

Ronan Megannety

Karen B

From: Tracy Armstrong <[REDACTED]>
Sent: Tuesday 7 January 2025 15:16
To: Appeals2
Subject: Appeal Ref. ABP-321419-24
Attachments: LRD Appeal ABP -321419-24.pdf; Response to third party appeal.pdf

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To whom it may concern,

I refer to your letter to us (copy attached) dated 11th December 2024, enclosing a copy of a third party appeal submitted in relation to a LRD proposal at Bohernabreena, Oldcourt and Kilinenny, Dublin 24.

On behalf of our client, Capami Ltd (the applicant) we wish to submit our response to said third party appeal – please refer to the attached document entitled “Response to third party appeal”.

Please confirm / acknowledge receipt of our response.

Many thanks.

Kind regards,

Tracy Armstrong, BA, MRUP, MIPI, MRTPI,
Managing Director,
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7th January 2025.

The Secretary,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1.

Re:

**Response to a third-party appeal, in relation to a decision by South Dublin County Council,
to Grant Permission to Capami Ltd
for a Large-scale Residential Development (LRD)
in the townlands of Bohernabreena, Oldcourt & Killinenny, Dublin 24.
Ref.s LRD24A/0007 & ABP-321419-24**

Dear Sir/Madam,

We, Armstrong Fenton Associates, Planning Consultants of 13 The Seapoint Building, 44-45 Clontarf Road, Dublin 3, act on behalf of our client, Capami Ltd, of Moritz House, Old Court Centre, Firhouse, Dublin 24, who is the applicant for the above mentioned development, and we acknowledge receipt of your letter dated 11th December 2024, enclosing a third party appeal submitted to An Bord Pleanála against the decision to grant permission for development consisting of 523 no. residential units along with a 2 storey childcare facility of c. 457sq.m., and all associated site development works, open spaces etc., located in the townlands of Bohernabreena, Oldcourt, and Killinenny, Dublin 24. We have read the content of the appeal and our response to same is set out herein.

1.0 Content of the Appeal

1.1 A third party appeal was lodged with An Bord Pleanála by Mary Collins, Brian Collins and Mairead Murphy. The single third-party appeal by the above-mentioned persons has set out a number of grounds of appeal which can be summarised as follows:

- i. Traffic,
- ii. Social Infrastructure,
- iii. Density and design.

1.2 We appreciate and understand that An Bord Pleanála will assess this application for permission *de novo*, having all of the relevant information provided to them by the Planning Authority. To that end, we will set out a summary of the proposed development and its locational context, along with the relevant, high-level planning details applicable to the application itself, as well as addressing the appellant's grounds of appeal.

1.3 The content of the LRD application as submitted to the Planning Authority includes a comprehensive suite of documents and drawings, including an Environmental Impact Assessment Report (EIAR). We understand the Planning Authority will furnish An Bord Pleanála with a copy of same and therefore we do not intend to submit a further raft of documents, however, as part of this appeal response, we may refer to various drawings / reports that were included in the LRD application to which we request An Bord Pleanála refers to in their assessment of this appeal.

2.0 Site Location and Description

2.1 The subject site measures c.20.4 hectares and is located in the townlands of Bohernabreena, Oldcourt and Killinenny, Dublin 24. The subject site is located to the east of Bohernabreena Road (L7114) and north and east of Bohernabreena cemetery, south/south-east of St. Anne's GAA club, south of the Dodderbrook residential estate, west of the Ballycullen Gate residential development (currently under construction under Planning Ref.s SD17A/0468 & SD22A/0356) and west of Oldcourt Road (R113).

2.2 The aforementioned Dodderbrook and Ballycullen Gate developments have been / are being successfully delivered respectively by the applicant. In addition, the applicant has permission for the development of 21 no. residential units located to the west of Dodderbrook (granted permission under South Dublin County Council Ref. SD19A/0104 / An Bord Pleanála Ref. ABP-305800-19) which has recently commenced construction. Permission has also been granted for the development of 71 no. units to the immediate west of the subject site under Ref. SD23A/0083. Further east of the subject site is the Ballycullen Green residential estate and the Gunny Hill playing pitches, which have also been delivered by the applicant in recent years. Figure 1 below provides for an illustrative map of the subject site and the surrounding developments/permissions in the vicinity.

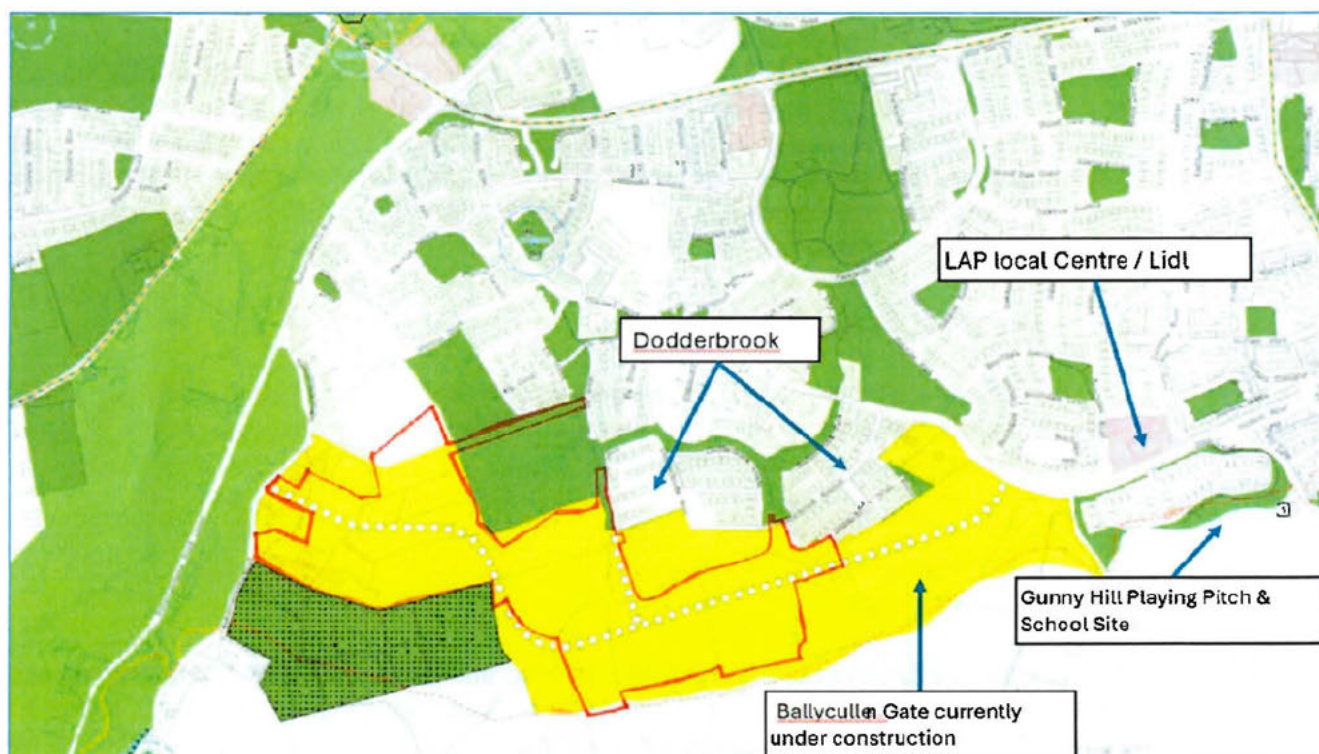


Fig. 1: Extract from South Dublin County Development Plan, 2022-2028 (Map No. 9), with subject site indicatively outlined in red.



In its existing state, the subject site is characterised by a sloped terrain, rising to the south, existing native hedgerows, and existing services infrastructure. The site is predominantly greenfield agricultural lands, dissected with mature hedgerow boundaries, with existing dwellings and buildings located in the south-western part of the site, all of which are proposed to be demolished. The site is at the urban edge of the County, with residential development to the north and open field agricultural lands to the south, and the Dublin Mountains further beyond.

3.0 Planning Context

3.1 South Dublin County Development Plan 2022-2028

3.1.1 Land-Use Zoning

The majority of the subject site is currently zoned objective "Res-N": *"To provide for new residential communities in accordance with approved area plans"* in the existing South Dublin County Development Plan 2022-2028 (hereafter "CDP"). The current proposal for the development of 523 no. residential dwellings and a childcare facility on the subject site is therefore considered appropriate and in compliance with the land-use zoning objective attached to the site.

A triangular portion of the site at the northwest (adjacent to St. Anne's GAA club) is zoned objective "RES": *"To protect and / or improve residential amenity"*. Under this land use zoning objective, residential development is permitted in principle, with childcare facility being a use that is open for consideration.

At the north of the site, a strip of land, currently zoned objective "OS": *"To preserve and provide for open space and recreational amenities"* is included for infrastructural purposes i.e. to accommodate a proposed 225mm Ø Foul Sewer pipe. It is put forward that given the proposed sewer pipe will be located underground, the provision of a use compatible with the open space zoning above same will be possible and therefore no material contravention issues arise in relation to same. We also note that Public Services, defined in Appendix 6 of the Development Plan as including *"all service installations necessarily required by electricity, gas, telephone, radio, telecommunications, television, drainage and other statutory undertakers..."* are open for consideration under this zoning objective. The proposed infrastructure is ancillary to residential development, which is only open for consideration in accordance with H3 Objective 4, community led housing for older persons and social / affordable housing, therefore it is considered that the proposed sewer on "OS" land will not affect the future utility of the "OS" lands and no permanent, above ground impacts will occur directly as a result of this development.

Letters of consent from South Dublin County Council and Dublin City Council to the inclusion of the land required to accommodate the proposed sewer were included with the LRD application.

To the south, a small portion of land (within the proposed "Neighbourhood Zone 1" & immediately south of proposed house no.s 154 - 156) is zoned "RU": *"To protect and improve rural amenity and to provide for the development of agriculture"*. This parcel of land is proposed as open space, with no other development proposed on same. Under the "RU" land use zoning objective, open space is a use that is permitted in principle under this zoning objective.

Please refer to the submitted Davey+Smith drawing no. MP13 "Overall Lands – Land Use Zoning Map" which overlays the proposed development and red line of application over the CDP Zoning Map no. 9 – an extract of same is shown overleaf in Fig. 3.



Fig. 2: Extract of Map 9 of the South Dublin County Development Plan, 202-2028 illustrating the Land-Use Zoning Objectives attached to the Site.

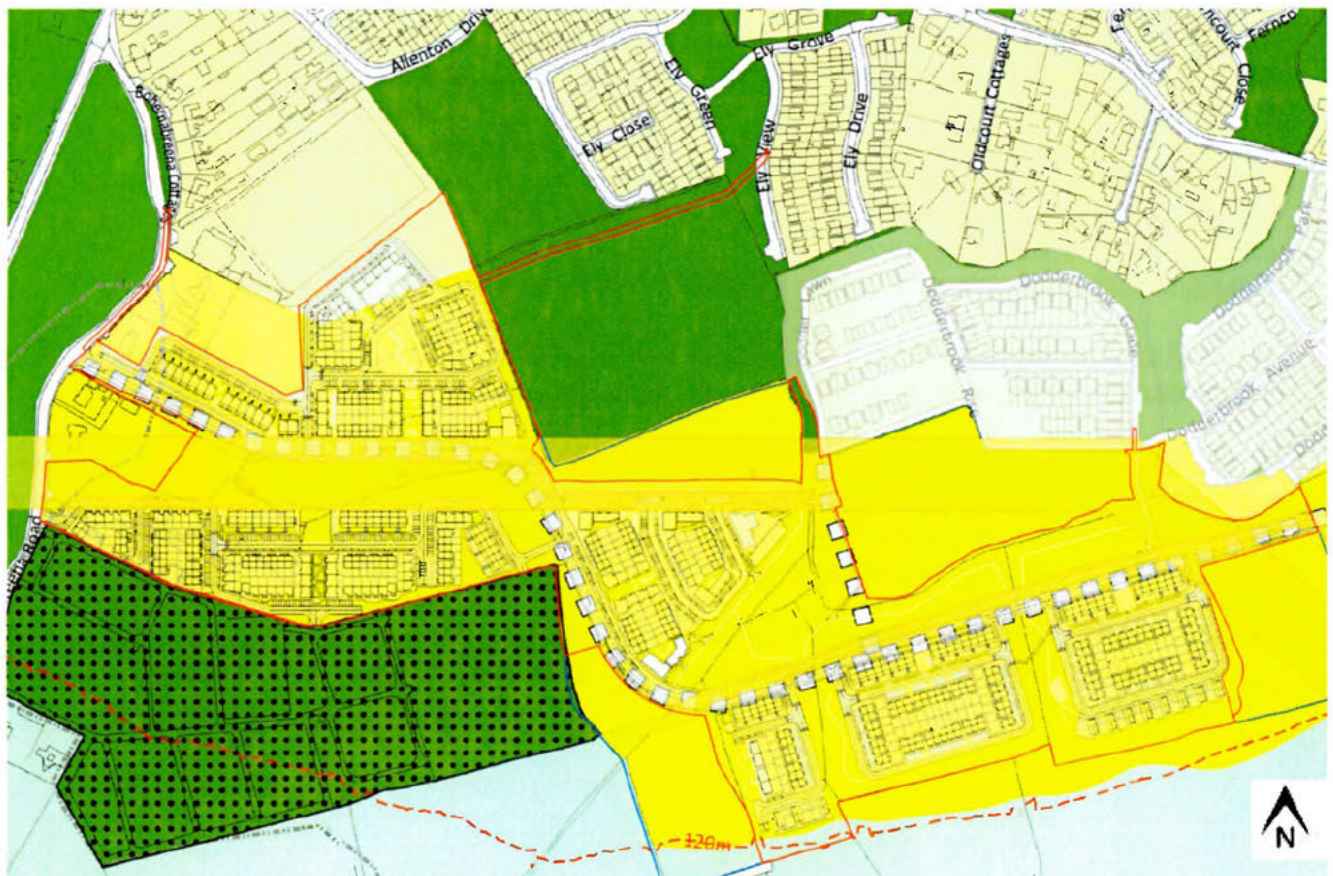


Fig.3: Proposed development i.e. site layout plan & red line of LRD application overlaid on extract of Map 9 of the existing CDP illustrating the "RES-N", "RES" and "RU" Land-Use Zoning Objectives attached to the application site.



.2 Core Strategy

Section 2.6 of the Core Strategy identifies land capacity (i.e. land that is available for development to meet the requirements of the projected population) and states a "Land Capacity" analysis was carried out by the Planning Department to calculate the potential yield of undeveloped land (RES, RES-N, TC, REGEN, VC, DC, LC and SDZ) zoned in the previous 2016-2022 CDP. Figure 9 'Housing Capacity Sites' of the existing CDP (page 51) identifies the subject site as being located on a 'housing capacity site'. The Ballycullen area is also identified as being part of the 'Dublin City and Suburbs' settlement typology in Table 14 of the existing CDP. 'Dublin City and Suburbs' is defined as an: *"International business core with a highly concentrated and diversified employment base and higher order retail, arts, culture and leisure offer. Acts as national transport hub with strong inter and intra-regional connections and an extensive commuter catchment."*

Figure 9 of the existing CDP identifies the Ballycullen-Oldcourt Local Area Plan (LAP) lands are a "Housing Capacity Site" – extract of same show overleaf as Fig. 4, with LAP lands circled in red.

Policy CS1: 'Strategic Development Areas' of the existing CDP seeks to: *"Prioritise housing and employment growth within the identified residential and employment growth areas set out under the Metropolitan Area Strategic Plan."*

The subject site is zoned for residential development in the existing CDP, is identified as being part of the 'Dublin City and Suburbs' settlement typology and identified as a 'housing capacity site' as per Figure 9 of the existing CDP and, therefore, it is considered the proposed development of 523 no. residential units on the subject site is appropriate and in compliance with the Core Strategy of the existing CDP. Further details of the proposed development's compliance with the CDP Core Strategy is set out in the Statement of Consistency (section 7.1) that was included with the LRD planning application - please refer to same.

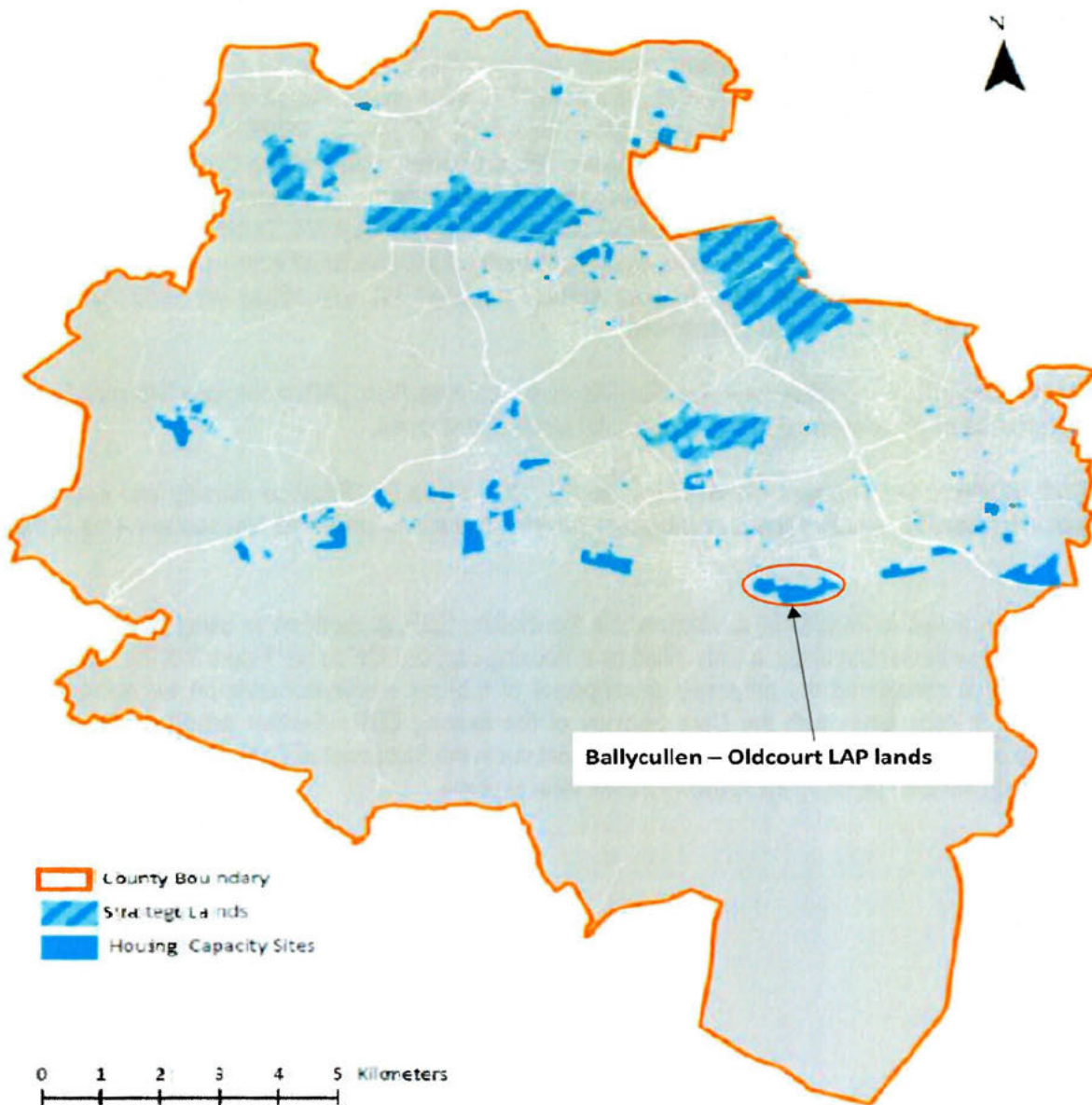


Fig. 4: Extract of Figure 9: Housing Capacity Sites from South Dublin County Development Plan, 2022-2028.



Proposed Development

The development as applied for, and as stated in the relevant public notices is as follows:

Capami Ltd. wishes to apply for a seven year planning permission for a Large-Scale Residential Development (LRD) on a site measuring c.20.4Ha, located in the townlands of Bohernabreena, Oldcourt, and Killininny, Dublin 24. The development site is located to the east of Bohernabreena Road, north and east of Bohernabreena cemetery, south and south-east of St. Anne's GAA club, south and south-west of the Dodderbrook residential estate, west of the Ballycullen Gate residential development (currently under construction) and west of Oldcourt Road (R113).

The proposed development consists of 523 no. residential units comprised of 255 no. 2, 3 & 4 bed, 2 & 3 storey, detached, semi-detached and terraced houses, 206 no. 1, 2 & 3 bed duplex units in 20 no. 2 & 3 storey blocks, and 62 no. 1, 2 & 3 bed apartments in 7 no. 2-3 & 3-4 storey blocks (i.e. Blocks A, B2 & D, and 2 no. Blocks B1 & 2 no. Blocks C), along with a 2 storey childcare facility of c. 457sq.m.

Private amenity space for the residential units is provided in the form of rear gardens for houses and ground floor terraces / upper floor balconies for apartments and duplex units. The proposed development provides for a total of c. 7.3Ha of public open space, and c. 5,505sq.m of communal open space associated with proposed residential units.

Vehicular access to the development will be via 4 no. access points, as follows: (i) from the west of the site, via 2 no. accesses, located off Bohernabreena Road, (ii) from the north of the site, via 1 no. access at Dodderbrook Place, and (iii) from the east of the site, via Oldcourt Road (R113) and via adjoining residential development at Ballycullen Gate. The proposed development includes for pedestrian and cyclist connections and accesses throughout the proposed development and to adjoining lands to the north at Dodderbrook Avenue and to the north-west into St. Anne's GAA club.

The proposed development includes the demolition of all existing structures on site, including 2 no. single storey dwellings and outbuildings/sheds (total demolition area: c. 4,152.06sq.m).

The proposed development provides for (i) all associated site development works above and below ground, including 2 no. underground foul sewerage pumping stations, (ii) public open spaces (c. 7.3Ha), (iii) communal open spaces (c. 5,505sq.m), (iv) hard and soft landscaping and boundary treatments, (v) surface car parking (746 no. car parking spaces, including EV parking), (vi) bicycle parking (1,268 no. bicycle parking spaces), (vii) bin & bicycle storage, (viii) public lighting, and (ix), plant / PV panels (M&E), utility services & 5 no. ESB sub-station/kiosks, all on an overall application site area of c.20.4Ha.

The LRD application was submitted to South Dublin County Council for assessment on 24th September 2024. A notification of decision to grant permission was issued on 18th November 2024, subject to 34 no. conditions.



5.0 Response to Grounds of Appeal

We have read the content of the third-party appeal submitted, and consider that the key grounds of appeal to be addressed are:

- i. Traffic,
- ii. Social Infrastructure,
- iii. Density and design.

5.1 Traffic

The subject site has been zoned for housing for many years and has also been the subject of the Ballycullen – Oldcourt Local Area Plan, 2014 (LAP). Both the LAP and CDP provide for an east-west road / roads objective, traversing the lands. As outlined in section 5.1 of the Planning Statement submitted with the application, permission was previously granted for the development of the Main Link Street detailed in the Ballycullen-Oldcourt LAP, with access onto the Oldcourt Road at Gunny Hill to the east, and the Bohernabreena Road to the west under Ref.s SD17A/0041 and PL06S.249367. This east-west road remains part of the six-year road programme under the current CDP. Works under the aforementioned permission never commenced; however, the access from Oldcourt Road (R113) and an initial section of the Main Link Street was constructed by the applicant under a subsequent permission for residential development (i.e. under Grant of Permission Ref. SD17A/0468 – Ballycullen Gate).

The current LRD proposal takes into consideration the route of the previously permitted Main Link Street and seeks to construct the remainder of this street in a coherent manner to provide for connectivity from Oldcourt Road to Bohernabreena Road, which is an objective of both the CDP and the Ballycullen-Oldcourt LAP and will facilitate the subject land's availability for new residential development.

Following on from where the road has been constructed to date, the subject LRD proposal seeks to deliver the east-west link street in its entirety. It should also be noted that whilst the aforementioned permission for the Main Link Street lapsed, the Planning Authority confirms that it has permitted the development of 750 units that would be built on these lands and that they were satisfied that the local junctions could accommodate the additional traffic generated up to and including 2033.

The details submitted as part of the LRD application, i.e. the Traffic and Transport Assessment (TTA) and EIAR, confirm the junctions / roads locations assessed in terms of traffic impact, as discussed with the Planning Authority throughout the LRD pre-application process, with the submitted analysis showing that local junctions were operating within capacity up to 2032 (and 2045) which included the subject site, along with other committed developments. We also note that in deciding to grant permission for the subject LRD, that the Planning Authority has attached a condition in relation to Road Safety Audits (condition no. 33), to which the applicant has no objection.

It is also evident from the information submitted with the application that the east-west link street has been designed to accommodate future bus services, while condition no. 34 of the Planning Authority's decision to grant permission requires the applicant to submit an indicative public transport service plan for the written agreement of the Planning Authority and that this plan is to address potential bus service routings within the site, precise locations for bus stops and terminating facilities. We note that the applicant has no objection to the attachment of this condition to the permission. It is respectfully put forward that upon the delivery of over 500 dwellings on the subject site, alongside committed developments in the environs in the future, will generate demand for public transport investment in the area by e.g. NTA, which will be accommodated as part of the design of the east-west link street that forms part of the subject LRD proposal. Therefore, the future delivery



public transport services, to be determined by the NTA, along with a major piece of roads infrastructure to be delivered in full by the applicant, will provide for sustainable modes of transport, thus reducing perceived increases of traffic on local roads in the long term.

We note that neither Transport Infrastructure Ireland (TII) or the National Transport Authority (NTA) have objections in principle to the proposed development or the delivery of the east-west link road.

Taking into account all of the above, it is put forward that future traffic will use the existing road network in the environs and also the proposed east-west link road. Traffic generation has been modelled to anticipate future levels and to design for the signalised junctions at both ends of the proposed east-west link road based on anticipated trip patterns and peak flows. Furthermore, the design of the east-west link road accommodates future bus stops, as discussed with the NTA and Planning Authority prior to the submission of the LRD application. It is also put forward that the completion of the east-west link road will lead to a redistribution of traffic on the existing road network. We also note that the NTA has commented on the subject application, stating that they are satisfied, subject to a number of recommendations, that *“development of this nature at this location could be considered broadly consistent with the principles of transport and land use integration as set out in the relevant measures of the Transport Strategy”*, and they have not raised issues of prematurity pending the provision of additional road infrastructure.

5.2 Social Infrastructure

The appellants simply assert in their grounds of appeal that *“the social, health and education amenities are inadequately provided for”*. It is our opinion that this is a wide sweeping statement that is not backed up by the appellants. The application for permission, as submitted to South Dublin County Council, included a Social Infrastructure Assessment (SIA) that evaluates the existing social and community infrastructure in the vicinity of the development which are available to serve the needs of both existing and future residents. The submitted SIA considered a catchment area of c.2.5 kilometres which is considered to represent a reasonable distance to / from the development. The SIA identified that there are a wide range and variety of existing facilities in the catchment area of the subject site to support the development. In total, 71 no. social amenities and facilities were identified, consisting of:

- 9 no. health care providers,
- 9 no. childcare providers,
- 7 no. primary schools,
- 3 no. post-primary schools,
- 5 no. further education centres,
- 7 no. community facilities,
- 20 no. sports and recreation facilities,
- 11 no. retail facilities.

In addition to the above, it is important to note the following:

There is a phasing requirement of the Ballycullen – Oldcourt LAP whereby the provision of a minimum of 300 sq.m of community floorspace is required as part of Phase 2 of the development of the western Plan lands. In complying same, the applicant and their representatives held discussions with Eoin Burke of South Dublin County Council's Delivery Team (Architectural Conservation, Heritage and Land Use Plans) in order to agree a financial contribution in lieu of the provision of community floorspace within the proposed development. The outcome of these discussions has resulted in a financial contribution figure being agreed in principle between the applicant and South Dublin County Council based on the estimated cost of constructing an extension to an existing community centre in the area, which is the preference of SDCC's Delivery Team. The estimated cost



of constructing such an extension, as agreed with SDCC, is €900,000.00 (inclusive of VAT).

The applicant is satisfied to pay the above estimated cost by way of a financial contribution(s) attached to a grant of permission for the proposed LRD. However, as agreed in principle with SDCC, it is considered the cost of constructing such an extension is to be paid on a pro-rata basis. Under the permission for 71 no. dwellings to the east, under Ref. SD23A/0083, the pro-rate payment was agreed. Permission was granted for 71 no. dwellings under Ref. SD23A/0083, and condition no. 21 attached to same requires the following:

“Condition No. 21 - Contribution in lieu of Community Floorspace

In accordance with the submitted response to the Clarification of Further Information on Item no.5 on 15th December 2023 and prior to occupation of the first 35 units or as otherwise agreed in writing with the Planning Authority, the applicant shall pay a financial contribution of €108, 000 (one hundred and eight thousand euros) towards the delivery of upgrades, extensions and/or new community centres in the area. The financial contribution is in lieu of the provision of community floorspace on-site.

REASON: *To provide for community floorspace in accordance with Policy COS 3, Objective COS3 Objective 1, Objective 2 and Objective 3 of the South Dublin County Development Plan 2022 – 2028”.*

The above condition is based on the total number of residential units proposed in that application (71 no. dwellings) and the capacity of the applicant's remaining landholding on the western side of the Ballycullen-Oldcourt Local Area Plan lands which are now proposed to be developed as part this LRD application (approximately 523 no. dwellings).

The number of residential units proposed in the subject LRD application equates to c.88% of the total units to be delivered on the applicant's lands on the western side of the Ballycullen-Oldcourt Local Area Plan lands i.e. 523 no. residential units in the subject application out of a total of 594 no. residential units (the subject application of 523 no. units plus the permitted 71 no. units under Ref. SD23A/0083).

In keeping with the agreed principle and the decision of the Planning Authority to attach condition no. 21 to planning permission Ref. SD23A/0083, and as part of the subject LRD application submitted for permission, the applicant proposed that any forthcoming grant of permission for the proposed LRD should attach a financial contribution of €792,000.00 towards the cost of constructing an extension to an existing community centre in the area (i.e. 88% of the €900,000.00 total estimated cost), with the balance of the €900,000.00 estimated cost (i.e. €108,000) to be paid as part of the grant of permission under Ref. SD23A/0083.

Accordingly, we note that the Planning Authority in their notification of a decision to grant permission attached condition no. 28 “Contribution in lieu of Community Floorspace” to same which states:

“In lieu of the provision of community floorspace as referenced in the Ballycullen-Oldcourt Local Area Plan, 2014, and supporting 2022-2028 South Dublin County Development Plan in relation to same, the developer shall pay to the Planning Authority a financial contribution of €792, 000.00 (seven hundred and ninety-two thousand euro) towards the delivery of upgrades, extensions and/or new community centres in the area. The financial contribution is in lieu of the provision of community floorspace on-site.

REASON: *To provide for community floorspace in accordance with Policy COS 3, Objective COS3 Objective 1, Objective 2 and Objective 3 of the South Dublin County Development Plan 2022 – 2028”.*

Taking all of the foregoing into account, it is respectfully put forward that (a) there is sufficient social infrastructure in the environs to cater for the proposed development and (b) the applicant is making a significant contribution towards the delivery of upgrades, extensions and/or new community centres in the area, as agreed with the Planning Authority.



Density & Design

The appellants assert that the proposed development is of an *"incredibly high density for the area"* and go on to refer to frustrations experienced by local residents who have been refused permission for family members in the area. They also suggest that the subject site is in a national park. It is respectfully considered that in the context of the subject application for permission that each of the aforementioned assertions are wholly incorrect, and from a planning perspective, quite outlandish. We trust that in their assessment of the proposed development, An Bord Pleanála will provide a thorough and appropriate assessment of the subject application and its compliance with national, regional and local planning policy. This can be aided by the comprehensive Statement of Consistency submitted with the LRD application.

In terms of density, the net density of the proposed development is 42 units per hectare. In the LRD Opinion issued by the Planning Authority, it clearly states: *"Given the sites location, at the foothills of the Dublin Mountains, densities within the lower end of the range of 40-80 dph are considered more appropriate for the site, reflective of the character of the surrounding area and allow for better sympathetic integration with the rural setting of the lands"*. In addition, and having regard to the Sustainable Residential Development and Compact Settlements Guidelines, 2024, the site can be described as 's status as a "City – Suburban/Urban Extension" and an "Intermediate Location", as per Tables 3.1 and 3.8 respectively of same and therefore, the appropriate density to be applied to the development of the subject lands is in the range of 40 to 80 units per hectare net.

Judicious consideration was paid to the locational context of the subject site in terms of its location at the edge of the built-up area and at the foothills of the Dublin Mountains, as well as varying topography across the site. In light of same, the proposed building heights, which are predominantly 2 and 3 storeys with 1 no. split level 3-4 storey building proposed, are considered to be appropriate, consistent with development in the area and respectful of the site's topography and location at the foothills of the Dublin Mountains – to which the Planning Authority concurs. The submitted drawings, Architectural Design Statement, Planning Statement, Statement of Consistency and Landscape Visual Impact Assessment (refer to Chapter 15 of the EIAR) all clearly explain and justify the design and density strategies applied to the proposed development - all of which is compliant with the necessary planning guidance and policy associated with the subject site and therefore the proper planning and sustainable development of the area.

The subject site has been identified as a Housing Capacity site in the CDP. Both the LAP and CDP have identified the site as being suitable for new housing. The need to develop zoned lands at an appropriate and efficient density, that is also respectful of the receiving environs has been achieved by the current LRD proposal, which the Planning Authority is satisfied with. We request that the permission as applied for be granted by An Bord Pleanála.



6.0 Conclusion & Request that Permission is Granted

6.1 As outlined above, we have read the content of the single third-party appeal submitted against the decision of the Planning Authority to grant permission for a Large-scale Residential Development on the subject site in the townlands of Oldcourt and Bohernabreena, Dublin 24. The proposed development is put forward in compliance with the Res-N, RES and OS land use zoning objectives attached to the site, under the South Dublin County Development Plan, 2022-2028.

6.2 All of the proposed dwellings are put forward in compliance with the floor areas standards for new housing, as per the 2007 Quality Housing for Sustainable Communities Guidelines, and apartment developments as per the SPPRs of the 2023 Sustainable Urban Housing: Design Standards for New Apartments ensuring a high-quality development and standard of living for future residents.

6.3 The proposed development accords with the guidance set out in the "Sustainable Residential Development and Compact Settlements Guidelines", 2024. The proposed development achieves a net density of c.42 units per hectare in accordance with the aforementioned guidelines, and in accordance with the direction provided by the Planning Authority in their LRD Opinion.

6.4 Careful consideration has been given to the design of the proposed development to ensure integration with its environs, which is evident by the scale and building heights proposed, and the plethora of linkages to adjoining lands. The proposed site layout plan is also based upon the principles of DMURS and good urban design principles.

6.5 The submitted Architectural Design Statement clearly demonstrates how the key criteria such as context, connections, inclusivity, variety and distinctiveness are catered for in the proposed development. It is also evident from the submitted Landscape Design Rationale and drawings, that the design aims to create a seamless and intuitive environment, allowing visitors to explore the landscape effortlessly. Within the design, pocket parks are strategically incorporated, including areas for play, fitness, seating, and amphitheatre-style gatherings. Judicious consideration has been paid to the preservation of existing vegetation and creating spaces that promote and support local fauna. The landscape design has incorporated SUDS proposals and enhances the green infrastructure network of the area.

6.6 There is a good mix of dwelling types, building height, variation in design and character areas, with four distinct Neighbourhood Zones created, to establish a sense of place throughout the scheme. Good street frontage is proposed so as to create a strong urban edge along same. The enclosed landscaping details clearly demonstrate how the topography of the site is to be handled in an appropriate and soft manner.

6.7 The site layout plan provides for the c.36% public open space provision in a variety of formats and recreational functions, including the delivery of "Oldcourt Park" (c.2.3Ha). All open spaces will be passively overlooked, cater for a range of recreation types and pedestrian and cyclist connectivity, along with linkages to adjoining lands. A very clear green infrastructure strategy is applied to the proposed development, as per the enclosed Landscape Design Rationale. A significant proportion of the existing hedgerows are to be retained and have been incorporated into the site layout plan whilst, also adding to place making / neighbourhood zones within the scheme.

6.8 It is considered that the subject proposal for a proposed Large-scale Residential Development represents proper planning and sustainable development of the subject site and supports the objectives national, regional and local planning policy, with the Planning Authority concurring with same as per their notification of decision to grant permission.



It is considered that the proposed LRD aligns with the relevant policies and objectives of the South Dublin County Development Plan 2022-2028 and will assist in delivering much-needed housing stock for the county. We concur with the Planning Authority's assertion that *"the scheme is at an appropriate scale and density for its location at the foothills of the Dublin Mountains, and subject to the recommended conditions being applied, acts as an appropriate transition to the rural zone to the south"*.

6.10 Having regard to the policies and objectives in the 2022-2028 South Dublin County Development Plan, along with guidance set out in the following:

- Housing for All – a New Housing Plan for Ireland, 2021;
- the National Planning Framework (2018);
- the Design Manual for Urban Roads and Streets (DMURS) (2019);
- the Sustainable Urban Housing: Design Standards for New Apartments, (2023);
- the Urban Development and Building Heights Guidelines for Planning Authorities (2018);
- the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, (2024),
- the nature, scale and design of the proposed development and the availability in the area of a wide range of social, transport and water services infrastructure, and;
- the pattern of existing and permitted development in the area,

it is respectfully put forward that the proposed development constitutes an acceptable quantum and density of development in this location, will not seriously injure the residential or visual amenities of the area, is acceptable in terms of urban design, height and quantum of development and is acceptable in terms of traffic and pedestrian safety. Taking into account all of the information submitted as part of the subject LRD planning application, we consider that the proposed development is in accordance with the proper planning and sustainable development of the area. We therefore respectfully request that the permission as applied for is granted, subject to whatever condition An Bord Pleanála considers appropriate. Finally, we request that An Bord Pleanála issue an Order to Grant Permission for the development, upholding the decision of South Dublin County Council to grant permission.

Yours sincerely,

Tracy Armstrong, BA, MRUP, MIPI, MRTPI

Chartered Town Planner,

Armstrong Fenton Associates.



A

AN BORD PLEANÁLA
LDG- 076668-261
ABP- _____
10 DEC 2024
Fee: € 220.00 Type: 110.00 CARD
Time: 12:16 By: HAND

Beasley's Lane
Bohernabreena
Tallaght
Dublin 24
D24 YK50

04/12/2024

Re: Planning appeal ref LRD24A/0007

Dear Sir/Madam,

Please be advised that we wish to appeal the above planning decision for the following reasons:

- The current road network is unable to deal with current traffic volumes. The proposed development would result in increased traffic delays to say nothing of increased volume on what are essentially country roads.
- We are concerned about the lack of amenities to support such a high density development.
- The development is not in keeping with the surrounding rural landscape.

It is alarming that South Dublin County Council have approved such a high density development that allows such a high volume of traffic onto a winding country road. The rural road network would not be able to cope with such increased vehicular volumes resulting from such a development. Currently traffic gridlock is experienced every day. Traffic pours onto the R114 junction resulting in major tailbacks from the Old Mill Pub junction R113 with traffic trying to progress on all exits. Inherent in this is a road safety concern for pedestrians and cyclists as currently speed is an issue on some of these roads and some motorists take safety risks particularly during peak hours to try and avoid the traffic wait times.

The social, health and education amenities are inadequately provided for.

This is incredibly high density for the area. Bohernabreena had cluster style development rejected by planners at SDCC in the past which was more in keeping with the areas rural village heritage. The density and design of the development should be reviewed to reflect the aesthetic of the surrounding rural properties. South Dublin County Council have always considered Bohernabreena rural and subject to restricted planning. This has been an ongoing frustration for residents who were consistently refused



planning permission for family members in the area. Planning was consistently refused due to inappropriate design, environmental impact and increase in vehicular traffic on local roads. Such a seismic change in SDCC approach to building in this national park area is quite extraordinary and hard to understand on a number of levels.

We appreciate you taking the time to consider our concerns and we are happy to meet to discuss the proposed project. We are glad that An Bord Pleanála are now involved with this proposed development and will have oversight of same.

Yours Sincerely,

Mary Collins

Mary Collins

Brian Collins

Brian Collins

Mairead Murphy

Mairead Murphy

Location:	Townlands of Bohernabreena, Oldcourt & Kilinenny, Dublin 24.
Applicant:	Capami Limited
App. Type:	Permission
Date Rec'd:	24-Sep-2024

Dear Sir/Madam,

I wish to inform you that by Order dated 18-Nov-2024 it was decided to **GRANT PERMISSION** for the above proposal.

This decision together with the conditions/reasons attached to the decision is recorded in the Planning Register kept at this office in accordance with Article 7 of the Planning & Development Act 2000.

This Register may be inspected during office hours 9.00 a.m. – 4.00 p.m. and interested parties may obtain a certified copy of an entry therein on payment of a fee of €9.00 in respect of each entry. Alternatively, the information can be accessed on-line at www.sdublincoco.ie by selecting "**Planning Applications**" and conducting a search using available information such as the Planning Application number, Applicant Name or Location. Scanned planning files can be downloaded at this site.

It should be noted that any person who made a submission within 5 weeks of the date of receipt of the application by the Planning Authority and which was accompanied by the appropriate fee of €20.00 may appeal to An Bord Pleanala against the decision or any conditions attached to the Council's decision *within 4 weeks* beginning on (and including) the date of the Council's decision. Interested parties are advised to consult An Bord Pleanala to ascertain if an appeal has been lodged by the applicant.

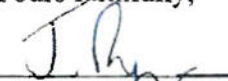
In cases where the Planning Authority is notified of an appeal having been lodged, this information is published on a weekly basis on the Council's website www.sdublincoco.ie, under the heading "**Weekly Lists**".

All appeals against decisions of the Planning Authority and all correspondence in relation to new and existing appeals should be addressed to The Secretary, An Bord Pleanala, 64 Marlborough Street, Dublin 1 (Tel. 8588100 – LoCall: 1890 275 175).

Any appeal made to An Bord Pleanala will be invalid unless it is fully complete and the correct fee is received by An Bord Pleanala within the statutory appeal period. The fee in respect of an appeal by an applicant for permission relating to commercial development is €1,500; unauthorised commercial development is €4,500; other unauthorised development €660; any other appeal is €220.

Submissions or observations made to An Bord Pleanala by or on behalf of a person (other than the applicant) as regards an appeal made by another person must be accompanied by a fee of €50 and must be received within four weeks from and including the date of the receipt of the appeal by An Bord Pleanala.

Yours faithfully,


for Senior Planner

Mairead Murphy
Beasley's Lane
Bohernabreena
Tallaght
Dublin 24
D24 TC 56

Date: 21-Nov-2024

Register Ref. No:	LRD24A/0007
Development:	<p>Capami Ltd. wishes to apply for a seven year planning permission for a Large Scale Residential Development (LRD) on a site measuring c.20.4Ha, located in the townlands of Bohernabreena, Oldcourt, and Killininny, Dublin 24. The development site is located to the east of Bohernabreena Road, north and east of Bohernabreena cemetery, south and south-east of St. Anne's GAA club, south and south-west of the Dodderbrook residential estate, west of the Ballycullen Gate residential development (currently under construction) and west of Oldcourt Road (R113). The proposed development consists of 523 no. residential units comprised of 255 no. 2, 3 & 4 bed, 2 & 3 storey, detached, semi-detached and terraced houses, 206 no. 1, 2 & 3 bed duplex units in 20 no. 2 & 3 storey blocks, and 62 no. 1, 2 & 3 bed apartments in 7 no. 2-3 & 3-4 storey blocks (i.e. Blocks A, B2 & D, and 2 no. Blocks B1 & 2 no. Blocks C), along with a 2 storey childcare facility of c. 457sq.m. Private amenity space for the residential units is provided in the form of rear gardens for houses and ground floor terraces / upper floor balconies for apartments and duplex units. The proposed development provides for a total of c. 7.3Ha of public open space, and c. 5, 505sq.m of communal open space associated with proposed residential units. Vehicular access to the development will be via 4 no. access points, as follows: (i) from the west of the site, via 2 no. accesses, located off Bohernabreena Road, (ii) from the north of the site, via 1 no. access at Dodderbrook Place, and (iii) from the east of the site, via Oldcourt Road (R113) and via adjoining residential development at Ballycullen Gate. The proposed development includes for pedestrian and cyclist connections and accesses throughout the proposed development and to adjoining lands to the north at Dodderbrook Avenue and to the north-west into St. Anne's GAA club. The proposed development includes the demolition of all existing structures on site, including 2 no. single storey dwellings and outbuildings/sheds (total demolition area: c. 4, 152.06sq.m). The proposed development provides for (i) all associated site development works above and below ground, including 2 no. underground foul sewerage pumping stations, (ii) public open spaces (c. 7.3Ha), (iii) communal open spaces (c. 5, 505sq.m), (iv) hard and soft landscaping and boundary treatments, (v) surface car parking (746 no. car parking spaces, including EV parking), (vi) bicycle parking (1, 268 no. bicycle parking spaces), (vii) bin & bicycle storage, (viii) public lighting, and (ix), plant / PV panels (M&E), utility services & 5 no. ESB sub-station/kiosks, all on an overall application site area of c.20.4Ha. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared in respect of the proposed development and accompany the application.</p>



Mary & Brian Collins
Beasley Lane
Bohernabreena
Tallaght
Dublin 24
D24 YK50

Date: 24-Oct-2024

Dear Sir/Madam,

Register Ref:
Development:

LRD24A/0007

Capami Ltd. wishes to apply for a seven year planning permission for a Large Scale Residential Development (LRD) on a site measuring c.20.4Ha, located in the townlands of Bohernabreena, Oldcourt, and Killininny, Dublin 24. The development site is located to the east of Bohernabreena Road, north and east of Bohernabreena cemetery, south and south-east of St. Anne's GAA club, south and south-west of the Dodderbrook residential estate, west of the Ballycullen Gate residential development (currently under construction) and west of Oldcourt Road (R113). The proposed development consists of 523 no. residential units comprised of 255 no. 2, 3 & 4 bed, 2 & 3 storey, detached, semi-detached and terraced houses, 206 no. 1, 2 & 3 bed duplex units in 20 no. 2 & 3 storey blocks, and 62 no. 1, 2 & 3 bed apartments in 7 no. 2-3 & 3-4 storey blocks (i.e. Blocks A, B2 & D, and 2 no. Blocks B1 & 2 no. Blocks C), along with a 2 storey childcare facility of c. 457sq.m. Private amenity space for the residential units is provided in the form of rear gardens for houses and ground floor terraces / upper floor balconies for apartments and duplex units. The proposed development provides for a total of c. 7.3Ha of public open space, and c. 5, 505sq.m of communal open space associated with proposed residential units. Vehicular access to the development will be via 4 no. access points, as follows: (i) from the west of the site, via 2 no. accesses, located off Bohernabreena Road, (ii) from the north of the site, via 1 no. access at Dodderbrook Place, and (iii) from the east of the site, via Oldcourt Road (R113) and via adjoining residential development at Ballycullen Gate. The proposed development includes for pedestrian and cyclist connections and accesses throughout the proposed development and to adjoining lands to the north at Dodderbrook Avenue and to the north-west into St. Anne's GAA club. The proposed development includes the demolition of all existing structures on site, including 2 no. single storey dwellings and outbuildings/sheds (total demolition area: c. 4, 152.06sq.m). The proposed development provides for (i) all associated site development works above and below ground, including 2 no. underground foul sewerage pumping stations, (ii) public open spaces (c. 7.3Ha), (iii) communal open spaces (c. 5, 505sq.m), (iv) hard and soft landscaping and boundary treatments, (v) surface car parking (746 no. car parking spaces, including EV parking), (vi) bicycle parking (1, 268 no. bicycle parking spaces), (vii) bin & bicycle storage, (viii) public lighting, and (ix), plant / PV panels (M&E), utility services & 5 no. ESB sub-station/kiosks, all on an overall application site area of c.20.4Ha.

An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared in respect of the proposed development and accompany the application.

Location: Townlands of Bohernabreena, Oldcourt & Kilininny, Dublin 24.
Applicant: Capami Limited
Application Type: Permission
Date Rec'd: 24-Sep-2024

I wish to acknowledge receipt of your submission in connection with the above planning application. The appropriate fee of €20.00 has been paid and your submission is in accordance with the appropriate provisions of the Planning and Development Regulations 2000 (as amended). The contents of your submission will be brought to the attention of the Planning Officer during the course of consideration of this application.

This is an important document. You will be required to produce this document to An Bord Pleanála if you wish to appeal the decision of the Council when it is made. You will be informed of the decision in due course. Please be advised that all current applications are available for inspection at the public counter and on the Council's Website, www.sdublincoco.ie.

Please note: If you make a submission in respect of a planning application, the Council is obliged to make that document publicly available for inspection as soon as possible after receipt. Submissions are made available on the planning file at the Planning Department's public counter and with the exception of those of a personal nature, are also published on the Council's website along with the full contents of a planning application.

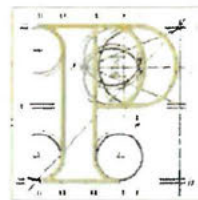
Yours faithfully,

for Senior Planner

Our Case Number: ABP-321419-24

Planning Authority Reference Number: LRD24A/0007

Your Reference: Capami Limited



**An
Bord
Pleanála**

Armstrong Fenton Associates
13 The Seapoint Building
44-45 Clontarf Road
Clontarf
Dublin 3
D03 A0H3

Date: 11 December 2024

Re: Seven year planning permission for an LRD and all associated site works. NIS and EIAR as part of application.
Townlands of Bohernabreena, Oldcourt & Kilininny, Dublin 24.

Dear Sir / Madam,

Enclosed is a copy of a large-scale residential development appeal under the Planning and Development Acts 2000 to 2018.

As a party to the appeal under section 129 of the Planning and Development Act, 2000, (as amended), you may make submissions or observations in writing to the Board within a period of 4 weeks beginning on the date of this letter.

Please note that in accordance with section 251 of the Planning and Development Act, 2000, (as amended), the period beginning on 24th December and ending on 1st January, both dates inclusive, should be disregarded for the purposes of calculating the last date for lodgement of submissions or observations.

Any submissions or observations received by the Board outside of that period shall not be considered and where none have been validly received, the Board may determine the appeal without further notice to you.

Please note when making a response/submission only to the appeal it may be emailed to appeals@pleanala.ie and there is no fee required.

Please quote the above appeal reference number in any further correspondence.

Teil
Glaao Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel (01) 858 8100
LoCall 1800 275 175
Fax (01) 872 2684
Website www.pleanala.ie
Email bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Yours faithfully,

PP Lauren Murphy

Karen Byrne
Executive Officer

Direct Line: 01-8737264

LRD05 - Xmas

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