



An
Bord
Pleanála

+

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

Inspector's Report ABP-307043-20

Strategic Housing Development

116 no. residential units (85 no. houses, 31 no. apartments), childcare facility and associated site works.

Location

Suttons Fields, Ballybetagh Road,
Kilternan, Dublin 18.
(www.suttonsfieldsshd.ie)

Planning Authority

Dun Laoghaire Rathdown County
Council.

Applicant

Paul and David Butler.

Prescribed Bodies

1. National Transport Authority
2. Irish Water

3. Dun Laoghaire Rathdown
County Childcare Committee.
4. Department of Culture, Heritage
and the Gaeltacht.
5. The Heritage Council.
6. An Taisce.
7. An Comhairle Ealaoin.
8. Failte Ireland.

Observer(s)

23 submissions received, includes 2
from Prescribed Bodies (Appendix 2
contains a list of Observers).

Date of Site Inspection

29th July 2020.

Inspector

Daire McDevitt.

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Appendix 1 Documentation submitted with the application.

Appendix 2 List of Observers

Appendix 3 Summary of Observer Submissions

1.0 Introduction

This is an assessment of a proposed strategic housing development submitted to the Board under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016.

2.0 Site Location and Description

- 2.1.** The site has a stated area of 3.6ha. It consists of fields under pasture at the edge of the built up area of Kiltarnan, c. 17km south west of Dublin City Centre. The landholding includes the curtilages of two detached houses between the main part of the site and the Ballybetagh Road to the south. The site also includes a short frontage onto that road to the west of the houses and a narrow strip along the road in front of the houses.
- 2.2.** There is a primary school on the Ballybetagh Road immediately to the east of the houses on the landholding. The junction of that road with the main Enniskerry Road through Kiltarnan lies c150m east of the houses on the landholding. A footpath runs along the road from that junction to the school, but it does not continue in front of the houses on the landholding.
- 2.3.** The western boundary of the site of the site adjoins agricultural land. the northern boundary of the site adjoins a private laneway. The eastern boundary of the site adjoins the curtilages of houses that have access from the Enniskerry Road, including those laid out around a cul-de-sac at Wayside Cottages.

3.0 Proposed Strategic Housing Development

- 3.1.** Permission is sought for 116 residential units (85 houses and 31 apartments) and a creche (31 spaces).
- 3.2.** Development parameters:

Site Area	3.82 hectares
Units	116 (house and apartments)
Density	c. 30 units per hectare
Height	1-3 storeys
Dual aspect (apartments)	100%
Parking	Car: 216 spaces. Bicycle:157 Motorcycle: 0
Public/Communal Open Space	c. 3974q.m (c.12%)
Creche	c.159sq.m (31 spaces)
Part V	11 units (1 house and 10 apartments)

3.3. The unit mix is as follows

Type	No. of Units	% of total
Houses		
1 bed	7	6%
2 bed	2	2%
3 bed	43	37%
4 bed	33	28%
Total No. of Houses	85	73%
Apartments		
1 bed	16	14%
2 bed	13	11%
3 bed	2	2%
Total No. of Apartment	31	27%
Total	116	100%

- Access is proposed off the Ballybetagh Road. A pedestrian link/cycle link running adjacent to Our Lady of the Wayside NS. Future access to lands to the north and east are indicated.
- Connection proposed to existing water main in the Kiltiernan Abbey laneway to the north of the site.
- It is proposed to drain foul sewerage from the site northwards to two outfalls on site (one existing and one new) which in turn will discharge to the public sewer at Kiltiernan Abbey access road.
- Surface water from the site will be disposed via 6 no. attenuation tanks within the site and in parking areas. The outfall pipe will be routed in the laneway at Kiltiernan Abbey.

Letters of consent from third parties submitted with the application relating to works required on third party lands.

4.0 Planning History

None as per the planning register for the application site.

Recent Applications of relevance in the area:

Along Glenamuck Road:

ABP-300731-18

Refers to a decision to refuse permission on a 4.5 ha site on the northern side of the Glenamuck Road for 141 no. residential units (98 no. houses and 43 no. apartments / duplexes), crèche and link access road between Enniskerry Road and Glenamuck Road. The Board refused permission on 26th April 2018 for the following 4 reasons:

1. *Kiltiernan has been designated as a 'Future Development Area' in the Core Strategy set out in the Dun Laoghaire Rathdown County Development Plan 2016-2022. Furthermore, the County Development Plan includes a specific objective for a proposed quality bus/bus priority route running along the Glenamuck Road to the east of the site. In addition, the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) indicate that residential densities within existing or planned public transport corridors should be a minimum of 50 units per hectare, but with a provision that minimum net densities can be specified in Local Area Plans. In this regard, the Kiltiernan Glenamuck Local Area Plan 2013 specifies that minimum net densities of 40 – 45 units per hectare should apply to the subject site and adjoining lands. The site of the proposed development is on serviceable lands, within the development boundary of Kiltiernan, in an area earmarked for residential development with access to existing and planned public transport. Having regard to the proposed density of development, it is considered that the proposed development would not be developed at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage given the proximity of the site to Dublin City and to the established social and community services in the immediate vicinity, and would not conform to the minimum densities required in the Local Area Plan and the Guidelines. Furthermore, it is considered that the proposed development does not provide for an appropriate mix of dwelling types, being predominantly semi-detached housing, to comply with the overall provisions set out in the County Development Plan. The proposed development would, therefore, be contrary to the provisions of the County Development Plan, Local Area Plan and to these Ministerial Guidelines, and would be contrary to the proper planning and sustainable development of the area.*
2. *The Board is not satisfied, on the basis of the documentation submitted with the application, both in the drawings and accompanying report, that the information received is appropriately referenced, sufficiently detailed and supported by site specific investigations, in order to facilitate a comprehensive examination of the storm water proposals for the proposed development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.*
3. *The proposed layout would result in a substandard level of pedestrian/cycle connection, particularly to the lands to the east / north-east of the application site. This lack of connectivity would be contrary to the principles espoused by the Design Manual for Road and Streets (2013) and the Urban Design Manual, a companion document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) which includes 'Connections' as one of the 12 criteria for the design of residential development. The proposed development would fail to provide for the necessary integration and permeability between different sections of the overall development area as set out in the Local Area Plan, and would be contrary to national policy guidance, and would, therefore, be contrary to the proper planning and sustainable development of the area.*

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

Planning Authority Reference D17A/0793 and D18A/0566.

Refers to a grant of permission on a c.2.22 ha site on the southern side of Glenamuck Road comprising Rockville House, a protected structure, and the associated gate lodge and other structures and adjoining lands. It included the 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.

Planning Authority Reference D18A/0566. Permission granted 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.

Planning Authority Reference D18A/1191/ABP 303871-19 permission granted for change of house type for 5 previously approved house types under PA Ref. No. D18A/0566 on lands

Planning Authority Reference D18A/0940/ABPPL06S.303324.

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 *Glenamuck Link Distributor Road* (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.

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.”

SHD Applications:

ABP 306160-19. Permission granted in April 2020 for (1) the demolition of two number habitable dwellings on the site – ‘Greenmount’ (195 square metres gross floor area) and ‘Dun Óir’ (345 square metres gross floor area inclusive of ancillary buildings); (2) (i) the construction of a 197 number unit residential development comprising: 62 number houses (25 number three bedroom (ranging from 109.7 square metres to 122.7 square metres), 25 number four bedroom (ranging from 155.8 square metres to 198.5 square metres)) and 12 number five bedroom (198.5 square metres); 115 number apartments (65 number one bedroom (ranging from 53 square metres to 66.2 square metres) and 50 number two bedroom (ranging from 82.2 square metres to 109.5 square metres)) in seven number blocks – one number three storey, one number three/four storeys and five number four storey; 20 number duplex apartments (10 number two bedroom (ranging from 85.3 square metres to 90.7 square metres) and 10 number three bedroom (ranging from 131.2 square metres to 135 square metres)) in four number three storey blocks; (ii) a 275 square metre crèche facility; (iii) the construction of the link access road between Enniskerry Road and Glenamuck Road required under the Kiltiernan/Glenamuck Local Area Plan 2013 including vehicular access points onto Enniskerry Road and Glenamuck Road; and 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; and (iv) landscaped public open spaces and all other site works required to facilitate the development.

ABP 303978-19 Permission granted in June 2019 for the construction of 203 number residential units comprising; 30 number houses (20 number three-bedroom and 10 number four-bedroom, up to three storeys) and 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 creche/childcare facility (circa 480.4 square metres), a retail unit (circa 83.5 square metres), a social/amenity facility (circa 299.4 square metres), two Electricity Supply Board substations (circa total 45 square metres). The development will include 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 will include 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. Provision of attenuation and all ancillary site development works, boundary treatments, lighting and services provision above and below ground.

307506-20 refers to a current application for 130 units (55 houses and 75 apartments) at Shaldon Grange (protected structure) in Kilternan, Decision due in October 2020.

Other:

An Bord Pleanála Reference PL06D.303945 and PL06D. 304174. 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 Consent issued in 2017 for a Part VII Scheme for upgrade works at the Glenamuck Road.

5.0 Section 5 Pre Application Consultation

ABP 303209-18 Pre Application Consultation for the construction of 116 units and a creche (opinion issued February 2019).

A Section 5 pre application consultation took place at the offices of An Bord Pleanála on the 24th January 2019. Representatives of the prospective application, the planning authority and An Bord Pleanála were in attendance. Following consideration of the issues raised during the consultation process and having regard to the opinion of the planning authority, An Bord Pleanála was of the opinion that the documentation submitted required further consideration and amendment to constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála. The applicants were advised that further consideration of the documents as they relate to the following issue was required:

Further consideration is required in respect of the documentation relating to the provision of direct and convenient pedestrian and cycle links to the existing built up area of the village including, as appropriate, a link to the Ballybetagh Road that would be open on a 24 hour basis following the line of the existing trackway/laneway on the landholding adjoining the curtilage of the primary school.

Furthermore, the prospective applicants were advised that the following specific information should be submitted with any application for permission:

1. A plan showing all areas of the proposed development to be taken in charge by the local authority. Streets and paths that facilitate links to future development on other lands should be shown as continuing to the boundary of the site without leaving scope for ransom strips.
2. A report demonstrating compliance with the applicable standards set out in DMURS with particular reference to the proposed junction and footpath on the Ballybetagh Road, having regard to the proposed urban development on the site and the need to control vehicular traffic coming from the rural road network to the west.

3. A Site Specific Flood Risk Assessment Report. The prospective applicant is advised to consult with the relevant technical section of the planning authority prior to the completion of this report which should describe this consultation and clarify if there are any outstanding matters on which agreement has not been reached with regard to surface water drainage.
4. A housing quality assessment which provides the specific information regarding the proposed apartments required by the 2018 Guidelines on Design Standards for New Apartments. The assessment should also demonstrate how the proposed apartments comply with the various requirements of those guidelines, including its specific planning policy requirements. A building lifecycle report for the proposed apartments in accordance with section 6.13 of the 2018 guidelines should also be submitted.
5. Details of proposed boundary and surface treatments throughout the development, and of landscaping and planting.
6. A draft construction management plan
7. A draft waste management plan.

Applicant's Statement

A statement of response to the Pre-Application Consultation Opinion was submitted with the application, as provided for under section 8(1)(iv) of the Act of 2016. This statement provides a response to the issue raised in the opinion.

Connectivity and Permeability

The site layout drawing (No. 11007 P 3A-7A) lodged with the application includes the directed and convenient pedestrian and cycle link to the existing built up area, in the form of a clear 3m wide link to the Ballybetagh Road that will open on a 24 hour basis following the link of the existing trackway on the landholding, adjoining the curtilage of the primary school. The red line site outline has been altered to include the portion of Mr. D. Butler's garden that will be annexed to provide the facility.

Response to Specified Information No. 1 to 7:

1. Drawing no. 11007 P38A shows areas to be taken in charge.
2. Statement of consistency with DMURS submitted.
3. SSFRA submitted.
4. Expanded Schedule of Accommodation submitted
5. Landscape Masterplan and Design Rationale modified to include details of proposed boundary and surface treatments.
6. Indication Construction Management Plan submitted.
7. Draft Waste Management Plan submitted.

6.0 Relevant Planning Policy

6.1 National Policy

Project Ireland 2040 - National Planning Framework

The recently published National Planning Framework includes a specific Chapter, No. 6, entitled 'People Homes and Communities'. It includes 12 objectives among which Objective 27 seeks to ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages. Objective 33 seeks to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location. Objective 35 seeks to increase densities in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

Relevant Section 28 Ministerial Guidelines:

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual')

- Design Manual for Urban Roads and Streets (Interim Advice Note Covid -19, May 2020)
- Guidelines for Planning Authorities on Urban Development and Building Heights, 2018
- Sustainable Urban Housing: Design Standards for New Apartments (2018),
- Childcare Facilities – Guidelines for Planning Authorities
- The Planning System and Flood Risk Management (including associated Technical Appendices).

6.2 Regional Policy

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

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 Local Policy

Dun Laoghaire Rathdown Development Plan 2016-2022

Kiltiernan is designated as a 'future development area' in the Core Strategy as outlined in Figure 1.1 of the Plan (Core Strategy Map) and is within the Metropolitan Area of Dun Laoghaire Rathdown county.

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.

The site is zoned 'Objective A' in the development plan, 'to protect and/or improve residential amenity'. Residential development is 'permitted in principle' under this zoning objective while childcare service is 'open for consideration'.

Kiltiernan Glenamuck LAP 2013 – 2023

The site is on land zoned for lower density residential development in the LAP.

The overall strategy for the LAP lands reflects that of the County Development Plan, based on the roads improvement objectives for the Glenamuck District Distributor Road (GDDR) and Glenamuck Local Distributor Road (GLDR) to bypass Kiltiernan village, facilitating the development of the village centre and a new civic node.

The LAP also provides for some upgrading of the existing Glenamuck Road to provide pedestrian and cycle facilities and the upgrading of the Enniskerry Road to a traffic calmed street to function as part of the neighbourhood centre. There is a Section 49 Supplementary Development Contribution Scheme for the GDDR, which also includes as a separate infrastructure project of Regional Surface Water Attenuation Ponds that are required to effect the SUDS drainage scheme for the new roads and the development lands within the LAP area.

The LAP states that the council's Transportation Dept. considers that up to 700 dwelling units can be accommodated on an existing upgraded road network in advance of the GDDR scheme as Phase 1. LAP section 10.6 sets out 13 criteria to be considered in the case of developments in advance of that scheme. The site is within Phase 1 (b) c of the phasing scheme where c.350 dwelling units can be considered prior to the GDDR scheme.

LAP section 10.6 also states that it will be necessary to incorporate stringent SUDS measures in advance of the development of the Regional Surface Water Attenuation Ponds. The Council's Transportation Dept. have revised the total number from 700 units up to 1050 units on foot of the Part VIII road works outlined below.

The development site is within LAP land parcel 12. The following objectives for land parcel 12 are noted:

- Lower density residential with detached houses, terraces, duplexes, courtyard type housing. Density of 35-45 units/ha.
- Height of 2-3 storeys.
- Requirement for a local access loop road which would run centrally through the current site and continue to its north. 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.

Enniskerry Road / Glenamuck Road Part VIII Scheme

The Part VIII scheme relates to improvements to the Enniskerry Road / Glenamuck Road (Golden Ball) junction. Part VIII approval was granted at a meeting of Dun Laoghaire Rathdown County Council on 11th September 2017.

Applicants Statement of Consistency

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 Statement considers the following in the context of the aforementioned documents: residential density, Quality of the Scheme, the LAP, Compliance with Development Management Standards, Connectivity and permeability, infrastructure and delivery of a sustainable community. Point of not include:

- The development is in accordance with the objectives of the DLR County Development Plan and Glenamuck-Kilternan LAP.
- The nominal density of 32uph is a fraction below the 35uph set out in RES3 of the DLR County Development Plan and 35-40 uph for Area 12 in the Kilternan-Glenamuck LAP. The nett density (excluding the road which is considered to be a local distributor road within the application site boundaries) is 45uph, therefore compliant with the LAP and CDP.
- The net density of development of 45 units per ha is in line with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas.
- The development complies with the requirements for Area 12 as set out in the LAP.
- The development complies with the qualitative and quantitative standards set out in Section 28 guidelines.
- The development 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.

7.0 Observer Submissions

The Board received 21 observer submissions, the observers are listed in Appendix 2 attached to this report. There is a significant degree of overlap and reiteration of issues raised throughout the submissions. In summary the topics raised are as follows (Appendix 3 includes a more detailed summary):

Compliance with Kiltarnan Glenamuck LAP.

- The LAP restricts where 3 storey is allowed, interface with the Enniskerry Road and on internal loop access roads. The location of the proposed 3 storey elements in the scheme does not comply with this.
- Density does not comply with LAP (35-40 units per hectare).
- Lands to the west are not zoned in the LAP, therefore it is misleading to show a 'future access'.
- The amount of housing permissible is restricted until the GDDR is delivered.
- Site is located with Phase 1 (b) C where 350 dwelling units can be considered prior to the Glenamuck District Distributor Road (GDDR) scheme.

Design, Height & Layout

- The proposed 3 storey height of most of the buildings is in stark contrast to the single storey cottages in Wayside.
- The 3 storey creche and duplex building blocks views of the Dublin Mountains and should be reduced in height if granted.
- The layout of the development does not facilitate future access for 'infill' development on adjoining lands. The access road should be provided along the northeastern boundary to facilitate future access points from neighbouring properties.
- The development will be visually dominant and obtrusive when viewed from Wayside Cottages.
- Houses F1, F2, F3, F4 and G1 are north facing. This is not conducive to good mental health and the importance of good private amenity space in light of Covid 19.
- Red brick should not be used on entrance pillars. The LAP requires Granite.

- Creche should be single storey.
- Block L2 and L5 are proposed on land that was naturally a duck pond that has been backfilled and raised by c.4ft.

Impact on Neighbouring properties:

- Overlooking and loss of privacy
- Loss of light.
- No sunlight/daylight analysis has been submitted.
- Demolition works (stable block) may have an impact on neighbouring properties.
- Land beside the school should be kept for school expansion and not used for houses.
- Noise from traffic, bins, creche will have a negative impact on the quality of life of adjoining residential properties.
- Only a small selection of Leylandii that block light into adjoining properties is shown to be removed. This should be addressed to give access to more light.
- Roof gardens should be omitted.
- Noise and dust during construction phase.
- Indicative links to adjoining lands cannot be provided as they do not have the consent of the relevant landowners.
- Light pollution from streetlights.

Infrastructure:

Traffic

- Premature pending the provision of the Glenamuck District Distributor Road.
- Road is at capacity and cannot take additional traffic.
- Traffic hazard.
- Traffic conflict with Wayside National School and Kilternan Adult Education Centre.
- The location of the proposed entrance is too dangerous, located between two hairpin bends.
- Security near the proposed roundabout within the scheme is a concern, lack of a secure boundary with third party lands. A wall should extend the whole way along the boundary with Wayside Cottages.

- The cumulative impact of all the traffic from the new residential estates will bring the village to a standstill.
- Traffic management proposals are required.
- Access should be from the northern side of the site, not the Ballybetagh Road.

Connectivity

- No cycle tracks along the road at present.
- No footpaths.

Parking

- It will give rise to illegal parking along the road.
- Carparking does not comply with requirements.

Services

- Issues with water pressure in the area and Irish Water have been contacted on numerous occasions.
- The location of the attenuation areas close to third party lands should be selected following consultation with the relevant landowners to address potential impact on their properties.
- Where will the runoff from the mountains drain to if the French drains in Sutton Fields are removed.

Amenities:

- There are no local amenities, shops to cater for the level of development.
- No playground or community centre.
- The local schools are at capacity.

Built Heritage & Archaeology

- Laying of pipes could impact/damage the gates to the Old Abbey which is a protected structure.
- Negative impact on the Old Abbey and a dolman National Monument on adjoining lands..

Lack of Public Consultation/Communication with neighbours:

- Consultation has been going on for 7 years with the Council and An Bord Pleanála but there has been no engagement with adjoining landowners.
- Inconsistencies in boundaries shown on the application.

- A liaison officer should be appointed.
- The LAP requires communication and promotes neighbourly relations.
- Changes to boundary treatments proposed without the consent of the relevant third parties.

Other:

- Kilternan is already overdeveloped, No need for any more houses to be granted. A lot of recent permissions need to be built out first. The local community do not gain anything from any of these new developments as the proposed facilities are for the residents of the new estates.
- Loss of green areas, wildlife.
- Destruction of Kilternan's rural character.
- Pollution from additional traffic and houses.
- Loss of identify for the village.
- The development would contravene the vision of the Dublin Mountains Partnership Plan 'Dublin Mountains Makeover.'
- Issue with the location of a site notice on a dangerous bend where no one can read it.
- Issue with the Newspaper selected for the public notices.
- Does not comply with Social Housing requirements.
- The removal of ESB poles. No consent to enter third party lands to facilitate their removal.
- No consent to remove trees on third party lands.

8.0 Planning Authority Submission

In compliance with section 8(5)(a) of the 2016 Act the planning authority for the area in which the proposed development is located, Dun-Laoghaire Rathdown County Council, submitted a report of its Chief Executive Officer in relation to the proposal. This was received by An Bord Pleanála on 16th July 2020. The report may be summarised as follows:

8.1 Information Submitted by the Planning Authority

The submission from the Chief Executive includes details in relation site location and description, proposal, zoning, planning history, interdepartmental reports, summary of submissions/observations, summary of views of elected members, policy context and assessment.

8.2 Summary of views Elected Representatives (Dundrum Area Meeting 24th may 2020).

Open Space & Heritage

- Welcome the retention of trees and hedgerows on site.
- Tree clearance should take place prior to March for nesting purposes.
- Nearest public park 'Fernhill' is very far away.
- The Landscape Design report is the best seen so far.
- Lack of playgrounds in the area.
- Play areas should be located close to apartments as these will have the youngest children.
- Natural play areas should be enhanced in the scheme.
- Some space should be given to a community garden/allotment,

Transportation

- There are no footpaths in the area.
- Children are driven to the adjoining school. Speeding down from Glencullen road is a problem.
- The Luas is not within walking distance of the site.
- Bus connections will take years and the bus service needs to be improved.
- Roads cannot accommodate additional traffic.
- Roads need to be developed before schemes like this are granted permission.
- Cycle lane up to Kilternan would be welcomed.

Other

- Suggest creche is turned into a community room.

- Lack of capacity at existing schools to cater for future demand from the scheme.
- Laneway to the north could become an eyesore and attract anti-social behaviour if not taken in charge.
- Proposed link to access land to the north should continue onto/across the laneway and not simply 'stop'.
- Cost of Part V housing seems high. The mix is also wrong. There are not enough 1 bed apartments provide in the Part V housing allocation.
- The SHD process is flawed and removes local councillors' contribution to planning in the local area.
- In favour of the development generally.
- Hours of work should be a condition of permission.
- Planning needs to consider how covid 19 will impact schemes and their layout/design now.

8.3 Planning Assessment

Principle of Development

The proposed development is consistent with national and local land use objectives and is therefore acceptable in principle.

Phasing

The Kiltiernan LAP includes a phasing approach to development of the area.

- Section 10 set out that development will be determined by current and future services and road infrastructure projects and schemes. Specifically, future development is heavily dependent on the construction of the GDDR Scheme comprising two associated roads.
- Section 10.5 outlines that 'some interim development (can) be facilitated in order to begin to meet the central objective of the LAP and the objective of the wider CDP'.

- Section 10.6 states ‘ Dun Laoghaire Rathdown’s Transportation Division consider that up to 700 dwelling units could be accommodated on an upgraded existing road network (Phase 1) subject to meeting 13 criteria.
- The site is located the Land Parcel 12 which belong to Phase 1 (b) C ‘Concentrated at village core/along Enniskerry Road’ as per the LAP Phasing map.
- The 700 figure was revised upwards to 1050 on the basis of the Part 8 consent to upgrade the junction between the Enniskerry Road and Glenamuck Road being approved (PC/IC/01/17). This work has since been postponed and is intended to be implemented in tandem with the overall road scheme (GDRS) comprising the GDDR (Glenamuck District Distributor Road) and the GLDR (Glenamuck Link Distributor Road) improvement works.
- Permission was granted for the GDRS in 2019, however the LAP states that units in excess of 700 would require the construction of the GDDRS and not merely the securing of consent for the scheme. The Planning Authority maintains this is the appropriate approach to the sequencing of development and infrastructure.
- No firm timeframe has yet been established with regard to the construction of the Enniskerry Road/Glenamuck Road Junction upgrade Scheme or the GDRS.
- As such the 350 unit ‘uplift’ (from 700 to 1050) previously considered appropriate for the LAP area should not be applied in this instance and 700 unit pre-GDRS ‘cap’ as set out in the LAP, and as distributed across 3 phases, should be applied.

Phasing within Area C:

- As well as the cap on residential units pre GDRS, the LAP allocated the 700 units across three phases. Area C is allocated 350 of the available residential units.

- According to the LA record (based on the Local Authority's Development Contribution Records), c. 159 units have been permitted in Phase 1(b) C since the LAP was adopted, some of which have been constructed and occupied. If the proposed development of 116 is permitted it would result in 275 units and would, therefore fall within the available capacity of 350 for this area under Phase 1(b) C.
- The overall LAP has a capacity of 700 Units (over three phases), while there is capacity in areas A and C, the extant permission in area B (as granted by An Bord Pleanála) bring the overall quantum of post LAP permissions to 716.
- Transportation Planning have recommended refusal of permission on this basis.
- The Planning Authority concludes that in line with the phasing policies of the LAP, there is insufficient infrastructural capacity within the overall LAP area to accommodate the proposed development until such time as the GDRS and associated junction improvements at the Golden Ball have been implemented.
- There is a concurrent application for 56 units and pre Application Consultation for 625 in the area.

Masterplan

No Masterplan has been submitted. However, the application is considered acceptable as it shows how the proposal integrates to the surrounding area and includes indicative future linkages. A new road is also included.

Density

- The nominal density is 30 unit per hectare based on 116 units on 3.82 hectares. However taking into account that the proposed road through the site is a local distributor road, this area can be excluded from the density calculations. Therefore the density is 35.6 units per hectare,
- The site is on the western fringe of the LAP which permits maximum densities in the range of 35-40 dwelling units/ha. The Planning Authority considers the proposed nett density of 36 units per hectare acceptable

Height

- The scheme varies in height from 1 to 3 storeys.
- Section 28 Guidelines encourage increased heights and densities in suburban locations. The Planning Authority concluded that the location does not justify going above its current proposed height, particularly as noted given its border location within the LAP and concerns raised by residents to the east. For this reason the proposed height is considered acceptable.

Residential Amenities

- It is considered given the scheme's layout and design no undue loss of privacy or overlooking will occur.
- No daylight/sunlight assessment was submitted. Notwithstanding, given the layout of the scheme and its height, it appears that the majority of the units would receive more than adequate daylight/sunlight and no undue loss of light or overshadowing issues would occur

Design, Form and Layout

- In broad terms the Planning Authority welcomes the layout and block structure of the proposed development. It is clear, legible and permeable.
- The provision of a main road through the development site accords with the LAP. This road should facilitate permeability between land parcels 12 and 13A (to the northeast) although there are concerns about the intervening landholdings (Kiltiernan Abbey lane).
- New linkage and footpaths are well lit.
- Open Space is centrally located and well supervised.
- Mix and type of houses and apartments is acceptable.
- The houses and apartment are attractive, their style is contemporary with simple lines and finishes. The use of render and brick is cognisant of the site semi-urban location. The use of granite is in keeping with material defined in the LAP.
- The creche (apartments at upper floors) has a circular form with a conical copper roof which adds variation and liveliness to the overall scheme.

The development is acceptable in terms of design, form and layout.

Standard of Accommodation

- The houses meet the required standards set out in the 2007 Quality Housing Guidelines.
- The apartments meet or exceed the standards set out in the 2018 Apartment Guidelines.
- The rear garden serving the single storey 1 bed houses fall slightly below the 7m depth, however the quantum of private amenity space to these units exceeds the minimum standards and the quality of private open space compensates for this.

Open Space, Trees and Recreational Amenity.

- The proposed public open space is located in the centre of the site and will be overlooked by a large number of houses to the north, south and east. To the west it will be bounded by the road and beyond that agricultural lands. There are smaller pockets of open space scattered around the site.
- The applicant has provided c. 12% open space (3974sq.m), this is below the CDP requirements of 4410 sq.m (based on 15-20sq.m per person assuming rate of 1.5 per unit). However, it does comply with the CDP requirement for 10%.
- Parks and Landscaping Department have raised a number of issues that can be addressed by condition. Subject to compliance with these conditions the proposed provision of Open Space is acceptable. Refer to parks and Landscaping Services report.

Supporting Community Infrastructure

- A creche is proposed at a pivotal point on the site, near the school. Has a well sized play areas, 4 no. carparking spaces, 1 no. disabled space and 9 no. bicycle spaces.
- No 'Childcare Needs Assessment' has been submitted.
- Proposal would cater for 31 childcare spaces.

- The provision of childcare is welcomed, subject to compliance with conditions.

Waste Management

- Refer to Waste Section report.
- A detailed CDWMP and EMCDP should be submitted.

Surface Water Drainage and Flood Risk

- In general the proposals are acceptable. Issues raised with the proposed Taken in Charge and Way Leave drawings which does not include all the drainage elements, particular those in zone 3A and the connection to the public surface water sewer via third party lands. Recommended condition included to address this.
- A SSFRA is submitted and conclusions accepted.

Transportation/Movement Issues

Parking:

- 216 space are proposed to serve the development. All will be communal, except those specially dedicated to the creche. CDP requirement is for 208 spaces. Parking exceeds the standard and is therefore acceptable.
- 157 bicycle spaces are proposed. This exceeds the DLR requirements. A condition should be attached to ensure that all cycle parking areas comply with DLR standards.

DMURS/Boundary Treatment:

- A TTA is submitted.
- Transportation Planning accept the findings of the TTA. No objection to parking provision or boundary treatment noted.

Other

Comments on:

- Taking in Charge (issues raised by Drainage and Transportation Departments to be addressed by condition).
- Part V (discrepancies in information).

- Development Contributions.
- Archaeology (test trenching should be condition).
- Ecology/AA/EIA. (refer to ABP as the competent authority).

8.4 Summary of Inter-Departmental Reports

Parks and Landscaping Services (16th June 2020)

The report sets out a list of recommendation for submitting an application. These include:

- A collaborative single integrated report from the suitable qualified disciplines should be submitted to ensure that all significant effects are fully assessed. This has not been submitted and the potential impact (if any) of the proposal on areas of ecological status has not been assessed, no assessment of potential flood risk to the area of open space.
- A comprehensive Tree and Herbage Report is required
- Tree and Hedge Protection Plan. Arboricultural Method Statement.
- Ecological Impacts and mitigation measures.
- Tree Bond
- Landscaping, Open Space, Play areas etc.

Environment Section (Waste) (8th June 2020)

An absence of details is noted. Requirements include:

- A detailed Construction and Demolition Waste Management Plan.
- A detailed Environmental Management Construction and Demolition Plan.
- A detailed Operational Waste Management Plan.
- A common waste storage area design, etc

Drainage Planning Report (13th May 2020)

Following an iterative process of constructive engagement by the applicant and their consultants with Drainage Planning, the applicant has submitted a detailed report that generally satisfied the requirements of Municipal Services.

- The applicant has submitted a confirmation letter from the adjacent landowner consenting to connection to the surface water system in their laneway but the current proposed TIC and Wayleave drawings does not include all drainage elements, particularly those in zone 3A and the connection to the public surface water sewer via third party lands. Recommended condition attached to address this.
- Site investigation results have justified SOIL value of 4 being chosen for this application. The applicant has proposed an overall flow restriction of 26.79l/s with a total attenuation storage volume of 899m³ being provided. The flow restriction and attenuation has been divided into 6 separate catchments.
- Based on the information contained in the SSFRA submitted by the applicant, the conclusions contained therein are accepted and in accordance with Appendix 13 of the CDP.

No objection subject to conditions.

Transportation Planning (3rd July 2020)

- 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.
- A list of 11 recommended conditions area attached.

Housing Department report (1st May 2020).

- Notwithstanding the anomaly in details submitted, costs at this juncture are indicative. No objection subject to condition.

8.5 Conclusion & Recommendation

The Planning Authority welcomes an application for a residential scheme on this site. It is considered that the proposed development is broadly consistent with the relevant objectives of the Dun Laoghaire Rathdown County Development Plan 2016-2022.

However, while the Planning Authority would welcome development of this site in principle, the proposed scheme materially contravenes the Kiltarnan Local Area Plan, The Dun Laoghaire Rathdown County Development Plan 2016-2020 and Section 28 Guidelines on the issue of phasing. The Planning Authority recommends that permission be refused for the following reason:

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 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.

Recommended conditions:

The Planning Authority recommends the imposition of 42 conditions if ABP is minded to grant permission. These include standards conditions in addition to:

Condition No. 4 (details of links and internal roads to be constructed up the site boundary).

Condition No. 16 (Taken in Charge and Wayleave drawing and agreement).

Condition No. 43 Supplementary Development Contribution for the Glenamuck District Distributor Road Scheme and the Surface Water Attenuation Ponds. (Amount specified in appendix Residential at €24,900.00 per unit and Commercial at €125.00 per metre).

9.0 Prescribed Bodies

Under the 'Opinion' that issued (ref. ABP 303209-18) the applicant was required to notify the following bodies of the making of the application: National Transport Authority, Irish Water, Dun Laoghaire Rathdown County Childcare Committee, Department of Culture, Heritage and the Gaeltacht, The Heritage Council, An Taisce, An Comhairle Ealaoin and Failte Ireland.

The following is a summary of the reports from the above bodies that made a submission:

Irish Water (15th June 2020)

The applicant is required to enter into Project Works Service Agreement (PWSA) with Irish Water to determine the water infrastructure extension to facilitate the connection of the development to the Irish Water network. Irish Water can confirm that the applicant has engaged regarding the PWSA which is now currently progressing.

In respect of wastewater, no significant upgrades area required to the IW network as a result of this development.

Irish Water have issued the applicant a Statement of Design Acceptance for the development as proposed.

Irish Water respectfully request the board conditions any grant as follows:

'The applicant is required to sign a connection agreement with Irish Water prior to any works commencing and connecting to our network. All development is to be carried out in compliance with Irish Water Standards codes and practices.

Transport Infrastructure Ireland (27th April 2020)

In the case of this planning application, Transport Infrastructure Ireland has no observations to make.

10.0 Chief Executive Report Recommendation

The Dun Laoghaire Rathdown Chief Executive Report dated 16th July 2020 concluded that an application for a residential scheme on this site was broadly consistent with the relevant objectives of the Dun Laoghaire Rathdown County Development Plan 2016-2022.

However, while the Planning Authority would welcome development of this site in principle, the proposed scheme materially contravenes the Kiltarnan Local Area Plan, The Dun Laoghaire Rathdown County Development Plan 2016-2020 and Section 28 Guidelines on the issue of phasing. I have addressed this matter in detail in section 13.1.4.

The Planning Authority recommended that permission be refused for the following reason:

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 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.

I have addressed this issue in detail in section 13.1.4 and 13.4.1 of this report and is set out hereunder.

The subject development site relates to land parcel 12 in the LAP. This land parcel is within the identified first phase of development within area 1(b)C (350 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. The site falls within Area C which has been allocated half (350) of the available units.

The Planning Authority have set out in the CE Report, based on development contribution records, that 159 units have been permitted in Phase 1(b) C since the LAP was adopted, some of which have been constructed and occupied. The proposed scheme is for 116 units which, if permitted, would result in 275 units which would fall within the available capacity of 350 units for the area under Phase 1 (b)C. However, when viewed in the context of the phasing within the overall LAP. While there is an allocated capacity per area (A, B and C), there is also an overall capacity of 700 units across the LAP area. Therefore, while there is still capacity at a local level within Areas A and C, the extent of permissions within Area B, as granted by An Bord Pleanála), have resulted in a situation whereby the overall quantum of the post Lap permissions stands at 716 (at the time of the CE Report being written) with a number of concurrent applications in the system.

It is stated that the 116 units proposed in the application can while compliance with the allocation for Phase 1(b) C, they would result in the overall allocation for Kiltiernan being exceeded. The Planning Authority have 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. This view is shared by several observers and Elected Representatives.

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.

Notwithstanding that 716 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 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.

In relation to the Planning Authority recommended 42 conditions to be attached if ABP is minded to grant permission. These include standards conditions in addition to:

Condition No. 4 (details of links and internal roads to be constructed up the site boundary). I consider this acceptable subject to a minor alteration.

Condition No. 16 (Taken in Charge and Wayleave drawing and agreement). This is acceptable.

Condition No. 43 Supplementary Development Contribution for the Glenamuck District Distributor Road Scheme and the Surface Water Attenuation Ponds. (Amount specified in appendix Residential at €24,900.00 per unit and Commercial at €125.00 per metre).

I draw the Boards attention to other SHD applications in the area, for example ABP 306160-19, the Chief Executive Report dated 17th February 2020 referred to Supplementary Development Contribution for the Glenamuck District Distributor Road Scheme and the Surface Water Attenuation Ponds. (Amount specified in appendix Residential at €26,197.50 per unit and Commercial at €131.25 per metre).

This has now been reduced to Residential at €24,900.00 per unit and Commercial at €125.00 per metre in the current application. There is no further breakdown or commentary for how they arrived at this figure, other than the wording of the condition that refers to an annual increase in the levels of contribution payable, as outlined in the scheme, by an indexed rate of 5% compound interest per annum effective from 10th November each year.

11.0 Environmental Impact Assessment Screening

The development is within the class of development described at 10(b) of Part 2 of Schedule 5 of the planning regulations. An environmental impact assessment would be mandatory if the development exceeded the specified threshold of 500 dwelling units or 10 hectares, or 2ha if the site is regarded as being within a business district. The site is zoned Residential. The predominant use in the area is residential. It is therefore reasonable to conclude that the site is not within a business district. the proposed development is for 116 residential units including a crèche, demolition of stables, internal site works, felling of trees on a site within an overall area of c.3.66 hectares.

The criteria at schedule 7 to the regulations are relevant to the question as to whether the proposed sub-threshold development would be likely to have significant effects on the environment that could and should be the subject of environmental impact assessment. The application includes a statement on the effects on the Environment or on a European Site in the Planning Report. With regard to characteristics, the size of the proposed development is well below the applicable thresholds. The residential and childcare uses proposed would be similar to predominant land uses in the area. A SSFRA is submitted with the application. The proposal will not increase the risk of flooding within the site or downstream. The development would not give rise to significant use of natural resources, production of waste, pollution, nuisance, or a risk of accidents. The development is served by municipal drainage and water supply. The site is not subject to a nature conservation designation and does not contain habitats or species of conservation significance. The AA Screening, set out in section 11.8 of this report, concludes that the potential for adverse impacts on Natura 2000 site can be excluded at the screening stage.

I consider that the location of the proposed development and the environmental sensitivity of the geographical area would not justify a conclusion that it would be likely to have significant effects on the environment. The proposed development does not have the potential to have effects the impact of which would be rendered significant by its extent, magnitude, complexity, probability, duration, frequency or reversibility. In these circumstances, the application of the criteria in Schedule 7 to the proposed sub-threshold development demonstrates that it would not be likely to have significant effects on the environment and that an environmental impact assessment is not required before a grant of permission is considered. This conclusion is consistent with the EIA screening assessment report submitted with the application.

12.0 Appropriate Assessment Screening

A Stage 1 Appropriate Assessment Screening Report was submitted with the application. Fieldwork was carried out in in 2015, 2018 and 2019.

The AA Screening 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 Screening Report considers whether the proposed development would have any potential impact on the qualifying interests and conservation objectives of these sites.

The AA Screening Report concluded that given the nature of the project and its potential relationship with European sites and their conservation objectives, as well as considered other plans and projects, and applying the precautionary principle, it is the professional opinion of the author of the report that no potential for likely significant effects on any European sites and does not require a Stage 2 Appropriate Assessment or preparation of a Natura Impact Statement (NIS).

The site is not located within any European site. It does not contain any habitats listed under Annex I of the Habitats Directive. The site is not immediately connected to any habitats within European sites. There are 13 European sites located within 15km of the site, as follows:

Site Code	Site Name	Distance
000210	South Dublin Bay SAC	c.7.8km
004024	South Dublin Bay and River Tolka SPA	c.7.2km
003000	Rockabill to Dalkey Island SPA	c.7km
003000	Rockabill to Dalkey Island SAC	c.7km
004172	Dalkey Island SPA	c.8km
000714	Bray head SAC	c.9km
000713	Ballyman Glen SAC	C.4km
000725	Knocksink SAC	c.4km
000719	Glen of the Downs SAC	c.12km

000716	Carriggower Bog SAC	c. 14km
001209	Glenasmole Valley SAC	c.10km
002122	Wicklow Mountains SAC	c.4.7km
004040	Wicklow Mountains SPA	c.6km

The AA Screening report submitted by the applicant found the following sites have potential for ecological connectivity.

Site Name (Site Code)	Approximate Distance to Development Site	Qualifying Interest	Potential for Ecological Connectivity
Knocksink Wood SAC	3.4km	7220 Petrifying springs with tufa formation (Cratoneurion)* 91E) Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)*	Possibly share 6210 semi-natural dry grasslands and scrubland facies or calcareous substrates (Festuco Brometalia)[*important orchid sites]
Wicklow Mountains SAC	c.4.7km	QI of relevance is Lutra Lutra (Otter) [1355] 91A0 Old Sessile Oak Woods with Ilex and Bechnum in the British Isles	Possibly share Lutra Lutra (otter) Possibly share 91A0 Old Sessile Oak Woods with Ilex and Bechnum in the British Isles
Glen of the Downs SAC	c.12km	Old Sessile Oak Woods with Ilex and Blechnum in the Bristish Isles [91A0]	Possibly share 91A0 Old Sessile Oak Woods with Ilex and Bechnum in the British Isles
Ballyman Glen SAC	4.2km	7220 Petrifying springs with tufa formation (Cratoneurion)☐ 7230 Alkaline fens	Possible share petrifying springs with tufa formation (cratoneurion) [7220]

The AA Screening report concluded that terrestrial Natura sites have some potential for ecological connectivity. While most of the habitat of the Larger Natura 2000 site, the Wicklow Mountains are upland aquatic and upland terrestrial types, oak woodlands a (91A0) are a QI.

Given the potential for indirect linkages I am including the following site in my screening exercise:

Rockabill to Dalkey Island SAC	7.0km	1170 Reefs 1351 Harbour porpoise <i>Phocoena phocoena</i>
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Direct, Indirect or Secondary Impacts:

The application site does not overlap with the boundary of any European site, therefore there are no European sites at risk of direct habitat loss impacts.

Fieldwork carried out in 2015, 2018 and 2019 did not uncover evidence of Otter on site. The development will not lead to the fragmentation of the habitat used by Otter a QI for Wicklow Mountains SAC.

The application site is used for foraging and commuting by four bat species (2015 and 2018 surveys). The development of housing here will have a low to medium impact on bat foraging areas. Bats are not a QI for nearby sites.

There is an indirect pathway through stormwater and foul sewers, which include significant dilution enroute to the stormwater outfall and Shanagnagh WWTP respectively.

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.

The AA Screening Report submitted with the application concluded that SUDs measures will protect the local drainage network from negative impacts to surface

water drainage. I do not consider that these are mitigation measures for the purposes of appropriate assessment. In my view the word has been used incorrectly. They constitute the standards established approach to surface water drainage for construction works on green field site, Their implementation would be necessary for a housing development on any greenfield site regardless of the proximity or connections to any Natura 2000 site or any intention to protect a Natura 2000 site. It would be expected that any competent developer would deploy them for works on a greenfield site whether or not they were explicitly required by the terms or conditions of a planning permission. Their efficacy in preventing the risk of a deterioration in the quality of water downstream of construction works has been demonstrated by long usage. Therefore, the proposed development would be not likely to have a significant effect the quality of the waters in the Natura 2000 sites downstream of the application site. Any potential impact would only arise if the proposed development were carried out in an incompetent manner or with reckless disregard to environmental obligations that arise in any suburban area whether or not it is connected to a Natura 2000 site.

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.

There is no potential source-pathway-receptor connections with any other European sites.

As the proposal would not result in the disturbance/displacement of the qualifying/special conservation interest species of any European site, there is not potential for any in combination effects to occur in that regard.

In Combination or Cumulative Effects

The potential for in combination impacts can also be excluded.

Several residential developments have been permitted in the Glenamuck and Kiltarnan area. Subject to appropriate drainage and wastewater treatment requirements being 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.

The proposed development would not be likely to have any significant effects on any Natura 2000 site, either directly or indirectly or in combination with other plans and projects.

Conclusion

The proposed development site lies outside the boundaries of the Natura 2000 sites identified above and therefore there will be no reduction in habitat. The project is not directly connected to the management of any Natura 2000 site. It is concluded with the Appropriate Assessment Screening that the proposed development will have no significant impact upon any Natura 2000 sites. Having regard to 'source-pathway-receptor' model, the proposal either individually or in-combination with other plans or projects could not be considered to have likely significant effects in view of the sites conservation objectives. No measures designed or intended to avoid or reduce any harmful effects of the project on a European Site have been relied upon in this screening exercise.

I have had due regard to the screening report and data used by the applicant to carry out screening assessment and the details available on the NPWS website in respect of the Natura 2000 sites identified, including the nature of the receiving environment and proximity to the nearest European site. I consider it is reasonable to conclude that on the basis of the information on the file which includes inter alia, the AA screening report submitted by the applicant and all the planning documentation, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on any European site, in view of the said sites conservation objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

13.0 Assessment

The Board has received a planning application for a housing scheme under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016. My assessment considers the relevant section 28 guidelines. I examine the proposed development in the context of the statutory development plan and the local plan.

Having considered all documentation on file from the applicant, the planning authority's Chief Executive's Report, the submissions from the prescribed bodies and the observer submissions, I consider the main issues to be addressed are as follows:

- Principle of Development
- Development Strategy
- Infrastructure
- Traffic and Parking
- Part V
- Biodiversity
- Other Matters

13.1 Principle of Development

13.1.1 Zoning

The subject site is located in the administrative area of Dun Laoghaire Rathdown County Council. Kilternan 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 Kilternan. 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 Kilternan –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.

The subject site is also subject to the provisions of the Glenamuck Kilternan 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.

Having regard to the zoning objective pertaining to the site and the clear identification of Kilternan/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.

13.1.2 Density

The LAP sets out prescriptive densities for each identified land parcel. The site is located Land Parcel 12 which is identified for Lower density residential with range of 35-45 units per hectare.

The nominal density of the proposed development, based on 116 units on a site with an overall area of c. 3.82 hectares is 30uph. A net Density based on a site area of 3.26 hectares (excludes distributor road and surface water sewer route) results in a density of 35.6 uph. I note that that PA in their report have given figures of 35.6 uph and 36uph.

Based on the information on file and my calculations I concur that the 116 units based on a site area of c.3.26 hectares which excludes the distributor road (which will serve a wider area) and the surface water sewer route. I do not consider that the open space should be excluded from the calculations as it is not proposed to serve the wider area. Results in a net density of 35.5 units per hectare.

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 distributor road and surface water sewer route are excluded. The methodology for calculating the net density is in my view appropriate.

Kiltarnan 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. I am satisfied given the location of the site on the western fringe of the LAP lands, the proposed density, while on the lower side, is within the acceptable range for these lands as set out in the LAP.

The Planning Authority have stated in their opinion that they are satisfied with the proposed density of 36uph and that it accords with the LAP

13.1.3 Housing Mix

The CE Report contains reports from planning section and housing section, and are satisfied that their housing requirements are met and that the housing mix is acceptable.

I consider the apartment unit mix is good with 16 x 1 bed units (14%), 13 x 2 bed (11%), 2 x 3 bed (2 %). In addition to 7 No. 1 bed (6%), 2 no. 2 bed (2%), 43 no. 3 bed (37%) and 33 no. 4 bed (28%). Percentages are based the entire scheme, 31 apartments at 27% and 85 houses at 73%.

The development offers a good mix of unit types ranging from houses to apartments. This would lead an acceptable population mix within the scheme, catering to persons at various stages of the lifecycle, in accordance with the Urban Design Manual. The proposed house types will improve the range of housing types available in the area which is predominately characterised by low density suburban housing.

The proposed housing mix is acceptable and is in accordance with SPPR 4 of the Urban Development and Building Heights Guidelines for Planning Authorities. The provision of apartments within the scheme and at this location is also in accordance with the guidance set out in the Guidelines for Planning Authorities on Sustainable Residential Development.

13.1.4 Quantum of development having regard to the Kiltiernan Glenamuck LAP 2013-2021 and permitted Part VIII works

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.

The subject development site relates to land parcel 12 in the LAP. This land parcel is within the identified first phase of development within area 1(b)C (350 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. The site falls within Area C which has been allocated half (350)-of the available units.

The Planning Authority have set out in the CE Report, based on development contribution records, that 159 units have been permitted in Phase 1(b) C since the LAP was adopted, some of which have been constructed and occupied. The proposed scheme is for 116 units which, if permitted, would result in 275 units which would fall within the available capacity of 350 units for the area under Phase 1 (b)C. However, when viewed in the context of the phasing within the overall LAP. While there is an allocated capacity per area (A, B and C), there is also an overall capacity of 700 units across the LAP area. Therefore, while there is still capacity at a local level within Areas A and C, the extent of permissions granted within Area B, have resulted in a situation whereby the overall quantum of the post LAP permissions would stand at 716 (at the time the CE Report was written) if the current proposal is granted with a number of concurrent applications in the system.

The Planning Authority concluded that while the 116 units proposed in the application comply with the allocation for Phase 1(b) C, they would result in the overall allocation of 700 units for Kiltiernan without the provision of the GDRS being exceeded. Therefore, 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. This view is shared by several Observers and Elected Representatives.

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.

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.

Whilst, I agree that it would have been preferable for the upgrade works to the Enniskerry Road/Glenamuck Road Junction to have taken place. 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.

Notwithstanding the Planning Authority's figures, that include the current application, of 716 units 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 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 lack of capacity in the road network is not such as would warrant a reason for refusal. However, given there is some uncertainty regarding the timescale of the delivery of the necessary road infrastructure, if the Board consider it necessary a condition could be attached requiring the phased delivery of the proposed development with a second phase not to be occupied prior to the completion of the Enniskerry Road/Glenamuck Road Junction Improvements. That said, given the scale of the proposal (116 units), and the fact that extant permissions have not yet been acted on which would erode road carrying capacity in advance of the GDRS, I do not consider this necessary in this instance.

The Planning Authority have concluded that the proposed development would materially contravene the Kilternan LAP, the Dun Laoghaire Rathdown CDP and Section 28 Guidelines, on the issue of phasing and recommended that permission be refused on the basis of the development being premature pending the construction of the GDRS.

The LAP provides for 700 units to be constructed within the first phase (Phase 1) of Area C lands (of which this site forms part of). The 700 units within phase 1 is considered appropriate, pending the construction of GDRS.

The GDRS has been permitted, and therefore it is reasonable to assume it will be constructed in that it facilitates this development expansion area and is an objective of the Council. Only a relatively small proportion of the 600 no. permitted dwellings have been constructed or are under construction. The proposed development, if permitted would exceed the first phase of 700 units by 16, ie c.2%. This is not considered a material increase and given that in actual terms there is significantly more headroom or road capacity than 100, I would consider it reasonable to assume that no more than 700 units would be constructed prior to the GDRS being constructed, notwithstanding that the permitted number of units would be 716 if this development was granted, and in any event the additional number of 16 residential units is not such as to materially contravene the phasing associated with the LAP.

13.1.5 Masterplan

The LAP also sets out a suite of 13 criteria that must be met by any development availing of the interim phasing arrangements

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”.

Having reviewed the applicant’s submission, I am satisfied that the development is compliant with the criteria with issues /compliance relating to architectural quality, design, density, connectivity etc all dealt with in detail in planning assessment here under.

Criteria 6 requires an overall Masterplan for individual and affiliated landholding to avoid piecemeal development.

The Planning Authority noted in their CE Report that they were satisfied on the fact that the applicant has shown how the development integrates with adjoining lands uses and provides future linkages and therefore the applicants are not required to prepare 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.

I have examined the documentation on file and I am satisfied given the location of the site, it is a logical extension to the village and is not piecemeal development, Given the level of detail provided regarding linkages to adjoining lands, the wider area and the layout of the development that a Masterplan is not required

13.1.6 Conclusion

I am of the opinion that given its zoning objectives, the delivery of residential development on this underutilised site, in a compact form comprising well-designed, development would be consistent with policies and intended outcomes of the NPF and Rebuilding Ireland – The Government’s Action Plan on Housing and Homelessness.

The proposed quantum of residential development, residential density and housing mix are acceptable in the context of the location of the site in the context of the adopted LAP and is considered to be in accordance with relevant development plan and national policies.

The County’s Settlement Strategy seeks to gain maximum benefit from existing transport, social and community infrastructure through the continued consolidation of the city and its suburbs. The proposal serves to widen the housing mix within the general area, and, if permitted would improve the extent to which it meets the various needs of the community. The proposed development is considered acceptable in principle.

I acknowledge 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 on the edge of Kiltarnan. I consider that a net density of 35.6 units per hectare can be accommodated on the lands without any significant adverse impacts.

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.

While it is noted that the development would result in 716 units for the LAP lands which exceeds the allocated 700. I do not consider this to represent a material contravention given the de minimus nature of the increase in units in the context of the development that may be granted and not built.

13.2 Development Strategy

13.2.1 Design, Form and Layout

The proposal for 85 houses, ranging from modest single storey to three storey terrace and 31 apartments provide in 2 three storey, with a pop up, block and a creche with 2 duplex units above in a three storey building.

The single storey houses are designed to reflect cottages found in the general areas. The three storey terraced houses are reduced to 2 storey to the rear to have regard to the scale of Wayside Cottage that bound the site to the east. Apartments are dual aspect with mostly south facing balconies. The 'creche building' is round and located at a focal point within the development.

The Design Statement outlines the proposed finishes and material to be used in the apartment blocks. The two main apartment blocks comprise of a mix of render finish with brick work. The Creche and duplex round building has a natural granite cladding at ground floor with render at the upper floors

The external finishes to the houses consist of render with brick finishes with zinc cladding to dormers where required.

The design, location and layout of the proposed houses is acceptable and compliant with the relevant standards. There is a good interface throughout the scheme between the houses and the apartment buildings.

In my view, the use of high quality materials and finishes and contemporary design offers an opportunity for an aesthetically pleasing development at this location. I recognise that the proposal would have a visual impact when viewed from the surrounding area. Indeed any new development would have a visual impact. However, in my opinion, this could be a positive one. And a contemporary design which would be a welcomed addition at this location.

Given the context of the site and the provisions of policy UD1 (urban design) of the County Development Plan. It is my view that the proposed development in terms of general layout, provision and location of public and private amenity space, boundary treatment is broadly acceptable.

There is good connectivity and permeability within the site and from the site to adjoining amenities and the village centre are provided. Indicative linkages are shown to lands to the north, east and west. Observations received vary in their support/objection to the provision of links to adjoining lands and Wayside Cottages. Some observers have required that the spin road be changed in location to facilitate future development of backland/infill sites. I note that the proposed road complies with the LAP requirements.

I consider, if the Board is of a mind to grant permission that these links should be shown up to the site boundaries to facilitate their future provision subject to the appropriate consents. Provision of these links will greatly improve accessibility and linkages in the area, increase their usage and by association security through active usage.

A pedestrian/cycle route is proposed following the line of the existing trackway/laneway on the site adjoining the curtilage of the primary school. This is welcomed as it provides a direct and convenient pedestrian and cycle links to the existing built up area of the village via the Ballybetagh Road. A condition should be attached to any grant of permission that this would be open on a 24 hour basis

A creche (c.159sq.m) to accommodate 31 childcare spaces is proposed at the ground floor of a 3 storey building that is a focal point on the entrance into the site close to the adjoining primary school. Parking and play areas are provided. I consider the scale, parking and location of the proposed facility acceptable. Observer concerns have been noted and I am satisfied that their concerns can be addressed by augmenting boundary treatment along the eastern boundary with Wayside. This can be done by condition.

13.2.2 Height

A common thread throughout the submission is the excessive height of the proposal that is perceived to be visually dominant when viewed from adjoining properties. The site is bounded to the west by Wayside Cottages, single storey units, many of which have houses, of varied height and scale, built to the rear within their original curtilage. The predominant building height in the immediate area ranges from single to two storey. Along the Enniskerry Road to the north at the Golden Ball Junction and along Glenamuck Road, three and four storey apartment blocks have been built or permitted.

Guidance on height included in the LAP for Land Parcel 12 set out height up to 2 to 3 storeys as acceptable. Appendix 9 of the County Development Plan includes the Building Height Strategy and the Building Height Guidelines are also considered.

Permission is sought for 31 apartments and 85 houses. The houses range in height from 1 to 3 storeys and the Apartments are 3 storeys (with a modest pop up comprising a modest fourth floor element all on a relatively level site.

The proposed buildings are in no manner of speaking tall buildings. The tallest elements, the pop ups are c.14m height with the predominant height of the apartment buildings c.10.8m. As the fourth storey component is set back the buildings will predominantly read as three storey from neighbouring areas/properties. Further, if the development were to be designed as three storey with a pitched roof, they would in any event be c.14m. As such I am satisfied that there is no material breach in the heights identified as being appropriate to this area. I would also note the Building Height Guidelines that have been adopted by the Minister in the intervening period.

The closest apartment block to existing residential properties is located in the northeastern corner of the site and is set back c. 15.2m from the site boundary facing the gable of the nearest house and its rear garden and a single storey structure with rooflights. The creche/duplex building is round with its balconies facing south and westwards. The nearest property to the east is set back c. 40m from the proposed building with a single storey structure located in its rear garden.

Ballybetagh Road has a two storey school, number modest single storey houses and a larger two storey house set back from the road. The eastern boundary of the site is characterised by mixture of dwelling types, scales and height ranging from single to two storeys. The northern portion of the site is bounded by the applicants substantial dwelling on generous plots. The western boundary is with agricultural lands, the northern is a private lane and beyond that a residential scheme which is currently under construction and has units up to 3 storeys in height.

I note that objections raised regarding the height and scale of the development with concerns that it is overbearing and would have a significant adverse impact on the residential amenities of adjoining properties in terms of overlooking, overshadowing and loss of privacy. However, I am of the view that taking into account the proposed heights of buildings, design, setback of the apartment blocks and houses from the site boundaries and the public realm within the proposed scheme would reasonable serve to ensure the proposals would not have a visually dominant impact on adjoining properties to the east in particular. I am satisfied that the overall layout of the scheme results in a development that is not visually dominant when considering how the development will related to these adjoining residential properties, in particular to the east, where the majority of the observers reside, and the applicant's properties to the south

In my view, the use of quality materials and finishes and contemporary design offers an opportunity for an aesthetically pleasing development at this location. I recognise that the proposal would have a visual impact when viewed from the surrounding area. Indeed any new development on this site will have an impact However, in my opinion, this could be a positive one by adding a contemporary design which would be a welcomed addition at this location.

I note that CGIs of the proposed development have been submitted. These do not show the development in the context of the existing built environment and focus on internal areas within the proposed scheme. While I accept that the proposed development would introduce buildings that are marginally taller than the adjoining school, and houses in the in the immediate vicinity. I do not consider that the proposal would have an overbearing impact on the surrounding area. I consider that the height and design of the proposed development is appropriate in the context of application site and the relationship of the proposed buildings to the public realm and adjoining properties.

13.2.3 Impact on Adjoining Properties

The issue of impacts on surrounding existing properties was raised in many of the submissions received. In particular overlooking between the proposed apartment block, the pavilion building and houses/apartments bounding the site, in particular due to the height of the buildings, the presence of balconies, large windows, their set back from the site boundaries and the removal of trees from the site.

While cross sections showing the relationship of the proposed development with adjoining developments/houses would have further depicted the nature/scale of the development relative to neighbouring properties, levels are indicated on the plans and I consider the information submitted and my site inspection sufficient to form an opinion on this matter.

I consider that the design of the elevations of the apartment block, internal configuration of apartment layouts, the relationship of the buildings (apartment blocks, Creche/Duplex and houses) to the site boundaries and the separation distance from the nearest adjacent residential properties would serve to mitigate the potential for overlooking. Privacy would be further enhanced with proposals for landscaping/screening to the boundaries to reduce the impact on adjoining residential properties. This matter can be addressed further by condition if the Board is of a mind to grant permission.

The submissions raised concerns that the development would result in excessive overshadowing of neighbouring properties or a significant increase from that currently experienced due to the presence of mature trees (leylandii) on the site. I note that no daylight/sunlight analysis was submitted with the application. Notwithstanding this, I am satisfied given the setback from the boundaries, the stepped heights of buildings closest to the boundaries overshadowing has been minimised. While there may be a degree of overshadowing I am satisfied that it would not be such an increase from that currently experienced due to the presence of trees on site, and would not have a significant or material negative impact on adjoining properties such as would warrant a reason for refusal.

The orientation and layout of the proposed development would not lead to excessive overshadowing within the scheme. Consequently, I do not consider that the proposed development would lead to excessive overshadowing of proposed apartments and houses.

Concerns (by the occupants of the neighbour property) have been raised in particular relating to houses J1 and J2 and the negative impact on the adjoining bungalow to the north. I note that these units in question are single storey and will not have a negative impact arising from overlooking, overshadowing or visual overbearance on the observers' property.

Concerns regarding the impact of the 3 storey apartment block located on the northeast corner and units L1 and L2 in particular have also been highlighted and the potential overlooking of the adjoining observers property to the south. Again I have examined the proposal and I am satisfied that issues relating to overlooking, overshadowing or visual overbearance do not arise.

Light pollution and noise generated by the use of play areas, the creche and paths was also raised by third parties. The context of the site and its setting will assist in assimilating the proposal into the woodland setting, which in itself assists in screening the proposal from surrounding properties and mitigate the impacts from standard levels of illumination and noise associated with residential development in built up areas.

13.2.4 Standard of Accommodation/Internal Standards

The application is accompanied by a Housing Quality Assessment.

In terms of amenities for future occupants the apartments comply with the requirements of the 2018 guidelines on the design of new apartments. The proposal complies with SPPR3 (internal floor areas), SPPR 4 (dual aspect) SPPR5 (ceiling heights) and SPPR6 (units per stair core). The sizes of the internal rooms and of the private and communal open spaces provided comply with the standards set out in the appendix to the Guidelines. A high standard of landscape is proposed throughout the scheme provide future occupiers with good quality amenities.

I consider the development is 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.

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.

The design and internal layouts of the development are generally satisfactory with regard to national and development plan guidance for residential development and that there is a reasonable standard of residential accommodation for future residents of the scheme.

13.2.5 Open Space and Recreation Amenity

The development provides a stated total of c. 3974 sq.m of open space (c.12%) in a central location with a number of small spaces scattered around the scheme

The CE Report states that applying the Development Plan standard of 15-20 sq.m per person would require the provision of c. 4410 sq.m 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.

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 consider the extent of open space more than sufficient to serve the needs of future occupants.

Roof gardens are proposed. Observers have raised concerns relating to overlooking and their viability. I am satisfied that the roof garden are designed in a manner to have due regard to adjoining properties. Given the relationship of the blocks where roof garden are proposed, their orientation and relationship with adjoining properties I am satisfied that overlooking is not an issue.

13.2.6 DMURS

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.

The Planning Authority have raised issue with parking in the taken in charge area and the use of permeable surfaces and the requirement to comply with its TIC requirements. I have no objection to the use of permeable paving for parking areas.

13.2.7 Connectivity & Permeability

A pedestrian/cycle route (c.3m in width) is provided along the western boundary of the site, between the applicants house to the west and the adjoining school to the east. This is provided from the roundabout at the creche to the southern boundary of the site with the Ballybetagh Road. It links with the footpath system of the proposed development and the widened footpath to the north side of the Ballybetagh Road that is also proposed to be provided as part of the current application. The cycle/pedestrian link will be bounded to the east by the existing hedge on the school property and the west by a 2.5m stone wall, along Mr D. Butler (applicant) property. Safety chicanes at its northern and southern points will be provided.

Linkages to Wayside Cottage, lands to the north and lands to the west are also indicated on the site layout. I consider, if the Board is of a mind to grant permission that these pedestrian links should be shown up to the site boundaries to facilitate their future provision subject to the appropriate consents. Provision of these links will greatly improve accessibility and linkages in the area, increase their usage and by association security through active usage.

13.2.8 Boundary Treatment

A number of objections have been raised regarding boundary treatment in the proposed development, particularly where it adjoins third party lands and close to the proposed roundabout with the scheme. At present a fence/hedge is proposed. Observers have requested that a condition be attached requiring that boundaries with third party lands be 2.5m block walls. I do not consider that a 2.5m block wall is required along the boundaries. I do, however consider that where there are gaps in the boundary at present, these need to be augmented. The retention of existing fences with additional planting for screening which would be visually more appropriate in landscape terms and preferable from a biodiversity perspective rather than the provision of a block wall along the main entrance to the scheme. This matter can be addressed by condition. Furthermore, gates or openings should be 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.

13.2.9 Conclusion

Given the context of the site and the provisions of policy UD1 (urban design) of the County Development Plan, it is my view that the proposed development in terms of design, scale, massing, provision and location of public and private amenity space, boundary treatment and overall form and layout represents a well thought out site specific design response to the site conditions. The contemporary style of the buildings, height, orientation and set back from the boundaries have regard to the context of the site and the adjoining properties. The site layout provides for interconnected spaces through the use of communal amenity areas and play areas. Soft and hard landscape features create a sense of place within the scheme.

I acknowledge the concerns raised by observers relating to the proposed height of the development, and 3 storey buildings with pop up elements in particular. I am satisfied that the heights are in accordance with the LAP. I consider the height and design contribute towards the visual variety and interest of the development.

On balance I consider that the proposed development results in an acceptable design concept in terms of form and layout; provides quality usable open spaces; establishes a sense of place; would result in an acceptable standard of development that offers variety and distinctiveness, all of which would not lead to conditions injurious to the residential amenities of future occupants and accords with national and ministerial guidance.

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. 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. Whilst I note the concerns raised by third parties regarding proposed boundary treatment, I consider the proposals well considered and outstanding matters can be addressed by condition.

In terms of residential amenity, I am satisfied that there will not be significant overlooking of habitable rooms, given the orientation of the proposed apartments and houses, the layout of the scheme and the relationship with adjoining residential properties. A certain degree of overlooking of private amenity space must be expected within urban and suburban areas.

Overshadowing at present occurs due to the presence of trees, the impact from the proposed development would not have such an incremental impact as to have a negative impact on the residential amenities of adjoining residential properties, given the set back of the proposed structures from the site boundaries, their heights, orientation and relationship with these properties.

I note that observer concerns regard the overbearing impact the development would have on adjoining properties, I am satisfied that it will not be visually dominant when viewed from adjoining properties

13.3 Infrastructure

13.3.1 Water

The development will include the re-laying of existing 200mm watermain that runs through the subject, such that it lies under the proposed road system, and provision of a ring-main to serve the development.

13.3.2 Foul

The development will be served by an existing connection to an existing 225mm public foul sewer in Kilternan Abbey Laneway, which in turn connects to sewerage in Enniskerry Road at Golden Ball via Golden Ball Gates

13.3.2 Surface water

Surface water from the development will be attenuated in 6 no. on site attenuation tanks, with outfall to a new surface water sewer and outfall pipe. To be provided in Kilternan Abbey laneway, connecting to a public surface water sewer in Enniskerry Road.

The surface water sewer will be laid between the Gates at Golden Ball, a Protected Structure. The laying of the sewer will not affect the integrity of the protected gateway. Appropriate Conditions should be attached to ensure that the works are overseen by a suitably qualified conservation expert.

The proposed Taking in Charge and Way Leave drawing does not include all the drainage elements, particularly those in Zone 3A and the connection to the public surface water sewer via third party lands. This matter can be addressed by condition if the Board consider granting permission.

The location of attenuation areas and potential impact on the roots of adjoining trees was raised by observers. The DLR Drainage Section noted no concerns in this regard.

13.3.4 Flood Risk Management

A Site Specific Flood Risk Assessment has been submitted with the application and the information contained therein appears reasonable and robust. The planning authority have not raised concerns in relation to flood risk. I am satisfied in this regard.

13.3.5 Conclusion

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. 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 floor risk in the vicinity of the proposed site.

13.4 Traffic and Parking

13.4.1 Traffic and Access

Most observers and local residents are concerned about the existing traffic situation in the area. Concerns centre around the capacity of the existing road infrastructure and the likely negative impact from the increase in traffic from new developments. The roads in the immediate area are a mixture of regional and semi-rural roads with poor vertical and horizontal alignments. The Ballybetagh Road along the site frontage is characterised by a series of bends that obscure sightlines. The applicant is proposing an entrance on the southwestern corner of the site which will facilitate a c.6m wide spine road through the proposed development, linking to lands to the north as required in the LAP. Consent from the adjoining landowner to the west is included with the application to facilitate works to the existing boundaries to achieve sightlines and improves safety at the proposed entrance. One of the applicants is also relocating an entrance that serves his dwelling as part of the application and the reconfiguration of vehicular entrances along the Ballybetagh Road at this point.

The Planning Authority did not raise any objection to the proposed entrance arrangements subject to standard conditions. I am satisfied that the proposed entrance, located within the development boundary of Kiltarnan on lands zoned for residential development would not constitute a traffic hazard subject to compliance with planning conditions.

The applicant has submitted a Traffic and Transport Assessment (TTA). The applicant is satisfied that the traffic generated by the proposed development can be accommodated on the existing road network.

The Transportation Planning Section have concluded that in accordance with Section 10.6 of the Kiltarnan Glenamuck LAP, until the GDRS is construction the proposed development is premature and should be refused permission. I note the Transportation Planning Section Report and the recommendation contained in the CE Report that permission should be refused on this basis.

However, as addressed in section 11.1.4 of this report. 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. Transportation Planning note that these will now be carried out under GDRS. Having regard to the extent of development permitted on the Phase 1 lands to date, I am of the view that there is 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.

13.4.2 Parking

The applicant has proposed a development that will provide 216 car parking spaces for the proposed 31 apartments and 85 houses. With 4 car parking and 1 mobility impaired parking space assigned to the creche. The car parking spaces will be provided in clusters near units. Given the suburban location of Kiltiernan, the quantum and design of car parking is appropriate for the scale and density of development.

The Planning Authority has raised concerns that on street designated car parking, while compliant with DMURS. May present parking management issues as it is in the area identified a 'taken in charge'. Similarly the use of permeable paving in areas that are to be taken in charge is not acceptable to DLRCC. I have no objection to the proposed paving.

13.4.3 Link Road

A link road is proposed through the site that connects the Ballybetagh Road to the lands to the north. The provision of the link road is a requirement of the LAP and encourages access and connectivity as set out in 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. The DLR Transportation Planning Section have raised no objection to the proposed road subject to conditions.

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.

13.4.5 Conclusion

Given the location of the serviced site in a suburban area which has been identified for the future expansion of good public transport links, future residents will be well served by public transport and encourages a modal shift away from the private car. I am satisfied that the proposal is in compliance with national, county and local objectives with respect to transport.

13.5 Part V

It is proposed to provide 11 no. units to meet the requirements of Part V. These consist of 1 no. house and 10 apartments (3 no. 1 bed, 6 no. 2 bed and 1 no. 3 bed). Discrepancies were noted in the details submitted but the Planning Authority is satisfied that this can be addressed by condition.

If the Board is disposed to grant permission a condition should be attached requiring the development to comply with the provisions of section 97 of the Planning and Development Act 2000 as amended.

13.6 Biodiversity

A Biodiversity Assessment of the site was carried out and is included in the AA Screening Report.

The Biodiversity Assessment concluded that the hedgerows bounding the site have high local biodiversity value, with that on the north boundary being of greater interest than the others. The hedgerows are of medium value as commuting and foraging routes for bats. The provision of bat boxes is recommended.

Fieldwork was carried out in in 2015, 2018 and 2019. Bat Survey in June 2018: Bats passes and one foraging bat recorded. No sites of particular biodiversity importance were noted with the exception of the boundary hedgerows. No QI habitats were noted during the surveys. Rabbit droppings recorded in 2018. At the time of my inspection on the 29th July 2020 I observed rabbits on site. The 2018 survey also noted signs of deer entering the site from the west.

The DLR Parks and Landscape Services recommended numerous survey and assessment be carried out. The Planning Authority included these in their recommended conditions.

The LAP did not identify the site as ecologically sensitive to warrant a designation. Observers have raised the issue of loss of green area and wildlife, however no supporting documentation has been included to identify what species in particular they may be referring to.

The site, given its location on the fringe of Kilternan has a semi-rural feel to it. It is located on the foothills of the Dublin Mountains, therefore there is no doubt that wildlife roam the site. However, the site is not a designated site and has no specific objective attached to it regarding the protection of trees. I note that the removal of trees on third party lands has been raised by observers, this is a legal matter and not within the scope of this report.

I am satisfied that the concerns raised by the observers can be addressed by condition. 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.

13.7 Other Matters

13.7.1 Archaeology.

An Archaeological Assessment was submitted with the application. This assessed the archaeological significance of the site and the impact of the development on cultural heritage. The Planning Authority have raised no objection on archaeological grounds subject to trench testing being carried out.

Given the location of the site and its proximity to recorded monuments, 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.

13.7.2 Social Infrastructure

No Education Needs Assessment or Childcare Needs Assessment has been submitted with the application. I have examined the LAP, CDP and details submitted with other SHD applications in the immediate area and I am satisfied that there is sufficient information available to carry out a full assessment of the social infrastructure needs arising from the application before the Board.

Concerns have been raised by some observers regarding the impact of the development on local schools and social infrastructure. The applicant has not provided an 'Education Needs Assessment' with the application. I note however, the relatively modest scale of the development of 116 units. The development provides for a new crèche facility which will cater for approximately 31 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.

A suggestion by Observers that the proposed crèche be changed to community rooms is noted, however I do not consider this necessary. The Planning authority concluded that while a small community room would have been welcomed, the lack of one is not considered significant. 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.

13.7.3 Construction & Demolition

Observers have raised concerns that the amenities of local residents would be impacted by noise and traffic during the construction phase of the proposed development.

The Construction Management Plan would address how it is proposed to manage noise and other impacts arising at the construction phase to ensure the construction of the development undertaken in a controlled and appropriately engineered manner to minimise intrusion.

I note that the impacts associated with the construction works and construction traffic would be temporary and of a limited duration. I am satisfied that any outstanding issues could be required by condition if the Board is of a mind to grant permission.

Concerns relating the proposed demolition of the stables and potential impact on adjoining properties has also been raised. These concerns are noted, however I am satisfied that this matter can be addressed in a construction and demolition plan

13.7.4 Public Consultation

A common thread throughout the observer submission was the lack of consultation or engagement by the applicants with the neighbouring properties owners. Under Irish legislation there is no requirement for a developer to engage in pre-planning

discussion with adjoining property owners. Applications are advertised and Site Notices erected to ensure that third parties are informed that an application is lodged on said lands and that there is a 5 week period in which they can make a submission and outline their concerns.

13.7.5 Covid 19

Concerns were highlighted by DLR Elected Representative regarding covid 19 in terms of layouts, design, public participation etc

- I have considered the DMURS Covid 19 Interim Advice Note (May 2020) when carrying out my assessment.
- Ventilation in buildings is addressed in the Building Regulations.
- I note observers raised issue with public participation and access to information during the national lockdown. The application was available on the website assigned to this application during this period (www.suttonfieldsshd.com) and was available for viewing in the planning authority offices and ABP offices following the lifting of restrictions and freeze period referred to below.
- The Government's orders extending time limits on planning matters provided that the period of time beginning on 29 March 2020 and expiring 23 May 2020 is to be disregarded for the purposes of calculating various time limits under the Planning and Development and other related Acts. As the Government has not made a further order extending the time freeze beyond the 23 May 2020 the normal time limits as set out in the relevant legislation apply with effect from 24 May 2020.

13.7.6 Legal Matters

Reference has been made to third party lands included within the site red line boundary and removal of trees on third party lands. The question of ownership of land is a legal matter and outside the scope of a planning permission. In this context, I would draw attention to Section 34 (13) of the Planning and Development Act 2000 (as amended) which reads '*A person shall not be entitled solely by reason of a permission under this section to carry out development*'.

14.0 Conclusion

The site is zoned under land use objective A for residential development. The principle of residential development on the site is acceptable subject to compliance with the relevant standards and requirements set out in the operative Development Plan and national guidance.

I consider the principle of residential development to be acceptable on this site. I am of the opinion that this is a zoned, serviceable site. In my opinion, the proposal will provide an appropriate form of development, with an appropriate mix of units at an acceptable density of development catering to a range of people at varying stages of the lifecycle. The provision of the public open spaces and linkages will enhance the amenity of the area for both existing and future occupiers.

I am satisfied that the proposal will not impact on the visual or residential amenities of the area, to such an extent as to warrant a refusal of permission.

I consider the proposal to be generally in compliance with both national and local policy, together with relevant section 28 ministerial guidelines. I also consider it to be in compliance with the proper planning and sustainable development of the area and having regard to all of the above.

It is considered that, subject to compliance with the conditions set out below that the proposed development would constitute an acceptable quantum and density of development in this accessible urban location, would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of urban

design, height and quantum of development and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

15.0 Recommendation

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.

16.0 Recommended Draft Order

Application: for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, in accordance with plans and particulars, lodged with An Bord Pleanála on the 9th April 2020 by Paul Newell Architects on behalf of Paul and David Butler.

Proposed Development: A Strategic Housing Development at this site on lands at Sutton Fields, Ballybetagh Road, Kilternan, Dublin 18, D18 PT93, with surface water and outfall in Kilternan Abbey laneway, Enniskerry Road, adjoining lands to the north and discharging to the public sewer in the Enniskerry Road via Golden Ball Gates (a Protected Structure). The Butler lands lie between the Butler residences/Our lady of the Wayside National School on Ballybetagh Road to the south and Kilternan Abbey laneway to the north and lie to the west of Wayside Cottages Enniskerry Road.

The development will consist of 116 dwellings and ancillary 31 space childcare unit. The dwellings will comprise: 85 No. houses and 31 no. apartments as follows: HOUSES: 7 no. 1 bed units, 2 no. 2 bed units, 40 no. 3 bed units & 36 No. 4 bed units. The houses will range from 1 storey to 3 storey in height. APARTMENTS: 13 no. 1 bed units, 16 no. 2 bed units, & 2 no. 3 bed units. 29 apartments will be accommodated in two no. 3 storey blocks (17 no. in Block Location 1 and 12 no. in Block Location 2) at the north end of the development site. Block Location 1 will have ground floor terraces and upper floor balconies on its south and west elevations. Block 2 will have ground floor terraces and upper floor balconies on its east, west

and south elevations. 2 no. 2 bed 2 storey duplex apartments will be located over the 159q.m ground floor childcare unit, in a 3 storey building, close to the south end of the site. The duplex apartments will have balconies at first and second floor levels facing south and west.

Vehicular, pedestrian and cycle access to the site will be from Ballybetagh Road, to the west of the Butler residences. The development will include a Main Road on its west boundary, running from Ballybetagh Road to the north boundary, that will facilitate linkage to development lands to the north.

Pedestrian and cycle access will be provided from Ballybetagh Road into the site, along the west boundary of Our Lady of the Wayside national School, connecting to the site circulation roadway in the vicinity of the childcare units. The boundaries of the residences of Paul and David Butler on the Ballybetagh Road will be set back to provide improved pedestrian footpath from the site access to the west boundary of Our Lady of the Wayside national School. David Butler's vehicular access from Ballybetagh Road will be moved to ensure the safety of the pedestrian/cycleway.

The development will include the re-laying of existing 200mm watermain that runs through the subject, such that it lies under the proposed road system, and provision of a ring-main to serve the development. The development will be served by an existing connection to an existing 225mm public foul sewer in Kilternan Abbey Laneway, which in turn connects to sewerage in Enniskerry Road at Golden Ball via Golden Ball Gates. Surface water from the development will be attenuated in 6 no. on site attenuation tanks, with outfall to a new surface water sewer and outfall pipe. To be provided in Kilternan Abbey laneway, connecting to a public surface water sewer in Enniskerry Road. The surface water sewer will be laid between the Gates at Golden Ball, a Protected Structure. The laying of the sewer will not affect the integrity of the protected gateway.

Decision:

Grant permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

In coming to its decision, the Board had regard to the following:

- a) The site's location within the boundary of the Kiltiernan Glenamuck Local Area plan 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 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and the accompanying Urban Design Manual;
- g) 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 (and Interim Advice note Covid 19 May 2020).
- h) 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;
- 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 Dun Laoghaire Rathdown Chief Executive Report dated 16th July 2020.

m) The report and recommendation of the inspector including the examination, analysis and evaluation undertaken in relation to appropriate assessment screening and environmental impact assessment screening.

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

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 site, the information for the Screening for Appropriate Assessment submitted with the application, 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

The Board completed an environmental impact assessment screening of the proposed development and considered that the Environmental Impact Assessment Screening Report submitted by the applicant, identifies and describes adequately the direct, indirect, secondary, and cumulative effects of the proposed development on the environment.

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 Board Pleanála for determination.

Reason: In the interest of clarity.

2. Details of the materials, colours and textures of all the external finishes to the proposed dwellings/buildings shall be as submitted with the application, unless otherwise agreed in writing with, the planning Authority prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of visual amenity.

3. 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.

4. Proposals for an estate/street name, 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 and street signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) 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(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility.

5. Prior to the commencement of development details of all links (pedestrian, cycle and vehicular) to adjoining lands shall be submitted for the written agreement of the planning authority. Links shall be shown up the site boundary to avoid ransom strips and the facilitate future connection subject to appropriate third party consents.

Reason: To facilitate future pedestrian, cyclist and vehicular linkages.

6. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through open spaces details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development/installation of lighting. Such lighting shall be provided prior to the making available for occupation of any house.

Reason: In the interests of amenity and public safety.

7. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All

existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual and residential amenity.

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/paths 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.

(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. (a) The car parking facilities hereby permitted shall be reserved solely to serve the proposed development. 216 no. clearly identified car parking space shall be assigned permanently for the residential development and shall be reserved

solely for that purpose. These residential spaces shall not be utilised for any other purpose, including for use in association with any other uses of the development hereby permitted, unless the subject of a separate grant of planning permission.

(b) Prior to the occupation of the development, a Parking Management Plan shall be prepared for the development and shall be submitted to and agreed in writing with the planning authority. This plan shall provide for the permanent retention of the designated residential parking spaces and shall indicate how these and other spaces within the development shall be assigned, segregated by use and how the car park shall be continually managed.

Reason: To ensure that adequate parking facilities are permanently available to serve the proposed residential units.

10. 157 no. bicycle parking spaces shall be provided within the site. Details of the layout, marking demarcation and security provisions for these spaces shall be as submitted to An Bord Pleanála with this application, unless otherwise agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

11. Prior to the opening/occupation of the development, a Mobility Management Strategy shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and carpooling by residents/occupants/staff employed in the development and to reduce and regulate the extent of parking. The mobility strategy shall be prepared and implemented by the management company for all units within the development. Details to be agreed with the planning authority shall include the provision of centralised facilities within the commercial element of the development for bicycle parking, shower and changing facilities associated with the policies set out in the strategy.

Reason: In the interest of encouraging the use of sustainable modes of transport.

12. A minimum of 10% of all communal car parking spaces should be provided with functioning EV charging stations/points, and ducting shall be provided for all remaining car parking spaces, including in-curtilage spaces, facilitating the installation of EV charging points/stations at a later date. Where proposals relating to the installation of EV ducting and charging stations/points has not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted and agreed in writing with the Planning Authority prior to the occupation of the development.

Reason: To provide for and/or future proof the development such as would facilitate the use of Electric Vehicles.

13. The applicant or developer shall enter into water and/or waste water connection agreement(s) with Irish Water, prior to commencement of development.

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 and all surface water shall be treated within the site.

Reason: In the interest of public health.

14. Prior to the commencement of development, the applicant shall submit for the written agreement of the planning authority a combined Taking in Charge and Wayleave drawing and a draft wayleave agreement in favour of Dun Laoghaire County Council for the sections of the proposed public surface water infrastructure that are to be located inlands not to be taken in charge. Such a draft Wayleave agreement shall be accompanied by dimensioned drawings showing the locations of all surface water drainage elements in relation to adjoining property boundaries. The

wayleave shall be agreed and in place prior to the taking in charge of the development.

Reason: In the interests of public health.

15. The site shall be landscaped in accordance with the submitted scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The developer shall retain the services of a suitably qualified Landscape Architect throughout the life of the site development works. The approved landscaping scheme shall be implemented fully in the first planting season following completion of the development or each phase of the development and any plant materials that die or are removed within three years of planting shall be replaced in the first planting season thereafter.

Reason: In the interest of residential and visual amenity

16. 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 Arboricultural Assessment Report and accompanying documents. 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.

17. (a) A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities for each apartment unit shall be submitted to, and agreed in writing with, the planning authority not later than 6 months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.

(b) This plan shall provide for screened communal bin stores, the locations and designs of which shall be included in the details to be submitted.

(c) This plan shall provide for screened bin stores, which shall accommodate not less than three standard sized wheeled bins within the curtilage of each house plot.

Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.

18.(a) The communal open spaces, including hard and soft landscaping, car parking areas and access ways, communal refuse/bin storage and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company

(b) Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

19. 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.

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

Reason: In the interest of sustainable waste management.

21. 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:

- Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
- Location of areas for construction site offices and staff facilities;
- Details of site security fencing and hoardings;

- Details of on-site car parking facilities for site workers during the course of construction;
- Details of 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;
- Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- 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;
- Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- Prior to the commencement of development the developer shall submit for the written agreement of the Planning Authority details and methodology for the rock extraction and excavation works. This shall include timeframes and proposals to deal with vibration and noise.
- 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.

Reason: In the interest of amenities, public health and safety.

22. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Saturdays inclusive, and not at all on Sundays

and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

23. Details of the proposed signage for the creche to be submitted prior to occupation for the written agreement of the planning authority.

Reason: in the interest of proper planning and sustainable development.

24. The developer shall ascertain and comply with all requirements of the planning authority in relation to conservation matters and works to Protected Structures. In that regard:

- (i) Prior to the commencement of development the applicant shall submitted proposals for works relating to the laying of pipes at the Golden Ball Gates
- (ii) All repair works shall be carried out in accordance with best conservation practice and the department of Culture, Heritage and the Gaeltacht 'Architectural Heritage Protection Guidelines for Planning Authorities'
- (iii) All works are to be carried out under the professional supervision of an appropriately qualified person with specialised conservation expertise who shall manage, monitor and implement the works on site and to ensure adequate protection of the retained and historic fabric and to certify upon completion that the specified works have been carried out in accordance with good conservation practice

Reason: in the interest of architectural conservation.

25. Prior to the commencement of development the following shall be carried out and a report submitted to the planning authority for written agreement:
- (i) An Archaeological Impact Assessment shall be compiled, the applicant shall engage the services of a suitably qualified Archaeological to carry out an archaeological assessment of the development site No sub-surface

work shall be undertaken in the absence of the Archaeologist without his/her express consent.

- (ii) The Archaeologist shall carry out any relevant documentary research and inspect the site. Test trenches may be excavated at locations chosen by the Archaeologist (licensed under the National Monuments Act 1930-1994), having consulted the site drawings.
- (iii) Having completed the work, the Archaeologist shall submit a written report to the planning authority. Where archaeological material/features are shown to be present, preservation in situ, preservation by record (excavation) or monitoring may be required.

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

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

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

27. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory

completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. 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: To ensure the satisfactory completion and maintenance of the development until taken in charge.

28. 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.

29. 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.

Dáire McDevitt
Planning Inspector

5^h August 2020

Appendix 1

List of Documentation submitted with the Application

In addition to the architectural, engineering and landscaping drawings and reports the following inter alia was submitted with the application:

- Planning Report (includes Statement of Consistency, Response to Opinion, Details of pre application consultations, Examination of Significant effects on the Environment or on a European Site).
- Schedule of Accommodation.
- Housing Quality Assessment.
- Architectural Design Statement.
- Architectural External Finishes Report.
- Building Life Cycle Report.
- Transportation Assessment (includes Preliminary Travel Plan, Statement of Consistency with DMURS, Quality Assessment, Stage 1 Road Safety Audit)
- CGIs.
- Arboricultural Assessment.
- Tree Constraints Plan.
- Tree Protection Plan.
- Archaeological Assessment Report
- Lighting Layout.
- Outdoor Lighting Design Report.
- Appropriate Assessment Screening Report.
- Part V Proposals.
- Letter of consent from Mr. Terry Byrne.
- Site Services Report (includes SSFRA, Stormwater Audit, IW correspondence).
- Construction and Waste Management Plan.

Appendix 2

List of Observers

1. Andy and Maria O'Neill.
2. Barry Egan and Martina Heffernan.
3. Catherine McHugh and Daniel Courtney.
4. Chander and Anneli Kohli.
5. Deidre Keogh and Peter Malin.
6. Elizabeth Clooney and Colman Curran.
7. Hillary M. and Sheila Healy.
8. Jacqueline Gallagher and Patricia Mc Donald.
9. James Keating Snr.
10. Jennifer Newman.
11. John Keating.
12. Kiltarnan Glenamuck Residents Association.
13. Mary and Kerry Byrne
14. Mark and Niamh Feldman.
15. Mary Moran.
16. Maurice Gallagher.
17. Pat and Olwen Naismith.
18. Paul and Eileen Eglinton.
19. Paula McCabe.
20. Sylvester McCabe.
21. The Flood Family.

Prescribed Bodies:

22. Irish Water.
23. Transport Infrastructure Ireland.

Appendix 3 Summary of Observer Submissions

There are a number of overlapping comments in the observer submissions. They have been summarised under the following headings to avoid repetition.

Compliance with LAP.

- Height does not comply with LAP (Max 2.5, unless in specified locations)
- Density does not comply with LAP (35-40 units per hectare).
- Lands to the west are not zoned in the LAP, therefore it is misleading to show a 'future access'.
- The amount of housing permissible is restricted until the Glenamuck District Distributor Road is delivered.
- Site is located with Phase 1 (b) C where 350 dwelling units can be considered prior to the GDDR scheme. To date 532 units have been granted planning without the village bypass.

Design, Height & Layout

- The proposed 3 storey of most of the buildings is in stark contrast to the single storey cottages in Wayside.
- The 3 storey creche blocks views of the Dublin Mountains and should be reduced in height if granted.
- The LAP restricts where 3 storey is allowed, interface with the Enniskerry Road an on internal loop access road. The location of the proposed 2 storey elements in the scheme does not comply with this.
- The building with a creche and 2 duplex above exceeds 3 storeys and should be reduced in height.
- The layout of the development does not facilitate future access for 'infill' development on adjoining lands. The access road should be provided along the northeastern boundary to facilitate future access points from neighbouring properties.
- The development will be visually dominant and obtrusive when viewed from Wayside Cottages.

- Houses F1, F2, F3, F4 and G1 are north facing. This is not conducive to good mental health and the importance of good private amenity space in light of Covid 19.
- Red brick should not be used on entrance pillars. The LAP requires Granite.
- Creche should be single storey.
- Infill/loop road should be re-examined.
- Block L2 and L5 are being building on land that was naturally a duck pond that has been backfilled and raised by c.4ft.

Impact on Neighbouring properties:

- Overlooking and loss of privacy
- Loss of light.
- Creche should be relocated.
- Demolition works may have an impact on neighbouring properties.
- Land beside the school should be kept for school expansion and not used for houses.
- Noise from traffic, bins, creche will have a negative impact on the quality of life of adjoining residential properties.
- Only a small selection of Leylandii that block light into adjoining properties is shown to be removed. This should be addressed to give access to more light.
- Roof gardens should be omitted.
- No sunlight/daylight analysis has been submitted.
- Noise and dust during construction phase.
- Indicative links to adjoining lands cannot be provided as they do not have the consent of the relevant landowners.
- Light pollution from street lights.

Infrastructure:

Traffic

- Premature pending the provision of the Glenamuck District Distributor Road.
- Road is at capacity and cannot take additional traffic.
- Serious congestion and grid lock in the village.

- Traffic hazard and implications for the safety of children attending the adjoining school.
- Entrance proposed at a very dangerous bend on a very busy road.
- Security near the proposed roundabout within the scheme is a concern, lack of a secure boundary with third party lands. A wall should extend the whole way along the boundary with Wayside Cottages.
- No permission should be granted for any more developments until the road upgrades are carried out and additional public transport infrastructure is put in place.
- The location of the proposed entrance is too dangerous, located between two hairpin bends.
- The cumulative impact of all the traffic from the new residential estates will bring the village to a standstill.
- Traffic conflict with Wayside National School and Kiltiernan Adult Education Centre.
- Traffic management proposal required.
- Access should be from the northern side of the site, not the Ballybetagh Road.

Connectivity

- No cycle tracks along the road at present.
- No footpaths.

Parking

- It will give rise to illegal parking along the road.
- Carparking does not comply with requirements.

Services

- Location of the attenuation areas close to third party lands should be selected following consultation with the relevant landowners to address potential impact on their properties.
- Issues with water pressure in the area and Irish Water have been contacted on numerous occasions.

- Where will the runoff from the mountains drain to if the French drains in Sutton Fields are removed.

Amenities:

- There are no local amenities, shops to cater for the level of development.
- No playground or community centre.
- The two local schools are at capacity.
- Lands should be set aside for the school.

Built Heritage & Archaeology

- Laying of pipes could impact/damage the gates to the Old Abbey which is a protected structure.
- Negative impact on the Old Abbey and a dolmen National Monument).

Lack of Public Consultation/Communication with neighbours:

- Consultation has been going on for 7 years with the Council and An Bord Pleanála but there has been no engagement with adjoining landowners.
- Inconsistencies in boundaries shown on the application.
- A liaison officer should be appointed.
- The LAP requires communication and promotes neighbourly relations.
- Changes to boundary treatments proposed without the consent of the relevant third parties.

Other:

- Kilternan is already overdeveloped, No need for any more houses to be granted. A lot of recent permissions need to be built out first. The local community do not gain anything from any of these new developments as the proposed facilities are for the residents of the new estates.

- Loss of green areas, wildlife.
- Destruction of Kilteran's rural character.
- Pollution for additional traffic and houses.
- Loss of identify for the village.
- The development would contravene the vision of the Dublin Mountains Partnership plan 'Dublin Mountains Makeover.'
- Issue with the location of a site notice on a dangerous bend where no one can read it.
- Issue with the Newspaper selected for the public notices.
- Does not comply with Social Housing requirements.
- The removal of ESB poles. No consent to enter this party lands to facilities their removal.
- No consent to remove trees on third party lands.

Submission included inter alia:

- Photographs with several submissions to illustrate points.
- Copy of Site Layout with several submissions to illustrate points.
- Article on Leylandii.
- Copy of a letter from Wayside NS relating to parking.