Laoghaire Rathdown County Council. Kiltiernan is identified as a future development area in the core strategy map. Table 1.2.2 of the Development Plan relates to Housing Land Availability and includes Kiltiernan. The primary growth nodes from which a significant portion of the supply of residential units will derive up to 2022 and beyond are specified and include the Kiltiernan –Glenamuck LAP. Under the zoning map, the site is zoned Objective A – *to protect and or improve residential amenity*. The uses proposed are in accordance with the zoning objective.
- 12.2.3 The subject site is also subject to the provisions of the Glenamuck Kiltiernan LAP. The plan has been extended to September 2023. The LAP states that the extent of zoned residential land is capable of accommodating 2,500-3,000 units.
- 12.2.4 Having regard to the zoning objective pertaining to the site and the clear identification of Kiltiernan/Glenamuck in the Development Plan as a future development area, I am satisfied that the principle of residential development on the subject lands is acceptable.

Demolition

- 12.2.5 The proposed development provides for the demolition of two habitable houses on the site – Greenmount and Dun Oir. Neither house is a protected structure and are not considered to have any particular architectural merit. They are of no historic interest and do not specifically contribute the streetscape or character of the area. The principle of their demolition has previously been accepted by the Board and in this regard, I have no objection to their removal.

Housing Mix

- 12.2.6 The proposed development provides for a broad mix of house types including apartments, duplexes and houses. A range of typologies is proposed including units that would be suited to both families and individuals. The range and mix of house units is considered appropriate.

Density

- 12.2.7 The LAP sets out prescriptive densities for each land parcel. For area 6b within which the site is located, a medium density of 40-45 unit per ha is identified. The plan notes that parcel 6b is a constrained site.
- 12.2.8 The issue of density was raised in relation to the previous application pertaining to the lands (ABP 300731-18). One of the reasons for refusal stated that the density was considered too low and would result in an inefficient use of zoned and serviced land. The Inspector in their appraisal of the application detailed that Kiltiernan is designated a Future Development Area in the Core Strategy and that there is a specific objective for a proposed quality bus/bus priority route running along the Glenamuck Road to the east of the site. In this context, it was the view of the Inspector that section 5.8 of the Sustainable Residential Guidelines was applicable to the subject site which refers to lands within existing or planned transport corridors. It was noted by the Inspector that in order to achieve the quantum of development required to make such planned corridors viable, the guidelines seek higher densities with a minimum of 50 units per ha but with a provision that minimum densities can be specified in LAP's. It was concluded that a minimum density of 45 units per ha should be achieved on the subject lands. Concerns were also raised regarding the methodology used to calculate the net density.
- 12.2.9 It is set out in the applicant's Response to Opinion that the development has a net density of 45 units per ha. Appendix A of the Sustainable Residential Development in Urban Areas Guidelines states that in calculating net density, major local distributor roads, primary schools, churches, local shopping and open spaces serving a wider area and significant landscape buffer strips can be excluded for the purposes of the net density calculation. The applicant has set out that in calculating the net density of the site, that the proposed road upgrades/footpaths and cycle paths on the Glenamuck Road are excluded. These equate to an area of 1,310 sq. metres. The methodology for calculating the net density is in my view appropriate.
- 12.2.10 The Local Authority have stated in their opinion that they are satisfied with the density proposed and that it accords with the provisions of the LAP. I note that a higher density of development has been permitted on the site to the east where 47.5 units per ha was proposed. The subject site has however, a number of constraints

due to the adjacency of existing residential dwellings whose residential amenity must be protected.

12.2.11 Having regard to the planning history of the site and adjacent lands, the evolving context of the area, the need to maximise investment in costly infrastructure including the Glenamuck District Roads Scheme as well as proposed public transport improvements including the proposed bus priority corridor, I am satisfied that the density proposed represents a sustainable and appropriate use of these zoned, serviced and strategically located lands. I consider that a net density of 45 units per ha can be accommodated on the lands without any significant adverse impacts. Whilst the proposed density is marginally below the figure of 50 units per ha set out in the guidelines for transport corridors, I consider it appropriate having regard to the transitional character of the area.

12.3 **Quantum of Development having regard to the Kiltiernan Glenamuck LAP 2013-2021 and the Permitted Part VII works**

12.3.1 Development within the Kiltiernan area is subject to significant road infrastructural improvements. The principal road improvements relate to the Glenamuck District Distributor Road (GDDR) and Glenamuck Local Distributor Road (GLDR) to bypass Kiltiernan village (both referred to as the Glenamuck District Road Scheme – GDRS), facilitating the development of the village centre and a new civic node. Permission for this road infrastructure including a CPO was granted by An Bord Pleanála in December 2019 (application reference PL06D.303945 and PL06D.304174). A Part 8 application for the Enniskerry Road/Glenamuck Road Junction Upgrade was granted in 2017. The GDRS will provide for:

- The construction of the Glenamuck District Distributor Road (GDDR) connecting the existing R117 Enniskerry Road with the Glenamuck Road East/Golf Lane Roundabout (c. 890m of four lane dual carriageway and c. 660 metres of two lane single carriageway road.)
- The construction of the Glenamuck Link Distributor Road (GLDR) (c. 1,800m of two lane single carriageway road) connecting the new District Distributor Road (GDDR) to the R117 south of Kiltiernan, including junctions with Glenamuck Road, Ballycorus Road and Barnaslingan Lane.
- Associated site development and landscaping works.

12.3.2 Notwithstanding the need for this significant new road infrastructure to be implemented in order to unlock the full development potential of the LAP lands, Section 10.5 of the LAP provides for some interim development to be facilitated in order to meet the central objectives of the LAP. It is stated that up to 700 dwelling units could be accommodated (Phase 1) on an upgraded existing road network. This quantum of interim development was increased by 350 units to 1,050 units on foot of the approved Part 8 Road improvement works, with the conclusion of the Part 8 Council Enniskerry Road/Glenamuck Road Junction Upgrade Part 8 Environmental Report Volume 1 (May 2017) stating:

“This analysis demonstrates that the proposed upgraded junction layout at the Golden Ball junction can adequately cater for both the increase in background traffic and the additional development traffic of approximately 1,050 residential units distributed onto the local road network as associated with the initial phase of development of residential zoned lands outlined in the Glenamuck LAP.”

12.3.3 The LAP provides details of the locations “*which would be generally be considered*” as part of Phase 1. The Phasing Map sets out in the LAP details that Phase 1 (a) 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. Phase 1(B) also includes Area C comprising 350 units located at the village core along the Enniskerry Road.

12.3.4 The subject development site relates to land parcel 6b in the LAP. This land parcel is within the identified first phase of development within area 1B (150 units). The Part 8 report is silent on how the additional 350 units that can be accommodated arising from the Golden Ball junction improvement should be allocated other than that they should be distributed across the LAP phasing map areas. An equitable distribution of the additional uplift of 350 units over phases A, B and C would result in an interim threshold of c. 266 units in Area 1B.

- 12.3.5 It is of note that the previous application pertaining to the lands (ABP 300731-18) included the construction of the Enniskerry Road and Glenamuck Junction Upgrade Scheme as part of the development and the proposed works were included within the red line boundary. Furthermore, at pre application stage (ABP 303099-18) the consultation request documentation included the Part 8 Junction Upgrade Scheme in the red line. These works are now however, excluded from the development proposal and are not included within the red line. There is a lack of clarity in the documentation as to why the said works are now excluded from the application. However, it is evident that the applicant is now reliant on the Local Authority to deliver the junction improvements. It is understood from the documentation submitted that these works are likely to be implemented as part of the GDRS. The development provides for land along the Glenamuck Road to be ceded to the GLDR scheme. The applicant has set out in their Response to the Opinion that planning permission has been granted for a total of 496 no. residential units within the LAP area leaving a balance of 556 no. units within the Local Area Plan that could be accommodated on the existing road network with the upgrade of the Enniskerry Road/Glenamuck Road Junction. It is stated that the 197 units proposed in the application can, therefore, be accommodated on the existing road network.
- 12.3.6 It is stated by the Planning Authority however, that to date 275 units have been permitted in Phase 1(a) B which is in excess of the 266 units permissible. Furthermore, the PA calculate that there are extant and live permissions for a total of 701 dwellings across the entire LAP area including permissions that have been implemented since the adoption of the LAP. It is concluded that the proposed quantum of permitted development for the area has been reached and anything in excess of this would require the construction of the GDRS.
- 12.3.7 The Transportation Planning Section further state that it is considered likely that the Enniskerry Road/Glenamuck Road Junction Upgrade Scheme will be implemented as part of the works for the GDRS. They are of the view that the proposed development can only be accommodated on an upgraded road network and consider that until the GDRS is constructed, the development is premature and should be refused. The PA do not recommend a condition that would limit the occupation of the residential units to the completion of the GDRS is attached to any grant of permission as the delivery of the GDRS is not within the control of the applicant.

- 12.3.8 There are clearly discrepancies in the information with regard to the extent of development permitted within the LAP area since its adoption. The applicant states that there is extant permission for 496 units whereas, the PA state that 701 units have been constructed or permitted. I note that neither the submission from the PA or the applicant provides any detail regarding the extant permissions in the LAP area. Under application reference ABP 303978-19 however, a detailed assessment of the extent of development permitted/constructed in the LAP was provided and it was noted that a total of 204 units had been permitted. This coupled with the 203 units granted under that permission is a total of 407 units. In this regard, the applicant's figure of 496 units is likely to be the more accurate in terms of the quantum of development permitted/constructed to date. A high level overview of permissions granted in the 3 phases identified in the LAP are detailed in Appendix 2 and I estimate that approximately 453 units have been constructed across the LAP area.
- 12.3.9 It is evident that the subject site is located in an area with a rapidly evolving context. Permission has been granted for the GDRS and Enniskerry Road/Glenamuck Road Junction. It was detailed in the application documentation for the GDRS that the construction period for the project was likely to take between 19 month and 2 years. It is likely, therefore, that this road infrastructure would be completed in a similar timeframe to a residential development being constructed in the subject site.
- 12.3.10 Whilst it would have been preferable for the upgrade works to the Enniskerry Road/Glenamuck Road Junction to have been included in the subject application, I am of the view that a pragmatic approach must be taken to the consideration of the issue of phasing and the appropriateness of permitting the development in the absence of the fully implemented road scheme. Even if the submission from the PA is correct and 700 units have been permitted within the LAP area, it is evident that this quantum of development has not actually been constructed in the area since the adoption of the plan. Sites that have the benefit of an extant permission, including that to the east of the subject site remain undeveloped. There is no certainty if or when sites that have the benefit of permission will be developed. In this context, having regard to the fact that permission has now been granted for the GDRS and that the Enniskerry Road/Glenamuck Road Junction Improvements have been approved since 2017, I consider that the development be permitted given this road

infrastructure is likely to be implemented in a similar timeframe to the development of the site. However, given there is some uncertainty regarding the timescale of the delivery of the necessary road infrastructure, I recommend a phased approach and that a condition is attached stating that Phase 2 of the development will not be occupied prior to the completion of the Enniskerry Road/Glenamuck Road Junction Improvements.

12.3.11 The LAP also sets out a suite of 13 criteria that must be met by any development availing of the interim phasing arrangements. The applicant has provided a detailed response to the 13 criteria in the Response to the Opinion Report. Having reviewed the applicant's submission, I am satisfied that the development is compliant with the criteria. Notably the applicants have prepared a masterplan for all the lands in the control of the applicant as well as those outside their control to ensure appropriate connections between the lands and the avoidance of piecemeal development.

Height

12.3.12 The proposed development ranges in height from 2 to 5 storeys. It is detailed in the application documentation that the lower lying land to the east of the site was identified as a suitable location for the higher elements of the scheme as the open space green wayleave for the overhead electrical line provides a buffer to mitigate the impact of scale between areas of differing densities. Three of the apartment blocks are located at the lowest part of the site that overlook a public open space to the south and east. Two further blocks are proposed to the south of the site to provide an appropriate urban frontage to the Glenamuck Road. Generally I consider the height proposed acceptable and consistent with the evolving pattern of development in the area. I note that the development permitted to the east includes apartments that are 2 to 5 storeys with one pop up feature of 6 storeys.

12.3.13 With regard to area 6b, the LAP states that heights of 2 to 3 storeys with 4 storey elements adjacent to major road alignments will be permitted in this area. Notwithstanding this guidance, the recently published Building Height Guidelines acknowledge that building heights must be generally increased in appropriate urban areas. The guidelines under SPPR 3 specifically state that taking into account wider strategic and national policy parameters, that the Planning Authority may approve a

development, even where a specific objective of the relevant development plan or local area plan may indicate otherwise.

- 12.3.14 As noted above, the future development of the lands is predicated on significant new road infrastructure and the site will be adjacent to a planned transport corridor. In this context, it will be important to maximise the return on such investment and ensure that there is an efficient and sustainable use of land within the LAP. The development potential of the subject lands is also constrained due to the proximity of existing residential properties on the boundaries. In this regard, it is important to ensure that appropriate densities are still achieved whilst protecting the visual and residential amenities of the area.
- 12.3.15 In this instance, I am satisfied that the approach to height which is aligned to the overall density of the site is appropriate. The applicants have responded to the topography of the site and located the taller blocks at the most appropriate locations and well away from sensitive boundaries. The taller elements of the scheme provide an appropriate visual frame to the areas of open space as well as a strong urban edge to the Glenamuck Road. I note the concerns raised by a number of the observers regarding the heights proposed. The fact that this is an area in transition is acknowledged. Nonetheless, with the development of the proposed new road infrastructure, the character of Kiltiernan will radically change and it will become a new urban quarter. It is in this changing context that the development must be considered.
- 12.3.16 The Urban Development and Building Heights, Guidelines for Planning Authorities (2018) set out the requirements for considering increased building height in various locations but principally, inter alia, in urban and city centre locations. It recognises the need for our cities and towns to grow upwards, not just outwards. I have had particular regard to the development management criteria, as set out in section 3.2 of these Guidelines, in assessing this proposal.
- 12.3.17 A statement is provided by the applicant justifying the building heights proposed in the context of the development management principles of the guidelines in the submitted Statement of Consistency. It includes an assessment of how the development complies with the criteria for assessing building height at the scale of the city/town, district/neighbourhood/street and scale of the site/building. The

applicant makes reference to the specific objectives of the NPF which encourages densification and compact growth. It is also noted that the site is served by existing and planned public transport and that the development will make a positive contribution to place making incorporating new roads, home zones and public spaces, using massing and height to achieve a sustainable residential density but with variety in building scale and form that responds to the scale of the developing area and creates strong open spaces and pedestrian connections.

12.3.18 I note the applicant's statement and the arguments put forward in favour of the heights proposed. The current application has been lodged under the strategic housing legislation and the proposal is considered to be strategic in nature. I note the policies and objectives within Rebuilding Ireland – The Government's Action Plan on Housing and Homelessness and the National Planning Framework – Ireland 2040 which fully support and reinforce the need for urban infill residential development such as that proposed on sites within existing urban areas. I also note the extant permission granted on the adjacent site and the fact that no particular objections to the proposed heights have been raised by the PA in their Opinion. I am satisfied that the heights proposed are appropriate and in accordance with the proper planning and sustainable development of the area.

12.3.19 I note that it has been stated by one observer, that the proposed development represents a material contravention of the Local Area Plan as it includes development that is 5 storeys in height whereas, the LAP states that the heights of 2 to 4 storeys are permissible. The applicant has not advertised that the development is considered to be a material contravention of the LAP nor has a statement been submitted outlining why permission should be granted having regard to a consideration specified in section 37(2)(b) of the Act of 2000. The provisions of section 37(2) (b) allow the Board to grant permission for a development that contravenes a development plan in a number of instances, including where permission for the proposed development should be granted having regard to regional spatial and economic strategy for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government.

12.3.20 I do not consider procedurally that the development constitutes a material contravention. In my view, the height proposed is only one additional storey over that specified in the LAP, and I do not consider this to be a material contravention of the LAP. There is only one 5 storey block in the development with the remainder of the development complying with the 2 to 4 storey height thresholds. Having regard to the overall development and context, the additional height proposed is de minimus and is not material in nature.

Masterplanning

12.3.21 Having regard to the fact that the subject site forms part of a larger landholding (parcel 6b) it is of particular importance that the proposed development is considered in the context of the wider lands. One of the 13 criteria detailed in the LAP for compliance with Phase 1 of development requires that development is planned within the context of an overall outline masterplan for individual and affiliated land holdings, in order to prevent piecemeal development. Two further criteria are also related to this issue with criteria 7 referring to compatibility with later phases of development and criteria 8, the facilitation of the orderly development of adjoining property/land holdings.

12.3.22 I note that a masterplan was submitted with the previous application on the lands but that significant concerns were raised by the Planning Inspector regarding its adequacy. Particular concerns regarding the lack of any potential connection to the lands to the east as well as the fact that the masterplan did not show all proposed connections to adjoining lands right up to the boundary were raised. The connection to the north was also considered inadequate and it was also recommended that an access to the rear of the Golden Ball cottages be provided for.

12.3.23 The applicant has submitted a masterplan in accordance with the objectives of the LAP. This sets out how the development may connect with lands adjacent to the site, outside of the ownership of the applicant. Future potential vehicular and cycle connections are indicated with detailed drawings of each connection point. These can be summarised as follows:

- Connection point 1: located to the east provides universal pedestrian and cycle access to adjoining lands under the control of Victoria Homes and Heronvale Developments.

- Connection point 2: pedestrian connection to the north east linking to green link connection within Heronvale lands.
- Connection point 7: vehicular connection to the north west of the site providing links to lands under the control of private individuals and owners of Tra Dha Mhin.
- Connection point 8: vehicular connection to the north providing for potential connection to lands under the control of private individuals and owners of Tra Dha Mhin and Long Meadow.
- Connection point 9: vehicular connection to the north east of the site providing links to lands under the control of private individuals and owners of Long Meadow.
- Connection point 10: vehicular connection to north west of site providing connection southwards through St. Anne's (private dwelling) to backlands of Golden Ball Cottages.
- Connection Point 11: Vehicular connection providing access to the west of the site into the backhands of Golden Ball cottages (through 180 Enniskerry Road).
- Connection Point 12: pedestrian and cycle connection to the south west linking to the Glenamuck Road.
- Connection Point 13: vehicular connection eastwards from the site to Rocklands property.
- A further cul de sac is also provided to the north east of the site that could potentially provide an access to the adjacent Heronvale lands. Although not identified on the masterplan document, the cul de sac goes up to the boundary and is gated.

12.3.24 I am satisfied that the proposed masterplan provides for sufficient connections and permeability and future proofs the lands so that they can integrate with adjoining land parcels in an appropriate manner if they come forward for development. All proposed roads are continued up to the common boundaries and gates have been shown indicating future connections. I note that revisions have been made in a number of instances to improve the levels between the lands in order to enhance connectivity.

12.3.25 It is stated that the connections have been co-ordinated with the adjoining landowners including a meeting that was facilitated by the Planning Authority to reach agreement. Notwithstanding this, a number of the observations refer to a lack of consultation regarding the masterplan. This issue was previously addressed in the Inspector's report relating to application reference ABP 300731-18. The Inspector noted that the LAP does not outline the nature of the process required to undertake the masterplan with the only requirement of the LAP being the requirement to prepare an outline masterplan. There is no statutory requirement to undertaken engagement. In this regard, I would concur with the view of the Inspector that the masterplan must be considered on its merits and whether it delivers appropriate pedestrian, cycle and vehicular linkages for individual and affiliated landholdings in order to prevent piecemeal development.

12.3.26 I am satisfied that the masterplan does provide for such connections and linkages. The two most significant landowners appear to be in agreement with the approach adopted (Heronvale and Victoria Homes) and have raised no objections to the masterplan. The development in my view provides appropriate connections to the north to Shaldon Lodge, Tra Dha Mhin and Long Meadow, to the east to the backlands area of the Golden Ball cottages and to the south to Rocklands. With regard to objections raised by some observers that the provision of access points to adjoining landholding has been done so without their consent, I consider that the indication of future connection points to adjoining lands does not require such consent and in any event such a matter is a legal issue and outside the scope of this planning assessment. It is noted that the gates are indicated on the applicant's side of the boundary.

Conclusion

12.3.27 The proposed development is in accordance with the zoning objective for the site and will ensure that the lands are developed for an appropriate and sustainable density with a range of housing typologies suited to different sectors of the population. I am satisfied that the quantum of development proposed can be accommodated on the site having regard to the interim phasing arrangements set out in the LAP. Furthermore, I consider that the development complies with the 13 criteria set out in the LAP regarding such interim development. I am also satisfied that

the development has been considered in the context of a wider masterplan for the lands which provides for suitable connections and permeability.

12.3.28 In principle, I am satisfied that the height of the proposed development is appropriate. I consider that the development has sited the taller elements at the most appropriate locations within the site and responds appropriately to the topographical variations across the site. The development in my view makes an appropriate and sustainable use of the subject lands and I am satisfied that the lands have the capacity to absorb a development of this scale and height without any adverse impacts. Whilst it is noted the development is in part 5 storeys which is above the height thresholds set out in the LAP, I do not consider this to represent a material contravention of the LAP, given the de minimus nature of the additional height proposed.

12.3 **Development Strategy**

Design, Form and Layout

12.3.1 The development provides a high standard of design and layout. A detailed architectural design statement is submitted with the application which sets out clearly the overall architectural rationale and approach. The applicant also provides a detailed statement regarding compliance with the 12 criteria set out in the Urban Design Manual.

12.3.2 The houses, duplexes and apartments are centred around public open spaces and home zones creating active frontage and good passive surveillance. Active street frontage is created on corner sites with side entrances, feature bay windows and wrap around corner windows on exposed elevations. Universal design and accessibility has been considered in the layout. A clear hierarchy of routes and spaces is provided for throughout the development. In terms of finishes and materials, brick is predominantly used, punctuated with areas of render. Granite is also used in cill, lintels and feature string courses. Different coloured brick is used to provide for variety and create different character areas.

12.3.3 I note that concerns have been raised by the PA regarding the treatment of the frontage to the Glenamuck Road. It is stated that there an emerging urban design vision for this area which seeks to move away from the provision of roads for transit purposes and the creation of streets for living. It is envisaged that the Glenamuck

Road will have a different function once the GDRS is implemented and, therefore, there is an opportunity to create a more engaged streetscape. Particular concern is raised regarding house no. 104 and that this unit should have a more active eastern elevation. The treatment of the side elevation of this unit is clearly shown on photomontages VVM4 and VVM5. I would concur that the existing treatment is rather sterile and there is an opportunity to provide a more active and animated elevation at this location through the provision of a double fronted unit that would have the front door and additional fenestration on the Glenamuck Road elevation. Similarly the urban frontage could be improved by relocating Apartment Block A/C closer to the Glenamuck Road and repositioning the proposed surface car parking to the north of the block. This can be addressed by condition.

Standard of Accommodation/Internal Standards

12.3.4 The application is accompanied by a detailed Housing Quality Assessment. A summary of the key points from this is set out below detailing how the scheme complies with the Specific Planning Policy Requirements set out in the Sustainable Urban Housing Design Standards for New Apartments, Guidelines for Planning Authorities:

- SPPR 1 refers to housing mix and that that apartment developments may include up to 50% one bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms. The development includes 48% 1 bed units, 44.5% 2 bed apartments/ duplex and 7.5% 3 bed apartments/duplex and SPPR 1 is, therefore, complied with.
- SPPR 3 refers to minimum apartment sizes. The average size of the units within the scheme will be 1 bed: 49.5 sq. m., 2 bed: 80.3 sq. m. and 3 bed: 99 sq. m. all of which exceed the minimum size standards. The guidelines also set out standards for the minimum widths of living/dining rooms and bedrooms and the minimum floor areas of certain rooms within the apartment. According to the HQA, the development complies with all the relevant standards.
- SPPR 4 states that in suburban or intermediate locations, it is an objective that there shall generally be a minimum of 50% dual aspect units. The proposed development includes 66% dual aspect units.

- SPPR 5 requires that ground level apartment floor to ceiling heights shall be a minimum of 2.7 metres. The development proposes a ceiling height of 2.8 metres at ground floor level.
- SPPR 6 states that a maximum of 12 apartments per core may be provided in apartment schemes. The development provides c. 3 units per core.
SPPR 6 also sets out standards for storage space and the development meets or exceeds the relevant standards.
Standards are also set out for private amenity space. All of the proposed apartments have a balcony that complies with the required size.
- The development is considered to have good internal circulation and has been designed to be safe and secure with good passive surveillance of public spaces. Adequate waste management facilities and additional community infrastructure in terms of the crèche is provided.
- In terms of communal open space, under the guidelines having regard to the proposed apartment mix, the required amount of communal amenity space would be 790 sq. metres. The development provides 4,650 sq. metres of communal space. Children's play has been provided for.
- A Life Cycle Report is submitted in accordance with section 6.13 of the guidelines.

12.3.5 I consider the development is entirely consistent with the Sustainable Urban Housing Design Standards for New Apartments – Guidelines for Planning Authorities and will provide an appropriate standard of amenity for future residents.

12.3.6 The development also includes a number of housing units. All of the houses comply with the qualitative and quantitative standards set out in the Delivering Homes, Sustaining Communities and the accompanying Best Practice Guidelines – Quality Housing for Sustainable Communities.

Open Space and Recreational Amenity

12.3.7 A total of 4,650 sq. metres of public open space is provided for within the development. The space is primarily located on two pockets. One is located centrally and has an area of 3,700 sq. metres and the other is located to the north of

the site and has an area of 950 sq. metres. There are two further small areas of open space including one at the entrance off Enniskerry Road and the other to the south. These spaces have been designed to retain existing mature trees which is welcomed. A full tree survey has been submitted with the application. A number of trees will be removed (78 in total) to facilitate the development. The majority of these are class C and U trees and only 1 class A tree will be removed. Significant new tree planting is proposed (490 trees comprising native, exotic and pollinator friendly species) across the development which will mitigate against the loss of existing trees. No objections to the proposal have been raised by the Parks Department of the Planning Authority.

12.3.8 The open space layout generally provides an attractive and high quality amenity for future residents. Hard and soft landscaping is provided throughout and a number of existing mature trees and hedgerows are retained in the overall landscape strategy. A variety of different children's play amenities are provided including natural and more formal spaces. The spaces have good surveillance and are readily accessible.

12.3.9 The Opinion of the PA states that applying the Development Plan standard of 15-20 sq. metres per person would require the provision of between 6,592.5 to 8,790 sq. metres of public open space and that the development falls short of the recommended provision. It is acknowledged however, that the development meets the default minimum of 10% of the site area and that the layout provides an appropriate mix of space to accommodate all future residents needs and is of an acceptable quality and design.

12.3.10 I am satisfied that the quantum and quality of the proposed open space provision is satisfactory and will provide a high level of amenity. I also note the proximity of the site to wider public park infrastructure and in this context, consider the extent of open space more than sufficient to serve the needs of future occupants.

DMURS

12.3.11 It is detailed in the application that the following measures will be implemented to ensure the scheme adheres to the design concepts of DMURS:

- A speed limit of 30kph will apply throughout the scheme.
- Horizontal and vertical alignment designed to 20km/h.

- Carriageway widths in line with DMURS requirement for street type. A network of local streets and homezone streets are proposed.
- Constrained junction radii.
- Raised pedestrian crossings at access junctions.
- Provision of raised tables at internal road junctions.

12.3.12 Eight vehicle connections within the street layout are proposed to facilitate appropriate vehicular connections for adjacent landholdings. High quality pedestrian and cyclist facilities will be provided including connections to adjacent lands and roadways. To the north east, a pedestrian and cyclist link is provided that could potentially connect to a greenway link that will be developed on adjoining lands.

12.3.13 I note that concerns have been raised by a number of observers regarding the link road through the site that connects the Glenamuck Road and the Enniskerry Road and that it will facilitate rat running. The provision of the link road is a requirement of the LAP and measures to impede such access and connectivity would be contrary to the principles of DMURS. I note that the design of the road and its alignment will slow down traffic and the parking spaces are aligned so that they must reverse onto the road which will further reduce traffic speed. In this regard, I consider the link road to be necessary and appropriate.

12.3.14 I am satisfied that the development provides for an appropriate road hierarchy throughout the scheme. Routes are legible and animated with active frontages. Adequate facilities are provided to facilitate pedestrians and cyclists and the scheme is generally compliant with the principles of DMURS.

Boundary Treatment

12.3.15 A number of objections have been raised regarding boundary treatment in the proposed development, particularly where it adjoins third party lands. I note that this matter was also given detailed consideration in the previous application pertaining to the land – application reference ABP 300731-18. Details of proposed boundary treatment is shown on drawing reference 107 and 108 (Mitchell and Associates).

12.3.16 To the north west of the site adjacent to Tra Dha Mhin, it is proposed to provide a 2.1 metre high feature granite wall. This boundary treatment also continues along the entrance road from the Enniskerry Road. This treatment is in my view appropriate

and in accordance with the objective of the LAP to incorporate granite and granite features into the design. For the remainder of the boundary to the north west, it is proposed to provide a 1.8 metre high boundary railing. I note that some of the observers have requested a continuation of the boundary wall. However, I am satisfied that the boundary railing would be a more appropriate treatment and would enable the retention of existing hedgerows which would be visually more appropriate in landscape terms and preferable from a biodiversity perspective.

12.3.17 The boundary to Shaldon Lodge to the north east comprises in part a retaining wall to engineers detail with the remainder comprising a 1.8 boundary detail. This again will enable retention of existing hedgerows. The boundary to Rocklands and Glencarrick House comprises in part a retaining wall and also a 1.8m high concrete post and concrete panels with existing boundary hedge reinforced or reinstated as appropriate. This treatment is similar to that previously proposed and I consider it acceptable and appropriate.

12.3.18 The boundary with St. Anne's extends along the side and rear of the existing dwelling. A mixture of boundary treatments is proposed including 2.1m high feature local granite wall to the west, 1.8m concrete post and panels with existing boundary hedge reinforced or reinstated along the side and rear boundary as well as 1.2m high estate style railing with boundary hedge planting adjacent to the proposed potential access point to the backlands of this property and adjacent cottages. In relation to the rear boundary with the remainder of the Golden Ball cottages, a 1.8m high concrete post and concrete panel fence is proposed with the retention of existing trees and hedgerows. Further south, the boundary is 1.2 timber post and wire again with existing trees and hedgerows retained or reinstated. This treatment is considered visually appropriate. As recommend in the previous Inspector's report gates are incorporated into the boundary treatment where potential connections are identified and provided for. This is considered appropriate and will facilitate such connections and permeability should they come to fruition at a later stage.

Conclusion

12.3.19 In conclusion, the overall architectural approach and standard of design is acceptable and will provide a high standard of amenity for future occupants. The open space is appropriately located, accessible and well supervised. Adequate

consideration has been given to the need to integrate the site with adjacent lands and provide for appropriate connectivity and permeability. DMURS has been incorporated into the design with an appropriate street hierarchy and home zones. All of the units comply with the relevant qualitative and quantitative standards set out in the apartment guidelines and will provide a high level of amenity to future occupants with many units exceeding the minimum size thresholds and a high degree of dual aspect units. Whilst I note the concerns raised by third parties regarding proposed boundary treatment, I consider the proposals well considered and will enable a high degree of hedgerow retention.

12.4 **Site Services, Surface Water and Flooding**

Foul Water Drainage

12.4.1 There is an existing 300mm diameter foul sewer located c. 140m to the east of the site along the Glenamuck Road. It is proposed to outfall from the proposed site, along the Glenamuck Road, to the existing manhole located at the Wayside Celtic entrance. The proposed foul drainage network has been designed to cater for the proposed 197 no. dwellings and crèche. Each property will have a separate waste water connection in accordance with Irish Water Code of Practice and Standard Details.

Water Supply

12.4.2 In terms of water supply, there is an existing 150mm and 300mm diameter water main along the Enniskerry Road and a 75mm main along the Glenamuck Road. It is proposed to connect into the existing 300mm diameter watermain on the Enniskerry Road to provide potable water to the development.

Surface Water

12.4.3 An existing storm drainage sewer is located approximately 100m to the east of the proposed site along the Glenamuck Road. It is proposed to outfall from the proposed site along the Glenamuck Road to the existing upstream manhole located at the Wayside Celtic entrance.

12.4.4 Surface water generated from the proposed development will be conveyed through a new surface water network (including SuDs) and attenuated at greenfield run off rates prior to discharge to the existing surface water network on the Glenamuck

Road. SuDS measures included within the design proposal include filter drains, permeable paving, conveyance swales, green roofs, dry detention basins, tree pits and rain gardens.

12.4.5 The applicant includes a Stormwater Impact Assessment Report with the application. Soil infiltration testing was carried out. Test results confirmed slow dissipation of water in the soil and, therefore, no soakaways are included in the storm drainage system design. There are 3 proposed catchments within the development site. Each catchment will have a slow control device to limit discharge rates to agreed Qbar rates. Attenuation storage will also be provided within each catchment. The storage volume of the underground SuDS attenuation system has been designed using “Micro Drainage” and included within the overall storm drainage network model.

12.4.6 I note that significant concerns were raised in the assessment of the previous application on the site (ABP 300731-18) regarding the design of the surface water drainage system and in particular regarding the design and location of the underground stormwater attenuation system. Significant concerns were also raised by the Drainage Department of Dun Laoghaire Rathdown County Council regarding discrepancies in the application documentation regarding levels and the design of invert levels. It was considered that the information submitted was haphazard and deficient in respect of detail.

12.4.7 In the current application, there has evidently been considerable engagement with the Drainage Department of Dun Laoghaire Rathdown County Council regarding stormwater design. The report from the Drainage Department (28.01.2020) appended to the Report of the Chief Executive states that they are generally satisfied with the arrangements and note that the attenuation storage volumes proposed are acceptable.

Flooding

12.4.8 A Flood Risk Assessment has been carried out and identifies that possible flood mechanisms include fluvial flooding from the Golf/Loughlinstown stream located in close proximity to the proposed residential development site and pluvial flooding. To inform the assessment a number of Flood Zone Maps were reviewed including the draft PFRA and CFRAM maps. There are no OPW records of flooding occurring on the site. The subject site is outside the predicted 1 in 100 year and 1 in 1,000 year

floodplain from the Gold Stream. I am satisfied that the subject site is not at flood risk.

Conclusion

12.4.9 I note that no objection to the proposals have been raised by Dun Laoghaire Rathdown County Council. The report from Drainage Planning states that the report and drawings submitted generally satisfy the requirements of Municipal Services. No objections to the development subject to conditions are raised. Concerns raised with respect to the previous proposal in the site have been addressed. The submission by Irish Water also raised no objection to the water supply and foul drainage proposals. I consider the proposed site services and surface water proposals satisfactory in this regard. I am also satisfied that there is no potential flood risk in the vicinity of the proposed site.

12.4.10 I note that some observers have suggested that their septic tank systems and surface water drainage should be effectively incorporated into the proposed development. I consider that the 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 is, therefore, outside the scope of this application.

12.5 Transport, Parking, Pedestrian/Cycle Facilities

Traffic Impact

12.5.1 I note that some of the observations state that the development is premature and cite deficiencies in the local road network. However, as detailed above, the Glenamuck Kiltiernan LAP provides for some interim development to take place in advance of the completion of the Glenamuck District Distributor Road (GDDR) and Glenamuck Local Distributor Road (GLDR) and a Part 8 approval has been granted for the upgrade of the Glenamuck and Enniskerry Roads. Having regard to the extent of development permitted on the Phase 1 lands to date, I am of the view that there is sufficient capacity to facilitate the proposed development. I note that consent has now been granted for the GDDR and the GLDR and I am satisfied that the development can proceed on the basis of the interim phasing set out in the LAP pending the construction and completion of this infrastructure.

- 12.5.2 Concern has also been raised by some of the observers in relation to sightlines at the Enniskerry Road. I note no objections to the proposed entrance from the Enniskerry Road have been raised by the Planning Authority in their opinion. No technical evidence has been provided to substantiate the concerns raised regarding the sightlines.
- 12.5.3 In support of the application, the applicants have submitted a Traffic and Transport Assessment which addresses the transportation capacity considerations relating to the proposal. A Quality Audit, Stage 1 Road Safety Audit, Infrastructure Design Report, Design Process Traffic Management Plan and Mobility Management Plan are also submitted.
- 12.5.4 The Transportation Assessment notes that vehicular access to the site will be via simple priority junctions created onto the Glenamuck Road and the Enniskerry Road and that adequate sightlines can be achieved. The total trip generation of the development is estimated to be 103 two way movements in the AM peak and 101 movements in the PM peak. The relatively low traffic generation coupled with the provision of two accesses ensures that the junctions do not experience onerous volumes of traffic. The link capacity assessment undertaken on the Enniskerry Road and Glenamuck Road indicates that during the base year link capacity assessment both links in the vicinity of the proposed access junctions will operate within their respective capacity constraints.
- 12.5.5 The impact of the development on the M50 Junction 15 – Carrickmines Interchange is also considered and indicates that the maximum traffic increase occurring at any junction is 2.38% which is less than the threshold for sensitive areas and, therefore, demonstrates that the proposed development has a relatively minor impact on these sensitive junctions. In terms of the M50 mainline, the maximum increase is 1.46% and, therefore, the development will have a relatively minor impact on the M50 carriageway. It is detailed that the Part 8 report in relation to the upgrade of the Enniskerry Road/Glenamuck Road junction can adequately cater for the additional traffic generated by 1,050 units including the proposed development prior to the completion of the Glenamuck District Distributor Road.

Parking

- 12.5.6 The proposed development provides for 291 car parking spaces to serve 197 residential units and the crèche. An assessment of compliance with the car parking standards in the Apartment Guidelines is set out in Section 2.5 of the Mobility Management Plan. Each of the houses is provided with 2 no. car parking spaces. The apartments and duplexes are provided with 1 space per unit. 25 visitor spaces are proposed and there are 7 spaces to serve the crèche.
- 12.5.7 The level of parking proposed is slightly lower than what is required under the County Development Plan which requires 1.5 spaces per 2 bed apartment and 2 spaces for a 3 bed apartment.
- 12.5.8 Concerns are raised by the Planning Authority regarding the quantum of residential parking proposed and that it is not in compliance with the Development Plan Standards. It is acknowledged however, that the Sustainable Urban Housing: Design Standards for New Apartments advocates reduced levels of parking in certain instances. The Sustainable Urban Housing: Design Standards for New Apartments specifically note that for peripheral and/or less accessible locations that as a benchmark, one car parking space per unit, together with an element of visitor parking such as one space for every 3-4 apartments should generally be required. Having regard to this guidance and the fact that the in the future, the public transport offering serving the site will improve and mobility management measures implemented, I am satisfied that the quantum of parking proposed is sufficient to serve the proposed development.

Cycle Parking

- 12.5.9 Cycle parking will be provided within the curtilage of the housing units. For the remainder of the development, a total of 299 spaces is proposed. For the apartments, cycle parking is provided within secure storage areas with a mix of Sheffield stands and two tier bicycle racks. 1 space per bedroom is provided with a total of 215 spaces. 82 no. visitor parking spaces are provided throughout the development and there are 2 spaces to serve the crèche. The cycle parking provision is less than that required under the Apartment Guidelines. I note that the guidelines state that a deviation from the standards may be at the discretion of the Planning Authority having regard to factors such as location, quality of facilities

proposed and flexibility for future enhancement etc. Having regard to the fact that the site is not in a city centre location, I consider the level of provision is adequate in this instance.

12.6 Residential Amenity

12.6.1 Concerns are raised by a number of adjoining residents regarding the potential impact of the development on their residential amenities stating that it will have an adverse visual impact as well as negative overlooking, overshadowing and overbearing impacts. The matter of residential amenity was raised in the previous application pertaining to the site with one of the reasons for refusal relating to the adverse impact of the development on Shaldon Lodge. It was considered that the development would seriously injure the residential amenities of this residential dwelling, by reason of its overbearing impact and by reason of overlooking. I will consider the matter of residential amenity as it effects existing properties where relevant.

12.6.2 Tra Dha Mhin and Long Meadow are located to the north of the site. The boundaries of these properties are separated from the housing proposed by the internal link road and perpendicular car parking spaces. There is also existing mature hedging and trees along the northern boundary. The proposed dwellings are set back c. 18 metres from the northern boundary. I am satisfied that given the separation distances proposed and extent of mature boundary treatment that no adverse impacts are likely to occur to either of these dwellings.

12.6.3 St. Anne's is the first dwelling located to the south of the proposed vehicular access from the Enniskerry Road. Concerns are raised regarding houses 1 to 3 which are located forward of the existing building line on the Enniskerry Road as well as dwellings 14 and 18 which abut the northern side boundary of this dwelling. The proposed arrangement is very similar to that previously proposed under ABP 300731-18 in terms of the layout adjacent to St. Anne's. As per the previous application, units 1 to 3 are proposed as 3 storey units with the rear building line generally in line with the front building line of St. Anne's. There are no windows on the side elevation addressing St. Anne's and, therefore, no overlooking will occur. I also note the concerns raised that the layout of these dwellings will break the building line. However, I note that the properties along the Enniskerry Road are all

set back and I am satisfied that the alignment of the road coupled with the proposed planting will ensure that the layout will have no adverse impacts. The visual impact of this elevation is clearly shown on photomontage VVM1 and I consider it is a satisfactory arrangement. The three storey dwellings to the north of the boundary (no. 14 and 18) have opaque glazing at first floor level and, therefore, any perceived overlooking would be oblique. There is also a substantial boundary hedge along the northern boundary of St. Anne's which will further protect the amenities of this dwelling.

- 12.6.4 The proposed dwellings to the rear of the Golden Ball Cottages comprises a mix of two and three storey terraced and semi-detached properties as well as a number of duplex units. The Golden Ball dwellings have extensive rear gardens (up to 65 metres in depth) and are well separated from the proposed development. The amenity terraces serving the duplex units at first floor level will overlook the rear gardens of the Golden Ball dwellings. I note however, that screening in the form of louvres on the balconies is proposed to mitigate this impact and there will be additional planting along the common boundary. I am satisfied that these measures to reduce overlooking in conjunction with the separation distances involved, will ensure no adverse impacts are likely to occur.
- 12.6.5 In terms of the existing property Rocklands, it is proposed to locate apartment block A-D to the west of this existing dwelling. The apartment is modest in scale extending to three storeys in height. It is set back c. 9m from the dwelling. Fenestration facing the Rocklands property is minimised and primarily serves ancillary accommodation such as bathrooms and stair cores. Frosted glazing is proposed to minimise any potential for overlooking. Having regard to the set back from the property, limited height and proposed obviating measures, no adverse impacts are likely. At the existing Glencarrick development, proposed semi-detached housing is organised along the common boundaries with this dwelling. The rear gardens of these houses ranges from c.15.5metres to 18.4 metres ensuring adequate separation distances are maintained.
- 12.6.6 To the east of Cromlech Close a further apartment block (A/C) is proposed. The part of the block nearest the existing housing has no fenestration. Balconies are proposed on part of the south western elevation. These are however, set back 11 and 12 metres from the boundary minimising potential for overlooking. There is also

a substantial level difference between Cromlech Court and apartment block C (indicated on drawing GRK-COA-00-ZZ-DR-A 0516) which further minimises the impact.

12.6.7 Shaldon Lodge is located to the northwest of the site. There is a considerable level difference between the subject site and this property. In the previous proposal pertaining to the site, it was proposed to locate a three storey block adjacent to the boundary with Shaldon Lodge comprising a crèche at ground floor and three bed duplex units overhead. Concerns were raised regarding the balconies on the front and rear elevation which were 5 metres from the boundary and that this would result in overlooking. The overall height of the block at 12 metres was also considered overbearing, particularly due to the level differences. A further apartment block was also located in proximity to the boundary with Shaldon Lodge further east under the previous application. The Inspector noted however, that given the separation distances between the observer's property and this Apartment Block and its location on a lower level of the site that it was acceptable.

12.6.8 In the current proposal, the footprint of Apartment Block A/A is largely similar to Apartment 1 deemed acceptable previously by the reporting Inspector. In this application however, the apartment block in closest proximity to the Shaldon Lodge boundary (Block A/B1) is set back considerably further. It is set back c. 12.7 metres from the common boundary and c. 38 metres from the dwelling itself. Fenestration on the side elevation facing Shaldon Lodge is limited and serves only ancillary accommodation. The relationship between apartment block A/B1 is indicated on drawing reference GRK-COA-00-ZZ-DR-A 0516. I am satisfied that the revised separation distance now proposed coupled with enhanced planting along this common boundary will minimise potential impacts and overcome the concerns raised with respect of the previous application.

12.6.9 Objections have been raised regarding the potential overshadowing impact on Shaldon Lodge. I note that no detailed sunlight daylight study was submitted with the application in accordance with the BRE guidelines. A basic shadow analysis has been submitted for the spring and autumn Equinox. The diagrams indicate that the development will cast some shadow to the north during the spring and autumn Equinox, although this is primarily in the late evening. Such impacts during the summer months are likely to be lesser. Overall, I consider that the impacts in terms

of overshadowing will not have a material adverse impact on the amenities of Shaldon Lodge.

Conclusion

12.6.10 In conclusion, I am satisfied that the development has been well considered in terms of protecting the residential amenities of adjacent properties. Adequate set backs have been maintained and where necessary, additional mitigation in the form of louvered screens on balconies and opaque glazing is utilised. The property most likely to be impacted by the development is Shaldon Lodge. I note however, that the layout has improved considerably since that previously refused by the Board under ABP 300731-18 and the apartment block located in proximity to this sensitive boundary has been further set back to protect the amenity of this dwelling. The Opinion from the PA concurs with this view and states *“it is acknowledged that the scheme has been revised since the last refusal, and the relationship between the scheme and ‘Shaldon Lodge’ has improved notably. While the separation distances are less than might otherwise be expected, the arrangement between the existing dwelling and the proposed dwellings would not give rise to an undue loss of residential amenity.* In this regard, I am satisfied that the development will not have an adverse impact on the visual or residential amenities of the area.

12.7 Impact on Biodiversity

12.7.1 The applicant has submitted an Ecological Impact Assessment. A number of field surveys as well as habitat, flora and fauna surveys were undertaken to support the assessment. The walkover surveys were undertaken to ascertain if any rare or protected flora and fauna are present on the site and to determine if there are any problematic invasive species. Bat surveys were previously undertaken in 2014 and 2017. The methodology for carrying out the surveys is set out in detail in section 5 of the report and I am satisfied that it is robust. Impacts of the development on Natura 2000 sites is considered in section 11 of this report.

12.7.2 The subject site comprises a greenfield site. In terms of habitat, the majority of the development will take place on two fields predominantly comprising Dry calcareous and neutral grassland. There are a number of mature hedgerows and treelines along the field boundaries. The treeline along the Glenamuck Road, east of Dun Oir is the most developed with tall Ash, Sycamore and Wych Elm. The field boundaries

classified as hedges were all composed of non-native species and therefore of limited ecological value.

- 12.7.3 No evidence of Badgers was noted in the study area. There was evidence of Deer and Fox. Hedgehog, Red and Grey Squirrels and Wood Mouse were also evident. The summer bat survey concluded that there was no evidence of bats using the houses, but several bat species were recorded in the vicinity of the houses and were likely to use the interior of the proposed development site for foraging, particularly along hedgerows and treelines. In terms of birds, the treelines and scrub provide suitable undisturbed nesting sites as well as a food source. Invasive species were associated with the curtilage of Greenmount. Both Japanese Knotweed and Rhododendron occur within the development site. There is a drainage channel to the east of the site. It is of limited ecological interest but is likely to provide hydrological connectivity to the Carrickmines Stream.
- 12.7.4 In terms of impacts, the majority of the existing habitat on the site will be lost. The habitats present on site are however, well represented in the surrounding landscape and would be of no more than local importance. The loss of the treelines along the Glenamuck Road is considered a loss of high local importance. The development both during the construction and operational phase will result in noise and light disturbance. It is noted that birds and mammals recorded at the site or likely to occur at the site have the ability to adapt to certain levels of disturbance. There is a low level risk of mortality of bats. The introduction of artificial lighting could potentially have significant effects on foraging bats within the immediate area. The drain in the east of the site is within the catchment of the Carrickmines Stream and provides hydrological connectivity to this. Best practice measures during the construction phase of the project to retain any surface run off and hydrocarbon release within the site will prevent the risk of pollution events. Without suitable mitigation, invasive species could spread throughout the site or to other locations.
- 12.7.5 Section 8 of the Ecological Impact Assessment sets out a suite of mitigation measures. It notes that habitat loss will be partially mitigated through the landscape planting of the site. Trees and hedges are to be retained where possible and the proposals have been designed to retain clusters of mature trees in the south and west of the development site. Specific measures are set out with respect to bats, particularly with regard to lighting proposals. Successful implementation of best

practice measures will significantly reduce the risk of impact of suspended solids and hydrocarbons on the aquatic environment. An Invasive Species Management Plan includes suitable biosecurity measures and the removal, under licence, of soil potentially contaminated with Japanese Knotweed material.

- 12.7.6 With the implementation of these measures, I am satisfied that the development will not cause any significant negative impacts on designated sites, habitats, legally protected species or any other features of ecological importance. The mitigation measures set are reasonable and can be implemented by way of condition. I consider that the development will have no adverse or material ecological impacts.

12.8 Other Issues

Archaeology

- 12.8.1 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.

Section 49 Contribution

- 12.8.2 The PA in their opinion recommend that a condition is attached requiring a financial contribution is paid towards the cost of the Glenamuck District Distributor Road Scheme and the Surface Water Attenuation Ponds Scheme. It is stated in the reason for the condition is that the contribution has been provided for in the Supplementary Development Contribution Scheme adopted by the Council in November 2009. Given the strategic contribution that the road would provide to the area, I agree that it is reasonable to require that a contribution is paid toward this infrastructure and recommend a condition in this regard.

Construction Impacts

- 12.8.3 I note the concerns raised by some parties regarding construction stage impacts. An Outline Construction Management Plan as well as a Design Process Traffic Management plan (which sets out the requirements for traffic management during the construction period) has been submitted by the applicant. Potential construction impacts will be short term and temporary in nature and I am satisfied that they can be appropriately mitigated through good construction management and practice. I

recommend a condition requiring the preparation of a detailed Construction Management Plan prior to commencement of development.

Social Infrastructure

- 12.8.4 Concerns have been raised by some observers regarding the impact of the development on local schools and social infrastructure. The applicant provides some detail on the extent of local schools and sports/community facilities but does not include a detailed impact assessment. I note however, the relatively modest scale of the development which is less than 200 units. The development provides for a new crèche facility which will cater for approximately 50 children. The provision of same is welcomed by the Planning Authority and I am satisfied that it is of sufficient scale to serve the development adequately.
- 12.8.5 In terms of school provision, under the provisions of the Kiltiernan Glenamuck LAP a 2ha school site has been reserved at land parcel 27c/27b which will facilitate either a 32 classroom facility or 2 no. 16 classroom facilities. A new Educate Together National School at Belarmine Vale was granted permission in 2016 and commenced construction in 2017. This school will accommodate 720 pupils. There are also a number of other primary schools within the local area. I note from information submitted with the planning application on the site to the east that with regard secondary education, the Stepside Educate Together Secondary School is engaging in the feasibility of providing a new secondary 1,000 place school on the Ballyogan Road. Permission has been granted for an extension to Wesley College and Newpark School has recently been renovated and extended. In this context, I am satisfied that there is likely to be sufficient capacity existing and coming on stream at both at primary and secondary level to meet the demand generated by the proposed development.
- 12.8.6 In terms of other community facilities, I note that lands in the village centre have been designated as a neighbourhood centre. It is detailed in the LAP that this area will accommodate community facilities, an anchor retail unit and a new civic space. This in my view is the most appropriate location for the development of further facilities to serve the wider community.

13.0 Recommendation

13.1 Having regard to the above assessment, I recommend that section 9(4)(a) of the Act of 2016 be applied and that permission is **GRANTED** for the development, for the reasons and considerations and subject to the conditions set out below.

14.0 Draft Order

Having regard to the:

- a) The site's location within the boundary of the Kiltiernan Glenamuck LAP with a zoning objective for residential development;
- b) The policies and objectives in the Dun Laoghaire Rathdown county Development Plan 2016 to 2022;
- c) Nature, scale and design of the proposed development;
- d) Pattern of existing and permitted development in the area;
- e) The Rebuilding Ireland Action Plan for Housing and Homelessness 2016;
- f) The National Planning Framework issued by the Department of Housing, Planning and Local Government in February 2018;
- g) The Guidelines for Sustainable Residential Developments in Urban Areas and the accompanying Urban Design Manual – a Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May 2009;
- h) The Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in March 2013;
- i) The Sustainable Urban Housing: Design Standards for New Apartments issued by the Department of the Environment, Community and Local Government in March 2018;
- j) The Urban Development and Building Heights Guidelines for Planning Authorities 2019;
- k) Submissions and observations received.
- l) the report of the Inspector.

It is considered that, subject to compliance with the conditions set out below, the

proposed development would achieve an acceptable standard of urban design and would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would respect the existing character of the area and would be acceptable in terms of traffic and pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening

The Board completed an Appropriate Assessment Screening exercise in relation to the potential effects of the proposed development on designated European sites, taking into account the nature, scale and location of the proposed development within a zoned and serviced urban area, the Screening Report for Appropriate Assessment submitted with the application and the Inspector's report and submissions on file. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European site in view of the conservation objectives of such sites, and that a Stage 2 Appropriate Assessment is not, therefore, required.

Environmental Impact Assessment Screening

The Board completed an Environmental Impact Assessment Screening of the proposed development.

Having regard to:

- (a) the nature and scale of the proposed development on an urban site served by public infrastructure,
 - (b) the absence of any significant environmental sensitivities in the area,
 - (c) the location of the development outside of any sensitive location specified in article 109(3) of the Planning and Development Regulations 2001 (as amended),
- the Board concluded that, by reason of the nature, scale and location of the subject site, the proposed development would not be likely to have significant effects on the environment. The Board decided, therefore, that an Environmental Impact Assessment Report for the proposed development was not necessary in this case.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the Planning Authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement, the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

2. Prior to the commencement of development, the applicant shall submit for the written agreement of the Planning Authority revised plans and details to include:
 - (i) Revised treatment of house no. 104 fronting onto Glenamuck Road to include a double fronted unit with front door and fenestration on the elevation facing Glenamuck Road.
 - (ii) The relocation of Apartment Block A/C towards the Glenamuck Road and the relocation of the associated car parking from the south of this block to the north.

Reason: In the interest of visual amenity and to create a more appropriate and animated streetscape along the Glenamuck Road.

3. No Unit in Phase 2 of the development as shown on drawing number GKH-CA-00-ZZ-DR-A shall be occupied prior to the completion of the Enniskerry Road/Glenamuck Road Junction Upgrade.

Reason: In the interest of the proper planning and sustainable development of the area.

4. The landscaping scheme shown on drawing number No. 100 Landscape Masterplan, as submitted to the An Bord Pleanála on the 13th day of December, 2019 shall be carried out within the first planting season following substantial completion of external construction works.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

5. Prior to the commencement of development, the developer shall retain the professional services of a qualified Landscape Architect as Landscape Consultant throughout the life of the site development works and shall notify the Planning Authority of that appointment in writing. The developer shall engage the Landscape Consultant to procure, oversee and supervise the landscape contract for the implementation of the permitted landscape proposals. When all landscape works are inspected and completed to the satisfaction of the Landscape Consultant, he/she shall submit a Practical Completion Certificate (PCC) to the Planning Authority for written agreement, as verification that the approved landscape plans and specification have been fully implemented.

Reason: To ensure full and verifiable implementation of the approved landscape design proposals for the permitted development, to the approved standards and specification.

6. All trees and hedgerows within and on the boundaries of the site shall be retained and maintained, with the exception of the following:
 - (a) Specific trees, the removal of which is authorised in writing by the Planning Authority to facilitate the development.
 - (b) Trees which are agreed in writing by the Planning Authority to be dead, dying or dangerous through disease or storm damage, following submission of a qualified tree surgeon's report, and which shall be replaced with agreed specimens.

Retained trees and hedgerows shall be protected from damage during construction works. Within a period of six months following the substantial completion of the proposed development, any planting which is damaged or dies shall be replaced with others of similar size and species, together with replacement planting required under paragraph (b) of this condition.

Reason: In the interest of visual amenity.

7. Prior to commencement of any permitted development, the developer shall engage the services of a qualified arborist as an arboricultural consultant, for the entire period of construction activity. The developer shall inform the Planning Authority in writing of the appointment and name of the consultant, prior to commencement of development. The consultant shall visit the site at a minimum on a monthly basis, to ensure the implementation of all of the recommendations in the tree reports and plans. To ensure the protection of trees to be retained within the site, the developer shall implement all the recommendations pertaining to tree retention, tree protection and tree works, as detailed in the in the submitted Tree Survey Report. All tree felling, surgery and remedial works shall be completed upon completion of the works. All works on retained trees shall comply with proper arboricultural techniques conforming to BS 3998: 2010 Tree Work – Recommendations. The clearance of any vegetation including trees and shrub shall be carried out outside the bird-breeding season (1 March–31 August inclusive) or as stipulated under the Wildlife Acts 1976 and 2000. The arborist shall carry out a post construction tree survey and assessment on the condition of the retained trees. A completion certificate is to be signed off by the arborist when all permitted development works are completed and in line with the recommendations of the tree report. The certificate shall be submitted to the planning authority upon completion of the works.

Reason: To ensure and give practical effect to the retention, protection and sustainability of trees during and after construction of the permitted development.

8. The following requirements in terms of traffic, transportation and mobility shall be incorporated and where required, revised drawings / reports showing compliance with these requirements shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development:
 - (a) The roads and traffic arrangements serving the site (including footpath connections and signage) shall be in accordance with the detailed requirements of the Planning Authority for such works and shall be carried out at the developer's expense.

(b) The roads layout including junctions, parking areas, footpaths, cycle paths and kerbs, pedestrian crossings, car parking bay sizes and road access to the development shall comply with the requirements of the Design Manual for Roads and Streets and with any requirements of the Planning Authority for such road works.

(c) Cycle tracks within the development shall be in accordance with the guidance provided in the National Cycle Manual.

(d) The materials used in any roads/footpaths/set down areas provided by the developer shall comply with the detailed standards of the Planning Authority for such road works.

(e) A Mobility Management Plan shall be prepared and submitted to the Planning Authority for approval prior to the commencement of development.

(f) The developer shall carry out a Stage 2 and Stage 3 Quality Audit (which shall include a Road Safety Audit, Access Audit, Cycle Audit and Walking Audit), which shall be submitted to the Planning Authority for its written agreement. The developer shall carry out all agreed recommendations contained in the audits, at the developer's expense.

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

9. All of the communal parking areas serving the apartments shall be provided with electric vehicle charging points, to allow for the provision of future electric vehicle charging points. Details of how it is proposed to comply with these requirements, including details of design of, and signage for, the electrical charging points shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development.

Reason: In the interest of sustainable transportation.

10. Prior to first occupation of any of the units, all of the proposed pedestrian cyclist links shall be satisfactorily completed at the applicant's expense and available for public use. This shall include the proposed new footpath/cycle link along the northern side of Glenamuck Road South, unless otherwise agreed with the Planning Authority.

Reason: To comply with Section 10.6 of the Kiltiernan Glenamuck LAP and provide for connectivity.

11. Prior to commencement of development the Applicant shall agree details of the layout and all works to be carried out at the Applicants expense at Glenamuck Road South with the Planning Authority (Capital Projects Section).

Reason: In the interests of sustainable development and proper planning.

12. All roads shown connecting to adjoining lands shall be constructed up to the boundaries with no ransom strips remaining to provide access to adjoining lands. These areas shall be shown for taking in charge in a drawing to be submitted and agreed with the Planning Authority.

Reason: In the interest of permeability and proper planning and sustainable development.

13. No dwelling units within the proposed development shall be sold separately, independent from the associated car parking provision. All the proposed car parking spaces shall be for occupants of the residential units and shall be sold off with the units and not sold separately or let independently from the residential development.

Reason: In the interest of orderly development.

14. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any unit.

Reason: In the interests of amenity and public safety.

15. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the Planning Authority for such works and services.

Reason: In the interest of public health.

16. Prior to the commencement of development, the applicant is requested to submit further details regarding the Drawing 5157801/EWE/DR/0503 Surface Water Flow Path, specifically in locations where the flow path appears to be directed towards third party lands and in the vicinity of the apartment basement

entrance. The applicant must demonstrate that flood water are prevented from entering the basement of the apartments and from entering adjacent lands.

Reason: In the interest of public health.

17. The applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water prior to the commencement of this development.

Reason: In the interests of the proper planning and sustainable development of the area.

18. Proposals for an estate/development name, apartment and house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. Thereafter, all estate/development signs, and apartment/house numbers, shall be provided in accordance with the agreed scheme. The proposed name shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name of the development shall be erected until the developer has obtained the Planning Authority's written agreement to the proposed name.

Reason: In the interests of urban legibility, and to ensure the use of locally appropriate place names for new residential developments.

19. The mitigation measures outlined in the Ecology Impact Assessment submitted with this application shall be carried out in full, except where otherwise required by conditions of this permission.

Reason: To protect the environment.

20. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:

(a) notify the Planning Authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and

(b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:

- (i) the nature and location of archaeological material on the site, and
- (ii) the impact of the proposed development on such archaeological material.

A report, containing the results of the assessment, shall be submitted to the Planning Authority and, arising from this assessment, the developer shall agree in writing with the Planning Authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.

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

Reason: In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

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

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

22. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

23. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation

from these times will only be allowed in exceptional circumstances where prior written approval has been received from the Planning Authority.

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

24. Prior to the commencement of development, the developer shall submit a construction and demolition waste management plan to the Planning Authority for agreement prepared in accordance with the Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects published by the Department of the Environment, Heritage and Local Government in July, 2006. This shall include details of waste to be generated during site clearance and construction phases and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material.

Reason: In the interest of orderly development and sustainable waste management.

25. Prior to commencement of development the developer shall submit and obtain the written agreement of the Planning Authority, a plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and for the ongoing operation of these facilities.

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

26. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site. In this regard, ducting shall be provided to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of orderly development and the visual amenities of the area.

27. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development.

This plan shall provide details of intended construction practice for the development, including:

- (a) Location of the site and materials compounds including areas identified for the storage of construction refuse; areas for construction site offices and staff facilities; site security fencing and hoardings; and on-site car parking facilities for site workers during the course of construction;
- (b) The timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site; measures to obviate queuing of construction traffic on the adjoining road network; and measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (c) Details of the implementation of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (d) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- (e) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- (f) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the Planning Authority. The developer shall provide contact details for the public to make complaints during construction and provide a record of any such complaints and its response to them, which may also be inspected by the Planning Authority.

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

28. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being taken in charge. Detailed proposals in this regard shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development.

Reason: To ensure the satisfactory completion and maintenance of this development.

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

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

30. Prior to commencement of development, the developer shall lodge with the Planning Authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the reinstatement of public roads which may be damaged by the transport of materials to the site, coupled with an agreement empowering the Planning Authority to apply such security or part thereof to the satisfactory reinstatement of the public road. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: In the interest of traffic safety and the proper planning and sustainable development of the area.

31. The developer shall pay to the Planning Authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement

of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

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

32. The developer shall pay to the Planning Authority a financial contribution in respect of the Glenamuck District Distributor Road Scheme and the Surface Water Attenuation Ponds Scheme in accordance with the terms of the Supplementary Development Contribution Scheme made by the Planning Authority under section 49 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the Planning Authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

Erika Casey

Senior Planning Inspector

10th March 2020

Appendix 1

Observers
Ann Colville
David and Gwen Ryan
Declan Flynn and Michele Donohue
Gareth and Kathryn Healy
James and Ann Colville
Nigel and Ciara Start

Appendix 2

Reference No.	Name	No. of Residential Units
D17A/0520 ABP 06D.249244	Drumkeen	15
15A/0433	Willow Glen	31
14A/0765 ABP 06D244520	Saxaroon and Inglenook	28
D17A/0793	Rockville	49
D18A/0566	South of Rockville	6
ABP 303978-19	Glenamuck Road	203
D16A/0586 ABP 06D.247911	Glebe Road	38
D18A/0347 303491-19	Slievenamon, Ballybetagh Road	20
D16A/0090 ABP 06D.246537 D18A/1239 ABP 303984-19	Adjoining Golden Ball	39 4
D18A/0137 ABP 303753-19	Rockhurst	16
D17A/0364	Wayside Cottages	1
D15A/0785	Wayside Cottages	1
D15A/0222	Wayside Cottages	2
Total		453