



An
Bord
Pleanála

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

Inspector's Report ABP-309846-21

Strategic Housing Development

203 no. residential units (109 no. houses, 94 no. apartments), creche and associated site works.

Location

Lands immediately adjoining Bishops Gate housing development, Townland of Kiltiernan Domain, Enniskerry Road, Kiltiernan, Dublin 18.
(www.enniskerryroadshd.com)

Planning Authority

Dun Laoghaire-Rathdown County Council

Applicant

Adroit Operations Limited

Prescribed Bodies

(1) Transport Infrastructure Ireland
(2) Irish Water

Observers

- (1) Dale McCarthy
- (2) Gary Shaw
- (3) John Mulligan
- (4) Laura Walsh
- (5) Sean O’Keeffe

Date of Site Inspection

18th June 2021

Inspector

Louise Treacy

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1.0 Introduction

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

2.0 Site Location and Description

The subject site has a stated area of c. 4.97 ha and is located in the townland of Kiltiernan Domain, Enniskerry Road, Kiltiernan, Dublin 18. The site is accessed via junction 15 of the M50 motorway and thereafter via Glenamuck Road South (R842) and the Enniskerry Road. The site is located to the north of the junction of Glenamuck Road South (R842) and the Enniskerry Road. Access to the site is via an existing estate road serving the Bishops Gate residential development located on the western side of Enniskerry Road.

The site is generally L-shaped and generally fronts onto the Enniskerry Road to the east, the internal access road and 2-3 storey residential dwellings within the Bishops Gate development to the north, agricultural lands which rise upwards towards the Dublin Mountains to the west, and a private laneway to the south.

The site is generally characterised by grassland, with a construction compound present in the north-western corner and a further area of hardstanding located towards the eastern corner. The site is comprised of 2 no. fields which are subdivided in a north-south direction by a mature tree/hedge line. A drainage ditch extends along the northern site boundary and along the treeline within the site. Overhead power lines were noted on the eastern portion of the site.

The existing development on the eastern side of Enniskerry Road opposite the subject site is characterised by single-storey cottages, with a more modern residential development of 2-3 storeys in height located at the junction with Glenamuck Road South. The development which adjoins the subject site to the south-east comprises a residential scheme of 3-storey terraced, semi-detached and detached dwellings known as the “Golden Ball” development. Some of these units were noted to have been completed at the time of the inspection, with construction works ongoing.

3.0 Proposed Strategic Housing Development

The proposed development consists of 203 no. residential units in a mix of houses and apartment buildings ranging from 2 to 3 storeys overall, a crèche facility and associated works.

- 109 no. dwellings and 94 no. apartments (4 no. blocks),
- Vehicular access serving the proposed development is primarily via the existing junction off Enniskerry Road serving the Bishops Gate development,
- Provision of two new connections to the adjacent “Golden Ball” development site, which in turn connects to a separate new junction on the Enniskerry Road (currently under construction, permitted under ABP PL06.246537, Reg. Ref. D16A/0900) catering for pedestrian/cyclist movement only and pedestrian/cyclist/vehicle movement between the two sites.
- A letter of consent from the adjoining landowner for access and surface water connections accompanied the application.

Development Parameters

Parameter	Site Proposal
Application Site Area	c. 4.97ha
No. of Units	203 units 4 no. apartment blocks
Density	40.9 units/ha
Crèche	c. 380m ²
Amenity Space associated with creche	c. 105m ²
Public Open Space	c. 5,760m ²
Private Communal Amenity Open space	c. 784m ²
Height	2-3 storeys

Car Parking	335 no. spaces 9 no. childcare spaces 218 no. house spaces 94 no. apartments spaces 14 no. visitor spaces
Bicycle Parking	354 no. spaces
Part V	27 no. units

3.1. Housing Mix

Units	Number	Percentage
Apartments		
One bedroom	4	4
Two bedrooms	81	86
Three bedrooms	9	10
Total	94	100%
Dwellings		
Three bedrooms	88	81
Four bedrooms	21	19
Total	109	100%

The 4 no. apartment blocks are proposed in the north-eastern corner of the site, with apartment blocks 1 and 2 fronting directly onto the Enniskerry Road. The proposed public open space extends along the length of the north-western site boundary and is bound by the gable elevations of apartment block no. 3 and the crèche/apartment block 4 to the south and the rear elevation of apartment block no. 2 to the north-east. The remainder of the site is primarily characterised by the proposed residential dwellings and internal estate roads, with the primary vehicular access located within

the north-western site boundary opposite the existing residential dwellings at Nos. 40 – 42 Bishops Gate. A second vehicular access is proposed in the south-eastern site boundary to the adjoining Golden Ball site. Dedicated pedestrian/cycle connections are also facilitated.

4.0 Submission from the Planning Authority

A submission on the SHD application was received from the Chief Executive of Dún Laoghaire-Rathdown County Council on the 25th of May 2021 and includes a summary of the development plan policy, relevant site history, summary of the submissions received, the opinion of the Elected Members, the interdepartmental reports and the planning assessment of the proposed development. The submission is summarised below.

4.1. Views of Elected Members

The views of the Elected Members have been summarised by the Planning Authority as follows:

Traffic and Transport

- Concern in relation to increased congestion.
- Insufficient public infrastructure.
- Safety concerns regarding public safety when accessing distant public transport services.
- No continuous cycle tracks to/from the Luas.
- Vehicular connections between neighbouring Golden Ball site will lead to ‘rat-running’ and impact child safety.
- Too much parking proposed.
- Appropriate parking provision given the distance to the Luas.
- Electric vehicle charging cables should not cross footpaths.

Development Strategy

- Increased housing provision is supported.

- Part V provision is too low and further consideration required of specific dwelling types to address local need.
- The proposed dwelling mix is supported.
- The density is too high.
- The proposed crèche should be delivered in the first phase, before 50% of the units are occupied.
- Concern regarding the availability of school places and community infrastructure.

Amenity

- Detailed consideration should be given to the design of the playgrounds.
- A condition should be attached to allow the residents use the lands to the west for amenity.
- The existing view from east of Enniskerry Road to the Dublin Mountains should be retained.
- Existing Bishops Gate residents benefitted from the amenity value of the site, which will now be reduced.
- The impact of the tree and hedgerow removal on wildlife should be addressed.
- Only native trees should be planted.

4.2. S247 meetings

- Four pre-planning meetings have been held in relation to proposals for the site.
- PAC/602/15, PAC/245/17, PAC/SHD/392/18, PAC/SHD/375/19.

4.3. Planning Assessment

Principle of Development

- The site is zoned Objective “A” (to protect and/or improve residential amenity) under which residential uses are permitted in principle and childcare services are open for consideration.

- The Kiltiernan/Glenamuck LAP permits residential development on both land parcels 12 (Low Density Residential) and 13A (Neighbourhood Centre).
- The proposal is acceptable in principle having regard to national and local policy objectives for the area.

Location and Phasing

- Section 10 of the Kiltiernan/Glenamuck LAP identifies that the existing road infrastructure in its current condition is not capable of serving the transport needs from zoned lands in the LAP area and that future development is heavily dependent on the Glenamuck District Distributor Road (GDDR) Scheme.
- Section 10.5 allows interim development of up to 700 dwellings to be accommodated on an upgraded existing road network (Phase 1).
- Section 10.6 identifies 13 criteria which should be met to facilitate Phase 1 housing development.
- A further cap of development of 350 units is included in Phase 1 (b) (c) in which the subject site is located.
- The extant permissions for Phase 1 (b) (c) are c.275 units, which together with the proposed development, would result in 478 units, c.37% in excess of the 350-unit cap.
- The overall quantum of permissions across the LAP area stands at c. 832 units. If the proposed development were permitted, the overall cap of 700 units across the LAP area would be exceeded by c. 48%.
- A breakdown of the extant permissions is provided in Appendix D of the Planning Authority's report.
- The report of the Transport Section is relevant, as the phased development is linked to the GDDRS.
- Whilst it is noted that the Part 10 for the GDDRS and a Compulsory Purchase Order (CPO) were permitted in 2019 (PL06D.303945 and PL06D.304174) and that a Part 8 application for the Enniskerry Road/Glenamuck Road Junction

Upgrade was granted in 2017, there is no timeframe for the delivery of this infrastructure.

- Until the GDDRS is constructed, the proposed development would materially breach the phasing strategy for the area and is considered premature.
- The 13 criteria set out in Section 10.6 of the LAP relate to the assessment of development below the 700-unit threshold, which the current proposal exceeds.
- The Transport Section revised the Phase 1 units upwards from 700 to 1,050 based on the Part 8 consent to upgrade the junction between Enniskerry Road and Glenamuck Road (PC/IC/01/17). This work has since been postponed and will now be undertaken in tandem with the GDDRS and the Glenamuck Link Distributor Road improvement works.

Density

- A density of 40.9 units/ha is proposed.
- Policy RES 3 promotes higher residential density provided proposals ensure a balance between the reasonable protection of existing residential amenities and the established character of areas.
- The LAP states that lands within Parcel 12 on the western portion of the site, should be in the range of 35-40 units/ha, while lands within Parcel 13A on the eastern portion of the site may have densities above this level. The proposed density falls within the required range.
- The site adjoins rural/agricultural lands to the west (objective B). Section 8.3.2 of the development plan seeks to avoid abrupt transitions in scale/use in the boundary areas of adjoining land use zones. The site is not served by a high-frequency bus service and is 2.5 km from the nearest Luas stop, and for these reasons, the proposed residential density is considered acceptable.

Layout

- The proposed layout is considered clear, legible and permeable. However, it is noted that the Parks Section have raised concerns regarding the location and distribution of public open space.

- The submitted site layout plans demonstrate how the development site will connect and integrate with adjoining constructed and permitted developments, as well as future development lands.
- A condition should be attached to any grant of permission in relation to agreement of taking-in-charge lands.

Building Height

- Given the site's peripheral location, it is considered that the proposed height of the scheme is acceptable and in compliance with the LAP, notwithstanding the more recently published Building Height Guidelines.

Open Space, Landscaping and Trees

- The public open space and private communal amenity space meets the minimum standards of the development plan, the Sustainable Residential Development in Urban Areas Guidelines and the Design Standards for New Apartments.
- The Parks Section have raised concerns regarding the provision of the proposed public open space as a single space in the northern part of the site, removed from the dwellings. Safety concerns have also been raised regarding the location of the swale running through the space. The presence of the swale and any mitigation measures would reduce the stated area of open space.
- Concerns have been raised regarding the taking-in-charge of the space as proposed and the location of the proposed underground attenuation tank in the public open space.
- The Planning Authority considers that earlier iterations of the scheme performed better with respect to open space provision. However, it is not considered that this matter could be readily addressed by condition, nor does it amount to a reasonable reason to recommend a refusal of permission.

Boundary Treatments

- Proposed boundary treatments with neighbouring developments, particularly at areas of public open space, should facilitate and encourage access,

including visual access. Amended boundary treatments should be provided to the Bishops Gate development to facilitate a more appropriate level of access to public open space for neighbouring users.

Trees and Hedgerows

- It is noted that c.125 m of the existing c. 445m (c.28%) mature trees and boundary hedgerows within/around the site are proposed to be removed to facilitate the development. Section 8.2.8.6 of the development plan requires new development to incorporate the amenities offered by existing trees and hedgerows as far as practicable, while policy OS03 of the LAP seeks to respect areas of ecological importance when providing open space.
- The Parks Section recommends an alternative layout and design to mitigate the unnecessary removal of trees from the site and recommends that planning permission be refused. In the event planning permission is granted by the Board, detailed conditions are recommended.

Residential Amenity: Privacy and Overlooking, Daylight, Standard of Accommodation, Community Facilities and Amenities

- It is considered that the proposed layout and design would not give rise to significant overlooking or impacts on privacy.
- It is considered that the majority of the proposed and existing units and amenity spaces are likely to receive adequate daylight/sunlight, with no undue loss of light access or overshadowing issues.
- Overall, the proposed units exceed the minimum internal floorspace standards, and significantly so in many cases. The proposed mix of dwelling types and typologies is welcomed and is in accordance with Policy RES7 of the development plan.
- The proposed crèche is sized to meet the requirements of the Childcare Facilities Guidelines.
- Two ground floor apartments in Block 1 can be converted to non-residential uses in the future which is consistent with the Design Standards for New Apartments Guidelines.

- Details of the design, management and maintenance of the communal amenity space and children's play area are provided in the Building Lifecycle Report and the landscape drawings and specifications.

Access

- The Transportation Planning Section recommends that planning permission be refused pending the construction of the GDDRS. In the event permission is granted, planning conditions are recommended in relation to detailed design and the agreement of certain matters by way of compliance submissions.

Parking

- The proposed car parking provision is considered acceptable. An increased quantity of high-quality cycle parking and storage facilities for residents and visitors of the apartments is recommended. Increased motorcycle parking provision is also recommended.
- In order to enable the future conversion of the ground floor units in Block 1 to commercial use, an allowance for servicing and loading of Block 1 away from Enniskerry Road should be provided.

Water Services and Flood Risk

- The applicant has submitted a detailed report that generally satisfies the requirements of Municipal Services, subject to conditions.
- The applicant has submitted a Confirmation of Feasibility letter from Irish Water.
- The conclusions contained in the applicant's Site-Specific Flood Risk Assessment are accepted and the proposed development is considered to comply with Appendix 13 of the development plan (Strategic Flood Risk Assessment).

Taking-in-Charge

- The Parks Section does not support the taking in charge of the proposed area of public open space as shown.
- The exclusion of areas within the site adjoining Enniskerry Road from the areas to be taken in charge is noted.

- Conditions are recommended in relation to these matters if planning permission is granted.
- No objection in principle has been raised in relation to the proposed materials and finishes within the public realm.

Waste Management

- A detailed Construction Waste Management Plan and Environmental Management Construction Plan is required prior to the commencement of development.

Community Infrastructure

- The 2 existing primary schools in the LAP area are at or near capacity, while no secondary school is provided. Concern is raised about the area's ability to cater for future demand for school places. No school site has been identified in the LAP or County Development Plan.
- It is considered that consultation with the Department of Education in relation to this matter may be appropriate.
- Apart from the crèche, no other community facilities are proposed. This is considered acceptable given that sufficient zoned land for the delivery of same is provided for in the designated Neighbourhood Centre, to the south-east of the site.

Part V

- The proposal can comply with Part V requirements. However, it is noted that the proposed units are clustered in Block 4 and the adjacent houses nos. 1-5. A pepper-pot approach is recommended to avoid undue segregation in the event planning permission is granted.

Archaeology

- A condition for pre-commencement archaeological testing is recommended in the event planning permission is granted.

Ecology

- The findings of the applicant's Ecological Impact Assessment are accepted.

Appropriate Assessment and Environmental Impact Assessment

- The content and outcome of the submitted screening reports are noted.

4.4. Interdepartmental Reports

Housing Department: No objection to the proposed development. Recommends that an appropriate Part V condition be attached if planning permission is granted.

Drainage Planning Section: No objection subject to conditions.

Environment Section: Requires the submission of a detailed Construction Waste Management Plan and Environmental Management Construction Plan prior to the commencement of site works. Notes that a more detailed submission covering the segregation of waste within the apartment units and the management of waste within the curtilage of the development is required and that a rodent/pest control plan should be put in place for the whole development.

Parks and Landscape: Recommends that planning permission be refused for the proposed development based on the following:

- (1) the proposal is development-led, with no appreciation to encompass the existing tree population on this site or adjoining property,
- (2) poor enhancement of the existing landscape and tree population,
- (3) open space is lacking in informal supervision and built to one side for the convenience of a development-led project, rather than being an integral part of the development, with the open space visible and accessible to all,
- (4) proposed taking-in-charge area is not agreed due to safety concerns relating to the swale and probable maintenance difficulties,
- (5) urbanised development in a very rural location, with no strategy to integrate with adjoining development.

Transportation Planning: Recommends that planning permission be refused for the proposed development on the basis that it is premature pending the construction of the GDDRS. Notes that the construction of the Enniskerry Road/Glenamuck Road Junction Upgrade Scheme will likely be implemented as part of the works for the GDDRS, but that no timeframe has been established for same. Conditions are recommended in the event planning permission is granted.

4.5. **Planning Authority Recommendation**

While the principle of residential development on the subject site is considered acceptable, the Planning Authority recommends that planning permission be refused for the proposed development on the basis that it would be premature by reference to the existing deficiencies in the road network serving the area and the period within which the constraints involved may reasonably be expected to cease.

The area is considered to have reached its capacity in terms of unit numbers and no further development can take place until additional infrastructure is provided. As such, the proposals are considered contrary to section 10.6 of the Kiltiernan Local Area Plan.

4.6. **Recommended Conditions**

In the event planning permission is granted for the proposed development, the Planning Authority recommends that 23 no. conditions be attached. The following conditions are of note:

Condition no. 2: Requires the proposed childcare facility to be completed and operational prior to the completion of Phase 1 of the development.

Condition no. 5 (iv): Requires a noise assessment to be undertaken and submitted for the written agreement of the Planning Authority. Any required mitigation measures to keep noise within the development to acceptable levels.

Condition no. 5 (xv): Requires the provision of appropriate loading/set down facilities proximate to Block 1 away from Enniskerry Road for the written agreement of the Planning Authority.

Condition no. 6 (vii): Requires the submission of a draft wayleave agreement in favour of the Planning Authority for the sections of the proposed public surface water infrastructure that are located within lands not being taken in charge.

Condition no. 7: All proposed links to the adjoining “Golden Ball” scheme to the south-east shall be completed and available for use prior to the occupation of the units.

Condition no. 8 (iv): The submission of a public safety risk assessment of proposed open water features.

Condition no. 8 (v): The submission of alternative proposals which exclude attenuation tanks or related services, utilities or trenches from public open space areas.

Condition no. 9: The submission of revised plans and particulars for boundary treatments within and around the development, which provide for improved physical and visual access to the public realm. The proposed boundary between the primary area of open space and the road to the north shall be removed.

Condition no. 14: The requirement to undertake archaeological testing of the site prior to the commencement of development.

Condition no. 17: The requirement to submit drawings showing all development works to be taken in charge, ensuring the inclusion of all relevant areas adjoining Enniskerry Road.

Condition no. 22: The requirement to enter into an agreement with the Planning Authority which restricts all houses and duplex units permitted, to first occupation by individual purchasers.

5.0 Planning History

- **Subject site**

No planning history of relevance.

- **Lands to the North (Bishops Gate)**

Planning Authority Reg. Ref. D10A/0716; ABP Ref. PL06D.239662: Planning permission granted on 31st October 2012 for the demolition of the existing buildings and the construction of a residential scheme of 68 no. units (58 no. houses and 10 no. apartment units) at Enniskerry Road, Kiltiernan, County Dublin.

Planning Authority Reg. Ref. D18A/0083: Planning permission granted on 13th September 2018 for modifications to and enlargement of public open space permitted under Planning Authority Reg. Ref. D10A/0716 (Phase 1 of Bishops Gate residential development) and the development of Phase 2 of the residential development comprising 27 no. dwellings.

- **Lands to the South-East (Golden Ball Public House)**

Planning Authority Reg. Ref. D15A/0268; ABP Ref. PL06D.245117: Planning permission refused on 28th October 2015 for the partial demolition of the existing public house, ground and 1st floor extensions and change of use of 1st floor to office use and the construction of 44 no. residential units.

Planning permission was refused for 1 no. reason, on the basis that the proposed development was deficient in terms of the overall quality of urban design response to Enniskerry Road and the failure to create a coherent frontage onto this road.

Planning Authority Reg. Ref. D16A/0090; ABP Ref. PL06D.246537: Planning permission granted on 27th October 2016 for the partial demolition of a public house, an extension at ground and 1st floor levels and the change of use of the 1st floor to office use and the construction of 46 no. residential units.

Planning Authority Reg. Ref. D18A/1239; ABP Ref. 303984-19: Planning permission granted on 13th August 2019 for alterations to Planning Authority Reg. Ref. D16A/0090; ABP Ref. PL06D.246537 to replace 20 no. permitted dwelling units with 24 no. dwelling units and the provision of Block B which will provide for 4 no. 1-bedroom units and 4 no. duplex units.

This site adjoins the south-eastern boundary of the current application site.

- **Lands to the South (Sutton Fields)**

ABP Ref. 307043-20: Planning permission granted on 28th August 2020 for a strategic housing application of 116 residential units (85 no. houses and 31 no. apartments), a childcare facility and associated site works at Sutton Fields, Ballybetagh Road, Kiltiernan, Dublin 18.

This site adjoins the current application site to the south.

- **Lands on eastern side of Enniskerry Road**

Planning Authority Reg. Ref. D16A/0054; ABP Ref. PL06D.247097: Planning permission refused on 19th December 2016 for the demolition of 2 no. houses and the construction of a 139 no. unit residential development with all associated site works.

Planning permission was refused for 1 no. reason based on the deficiencies in the road network serving the area and the period within which the constraints involved may reasonably be expected to cease. I note that this decision pre-dates the consents which have been obtained in relation to the Glenamuck District Distributor Road and the Enniskerry Road/Glenamuck Road Junction Upgrade Scheme.

ABP Ref. 300731-18: Planning permission refused on 26th April 2018 for a strategic housing application of 141 no. residential units (98 no. houses and 43 no. apartments/duplexes) a crèche and the construction of a link access road between Enniskerry Road and Glenamuck Road.

- 5.1.1. Planning permission was refused for 4 no. reasons including: (1) the proposed development would not be developed to a sufficiently high density to provide for an acceptable efficiency in serviceable land usage and would not provide an appropriate mix of dwelling types, (2) the application material does not facilitate a comprehensive examination of the stormwater proposals for the proposed development, (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, and (4) the proposed development would seriously injure the residential amenities of the adjoining property to the north (Shaldon Lodge) by reason of overbearing and overlooking impacts.
- 5.1.2. **ABP Ref. 306160-19:** Planning permission granted on 6th April 2020 for a strategic housing application of 197 no. residential units (62 no. houses, 115 no. apartments and 20 no. duplex apartments) on a 4.52 ha site at Glenamuck, Kiltiernan, Dublin 18.
- 5.1.3. **ABP Ref. 303978-19:** Planning permission granted on 26th June 2019 for a strategic housing application of 30 no. houses and 173 no. apartments at Glenamuck Road South, Kiltiernan, Dublin 18.
- 5.1.4. **ABP Ref. 307506-20:** Planning permission refused on 20th October 2020 for a strategic housing application of 130 no. residential units (55 no. houses and 75 no. apartments) on a 3.32 ha site at Shaldon Grange (a Protected Structure), Kiltiernan, Dublin 18.
- 5.1.5. Planning permission was refused on the basis that the Board was satisfied it did not have jurisdiction to determine an application which was in Material Contravention of the Kiltiernan – Glenamuck Local Area Plan 2013 (2023) if the statutory

requirements relating to public notices and a Material Contravention Statement had not been complied with.

- **Lands on southern side of Glenamuck Road South**

Planning Authority Reg. Ref. D16A/0488; ABP Ref. PL06D.247300: Planning permission refused on 2nd February 2017 for a residential development of 49 dwellings and all associated site works.

Planning permission was refused for 1 no. reason based on the deficiencies in the road network serving the area and the period within which the constraints involved may reasonably be expected to cease. I note that this decision pre-dates the consents which have been obtained in relation to the Glenamuck District Distributor Road and the Enniskerry Road/Glenamuck Road Junction Upgrade Scheme.

- **Glenamuck District Distributor Road**

ABP Ref. HA06D.303945: Planning permission granted on 18th December 2019 for the Glenamuck District Distributor Roads Scheme which will connect the existing R117 Enniskerry Road with the Glenamuck Road and new link distributor road which will connect to the Ballycorus Road and the R117 Enniskerry Road (alternative north-south route).

- **Enniskerry Road/Glenamuck Road Junction Upgrade Scheme**

Planning Authority Ref. PC/IC/01/17: Part 8 upgrade scheme permitted in 2017.

6.0 **Section 5 Pre-Application Consultation**

A pre-application consultation (ABP 307254-20) took place via Microsoft teams on the 5th September 2020 and following consideration of the issues raised during the consultation process, and having regard to the opinion of the Planning Authority, An Bord Pleanála issued an opinion that the documentation submitted constituted a reasonable basis for an application for Strategic Housing Development to An Bord Pleanála.

The prospective applicant was advised that the following specific information should be submitted with any application for permission:

1. Notwithstanding that the proposal constitutes a reasonable basis for an application, the prospective applicant should satisfy themselves that the proposed delivery of residential units will not breach the phasing strategy set out for the area. To this end a rationale for the proposed quantum of development with regard to the provisions of the Kiltiernan Glenamuck Local Area Plan 2013 (as extended), along with detailed phasing proposals with regard to the provision of the permitted Part VIII works at the Glenamuck Road / Enniskerry Road junction shall be prepared within a report. The rationale is to have regard to the 13 phasing criteria set out in the LAP. The report shall include tables and a layout map to illustrate constructed, permitted and planned residential development in the plan area. An appropriate statement should be prepared in relation to section 8(1)(iv) of the Planning and Development (Housing) and Residential Tenancies Act 2016, that outlines consistency with the relevant development plan and that specifically addresses any matter that maybe considered to materially contravene the said plan, if applicable.
2. A detailed site layout plan that shows existing and permitted development adjacent to the site, future connections should be shown linking up with planned/existing facilities such as footpaths, open space or cycle tracks. A report should accompany the drawings and detail the feasibility of achieving connections and permeability.
3. Detailed design including cross sections that show the relationship and interface of the development with the Enniskerry Road and Bishops Gate development to the north. Details should include all improvements to the public realm and cross sections should be taken at regular intervals in order to illustrate the transition from the proposed development to the publicly accessible space such as footpaths and amenity space.
4. A Daylight/Sunlight analysis, showing an acceptable level of residential amenity for future occupiers and neighbours of the proposed development, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. Specific regard should be had to ground floor apartments at sensitive locations and existing adjacent

properties. Drawings that detail dual aspect ratios should be clearly laid out, colour coded and accompanied by a detailed design rationale report.

5. A travel plan or mobility management strategy that shall be sufficient to justify the amount of parking proposed for cars and bicycles.
6. Additional drainage details for the site having regard to the requirements of 'Drainage Planning' as indicated in their report and contained in Appendix B – Internal Reports, of the Planning Authority's Opinion. Any surface water management proposals should be consistent with any landscape masterplan proposals.
7. A site layout plan showing which, if any, areas are to be taken in charge by the Planning Authority, and a detailed public realm strategy that outlines the provision of durable and acceptable materials and finishes that comply with the technical requirements of the Planning Authority. The applicant shall clarify how the works in the public realm will be carried out and by whom.
8. A detailed Construction Traffic Management Plan.
9. Construction and Demolition Waste Management Plan.
10. A detailed schedule of accommodation which indicates consistency with relevant standards in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2018).
11. A life cycle report shall be submitted in accordance with Section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2018). Details may include information on the provision of shared residential amenity spaces and their management, maintenance of public open space as well as other communal elements of the development.

Applicant's Statement of Response to Opinion

The applicant's response to the requested information is summarised below.

Item No. 1: It is acknowledged that the number of proposed dwellings, together with live permissions, exceeds the programming and phasing outlined in the LAP prior to the implementation of the Glenamuck District Road Scheme. A Traffic and Transportation Assessment has been undertaken which concludes that the impact of the proposed development on the surrounding road network will be negligible, and

that there are no traffic or transportation reasons that should prevent the granting of planning permission in this instance. As such, it is submitted that the Board can proceed to materially contravene the Phasing and Sequencing objectives of the LAP.

Evidence of the scheme's compliance with the 13 no. phasing criteria of the LAP is also provided.

Item No. 2: A Site Layout Plan (Drawing no. 6237-003) has been prepared to show the surrounding context to the proposed development, including recently permitted developments. Proposed linkages to adjacent sites and possible future linkages are shown on this drawing. A letter of consent from the owner of the Golden Ball site to the south is provided regarding the provision of vehicular and pedestrian/cycle connections between the two sites. A Connections and Permeability Report is also provided which sets out the feasibility of achieving pedestrian, cyclist and vehicular connections to existing adjoining developments, as well as proposed developments in the local area.

Item No. 3: Enclosed drawing nos. 6237-014 – 019 show contextual elevations/sections through the proposed development and illustrate the interaction with adjacent sites. Drawing no. 102 (landscape sections) provides sectional details of the site boundary condition with the adjacent lands.

Item No. 4: A Daylight and Sunlight Assessment has been provided which assesses the impact of the proposed development on daylight and sunlight to neighbouring buildings and the quality of daylight and sunlight within the proposed development.

Item No. 5: A Mobility Management Plan has been provided which justifies the proposed quantum of parking for cars and bicycles.

Item No. 6: It is submitted that extensive consultation has been undertaken with the Drainage Department of Dún Laoghaire-Rathdown County Council prior to application lodgement, which has guided the extent of the drainage material provided. The requirements as listed in the Drainage Planning section of Appendix B of the Local Authority's Opinion have been addressed and enclosed with the application.

Item No. 7: A Taking-in-Charge Plan (Drawing No. 6237-004) has been provided. A Landscape Works and Maintenance Specification has been provided which outlines

the maintenance and specification for the landscaped areas. The infrastructure drawings illustrate how connections to foul, surface and water supply connections will be managed.

Item No. 8: A Traffic Management Plan has been provided which outlines how it is intended to deal with construction traffic for the duration of the works and estimated traffic flows to the site.

Item No. 9: A Construction and Demolition Waste Management Plan has been provided with the application.

Item No. 10: A Schedule of Accommodation and Housing Quality Assessment have been provided which outline the site statistics for the proposed development and demonstrate how the proposed apartment units are consistent with the 2020 Apartment Guidelines.

Item No. 11: A Building Lifecycle Report has been provided which demonstrates how the proposed apartment units will be managed and maintained over their lifetime.

7.0 Planning Policy

7.1. National Planning Framework (NPF): Ireland 2040

A number of key National Policy Objectives (NPOs) are noted as follows:

- **NPO 3(a):** Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.
- **NPO 3(b):** Deliver at least 50% of all new homes targeted in the five cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints.
- **NPO 11:** In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.

- **NPO 13:** In urban areas, planning and related standards, including, in particular, height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.
- **NPO 27:** 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.
- **NPO 33:** Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.
- **NPO 35:** Seeks to increase residential density in settlements, through a range of measures including restrictions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

7.2. Section 28 Ministerial Guidelines

- Urban Development and Building Heights Guidelines for Planning Authorities (2018)
- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020)
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (including the associated Urban Design Manual) (2009) and Circular Letter NRUP 02/2021
- Design Manual for Urban Roads and Streets (2019)
- The Planning System and Flood Risk Management (including the associated Technical Appendices) (2009)
- Childcare Facilities – Guidelines for Planning Authorities (2001)

7.3. Eastern & Midland Regional Assembly (EMRA) - Regional Spatial & Economic Strategy (RSES) 2019-2031

- Dún Laoghaire-Rathdown is located within the Dublin Metropolitan Area (DMA)
- Guiding principles of growth are the consolidation of housing delivery with 50% of housing supply within the built-up area of Dublin.
- Table 5.1: Strategic Development Areas and Corridors, Capacity Infrastructure and Phasing.
- Short/medium term: LUAS green line works for new and emerging Cherrywood and Sandyford communities.
- Long term: LUAS extension to Bray.
- Table 6.1- Dun Laoghaire Rathdown is level 2 for retail provision

A number of key Regional Policy Objective (RPOs) are noted as follows:

- **RPO 5.4:** Future development of strategic residential development areas within the Dublin Metropolitan Area shall provide for higher densities and qualitative standards as set out in the “Sustainable Residential Development in Urban Areas”, “Sustainable Urban Housing; Design Standards for New Apartments Guidelines”, and “Urban Development and Building Heights Guidelines for Planning Authorities”.
- **RPO 5.5:** Future residential development supporting the right housing and tenure mix within the Dublin Metropolitan Area shall follow a clear sequential approach, with a primary focus on the consolidation of Dublin and suburbs, and the development of Key Metropolitan Towns, as set out in the Metropolitan Area Strategic Plan (MASP) and in line with the overall Settlement Strategy for the RSES.

Section 5.4 outlines the Metropolitan Area Strategic Plan (MASP). Several strategic development corridors are identified including 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”.

7.4. Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020)

The key development standards for apartment units in the context of this application are summarised below:

- **Overall floor area:** 1-bedroom unit - 45 m²; 2-bedroom/4-person unit – 73 m²; 3-bedroom unit – 90 m². The majority of the units shall exceed the minimum floor area standards by 10%.
- **Unit Mix:** Max. 50% 1-bedroom units, with no requirement for 3-bedroom units.
- **Storage space:** 1-bedroom unit - 3 m²; 2-bedroom/4-person unit – 6 m²; 3-bedroom unit – 9 m². As a general rule, no individual storage room should exceed 3.5 m². Storage for bulky items should also be provided outside individual apartment units.
- **Dual Aspect Ratio:** Minimum 50% dual aspect units; where single aspect apartments are provided, the number of south facing units should be maximised, with east and west facing units also acceptable.
- **Floor to Ceiling Height:** Min. of 2.4 m required, but 2.7 m encouraged.
- **Lift and Stair Cores;** Max. of 12 apartments per floor per core.
- **Private amenity space:** 1-bedroom unit - 5 m²; 2-bedroom/4-person unit – 7 m²; 3-bedroom unit – 9 m². Gardens or patios/terraces shall be provided for ground floor units and balconies for upper levels. Balconies should have a minimum depth of 1.5m in one usable length and should adjoin and have a functional relationship with the main living areas.
- **Communal amenity space:** 1-bedroom unit - 5 m²; 2-bedroom/4-person unit – 7 m²; 3-bedroom unit – 9 m².
- The recreational needs of children must be considered as part of communal amenity space. Small play spaces (85 – 100 m²) catering for children up to the age of 6 to be provided in a scheme with 25 or more units of 2 or more bedrooms.
- Private and communal amenity space may adjoin each other, but there should be a clear distinction, with an appropriate boundary treatment and/or a 'privacy

strip' between the two. Designers must ensure that the heights and orientation of adjoining blocks permit adequate levels of sunlight to reach communal amenity space throughout the year.

- **Public open space:** No requirement identified under the Guidelines.
- **Bicycle parking:** 1 cycle storage space per bedroom, with visitor parking required at a rate of 1 space per residential unit.

Car parking: As a benchmark guideline for apartments in relatively peripheral or less accessible urban locations, one car parking space per unit, together with an element of visitor parking, such as one space for every 3-4 apartments, should generally be required.

While noting the recommended threshold of 1 no. 20 space **childcare facility** per 75 dwelling units as provided under the Childcare Facilities Guidelines for Planning Authorities (2001), the 2020 Guidelines confirm that the threshold for any such facilities in apartment schemes should be established having regard to the scale and unit mix of the proposed development, the existing geographical distribution of childcare facilities and the emerging demographic profile of the area. One-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms.

Provision shall be made for the **storage and collection of waste** materials in apartment schemes. Refuse facilities shall be accessible to each apartment stair/ lift core and designed for the projected level of waste generation and types and quantities of receptacles required.

7.5. Quality Housing for Sustainable Communities Best Practice Guidelines for Delivering Homes Sustaining Communities (2007)

These Guidelines set out target gross floor areas for a range of different dwelling types. Those which are relevant to this case are identified below.

House Type Bedroom (B) Person (P) Storeys (S)	Target GFA (m ²)	Min. main living room (m ²)	Aggregate living area (m ²)	Aggregate bedroom area (m ²)	Storage (m ²)
3-B/5-P/2-S	92	13	34	32	5
4-B/7-P/2-S	110	15	40	43	6

No target gross floor area is identified for 4-bedroom/6-person dwellings.

The Guidelines also recommend the following:

- A main bedroom area of at least 13 m² in dwelling for 3+ persons;
- Double bedroom of at least 11.4 m² (min. width 2.8 m)
- A single bedroom of at least 7.1 m² (min. width 2.1 m);
- Min. obstructed living room width of 3.6 m for 2-bedroom dwellings and 3.8 for 3-bedroom dwellings.

7.6. Dún Laoghaire-Rathdown County Development Plan 2016-2022

- **Settlement Hierarchy**

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 located within the Metropolitan Area of the 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.

- **Land Use Zoning**

The site is subject to land use zoning “A” which has the objective “to protect and/or improve residential amenity”. Residential development is permitted in principle under this zoning objective, while childcare services are open for consideration.

The site is also subject to Specific Local Objective 40 which states that it is an objective of the Council to implement and develop the Kiltiernan/Glenamuck area in accordance with the adopted Local Area Plan.

- **Residential Development**

Policy RES3: It is Council policy to promote higher residential densities provided that proposals ensure a balance between the reasonable protection of existing residential amenities and the established character of areas, with the need to provide for sustainable residential development.

Policy RES7: It is Council policy to encourage the establishment of sustainable residential communities by ensuring that a wide variety of housing and apartment types, sizes and tenures is provided within the County in accordance with the provisions of the Interim Housing Strategy.

- **Landscape**

The landscape of the County is discussed in Section 4.1.2 of the development plan, wherein it is noted that the extensive south-western rural part of the County focuses primarily around the foothills of the Dublin Mountains and the higher plateau areas around Carrickgollogan, Ballycorus, Kiltiernan and Ballyman. The issues relating to the rural foothill areas of the County relate primarily to balancing the need for broad social and economic development with protecting the area against pressure for inappropriate development generated by its relatively close proximity to Metropolitan Dublin.

Landscape Character Areas (LCA) are identified in Appendix 7 of the plan, with the subject site being located in LCA No. 5 – Kiltiernan Plain. The strategy for this area is to provide a substantial open space buffer zone between Kiltiernan and Stepside to prevent the coalescence of these settlements, to protect existing hedgerows and to have regard to the Historic Landscape Character Assessment for Kiltiernan.

- **Transport**

Policy ST25: It is Council policy, in conjunction and co-operation with other transport bodies and authorities such as the TII and the NTA, to secure improvements to the County road network – including improved pedestrian and cycle facilities.

Table 2.2.5 of the plan confirms that the Glenamuck District Distributor Road and the Glenamuck Link Distributor Road (including Ballycorus Link) are 6-year road objectives of the Plan.

Map T2 of the plan confirms that a Bus Priority Route is proposed along Glenamuck Road, extending southwards from the junction with the Enniskerry Road.

- **Urban Design**

Policy UD1: It is Council policy to ensure that all development is of high-quality design that assists in promoting a ‘sense of place’. The Council will promote the guidance principles set out in the ‘Urban Design Manual – A Best Practice Guide’ (2009), and in the ‘Design Manual for Urban Roads and Streets’ (2013) and will seek to ensure that development proposals are cognisant of the need for proper consideration of context, connectivity, inclusivity, variety, efficiency, distinctiveness, layout, public realm, adaptability, privacy and amenity, parking, wayfinding and detailed design.

Policy UD6: It is Council policy to adhere to the recommendations and guidance set out within the Building Height Strategy for the County. Recommended heights in Kiltiernan range from 2/3 storeys, with 4 storey elements adjacent to major road alignments.

- **Development Management**

Private Open Space: All houses shall provide an area of private open space behind the building line, with 3-bedroom houses to have a minimum of 60 m² and 4-bedroom houses to have a minimum of 75 m². A minimum rear garden depth of 11 m shall

normally apply. Where sufficient alternative open space is provided, this may be reduced to 7 m for single-storey houses. In an exceptionally well-designed scheme providing an otherwise very high quality living environment and that is in close proximity to existing public open spaces, the above standards may be relaxed.

Public / Communal Amenity Space: A requirement of 15 m² - 20 m² of open space per person shall apply based on the number of residential/housing units. Open space requirements shall be based on a presumed occupancy rate of 3.5 persons in the case of dwellings with 3+ bedrooms and 1.5 persons in the case of dwellings with two or fewer bedrooms. The Planning Authority shall require an absolute default minimum of 10% of the overall site area for all residential developments to be reserved for use as Public Open and/or Communal Space irrespective of these occupancy parameters. SuDS shall not normally be included in the calculation of open space provision. The use of bioswales in roadside verges and open spaces will be encouraged.

The open space should be well overlooked and located to complement the layout of the development, and should be visible from, and accessible to, the maximum number of dwellings. Inaccessible, hidden or otherwise backland open space, and narrow linear strips of open space will not be acceptable.

The layout of open space and its associated facilities/ infrastructure should be designed to meet a range of user needs, including both active and passive recreation. Opportunities for play spaces should be included.

Car Parking: 2 spaces per 3-bed residential unit + (depending on design and location); childcare services 1 space per 1 staff member (including set down). For residential and non-residential car parking, 4% of spaces shall be universal access spaces. 1 no. car parking space per 10 residential units shall be equipped with an Electrical Vehicle Charging Point.

Motorcycle Parking: Required at a min. of 4 spaces per 100 car parking spaces.

Cycle Parking: Apartments/ Houses (3+ bedrooms) – 1 long-stay space per unit; 1 short-stay space per 5 units. Childcare Services – 1 short-stay space per 10 children and 1 long term space per 5 staff.

7.7. Kiltiernan / Glenamuck LAP 2013 (as extended to 2023)

The overall strategy for the LAP lands reflects that of the County Development Plan, based on the roads improvement objectives for the Glenamuck District Distributor Road (GDDR) and Glenamuck Local Distributor Road (GLDR) to bypass Kiltiernan village, facilitating the development of the village centre and a new civic node. The LAP also provides for some upgrading of the existing Glenamuck Road to provide pedestrian and cycle facilities and the upgrading of the Enniskerry Road to a traffic calmed street.

- **Phasing**

The LAP states that the Local Authority's Transportation Department considers that up to 700 no. dwelling units can be accommodated on an existing upgraded road network in advance of the GDDR scheme as Phase 1 development. The site is within Phase 1 (b) (c) of the phasing scheme (concentrated at village core/along Enniskerry Road) where c. 350 dwelling units can be considered prior to the GDDR scheme.

Section 10.6 of the LAP sets out 13 criteria which are recommended to be used in the assessment of planning applications for development in Phase 1. These criteria can be summarised as follows:

1. Conformity with the LAP and which promote and facilitate the achievement of its vision and objectives.
2. High level of architectural quality and urban design.
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 Masterplan for individual and affiliated land holdings.
7. Compatibility with later phases of development.
8. Facilitate the orderly development of adjoining property/land holdings.

9. Proximity to Luas Line B1 and within the catchment area for the Section 49 Supplementary Development Contribution Scheme for same.
10. Availability of environmental services, specifically the capacity of the Shanganagh Wastewater Treatment Works.
11. Incorporation of SUDS measures.
12. Likelihood of early construction.
13. Provision of an appropriate level of active and passive open space and community facilities. The Council will have regard to the capacity of local schools to accommodate development.

The Council's Transportation Department subsequently revised the total number of units permissible in Phase 1 to 1050 units on foot of the approval of the Enniskerry Road / Glenamuck Road Part 8 junction improvement scheme.

Planning Guidelines for Land Parcel No. 12

The development site is located within LAP land parcels 12 and 13a. The following planning guidelines for land parcel 12 are noted:

- Density range of 35-40 u/ha.
- Lower density residential with detached houses, terraces, duplexes, courtyard type housing.
- On lands to the west of Enniskerry Road, heights of 2-3 storeys shall be encouraged with the 3-storey element to be focused along the interface with Enniskerry Road and at other appropriate locations throughout the area.
- Granite features to be included in any proposed residential estate development.
- Access to be off the proposed loop road. Additional access points directly off Enniskerry Road to access individual properties to be curtailed. Traffic management measures, including a possible cul-de-sac, will be introduced to the indicative loop road through Parcels 12 and 13a to actively discourage potential 'rat-running' to and from Ballybetagh Road and Enniskerry Road in the village centre.
- Other objectives relate to public realm improvements along the Enniskerry Road.

Planning Guidelines for Land Parcel No. 13 (a)

The planning guidelines for the development of land parcel 13 (a) to the east of the site (zoned for neighbourhood centre purposes under the LAP) are as follows:

- Neighbourhood Centre (NC) uses (mixture of retail, commercial and residential) and community services uses acceptable.
- Services that would encourage stopping on Enniskerry Road, with no parking of vehicles on the road.
- A density higher than 35-40 u/ha may be acceptable for residential development on the NC zoned site.
- On lands to west of Enniskerry Road, heights of 2-3 storeys shall be encouraged with the 3-storey element focused along the interface with Enniskerry Road and at other appropriate locations throughout the area.
- Building materials to incorporate an element of granite.
- Design of respective individual developments to comprise the NC to complement each other.
- Site should take advantage of the location with regard to orientation and views of the Dublin Mountains. Development could be clustered around a protected courtyard area/small civic space with views encouraged to the south-west.
- There is a need to create a distinctive pedestrian entrance to the NC developments irrespective of whether they are developed individually or not.
- No vehicular access to be permitted off Enniskerry Road. Access to site off proposed loop road to serve land parcels on the western side of Enniskerry Road, namely Parcels 12 and 13.
- Traffic management measures, including a possible cul-de-sac, will be introduced to the indicative loop road through Parcels 12 and 13a to actively discourage potential 'rat-running' to and from Ballybetagh Road and Enniskerry Road in the village centre.
- Importance of creating a safe access point across Enniskerry Road linking the NC to the immediate open space on the opposite side of the road and then

further to the pedestrian linkages which access the development lands to the north-east.

- While advocating traffic calming measures along the full length of Enniskerry Road (between Church of Ireland site to the north and Ballycorus Road to the south), additional road treatment is required along the stretch of road adjacent to the NC particularly given that it is located on the western side of Enniskerry.

7.8. Designated Sites

The following designated sites are proximate to the application site:

- (1) Knocksink Wood SAC (site code: 000725) is located c. 3 km south,
- (2) Ballyman Glen SAC (site code: 000713) located c. 4 km to the south-east,
- (3) Wicklow Mountains SAC (site code: 002122) located c. 4.4 km to the south-west,
- (4) South Dublin Bay SAC (site code: 000210) located c. 6.9 km to the north,
- (5) Rockabill to Dalkey Island SAC (site code: 003000) located c. 7.3 km to the east,
- (6) Bray Head SAC (site code: 000714) located c. 8.7 km to the south-east,
- (7) Glenasmole Valley SAC (site code: 001209) located c. 10.2 km to the west,
- (8) Glen of the Downs SAC (site code: 000719) located c. 11.8 km to the south,
- (9) Wicklow Mountains SPA (site code: 004040) located c. 4.4 km to the south-west,
- (10) Dalkey Islands SPA (site code: 004172) located c. 8.1 km to the north-east,

7.9. Applicants Statement of Consistency

The applicant has submitted a Statement of Consistency which indicates how the proposed development is consistent with the policies and objectives of Section 28 Guidelines and the County Development Plan and LAP. The following points are noted:

- The proposed development is consistent with the NPF promotion of delivering sustainable housing at appropriate densities, on well-connected, zoned suburban sites.
- The proposed development makes provision for the necessary social and physical infrastructure required to support the residential development, while

new pedestrian, cycle and road infrastructure which is being provided by the Planning Authority will enhance connectivity to facilities in the surrounding area.

- The proposed development is representative of sustainable development, which will contribute to the RSES compact growth targets of at least 40% of all new homes to be within the existing built-up area of settlements.
- The proposed development is consistent with the Sustainable Residential Development in Urban Areas: Guidelines for Planning Authorities (2009) by the facilitating the sustainable, sequential extension of the settlement of Kiltiernan.
- The proposed development complies with the 12 design criteria contained in the Urban Design Manual – A Best Practice Guide (2009).
- The proposed apartments meet the requirements of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2020) with respect to apartment unit mix, size, dimensions, dual aspect ratio, floor to ceiling height, units per core, storage space, private and communal amenity open space, bicycle and car parking.
- All houses in the proposed development are significantly in excess of the minimum floor area requirements set out in the Quality Housing for Sustainable Communities Guidelines (2007).
- The proposed development is compliant with the recommendations of the Building Height Guidelines for edge of city/town locations and with SPPR 4 in respect of appropriate density, mix of units for this location and the established surrounding character of the area.
- Based on the provisions of the Childcare Facilities Guidelines for Planning Authorities (2001), the proposed development would generate a demand for 54 no. childcare spaces. The proposed crèche facility will accommodate space for 50 – 60 children, and as such, is consistent with the guideline requirements.
- A Flood Risk Assessment has been prepared in accordance with the Flood Risk Management Guidelines (2009) and the Dún Laoghaire-Rathdown

County Development Plan 2016-2022. This assessment concludes that there is no potential flood risk identified in the vicinity of the subject site.

- The proposed residential scheme is consistent with the principles and guidance outlined in the DMURS (2019). The integrated design approach seeks to foster a sustainable community connected by well-designed streets which deliver safe, convenient and attractive networks.
- The proposed development is consistent with the Core Strategy of the Dún Laoghaire-Rathdown County Development Plan 2016-2022 and with the 'A' zoning objective for the site.
- The proposed development density (41 units/ha) is in accordance with policy RES3 of the development plan, which promotes higher densities whilst balancing the need to protect existing residential amenities and the established character of an area, and the need to provide sustainable residential development. The proposed development density is also consistent with the requirements of the Kiltiernan/Glenamuck LAP 2013 (as extended to 2023).
- The proposed building height complies with the development plan Building Height Strategy and the Kiltiernan/Glenamuck LAP 2013 (as extended to 2023).
- The public open space provision complies with the "Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities" (2009) and the "Urban Design Manual – A Best Practice Guide".
- It is proposed to provide more than 10% social housing on the site (27 no.) to meet the Part V obligations arising.
- A mix of housing and apartment units in a mix of tenures is proposed, ranging from 1 to 4-bedroom units, which accords with policy RES7 of the development plan.
- The proposed linkages and potential future connections allowed through the site are consistent with those indicated in the LAP.
- The proposed development largely complies with the 13 no. criteria which are contained in the LAP and will be used in assessing planning applications for

development in Phase 1. It is acknowledged that the proposed development does not comply with the phasing and development density criteria and in relation to which a Material Contravention Statement is provided. It is also acknowledged that the site is outside the 1km catchment for Luas Line B1.

7.10. Applicant's Statement of Material Contravention

A Statement of Material Contravention is submitted in relation to the Kiltiernan Glenamuck Local Area Plan 2013 (extended to 2023) in relation to:

- Programming and Phasing
- Residential Density.

Programming and Phasing

In relation to programming and phasing the statement notes the following:

- The site is located within development parcels 12 and 13A of the LAP.
- The site is located within Phase C as indicated on the LAP Phasing Map.
- Section 10.6 of the LAP outlines the provision for the development of up to 700 no. housing units on an upgraded road network in advance of construction of the Glenamuck District Distributor Road Scheme (GDDRS).
- This is defined as Phase 1 of the LAP, and is split into 3 no. separate areas, with the subject site being located in the area described as "Concentrated at village core/along Enniskerry Road" (Zone C), with an allocation of c. 350 dwellings.
- Permission has been granted for 326 dwellings within Zone C to date and the proposal will add another 203 units. Only 129 permitted dwellings have been commenced at this time.
- The commenced units and the proposed development would amount to less than the 350 units allocated in Zone C.
- It is acknowledged the Board have approved 116 units on other lands in Zone C at Sutton Fields.
- Since the publication of the LAP, a Part 8 application for Enniskerry Road/ Glenamuck Road Junction Upgrade Scheme (Ref. PC/IC/01/17) has been

permitted and allowed for an additional 50% of units (up to a total of 1,050 no. units) in the LAP area.

- A Part 10 application for the GDDRS has also since been permitted by An Bord Pleanála in December 2019 (Ref. PL06D.303945 and PL06D.304174). No timeline for these works has been established.
- A breakdown of all extant permissions is detailed.
- In any event, the number of dwellings being proposed, taken together with live permissions, exceeds the programming and phasing outlined in the LAP prior to the implementation of the GDDRS.
- The TTA which accompanies the application assesses the impact of the proposal on the local road network.
- A variety of scenarios for the traffic impacts arising from the proposed development and the c. 847 permitted dwellings have been included in the TTA, with sensitivity tests undertaken in the absence of the upgrade to the Enniskerry Road/ Glenamuck Road junction and the completion of the GDDR / GLDR scheme.
- It is concluded that there is no traffic or transportation reasons that should prevent the granting of planning permission in this instance.
- The proposed development can achieve compliance with the 13 criteria of the LAP and therefore should take precedence for development.

Residential Density

- The LAP allows for maximum densities of 35-40 units per hectare in the western (Land Parcel 12) portion of the site, while higher densities are allowed on the eastern portion of the site (Land Parcel 13A) where a NC zoning applies.
- The County Development Plan no longer zones these lands for NC uses and takes precedence over the LAP in this regard.
- Policy RES 3 of the development plan promotes higher densities at certain locations.

- Section 8.3.2 of the development plan acknowledges that there should be appropriate densities for different transition zones.
- While there are 3 no. bus services to the site which will be improved and expanded as part of the NTA's Bus Connects project, it is considered that a density of 41 units/ha is appropriate for the application site and is consistent with the development plan and LAP.
- Whilst it is not considered that the proposed development represents a material contravention of the LAP in terms of density, it has been included in the Material Contravention Statement for the consideration of the Board.

Justification for Material Contravention

- In relation to S.37 (2)(b)(i), the proposal is considered of strategic importance in meeting the housing shortage in the Dublin Metropolitan Area, and as such, is consistent with Objective 3A of the NPF which seeks to deliver 40% of all new homes nationally, within the built-up footprint of existing settlements.
- In relation to S.37 (2)(b)(iv), the proposal is consistent with the existing or emerging pattern of development in the area. The proposed development is largely in accordance with the density and heights of nearby completed/under construction/permitted development, and would complete a gap in the built form between the Golden Ball and Bishops Gate developments.

8.0 Third Party Submissions

A total of 5 no. submissions were received in relation to the proposed development. The submissions have been received from residents within the Bishops Gate residential estate (Nos. 37, 39, 40, 41, 42) who are mainly concerned with the impact of additional traffic arising on foot of the proposed development. The issues raised are similar in nature, therefore I have summarised into common themes below.

New Access Road

- Previous plans for the subject site indicated 2 no. vehicular access points opposite the existing green space in the Bishops Gate development and further to the west opposite the gable of No. 43 Bishops Gate.

- The previous access arrangements have a number of advantages over that currently proposed, including: more permeability between Bishops Gate and the subject development and the elimination of a potentially unsafe junction opposite the driveways of Nos. 40-42 Bishops Gate.
- There is a blind bend and footpath at No. 43 Bishops Gate and observing pedestrians, cyclists and oncoming traffic from the new access road and existing road would be difficult.
- There is a blind bend to the left of the new proposed road layout, with no views of traffic travelling along the existing road around house nos. 43 – 47 Bishops Gate.
- Light pollution and privacy concerns arising from oncoming traffic facing directly to the front of house Nos. 40 – 42 Bishops Gate.
- The new access road would increase the number of vehicles travelling between house Nos. 21 – 42 Bishops Gate. An entrance opposite the green area to the front of Bishops Gate would be more suitable and safe, with high volumes of children noted to play on the road.
- Increased vehicle movements between Nos. 21-43 Bishops Gate could impact negatively on pedestrian safety as Bishops Gate visitor parking currently uses the south side of the main access road.
- Double yellow lines should be placed outside the existing apartments at Bishops Gate from the entrance of the estate to the first junction. The exit onto Enniskerry Road is already dangerous and contributed to by cars parked at the entrance, with the additional traffic creating a highly dangerous junction.
- Concerns regarding right of way access between Nos. 40 – 42 Bishops Gate and the adjoining lands, particularly during morning and evening rush hour traffic.
- The volume of visitor parking has dramatically decreased during Covid and is not a true reflection of the usual situation.
- The entrance could be easily designed through the existing builder's yard in the west corner of the Bishops Gate Development.

Environmental Impact

- The existing swale will be covered by 10m of road and pathways. Further covering the swale would reduce the local flora and fauna.
- No Construction Management Plan has been submitted with the application. A condition should be included to prevent construction traffic using the Bishopsgate access road, with access provided directly from Enniskerry Road.

9.0 Prescribed Bodies

Irish Water (IW): No objection to the proposed development subject to conditions requiring connection agreements and compliance with IW codes and practices.

Transport Infrastructure Ireland (TII): No observations to make on the application.

10.0 Assessment

Having examined the application details and all other documentation on file, including the Chief Executive's Report from the Planning Authority and the submissions received in relation to the application, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the main issues in this application are as follows:

- Principle of the Development
- Quantum / Phasing of Development
- Masterplanning
- Development Density
- Building Heights
- Development Design, Form and Layout
- Visual Impact
- Standard of Accommodation
- Access to Daylight and Sunlight

- Open Space, Landscaping and Boundary Treatments
- Access, Pedestrian / Cycle Facilities and Parking
- Site Services, Surface Water and Flooding
- Biodiversity
- Archaeology
- Construction Impacts
- Part V
- Material Contravention
- Planning Authority's Refusal Recommendation
- Environmental Impact Assessment Screening
- Appropriate Assessment Screening

Each of these issues is addressed in turn below.

10.1. Principle of the Development

Having regard to the nature and scale of the proposed development, comprising a 203 no. unit residential development and a crèche facility of 380 m², I am satisfied that the proposed development falls within the definition of Strategic Housing Development, as set out in Section 3 of the Planning and Development (Housing) and Residential Tenancies Act, 2016.

The site is subject to land use zoning "A" under the provisions of the Dún Laoghaire-Rathdown County Development Plan 2016-2022, which has the objective "to protect and/or improve residential amenity". Residential land uses are permitted in principle under this zoning objective, while childcare services are open for consideration.

The site is subject to 2 no. land use zonings under the Kiltiernan/Glenamuck LAP 2013 (as extended), with the eastern portion of the site zoned for "neighbourhood centre" uses, while the remainder of the site is zoned as "lower density residential". A mixture of retail, residential and commercial uses are permissible on NC zoned lands. I note that the zoning provisions of the more recently adopted County Development Plan take precedence over those of the LAP in this instance, as provided for under Part II, Section 18(4)(b) of the Planning and Development Act,

2000 (as amended). Notwithstanding the foregoing, I note that the principle of the proposed development is acceptable under both plans.

As such, I am satisfied that the proposed development would be acceptable in principle on the site, subject to its compliance with all other relevant planning policies and development management standards.

10.2. **Quantum / Phasing of Development**

Chapter 10 of the LAP states that future development within the LAP boundary is heavily dependent on the construction of the GDDR scheme and some upgrading of existing roads. Section 10.6 of the plan outlines provision for the development of up to 700 no. housing units in advance of the construction of the GDDR scheme, with the subject site being located within “Phase C – Concentrated at Village Core / Along Enniskerry Road” with an allocation of c. 350 dwelling units (Phase 1b).

The Chief Executive’s Report clarifies that the overall figure of 700 dwelling units for Phase 1 was previously revised upwards to 1,050 units based on the Part 8 consent to upgrade the junction between the Enniskerry Road and Glenamuck Road (Planning Authority Ref. PC/IC/01/17). It is stated that this work has since been postponed and is intended to be implemented in tandem with the overall road scheme comprising the GDDR and GLDR improvement works. It is confirmed that no timeframe has been established for these works, and as such, the 350-unit uplift no longer applies, with 700 no. units being the relevant development cap across the 3 phasing areas of the LAP lands.

Section 10.2.5 of the applicant’s Statement of Consistency states that planning permission has been obtained for 326 no. units within Phase C to date, with the proposed development adding a further 203 no. units. However, it is submitted that only 129 no. of the permitted dwellings have been commenced, which combined with the proposed development of 203 no. units, would result in less than 350 no. units within this phase. My on-site observations confirmed that all of the permitted developments at this location have not yet been implemented.

The Chief Executive’s Report notes that c. 275 no units have been permitted in Phase 1(b)(C), and that the proposed development would result in the 350-unit cap in this phase being exceeded by c. 37%. It is also noted that permissions across the entire LAP area stand at c. 832 units. The sequencing of development pending the

upgrading of the road infrastructure in the vicinity of the site is considered the appropriate approach to development in the LAP area. Pending such upgrades, the proposed development is deemed to be premature by the Planning Authority and a refusal of planning permission is recommended. The Planning Authority also considers that the attachment of a “prior to commencement or prior to occupation” condition to a grant of planning permission may be precluded, given that the delivery of these infrastructural upgrades is outside of the applicant’s control.

The applicant acknowledges that the proposed development, together with live permissions, exceeds the programming and phasing of the LAP prior to the implementation of the GDDR. It is submitted that an issue arises in relation to a material contravention of this element of the LAP only. This matter is considered further in section 10.17 of this report.

The applicant’s Traffic and Transport Assessment (TTA) assesses the impact of the proposed development on the local road network based on an opening year of 2020 and future design years of 2027 and 2037. The TTA assumes that Phases 1 and 2 of the development (125 no. units) will be completed by the end of 2022, with the entire development completed by 2027. The analysis assumes that all the developments permitted to date are in place, with annual growth factors applied to existing baseline traffic flow for 2027 and 2037. Junction analysis was undertaken for the Glenamuck Road / Enniskerry Road signal-controlled junction and the Enniskerry Road/Bishops Gate priority-controlled junction.

The results of the junction analysis indicate that in all future design year scenarios, both junctions are predicted to operate with significant reserve capacity, and with the introduction of the proposed development traffic, only a negligible impact on junction performance is predicted. The operational performance of the Glenamuck Road / Enniskerry Road junction is predicted to improve significantly in the future design year scenarios, compared with the opening year. This improvement arises on foot of (i) the proposed junction enhancements which are assumed to be in place by the adopted 2027 design year but not in the 2022 opening year, and (ii) the predicted redistribution of base traffic following the introduction of the GDDR/GLDR schemes which are assumed to be in place by the adopted 2027 design year but not in the 2022 opening year.

The TTA also applied 2 no. sensitivity tests to verify the findings of the initial assessments. Sensitivity test no. 1 re-ran the 2027 assessment on the basis that the proposed upgrade to the Enniskerry Road / Glenamuck Road Junction and the GDDR scheme were not operational. Sensitivity test no. 2 re-ran the 2037 assessment on the basis that the proposed upgrade to the Enniskerry Road / Glenamuck Road Junction is operational, but that the GDDR scheme is not.

The results of these tests indicate that the Enniskerry Road/Bishops Gate junction will continue to operate well within capacity during both the AM and PM peak hour periods, even in the absence of the GDDR/GLDR road scheme in both the adopted 2027 and 2037 sensitivity analysis scenarios.

The Enniskerry Road/Glenamuck Road junction was found to operate within satisfactory levels during the AM and PM peak periods in the future year 2027 without either the emerging GDDR/GLDR scheme or the Enniskerry Road/Glenamuck Road junction enhancements. In the 2037 design year, this junction will approach, but not exceed capacity, and will operate no worse than a typical urban signalised junction. The assessment concludes that the proposal represents a sustainable, timely and practical approach to development on the subject lands and that there are no traffic or transportation related reasons which would prevent the granting of planning permission in this instance.

In considering the issue at hand, I acknowledge that the proposed development combined with the number of units which are already permitted within the LAP boundary, would exceed the 700-unit cap. However, as identified by the applicant, I note that all permissions which have been granted in the area to date have not been implemented. I also note that An Bord Pleanála granted planning permission for the Glenamuck District Distributor Road and Glenamuck Link Distributor Road in December 2019, while the proposed Enniskerry Road/Glenamuck Road junction upgrade Part 8 scheme was approved in 2017. While the Planning Authority submits that a timeline for the construction of these works has not been identified, in my opinion, it would be unreasonable to refuse planning permission for the proposed development based on the deficiencies in the local road network, given that the necessary consents to upgrade same have now been obtained. Furthermore, I note the findings of the applicant's TTA, including the 2 no. sensitivity tests, which

concludes that the proposed development would not have a significant impact on the local road network.

As such, I am satisfied that it would be unreasonable to refuse planning permission based on the traffic impact of the proposed development. In the event the Board disagrees with my assessment, they may wish to consider restricting the development to Phases 1 and 2 only (Drawing No. 6237-007 Rev. PL1 refers), pending the completion of these infrastructural upgrade works. While I do not consider that such an approach is warranted in this instance, I note that this matter could be addressed by planning condition if deemed appropriate by the Board.

10.3. **Masterplanning**

The LAP sets out 13 criteria to be used in the assessment of planning applications for development in Phase 1. While the Chief Executive's report states that these criteria are only relevant to the assessment of developments below the 700 no. unit threshold, I consider they remain relevant in the context of this application given that all permitted developments within the LAP boundary have not been implemented to date. In my opinion, the proposed development is generally in compliance with these criteria having regard to the supporting information provided in the applicant's Statement of Consistency.

In my opinion, criteria 5, 6, 7 and 8 are worthy of further consideration. Criteria no. 5 states that development should facilitate the consolidation of Kiltiernan village. Criteria no. 6 requires development to be planned within the context of an overall outline Masterplan for individual and affiliated land holdings, while criteria no. 7 relates to compatibility with later phases of development. Criteria no. 8 requires that the orderly development of adjoining property/landholdings should be facilitated.

In my opinion, the Site Layout Plan (Drawing No. 6237-003 Rev. PL1) which accompanies the application demonstrates how the proposed development meets these criteria. The proposed development will complete a gap in the built form on the western side of the Enniskerry Road extending between the permitted/ongoing development on the adjoining Golden Ball site to the south-east and the existing Bishops Gate development to the north-west. This gap contributes to a fragmented streetscape within the village, and in my opinion, the proposed development will make a positive contribution to strengthening the built form at this location.

The proposed development also provides for a vehicular/pedestrian/cycle link into the Golden Ball site in the south-eastern corner of the site, with a further pedestrian/cycle link proposed to this site to the rear of apartment Block 1. Provision has also been made for a future vehicular link into the permitted Sutton Fields development to the south of the site, with 2 no. potential future vehicular links facilitated to the adjoining agriculturally zoned lands to the west which are within the applicant's control. A pedestrian/cyclist access is also proposed onto the Enniskerry Road between apartment blocks 1 and 2 and at the north-western site boundary from the Bishops Gate access road. A pedestrian link is also facilitated from this road further along the north-western site boundary.

As such, I consider that adequate provision has been made to ensure that the proposed development will successfully integrate with the existing and planned developments, and in my opinion, comprises a sustainable addition to the recent housing developments at this location.

10.4. **Development Density**

Kiltiernan is identified as a "Future Development Area" in the Core Strategy of the Dún Laoghaire-Rathdown County Development Plan 2016-2022. Section 12.5.1 of the plan confirms that the primary growth nodes from which a significant portion of the supply of residential units will derive up to 2022, and potentially beyond, includes the lands within the Kiltiernan-Glenamuck LAP.

The "Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas" (2009) identify locations in cities and larger towns where increased residential densities are considered appropriate, including "Outer Suburban/Greenfield Sites" and "Public Transport Corridors". I consider that the subject site falls within both of these categories, given its greenfield nature and its proximity to a Proposed Quality Bus/Bus Priority Route along Enniskerry Road and Glenamuck Road South, less than 500 m to the south-east. The Guidelines state that densities of 35-50 dwellings per hectare are appropriate for Outer Suburban/Greenfield sites, while minimum net densities of 50 dwellings per hectare should be applied within Public Transport Corridors.

The LAP contains further guidance on density with respect to the subject site, with a range of 35-40 units per ha specified for land parcel 12 on the western side of the

site. Densities higher than this may be considered for residential development on land parcel 13 (a) on the eastern side of the site.

Circular Letter NRUP 02/2021 was published on 21st April 2021 and is intended to clarify the application of the Sustainable Residential Development Guidelines to ensure that in carrying out their planning functions, An Bord Pleanála and Planning Authorities apply a graduated and responsive, tailored approach to the assessment of residential densities to ensure development occurs in a sustainable and proportionate manner.

In considering the foregoing, I note that the proposed development has a net density of 40.9 units/ha. Appendix A of the 2009 Guidelines states that a net site density includes only those areas which will be developed for housing and directly associated uses. I am satisfied that the site area which has been used to calculate the net residential density as illustrated on Drawing No. 6237-005 Rev. PL1 is in accordance with this guidance.

In my opinion, the proposed residential density would be appropriate on the subject site having regard to its existing greenfield nature and the character of the existing residential developments on the adjoining Bishops Gate and Golden Ball sites. I further consider that the proposed residential density represents an appropriate balance to deliver sustainable residential densities on zoned, urban land whilst respecting the established character of the area as required under Policy RES 3 of the County Development Plan. I note that the proposed development density is also supported by the Planning Authority.

In reaching the above conclusion, I acknowledge the refusal of permission which the Board issued in relation to a strategic housing application (ABP Ref. 300731-18) of 141 no. residential units and a crèche on the eastern side of Enniskerry Road, for reasons which included insufficient development density. However, I further note that the LAP identifies a higher density range of 40-45 units on this site, which is located directly beside the proposed priority bus route along Glenamuck Road South. As such, I am satisfied that this refusal of permission does not set a precedent with respect to the proposed development density in this case, where a lower density range applies to the subject site, and which is more distant from the proposed priority bus route.

10.5. **Building Heights**

The LAP recommends that building heights of 2-3 storeys be provided in Kiltiernan, with 4 storey elements adjacent to major road alignments. This guidance is reiterated in the Building Height Strategy of the County Development Plan (Appendix 9). All the proposed dwellings are 2-storeys in height, while the 4 no. apartment blocks are 3-storeys in height.

In considering the height and character of the existing and permitted developments in the vicinity of the site, I note that the Bishops Gate development to the north is characterised by residential development of 2-3 storeys in height. Building heights of 3-storeys have been permitted and are being implemented on the adjoining Golden Ball site to the south-east. The permitted development to the south at Sutton Fields has a building height range of 1-3 storeys (ABP Ref. 307043-20 refers).

As such, having regard to the building heights identified for the subject lands under the LAP and the County Development Plan, and the character of the existing and permitted developments adjoining the subject site, I am satisfied that the proposed building heights of 2-3 storeys would be acceptable at this location. I note that the Planning Authority also considered that, given the site's peripheral location, the proposed building heights would be acceptable and in compliance with the LAP, notwithstanding the more recently published Building Height Guidelines.

10.6. **Development Design, Form and Layout**

The proposed development can be generally subdivided into 3 no. character areas, including: (1) the 4 no. 3-storey apartment blocks and crèche unit located towards the front/north-eastern portion of the site, (2) a belt of landscaped communal open space which extends along the length of the northern/north-western site boundary, and (3) the 2-storey dwelling houses which are arranged in terraced configurations throughout the remainder of the site.

The proposed apartment blocks are located towards the front of the site adjacent to the Enniskerry Road and will complete a gap in the built form between the Golden Ball and Bishops Gate residential developments. In my opinion, the contextual elevation drawing of the proposed development onto Enniskerry Road (Drawing No. 6237-014 Rev. PL1) demonstrates that the proposed development would be a sympathetic insertion into the streetscape at this location. A separation distance of

approx. 13-14 m arises to the gable elevation of the neighbouring 3-storey block within the Golden Ball site and the southern elevation of apartment block no. 1. In my opinion, this separation distance is reasonable in an urban context, and I consider that no undue overlooking or overbearing impacts would arise to the existing or proposed developments.

In my opinion, the proposed communal open space which extends along the length of the north-western site boundary will be sympathetic to the layout of the 2 no. parcels of open space within the Bishops Gate development directly opposite. I also consider that the open space will provide an attractive entrance to the site and will reflect the character of the rural/agricultural lands to the west of the site.

The remainder of the site is characterised by the 2-storey dwelling houses, which are set-back from the eastern/southern/western site boundaries by between 12 m and 21 m, apart from unit nos. 78 and 109 adjoining the agricultural lands to the west. The gable elevations of these dwellings are set back by approx. 3.5 and 5.5 m respectively from the western site boundary. In my opinion, the layout and configuration of the proposed dwelling houses is acceptable in the context of the permitted and adjoining residential development to the south and south-east of the site.

A variety of building materials are proposed in the apartment blocks and the housing units, including brick and render to the elevations, concrete slate/flat tiles to the roofs and glazed balconies to the apartment units. In my opinion, the proposed palette of materials would be acceptable at this location.

In conclusion, I consider that the form, design and layout of the proposed development would be sympathetic to the character of the existing developments at this location, would provide a high-quality living environment for future residents and make a positive contribution to the built form of Kiltiernan village.

10.7. **Visual Impact**

A Landscape and Visual Impact Assessment of the proposed development accompanies the planning application. A set of photomontages has been prepared from 7 no. locations in the surrounding area that are representative of views of the site. The assessment concludes that, once the proposed development is completed and planting established, it should merge into the existing residential landscape. The

residual visual impact of the proposed development will be the change from undeveloped land to a completed urban area, with partial screening of the views of the hills to the west of the site from the Enniskerry Road. The assessment notes that a positive residual impact will be the completion of this zoned and neglected development site in the central area of Kiltiernan.

I am satisfied that the proposed development would not have an unacceptable visual impact on the receiving environment at this location. While I acknowledge that the character of this greenfield site will be permanently altered, with reduced views of the hills to the west, I consider that the proposed development will assimilate successfully into the streetscape at this location, reflecting the character of the adjoining residential developments. As such, I am satisfied that no undue visual impacts would arise on foot of the proposed development.

10.8. **Standard of Accommodation**

- **Unit Sizes**

The proposed development includes 109 no. **dwelling**s, comprising 88 no. 3-bedroom/5-person units, 16 no. 4-bedroom/6-person units and 5 no. 4-bedroom/7-person units. The size of the 3-bedroom units ranges from 113.6 m² - 132 m², while the 4-bedroom units range from 132 m² - 144.2 m². I note that all the dwellings significantly exceed the target gross floor areas set out in the “Quality Housing for Sustainable Communities: Best Practice Guidelines for Delivering Homes Sustaining Communities” and comply with the minimum dimensions required for individual rooms.

The proposed development also includes 94 no. **apartment**s, comprising 4 no. 1-bedroom units, 81 no. 2-bedroom units and 9 no. 3-bedroom units. The 1-bedroom units have a floor area of 58.1 m², the 2-bedroom units range in size from 80 m² to 95.5 m², while the 3-bedroom units have a stated floor area of 106.9 m². All the proposed units exceed the minimum floor area requirements by between 12 – 31%.

In conclusion, I am satisfied that the proposed unit sizes meet the floor area requirements for both dwellings and apartment units.

- **Unit Mix**

Policy RES7 of the Dún Laoghaire-Rathdown County Development Plan states that it is Council policy to encourage the establishment of sustainable residential communities by ensuring that a wide variety of housing and apartment types, sizes and tenures is provided within the County. The 2020 Apartment Design Guidelines require a maximum of 50 % 1-bedroom units, with no requirement arising for 3-bedroom units. In considering the foregoing, I note that the proposed development includes a mix of unit types, including 109 no. 3 and 4-bedroom dwellings and 94 no. 1, 2 and 3-bedroom apartments. As such, I am satisfied that the proposed development meets the required standards with respect to unit mix.

- **Storage Space**

The applicant's Apartment Quality Assessment confirms that the required storage has been provided in each unit. I note from a review of the apartment floor plan drawings (Drawing Nos. 6237-110; 112; 114 and 116) that none of the individual storage spaces exceed 3.5 m² as required under the 2020 Apartment Guidelines. While I note that storage for bulky items has not been provided outside individual apartment units, I have no objection to same, given that all the proposed units exceed the minimum floor space requirements.

- **Lift and Stair Cores**

The maximum number of apartment units per core per floor is 9 which complies with the 2020 Apartment Design Guidelines.

- **Floor to Ceiling Height**

The majority of the apartments have a floor to ceiling height of between 2.55 m and 2.7 m, with 2 no. units in Block 4 having a height of 2.45 m. As such, all units meet or exceed the minimum requirements of the 2020 Apartment Design Guidelines.

- **Dual Aspect Ratio**

The 2020 Apartment Design Guidelines require that a minimum of 50% of apartment units shall be dual aspect. The planning application documentation and drawings confirm that 52.1% (49 no. units) of the 94 apartments are dual aspect, including 62.5% of the units in Block 1, 50% of the units in Block 2, 50% of the units in Block 3

and 45.5% of the units in Block 4. The single aspect units in each block are either primarily easterly or south-westerly facing, which is acceptable.

- **Communal Facilities / Community Infrastructure**

The proposed development results in a requirement for a childcare facility which can accommodate 54 no. childcare spaces based on the standards identified in the Childcare Facilities Guidelines (2001). The proposed crèche facility has a stated floor area of 380 m² and will accommodate 50 – 60 children from 0-6 years of age. I note that the proposed crèche is located towards the front of the site, with dedicated parking and drop-off spaces and an outside amenity space of 105 m² provided. In my opinion, the crèche facility would be appropriate to serve the childcare needs of the proposed development.

I note that the Planning Authority recommends that the crèche facility should be operational prior to the completion of Phase 1 of the development. I consider this to be a reasonable requirement given the number of family homes which are proposed on the subject site. I also consider that the hours of operation of the crèche should be restricted to between 0800 and 1800 Monday to Friday in the interests of safeguarding the residential amenity of the proposed residential units. These matters can be addressed by planning condition.

I note the Planning Authority's commentary in relation to the 2 no. existing primary schools in the area, which are noted to be at or near capacity, with no secondary school provided. Concern is raised regarding the ability of the area to cater for future demand for school places. In considering this matter, I note that there is no objective for the provision of a school facility on the subject site, and as such, I consider that this matter is outside of the applicant's control.

- **Operational Waste Management**

An Operational Waste Management Plan accompanies the planning application and presents a waste strategy that complies with legal requirements, waste policies and best practice guidelines. The plan demonstrates that the required storage areas have been incorporated into the design of the development. While I am generally satisfied that the information contained within this report is acceptable, I note that the Environment Section of Dún Laoghaire-Rathdown County Council considers that a more detailed submission is required in relation to the segregation of waste within

the apartments and the management of waste within the curtilage of the site. In my opinion, this matter can be addressed by planning condition.

- **Building Lifecycle**

The planning application includes a Building Lifecycle Report and a Sustainability and Energy Report, which set out details of how the buildings have been designed to minimise operation and energy costs. I am satisfied that the information contained therein is acceptable.

In conclusion, I am satisfied that the proposed dwellings and apartment units would provide a high standard of residential accommodation and would provide a high-quality living environment for the future occupants of the scheme.

10.9. **Access to Daylight and Sunlight**

Section 6.6 of the 2020 Apartment Design Guidelines states that Planning Authorities should have regard to quantitative performance approaches to daylight provision outlined in the BRE guide “Site Layout Planning for Daylight and Sunlight (edition 2) or BS 8206-2:2008 “Lighting for Buildings Part 2: Code of Practice for Daylighting”. The applicant’s assessment of daylight and sunlight relies on the aforementioned standards, the results of which are considered below.

- **Daylight and Sunlight to Adjacent Buildings**

The BRE guidance on **daylight** is intended for rooms in adjoining dwellings where daylight is required, including living rooms, kitchens and bedrooms. The criteria set out in Section 2.2 of the guidelines for considering impact on existing buildings are summarised as follows:

- (1) Is the separation distance greater than 3 times the height of the new building above the centre of the main window? In such cases, the loss of light will be small. If a lesser separation distance is proposed, further assessment is required.
- (2) Does the new development subtend an angle greater than 25° to the horizontal, measured from the centre line of the lowest window to a main living room? If it does, further assessment is required.

- (3) Is the Vertical Sky Component (VSC) > 27% for any main window? If VSC is > 27% then enough skylight should still be reaching the window of the existing building. Any reduction below this level should be kept to a minimum.
- (4) Is the VSC < 0.8 of the value before? The BRE guidance states that if VSC with the new development in place is both < 27% and < 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of skylight.
- (5) In the room impacted, is area of working plan which can see the sky less than 0.8 the value of before? (i.e. if 'yes' daylighting is likely to be significantly affected). Where room layouts are known, the impact on daylight distribution in the existing building can be assessed.

These tests are intended as a general guide only and the BRE document states that they need to be applied flexibly and sensibly. The document states that all figures/targets are intended to aid designers in achieving maximum sunlight/daylight for future residents and to mitigate the potential impacts for existing residents. It is noted that there is likely to be instances where judgement and balance of considerations apply.

The applicant's Daylight and Sunlight Assessment identifies that the windows within the Bishops Gate development to the north-west of Apartment Block 2 and within the Golden Ball development to the south-east of Apartment Block 1, have the potential to experience daylight impacts on foot of the proposed development. As such, these windows have been assessed for VSC. The assessment concludes that all relevant windows in the adjacent residential properties have/would continue to have good availability of daylight. All windows will retain values greater than the recommended 27% VSC.

The windows on the gable elevation of the Golden Ball development will be marginally below 80% of their former value (71.68 – 79.57%) but will still retain a VSC in excess of 27%. In addition, the affected rooms have windows on multiple aspects, and when the average of all windows is taken as recommended in the BRE guide, all locations exceed 80%. The assessment concludes that any daylight impact on adjacent residential properties will be negligible.

The BRE guide recommends assessing the loss of **sunlight** to main living rooms and conservatories if they have a window wall facing within 90° of due south. Kitchens and bedrooms are less important, but care should be taken not to block too much sun. If the proposed development is fully north, the sunlight need not be assessed.

The Annual Probable Sunlight Hours (APSH) is used to assess the quantity of sunlight for a given location, which is the total amount of sunshine on an unobstructed horizontal surface, taking cloud cover into account. The BRE guide recommends that the centre of a window or 1.6 m above ground for a door should be assessed and receive at least 25% of APSH and at least 5% during the period 21st September to 21st March. If the available APSH is less than this, then it should not be reduced below 0.8 times its former value or noticeable loss of sunlight may occur.

The assessment identifies that the windows within the Bishops Gate development to the north-west of Apartment Block 2 should be considered for potential impacts on APSH. The results demonstrate that all selected windows have an APSH percentage greater than the recommended 25% and 5% between 21st September and 21st March, and as such, exceed the target values for sunlight.

- **Daylight and Sunlight to Proposed Development**

The BRE guide recommends that the Average Daylight Factor (**ADF**) be assessed in habitable rooms of new developments. The minimum ADF value for kitchens and living rooms which include a kitchen is 2%, 1.5% for living rooms and 1% for bedrooms. The ground floor apartment units were assessed for ADF, with the rooms on upper floors noted to have increased access to the sky and a higher ADF value. In my opinion, this approach is acceptable. All floors within Block 3 were analysed as a worst-case scenario, given its central location between Blocks 1, 2 and 4. The assessment demonstrates that all rooms exceed the minimum required ADF, thus all units will have good quality daylight.

The BRE guidelines recommend that living rooms with a window that faces within 90° of due south be assessed for **APSH**. The proposed apartment blocks include 58 no. living / dining spaces with such windows. All relevant windows have an APSH percentage greater than the recommended 25% and 5% between 21st September –

21st March, including windows with overhanging balconies. As such, the proposed development meets the daylight targets as set out in the BRE guide.

The applicant's assessment notes that the proposed houses have layouts that are typical for 2-storey houses in the region, being at least dual aspect. Large windows and shallow room depths will ensure the rooms have ample daylight, and as such, do not require detailed assessed. I am satisfied that this is a reasonable approach in this instance.

- **Sunlight to Gardens and Open Spaces**

The BGR guide indicates that for an amenity space to have good quality sunlight throughout the year, 50% of it should receive more than 2 hours of sunlight on 21st March. The 2 existing amenity spaces in the Bishops Gate development have been assessed, with no sunlight impacts noted to arise on foot of the proposed development.

The proposed public and semi-private amenity spaces within the subject site have also been assessed for sun on the ground on 21st March, with the results demonstrating that all amenity areas would have more than 2 hours on that date, over 100% of the ground. As such, I am satisfied that the proposed development meets the BRE recommendations for sunlight in gardens and open spaces.

- **Overshadowing**

A series of diagrams are provided which illustrate the shadowing impacts of the proposed development at 2-hourly intervals on 21st March, 21st June, 21st September and 21st December. The diagrams indicate that shadows cast by the development do not extend beyond the site, other than in the early morning and late evening.

Having regard to the height, scale and layout of the proposed residential scheme, I am satisfied that no undue overshadowing impacts would arise within the site or to any neighbouring property on foot of the proposed development.

In conclusion, I am satisfied that the existing and proposed developments and amenity spaces will receive adequate levels of daylight and sunlight, with no undue loss of light or overshadowing issues arising. I note that the same conclusion was reached by the Planning Authority and that no third-party concerns have been raised in relation to this matter.

10.10. Open Space, Landscaping and Boundary Treatments

- **Private Open Space**

The Site Plan (Drawing No. 6237-003 Rev. PL1) confirms that the 3-bedroom houses have private amenity spaces of between 65 - 130 m², while those for the 4-bedroom dwellings range from 75 – 103 m². As such, I am satisfied that the proposed private amenity spaces meet, and in most instances significantly exceed, minimum development plan requirements.

Most of the rear gardens have a minimum depth of 11 m as required, apart from those serving unit nos. 45, 46, 49 and 70 – 74. Unit nos. 70 and 74 have an L-shaped configuration, resulting in a rear garden depth of between 4 - 7 m. Unit nos. 71, 72 and 73 have a rear garden depth of 7 m.

Similarly, unit nos. 45 and 49 have L-shaped configurations, with the rear garden of unit no. 45 ranging from 6 – 9.5 m and of unit no. 49 from 5 – 11m. The rear garden depth of unit no. 46 is 9.5 m. However, these rear gardens are wider than those serving the other dwellings across the site, ranging from 11 – 14 m. I further note that each amenity space meets or exceeds the minimum open space requirements of the development plan. As such, I am satisfied that the configuration of these rear amenity spaces is acceptable.

In considering the potential for overlooking or overshadowing impacts to arise to neighbouring dwellings on foot of the reduced rear garden depths discussed above, I note that these units are located to the north of the adjoining plots of dwelling nos. 20, 44, 57, 79, and as such, I consider that no overshadowing can occur in this context. I also note that the gable elevations of the neighbouring dwellings include a landing window at 1st floor level, and as such, no undue overlooking impacts will arise.

In considering the proposed private open space to serve the **apartments**, I note that the Apartment Quality Assessment confirms that the spaces meet or exceed the required standard in all instances. Terraces are proposed to serve the ground floor units, with balconies proposed for the upper floor units. All terraces/balconies have a depth of 1.8 m or greater and all have a functional relationship with, and are accessible from, the living space of each unit. As such, I am satisfied that the layout and configuration of the private amenity spaces for the apartments is acceptable.

- **Public / Communal Amenity Space**

Three separate communal amenity spaces of 410 m², 187 m² and 187 m² (total 784 m²) are proposed to serve the 4 no. apartment blocks. The 2020 Apartment Design Guidelines require that communal open space of 668 m² be provided to serve these units. The County Development Plan requires that public/communal amenity space be provided at a rate of 15-20 m² per person, with a presumed occupancy of 3.5 persons for dwellings with 3 or more bedrooms. This results in a communal open space requirement of between 1,635 m² – 2,180 m².

Drawing no. 6237-005 Rev. PL1 (Open Space Area Calculation and Net Density Plan) confirms that 5760 m² or 11.6% of the site area is provided as public open space. As such, I am satisfied that the quantity of proposed communal open space is acceptable.

In considering the quality of the communal open space, I note it comprises a linear feature which extends along the north-western site boundary and is subdivided by the proposed site access road. A bridge feature is proposed to link the two parcels of open space. The applicant's Landscape Report states that this main area of open space is focused on enhancing existing landscape features and creating new, usable sub-spaces which provide for a range of uses. I note that the space contains 3 no. seating spaces, one formal play area, one informal play space, a kickabout space, an orchard, a drainage ditch and associated water feature and various types of planting.

The Planning Authority Parks Department recommended that planning permission be refused for the proposed development for the reasons summarised in Section 4.2 of this report. This Department does not approve of locating any concrete attenuation tanks, services, utilities or trenches in public open space areas. The Parks Department also does not agree to the proposed taking-in-charge area, due to safety concerns associated with the swale, with probable difficulties with the maintenance of same noted.

In considering the issues which have been raised, I acknowledge that a more centrally located open space within the site would have been a preferable approach in this instance. However, I note that the quantum of open space which is proposed significantly exceeds the minimum requirement per person based on development

plan standards and that the open space extends along the length of the north-western site boundary. As such, I consider that the space will be reasonably accessible to all the proposed residential units across the site. I further note that a variety of landscaping treatments are proposed to demarcate the space, including play spaces for children. As such, I consider that the proposed public open space would cater for a variety of end users as required under the development plan and the 2020 Apartment Design Guidelines.

While I note that the public open space will not be overlooked by all of the proposed residential units within the site, I consider that acceptable levels of passive supervision will occur from the apartments to the rear elevation of Block 2, by motorists/cyclists/pedestrians travelling along the site access road and the proposed footpaths within the site, as well as from unit Nos. 22 – 42 Bishops Gate, which front onto the proposed open space on the opposite side of the road.

I note that the Parks Department have raised public safety concerns in relation to the swale which extends through the open space and the proposed water feature. In my opinion, given the scale and extent of these features, which I note often form part of outdoor amenity spaces, I am satisfied that no significant safety concerns arise in this instance. In the event the Board disagrees with my opinion, they may wish to attach a suitable condition should planning permission be granted for the proposed development.

I further note that the Parks Department does not support the location of the attenuation tank within the public open space, with the Drainage Department also recommending that a condition be attached to a grant of permission requiring the applicant to submit details to demonstrate that the landscape proposals are compatible with the drainage proposals. In my opinion, the inclusion of the proposed attenuation tank within the proposed public open space is a reasonable approach to the management of stormwater within the site and I consider that details in relation to same can be agreed by way of condition.

- **Boundary Treatments**

The Planning Authority recommends that revised plans and particulars are required for boundary treatments within and around the development, which provide for improved physical and visual access to the public realm. The removal of the

proposed boundary wall between the primary open space and the road to the north is also recommended to facilitate a more appropriate level of access to this public open space for neighbouring users.

In considering this issue, I note that the proposed boundary treatment along the northern site boundary comprises a 1.2m high wall and railing, with the plinth wall (400mm) designed to match the existing wall which extends along part of the Enniskerry Road site boundary (Boundary Treatment Details: Drawing No. 104 refers). In my opinion, the proposed boundary treatment is appropriate, and I note that views into the open space would be afforded for the Bishops Gate residents by way of the proposed railing treatment. I also note that 2 no pedestrian/cycle links are proposed within this boundary, which will facilitate ease of access for neighbouring residents.

In reviewing the Boundary Treatment Plan (Landscape Drawing No. 103) and the Boundary Treatment Details Drawing, I note that a new section of wall to match the existing is proposed along the Enniskerry Road frontage of the site. In my opinion, this is an appropriate and consistent approach to this boundary treatment. The existing vegetated boundaries will be retained in the north-western corner of the site, and along the southern and south-eastern boundaries. The existing blockwork wall will be extended and retained to the neighbouring Golden Ball site. A 1.8 m rendered blockwork wall is proposed to the rear of the dwellings extending along the western site boundary. In my opinion, all of the foregoing boundary treatments are acceptable.

A formal hedge boundary treatment is proposed between the dwelling houses and on corner sites, with short sections of 1.8 m high rendered, blockwork walls proposed to enclose side/rear garden spaces. In my opinion, the foregoing represents an appropriate approach to enhancing the landscaping within the site, whilst providing an appropriate level of privacy to residential amenity spaces. As such, I do not consider that revised boundary treatments are required in this instance.

10.11. **Access, Pedestrian / Cycle Facilities and Parking**

Two **vehicular access** points are proposed to the site, with the primary one provided within the north-western site boundary via the existing Bishops Gate access road.

The second access is proposed via a permeable vehicle link through the adjacent Golden Ball residential development to the south-east of the site, which accesses the local road network at the Enniskerry Road/Glenamuck Road junction. A letter of consent accompanies the application from the owner of the Golden Ball site, which confirms that they will facilitate the required connections and the use of the associated roads and footpaths within their site.

I note that the third parties have raised concerns regarding the location of the primary vehicular access to the site. It is submitted that there is a blind bend and footpath at No. 43 Bishops Gate and that observing pedestrians, cyclists and oncoming traffic from the new access road would be difficult. Privacy and light pollution concerns are also noted on foot of traffic exiting the subject site to the front of Nos. 40-42 Bishops Gate.

While I acknowledge the issues which have been raised, I note the curved road configuration to the front/side of No. 43 Bishops Gate, which in my opinion, will serve to reduce the speed of any oncoming traffic approaching the proposed site entrance. As such, I am satisfied that no traffic safety impacts would arise in this context. In considering the privacy and light pollution concerns which have been raised, I note that Nos. 40-42 Bishops Gate already front onto the local access road. While I acknowledge that the traffic travelling along this road and exiting the subject site will increase on foot of the proposed development, I note that the existing and proposed developments are located on zoned residential land which is being developed as a new urban environment within Kiltiernan village. As such, I am satisfied that no undue privacy or lighting impacts would arise to these existing dwellings. Notwithstanding the foregoing, I consider that the final site lighting layout for the proposed development should be agreed with the Planning Authority. This matter can be addressed by planning condition.

Three further potential vehicular routes have been facilitated, including 1 no. to the adjoining Sutton Fields site to the south and 2 no. to the agricultural lands adjoining to the west. In my opinion, the proposed vehicular access to the site will facilitate a high degree of permeability to the immediately adjoining lands and complies with the indicative access roads identified for the site on the Main Map of the LAP (Drawing No. PL-13-402). I also note that the Transportation Planning Department of Dún

Laoghaire-Rathdown County Council has not raised any objections to the proposed access arrangements.

In the event planning permission is granted for the proposed development, the Transportation Planning Department recommends that full details of 6 m carriageway width vehicular connections to the adjoining sites should be demonstrated on detailed drawings. In my opinion, this matter can be addressed by condition.

While this Department acknowledges that a neighbourhood centre is no longer required on the subject site, it is considered that the ground floor units in Block 1 which have been designated to accommodate future commercial use, should be serviced away from the Enniskerry Road. In my opinion, this matter will be dealt with under any future planning application that may be submitted in relation to these units.

Four dedicated **pedestrian/cycle** access points are proposed to the site, with 2 no. proposed off the Bishops Gate access road, 1 no. in the eastern site boundary between apartment block nos. 1 and 2 and 1 no. to the adjoining Golden Ball site. The Transportation Planning Department recommends that a minimum width of 3 m be provided for shared pedestrian/cycle paths and considers that this standard has not been demonstrated in the application. This matter can be addressed by planning condition.

The Transportation Planning Department also recommends that a wider footpath and public realm area be provided along the Enniskerry Road frontage of the site to facilitate pedestrians and vulnerable cyclists. In considering the foregoing, I note that there is an existing footpath at this location and that the identified upgrades do not appear to have been requested on foot of the residential development on the adjoining Golden Ball or Bishops Gate sites. As such, I consider that it would be unreasonable to require such upgrades on foot of the proposed development.

The proposed development includes 335 no. on-site **car parking** spaces, with 227 no. units allocated to the proposed housing units (including no. 9 visitor spaces), 99 no. apartment spaces (including 5 no. visitor spaces) and 9 no. crèche parking spaces. The proposed car parking for the dwellings and apartments complies with the standards of the development plan and the 2020 Apartment Design Guidelines.

While the visitor parking for the apartments is lower than the recommended standard of 1 space for every 3-4 apartments, I note that these figures are a guide only. I also note that there will be some opportunities, albeit limited, to share the 9 no. visitor parking spaces located elsewhere throughout the site. As such, I consider that the proposed visitor parking for the apartment units is acceptable. I also consider that the proposed car parking for the crèche is acceptable, having regard to its capacity to facilitate 50 – 60 children and the likely staff numbers arising.

A total of 6 no. **motorcycle parking spaces** are provided, which exceeds development plan standards. A total of 16 no. **electric vehicle charging spaces** are proposed for the apartment units (including 3 no. universal access spaces), while the remaining car parking spaces can incorporate electric charging points in the future should the demand arise. I consider that the proposed motorcycle and electric vehicle parking spaces are acceptable.

The proposed development includes 392 **cycle parking** spaces, including 160 no. long stay and 46 no. short stay spaces for the apartments, 118 no. long stay and 50 no. short stay spaces for the houses and 8 no. spaces for the crèche. I note that the proposed parking for the housing units includes 38 spaces located in rear gardens with an external access and 90 spaces in secure sheltered parking compounds. I note that the cycle parking compounds are evenly distributed throughout the site as illustrated on the Site Layout Plan (Drawing No. 6237-003 Rev. PL1).

The Transportation Planning Department recommends that an increased quantity of high-quality cycle parking and storage facilities should be considered for residents and visitors of the apartments. In considering the foregoing, I note that the applicant has calculated the cycle parking requirement for the apartments as 193 no. long stay spaces and 47 no. short stay spaces based on the standards of the 2020 Apartment Design Guidelines. The requirement arising on foot of development plan standards is 94 no. long stay spaces and 19 no. short-stay spaces. In my opinion, the proposed cycle parking provision represents a reasonable compromise between these standards.

In the event the Board disagrees with my assessment, I note that there may be an opportunity to increase the size of the bicycle parking shelter to the south of apartment block 1, given that this area is not included as part of the overall quantum

of semi-private open space serving the apartment blocks. I note that there may also be an opportunity to increase the number of Sheffield stands for visitor parking to the front of this block. In my opinion, these matters could be addressed by way of condition should the Board decide to grant planning permission for the proposed development.

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

10.12. **Site Services, Surface Water and Flooding**

The Planning Authority Drainage Department notes in their report that the applicant has engaged in an iterative consultation process in relation to the proposed development and that the submitted information, generally complies with the requirements of Municipal Services, subject to conditions.

- **Foul Water Drainage**

The applicant's Infrastructure Design Report states that the foul sewers and associated infrastructure are designed and will be constructed to Technical Document (IW-CDS-5030-03) Code of Practice and Standard Details produced by Irish Water. A pre-connection enquiry has been submitted to Irish Water, with confirmation received that a foul sewer connection to the site is feasible. I note that detailed design approval has also been issued by Irish Water.

- **Water Supply**

The water supply infrastructure is designed and will be constructed to the Code of Practice for Water Infrastructure.

- **Surface Water**

The surface water network is designed for a 1 in 2-year return period and discharges to the existing surface water network located on the opposite side of the road to the Bishops Gate entrance. A SuDS treatment train has been incorporated into the design of the surface water drainage infrastructure including rainwater butts, permeable paving, trapped road gullies, the use of the existing swale, the provision of sedum roofs to the apartment blocks, an attenuation tank with a storage capacity

of 1300 m³, a hydro-brake to restrict outflow from the site to a 1-year greenfield runoff rate of 26 l/sec and the inclusion of a Class 1 petrol interceptor before the outfall manhole.

In my opinion, the proposed foul and surface water drainage and water supply arrangements are acceptable.

- **Flooding**

The planning application includes a Flood Risk Statement which concludes that there is no potential flood risk associated with the proposed development. A number of recommendations are included in relation to the use of SuDS throughout the site and the proposed design and discharge from the storm-water drainage system. I am satisfied that the results of this assessment are acceptable. I note that the Planning Authority Drainage Department considers that the submitted assessment complies with the Strategic Flood Risk Assessment (Appendix 13) of the development plan.

10.13. **Biodiversity**

An Ecological Impact Assessment (EclA) of the proposed development accompanies the planning application. The implementation of mitigation measures to avoid or minimise the effect of the proposed development on water quality, will ensure no significant effects arise. There will be no works which may affect groundwater and groundwater-dependent terrestrial habitats.

The proposed development will result in some temporary habitat loss within the proposed development boundary, but this will not result in any significant negative effects following the implementation of mitigation and enhancement measures. The landscape design will ensure that the biodiversity value of the habitats to be retained and created as part of the proposed development are maximised.

The proposed development has the potential to result in significant negative effects on habitats, birds and bats at local geographic levels. Following the implementation of mitigation measures, no residual impacts on any key ecological receptors is predicted. Having regard to the elements included within the design of the proposed development, and the implementation of mitigation measures proposed to avoid or minimise the effects of the proposed development on the receiving ecological

environment, no significant residual ecological effects are predicted, either alone or cumulatively with any other projects.

I note that the Parks Department of Dún Laoghaire-Rathdown County Council objected to the removal of c. 28% of the existing mature trees and boundary hedgerows within/around the site to facilitate the proposed development. It is recommended that an alternative layout and design should be considered to mitigate the removal of trees from the site.

While I acknowledge the Parks Department commentary and the development plan / LAP objectives to retain existing trees and hedgerows as far as practicable, I also note that the subject site is zoned to accommodate residential development, and as such, the loss of some of the existing vegetation is inevitable under any development scenario. I note that an Arboricultural Assessment of the existing trees and vegetation has been undertaken and which sets out an appropriate strategy to protect the retained trees/vegetation during construction works. I am satisfied that the information contained within this report is acceptable.

In my opinion, the proposed development represents a reasonable balance between maintaining the character of the subject site and the need to deliver additional housing at a time of acute demand within the Greater Dublin Area and elsewhere. I also note that a detailed landscaping strategy has been prepared for the site, which will assist in assimilating the new development into its environment.

I am satisfied that the information contained within the EclA, including the proposed mitigation measures, are acceptable. I recommend that an appropriate condition be attached to a grant of permission requiring that the identified mitigation measures be undertaken.

10.14. Archaeology

An Archaeological Desktop Assessment of the proposed development accompanies the application. The assessment concludes that there are no known monuments or other archaeological features on the subject site. It is recommended that a condition be attached to a grant of permission which requires archaeological testing to be undertaken in advance of construction. I agree that this is an appropriate requirement in this instance having regard to the greenfield nature of the site.

10.15. **Construction Impacts**

The third parties have raised concerns in relation to construction traffic using the Bishops Gate access road, with children noted to play in this area. It is submitted that construction traffic should be required to access the subject site directly from the Enniskerry Road. I note that the applicant's Traffic Management Plan does not confirm the exact location of the access/haul routes to the site. However, I consider that this matter can be agreed with the Planning Authority prior to the commencement of development.

A Construction Stage Health & Safety Plan and a Construction & Demolition Waste Management Plan also accompany the application. While I consider the content of these reports to be generally acceptable, I note that the Planning Authority requires the submission of a detailed Construction Waste Management Plan and Environmental Management Construction Plan prior to the commencement of development. These matters can be addressed by condition should the Board grant planning permission for the proposed development.

10.16. **Part V**

It is proposed to provide 27 no. Part V units in compliance with the requirements of the Planning and Development Act, 2000 (as amended). These include house nos. 1-5 and 22 no. apartments in Block 4 as illustrated on Drawing No. 6237-006 Rev. PL1 (Part V Units – Site Plan). I note that the Housing Department of Dún Laoghaire-Rathdown County Council has no objection in principle to the Part V proposals, subject to the agreement of details. The Planning Department recommends that these units should be pepper-potted across the site to avoid undue segregation. In the event planning permission is granted for the proposal, I recommend that a suitable condition be attached requiring the developer to enter into a Part V agreement with the Local Authority, which will include agreement on the nature and location of the units.

10.17. **Material Contravention**

A Material Contravention Statement accompanies the application which addresses the programming and phasing and residential density provisions of the Kiltiernan / Glenamuck LAP 2013 (as extended). This statement is summarised in Section 7.11 of this report. It is acknowledged that the proposed development, combined with the

units already permitted on the LAP lands, exceeds the unit phasing cap of the LAP. While the proposed residential density is noted to marginally exceed the LAP standards identified for the subject site, and as such could reasonably be argued not to be a “material” contravention of the LAP, the applicant’s agent submits that this matter has been addressed in the interest of prudence.

Section 37(2)(b) of the Planning and Development Act, 2000 (as amended) states that, where a planning authority has decided to refuse planning permission for a development on the grounds that it materially contravenes the development plan, the Board can only grant permission where it considers that:

- (i) the proposed development is of strategic or national importance,
- (ii) there are conflicting objectives in the development plan or the objectives are not clearly stated, insofar as the proposed development is concerned, or,
- (iii) permission should be granted having regard to the regional spatial and economic strategy for the area, guidelines under section 28, policy directive under section 29, the statutory obligations under any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government, or,
- (iv) permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan.

Having regard to the characteristics of the proposed development, I consider that a grant of planning permission, that may be considered to materially contravene the LAP in relation to programme and phasing only, would be justified under sub-sections (i), (iii) and (iv) of the Act as considered further hereunder.

- **Section 37(2)(b)(i)**

With regard to Section 37(2)(b)(i) of the Act, the development is in accordance with the definition of Strategic Housing Development, as set out in Section 3 of the Planning and Development (Housing) and Residential Tenancies Act, 2016. The application site has the potential to contribute to the achievement of the Government’s policy to increase the delivery of housing from its current position of under-supply, as set out in Rebuilding Ireland Action Plan for Housing and Homelessness issued in July 2016.

- **Section 37(2)(b)(iii)**

With regard to Section 37(2)(b)(iii) of the Act, I consider that the proposed development would be in accordance with National Policy Objective 3 (b) of the NPF which seeks to deliver at least 50% of all new homes targeted in the five cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints.

The proposed development would also comply with the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020) by providing 94 no. high quality apartment units which meet or exceed the required standards, thereby serving to increase housing supply within the existing built-up area of Dublin at a time of acute demand for additional residential accommodation.

- **Section 37(2)(b)(iv)**

With regard to Section 37(2)(b)(iv) of the Act, I note that planning permission has been granted for a number of residential schemes in the immediate vicinity of the subject site, including 197 no. residential units (ABP Ref. 306160-19) and 203 no. residential units (ABP Ref. 303978-19) on the eastern side of the Enniskerry Road and 116 no. residential units and a childcare facility on the adjoining lands to the south (ABP Ref. 307043-20). I consider that the proposed development will reflect the pattern of these permitted developments.

Should the Board be minded to invoke the material contravention procedure as it relates to the programme and phasing provisions of the Kiltiernan/ Glenamuck LAP 2013 (as extended), I considered that the provisions of Section 37(2)(b)(i), (iii) and (iv) have been met, and in this regard, I consider that the Board can grant permission for the proposed development.

While I note that the applicant has submitted a material contravention statement in support of the proposed residential density, in my opinion, a material contravention of the density provisions of the LAP does not arise. The LAP identifies a density range of 35-40 units/ha for land parcel 12 to the west of the site, while densities higher than this may be considered for residential development on land parcel 13 (a) to the east of the site. The proposed development has an overall net density of 40.9 units/ha, and as such, I consider that this minor exceedance of the stated density

range would not constitute a material contravention of the plan. I also note that none of the third parties have raised any objections to the proposed development density.

10.18. Planning Authority's Refusal Recommendation

Dún Laoghaire-Rathdown County Council recommended that planning permission be refused for 1 no. reason on the basis that the proposed development would be premature by reference to the existing deficiencies in the road network serving the area and the period within which the constraints involved may reasonably be expected to cease. The Planning Authority considers that the area has reached capacity in terms of unit numbers and that no further development can take place until additional infrastructure is provided.

I have examined the proposed quantum/phasing of development in detail in Section 10.2 of this report. While I acknowledge that the proposed development, combined with the number of units which are already permitted within the LAP boundary, would exceed the 700-unit cap, I note that all permissions which have been granted in the area to date have not been implemented. I also note that An Bord Pleanála granted planning permission for the Glenamuck District Distributor Road and Glenamuck Link Distributor Road in December 2019, while the proposed Enniskerry Road/Glenamuck Road junction upgrade Part 8 scheme was approved in 2017. In my opinion, it would be unreasonable to refuse planning permission for the proposed development based on the deficiencies in the local road network, given that the necessary consents to upgrade same have been obtained. Furthermore, I note the findings of the applicant's TTA, including the 2 no. sensitivity tests, which concludes that the proposed development would not have a significant impact on the local road network.

In addition, as discussed in Section 10.17 of this report above, I consider that a grant of planning permission, that may be considered to materially contravene the LAP in relation to programme and phasing only, would be justified under Sections 37(2)(b)(i), (iii) and (iv) of the Planning and Development Act, 2000 (as amended).

11.0 Environmental Impact Assessment Screening

This application was submitted to the Board after the 1st September 2018 and therefore after the commencement of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 which transpose the requirements of Directive 2014/52/EU into Irish planning law.

The applicant has addressed the issue of Environmental Impact Assessment (EIA) within the submitted EIA Screening Report prepared by Stephen Little & Associates Chartered Town Planning Consultants and I have had regard to same. The report concludes that the proposed development is below the thresholds for mandatory EIA and that a subthreshold EIA is not required in this instance as the proposed development would not be likely to have significant effects on the environment.

Section 172 (1)(a) of the Planning and Development Act, 2000 (as amended) and Schedule 5, Part 2, Class 10 (b) (i) and (iv) of the Planning and Development Regulations, 2001 (as amended), provide that an EIS is required for infrastructure development comprising urban development of more than 500 dwelling units or which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

Class 15 confirms that EIA is required in relation to any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development, but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.

The proposed development is for a mixed-use scheme of 203 no. residential units and a crèche facility of 380 m², which is not located within a business district, on a stated site area of 4.97 ha. The development is sub-threshold with respect to EIA having regard to Schedule 5, Part 2, Class 10 (b) (i) and (iv) of the Planning and Development Regulations, 2001 (as amended), comprising less than 500 units and located on a site of less than 10 hectares (which is the applicable threshold for this site, being outside of a business district but within an urban area).

EIA is required for development proposals of a class specified in Part 1 or Part 2 of Schedule 5 that are sub-threshold, where the Board determines that the proposed

development is likely to have a significant effect on the environment. For all sub-threshold developments listed in Schedule 5 Part 2, where no EIAR is submitted or EIA determination requested, a screening determination is required to be undertaken by the competent authority unless, on preliminary examination, it can be concluded that there is no real likelihood of significant effects on the environment.

The applicant submitted an EIA Screening Statement with the application, and this document provides the information deemed necessary for the purposes of screening sub-threshold development for the requirement for EIA.

I am satisfied that there is no requirement to carry out an EIA based on 'potential' development for in excess of 500 units, as there is no such development proposed or planned in association with the current application.

I am satisfied that the applicant has provided sufficient information for a screening assessment to be carried out and that the screening correctly relates to the development proposal. I have completed a screening assessment which considers the development proposed under this current application. As a result of this assessment, I recommend to the Board that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an Environmental Impact Assessment Report would not therefore be required.

With reference to Section 299B(1)(b)(ii)(II)(C) of the Planning and Development Regulations, 2001 (as amended), whereby the applicant is required to provide the Board with a statement indicating how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive have been considered, I note that an Appropriate Assessment Screening Report has been provided in support of the Habitats Directive (92/43/EEC) and the Birds Directive (2009/147/EC).

A Construction and Demolition Waste Management Plan has been submitted which was undertaken having regard to the EC Waste Directive Regulations 2011, European Union (Household Food Waste and Biowaste) Regulations 2015, European Communities (Transfrontier Shipment of Waste) Regulations 1994 (SI 121 of 1994) and to European Union (Properties of Waste which Render it Hazardous)

Regulations, 2015. A Preliminary Flood Risk Assessment has also been prepared in accordance with the Planning System and Flood Risk Management Guidelines for Planning Authorities 2009 which is informed by, inter alia, the EU Floods Directive and EU Water Framework Directive.

I also note the Strategic Environmental Assessments which have been undertaken of the Dún Laoghaire-Rathdown County Development Plan 2016-2022 and the Kiltiernan/Glenamuck LAP 2013 (as extended).

Separate from the above, I note that the applicant has also submitted a Sustainability and Energy Report has been submitted which demonstrates how the proposed development will comply with Technical Guidance Document (TGD) Part L – Conservation of Fuel and Energy, Dwellings (2019) and Dún Laoghaire-Rathdown County Council's Climate Action Strategy 2016-2022. An Operational Waste Management Plan has been provided to ensure that the management of waste during the operational phase of the development is undertaken to current legal and industry standards, including the Waste Management Acts 1996-2011 and associated Regulations, Protection of the Environment Act 2003 as amended, Litter Pollution Act 2003 as amended, the Eastern-Midlands Region Waste Management Plan 2015-2021, the Dún Laoghaire-Rathdown County Council (Segregation, Storage and Presentation of Household and Commercial Waste) By-Laws 2019 and the Guidance Notes for Waste Management Residential and Commercial Developments 2020.

The EIA screening report prepared by the applicant has, under the relevant themed headings, considered the implications and interactions between these assessments and the proposed development, and as outlined in the report, states that the development would not be likely to have significant effects on the environment. I am satisfied that all other relevant assessments have been identified for the purposes of screening out EIAR.

I have completed an EIA Screening Assessment as set out in Appendix 1 of this report.

Thus, having regard to:

- (a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10 (b) (i) and (iv) of Schedule 2, Part 5 of the Planning and Development Regulations, 2001 (as amended),
- (b) the location of the site on land zoned “A” in the Dún Laoghaire-Rathdown County Development Plan 2016-2022, with the objective “to protect and/or improve residential amenity” and the compliance of the proposed development with the policies, objectives and development management standards outlined in the Plan and of the Kiltiernan/Glenamuck LAP 2013 (as extended to 2023),
- (c) the pattern of development on the lands in the surrounding area,
- (d) the availability of mains water and wastewater services to serve the development,
- (e) the location of the development outside any sensitive location specified in Article 299(c)(1)(v) of the Planning and Development Regulations, 2001 (as amended),
- (f) the guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-Threshold Development” issued by the Department of the Environment, Heritage and Local Government (2003),
- (g) the criteria set out in Schedule 7 of the Planning and Development Regulations, 2001 (as amended),
- (h) the features and measures proposed by the applicant to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the Ecological Impact Assessment and Construction and Demolition Waste Management Plan,
- (i) I am satisfied that the proposed development, by reason of the nature, scale and location of the subject site, would not be likely to have significant effects on the environment and the preparation and submission of an Environmental Impact Assessment Report would not therefore be required.

12.0 Appropriate Assessment Screening

The requirements of Article 6(3) as related to screening the need for appropriate assessment of a project under Part XAB, Section 177U and Section 177V of the Planning and Development Act, 2000 (as amended) are considered fully in this section.

The applicant has submitted a Screening Report for Appropriate Assessment of part of the planning application. The Screening Report has been prepared by Scott Cawley and is supported by an Ecological Impact Assessment. It provides information on, and assesses the potential for, the proposed development to impact on the Natura 2000 network of European sites. An Appropriate Assessment is required if significant effects on European sites arising from the proposed development cannot be ruled out at the screening stage, either alone or in combination with other plans or projects. The applicant's Screening Report concludes that the Appropriate Assessment of the proposed development is not required, as it can be concluded, on the basis of objective information, that the proposed development, either individually, or in combination with other plans and projects, will not have a significant effect on any European sites.

Having reviewed the documents and submissions, including those from the Planning Authority, Prescribed Bodies and Third Parties, I am satisfied that the submitted information allows for a complete examination and identification of all aspects of the project that could have an effect, alone, or in combination with other plans and projects on European sites.

The project is not directly connected with or necessary to the management of a European site and therefore it needs to be determined if the development is likely to have significant effects on a European site(s). The proposed development is examined in relation to any possible interaction with European sites designated Special Conservation Areas (SAC) and Special Protection Areas (SPA) to assess whether it may give rise to significant effects on any European site in view of the conservation objectives of those sites.

A list of Natura 2000 sites within 35 km of the subject site is provided in Appendix 1 of Scott Cawley's Appropriate Assessment Screening Report as follows:

Name	Site Code	Distance from Site
Knocksink Wood SAC	000725	3 km
Ballyman Glen SAC	000713	4 km
Wicklow Mountains SAC	002122	4.4 km
South Dublin Bay SAC	000210	6.9 km
Rockabill to Dalkey Island SAC	003000	7.3 km
Bray Head SAC	000714	8.7 km
Glenasmole Valley SAC	001209	10.2 km
Glen of the Downs SAC	000719	11.8 km
North Dublin Bay SAC	000206	12.2 km
Carriggower Bog SAC	000716	14.6 km
The Murrough Wetlands SAC	002249	17.3 km
Magherabeg Dunes SAC	001766	35 km
Wicklow Mountains SPA	004040	4.4 km
South Dublin Bay and River Tolka SPA	004024	6.9 km
Dalkey Islands SPA	004172	8.1 km
North Bull Island SPA	004006	11.6 km
Howth Head Coast SPA	004113	16.6 km
The Murrough SPA	004186	18.4 km

There are no European sites within or near the proposed development boundary, therefore there is no potential for direct impacts on any such site to occur. The proposed development is not an ex-situ site for Qualifying Interest/Special Conservation Interest populations of any European sites.

The nearest European site is Knocksink Wood SAC located c. 3 km to the south of the subject site. The site is not hydrologically connected to Knocksink Wood but is located in the same catchment area as the proposed development (Dargle Sub Catchment).

The closest waterbody to the site is the Carrickmines Stream (Glenamuck North) 200 m to the north of the site and separated from it by the Bishops Gate development. The waterbody flows c. 2.2 km downstream into the Carrickmines River, which flows a further 2.1 km downstream before joining the Shanganagh River, which discharges into Killiney Bay c. 2.9 km downstream. The Rockabill to Dalkey Island SAC lies c. 1.5 km off the coast from this outfall, however there is no direct hydrological link between this European site and the proposed development. The Shanganagh Stream is located c. 446 m south-west of the proposed development. This waterbody flows downstream c. 2.9 km before joining the Shanganagh River, at the same point as the Carrickmines Stream.

The Wicklow Mountains SAC and SPA is located c. 4.4km to the south-west of the subject site and is also not hydrologically connected but lies within the same sub catchment. Knocksink SAC located 3km to the south of the site is partly located in the same groundwater body as the proposed development (Wicklow GWB).

In applying the 'source-path-receptor' model in respect of potential indirect effects, and having considered the relevant conservation objectives and qualifying interests (as set out in Appendix 2 of this report), the following sites have been screened out from further assessment at the preliminary stage based on a combination of factors including the intervening minimum distances, the nature of the qualifying interests of the European sites, the nature and scale of the development and the likely emissions arising - North Bull Island SPA (Site Code: 004006), Howth Head Coast SPA (Site Code: 004113), Magherabeg Dunes SAC (Site Code: 001766) Ballyman Glen SAC (Site Code: 000713), Glenasmole Valley SAC (Site Code: 001209), Glen of the Downs SAC (Site Code: 00719), South Dublin Bay SAC (Site Code: 000210), South Dublin Bay and River Tolka SPA (Site Code: 004024), North Dublin Bay SAC (Site Code: 000206), The Murrough SPA (Site Code: 004186), Bray Head SAC (Site Code: 000714), Carriggower Bog SAC (Site Code: 000716) and Murrough Wetlands SAC (Site Code: 002249).

Further consideration is given to the remaining European sites below.

Knocksink Wood SAC (Site Code: 000725) is located 3 km from the subject site.

The **conservation objective** for this site is to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected. The **qualifying interests** for this SAC include petrifying springs with tufa formation (Cratoneurion) [7220], old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] and alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0].

The subject site is not located within or near the boundary of this SAC and is not hydrologically linked to this site. I further note that the possibility of likely significant habitat loss and fragmentation, water quality and habitat deterioration effects, and noise and disturbance effects can be excluded for this European site.

It is reasonable to conclude on the basis of the information on the file, 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 Knocksink Wood SAC (Site Code: 000725) and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required in relation to this European site.

Wicklow Mountains SAC (Site Code: 002122) is located 4.4 km from the subject site. The **conservation objectives** for this SAC are: (1) to maintain the favourable conservation condition of Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) in Wicklow Mountains SAC, (2) to maintain the favourable conservation condition of Natural dystrophic lakes and ponds in Wicklow Mountains SAC, (3) to restore the favourable conservation condition of Northern Atlantic wet heaths with Erica tetralix in Wicklow Mountains SAC, (4) to restore the favourable conservation condition of European dry heaths in Wicklow Mountains SAC, (5) to restore the favourable conservation condition of Alpine and Boreal heaths in Wicklow Mountains SAC, (6) to maintain the favourable conservation condition of Calaminarian grasslands of the Violetalia calaminariae in Wicklow Mountains SAC, (7) to restore the favourable conservation condition of Species-rich Nardus grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe)* in Wicklow Mountains SAC, (8) to restore the

favourable conservation condition of Blanket bogs (* if active bog) in Wicklow Mountains SAC, (9) to restore the favourable conservation condition of Siliceous scree of the montane to snow levels (*Androsacetalia alpinae* and *Galeopsietalia ladani*) in Wicklow Mountains SAC, (10) to restore the favourable conservation condition of Calcareous rocky slopes with chasmophytic vegetation in Wicklow Mountains SAC, (11) to restore the favourable conservation condition of Siliceous rocky slopes with chasmophytic vegetation in Wicklow Mountains SAC, (12) to restore the favourable conservation condition of Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles in Wicklow Mountains SAC and (13) to maintain the favourable conservation condition of Otter in Wicklow Mountains SAC.

The **qualifying interests** for this SAC are Otter *Lutra lutra* [1355], Oligotrophic waters containing very few minerals of sandy plains (*Littorelletalia uniflorae*) [3110], Oligotrophic to mesotrophic standing waters with vegetation of the *Littorelletea uniflorae* and/or *Isoeto-Nanojuncetea* [3130], Natural dystrophic lakes and ponds [3160], Northern Atlantic wet heaths with *Erica tetralix* [4010], European dry heaths [4030], Alpine and Boreal heaths [4060] Calaminarian grasslands of the *Violetalia calaminariae* [6130], Species-rich *Nardus* grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) [6230], Blanket bogs (* if active bog) [7130], Siliceous scree of the montane to snow levels (*Androsacetalia alpinae* and *Galeopsietalia ladani*) [8110], Calcareous rocky slopes with chasmophytic vegetation [8210], Siliceous rocky slopes with chasmophytic vegetation [8220], Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles [91A0].

The subject site is not located within or near the boundary of this SAC and is not hydrologically linked to this site. I further note that the possibility of likely significant habitat loss and fragmentation, water quality and habitat deterioration effects, and noise and disturbance effects can be excluded for this European site.

It is reasonable to conclude on the basis of the information on the file, 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 Wicklow Mountains SAC (Site Code: 002122) and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required in relation to this European site.

Rockabill to Dalkey Island SAC (Site Code: 003000) is located 7.3 km from the subject site. The **conservation objectives** for this site are: (1) to maintain the favourable conservation condition of Reefs in Rockabill to Dalkey Island SAC, and (2) to maintain the favourable conservation condition of Harbour porpoise in Rockabill to Dalkey Island SAC. The **qualifying interests** for this SAC are reefs [1170] and harbour porpoise *Phocoena phocoena* [1351].

The subject site is not located within or near the boundary of this SAC and is not hydrologically linked to this site. I further note that the possibility of likely significant habitat loss and fragmentation, water quality and habitat deterioration effects, and noise and disturbance effects can be excluded for this European site.

It is reasonable to conclude on the basis of the information on the file, 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 Rockabill to Dalkey Island SAC (Site Code: 003000) and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required in relation to this European site.

Wicklow Mountains SPA (Site Code: 004040) is located 4.4 km from the subject site. The **conservation objective** for this site is to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA. The **qualifying interests** for this SPA include Merlin [A098] and Peregrine [A103].

The subject site is not located within or near the boundary of this SAC and is not hydrologically linked to this site. I further note that the possibility of likely significant habitat loss and fragmentation, water quality and habitat deterioration effects, and noise and disturbance effects can be excluded for this European site.

It is reasonable to conclude on the basis of the information on the file, 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 Wicklow Mountains SPA (Site Code: 004040) and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required in relation to this European site.

Dalkey Islands SPA (Site Code: 004172) is located 8.1 km from the subject site. The **conservation objective** for this SPA is to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA. The **qualifying interests** for this SPA are Roseate Tern [A192], Common Tern [A193] and Arctic Tern [A194].

The subject site is not located within or near the boundary of this SAC and is not hydrologically linked to this site. I further note that the possibility of likely significant habitat loss and fragmentation, water quality and habitat deterioration effects, and noise and disturbance effects can be excluded for this European site.

It is reasonable to conclude on the basis of the information on the file, 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 Dalkey Islands SPA (Site Code: 004172) and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required in relation to this European site.

13.0 Recommendation

13.1. Having regard to the assessment above, I recommend that permission be **GRANTED** for the proposed development for the reasons and considerations and subject to the conditions set out below.

14.0 Reasons and Considerations

14.1. Having regard to the following:

- (a) the policies and objectives set out in the NPF and EMRA/RSES
- (b) the policies and objectives set out in the Dún Laoghaire-Rathdown County Development Plan 2016-2022 and the Kiltiernan/Glenamuck LAP 2013 (as extended)
- (c) the Rebuilding Ireland Action Plan for Housing and Homelessness, 2016
- (d) the Design Manual for Urban Roads and Streets, DMURS 2013, as extended

- (e) the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 2009
- (f) the Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments, 2020
- (g) the Planning System and Flood Risk Management (including the associated Technical Appendices), 2009
- (h) the nature, scale and design of the proposed development
- (i) the residential land use zoning of the site
- (j) the pattern of existing and permitted development in the area
- (k) the submissions and observations received,
- (l) the report of the Chief Executive of Dún Laoghaire-Rathdown County Council

It is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable quantum and density of development in this location, would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of urban design, height, density 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 Recommended 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 30th day of March 2021 by Stephen Little & Associates, Chartered Town Planning & Development Consultants, 26/27 Upper Pembroke Street, Dublin 2 on behalf of Adroit Operations Limited.

Proposed development:

The proposed development consists of 203 no. residential units in a mix of houses and apartment buildings ranging from 2 to 3 storeys overall comprising of: 109 no. own-door, 2-storey terraced houses, consisting of 88 no. 3-bed, 5-person houses (house types A(L), A(R), A1(L), A1(R), A2(L), A2(R), A-corner (L), A-corner (R), D(L),

D(R), and E); 16 no. 4-bed, 6-person houses (house type B (L) and B (R)); 5 no. 4-bed, 7-person houses (house types C(L), C (R) and F); 94 no. apartment units accommodated in 4 no. 3-storey buildings, consisting of: Block 1 accommodating 24 no. units (21 no. 2-bed and 3 no. 3-bed units); Block 2 accommodating 24 no. units (21 no. 2-bed and 3 no. 3-bed units); Block 3 accommodating 24 no. units (21 no. 2-bed and 3 no. 3-bed units); Block 4 accommodating 22 no. units (4 no. 1-bed and 18 no. 2-bed units); 1 no. childcare facility (c. 380 sq.m.) and associated c. 105 sq.m. amenity space is also proposed. All associated and ancillary site development and infrastructural works, hard and soft landscaping and boundary treatment works, including: public open space (c. 5,760 sq.m.), private communal amenity space (c. 784 sq.m.); provision of internal road network, including new road carriageways, pedestrian and cycle facilities, public lighting and street lighting. Vehicular access serving the development is primarily via the existing access road off Enniskerry Road serving the Bishops Gate development; provision of two no. new connections to the adjacent "Golden Ball" development site, which in turn also connects to a separate new junction on the Enniskerry Road (currently under construction, permitted under Reg. Ref. D16A/0090; ABP Ref. PL06D.246537, as amended), catering for pedestrian/cyclist movement only and pedestrian/cyclist/vehicle movements respectively between the two sites; 335 no. car parking spaces (9 no. childcare spaces, 218 no. house spaces, 94 no. apartment spaces and 14 no. visitor car parking spaces); 354 no. cycle parking spaces.

Decision:

Grant permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations set out hereunder 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 policies and objectives set out in the NPF and EMRA/RSES
- (b) the policies and objectives set out in the Dún Laoghaire-Rathdown County Development Plan 2016-2022 and the Kiltiernan/Glenamuck LAP 2013 (as extended)
- (c) the Rebuilding Ireland Action Plan for Housing and Homelessness, 2016
- (d) the Design Manual for Urban Roads and Streets, DMURS 2013, as extended
- (e) the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 2009
- (f) the Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments, 2020
- (g) the Planning System and Flood Risk Management (including the associated Technical Appendices), 2009
- (h) the nature, scale and design of the proposed development
- (i) the residential land use zoning of the site
- (j) the pattern of existing and permitted development in the area
- (k) the submissions and observations received,
- (l) the report of the Chief Executive of Dún Laoghaire-Rathdown County Council
- (m) the report of the Inspector

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 planning 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.

Thus, having regard to:

- (a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10 (b) (i) and (iv) of Schedule 2, Part 5 of the Planning and Development Regulations, 2001 (as amended),
- (b) the location of the site on land zoned “A” in the Dún Laoghaire-Rathdown County Development Plan 2016-2022, with the objective “to protect and/or improve residential amenity” and the compliance of the proposed development with the policies, objectives and development management standards outlined in the Plan and of the Kiltiernan/Glenamuck LAP 2013 (as extended to 2023),
- (c) the pattern of development on the lands in the surrounding area,
- (d) the availability of mains water and wastewater services to serve the development,
- (e) the location of the development outside any sensitive location specified in Article 299(c)(1)(v) of the Planning and Development Regulations, 2001 (as amended),
- (f) the guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-Threshold Development” issued by the Department of the Environment, Heritage and Local Government (2003),
- (g) the criteria set out in Schedule 7 of the Planning and Development Regulations, 2001 (as amended),

(h) the features and measures proposed by the applicant to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the Ecological Impact Assessment and Construction and Demolition Waste Management Plan,

It is considered that the proposed development, by reason of the nature, scale and location of the subject site, would not be likely to have significant effects on the environment and the preparation and submission of an Environmental Impact Assessment Report would not therefore be required.

Conclusions on Proper Planning and Sustainable Development:

The Board considered that the proposed development is, apart from the phasing parameters of the Kiteran/Glenamuck LAP 2013 (as extended), broadly compliant with the Dún Laoghaire-Rathdown County Development Plan 2016-2022 and the Kiteran/Glenamuck LAP 2013 (as extended) and would therefore be in accordance with the proper planning and sustainable development of the area.

The Board considered that, while a grant of permission for the proposed Strategic Housing Development would not materially contravene a zoning objective of the Development Plan, it would materially contravene the LAP with respect to the programme and phasing of development. The Board considers that, having regard to the provisions of Section 37(2) of the Planning and Development Act, 2000 (as amended), a grant of permission in material contravention of the LAP would be justified for the following reasons and considerations:

In relation to Section 37(2)(b)(i) of the Act, the proposed development is in accordance with the definition of Strategic Housing Development, as set out in Section 3 of the Planning and Development (Housing) and Residential Tenancies Act, 2016 and complies with the Government's policy to increase the delivery of housing as set out in Rebuilding Ireland Action Plan for Housing and Homelessness issued in July 2016.

In relation to Section 37(2)(b)(iii) of the Act, the proposed development is in accordance with national policy as set out in the National Planning Framework, specifically, National Policy Objective 3(b) which seeks to deliver at least 50% of all new homes targeted in the five cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints. The proposed development

would also supply 94 no. high quality apartment units in compliance with the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020).

In relation to Section 37(2)(b)(iv) of the Act, the Board has previously granted planning permission for residential schemes in the immediate vicinity of the subject site, including 197 no. residential units (ABP Ref. 306160-19) and 203 no. residential units (ABP Ref. 303978-19) on the eastern side of the Enniskerry Road and 116 no. residential units and a childcare facility on the adjoining lands to the south (ABP Ref. 307043-20). The proposed development will reflect the pattern of these permitted developments.

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

16.0 Conditions

1.	<p>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, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In the interest of clarity.</p>
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2.	<p>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.</p> <p>Reason: In the interest of visual amenity.</p>
3.	<p>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).</p> <p>Reason: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas.</p>
4.	<p>(a) The proposed childcare facility shall be completed and operational prior to the completion of Phase 1 of the development as illustrated on Drawing No. 6237-007 Rev. PL1 (Phasing Plan) submitted with the planning application.</p> <p>(b) Details of the signage for the childcare facility shall be submitted for the written agreement of the planning authority prior to its occupation.</p> <p>(c) The proposed childcare facility shall not operate outside the period of 0800 to 1800 hours Monday to Friday inclusive, and shall not operate on Saturdays, Sundays or public holidays.</p> <p>Reason: In the interest of residential amenity.</p>
5.	<p>No additional development shall take place above the roof parapet level of the apartments, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials,</p>

	<p>antennas or equipment, unless authorised by a further grant of planning permission.</p> <p>Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.</p>
6.	<p>(a) The landscaping scheme shown on Drawing No. 101 (Landscape Masterplan), as submitted with the planning application, shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, with a period of 5 years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>(b) The areas of public open space shown on the lodged plans shall be reserved for such use and shall be soiled, seeded, and landscaped in accordance with the detailed requirements of the planning authority. This work shall be completed before any of the dwellings are made available for occupation.</p> <p>(c) Prior to the commencement of development, the developer shall retain the professional services of a qualified Landscape Architect as Landscape Consultant throughout the life of the site development works and shall notify the Planning Authority of that appointment in writing.</p> <p>(d) When all landscape works are inspected and completed to the satisfaction of the Landscape Consultant, a Practical Completion Certificate shall be submitted for the written agreement of the Planning Authority, as verification that the approved landscape plans and specifications have been fully implemented.</p> <p>Reason: In the interest of residential and visual amenity.</p>
7.	<p>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</p>

	<p>agreed in writing with, the Planning Authority prior to the commencement of development:</p> <p>(a) The road 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 any requirements of the Planning Authority for such road works. A minimum width of 3 m shall be provided for any shared pedestrian/cycle routes.</p> <p>(b) All roads shown connecting to adjoining lands shall be constructed up to the boundaries. These areas shall be shown for taking in charge on a drawing to be submitted and agreed with the Planning Authority.</p> <p>(c) 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.</p> <p>(d) A Mobility Management Plan shall be prepared and submitted to the Planning Authority for approval prior to the commencement of development.</p> <p>(e) The developer shall carry out at their own expense, the recommendations and alternative measures as accepted by the designer in the submitted Quality Audit Appendix B Feedback Form. 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.</p> <p>Reason: In the interest of traffic and pedestrian safety.</p>
8.	<p>Prior to the making available for occupation of any of the units, all the proposed links to the adjoining Golden Ball site to the south-east, shall be satisfactorily completed at the developer's expense and available for public use.</p>

	Reason: In the interest of permeability and connectivity.
9.	<p>A minimum of 10% of the communal car parking spaces should be provided with EV charging stations/points, and ducting shall be provided for all remaining car parking 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, the development shall submit such proposals shall be submitted and agreed in writing with the Planning Authority prior to the occupation of the development.</p> <p>Reason: To provide for and/or future proof the development such as would facilitate the use of Electric Vehicles.</p>
10.	<p>The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:</p> <p>(a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and</p> <p>(b) employ a suitably-qualified archaeologist prior to commencement of development. The archaeologist shall assess the site and monitor all site development works.</p> <p>The assessment shall address the following issues:</p> <p>(i) the nature and location of archaeological material on the site, and</p> <p>(ii) the impact of the proposed development on such archaeological material.</p> <p>A report containing the results of the assessment shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the Planning Authority, details regarding any further</p>

	<p>archaeological requirements (including, if necessary, archaeological excavation) prior to the commencement of construction works.</p> <p>In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.</p>
11.	<p>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.</p> <p>Reason: In the interests of visual and residential amenity.</p>
12.	<p>The mitigation measures outline in the Ecological Impact Assessment submitted with this application, shall be carried out in full, except where otherwise required by conditions of this permission.</p> <p>Reason: In the interest of the proper planning and sustainable development of the area.</p>
13.	<p>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 prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.</p> <p>Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.</p>

14.	<p>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 the commencement of development. Such lighting shall be provided prior to the making available for occupation of any unit.</p> <p>Reason: In the interests of amenity and public safety.</p>
15.	<p>Prior to the commencement of development, the developer shall submit for the written agreement of the Planning Authority, drawings showing all development works to be taken in charge designed to meet the standards of the Planning Authority.</p> <p>Reason: In the interest of the proper planning and sustainable development of the area.</p>
16.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan and Environmental Management Construction 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 hours of working, noise and dust management measures, traffic management arrangements/measures and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interests of public safety.</p>
17.	<p>Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health and surface water management.</p>
18.	<p>Prior to the commencement of development, the developer shall enter into water and/or waste-water connection agreement(s) with Irish Water.</p> <p>Reason: In the interest of public health.</p>
19.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, 0800 to 1400 on</p>

	<p>Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
20.	<p>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 occupation of the development.</p> <p>Reason: To ensure the satisfactory completion and maintenance of this development.</p>
21.	<p>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.</p> <p>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.</p>
22.	<p>Prior to the commencement of any house in the development as permitted, the applicant or any person with an in interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house unit), pursuant to Section 47 of the Planning and Development Act, 2000, that restricts all houses permitted, to</p>

	<p>first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p> <p>Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.</p>
23.	<p>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.</p> <p>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.</p>
24.	<p>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</p>

	<p>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.</p> <p>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.</p>
25.	<p>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.</p> <p>Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.</p>

Louise Treacy
 Planning Inspector

9th July 2021

Appendix 1: EIA Screening Determination

EIA - Screening Determination for Strategic Housing Development Applications

A. CASE DETAILS		
An Bord Pleanála Case Reference		309846-21
Development Summary		94 no. apartments, 109 no. dwellings and a childcare facility
	Yes / No / N/A	
1. Has an AA screening report or NIS been submitted?	Yes	A Stage 1 AA Screening Report was submitted with the application.
2. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No	
3. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA	Yes	Please refer to Section 11.0 of the Inspector's Report for details.

B. EXAMINATION	Yes/ No/ Uncertain	Briefly describe the nature and extent and Mitigation Measures (where relevant) (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) Mitigation measures –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.	Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)			
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	No	The development comprises the construction of residential units & a childcare facility on zoned lands. The nature and scale of the proposed development reflects the surrounding pattern of development.	No
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	Yes	The proposed development will complete a gap site within Kiltiernan village. The proposed development is not considered to be out of character with the surrounding pattern of development.	No
1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	Yes	Construction materials will be typical of an urban environment. The loss of natural resources or local biodiversity as a result of the development of the site are not regarded as significant.	No
1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	Yes	Construction activities will require the use of potentially harmful materials, such as fuel and other substances. Such use will be typical of construction sites. Any impacts would be local and temporary in nature and the implementation of a Construction Management Plan will satisfactorily mitigate potential impacts. No operational impacts in this regard are anticipated.	No

<p>1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?</p>	<p>Yes</p>	<p>Construction activities will require the use of potentially harmful materials, such as fuels and other substances and will give rise to waste for disposal. Such use will be typical of construction sites. Noise and dust emissions during construction are likely. Such construction impacts would be local and temporary in nature and the implementation of a Construction Management Plan will satisfactorily mitigate potential impacts. Operational waste will be managed via a Waste Management Plan. Significant operational impacts are not anticipated.</p>	<p>No</p>
<p>1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?</p>	<p>No</p>	<p>No significant risk identified. Operation of a Construction Management Plan will satisfactorily mitigate emissions from spillages during construction. The operational development will connect to mains services. Surface water drainage will be separate to foul services within the site. No significant emissions during operation are anticipated.</p>	<p>No</p>
<p>1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</p>	<p>Yes</p>	<p>Potential for construction activity to give rise to noise and vibration emissions. Such emissions will be localised and short term in nature and their impacts will be suitably mitigated by the operation of a Construction Management Plan. Management of the scheme in accordance with an agreed Management Plan will mitigate potential operational impacts.</p>	<p>No</p>

<p>1.8 Will there be any risks to human health, for example due to water contamination or air pollution?</p>	<p>No</p>	<p>Construction activity is likely to give rise to dust emissions. Such construction impacts would be temporary and localised in nature and the operation of a Construction Management Plan would satisfactorily address potential impacts on human health. No significant operational impacts anticipated.</p>	<p>No</p>
<p>1.9 Will there be any risk of major accidents that could affect human health or the environment?</p>	<p>No</p>	<p>No significant risk having regard to the nature and scale of the proposed development. Any risk arising from construction will be localised and temporary in nature. The site is not at risk of flooding. There are no SEVESO/COMAH sites in the vicinity of this location.</p>	<p>No</p>
<p>1.10 Will the project affect the social environment (population, employment)</p>	<p>Yes</p>	<p>The redevelopment of the site will increase the local population. This not regarded as significant given the suburban location of the site and the surrounding pattern of land use.</p>	<p>No</p>
<p>1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?</p>	<p>No</p>	<p>The proposed development relates to a gap site in an existing suburban environment.</p>	<p>No</p>

2. Location of proposed development			
<p>2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following:</p> <ol style="list-style-type: none"> 1. European site (SAC/ SPA/ pSAC/ pSPA) 2. NHA/ pNHA 3. Designated Nature Reserve 4. Designated refuge for flora or fauna 5. Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan 	No	The site is not located within or adjoining any such sites.	No
<p>2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?</p>	No	No such species use the site and no impacts on such species are anticipated.	No
<p>2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?</p>	Yes	While there are no known monuments or other archaeological features on the subject site, archaeological testing will be undertaken in advance of construction.	No
<p>2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?</p>	No	No such features arise in this location.	No

<p>2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?</p>	<p>No</p>	<p>There are no direct connections to watercourses in the area. The development will implement SUDS measures to control surface water run-off. The site is not at risk of flooding.</p>	<p>No</p>
<p>2.6 Is the location susceptible to subsidence, landslides or erosion?</p>	<p>No</p>	<p>No such risks identified.</p>	<p>No</p>
<p>2.7 Are there any key transport routes(eg National Primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?</p>	<p>No</p>	<p>The site is served by a local urban road network. There are sustainable transport options available to future residents. No significant contribution to traffic congestion is anticipated.</p>	<p>No</p>
<p>2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?</p>	<p>No</p>	<p>There are no such adjoining land uses.</p>	<p>No</p>

3. Any other factors that should be considered which could lead to environmental impacts			
3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/operation phase?	No	No developments have been identified in the vicinity that could give rise to significant cumulative environmental effects.	No
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No	No transboundary considerations arise.	No
3.3 Are there any other relevant considerations?			
C. CONCLUSION			
No real likelihood of significant effects on the environment.	Yes	EIAR Not Required	EIAR Not Required
Real likelihood of significant effects on the environment.	No	Refuse to deal with the application pursuant to section 8(3)(a) of the Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended)	

D. MAIN REASONS AND CONSIDERATIONS

(a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10 (b) (i) and (iv) of Schedule 2, Part 5 of the Planning and Development Regulations, 2001 (as amended), (b) the location of the site on land zoned "A" in the Dún Laoghaire-Rathdown County Development Plan 2016-2022, with the objective "to protect and/or improve residential amenity" and the compliance of the proposed development with the policies, objectives and development management standards outlined in the Plan and of the Kiltiernan/Glenamuck LAP 2013 (as extended to 2023), (c) the pattern of development on the lands in the surrounding area,

(d) the availability of mains water and wastewater services to serve the development, (e) the location of the development outside any sensitive location specified in Article 299(c)(1)(v) of the Planning and Development Regulations, 2001 (as amended),

(f) the guidance set out in the "Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-Threshold Development" issued by the Department of the Environment, Heritage and Local Government (2003),

(g) the criteria set out in Schedule 7 of the Planning and Development Regulations, 2001 (as amended),

(h) the features and measures proposed by the applicant to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the Ecological Impact Assessment and Construction and Demolition Waste Management Plan, It is considered that the proposed development, by reason of the nature, scale and location of the subject site, would not be likely to have significant effects on the environment and the preparation of an Environmental Impact Assessment Report would not therefore be required.

Inspector: Louise Treacy

Date: 9th July 2021

Appendix 2: Designated Sites: Conservation Objectives and Qualifying Interests

Ballyman Glen SAC (Site Code: 000713)	
Conservation Objectives	(1) To restore the favourable conservation condition of Petrifying springs with tufa formation (Cratoneurion)* in Ballyman Glen SAC. (2) To restore the favourable conservation condition of Alkaline fens in Ballyman Glen SAC.
Qualifying Interests	Petrifying springs with tufa formation (Cratoneurion) [7220]; Alkaline fens [7230]

South Dublin Bay SAC (Site Code: 000210)	
Conservation Objectives	To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in South Dublin Bay SAC.
Qualifying Interests	Mudflats and sandflats not covered by seawater at low tide [1140]

Bray Head SAC (Site Code: 000714)	
Conservation Objectives	(1) To maintain the favourable conservation condition of vegetated sea cliffs of the Atlantic and Baltic coasts in Bray Head SAC. (2) To restore the favourable conservation condition of European dry heaths in Bray Head SAC.
Qualifying Interests	Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]; European dry heaths [4030]

Glenasmole Valley SAC (Site Code: 001209)

Conservation Objectives	To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.
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Qualifying Interests	Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco Brometalia) (* important orchid sites)* [6210]; Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410]; Petrifying springs with tufa formation (Cratoneurion) [7220]
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Glen of the Downs SAC (Site Code: 000719)

Conservation Objectives	To restore the favourable conservation condition of Old sessile oak woods with Ilex and Blechnum in the British Isles in Glen of the Downs SAC.
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Qualifying Interests	Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]
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North Dublin Bay SAC (Site Code: 000206)

Conservation Objectives	<p>(1) To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in North Dublin Bay SAC.</p> <p>(2) To restore the favourable conservation condition of Annual vegetation of drift lines in North Dublin Bay SAC.</p> <p>(3) To restore the favourable conservation condition of Salicornia and other annuals colonizing mud and sand in North Dublin Bay SAC.</p>
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	<p>(4) To maintain the favourable conservation condition of Atlantic salt meadows (<i>Glaucopuccinellietalia maritima</i>) in North Dublin Bay SAC.</p> <p>(5) To maintain the favourable conservation condition of Mediterranean salt meadows (<i>Juncetalia maritimi</i>) in North Dublin Bay SAC.</p> <p>(6) To restore the favourable conservation condition of Embryonic shifting dunes in North Dublin Bay SAC.</p> <p>(7) To restore the favourable conservation condition of Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ('white dunes') in North Dublin Bay SAC.</p> <p>(8) To restore the favourable conservation condition of Fixed coastal dunes with herbaceous vegetation ('grey dunes') in North Dublin Bay SAC.</p> <p>(9) To restore the favourable conservation condition of Humid dune slacks in North Dublin Bay SAC</p> <p>(10) To maintain the favourable conservation condition of Petalwort in North Dublin Bay SAC.</p>
<p>Qualifying Interests</p>	<p>Mudflats and sandflats not covered by seawater at low tide [1140]; Annual vegetation of drift lines [1210]; <i>Salicornia</i> and other annuals colonising mud and sand [1310]; Atlantic salt meadows (<i>Glaucopuccinellietalia maritima</i>) [1330]; Petalwort <i>Petalophyllum ralfsii</i> [1395]; Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]; Embryonic shifting dunes [2110]; Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]; Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]; Humid dune slacks [2190]</p>

Carriggower Bog SAC (Site Code: 000716)	
Conservation Objectives	To maintain the favourable conservation condition of Transition mires and quaking bogs in Carriggower Bog SAC.
Qualifying Interests	Transition mires and quaking bogs [7140]

Murrough Wetlands SAC (Site Code: 002249)	
Conservation Objectives	To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.
Qualifying Interests	Annual vegetation of drift lines [1210]; Perennial vegetation of stony banks [1220]; Atlantic salt meadows (<i>Glaucopuccinellietalia maritima</i>) [1330]; Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]; Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i> [7210]; Alkaline fens [7230].

Magherabeg Dunes SAC (Site Code: 001766)	
Conservation Objectives	<p>(1) To maintain the favourable conservation condition of Embryonic shifting dunes in Magherabeg Dunes SAC.</p> <p>(2) To maintain the favourable conservation condition of Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) in Magherabeg Dunes SAC.</p> <p>(3) To restore the favourable conservation condition of fixed coastal dunes with herbaceous vegetation (grey dunes)* in Magherabeg Dunes SAC.</p> <p>(4) To maintain the favourable conservation condition of Atlantic decalcified fixed dunes (<i>Calluno-Ulicetea</i>) in Magherabeg Dunes SAC.</p>

	(5) To restore the favourable conservation condition of Petrifying springs with tufa formation (Cratoneurion) in Magherabeg Dunes SAC.
Qualifying Interests	Annual vegetation of drift lines [1210]; Embryonic shifting dunes [2110]; Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]; Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]; Atlantic decalcified fixed dunes (Calluno-Ulicetea) [2150]; Petrifying springs with tufa formation (Cratoneurion) [7220]

South Dublin Bay and River Tolka SPA (Site Code: 004024)

Conservation Objectives	<p>(1) To maintain the favourable conservation condition of Light-bellied Brent Goose in South Dublin Bay and River Tolka Estuary SPA.</p> <p>(2) To maintain the favourable conservation condition of Oystercatcher in South Dublin Bay and River Tolka Estuary SPA.</p> <p>(3) To maintain the favourable conservation condition of Ringed Plover in South Dublin Bay and River Tolka Estuary SPA.</p> <p>(4) To maintain the favourable conservation condition of Knot in South Dublin Bay and River Tolka Estuary SPA.</p> <p>(5) To maintain the favourable conservation condition of Sanderling in South Dublin Bay and River Tolka Estuary SPA.</p> <p>(6) To maintain the favourable conservation condition of Dunlin in South Dublin Bay and River Tolka Estuary SPA.</p> <p>(7) To maintain the favourable conservation condition of Bar-tailed Godwit in South Dublin Bay and River Tolka Estuary SPA.</p>
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	<p>(8) To maintain the favourable conservation condition of Redshank in South Dublin Bay and River Tolka Estuary SPA.</p> <p>(9) To maintain the favourable conservation condition of Black-headed Gull in South Dublin Bay and River Tolka Estuary SPA.</p> <p>(10) To maintain the favourable conservation condition of Roseate Tern in South Dublin Bay and River Tolka Estuary SPA.</p> <p>(11) To maintain the favourable conservation condition of Common Tern in South Dublin Bay and River Tolka Estuary SPA.</p> <p>(12) To maintain the favourable conservation condition of Arctic Tern in South Dublin Bay and River Tolka Estuary SPA.</p> <p>(13) To maintain the favourable conservation condition of the wetland habitat in South Dublin Bay and River Tolka Estuary SPA as a resource for the regularly occurring migratory waterbirds that utilise it.</p>
<p>Qualifying Interests</p>	<p>Light-bellied Goose <i>Branta bernicla hrota</i> [A046]; Oystercatcher <i>Haematopus ostralegus</i> [A130]; Ringed Plover <i>Charadrius hiaticula</i> [A137]; Grey Plover <i>Pluvialis squatarola</i> [A141]; Knot <i>Calidris canutus</i> [A143]; Sanderling <i>Calidris alba</i> [A144]; Dunlin <i>Calidris alpina alpina</i> [A149]; Bar-tailed Godwit <i>Limosa lapponica</i> [A157]; Redshank <i>Tringa totanus</i> [A162]; Black-headed Gull <i>Chroicocephalus ridibundus</i> [A179]; Roseate Tern <i>Sterna dougallii</i> [A192]; Common Tern <i>Sterna hirundo</i> [A193]; Arctic Tern <i>Sterna paradisaea</i> [A194]; Wetlands [A999]</p>

North Bull Island SPA (Site Code: 004006)

Conservation Objectives

- (1) To maintain the favourable conservation condition of Light-bellied Brent Goose in North Bull Island SPA.
- (2) To maintain the favourable conservation condition of Shelduck in North Bull Island SPA.
- (3) To maintain the favourable conservation condition of Teal in North Bull Island SPA.
- (4) To maintain the favourable conservation condition of Pintail in North Bull Island SPA.
- (5) To maintain the favourable conservation condition of Shoveler in North Bull Island SPA.
- (6) To maintain the favourable conservation condition of Oystercatcher in North Bull Island SPA.
- (7) To maintain the favourable conservation condition of Golden Plover in North Bull Island SPA.
- (8) To maintain the favourable conservation condition of Grey Plover in North Bull Island SPA.
- (9) To maintain the favourable conservation condition of Knot in North Bull Island SPA.
- (10) To maintain the favourable conservation condition of Sanderling in North Bull Island SPA.
- (11) To maintain the favourable conservation condition of Dunlin in North Bull Island SPA.
- (13) To maintain the favourable conservation condition of Black-tailed Godwit in North Bull Island SPA.
- (13) To maintain the favourable conservation condition of Bar-tailed Godwit in North Bull Island SPA.
- (14) To maintain the favourable conservation condition of Curlew in North Bull Island SPA.

	<p>(15) To maintain the favourable conservation condition of Redshank in North Bull Island SPA.</p> <p>(16) to maintain the favourable conservation condition of Turnstone in North Bull Island SPA.</p> <p>(17) to maintain the favourable conservation condition of Black-headed Gull in North Bull Island SPA.</p> <p>(18) To maintain the favourable conservation condition of the wetland habitat in North Bull Island SPA as a resource for the regularly occurring migratory waterbirds that utilise it.</p>
Qualifying Interests	<p>Light-bellied Brent Goose <i>Branta bernicla hrota</i> [A046]; Shelduck <i>Tadorna tadorna</i> [A048]; Teal <i>Anas crecca</i> [A052]; Pintail <i>Anas acuta</i> [A054]; Shoveler <i>Anas clypeata</i> [A056]; Oystercatcher <i>Haematopus ostralegus</i> [A130]; Golden Plover <i>Pluvialis apricaria</i> [A140]; Grey Plover <i>Pluvialis squatarola</i> [A141]; Knot <i>Calidris canutus</i> [A143]; Sanderling <i>Calidris alba</i> [A144]; Dunlin <i>Calidris alpina alpina</i> [A149]; Black-tailed Godwit <i>Limosa limosa</i> [A156]; Bar-tailed Godwit <i>Limosa</i> <i>lapponica</i> [A157]; Curlew <i>Numenius arquata</i> [A160]; Redshank <i>Tringa totanus</i> [A162]; Turnstone <i>Arenaria interpres</i> [A169]; Black-headed Gull <i>Chroicocephalus ridibundus</i> [A179]; Wetlands [A999]</p>

Howth Head Coast SPA (Site Code: 004113)	
Conservation Objectives	To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.
Qualifying Interests	Kittiwake [A188]

The Murrough SPA (Site Code: 004186)

Conservation Objectives	To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.
Qualifying Interests	Red-throated Diver <i>Gavia stellata</i> [A001]; Greylag Goose <i>Anser anser</i> [A043]; Light-bellied Brent Goose <i>Branta bernicla hrota</i> [A046]; Wigeon <i>Anas penelope</i> [A050]; Teal <i>Anas crecca</i> [A052]; Black-headed Gull <i>Chroicocephalus ridibundus</i> [A179]; Herring Gull <i>Larus argentatus</i> [A184]; Little Tern [A195]