



An
Bord
Pleanála

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

**Inspector's Report on
Recommended Opinion
ABP-311820-21**

Strategic Housing Development	620 no. residential units (434 no. houses, 186 no. apartments), creche and associated site works.
Location	"The Foothills" in the townlands of Killinarden and Kiltalown, Tallaght, Dublin 24.
Planning Authority	South Dublin County Council
Prospective Applicant	The Arden Team DAC
Date of Consultation Meeting	10/02/2022
Date of Site Inspection	11/01/2022
Inspector	Conor McGrath

Contents

1.0	Introduction	3
2.0	Site Location and Description.....	3
3.0	Proposed Strategic Housing Development.....	3
4.0	Relevant Planning History	5
5.0	Section 247 Consultation(s) with Planning Authority	5
6.0	Planning Policy	6
7.0	Submissions Received	14
8.0	Forming the Opinion	15
9.0	Conclusion and Recommendation	19
10.0	Recommended Opinion.....	22

1.0 Introduction

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

2.0 Site Location and Description

The subject site is located on the southern edge of the urban area at Killinarden, Tallaght, approx. 2km south of Tallaght Town Centre. The lands comprise a stated area of approx. 30ha, composed of a number of fields which are largely overgrown sub-divided by mature boundaries. The lands rise from north to south and overhead power lines run roughly parallel to the southern site boundary. The lands are subdivided by Horan's Lane which runs south-north through the site to Hazelgrove / Killinarden Heights. The slope across the lands is somewhat shallower to the east of the lane. To the north and east there are extensive areas of residential development, while Scoil Chaitlín Maude is sited on the northwestern boundary. The site has frontage to Hazel Grove and Killinarden Heights to the north, while there is also access on its western side to the N81 via Kiltalown / Hazel Hill Lane. At the eastern end of the lands, an access road serving the grounds of Sacred Heart Football club runs north-south through the site. The subject lands were the subject of a Masterplan prepared by SDCC in 2019.

3.0 Proposed Strategic Housing Development

The proposed development is described as follows:

- A mixed tenure development comprising 620 residential units (125 no. Social units; 372 no. Affordable units and 123 no. Private units), with creche and community centre.

- Dwellings units will consist of
 - 434 no. houses (3 no. 2-bed; 417 no. 3-bed; 14 no. 4-bed);
 - 149 no. duplexes (106 no. 2-bed and 43 no. 3-bed); and
 - 37 no. apartments (18 no. 1-bed and 19 no. 2-bed).
- Car and cycle parking, and a variety of open spaces including new public parks, urban pockets parks and green corridors.
- Vehicular/cyclist/pedestrian access to existing public roads (Blessington Road (N81); Killinarden Heights, Hazelgrove, Horan’s Lane).
- Provision of the first phase of a new Local Centre (including creche) to the north adjoining Killinarden Heights and Hazelgrove.
- Associated site development and infrastructural works, and services provision.

Key development parameters include:

Site Area	Gross Site Area: c.30 ha Net Developable Area c.15 ha	
No. of Units	620 no. residential units	
Unit Breakdown	434 no. houses (70%)	- 3 no. 2 bed - 417 no. 3 bed - 14 no. 4 bed
	149 no. duplexes (24%)	- 106 no. 2 bed - 43 no. 3 bed
	37 no apartments (6%)	- 18 no. 1 beds - 19 no. 2 beds
Density	41.3 / ha	
Building heights	2 – 4-storeys	
Open Space	12.5ha, including 5ha Elder Park and other spaces	
Facilities	Creche 1,045-sq.m. Community Centre 627-sq.m.	
Car parking	753 no. spaces	
Tenure Mix	Affordable purchase (60%),	

	Private (20%) Social homes (20%)
--	-------------------------------------

Unit type	No.	%
1-bed	18	3
2-bed	128	21
3-bed	460	74
4-bed	14	2

4.0 Relevant Planning History

- PA ref. SD14A/0147: Permission granted in 2014 for a new two storey school (Scoil Caitlin Maude) on the northern edge of the site.
- PA ref. SD218/0004: Part 8 approval granted in May 2021 for the upgrading of Killinarden Park, to the northeast of the subject site.
- PA ref. SD07A/0013 ABP ref. PL0S.226195: Permission granted for 245 no. dwellings and a creche at Elder Heath to the east of the subject site. Condition no. 2 required the remainder of this development to be subject to a separate planning permission. An appeal against this decision was withdrawn.
- PA ref. 12A/0168: Permission granted for 328 no. dwellings on foot of condition no. 2 of SD07A/0013, on lands to the east of Elder Heath.

5.0 Section 247 Consultation(s) with Planning Authority

Documentation submitted refers to S.247 consultations with the planning authority on 14th October 2021. Matters discussed are reported to include:

- Landownership.
- Relevant planning policies.
- Densities

- Hedgerow removal and environmental assessment.
- Treatment of site slopes.
- Phasing.
- Connections and linkages.
- Dwelling design.
- Alignment with road objectives in the current development plan.
- Internal road layout.
- Design and layout of open space.
- Drainage design.

6.0 Planning Policy

6.1. National and Regional Planning Policy

6.1.1. National Planning Framework

National Strategic Outcome 1: Compact Growth, recognises the need to deliver a greater proportion of residential development within existing built-up areas.

Activating these strategic areas and achieving effective density and consolidation, rather than urban sprawl is a top priority.

Objective 3a seeks to deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.

Objective 13 seeks to base planning and related standards including building height and car parking in urban areas, on performance criteria that seek to achieve well-designed high-quality outcomes to achieve targeted growth.

Objectives of Chapter 6, 'People Homes and Communities', including Objective 27, seeks to ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities.

Objective 33 seeks to prioritise the new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

Objective 35 seeks to increase densities in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

6.1.2. Rebuilding Ireland – Action Plan for Housing and Homelessness 2016

The plan identifies five pillars for action.

Pillar 2: Accelerate Social Housing, seeks to increase the level and speed of delivery of social housing and other State supported housing. Key actions include 47,000 social housing units delivered by 2021, NTMA / Private Sector Housing Fund to deliver increased housing supply and Mixed-Tenure Development on State Lands and other lands.

Pillar 3: Build More Homes, seeks to increase the output of private housing to meet demand at affordable prices. The key action is to double housing output over the Plan period.

6.1.3. Housing for All - A New Housing Plan for Ireland (Sept 2021)

The stated aim is to provide access to a home to purchase or rent at an affordable price, built to a high standard and in the right place, offering a high quality of life. The plan identifies the need for construction of an average of 33,000 homes per annum nationally until 2030 to meet the targets outlined in the National Planning Framework. Four overarching objectives are identified:

- Supporting Homeownership and Increasing Affordability.
- Eradicating Homelessness, Increasing Social Housing Delivery and Supporting Social Inclusion.
- Increasing New Housing Supply; and
- Addressing Vacancy and Efficient Use of Existing Stock.

The Pathway to Increasing New Housing Supply includes a focus on the adequate supply of serviced zoned lands to meet housing need, at required densities.

6.1.4. **Regional Spatial and Economic Strategy for the Eastern and Midland Region**

The Strategy supports the implementation of Project Ireland 2040 and the National Planning Framework (NPF).

RPO 3.2 promotes compact urban growth, targets at least 50% of all new homes to be built, to be within or contiguous to the existing built-up area of Dublin city and suburbs and a target of at least 30% for other urban areas.

RPO 3.3 requires local authorities to provide for increased densities as set out in the 'Sustainable Residential Development in Urban Areas', 'Sustainable Urban Housing; Design Standards for new Apartments Guidelines' and the 'Urban Development and Building Heights Guidelines for Planning Authorities'.

The site lies within the Dublin Metropolitan Area. The aim of the Dublin Metropolitan Area Strategic Plan is to deliver strategic development areas to ensure a steady supply of serviced development lands to support sustainable growth. Section 5.3 identifies guiding principles for development of the MASP area including:

Compact sustainable growth and accelerated housing delivery – To promote sustainable consolidated growth of the Metropolitan Area, including brownfield and infill development, to achieve a target to 50% of all new homes within or contiguous to the built-up area of Dublin City and suburbs, and at least 30% in other settlements. To support a steady supply of sites and to accelerate housing supply in order to achieve higher densities in urban built up areas, supported by improved services and public transport.

6.2. **Section 28 Ministerial Guidelines**

Having considered the nature of the proposal, the receiving environment, the documentation on file, including the report of the Chief Executive, and observers' submissions, I am of the opinion, that the directly relevant section 28 Ministerial Guidelines are:

- Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities.
- Urban Development and Building heights, Guidelines for Planning Authorities.

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (including the associated 'Urban Design Manual').
- Circular Letter: NRUP 02/2021 in respect of Residential Densities in Towns and Villages, as set out in Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009)
- Design Manual for Urban Roads and Streets (DMURS).
- National Cycle Manual.
- The Planning System and Flood Risk Management Guidelines for Planning Authorities (including the associated 'Technical Appendices').
- Childcare Facilities – Guidelines for Planning Authorities.
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment.

6.3. Local Planning Policy

6.3.1. South Dublin County Development Plan 2016-2022

The subject lands are zoned Objective RES-N; To provide for new residential communities in accordance with approved area plans.

There is a Long-Term Road Proposal relating to the N81 to the west of the lands and the site of a Recorded Monument to the south of the lands.

Chapter 2 outlines policies and objectives in relation to new housing and includes objectives relating to urban design, densities, building heights, mix of dwelling types and open space. Section 2.2.2 notes that densities should take account of the location of a site, the proposed mix of dwelling types and the availability of public transport services. Higher densities should be located within walking distance of town and district centres and high-capacity public transport facilities.

Policy H6 Sustainable Communities – support development of sustainable communities and ensure new housing development is carried out in accordance with Government Policy in relation to housing and residential communities.

Policy H7 Urban Design – to ensure new residential development is of high-quality design and complies with Government guidance.

Policy H10 Mix of Dwelling Types seeks to ensure wide variety of housing types, sizes and tenures.

Policy H8 – residential densities – promote higher densities at appropriate locations.

H8 Objective 6: To apply the provisions of the Guidelines on Sustainable Residential Development in Urban Areas, relating to Outer Suburban locations, including a density range of 35-50 units per hectare, to greenfield sites that are zoned residential (RES or RES-N) and not designated as a SDZ, a LAP and/or an approved plan.

HOUSING Policy 9 Residential Building Heights, supports varied building heights.

H9 Objective 1 encourages varied building heights in new residential developments to support compact urban form, sense of place, urban legibility and visual diversity.

H9 Objective 2 seeks to ensure that higher buildings in established areas respect the surrounding context.

H9 Objective 3 seeks to ensure that residential developments adjoining existing one and two storey housing incorporate a gradual change in building heights with no significant marked increase in building height.

H9 Objective 4 directs tall buildings > five storeys in height to strategic and landmark locations in Town Centres, Mixed Use zones and Strategic Development Zones and subject to an approved Local Area Plan or Planning Scheme.

H9 Objective 5: To restrict general building heights on 'RES-N' zoned lands south of the N7 to no more than 12 metres where not covered by a current statutory LAP.

11.2.7 Building Height, notes that proposals that include 'higher buildings' that are greater than the prevailing building height should be supported by a strong urban design rationale and provide measures promoting the transition to a higher building.

Proposals for higher buildings of over three storeys in residential areas should be accompanied by a site analysis and statement. The appropriate maximum or minimum height of any building will be determined by:

- The prevailing building height in the surrounding area.
- The proximity of existing housing - new residential development that adjoins existing one and/or two storey housing (backs or sides onto or faces) shall be no

more than two storeys in height, unless a separation distance of 35 metres or greater is achieved.

- The formation of a cohesive streetscape pattern – including height and scale of the proposed development in relation to width of the street, or area of open space.
- The proximity of any Protected Structures, Architectural Conservation Areas and/or other sensitive development.

Proposals for ‘tall buildings’, that exceed five storeys will only be considered at areas of strategic planning importance such as key nodes, along the main street network and along principal open spaces in Town Centres, Regeneration zones and Strategic Development Zones, and subject to an approved LAP or Planning Scheme.

Policy TM7 – Transport and Mobility – to take a balanced approach to car parking to meet the needs of businesses and communities whilst promoting a transition to more sustainable forms of transportation.

Table 6.6 Medium to Long Term Road Objectives

Proposal: Blessington Road/N81 Upgrade of the existing route including the extension of the dual carriage way from Jobstown to the Embankment and an upgrade from the Embankment to the County border at Lisheen, to a safe, modern, single lane, carriageway with associated works for public transport.

Function: Improvement of the National Road network between Tallaght and Blessington, Co. Wicklow

Chapter 8 deals with Green Infrastructure.

Policy 2 Green Infrastructure Network: To promote and develop a coherent, integrated and evolving Green Infrastructure network that can connect to the regional network, secure and enhance biodiversity, provide readily accessible parks, open spaces and recreational facilities.

G2 Objective 1: To reduce fragmentation of the Green Infrastructure network and strengthen ecological links.

G2 Objective 2: To protect and enhance the biodiversity value and ecological function of the Green Infrastructure network.

G2 Objective 5: To integrate Green Infrastructure as an essential component of all new developments.

G2 Objective 6: To protect and enhance the County's hedgerow network.

G2 Objective 9: To preserve, protect and augment trees, groups of trees, woodlands and hedgerows.

G2 Objective 13: To seek to prevent the loss of woodlands, hedgerows, aquatic habitats and wetlands.

Policy 6 New Development in Urban Areas supports the protection and enhancement of Green Infrastructure including the protection of existing ecological features and provision of into the wider Green Infrastructure network. Objective 3 requires multifunctional open space provision that provides for ecology and sustainable water management.

Development Management Standards are included in Chapter 11. In respect of residential land uses, section 11.3.1 provides for the following

(i) The overall dwelling mix should provide for a balanced range of dwelling types and sizes to support a variety of household types.

(ii) Residential density should be determined with reference to the Sustainable Residential Development in Urban Areas Guidelines, generally greater than 35 dwellings per hectare. Local Area Plans, SDZ Planning Schemes and Framework Plans will set out density bands in growth areas.

(iii) Residential development in RES-N zones require a min of 14% open space.

Table 11.24 sets out the Maximum Parking rates for residential development ranging from 1 - 1.5 spaces for apartments and duplex units and 1 - 2 spaces for traditional houses.

6.3.2. Killinarden Masterplan 2019 (South Dublin County Council)

This non-statutory masterplan and formed part of the tender documentation issued by in respect of the development of these SDCC lands, and in respect of which the prospective applicants were the successful bidders.

The core principles underpinning the spatial concepts for the masterplan are:

1. To create a unique place built on the positive aspects of local character, natural and landscape heritage and qualities, and the position on the urban-rural interface / urban edge
2. To protect and, where possible, enhance local natural and cultural heritage.
3. To create two distinctive, but closely linked, character and functional areas, with good links to surrounding, established communities, amenities and services
4. To provide for a distinctive hierarchy of streets and spaces, that provides for permeability and strong connections to surrounding communities and rural areas
5. To optimise walking, cycling and access to public transport.
6. To provide for local-level mixed use and services and to improve links to nearby local services and employment.
7. To provide for local community needs and improved links to surrounding community services and education.
8. To provide for a mix of housing typologies to suit a range of household types.
9. To provide new green infrastructure, linked into the larger network and provides water management, recreation and amenity, mobility, and biodiversity benefits.
10. To create an urban structure, which responds to the local topography, landscape, natural heritage and existing built fabric.
11. To provide for a variety of robust urban blocks which are adaptable to a variety of building typologies.
12. To use a coherent approach to the continuity and enclosure of streets and spaces and building mass and scale to create a variety of attractive streets and spaces, which reflects their role and position in the hierarchy of streets and space, and provides appropriate transitions.
13. To require a sustainable and high quality of design and materials in public spaces, buildings and private spaces.

The masterplan framework is based on the following:

- Place and function (section 4.1).
- Green infrastructure hubs, corridors and water (Section 4.2).
- Movement - Public domain, routes and spaces (Section 4.3)
- Community (Section 4.4).
- Built form- urban blocks, frontages and building height (Section 4.5).

In terms of Built form, the spatial concept is based on:

- Permeable urban blocks.
- Continuity of frontage along higher order streets and spaces.
- Preference for perimeter block typologies.
- Active building frontage to all street and space frontages.
- A coherent approach to building height.
- A variety in building scale, density and building typologies.
- Greater continuity and scale of frontage to Killinarden Heights, the N81, the new local centre, the new avenue and the local focal spaces (typically 3-5 storeys).
- Good continuity of frontage and scale to the secondary streets and park/open space frontages (typically 2-4 storeys).
- Greater flexibility around scale and continuity of frontage on smaller local streets and spaces. (typically 1-3 storeys)
- A variety of building typology, scale and density to reflect location and function.
- Appropriate handling of all block corners with double aspect and building scale increases where appropriate to aid local legibility.

7.0 Submissions Received

Irish Water: A Confirmation of Feasibility has been issued which confirms that water and wastewater connections to the public networks are feasible and are not subject to any upgrades.

There are critical assets (300mm & 1000mm water mains) on the site where applicant is seeking to build near or plant trees. The applicant is required to engage

with Irish Water diversions team ahead of any SHD application and submit detailed drawings and layouts clearly showing clearance distances, changing to ground levels and Method Statements, aligned to Irish Waters codes and practices for separation distances.

8.0 Forming the Opinion

Pursuant to section 6(7) of the Act of 2016, regard is had in the forming of the opinion to the documentation submitted by the prospective applicant; the planning authority submission and the discussions which took place during the tripartite consultation meeting.

8.1. Documentation Submitted

The prospective applicant has submitted information pursuant to section 5(5)(a) of the Planning & Development (Housing) and Residential Tenancies Act 2016 and Article 285 of the Planning and Development (Strategic Housing Development) Regulations 2017. The documentation submitted with this pre-application consultation request described in appendix 1 to this report. I have considered all of the documentation submitted by the prospective applicant, relating to this case.

In accordance with section 5(5)(b) of the Act of 2016, the documentation includes a statement that, in the prospective applicant's opinion, the proposal is consistent with both the relevant objectives of the development plan or local area plan concerned, and the relevant guidelines issued by the Minister under section 28 of the Act of 2000. The Statement of Consistency under S.5(5) considers the following policy documents:

- Project Ireland 2040: National Planning Framework (2018);
- Housing for All, A New Housing Plan for Ireland (2021)
- Rebuilding Ireland: Action Plan for Housing and Homelessness (2016);
- Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031
- Urban Development and Building Height Guidelines (2018)

- Sustainable Residential Development in Urban Areas (2009) and accompanying Urban Design Manual - Best Practice Guidelines
- Quality Housing for Sustainable Communities Best Practice Guidelines for Sustainable Communities (2007);
- Sustainable Urban Housing - Design Standards for New Apartments (2020)
- Design Manual for Urban Roads and Streets (DMURS) (2013)
- Childcare Facilities, Guidelines for Planning Authorities (2001)
- Smarter Travel – A New Transport Policy for Ireland (2009-2020)
- The Planning System and Flood Risk Management (2009)
- South Dublin County Development Plan 2016-2022
- Killinarden Masterplan 2019

The statement identifies relevant provisions of the documents and submits that the proposed residential development is consistent therewith. This includes an assessment of the development against the criteria set out in the Urban Design Manual and relevant SPPR's. No material contravention of the development plan for the area is identified.

8.2. Planning Authority Submission

A submission from South Dublin County Council was received by An Bord Pleanála on the 7th December 2021 in accordance with Section 6(4)(b) of the 2016 Act. The submission includes a statement of the planning authority's opinion, details of s.247 pre-application consultations, details of relevant planning history in this area and copies of internal technical reports.

The report containing the opinion of the planning authority raises the following key issues:

- The masterplan is a non-statutory plan submitted by the applicant as part of the SHD process to adhere to the land use zoning objective. It can be distinguished from an adopted policy such as a LAP, Planning Scheme or Development Plan.
- The principles, methodology and general outcome of the masterplan satisfies the RES-N zoning objective and is an appropriate urban framework for the lands.

- The Planning Authority supports the proposed development. The phasing provides for supporting infrastructure and services in tandem with development.
- Clarity on the timing of the Local Centre is required. Full design details, or an alternative commitment, should be included in the application.
- Ecological protection and mitigation measures should be provided in phase 1, including hedgerow protection, replacement planting and interception ponds.
- The Planning Authority supports the layout generally. Some details can be amended to better achieve the County Development policies and objectives.
- Building heights comply with Policy H9 Objective 1 and 3 to support varied building height in residential areas.
- Some building heights exceed 12m contrary to Policy H9 Objective 5.
- Provision of 4-storey units within 35 metres of existing houses conflicts with Building Height criteria in Section 11.2.7.
- Justification regarding compliance with the Development Plan and the Building Height Guidelines should be submitted.
- Proposed heights are satisfactory subject to the consideration of impacts on adjoining development.
- Detailed sunlight/daylight analysis and site sections should show the relationship with adjoining development, including separation distances and relative heights.
- Appropriate transition in levels should be demonstrated to protect residential amenity.
- The density and tenure mix are appropriate and in line with the land-use zoning, provisions of the Development Plan and national guidance on density.
- The provision of '3-bed, 4-person' units is outside the scope of the 2020 Apartment Guidelines.
- The applicant should engage with the management of Scoil Chaitlín Maude with regard to pedestrian connections to the school site from the development.
- Treatment of the intervening space between the school site and adjoining rear residential boundaries should be reconsidered.
- The provision of major public spaces is welcome. There are some concerns regarding enclosure and integration of the north-western park.
- The Masterplan layout responds to existing Green Infrastructure.

- Baseline surveys are required to inform the iterative EIA process, and the final layout and design of the scheme.
- Further hedgerow and tree retention is recommended and street trees should be provided in line with DMURS.
- Additional tree planting as compensation / mitigation for removal of trees and hedgerows should be considered, particularly on the southern boundary.
- The dual function of Horan's Lane as an ecological and a safe pedestrian/ cycle corridor requires further consideration and detailed design.
- Green infrastructure links could be improved. Landscaping and lighting plans should be developed together.
- The design of Elder Park requires review. The Community Centre should have active frontage to the park.
- Further detailed landscaping plans are required including the treatment of levels across the site.
- Further details of street design are required.
- The development is largely compliant with DMURS. Speed is designed out, while maintaining high levels of pedestrian and cycle connectivity.
- Some long and straight one-way streets are of concern.
- Home zones are supported, subject to concerns regarding parking arrangements, taking in charge standards, and the demarcation of public and private areas.
- The necessity for the western roundabout is questioned.
- Sufficient links to the external road network should be provided in each phase of development, with separate construction traffic routes.
- The main vehicular junctions onto the N81 and Kilinarden Heights must be signalised, with design to be agreed.
- The provision of a community centre and a creche is welcome.
- The proposed local centre, featured in the masterplan and noted indicatively in the proposed layout will be delivered in a later phase. Clarity on the makeup and phasing of the other elements of the local centre is required.
- The applicant should consult with potential operators as to the size of the childcare facility to ensure feasibility.
- The provision of interception ponds to manage surface water from higher ground to the south and the ecological benefits is welcome.

- Natural SUDs measures should be incorporated in lieu of underground tanks.
- Clarification on surface water management calculations and design is required. and further details regarding flood risk.
- Documentation to accompany any subsequent application should include a taking in charge plan, an Operational Waste Management Plan, a Road Safety Audit, a Biodiversity and Ecology Management Plan, and a Mobility management plan within 6 months of occupation.

Internal reports include:

- Water Services.
- Roads.
- Public Realm.
- Housing:

8.3. The Consultation Meeting

A Section 5 Consultation meeting was held on 10/02/2022, commencing at 10am, via Microsoft Teams. Representatives of the prospective applicant, the planning authority and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting and the main topics raised for discussion at the tripartite meeting were as follows:

- Development Strategy and Killinarden Masterplan 2019
- Design and Layout, including Phasing, Local Centre / Services, Building heights, Public Open Space
- Transport and Access
- Drainage.
- AOB

Both the prospective applicant and the planning authority were given an opportunity to comment and respond to the issues raised by the representatives of ABP. Those comments and responses are recorded in the 'Record of Meeting ABP-311820-21' which is on file. I have fully considered the responses and comments of the

prospective applicant and planning authority in preparing the Recommended Opinion hereunder.

In relation to the Development Strategy and Killinarden Masterplan 2019, An Bord Pleanála sought further clarification and elaboration of the documents and justification for the proposed development in respect of the following matters:

- The background and status of the Killinarden Masterplan.
- The approach to densities within the Masterplan and the proposed development.

In relation to Design and Layout, including Phasing, Local Centre / Services, Building Heights, Public Open Space, An Bord Pleanála sought further clarification and elaboration of the documents and justification for the proposed development in respect of the following matters:

- The rationale for the building height strategy having regard to the provisions of the Killinarden Masterplan.
- The status and design of proposals for the local centre and creche.
- Details of the phasing of development and provision of amenities, open space and services with residential development.
- Proposals for the retention / incorporation of existing hedgerows across the site.

In relation to Transport and Access, An Bord Pleanála sought further clarification and elaboration of the documents in respect of the following matters:

- The design of the junction with the N81, and the extent of any consultations with TII, and the design of junctions with Killinarden Heights.
- The requirement for the extinguishment of the existing public right of way along Horan's Lane and the dependency of the proposed development on that approval process, which is a reserved function.
- The status of proposals for the routing of bus services through the site.

In relation to Drainage, An Bord Pleanála sought further clarification and elaboration for the proposed development in respect of the following matters:

- The phasing of surface water drainage infrastructure.
- Response to the matters raised by the planning authority.

In relation to Any Other Business, the planning authority noted the requirement to engage with ESB regarding landscaping and amenity works below overhead lines. An Bord Pleanála raised a question regarding the lodgement of the application under the SHD process.

9.0 Conclusion and Recommendation

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

Based on the entirety of the information before me, it would appear that the proposed development falls within the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

Having regard to all of the above, I recommend that further consideration and/or possible amendment of the documents submitted are required at application stage in respect of the following elements, details of which are set out in the Recommended Opinion below.

- The detailed design and layout of the proposed local centre and creche.
- The dependency of the development on the extinguishment of a public right of way along Horan's Lane which process has not yet commenced.
- The rationale for the densities of development proposed on these serviced urban lands.

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

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

10.0 Recommended Opinion

An Bord Pleanála refers to your request pursuant to section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. Section 6(7)(a) of the Act provides that the Board shall form an opinion as to whether the documents submitted with the consultation request (i) constitute a reasonable basis for an application under section 4 of the Act, or (ii) require further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

Following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, An Bord Pleanála is of the opinion that the documentation submitted **requires further consideration and amendment to constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála.**

In the opinion of An Bord Pleanála, the following issues need to be addressed in the documents submitted to which section 5(5) of the Act of 2016 relates that could result in them constituting a reasonable basis for an application for strategic housing development:

1. Further consideration of the documents as they relate to the design and layout of the proposed local centre and creche. The documents should include fully detailed plan, section and elevation drawings for this area of the site, which design should have regard to the provisions of the Killinarden Masterplan and to the prominence of this site within the surrounding area. Appropriate photomontage / visualisations should accompany the application in this regard.
2. Further consideration of the documents as they relate to the treatment of Horan's Lane and any requirement for the extinguishment of the existing public right of way along this road. The application should address the dependency of the development upon such extinguishment which is the subject of a separate approval process. This may require possible amendment to the documents and / or design proposals submitted.
3. Further consideration should be given and provided to An Bord Pleanála in relation to the rationale / justification for the proposed residential densities on these serviced, urban lands. This may require possible amendment to the documents and / or design proposals submitted.
4. Further consideration in respect of creating strong urban edges, streetscapes and a variety of distinct character areas on key routes within the development or routes leading to the development. The application documentation should demonstrate how the proposed building designs and streetscapes assist in place making, wayfinding as well as creating a contemporary urban development with a variety of character areas marked by changes in densities, housing typologies, and heights as well as changes to material finishes and designs. Regard should be had in this regard to the provision of DMURS (section 2.2.1) with regard to the creation of a sense of place.

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

1. A phasing plan for the development of the masterplan lands, demonstrating how the residential, community, open space / amenity, transportation and service requirements of each phase will be met.
2. A rationale for the building height strategy for the lands having regard to the provisions of the Killinarden Master Plan in relation to built form.
3. Details of the treatment of levels across the site, suitably illustrated by detailed section drawings and specifications. In this regard, the application should demonstrate that appropriate levels of residential amenity, usability and accessibility of private and public amenity spaces are achieved.
4. A response to the concerns expressed by Irish Water with regard to the protection of watermain infrastructure crossing the site, and maintenance of access thereto.
5. The application should demonstrate that the design and layout of development provides for suitable overlooking / passive surveillance of areas of public and communal open space and pedestrian routes, including inter alia, the northwestern public open space / park, lands along the boundary with Naomh Caitlín Maude National School, and the design and layout of Plot P17, to ensure adequate levels of residential amenity, privacy and security. Unsupervised spaces which may give rise to anti-social behaviour should be actively designed out of the proposed development.
6. A response to the issues raised in the report of the South Dublin County Council Drainage Department in their report dated 02/12/2021.
7. Proposals for the management of the proposed development including details of areas proposed to be taken in charge by the local authority and in relation to the operation and management of the proposed community centre.

8. A response to the matters raised in the report of South Dublin County Council Roads Departments 29/10/2021. Documentation in this regard should include, inter alia, the following:
 - a) A Quality Audit in accordance with Annex 4 of the Design Manual for Urban Roads and Streets, to include a road safety audit.
 - b) A parking layout and management strategy identifying the allocation of spaces across the site.
 - c) Details of the design of proposed junctions with the N81 and Killinarden Heights, including any modifications to the existing road layouts. The application should include evidence of the consent of affected landowners to such works, where required.
 - d) A report clearly describing proposals for the routing of traffic / one-way system within the development and the rationale therefor, which should facilitate simple wayfinding within the development.
 - e) A rationale / justification for the varying rate of trip generation used in the Traffic and Transport Assessment having regard to the tenure mix within the development.
 - f) An assessment of the operational and construction traffic impacts of the proposed development having regard to the phasing of development referenced under item no. 1 above.
9. The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018 unless it is proposed to submit an EIAR at application stage.

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

1. Irish Water
2. NTA

3. TII
4. Childcare Committee

PLEASE NOTE:

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

Conor McGrath
Senior Planning Inspector

14/03/2022

Appendix 1: Documentation Accompanying S.5 Request

- Completed Planning Application Form and relevant fee
- Part V Submission
- Planning Report (this document) including
 - Statement of Consistency with Planning Policy
 - Response to S.247 pre-planning meeting
- Letter of Support from SDCC.
- EIAR Non-Technical Summary
- Cover letters to ABP and SDCC
- Architectural Drawings
- Architects Design Statement (with Housing Quality Assessment)
- Landscape Design Report
- Landscape Drawings
- Material, Furniture and Planting Booklet
- Engineering Services Report
- Engineering Drawings
- Traffic and Transport Assessment
- Statement of Consistency with DMURS
- Site Specific Flood Risk Assessment
- AA Screening
- Ecological Impact Assessment
- Public Lighting Report
- Daylight / Shadow Analysis
- Energy & Sustainability Report
- Site Services & Public Lighting Drawings
- Arboricultural Impact Assessment
- Tree Protection Plan