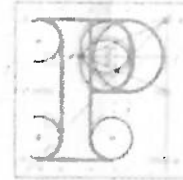


**Our Case Number:** ABP-322638-25

**Your Reference:** Tullyhall Residents Association



An  
Coimisiún  
Pleanála

BPS Planning & Development Consultants Ltd.  
c/o Brendan Buck  
PO Box 13658  
Dublin 14

**Date:** 15 July 2025

**Re:** Proposed residential development at the Kishoge Development area of Clonburris SDZ  
In the townlands of Kishoge, Esker South, Grange and Balgaddy, Clonburris, County Dublin

Dear Sir / Madam,

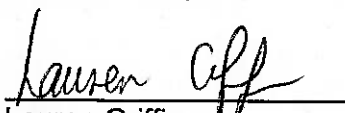
An Coimisiún Pleanála has received your recent submission in relation to the above mentioned proposed development and will take it into consideration in its determination of the matter. Please accept this letter as a receipt for the fee of €50 that you have paid.

Please note that the proposed development shall not be carried out unless the Commission has approved it or approved it with conditions.

If you have any queries in relation to the matter please do not hesitate to contact the undersigned officer of the Commission at [laps@pleanala.ie](mailto:laps@pleanala.ie)

Please quote the above mentioned An Coimisiún Pleanála reference number in any correspondence or telephone contact with the Commission.

Yours faithfully,

  
\_\_\_\_\_  
Lauren Griffin  
Executive Officer  
Direct Line: 01-8737244

JA02

Teil (01) 858 8100  
Glao Áitiúil 1800 275 175  
Facs (01) 872 2684  
Láithreán Gréasáin Website [www.pleanala.ie](http://www.pleanala.ie)  
Ríomhphost Email [communications@pleanala.ie](mailto:communications@pleanala.ie)

64 Sráid Maoilbhríde 64 Marlborough Street  
Baile Átha Cliath 1 Dublin 1  
D01 V902 D01 V902

**Teil**  
**Glaao Áitiúil**  
**Facs**  
**Láithreán Gréasáin**  
**Ríomhphost**

**Tel** (01) 858 8100  
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64 Sráid Máoilbhríde  
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D01 V902



**Planning & Development  
Consultants**

**M** 087 261 5871

**T** 01 539 4960

**E** info@bpsplanning.ie

**W** www.bpsplanning.ie

PO Box 13658

Dublin 14

Submitted online via the ACP Planning Observation Portal

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

11 July 2025

Dear Sir/Madam,

*Third Party planning observation in respect of a South Dublin County Council Section 175 of the planning and development act, 2000 (as amended) application to An Coimisiún Pleanála. The Observation pertains to An Coimisiún Pleanála planning application, reg. ref. JA06S.322638 (and South Dublin County Council reg. ref. SDZ25X/0001), which seeks approval to carry out development at lands cumulatively measuring c. 29.39 hectares, comprising three sites referred to as Site 3, Site 4, and Site 5, located predominantly within the Kishoge Development Area of Clonburris Strategic Development Zone (SDZ), in the townlands of Kishoge, Esker South, Grange, and Balgaddy, Clonburris, County Dublin. The proposed development at Sites 3, 4 and 5 broadly comprises the development of 1,252 no. residential units in a mix of houses, duplexes, triplexes and apartments; 2 no. childcare facilities; 1 no. community building; retail uses; refurbishment works to Grange House for future reuse.*

BPS Planning & Development Consultants Ltd, a firm of Irish Planning Institute<sup>1</sup> accredited planning consultants, have been retained by Tullyhall Residents Association<sup>2</sup> [hereafter "TRA"] of Tullyhall, Lucan, Co. Dublin to submit a Third Party planning observation in respect of a South Dublin County Council [hereafter "SDCC"] Section 175 of the Planning and Development Act, 2000 (as amended) application to An Coimisiún Pleanála [hereafter "ACP"] submitted under planning application, reg. ref. JA06S.322638<sup>3</sup> (and South Dublin County Council reg. ref. SDZ25X/0001<sup>4</sup>).

This planning application seeks approval from An Coimisiún Pleanála to carry out development at lands cumulatively measuring c. 29.39 hectares, comprising three sites referred to as Site 3, Site 4, and Site 5, located predominantly within the Kishoge Development Area of Clonburris Strategic Development Zone (SDZ), in the townlands of Kishoge, Esker South, Grange, and Balgaddy, Clonburris, County Dublin. The proposed development at Sites 3, 4 and 5 broadly comprises the development of 1,252 no. residential units in a mix of houses, duplexes, triplexes and apartments; 2 no. childcare facilities; 1 no. community building; retail uses; refurbishment works to Grange House for future reuse.

Section 1.0 of this letter sets out validation details, Section 2.0 provides an introduction, Section 3.0 sets out TRA's 'Grounds for Observation', while Section 4.0 sets out a conclusion. A request for Further Information is required and, at Section 5.0, recommendations for what details should be requested are included.

## 1.0 Validation of this Planning Observation

Please refer to the attached Third Party Planning Observation Checklist.

All requirements pertaining to the submission of a valid planning observation, including as required under Section 175 of the Act (as amended) have been addressed.

## 2.0 Introduction

TRA is concerned over the submitted proposals pertaining to the Proposed development of Site 3 within the Kishoge Development Area of the Clonburris Strategic Development Zone (SDZ). The location of Site 3 and TRA's membership area are provided in Figs. 1 and 2.

<sup>1</sup> <https://ipi.ie/>

<sup>2</sup> Group contact: Chairperson Sean Walsh, 1 Tullyhall Crescent, Lucan, Co Dublin. Email: tullyhallresidenceass@gmail.com.

<sup>3</sup> <https://www.pleanala.ie/en-ie/case/322638>

<sup>4</sup> <https://planning.agileapplications.ie/southdublin/application-details/68453>

Following the appearance of site notices at locations surrounding the site on the 26<sup>th</sup> of May 2025, a number of local residents raised concerns. To capture these concerns, the TRA held community meetings on the 23<sup>rd</sup> of June and 2<sup>nd</sup> of July. This Planning Observation Letter briefly sets out these concerns and asks that ACP take them into consideration in its planning assessment.

These concerns relate to the proper planning and sustainable development of the area and the likely environmental effects of the proposed scheme. That is, as required by Section 175 (4)(a)(iii), they comprise concerns pertaining to the implications of the proposed development for proper planning and sustainable development of the area in which the proposed development is concerned; and (ii) the likely effects on the environment of the proposed development, if carried out.

Section 3.0 set out the TRA's 'Grounds for Observation' under the following headings:

- Road planning, road safety, traffic hazard, access, and car parking concerns
- Environmental and Amenity Concerns;
- Local Political and Planning Guidance Seeks to Protect Existing Estates;
- Requests for Clarification; and
- Planning Precedents.

Section 4.0 sets out a conclusion. A request for Further Information is required and, at Section 5.0, recommendations for what details should be requested are included. Further details can be provided to ACP on request.



Fig. 1: Site 3 which forms part of the planning application's red line boundary

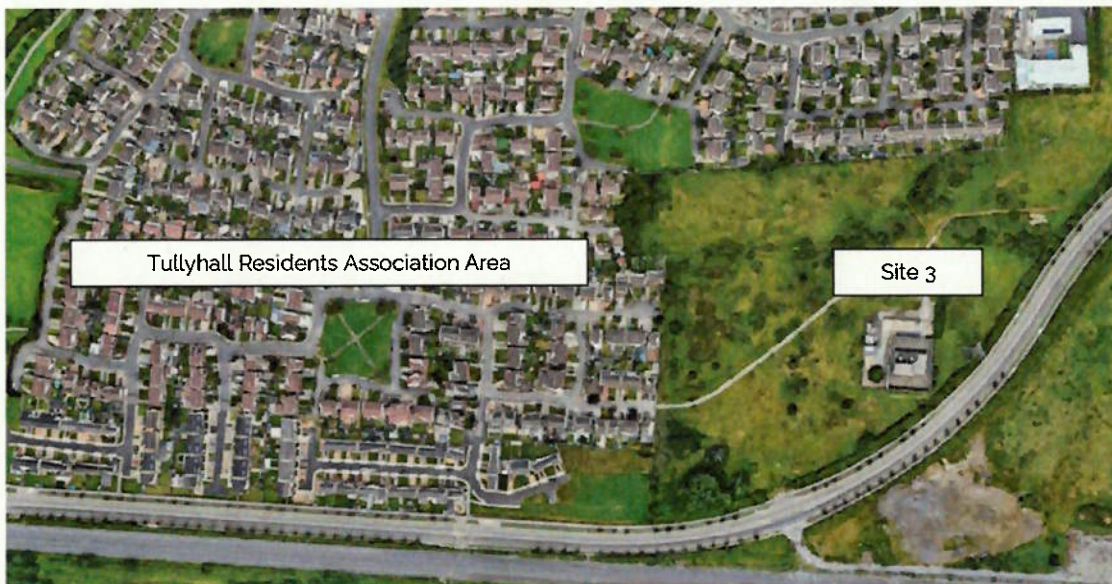


Fig. 2: Tullyhall sited to the west of Site 3

### 3.0 Grounds for Observation

#### 3.1 Ground 1: Road planning, road safety, traffic hazard, access, and car parking concerns

The TRA maintains specific concerns over the following road planning, road safety, traffic hazard, access, and car parking matters included in the planning application:

- **Vehicular Access Issues:** The proposed development relies on Tullyhall Rise for vehicular access, with pedestrian/cycle access into Tullyhall Drive and Crescent, and a one-in, one-out access to Adamstown Link Road. Tullyhall was not designed to carry through-traffic for a large new housing scheme or alleviate Griffeen Avenue congestion. Using it as a pass-through route risks undermining road safety and residential amenity. Good traffic management practice supports limiting residential estates to a single entrance/exit to ensure safety. The benefits of Single Entrance/Exit estates are:
  - *Controlled Access:* A single entry can reduce through-traffic, discouraging non-residents from using the estate as a shortcut, which may lower speeding or external traffic risks.
  - *Crime Prevention:* Urban design theories (e.g., Crime Prevention Through Environmental Design) suggest limited access can enhance security by reducing escape routes for potential criminals.
  - *Community Cohesion:* A single entrance fosters a sense of enclosure or community identity.

ACP is invited to review the Bury St. Edmunds (Suffolk County Council), highway design standards and Suffolk Design Streets Guide<sup>5</sup> (2022) which requires developers to provide safe, accessible, and resilient road networks focused in many cases on controlled access.

- **Existing Traffic Pressures:** The local road network already faces safety challenges. Speed ramps were installed due to severe speeding incidents. Transport studies (e.g. the Greater Dublin Area Transport Strategy<sup>6</sup>, which refers to Griffeen Avenue and includes proposals to enhance the Avenue as part of the Grand Canal to Lucan Urban Greenway project). These enhancements<sup>7</sup> focus on improving pedestrian and cyclist safety and creating a more welcoming public space along the avenue). They note congestion issues, and recent changes to traffic light sequencing at Griffeen Avenue, Balgaddy Road, and the R136 have been necessary. The Griffeen Avenue crossroads has seen multiple cyclist and pedestrian injuries, including a recent fatality. Any new development must be preceded by a Road Safety Audit and thereafter subjected to Road Safety Audits as it progresses to completion. We note that the EIAR does not include a Road Safety Audit. No reference is included in Chapter 13 – Material Assets (Transportation) or in appendices 13.1 – ‘Network Traffic Flows – Vehicles, Appendix 13.2 – ‘Traffic & Transportation Assessment’, Appendix 13.3 – ‘Traffic Data’, or Appendix 13.4 – ‘Mobility Management Plan’.
- **Permeability Concerns:** Full permeability (vehicular, pedestrian, and cycle access) would dramatically change the quiet, settled, character of Tullyhall. It risks increasing through-traffic, anti-social behaviour, and a loss of residential amenity. Previous refusals (e.g. Hermitage Garden, SDCC reg. ref. SD20A/0259, see below and attached) cited traffic hazards due to narrow roads near open spaces used by children.

SDCC reg. ref. SD20A/0259 involved a proposed residential development at Hermitage Garden. Its refusal focused on, *inter alia*, traffic management and safety considerations (see Fig. 3).

<sup>5</sup> <https://www.suffolk.gov.uk/asset-library/imported/5647-21-Suffolk-Design-Street-Guide-v26.pdf>

<sup>6</sup> <https://www.nationaltransport.ie/planning-and-investment/strategic-planning/greater-dublin-area-transport-strategy/>

<sup>7</sup> The proposed changes include: (1) Opening Griffeen Park's boundary wall to improve access and visibility to the park; (2) Creating a park plaza - A designated area with seating and landscaping will offer a place for rest and relaxation; (3) Converting a signalized crossing - The existing signalized crossing near the park will be replaced with a zebra crossing to prioritize pedestrians and cyclists; (4) Road narrowing and raising - The road will be narrowed to 6 meters and raised throughout the park section to further enhance pedestrian and cyclist safety and create a more pedestrian-friendly environment; (5) Upgrading existing walking and cycling infrastructure - The existing paths and cycle lanes will be improved and integrated with the new proposals; and (6) Improving Public Lighting - Existing public lighting will be upgraded to ensure adequate visibility and safety along the avenue.

SCHEDULE

Comhairle Chontae Átha Cliath Theas

REASON(S)

- 1 The application site is subject to zoning objective 'RW' - 'To provide for and consolidate retail warehousing' in the South Dublin County Development Plan 2016-2022. Residential use is a 'Not Permitted' land use on lands subject to zoning objective 'RW'. In this regard the proposed development of 161 apartments and associated communal facilities is a material contravention of the County Development Plan. In addition, the proposed development is contrary to the strategic approach set out in the Core Strategy of the Development Plan to achieve the National Planning Framework (NPF), the Regional Spatial and Economic Strategy (RSES) and the proper planning and sustainable development of the County.
- 2 The proposed development would fail to comply with Policy H7 Urban Design in Residential Developments and Policy H9 Residential Building Heights as well as sections 11.2.0, 11.2.1 and 11.2.7 of the South Dublin County Council Development Plan (2016-2022) and would not comply with the criteria set out in Section 3.2 and SPPR 3 of the Urban Development and Building Heights Guidelines for Planning Authorities (December 2018). The proposed development would therefore materially contravene objectives of the County Development Plan and would be contrary to the Ministerial Guidelines and would be contrary to the proper planning and sustainable development of the area.
- 3 Having regard to the design, the excessive height, bulk, scale and massing of the buildings, the proposed development would be visually obtrusive and would adversely impact on the visual amenity of the application site, would seriously injure the amenities of property in the vicinity of the site and the character of the wider area, and would set an undesirable precedent for similar type development in the area and would be contrary to the proper planning and sustainable development of the area.
- 4 The proposed intensification of vehicular traffic would lead to unacceptable levels of traffic congestion on the adjoining roads network and where the Hermitage Garden cul-de-sac is a 3.8m wide road which is not designed for the proposed level of traffic movements, furthermore the increased traffic would be in close proximity to public open space where children play. This increase in traffic along a substandard road will result in a significant increase in traffic hazard to children in the existing cul-de-sac and at the interface between the Hermitage Garden road and the green open space which is along the proposed vehicular route. The proposed development would therefore endanger public safety by reason of traffic hazard or obstruction of road users or otherwise is considered to be contrary to Traffic and Transport Management policies of the South Dublin County Council Development Plan (2016-2022).

Record of Executive Business and Chief Executive's Order

- 5 The proposed density equates to 253 dwelling houses per hectare, which represents a substantial increase relative to the existing density on residential sites in the vicinity of the site. Policy H3 Residential Densities, states it is the policy of the Council to ensure that the density of new residential development is appropriate to its location and surrounding context. The proposed density is considered to be inappropriate for the subject site, having regard to the accessibility of the site, the context with its surrounding area and the strategic approach for consolidated development set out in the Core Strategy of the Development Plan. As such, the proposed development would not comply with the South Dublin County Council Development Plan (2016-2022).
- 6 The proposed development would set an undesirable precedent for other similar developments, which would in themselves and cumulatively, be harmful to the residential and visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.

Fig. 3: Reasons for the refusal of reg. ref. SD20A/0259 by SDCC

- **Parking Limitations:** Existing parking is already constrained, with issues such as ESB boxes blocking new spaces. The proposed development risks worsening these shortages without sufficient new provision.
- **Disputed Right of Way:** The developer claims the proposed entrance is an existing vehicular Right of Way. In fact, it is a gated and seldom used entrance. It is only used by ESB employees to carry out emergency works/maintenance and is accessible by gate keyholders only. This access could now be from the new proposed entrance on Adamstown Link Road and the gated access at Tullyhall closed off completely with a new boundary wall. The applicant's Right of Way assertion should be properly verified by ACP, as is required by the Planning and Development Regulations 2001 (as amended) and the Development Management Guidelines (2007).

Vehicular, pedestrian and cycle access to the site is proposed from Adamstown Avenue and the Northern Link Street (permitted under Reg. Ref. SDZ24A/0033W). Pedestrian, cycle and vehicular access is also provided from the existing entrance at Tullyhall Rise.

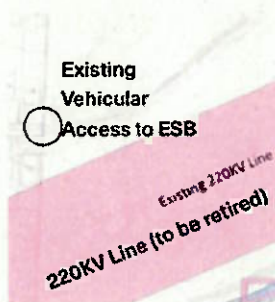


Fig. 4: Excerpt from the applicant planning application

Within the planning application, there is also a specific wording of "Intimate Street Connection" with vehicular access at Tullyhall Rise. Can ACP clarify what this means?

This proposed scheme complies with SDZ map 2.2.7 Overall Movement Concept and map 2.3.1 Green Infrastructure Network.

The community gains of this proposal are:

- A public cycling and walking green link that connects Griffeen Local Centre, Lucan East Educate Together, and the site of Kishoge Cross School to Kishoge Rail Station (Connection A).
- Extension of Rossberry Park by 1685 sqm to create a north-west/south-east connection for the surrounding community to the rail station (Connection B).
- An intimate street connection with vehicular access at Tullyhall Rise (Connection C).
- Potential future green links at Tullyhall Drive (E) and Oldbridge Grove (F); these are not proposed as part of this application.

Fig. 5: Excerpt from the applicant planning application re. "intimate street connection"



Fig. 6: Excerpt from the applicant planning application re. the "intimate street connection" location

Despite numerous TRA calls to O'Mahony Pike Architects to try to obtain visual photos of the proposed entrance at Tullyhall Rise similar to those within the plans (visuals provided below of what have been shown in the plans of pedestrian/cycle access via new development and Rossberry & Oldbridge), it has not been possible to obtain any visual of Tullyhall Rise post completion. Does this raise the question that Tullyhall Rise will also be a continuation of an Intimate Street? The existing road is 4.9m and if so a compulsory purchase order (COP) would need to be obtained in order for it also to become an intimate street or where do ACP, SDCC & O'Mahony Pike show residents that this is not the case?



**Point B - Park Connection to Tullyhall / Oldbridge**



**View of Block 1 on approach to Site**

*Fig. 7: Excerpt from the applicant planning application*

- **Policy and Council Requirements:** South Dublin County Council's policy and previous motions (e.g. M28/0618) state that pedestrian/cycle links remain indicative and require further consultation before altering estate boundaries. National guidance (NTA 2013) supports this approach to ensure local voices are heard and community safety is maintained.

The TRA does not consider these planning matters to have been addressed by the applicant planning application.

### **3.2 Ground 2: Environmental and Amenity Concerns**

The TRA maintains specific concerns over the following Environmental and Amenity Concerns arising from a review of this planning application:

- **Building Height and Privacy:** The TRA asks that any new homes built immediately adjacent to the existing two-storey homes in Tullyhall (Rise & Drive – see, for example, Fig. 8) should themselves be two storeys in height, starting from the same ground level as existing homes. From there, building height can increase gradually to three, four, or more storeys further into the development. This approach would protect existing residents' privacy and

access to natural light while still allowing overall density targets to be met by redistributing any lost units elsewhere on the site.

The TRA is, like Sinn Fein, opposed to any development directly beside existing houses other than those that should be of the same height and at same ground level. The plans make specific reference to 3 story buildings and a 5 story apartment to be built directly beside Tullyhall Rise & Drive (see Fig. 9).



Fig. 8: Existing two storey character of Tullyhall rise

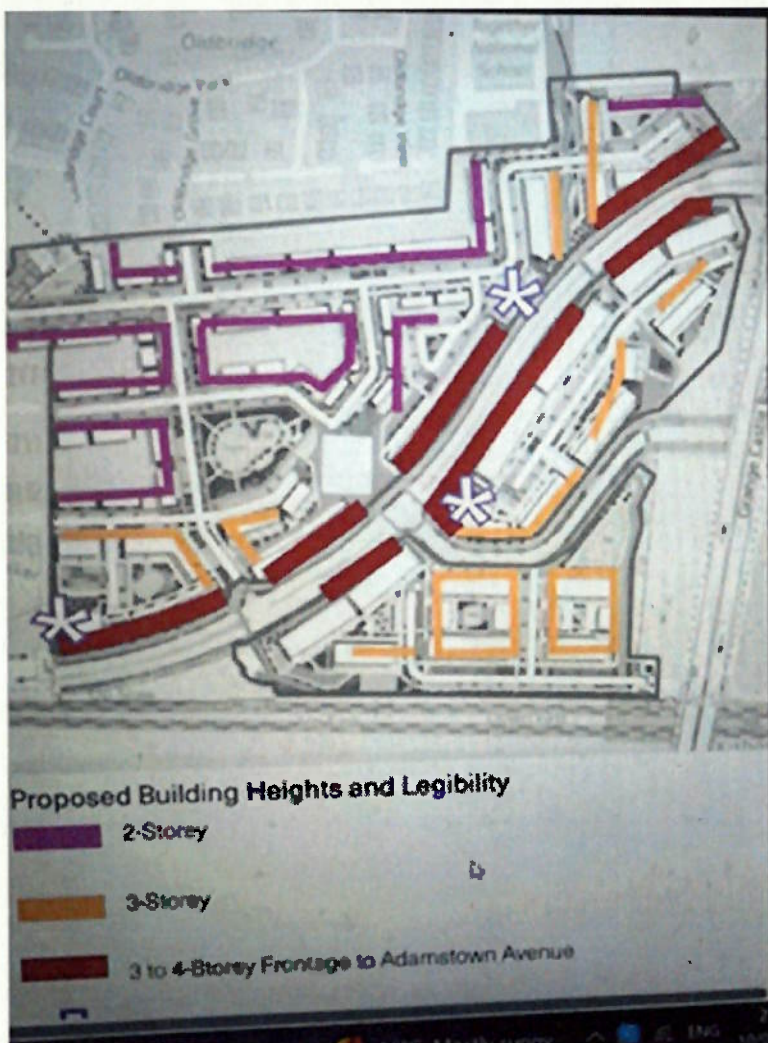


Fig. 9: Excerpt from the applicant planning application - building heights

- **Impact on Mature Trees and Wildlife:** The submission lacks a clear assessment of impacts on mature trees that provide nesting habitats for birds. Without a detailed tree impact assessment / Arborist Report and drawings, it is unclear how these will be protected during construction.
- **Disruption to Local Wildlife:** Construction on nearby sites has already displaced hedgehogs and foxes, indicating local biodiversity under threat. Mitigation and monitoring measures are urgently needed. The EIAR reads as incomplete as regards an adequate Biodiversity Report and Ecological Impact Assessment.
- **Flood Risk:** The proposal does not include a Specific Flood Risk Assessment, raising concerns that new impermeable surfaces could increase local flooding risk arising from significant pluvial events.
- **Lack of Amenities:** The proposal includes no new amenities to serve an increased population. Residents would be expected to rely on limited existing facilities (e.g. a single local shop and schools across Griffeen Avenue). There is no plan for additional educational capacity, raising risks of school overcrowding. The applicant has failed to provide a Social Infrastructure Impact Assessment. As ACP is aware, a Social Infrastructure Impact Assessment (SIA) analyzes the social consequences of a project or policy on a community. It evaluates how a project might affect people's lives, including their access to services, community well-being, and cultural heritage. The goal is to identify potential positive and negative impacts and develop strategies to maximize benefits and minimize harm. The applicant had not carried out any structured approach to assess the social changes which will be brought about by this project or policy. SIAs help ensure that projects contribute to the overall well-being of communities by addressing social impacts. SIAs promote more sustainable and equitable development.
- **Access to Services:** With existing limited local social infrastructure, residents will face challenges accessing essential goods and services without increased reliance on private vehicles. Additionally, there is no plan for improved pedestrian infrastructure (e.g. footbridges or safe crossings) between new sites. Again, there is a need for a detailed Social Infrastructure Impact Assessment.
- **Other Environmental Concerns:** These include noise pollution from traffic and construction, potential loss of privacy from new building heights and proximity, and pressure on already limited parking.
- **Local Employment:** No provision for local employment opportunities is included, undermining sustainability and increasing traffic as residents travel further for work. Again, there is a need for a detailed Social Infrastructure Impact Assessment with a section focused on the likely locations of employment.

The TRA does not consider these planning matters to have been addressed by the applicant planning application.

### 3.3 Ground 3: Local Political and Planning Guidance Seeks to Protect Existing Estates

The TRA considers that the concerns of local representatives and another Residents Association have not been considered in the SDCC development of this planning application. The TRA's concerns align with those of a number of other submissions and documents which are attached to this Planning Observation Letter. For example:

- Local representatives, including Sinn Féin TDs and Independent councillors, support new social and affordable housing but insist on protecting the integrity and safety of existing estates. They oppose creating new vehicular or pedestrian permeability into existing cul-de-sacs.
- Existing planning guidance and motions note that proposed pedestrian/cycle routes are indicative only and require further approval and consultation before boundary walls or fences can be altered. This is consistent with the National Transport Authority's Permeability Best Practice Guide<sup>8</sup> (2013), which seeks to balance connectivity with safety and privacy.
- TRA reiterates that any permeability proposals must undergo robust community engagement and safety assessments.

The TRA asks that ACP address its concerns which align with those of local representatives (see copies of the relevant submissions attached).

### 3.4 Ground 4: Requests for Clarification

The TRA has held community meetings where they have laid out the plans and details of the proposed development for householders in the vicinity of the site to review. Feedback suggests that the proposals are unclear and lack details

<sup>8</sup> National Transport Authority's Permeability Best Practice Guide (2013).

which should be accessible and relatively easy for people to understand. To properly evaluate the proposal, the TRA requests:

- Details of the design, width, and safety standards of all proposed pedestrian and cycle routes, ensuring compliance with DMURS and other guidelines.
- Confirmation of whether a formal Road Safety Audit has been conducted, with access to the report and any recommended mitigations. BPS has reviewed all parts of the planning application available online and we cannot identify a Road Safety Audit; however, if one exists, this should be made more accessible to viewers.
- Details on new services, utilities, street lighting, and infrastructure, especially their impact on existing mature trees and landscaping. The construction phase proposals include significant 'catch-all' statements and refer to a contractor being responsible for these matters at some point in the future. A detailed Construction Environmental Management Plan should be required by ACP.
- Confirmation that proposed access can safely accommodate emergency vehicles and refuse trucks in line with South Dublin County Council standards. This will require the provision of swept path analysis drawings.

The TRA asks that ACP address the above specific concerns which pertain to areas of concern where clarification is needed to ensure the safety of the existing and proposed community.

### 3.5 Ground 5: Planning Precedents

Previous applications with similar vehicular access arrangements have been refused due to the unacceptable hazard of funnelling traffic onto narrow residential roads near public open spaces. Such precedents should guide this application to avoid repeating risks to public safety.

ACP is asked to review the assessment of planning application reg. ref. SD20A/0259 which was refused on the grounds of permeability.

### 4.0 Conclusion

TRA urges the Commission to carefully consider these observations. Approving the proposal without amendment risks significant adverse impacts on traffic safety, the environment, local amenity, and infrastructure.

We respectfully request that all these issues be addressed comprehensively before any permission is granted, to ensure proper planning and sustainable development that safeguards the needs and safety of both existing and future residents.

To this end, we submit that a request for Further Information should be issued. A request for Further Information is permitted under Section 175 (5) (a) of the Act (as amended) which states: "The Board [Commission] may, where it considers it necessary to do so, require a local authority that has applied for approval for a proposed development to furnish to the Board [Commission] such further information in relation to the effects on the environment of the proposed development as the Board [Commission] may specify".

### 5.0 Recommended Further Information request items

Further Information is required to address TRA concerns. The following Further Information requests are recommended by the TRA:

- Consideration of whether the proposals would create de facto and unsafe rat runs through existing residential estates.
- Cross-referencing with the Greater Dublin Area Transport Strategy as it pertains to Griffeen Avenue.
- A Road Safety Audit.
- Confirmation that proposed access can safely accommodate emergency vehicles and refuse trucks in line with South Dublin County Council standards. This will require the provision of swept path analysis drawings.
- SDCC should carry out further consultation before altering estate boundaries.
- Revised drawings are required showing building heights rising in a staggered manner from Tullyhall and eastward.
- A detailed tree impact assessment / Arborist Report and drawings is required.
- A Specific Flood Risk Assessment is required.
- A Social Infrastructure Impact Assessment is required.
- A detailed Construction Environmental Management Plan is required.

## 6.0 Finally

We trust this is in order and look forward to receiving ACP's acknowledgment letter by return, etc.

If you require any further details, please contact BPS using the details supplied on this letterhead.

With best wishes,

*Brendan Buck*

**Brendan Buck MIPI  
Managing Director  
BPS Planning Consultants LTD**

*Encl:*

- Copy of Site Notice.
- Copy of planning decision reg. ref. SD20A/0259.
- Copies of correspondence prepared by other parties which is supported by the TRA.

## Third Party Planning Observation Check List

1. Observation must be lodged in writing: THE APPLICATION (INCLUDING EIAR) HAS BEEN VIEWED AT THE APPLICANT WEBSITE AND AT [HTTPS://WWW.PLEANALA.IE/EN-IE/CASE/322638](https://www.pleanala.ie/en-ie/case/322638). THIS OBSERVATION, INCLUDING THE ATTACHED PLANNING OBSERVATION LETTER, IS MADE IN WRITING TO AN COIMISIÚN PLEANÁLA, 64 MARLBOROUGH STREET, DUBLIN 1, D01 V902 WITHIN 6-WEEKS OF RECEIPT OF THE APPLICATION BY AN COIMISIÚN PLEANÁLA ON 26/05/2025. THE OBSERVATION IS MADE THROUGH THE COMMISSION'S WEBSITE AT THE FOLLOWING ADDRESS: [HTTPS://WWW.PLEANALA.IE/EN-IE/OBSERVATION-ON-A-STRATEGICINFRASTRUCTURE-DEVEL](https://www.pleanala.ie/en-ie/observation-on-a-strategicinfrastructure-devel).
2. Names and addresses of the Observer: TULLYHALL RESIDENTS ASSOCIATION<sup>1</sup> (HEREAFTER "TRA") OF TULLYHALL, LUCAN, CO. DUBLIN.
3. If an agent is involved, state the name of the agent: BRENDAN BUCK MIPI.
4. Address of the agent: BPS PLANNING & DEVELOPMENT CONSULTANTS, PO BOX 13658, DUBLIN 14, D14RW01.
5. State the Subject Matter of the Objection: THIRD PARTY PLANNING OBSERVATION IN RESPECT OF A SOUTH DUBLIN COUNTY COUNCIL SECTION 175 OF THE PLANNING AND DEVELOPMENT ACT, 2000 (AS AMENDED) APPLICATION TO AN COIMISIÚN PLEANÁLA. THE OBSERVATION PERTAINS TO AN COIMISIÚN PLEANÁLA PLANNING APPLICATION, REG. REF. JA06S.322638 (AND SOUTH DUBLIN COUNTY COUNCIL REG. REF. SDZ25X/0001), WHICH SEEKS APPROVAL TO CARRY OUT DEVELOPMENT.
6. Brief description of the development: THE PROPOSED DEVELOPMENT AT SITES 3, 4 AND 5 BROADLY COMPRISES THE DEVELOPMENT OF 1,252NO. RESIDENTIAL UNITS IN A MIX OF HOUSES, DUPLEXES, TRIPLEXES AND APARTMENTS; 2NO. CHILDCARE FACILITIES; 1NO. COMMUNITY BUILDING; RETAIL USES; REFURBISHMENT WORKS TO GRANGE HOUSE FOR FUTURE REUSE.
7. Location of development: AT LANDS CUMULATIVELY MEASURING C. 29.39 HECTARES, COMPRISING THREE SITES REFERRED TO AS SITE 3, SITE 4, AND SITE 5, LOCATED PREDOMINANTLY WITHIN THE KISHOGE DEVELOPMENT AREA OF CLONBURRIS STRATEGIC DEVELOPMENT ZONE (SDZ), IN THE TOWNLANDS OF KISHOGE, ESKER SOUTH, GRANGE, AND BALGADDY, CLONBURRIS, COUNTY DUBLIN.
8. Assessing planning authority under Section 175: AN COIMISIÚN PLEANÁLA.
9. An Coimisiún Pleanála planning application, reg. ref: JA06S.322638<sup>2</sup>.
10. Name of planning authority area: SOUTH DUBLIN COUNTY COUNCIL.
11. Planning authority register reference number: REG. REF. SDZ25X/0001<sup>3</sup>.

<sup>1</sup> Group contact: Chairperson Sean Walsh, 1 Tullyhall Crescent, Lucan, Co Dublin, Email: tullyhallresidenceass@gmail.com.

<sup>2</sup> <https://www.pleanala.ie/en-ie/case/322638>

<sup>3</sup> <https://planning.agileapplications.ie/southdublin/application-details/68453>

12. Attach, in full, the grounds for Objection and the reasons, considerations and arguments on which they are based. ATTACHED IN FULL IN PLANNING OBSERVATION LETTER.
13. Section 175 Grounds for Observation: The attached Planning Observation Letter sets out concerns over, *inter alia*: (I) THE IMPLICATIONS OF THE PROPOSED DEVELOPMENT FOR PROPER PLANNING AND SUSTAINABLE DEVELOPMENT OF THE AREA IN WHICH THE PROPOSED DEVELOPMENT IS CONCERNED; AND (II) THE LIKELY EFFECTS ON THE ENVIRONMENT OF THE PROPOSED DEVELOPMENT, IF CARRIED OUT.
14. Enclose/Pay the correct fee for the **THIRD** party Objection: €50 PAID ONLINE AT AN COIMISIÚN PLEANÁLA.
15. Ensure that the OBSERVATION is received by the correct date: THE FINAL DATE FOR SUBMISSION OF THIS PLANNING APPLICATION OBSERVATION IS **5:30PM ON MONDAY 14 JULY 2025**. THIS DATE IS SET OUT ON THE STATUTORY NOTICES (A COPY OF THE SITE NOTICE IS ATTACHED).

Signed:

*Brendan Buck*

**BPS Planning Consultants LTD**  
Members of the Irish Planning Institute  
11 July 2025

## **SOUTH DUBLIN COUNTY COUNCIL NOTICE PURSUANT TO SECTION 175 OF THE PLANNING AND DEVELOPMENT ACT, 2000 (AS AMENDED) APPLICATION TO AN BORD PLEANÁLA**

In accordance with Section 175 of the Planning and Development Act, 2000 (as amended) South Dublin County Council gives notice of its intention to make an application for approval to An Bord Pleanála under Section 175(3) of the Planning and Development Act, 2000 (as amended), to carry out development at lands cumulatively measuring c. 29.39 hectares, comprising three sites referred to as Site 3, Site 4, and Site 5, located predominantly within the Kishoge Development Area of Clonburris Strategic Development Zone (SDZ), in the townlands of Kishoge, Esker South, Grange, and Balgaddy, Clonburris, County Dublin.

The proposed development at Sites 3, 4 and 5 broadly comprises the development of 1,252no. residential units in a mix of houses, duplexes, triplexes and apartments; 2no. childcare facilities; 1no. community building; retail uses; refurbishment works to Grange House for future reuse: -

- **Site 3:** Located within 'Development Area 7- Kishoge North West' and 'Development Area 6- Kishoge Urban Centre' of the Clonburris SDZ Planning Scheme and bounded generally by Lucan East Educate Together National School and Oldbridge housing estate to the north; Tullyhall residential housing estate to the west; Adamstown Avenue and Kishoge train station and Dublin-Cork rail line to the south; and, Grange Castle Road (R136) to the east.

The proposed development at Site 3 comprises the construction of 580no. dwellings, including 130no. 2-storey 3-bedroom houses; 15no. 3-storey 3-bedroom houses; 76no. apartment units (32no. 1-bedroom, 36no. 2-bedroom and 8no. 3-bedroom) accommodated in 2no. 5-storey apartment buildings with balconies on all elevations; 356no. duplex units (108no. 1-bedroom, 115no. 2-bedroom, and 133no. 3-bedroom) and 3no. 3-bedroom triplex units accommodated in 24no. 3-storey duplex blocks, with balconies on rear and/or front elevations. 1no. 2-storey childcare facility (c.553 sq. m).

And all associated and ancillary site development, landscape and boundary works, including public open space (c. 7,015 sq. m) and communal open space (c. 3,079sqm); 456no. surface car parking spaces (total); 1,116no. bicycle parking spaces (total); 7no. ESB substations; and the diversion and rerouting of ESB 10KV and 38KV cabling; public lighting. New vehicular site, pedestrian and cycle access to Site 3 is proposed from existing Adamstown Avenue, the consented Northern Link Street (SDZ24A/0033W) and from the existing site entrance at Tullyhall Rise. New pedestrian access is proposed via the permitted green link (SDZ24A/0033W) adjacent to Lucan East Educate Together National School to the north and via the existing public open space at Rossberry Park to the north east.

- **Site 4:** Located within 'Development Area 8- Kishoge South West' of the Clonburris SDZ Planning Scheme and bounded to the north by the Dublin-Cork rail line, to the west by Griffeen Valley Park extension, by a linear park permitted under SDCC Reg. Ref. SD228/0003 to the east and the Grand Canal corridor to the south.

The proposed development at Site 4 comprises the construction of 436no. dwellings, including 141no. houses (133no. 3-bedroom and 8no. 4-bedroom) ranging from 2 to 3-storeys in height; 124no. apartment units (62no. 1-bedroom and 62no. 2-bedroom) accommodated in 3no. apartment buildings ranging from 4 to 6-storeys in height, with balconies/terraces on all elevations; 106no. duplex units (53no. 2-bedroom and 53no. 3-bedroom) and 57no. 2-bedroom triplex units accommodated in 19no. 3-storey duplex blocks, with a combination of rear gardens, and balconies/ terraces on all elevations; 3no. 1-bedroom age-friendly apartments accommodated in a 1-storey apartment building, with a rear courtyard garden; 5no. 2-bedroom garden apartments accommodated in a 1 to 2-storey apartment building with a front and rear courtyard garden. 1no. childcare facility (c. 544 sqm) and 1no. retail unit (c. 150 sqm) at ground floor of apartment Block F and 1no. community building/ pavilion (c. 683 sq m), all fronting Griffeen Valley Park; and, proposed refurbishment of existing Grange House for employment reuse (c. 173 sq m).

And all associated and ancillary site development, landscape and boundary works, including public open space (c. 778 sqm) and communal open space (c. 1,621 sqm); 408no. surface car parking spaces (total); 793no. bicycle parking spaces (total); 3no. ESB substations and 5no. ESB substation kiosks; public lighting; bin stores; demolition of existing outbuildings associated with Grange House (c. 118.0sqm) and isolated buildings (c. 98.0sqm). New vehicular, pedestrian and cycle access to the site is proposed from the permitted Southern Link Road (SDZ20A/0021).

- **Site 5:** Primarily located within Development Area 6- Kishoge Urban Centre and Development Area 10- Kishoge North East of the Clonburris SDZ Planning Scheme. Site 5 consists of two parcels (5a & 5b) located to the north of Kishoge Train Station and east of the R136 roundabout, intersected by Thomas Omer Way. One parcel is bounded by the Foxborough and Omer Walk housing estates to the north, Griffeen Community College and Thomas Omer Way to the south, and the

second parcel is bounded by Thomas Omer Way to the north, Lynch's Lane to the east and Grange Castle Road (R136) to the west. The eastern portion of Site 5b lies outside of the Clonburris SDZ Planning Scheme area.

The proposed development at Site 5 will consist of: the construction of 236 no. residential units comprising 35 no. 2-storey 3-bedroom houses; 110 no. 3-storey duplex units (53 no. 2-bedroom and 57 no. 3-bedroom); 33 no. 3-storey 2-bedroom triplex units; and 58 no. apartments (37 no. 1-bedroom and 21 no. 2-bedroom) in a 6-storey over basement apartment block.

And all associated and ancillary site development, landscape and infrastructural works, including: public open space (3,101 sq.m); communal open space (332 sq.m) to serve the apartment building; balconies/terraces for the apartments and duplex/triplex units; 219 no. car parking spaces (total); 628 no. bicycle parking spaces (527 no. resident spaces and 101 no. visitor spaces); ESB substation, public lighting, boundary treatments, waste storage areas, drainage and open attenuation ponds.

To facilitate development, it is proposed to remove a section of the concrete noise barrier along Thomas Omer Way (within the Site 5 boundary only) and remnants of derelict structures and hardstand on lands to the south of Thomas Omer Way.

Vehicular, pedestrian and cycle access to the parcel in the south will be from Thomas Omer Way via a new left-in-left-out junction at Lynch's Lane and from the R136 via the permitted Northern Link Street (granted under Reg. Ref. SDZ24A/0033W). Vehicular, pedestrian and cycle access to the north parcel will be from Thomas Omer Way via a new signalised junction.

New pedestrian connections are facilitated to the Foxborough and Omer Walk residential estates.

This application is being made in accordance with the Clonburris Strategic Development Zone (SDZ) Planning Scheme, as defined by Statutory Instrument No. 604 of 2015.

An Environmental Impact Assessment Report has been prepared in respect of the proposed development. The application documentation including the Environmental Impact Assessment Report may be inspected free of charge or purchased on payment of a specified fee (which fee shall not exceed the reasonable cost of making such copy) during public opening hours from **Tuesday 03 June 2025 to Monday 14 July 2025** at the following locations:

- The Office of An Bord Pleanála, 64 Marlborough Street, Dublin 1, D01 V902 (between 9.15am and 5.30 pm Monday to Friday);
- South Dublin County Council, County Hall, Town Centre, Tallaght, Dublin 24 (between 9:00am to 4:00pm., Monday to Friday);

The application (including EIAR) may also be viewed/downloaded on the following website: [www.kishoge-part10.com](http://www.kishoge-part10.com). Submissions or observations may be made in writing to An Bord Pleanála, 64 Marlborough Street, Dublin 1, D01 V902 on payment of the prescribed fee of €50 within 6-weeks of receipt of the application by An Bord Pleanála (submissions or observations may also be made through the Board's website at the following address <https://www.pleanala.ie/en-IE/Observation-on-a-strategic-infrastructure-devel>) to be received on or before 5.30 p.m. **Monday 14 July 2025** relating to:

- (i) The implications of the proposed development for proper planning and sustainable development of the area in which the proposed development is concerned; and
- (ii) The likely effects on the environment of the proposed development, if carried out.

An Bord Pleanála may give approval to the application for development with or without conditions or may refuse the application for development. A person may question the validity of any such decision by An Bord Pleanála by way of an application for judicial review under Order 84 of the Rules of the Superior Courts (S.I. No. 15 of 1986, as amended), in accordance with section 50 of the Planning and Development Act, 2000 (as amended). Practical information on the judicial review mechanism can be accessed under the heading Legal Notices – Judicial Review Notice on the An Bord Pleanála website [www.pleanala.ie](http://www.pleanala.ie) or on the Citizens Information website [www.citizensinformation.ie](http://www.citizensinformation.ie)

Signed: 

Stephen Little & Associates, Chartered Town Planners and Development Consultants, 26/27 Upper Pembroke Street, Dublin 2, D02 X361 (Agent)

Date of Erection of Site Notice: **26 May 2025**

# Comhairle Chontae Atha Cliath Theas

PR/1134/20

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD20A/0259      **Application Date:** 15-Oct-2020  
**Submission Type:** New Application      **Registration Date:** 15-Oct-2020

**Correspondence Name and Address:** Cahal O'Neill & Co Architects 33, Pembroke Road, Dublin 4

**Proposed Development:** (a) Formation of a new vehicular, cycle and pedestrian entrance off Hermitage Gardens to the west of the site and two pedestrian/cycle entrances to the north of the site off the N4; (b) construction of a semi-basemen/full basement car park for 97 cars, bin and bicycle storage and plantrooms, with two-way access ramp; (c) construction of a 1.2m high (approximately) raised podium over the car park area; (d) a four-storey above podium apartment block containing 15 apartments; (e) a three-storey apartment block (A) containing 21 apartments and a 15.12sq.m substation at ground floor; (f) a three-storey apartment block (B) containing 21 apartments; (g) a twenty storey above podium apartment building containing 104 apartments, entrance lobby, communal facilities including work stations, meeting rooms, laundry and office and external podium level terrace; (h) 328 bicycle parking places dispersed throughout, underground rainwater retention tanks; hard and soft landscaping, including planted communal gardens and play areas; pedestrian and cycle access/egress only will be retained off the N4; the mix of the apartments will be as follows: 37 studio apartments, 42 1-bed apartments, 8 2-bedroom (3 person) apartments, 70 2-bedroom (4 person) apartments, 4 3-bed apartments; total number of apartments proposed is 161; 67% of the apartments will be dual aspect and all will have balconies or private open space; all buildings will have roof plantrooms, green roofs and photovoltaic panels.

**Location:** Lands adjacent to Foxhunter Pub, Ballydowd, Lucan, Co. Dublin

**Applicant Name:** Fox Connect Ltd.

# Comhairle Chontae Atha Cliath Theas

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## Record of Executive Business and Chief Executive's Order

Application Type:

Permission

(NR)

### Description of Site and Surroundings:

#### Site Description:

The subject site is situated on the southside of the N4, adjacent to the service road approaching the west bound diverge at Junction 2. The site is located to the west of the Foxhunter Public House within the overall landholding and comprises a substantial area of hardstanding in use as a car park and grassland beyond this which extends to the rear (southern) boundary of the site. The site is accessed currently from the slip road from the N4 at the Texaco Petrol Station located to the east and is operated in a left in left out arrangement with the exit being via an internal avenue that leads to an exit only gate that opens near the top of the slip road serving the flyover to Lucan Village.

The site is situated approximately 2km to the east of Lucan Village and equal distance to the west of the Liffey Valley retail centre. To the north of the site on the opposite side of the N4, is a vast area of green lands zoned to protect the amenity of the Liffey Valley. The site is surrounded to the west, south and east by Hermitage Park, a development of predominantly semi-detached two-storey houses dating from the late 1980s. On its west side the site abuts the termination of a cul-de-sac, Hermitage Garden, part of the overall Hermitage Park development. A Texaco filling station is located to the east of the site. The topography of the site is relatively flat. A 'Wow Burger' food trailer is currently sited in the car park area towards the western boundary of the site.

Corridor 6, Lucan to City Centre, of the NTA's Core Bus Corridor (CBC) Project, as provided for in the Transport Strategy, runs along the N4 at this location.

#### Site Area:

Stated as 0.6354ha

#### Site Visit:

18-November 2020

#### Proposal:

The proposal comprises:

- The development of **161 apartments** with private amenity space across **four blocks at 3, 4 and 20- storeys in height** incorporating the following:

## Comhairle Chontae Atha Cliath Theas

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### Record of Executive Business and Chief Executive's Order

- Block A- four-storeys above podium containing 15 apartments;
- Block B- three-storeys containing 21 apartments and a 15.12sq.m substation at ground floor;
- Block C - three-storeys containing 21 apartments;
- Block D- twenty storey above podium containing 104 apartments, entrance lobby, communal facilities including work stations, meeting rooms, laundry and office and external podium level terrace;
- Formation of a new vehicular, cycle and pedestrian entrance off Hermitage Gardens to the west of the site and two pedestrian/cycle entrances to the north of the site off the N4,
- Construction of a semi-basement/full basement car park for 97 cars, bin and bicycle storage and plantrooms, with two-way access ramp,
- Construction of a 1.2m high (approximately) raised podium over the car park area
- Provision of 328 bicycle parking places dispersed throughout,
- Hard and soft landscaping, including planted communal gardens and play areas,
- Installation of underground rainwater retention tanks,
- All buildings will have roof plantrooms, green roofs and photovoltaic panels.

The mix of the apartments will be as follows: 37 studio apartments, 42 1-bed apartments, 8 2-bedroom (3 person) apartments, 70 2-bedroom (4 person) apartments, 4 3-bed apartments.

The gross floor area of the proposed development is stated on the planning application form as being 14,146.45sq.m

#### **SEA Sensitivity:**

No overlap is identified with relevant environmental layers.

#### **Zoning:**

The subject site is subject to zoning objective 'RW' - '*To provide for and consolidate retail warehousing*' in the South Dublin County Development plan 2016-2022.

#### **Consultations:**

- Roads Department: Refusal is recommended
- Environmental Services Department – Surface Water Drainage: No objection subject to conditions.
- Waste Management: Request additional information.
- Climate Change: No Comment
- Landscaping and Public Realm: No objection subject to conditions
- Heritage Officer: No Comment
- Housing Strategy Unit: No objection subject to conditions.

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## Record of Executive Business and Chief Executive's Order

- Pollution Control Section: No comment
- Public Lighting Section: No comment
- Irish Water: No objection subject to conditions
- Environmental Health: Request additional information
- National Transport Authority: Submission received recommends that the assessment of the application seeks to address the concerns raised in relation to the design of the internal road layout adjacent to the N4 in order to support the implementation of the CBC along the N4.
- Transport Infrastructure Ireland (TII): Submission received notes the Authority will rely on your planning authority to abide by official policy in relation to development on/affecting national roads as outlined in DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012).

### Submissions/Observations /Representations

Final date for submissions: 18-Nov-2020

Representations from local Councillors along with a large number of submissions have been received in relation to this proposal. One submission was received in favour of the proposal. Those observations raised in the representation/submissions received have been categorised as follows:

#### In favour

- Will provide much needed residential accommodation on a vacant site
- Close to public transport and local amenities
- Proposal to provide tall building is welcomed
- Need to encourage delivery of tall buildings

#### Planning Policy, Objectives and Zoning

- Non-compliance with zoning on lands zoned for retail warehousing, which prohibits residential development/Contravention of zoning
- Materially contravenes policy Objective H9 Objective 4 which seeks to direct tall buildings (exceeding 5 storeys) to strategic and landmark locations in Town Centres and Mixed Use Zones and SDZ subject to approved LAP or Planed scheme.
- Contravenes Policies: H7 Obj 2, H9 Obj 2, H9 Obj 3, H9, Obj 4, H17 Obj 5, HCL5 Obj 4, Section 11.27 of the current County Development Plan
- There is no policy requirement for a landmark building at this site

#### Impact on Visual and Residential Amenity

- It will give rise to overlooking, overshadowing
- Loss of sunlight/daylight to homes in the Hermitage Estate

## Comhairle Chontae Atha Cliath Theas

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### Record of Executive Business and Chief Executive's Order

- Visually incongruous and overbearing having a negative impact on residential amenity
- Opening up existing cul de sacs will have a negative impact on existing residential amenity and will alter the nature and character of this existing area
- Opposition to the height, scale, density and design and the additional pressure put on existing infrastructure, environment and services
- The development is not suitable to this area and would be more suited to larger SDZ schemes like Adamstown, Clonburris and Lucan that can provide high density
- The proposal contains 4 visual impact views. View 4 indicates a significant and severe impact and is not 'neutral' as stated.
- Images indicate visual impact will be severe
- New developments should have a positive impact on existing areas not a negative impact
- Negative impact on existing green spaces and environs
- Balconies overlooking gardens and residents.
- Excessive residential density and not appropriate infill.
- Decimate property values
- The housing mix will lead to rental properties and starter homes that will in turn will lead to a transient population with no long-term commitment to the location.
- The shared office/hot desking for one bed residents may not be appropriate with homeworking and Covid 19 restrictions.
- Does not promote family residences.

#### Design

- Out of character/Out of context
- No basis for 20 storey apartment block
- At 67.9m tall the apartment block would be second highest in Ireland
- Overdevelopment of the site
- Bulk, mass, height, physical dominance and design (of the entire development, including the 4-storey buildings) not appropriate for the site located in close proximity to existing and well-established residential estates.
- The separation distances are minimum and in some instances do not meet the minimum separation distance of 22m to adjoining dwellings.
- The scale in term of height and units are inappropriate at such a location and the height proposed is for landmark buildings like Liberty Hall in the City not this suburban area.
- Contravenes Policy Objective H9 Objectives 2, 3 and 4 of the current plan regarding height.
- Doesn't comply with Design Standards for New Apartments.
- Inadequate sized meeting spaces.

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### Record of Executive Business and Chief Executive's Order

- Nothing in design to mitigate negative visual impact.
- Does not promote family residences.
- Balconies on floors 12 and above usable.
- Works to be undertaken at boundary wall are not specified.
- Proposed play space appears undersized.
- Size of balconies on monolithic tower block are comparable to prison cells
- Plans do not show underground parking to be ventilated.
- Lifts, basement car park don't comply with part B of current TGD

#### Traffic, Transport and Parking

- Traffic Impact Report is not sufficient
- Potential for unacceptable overflow of carparking onto the Hermitage Estate.
- Objects to the removal of the cul de sac at Hermitage Green/Hermitage Gardens
- Increase in traffic volume, creating traffic jams and tail backs at existing traffic lights at the exits to the estate and within proximity to the hinterland of the site.
- More traffic calming measures will be required.
- The existing access from the N4 should be the access to the site.
- Difficulties relating to refuse collection trucks/emergency vehicles navigating the existing streets. Service and emergency vehicle safe access
- The significant increase in traffic movement coupled with lack of parking will create hazardous safety conditions for residents.
- It is questionable whether the existing bus provisions can accommodate the proposed development.
- Concerns raised over construction traffic.
- The removal of cul de sacs will open on 'through-ways', given rise to additional noise and anti-social behaviour
- 97 car parking spaces are inadequate to provide for 161 apartments
- Existing public transport is inadequate, the proposed development will put added pressure on this infrastructure
- Concerned that the proposed through route will result in anti-social behaviour and being used to evade the Garda
- Social infrastructure audit makes reference to bus routes. Busses are frequently difficult to get on
- Consideration has not been given to access via N4
- Cycle lanes in area are not fit for purpose
- Reduced car dependency will mean not enough provision for parking that will lead to hazardous cars parking in the surrounding streets and impact the existing residents.
- Extra traffic to the junction at Ballyowen Road, with increased use of the existing roads could lead to hazardous safety conditions.

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## Record of Executive Business and Chief Executive's Order

- No direct links to Transport facilities and bus services are already to full capacity.
- Impact negatively on the existing cycle lanes
- Deficiencies in the existing road network
- Traffic from development will be competing with Bus Connects road space.
- True width of entrance point not specified.
- Road width not correctly measured.
- Vehicular access infrastructure inadequate.
- Result in doubling of existing traffic volumes.
- Cycle infrastructure is poor and not really an option.
- Traffic impact not properly assessed.
- Refuse collection can't be delivered with current guidelines

### Existing Services and Amenities

- The proposed development will put added pressure on infrastructure such as schools, healthcare, GPs
- Impact on preschool facility.
- The proposed development will put added pressure on infrastructure such as surface water drainage and water supply
- Social infrastructure audit lacking details.
- Insufficient information regarding surface water retention.
- Findings of the community and social infrastructure audit are questionable

### Noise, Air Quality and Human Health

- Increased risk to childrens' lives due to increase traffic flow at existing open spaces and on school routes.
- Increased reliance and dependence on the Fire Service with the nearest at Tallaght and Dolphins Barn that could be fatal with the distance involved
- Serious safety implications for the residents of Hermitage Estate
- Questions whether fire certificates could be granted for these apartments.
- Increased noise pollution
- Negative impact on health due to negative impacts on air quality
- Increased footfall to commercial units through the estate creating disturbance.
- Fumes from petrol station could seep into basement car park.
- Slip road off N4 is not suitable for residential apartments due to road noise, air quality etc.

### Ecology

- No environmental studies have been carried out.

# Comhairle Chontae Atha Cliath Theas

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## Record of Executive Business and Chief Executive's Order

- Opposes the felling of mature trees
- Close proximity to the Liffey Valley Special Amenity Area, which must be protected.
- Not screened for appropriate assessment

### Procedural

- No Public Pre-Planning meeting was held where the applicants could have been advised of objections and concerns of the local residents.
- The public participation of the UNECE Aarhus Convention has been compromised and any consent would be legally flawed.
- Under the Covid19 restrictions have had an impact on viewing the site notice. No 448/2020 – Health Act 1947 (Section 31A – Temporary Restrictions) (Covid-19)(No.8) and the restriction of 5km and limited the viewing of this site notice.
- Restrictions on attending the offices of the planning authority during the Covid period to engage in the statutory process.
- No environmental surveys have been performed
- EIA directive for screening of a zoned site that is not for residential.
- Description of the development does not adequately describe the proposals – does not detail work to boundary wall at hermitage gardens
- No daylight/sunlight report completed.

### Other

- Granting permission would set an undesirable precedent
- There has been no engagement with locals.
- Living with Covid restrictions and the implications for living/working in apartments with no access to parkland.
- Previous refusals on the site
- Site plan (no 685 PP1) does not indicate site area.
- Planning fee is incorrect.
- The Lucan area has already given substantial significant landbanks with reference to recent Shackleton, Somerton and adjoining developments, with the existing housing crisis Lucan is not under any moral or ethical obligation to accept development at this site.
- Application is being used to observe any unforeseen objectives
- Application cover letter includes irrelevant information and makes comparisons that are not appropriate.
- Applicants claim housing is low cost – it is not
- The proposal is not comparable to the former Quinn building on the M3 as the surrounding area is not the same

# Comhairle Chontae Atha Cliath Theas

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## Record of Executive Business and Chief Executive's Order

- Current use of site for takeaway service results in impact on residents

The issues raised have been considered in the overall assessment of this application as set out below in this report.

### Relevant Planning History

#### Subject Site

#### **SD05A/0409 and ABP PL 06S.215037**

Proposal: Construction of a residential development of 14 no. dwelling units arranged in 2 no. blocks comprising of 2 no. 2 bed town houses (2 storey) and 3 no. 3 bed town houses (2 storey - all with balconies) to the east of the site; and 1 no. 4 bed terrace house, as well as 6 no. 4 bed semi-detached houses and 2 no. 5 bed semi-detached houses (all 2 storey plus living space in attic - all units have velux windows and balconies) to the west of the overall site. The scheme will be served by a proposed 26 no. surface car parking spaces. Access to the scheme will be via Hermitage Garden and Hermitage Park, and a proposed internal access road and turning circle. Permission is also sought for all site development and landscape works including provision of boundary treatments and all other ancillary works; all on a site parcel of land comprising a total of some 0.49 hectares.

Decision: GRANT PERMISSION (ABP)

#### **SD04A/0701: Land to rear of Foxhunter Pub, Ballydowd, Lucan, Co. Dublin**

Proposal: The development will consist of the following: Construction of 16 no. apartments in two separate two-three storey blocks consisting of 15 no. two bedroom apartments and 1 no. 3 bedroom apartment, and 5 no. duplex apartments in a separate two-storey block consisting of 4 no. two bedroom duplex apartments and 1 no. 3 bedroom duplex apartment. Construction of new perimeter fencing and boundary wall, construction of new access road and turning circle and the provision of 35 no. car-parking spaces, a bicycle store, construction of a refuse store and ancillary works. Construction of new entrance piers and new wall on northern boundary. Access to the development is via the N4 carriageway and through the Foxhunter Pub carpark.

Decision: REFUSE PERMISSION

The reasons for refusal were:

1. *The proposed development would endanger public safety by reason of a traffic hazard or obstruction of road users or otherwise, due to the intensification and generation of traffic turning movements at the median break on the N4 in order to access the development from the west.*
2. *The intensification of use of an access onto the slip road of the N4 would be in conflict with NRA Policy as set out in their letter of 25/07/94*

## Comhairle Chontae Atha Cliath Theas

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### Record of Executive Business and Chief Executive's Order

- 3. The proposed development would be in conflict with the following policies of the Planning Authority Paragraph 2.6.12, 2.6.12 (i) of the South Dublin County Development Plan 1998, and would therefore be contrary to the proper planning and sustainable development of the area,*
- 4. Due to the location of the access road and parking area on site adjacent to the site boundary directly behind the existing houses, it is considered that the proposed development would seriously affect the amenities of property in the vicinity and, in particular, those of the houses on the adjoining sites, through noise, traffic generation and general disturbance. The proposed development would therefore seriously injure the amenities of the area and of property in the vicinity and be contrary to the proper planning and sustainable development of the area.*

#### **SD04A/0209 and ABP PL 06S.207503: Foxhunter Bar & Restaurant, Ballydowd, Lucan**

Proposal: Change of use from existing 'Off-Licence' to proposed 'Betting Office'.

Decision: REFUSE PERMISSION (ABP)

#### **SD03A/0171 and ABP 06S.204762**

Proposal: Construction of 16 no. apartments in two separate two/three storey blocks consisting of 15 no. two bedroom apartments and 1 no. three bedroom apartments and 5 no. duplex apartments in a separate two storey block consisting of 4 no. two bedroom duplex apartments and 1 no. 3 bedroom duplex apartment. The relocation of Blocks A, B and C to facilitate a separation distance of 22m. The omission of Block D and the redesign of Block C into an L shaped block. Revised road layout and enlarged turning circle. The provision of 35 no. car parking spaces instead of original 37 no. Updated landscape proposal.

Decision: REFUSE PERMISSION by ABP (Permission granted SDCC)

An Bord Pleanála refused this application for the following reason:

- 1. Having regard to the vehicular access to the proposed development by means of the termination of the Cul-de-sac within Hermitage Park Housing Estate and the location of the access road and parking area on site adjacent to the site boundary directly behind the existing houses, it is considered that the proposed development would seriously the amenities of property in the vicinity and, in particular, those of the houses on the adjoining sites, through noise, traffic generation and general disturbance. The proposed development would therefore seriously injure the amenities of the area and of property in the vicinity and be contrary to the proper planning and sustainable development of the area.*

#### Adjacent Sites

# Comhairle Chontae Atha Cliath Theas

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## Record of Executive Business and Chief Executive's Order

None of relevance identified.

### **Relevant Enforcement History**

- S8514- Live File: works to the Foxhunter, which may not be exempt and sale of takeaway food. File opened 15-Jul-2020.
- S7799: File closed as declared to be not a planning matter
- S6556: File closed as regularised after S152 notification
- S6099: File closed as declared Exempted Development
- S5920: File closed as no change of use
- S5897: File closed as no change of use
- S4809: File Closed as Notice complied with
- S4471: File closed as declared Exempted Development
- S3905: File closed

### **Pre-Planning Consultation**

None recorded for the subject proposal.

### **Relevant Policy in South Dublin County Council Development Plan 2016 - 2022**

Section 1.7.2 Metropolitan Consolidation Towns

*Policy CS2 Metropolitan Consolidation Towns*

It is the policy of the Council to support the sustainable long-term growth of Metropolitan Consolidation Towns through consolidation and urban expansion.

*CS2 Objective 5:*

To promote and support high quality infill development in existing built-up areas.

*CS2 Objective 6:*

To promote higher residential densities at appropriate locations, adjacent to town centres or high capacity public transport nodes (Luas/Rail).

*Policy CS6 Local Area Plans*

It is the policy of the Council to prepare Local Area Plans as appropriate, and to prioritise areas that are likely to experience large scale residential or commercial development or regeneration

Section 2.2.0 Sustainable Neighbourhoods

*Policy H6 Sustainable Communities*

It is the policy of the Council to support the development of sustainable communities and to ensure that new housing development is carried out in accordance with Government policy in relation to the development of housing and residential communities.

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#### *Policy H7 Urban Design in Residential Developments*

It is the policy of the Council to ensure that all new residential development within the County is of high quality design and complies with Government guidance on the design of sustainable residential development and residential streets including that prepared by the Minister under Section 28 of the Planning & Development Act 2000 (as amended).

#### *Policy H8 Residential Densities*

It is the policy of the Council to promote higher residential densities at appropriate locations and to ensure that the density of new residential development is appropriate to its location and surrounding context.

#### *Policy H9 Residential Building Heights*

It is the policy of the Council to support varied building heights across residential and mixed use areas in South Dublin County.

#### *H9 Objective 1:*

To encourage varied building heights in new residential developments to support compact urban form, sense of place, urban legibility and visual diversity.

#### *H9 Objective 2:*

To ensure that higher buildings in established areas respect the surrounding context.

#### *H9 Objective 3:*

To ensure that new residential developments immediately adjoining existing one and two storey housing incorporate a gradual change in building heights with no significant marked increase in building height in close proximity to existing housing (see also Section 11.2.7 Building Height).

#### *H9 Objective 4:*

To direct tall buildings that exceed 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.

#### *Policy H10 Mix of Dwelling Types*

It is the policy of the Council to ensure that a wide variety of adaptable housing types, sizes and tenures are provided in the County in accordance with the provisions of the Interim South Dublin County Council Housing Strategy 2016-2022.

#### **Section 2.3.0 Quality Of Residential Development**

#### *Policy H11 Residential Design and Layout*

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### **Record of Executive Business and Chief Executive's Order**

It is the policy of the Council to promote a high quality of design and layout in new residential development and to ensure a high quality living environment for residents, in terms of the standard of individual dwelling units and the overall layout and appearance of the development.

#### *Policy H12 Public Open Space*

It is the policy of the Council to ensure that all residential development is served by a clear hierarchy and network of high quality public open spaces that provides for active and passive recreation and enhances the visual character, identity and amenity of the area.

#### *Policy H13 Private and Semi-Private Open Space*

It is the policy of the Council to ensure that all dwellings have access to high quality private open space (incl. semi-private open space for duplex and apartment units) and that private open space is carefully integrated into the design of new residential developments.

#### *Policy H14 Internal Residential Accommodation*

It is the policy of the Council to ensure that all new housing provides a high standard of accommodation that is flexible and adaptable, to meet the long term needs of a variety of household types and sizes.

#### *Policy H15 Privacy and Security*

It is the policy of the Council to promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing.

#### **Section 2.4.0 Residential Consolidation – Infill, Backland, Subdivision & Corner Sites**

##### *Policy H17 Residential Consolidation*

It is the policy of the Council to support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County.

#### **Section 3.13.0 Open Space Management & Use**

##### *Policy C12 Open Space*

It is the policy of the Council that a hierarchical network of high quality open space is available to those who live, work and visit the County, providing for both passive and active recreation, and that the resource offered by public open spaces, parks and playing fields is maximised through effective management.

#### **Section 5.1.5 Building Height in Urban Centres**

##### *Policy UC6 Building Heights*

It is the policy of the Council to support varied building heights across town, district, village and local centres and regeneration areas in South Dublin County.

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### *UC6 Objective 1:*

To encourage varied building heights in town, district, village, local and regeneration areas to support compact urban form, sense of place, urban legibility and visual diversity while maintaining a general restriction on the development of tall buildings adjacent to two-storey housing.

### *UC6 Objective 2:*

To ensure that higher buildings in established areas take account of and respect the surrounding context.

### *UC6 Objective 3:*

To direct tall buildings that exceed five storeys in height to strategic and landmark locations in Town Centre, Regeneration and Strategic Development Zones, and subject to an approved Local Area Plan or Planning Scheme.

### Section 6.3.0 Walking And Cycling

#### *Policy TM3 Walking and Cycling*

It is the policy of the Council to re-balance movement priorities towards more sustainable modes of transportation by prioritising

### Section 6.4.3 Road and Street Design

#### *Policy TM12*

It is the policy of Council to ensure that streets and roads within the County are designed to balance the needs of place and movement, to provide a safe traffic-calmed street environment, particularly in sensitive areas and where vulnerable users are present.

### Section 6.4.4 Car Parking

#### *Policy TM7 Car Parking*

### Section 7.1.0 Water Supply & Wastewater

#### *Policy IE1 Water & Wastewater*

It is the policy of the Council to work in conjunction with Irish Water to protect existing water and drainage infrastructure and to promote investment in the water and drainage network to support environmental protection and facilitate the sustainable growth of the County

### Section 7.2.0 Surface Water & Groundwater

#### *Policy IE2 Surface Water & Groundwater*

It is the policy of the Council to manage surface water and to protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

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### *Section 7.3.0 Flood Risk Management*

#### *Policy IE3 Flood Risk*

It is the policy of the Council to continue to incorporate Flood Risk Management into the spatial planning of the County, to meet the requirements of the EU Floods Directive and the EU Water Framework Directive.

### *Section 8.0 Green Infrastructure*

#### *Policy G1 Overarching*

#### *Policy G1 Green Infrastructure Network*

#### *Policy G3 Watercourses Network*

#### *Policy G4 Public Open Space and Landscape Setting*

#### *Policy G5 Sustainable Urban Drainage Systems*

#### *Policy G6 New Development in Urban Areas*

### *Section 9.3.1 Natura 2000 Sites*

#### *Policy HCL12 Natura 2000 Sites*

### *Section 10.0 Energy*

#### *Policy E4 Energy Performance in New Buildings*

### *Section 11.2.0 Place Making and Urban Design*

#### *Section 11.2.1 Design Statements*

#### *Section 11.2.2 Masterplans*

#### *Table 11.17: Masterplan Considerations*

#### *Section 11.2.7 Building Height*

#### *Section 11.2.8 Signage – Advertising, Corporate and Public Information*

### *Section 11.3.1 Residential*

- (i) Mix of Dwelling Types*
- (ii) Residential Density*
- (iii) Public Open Space/Children's Play*
- (iv) Dwelling Standards*
- (v) Privacy*
- (vi) Dual Aspect*
- (vii) Access Cores and Communal Areas*
- (viii) Clothes Drying Facilities*

#### *Table 11.21: Minimum Space Standards for Apartments*

### *Section 11.4.1 Bicycle Parking Standards*

#### *Table 11.22: Minimum Bicycle Parking Rates*

### *Section 11.4.2 Car Parking Standards*

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*Table 11.24: Maximum Parking Rates (Residential Development)*

*Section 11.4.3 Car Parking for Electric Vehicles*

*Section 11.4.4 Car Parking Design and Layout*

*Section 11.4.5 Traffic and Transport Assessments*

*Section 11.6.1 (i) Flood Risk Assessment*

*Section 11.6.1 (ii) Surface Water*

*Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)*

*Section 11.6.1 (iv) Groundwater*

*Section 11.6.1 (v) Rainwater Harvesting*

*Section 11.6.1 (vi) Water Services*

*Section 11.7.2 Energy Performance in New Buildings*

*Section 11.8.1 Environmental Impact Assessment*

*Section 11.8.2 Appropriate Assessment*

#### **Relevant Government Guidelines**

*Project Ireland 2040 National Planning Framework*, Government of Ireland, 2018.

*Regional, Spatial & Economic Strategy 2019 - 2031*, Eastern & Midlands Regional Assembly, 2019.

*Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities*, Department of Housing, Planning and Local Government (2018).

*Urban Development and Building Heights Guidelines* (2018), Department of Housing, Planning and Local Government (2018).

*Design Manual for Urban Roads and Streets* Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport

*Sustainable Residential Development in Urban Areas: Guidelines for Planning Authorities*, Department of the Environment, Heritage and Local Government (2009).

*Urban Design Manual: A Best Practice Guide*, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government (2009).

*Quality Housing for Sustainable Communities-Best Practice Guidelines*, Department of the Environment, Heritage and Local Government, (2007).

*Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice*, Building Research Establishment, (1991).

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*Smarter Travel – A Sustainable Transport Future. A New Transport Policy for Ireland 2009 – 2020*, Department of Transport, (2009).

*National Cycle Manual*, National Transport Authority (June 2011).

*Towards Nearly Zero Energy Building in Ireland – Planning for 2020 and Beyond*, Department of the Environment, Community and Local Government (2012).

*The Planning System and Flood Risk Management - Guidelines for Planning Authorities*, Department of the Environment, Heritage and Local Government & OPW, (2009).

*Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*, Department of the Environment, Heritage and Local Government, (2009)

#### Assessment

The main issues for assessment relate to the following:

- Zoning and Council Policy
  - Principle of Development
  - Building Height
- Design and Impact on Amenities
- Access and Parking Provision
- Landscaping and Open Space
- Water Supply and Drainage
- Environmental Health
- Public Lighting
- Compliance with Part V
- Screening for Appropriate Assessment
- Environmental Impact Assessment

#### Zoning

##### Principle of Development

The subject site is located within the Lucan area of South Dublin along the southern side of the N4 national route. Lucan is situated 14 kilometres to the west of Dublin City along the N4 economic corridor. It is characterised by low density suburban neighbourhoods based around a polycentric network of district and local retail centres. The current Development Plan identifies Lucan as a Metropolitan Consolidation Town. The Core Strategy, as varied to accord with the RSES, includes for a significant landbank of suitable residential lands in Lucan. The subject site is zoned for Retail Warehousing and does not form part of the strategic landbank. The

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proposed development is contrary to the strategic approach set out in the Core Strategy of the Development Plan to achieve the National Planning Framework (NPF), the Regional Spatial and Economic Strategy (RSES) and the proper planning and sustainable development of the County.

The application site is subject to zoning objective 'RW' - '*To provide for and consolidate retail warehousing*' in the South Dublin County Development plan 2016-2022. **Residential use is a 'Not Permitted' land use on lands subject to zoning objective 'RW'**. The proposal provides for the development of an infill site to provide 161 apartments with communal facilities, across four apartment blocks of 3,4 and 20-storeys in height on a site measuring 0.6354ha. The proposed development would provide for a residential density of 253 dwellings per hectare. Existing residential (RES) zoning lands are located to the south, west and east of the site.

The Planning Report submitted in support of the application recognises that such a proposal would be a material contravention in terms of the land use zoning objective for this site. It goes on to make reference to previous County Development Plans which permitted residential use on the subject lands and refers to a previous permission on the site under SD05A/0409 permitting a low density development of 14 no. 2-storey dwellings on the southern half of the site. It is noted that the zoning of the site was changed in 2016 and that this application is assessed in accordance with the policies and objectives of the current plan. It is the applicant's contention that permissible uses under the zoning objective would be difficult to facilitate due to the access issues from the N4 national road and proposals by TII for improvements to the route and goes on to state 'it is submitted that a proposal in contravention of such an unrealistic zoning objective would not be contrary to the proper planning and sustainable development of the area'.

Residential use is a '**Not Permitted**' land use on lands subject to zoning objective 'RW'. In this regard the proposed development of 161 apartments and associated communal facilities including workstations, meeting rooms, laundry and office is not consistent with the zoning objective for the lands and would **materially contravene the current South Dublin County Development Plan.**

Having regard to the above, the planning application for development should be **refused**.

#### Building Height

The proposal would see the construction of four apartment blocks on site, one of which proposes a height of 20 storeys. The proposed building heights vary from approximately 11.4m to the highest at 67.9m.

Section 11.2.1 'Design Statements' and 11.2.7 'Building Height' of the South Dublin County Development Plan 2016-2022 ('the CDP') states that higher buildings that are greater than the prevailing building height in the area should be supported by a strong urban design rationale.

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### **Record of Executive Business and Chief Executive's Order**

The applicant has submitted a planning report and an architecture report setting out the design proposal for the development which includes references to taller buildings within the wider Dublin urban area. A visual impact assessment containing four CGI views of the development as proposed is also submitted. The photomontages illustrate the impact this scheme will have on the visual amenities of the site and surrounding area, which is considered to be significant.

It is the policy of the Council to support varied building heights across residential and mixed-use areas in South Dublin County under Housing Policy H9 Residential Building Heights. It is an objective of the CDP to ensure that higher buildings in established areas respect the surrounding context (H9 Objective 2). In addition, H9 Objective 3 states that new residential developments immediately adjoining existing one and two storey housing incorporate a gradual change in building heights with no significant marked increase in building height in close proximity to existing housing. Varied building heights across town, district, village and local centres and regeneration areas in South Dublin County is provided for under Urban Centres Policy UC 6 Building Heights. It is an objective of the CDP to direct tall buildings that exceed five storeys in height to strategic and landmark locations in Town Centre, Regeneration and Strategic Development Zones, and subject to an approved Local Area Plan or Planning Scheme (H9 Objective 4 and UC6 Objective 3).

The Planning Authority acknowledges blanket height restrictions in the Development Plan run contrary to the Urban Development and Building Height Guidelines (2018), specifically SPPR 1. It is noted that SPPR1 supports the incorporation of increased building height and density in locations with good public transport accessibility in development plans. In addition, SPPR3 provides a policy context for planning authorities to grant permission contrary to their development plan subject to being satisfied that the applicant has met specified criteria.

The subject site is located on the fringe of the Lucan area in South Dublin along the N4 national road. It is not identified as a strategic and landmark location in a Town Centre, Regeneration or Strategic Development Zones. Nor is the subject site identified for tall buildings exceeding five storeys in an approved plan. In addition the development as proposed does not provide for a gradual transition in height to that of the existing 2-storey residential dwellings to the immediate south and west of the site and would result in an abrupt and colossal change to that of the existing surrounding site context. It should also be taken into consideration that the site has poor pedestrian and cycle accessibility, therefore limiting the scale and intensity of the site development capacity. It is not considered that the applicant has provided a strong urban design rationale for a proposal of this scale and having regard to the above the proposed development is considered to be a contravention of the policies and objectives of the South Dublin County Development Plan in relation to building height and design.

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Section 3.0 Building Height and the Development Management Process in the Urban Development and Building Height Guidelines (2018) outlines it is Government policy that building heights must be generally increased in appropriate urban locations. There is therefore a presumption in favour of buildings of increased height in our town/city cores and in other urban locations with good public transport accessibility. Section 3.2 of the Urban Development and Building Heights Guidelines for Planning Authorities 2018 sets out criteria to which an application for buildings of increased heights in town/city cores and other urban locations with good public transport shall be assessed against. In the event of making a planning application, the applicant shall demonstrate to the satisfaction of the Planning Authority/An Bord Pleanála, that the proposed development satisfies the following criteria;

#### At the scale of the relevant city/town

- The site is well served by public transport with high capacity, frequent service and good links to other modes of public transport.
- Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/ enhance the character and public realm of the area, having regard to topography, its cultural context, setting of key landmarks, protection of key views.<sup>3</sup> Such development proposals shall undertake a landscape and visual assessment, by a suitably qualified practitioner such as a chartered landscape architect.
- On larger urban redevelopment sites, proposed developments should make a positive contribution to place-making, incorporating new streets and public spaces, using massing and height to achieve the required densities but with sufficient variety in scale and form to respond to the scale of adjoining developments and create visual interest in the streetscape. City centre development in several UK and EU cities have successfully managed to both consolidate development through increased building heights, working sensitively and imaginatively with existing sensitive architectural building contexts – e.g. central London through the London Plan.

#### At the scale of district/neighbourhood/ street

- The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape
- The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials/building fabric well considered.
- The proposal enhances the urban design context for public spaces and key thoroughfares and inland waterway/marine frontage, thereby enabling additional height in development form to be favourably considered in terms of enhancing a sense of scale and enclosure while being in line with the requirements of “The Planning System and Flood Risk Management – Guidelines for Planning Authorities” (2009).

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- The proposal makes a positive contribution to the improvement of legibility through the site or wider urban area within which the development is situated and integrates in a cohesive manner.
- The proposal positively contributes to the mix of uses and/ or building/ dwelling typologies available in the neighbourhood.

#### At the scale of the site/building

- The form, massing and height of proposed developments should be carefully modulated so as to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light.
- Appropriate and reasonable regard should be taken of quantitative performance approaches to daylight provision outlined in guides like the Building Research Establishment's 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'.
- Where a proposal may not be able to fully meet all the requirements of the daylight provisions above, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, in respect of which the planning authority or An Bord Pleanála should apply their discretion, having regard to local factors including specific site constraints and the balancing of that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and or an effective urban design and streetscape solution.
- Development proposals incorporating increased building height should successfully integrate into/enhance the character and public realm of the area. Such development proposals shall undertake a landscape and visual assessment, by a suitably qualified practitioner such as a chartered landscape architect.
- The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape
- The proposal makes a positive contribution to the improvement of legibility through the site or wider urban area within which the development is situated and integrates in a cohesive manner

Having regard to the criteria above, the following are noted:

- The proposal does not represent a large-scale urban redevelopment opportunity.
- The development site is located at the fringe of the Lucan area in South Dublin at a location removed away from Liffey Valley Retail Centre where existing taller buildings

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are located and where public transport connectivity is available. Thus, it is not considered to satisfactorily respond to the built environment and urban functions of this area.

- The development proposals which incorporate increased building height do not respond positively to the existing 2-storey residential dwellings immediately abutting to the south and west and is not considered to integrate into/enhance the character of the area.
- The proposed development is located within a site that is not served well or safely by public transport and which has poor pedestrian/cycle permeability and connectivity with the surrounding areas.
- The applicant has submitted an architecture report setting out the rationale for the development along with examples of taller buildings within the wider Dublin urban area. A visual impact assessment containing four CGI views of the development as proposed is also submitted. The photomontages illustrate the impact this scheme will have on the visual amenities of the site and surrounding area, which is considered to be significant. The development does not integrate into/enhance the character and public realm of the area nor does it respond to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape
- The proposal does not positively contribute to the mix of uses and/ or building/ dwelling typologies available in the neighbourhood
- The applicant did not undertake an assessment of quantitative performance approaches to daylight provision as recommended in the guidelines.

The overall composition of buildings and height proposed provides for a monolithic vista with poor regard for the receiving environment that would be completely out of character with the established neighbouring estate of Hermitage park to the south and west of the site.

Furthermore, its location in such proximity to the road network along the N4 would result in the proposal being highly visible; the visual impact of which has not be sufficiently addressed in the submitted planning application. It is considered that with a proposal of this scale a detailed visual and landscape impact assessment should have been submitted to fully assess its impact.

It is therefore considered having regard to the Urban Development and Building Heights Guidelines for Planning Authorities, that the proposed development does not comply with same and should be **refused**.

#### *Design and Impact on Amenities*

It is considered that the proposed development in its current format is excessive in terms of height, scale and form and this monolithic proposal would be overwhelming and out of

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character in this area. It would have a detrimental visual impact on the area and in particular the surrounding residential dwellings to the south and west.

### **Density**

The applicant's report states site area at 0.6354ha and 161 units proposed. The proposed density equates to 253 dwelling houses per hectare. This is considered high and represents a substantial increase relative to the existing density on residential sites in the vicinity of the site. *Policy H8 Residential Densities*, states, 'It is the policy of the Council to promote higher residential densities at **appropriate locations** and to ensure that the density of new residential development is **appropriate to its location and surrounding context.**' The proposed density is considered to be inappropriate at this location and should therefore be refused.

### **Access and Parking**

The planning application includes a Transport Assessment Report and associated engineering drawings prepared by NRB Consulting Engineers. Vehicular access to the site is proposed from the western boundary of the site via an opening in the existing Hermitage Garden cul-de-sac and is directed to the basement carpark under the two blocks to the north of the site. A number of pedestrian access are proposed along the northern and western boundary. The submitted details have been reviewed by the Roads Department who recommend a number of reasons for refusal. The primary concerns of the Roads Department relate to increased traffic on the existing cul-de-sac Hermitage Gardens, unviable access arrangement, traffic hazard and safety and potential impact on the planned Bus Connects proposals. An extract from the Roads report is provided below for clarity.

### Vehicular Access:

The proposed vehicular access is via the existing Hermitage Gardens road. This road is designed as a homezone cul de sac road and is 3.8m wide. There is no proposal to increase the width in this proposal. There is a 2.0m wide footpath on both sides of the Hermitage Gardens road. The proposal is for 161 apartment units comprised of:

79 studios and 1-beds.
78 2-bed units.
4 3-bed units.

The proposed car parking provision is 97 car parking spaces. This provision is likely to generate significant car traffic, particularly in the peak am and pm rush hours. The receiving road is not designed to cater for the additional traffic generated by the proposed development. The proposed development will seriously impact on the amenity of the Hermitage Gardens estate. Currently, this is a quiet cul-de-sac development. The traffic assessment report submitted by the applicant says in section 2.7 that the Hermitage Gardens cul de sac has a

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measured weekday peak am 2-way traffic count of 14 Passenger Car units and a peak pm flow of 16 PCU's.

The proposed development will generate 43 two-way journeys in the peak am and pm. This is a 207% increase in the current traffic movements along Hermitage Gardens. The proposed vehicular access passes the green open space of the Hermitage Gardens estate. This significant additional traffic will increase the traffic hazard in terms of children playing on the green open space with a significant increase in car movements. In summary this scale of proposed development will have significant impacts on traffic safety through the Hermitage Gardens estate.

#### Alternative Vehicle Access:

Should additional information be sought on an alternative vehicle access the following additional restrictions are present:

The National Transport Authority have made a submission saying the following: *'The preferred route option for the Lucan to City Centre Core Bus Corridor includes for a narrow strip of land acquisition from the north-west corner of the subject site. This is required to allow a bus lane and footpath to be provided on the diverge slip road.'*

This Bus Connects requirement is likely to block any vehicle access onto the N4 slip road to the north of the proposed development. Also in the Traffic Assessment report submitted by the applicant it says in section 2.3 on page 5 *'It is considered inappropriate, in terms of National Road Policy terms, that the current established vehicular access from the N4 would be used to serve a new residential apartment development.'*

The proposed site is land locked to south with continuous rows of existing housing. Therefore, this application in its current format does not have a suitable alternative vehicle access available.

#### Internal Roads Layout:

There is 6.0m wide carriageway and 1.75m wide cycle lane which enters the western side of the site and turns immediately north and ramps down into an underground car park. An Autotrack analysis for fire tender access has been carried out.

#### Pedestrian Permeability:

There are a series of footpaths to each block of the development. The pedestrian permeability of the proposed development is satisfactory. There are routes to the bus stops and links to Hermitage gardens to the west of the development.

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Car Parking:

Element	No. Of Units	SDCC Max Parking Rates	Max Provision
79 studios and 1 beds	79	0.75 per unit	59
78 studios and 2 beds	78	1 per unit	78
4 3-bed units	4	1.25 per unit	5
<b>Total Maximum Parking Provision</b>			<b>142</b>

The proposal is to provide 97 car parking spaces which is 68% of the maximum permitted. This level of provision is acceptable to the roads department.

The car parking spaces are 2.4m wide by 4.8m long. This is tighter than recommended to allow easier access and egress from each parking space. Dimensions of 2.5m x 5.0m is the recommended size. Some of the parking spaces are tight to walls with no turning head to help with access and egress. These spaces at the end of access routes need to be removed. There will be 5% mobility car parking spaces provided in the basement car park.

Bicycle Parking:

There are two sets of bicycle parking provision guidelines. The SDCC and National Apartment Guidelines.

<b>Element</b>	<b>SDCC Max Parking Rate</b>		<b>Requires</b>	
	<b>Long Term</b>	<b>Short Stay</b>	<b>Long Stay</b>	<b>Short Stay</b>
161 Apartments	1/5 units	1/10 units	32	16
<b>TOTAL Min Cycle Parking</b>				<b>48</b>

**Table 2.3; - Car Parking Requirements based on National Apartment Guidelines**

<b>Element</b>	<b>No of Each</b>	<b>No Beds</b>
3 Bed Apartments	4	12
2 Bed Apartments	78	156
1 Bed/Studio Apartments	79	79
Total No of Bedrooms		247
<b>Resident Bike Parking at 1 per Bedroom requires</b>		<b>247</b>
<b>Visitor Bike Parking at 1 space per 2 Apartment Units</b>		<b>81</b>
<b>Total Bicycle Parking Required Under National Apartment Guidelines</b>		<b>328</b>
<b>Total Provided at Basement &amp; Surface Level Combined</b>		<b>328</b>

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It is proposed to provide 328 bicycle parking spaces at the proposed development. This is acceptable.

### Bin Storage:

There are 3 bin stores located in the basement. A clear bin management strategy is required with a bin set down and turning area identified.

### Summary

Having regard to the recommendation of the Roads Department that the proposed development and access arrangements would impact on traffic safety, to the observations raised in the NTA submission and to the assessment above in this report that the proposed development would contravene the zoning objective for the site, it is considered that permission should be refused.

### *Landscaping*

The application includes a series of landscaping drawings and have been assessed by Parks & Landscape Services/Public Realm Section, who in a report received recommends conditions to be applied in the event of a grant of planning permission, in relation to additional SuDS features, play area and landscaping plan to be agreed and revised boundary treatment to the east.

The concerns of the Parks Department are noted however, having regard to the recommendations for refusal above it is considered that permission should be refused.

### *Services and Drainage*

SDCC Water Services Section has reviewed the documentation submitted with the application and have no objection to the proposed development subject to standard conditions being attached in the event of a grant of permission.

A report received from Irish Water states no objection to the development, subject to conditions.

Having regard to the recommendations for refusal above it is considered that permission should be refused.

### *Environmental Health*

A report received from the Environmental Health Officer requests additional information. The report notes, "The main concerns from the Environmental Health Department relate to the potential risk of long-term noise exposure due to the sites location on the boundary of the M4 motorway which includes 8 lanes of traffic. The background noise level in this area is likely to

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## **Record of Executive Business and Chief Executive's Order**

be high due to the volume of traffic on these adjacent roads. In addition, the potential for noise disturbance during the construction stages is a concern given the close proximity to the residential receivers”.

The concerns of the EHO are noted however, having regard to the recommendations for refusal above it is considered that permission should be refused.

### ***Waste Management***

A report received from the Waste Management Section notes that additional information is required by way of a Project Construction and Demolition Waste Management Plan as the proposal provides for 10 houses or above. However, having regard to the recommendations for refusal above it is considered that permission should be refused

### ***Public Lighting***

No details of the intended lighting design for the proposal has been submitted. A detailed lighting design is required to be agreed with the Lighting section of South Dublin County Council prior to commencement of development. However, having regard to the recommendations for refusal above it is considered that permission should be refused

### ***Compliance with Part V***

The number of units, unit types and costings in respect of Part V requirements are to be negotiated and agreed with the Housing Department subject to approval of the Department of Housing, Planning, Community and Local Government. The Housing Section report states that a Part V condition should be attached in the event of a grant of permission. Having regard to the recommendations for refusal above it is considered that permission should be refused

### ***Appropriate Assessment***

The applicant has not provided information to assist the screening for Appropriate Assessment. Given the scale of the development it is considered that the applicant should provide a screening report to enable the planning authority to make an informed decision. Given the other concerns with the proposal this would warrant a reason for refusal in this case.

### ***Environmental Impact Assessment***

Having regard to the nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

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### Other considerations

#### *Development Contributions*

Not applicable- Refusal is recommended.

### SEA Monitoring Information

- *Building Use Type Proposed*- Residential
- *Floor Area (sq.m)*- 14,146.45sq.m
- *Land Type*- Brownfield/Urban Consolidation
- *Site Area (Ha.)*- 0.6354ha

### Conclusion

Having regard to the RW zoning objective of the site, which seeks to provide for and consolidate retail warehousing, the development as proposed is a material contravention of the zoning objective of the site and to the relevant policies and objectives in the County Development Plan.

The scale of the proposal extending to 20 storeys in height is excessive in terms of height, scale and form and this monolithic proposal would be overwhelming and out of character in this area and would be contradictory to the policies and objectives as set out in the current Development Plan in relation to height. The proposal would have a detrimental visual impact on the area and in particular the surrounding residential dwellings to the south and west. The proposal does not comply with the 'Urban Development and Building Heights Guidelines for Planning Authorities' in terms of the scale of the proposal on the subject site, and the context of the wider area. The subject site is not within a town or city centre and connectivity to the proposed site is poor in terms of public transport and pedestrian/cycling. Furthermore, a full detailed visual and landscape assessment as recommended in the Guidelines has not been carried out.

In additions, it is considered that the proposal would endanger public safety by reasons of a traffic hazard and would set an undesirable precedent for similar developments and would therefore not be in accordance with the proper planning and sustainable development of the area.

Having regard to the assessment carried out above, it is therefore recommended to refuse permission for the proposal.

### Recommendation

I recommend that a decision to Refuse Permission be made under the Planning & Development Act, 2000 (as amended) for the reasons set out in the Schedule hereto:-

# **Comhairle Chontae Atha Cliath Theas**

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## **Record of Executive Business and Chief Executive's Order**

### **SCHEDULE**

#### **REASON(S)**

1. The application site is subject to zoning objective 'RW' - 'To provide for and consolidate retail warehousing' in the South Dublin County Development Plan 2016-2022. Residential use is a 'Not Permitted' land use on lands subject to zoning objective 'RW'. In this regard the proposed development of 161 apartments and associated communal facilities is a material contravention of the County Development Plan. In addition, the proposed development is contrary to the strategic approach set out in the Core Strategy of the Development Plan to achieve the National Planning Framework (NPF), the Regional Spatial and Economic Strategy (RSES) and the proper planning and sustainable development of the County.
2. The proposed development would fail to comply with Policy H7 Urban Design in Residential Developments and Policy H9 Residential Building Heights as well as sections 11.2.0, 11.2.1 and 11.2.7 of the South Dublin County Council Development Plan (2016-2022) and would not comply with the criteria set out in Section 3.2 and SPPR 3 of the Urban Development and Building Heights Guidelines for Planning Authorities (December 2018), the proposed development would therefore materially contravene objectives of the County Development Plan and would be contrary to the Ministerial Guidelines and would be contrary to the proper planning and sustainable development of the area.
3. Having regard to the design, the excessive height, bulk, scale and massing of the buildings, the proposed development would be visually obtrusive and would adversely impact on the visual amenity of the application site, would seriously injure the amenities of property in the vicinity of the site and the character of the wider area, and would set an undesirable precedent for similar type development in the area and would be contrary to the proper planning and sustainable development of the area.
4. The proposed intensification of vehicular traffic would lead to unacceptable levels of traffic congestion on the adjoining roads network and where the Hermitage Garden cul-de-sac is a 3.8m wide road which is not designed for the proposed level of traffic movements, furthermore the increased traffic would be in close proximity to public open space where children play. This increase in traffic along a substandard road will result in a significant increase in traffic hazard to children in the existing cul-de-sac and at the interface between the Hermitage Garden road and the green open space which is along the proposed vehicular route. The proposed development would therefore endanger public safety by reason of traffic hazard or obstruction of road users or otherwise is considered to be contrary to Traffic and Transport Management policies of the South Dublin County Council Development Plan (2016-2022).

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### **Record of Executive Business and Chief Executive's Order**

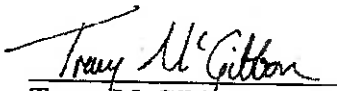
5. The proposed density equates to 253 dwelling houses per hectare, which represents a substantial increase relative to the existing density on residential sites in the vicinity of the site. Policy H8 Residential Densities, states it is the policy of the Council 'to ensure that the density of new residential development is appropriate to its location and surrounding context.' The proposed density is considered to be inappropriate for the subject site, having regard to the accessibility of the site, the context with its surrounding area and the strategic approach for consolidated development set out in the Core Strategy of the Development Plan. As such, the proposed development would not comply with the South Dublin County Council Development Plan (2016-2022).
6. The proposed development would set an undesirable precedent for other similar developments, which would in themselves and cumulatively, be harmful to the residential and visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.

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## Record of Executive Business and Chief Executive's Order

REG. REF. SD20A/0259

LOCATION: Lands adjacent to Foxhunter Pub, Ballydowd, Lucan, Co. Dublin



Tracy McGibbon,  
A/Senior Executive Planner

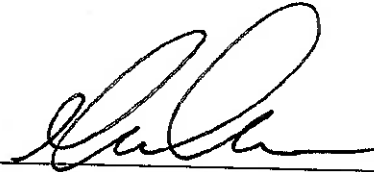


Eoin Burke,  
A/Senior Planner

**ORDER:** A decision pursuant to Section 34(1) of the Planning & Development Act 2000 (as amended) to Refuse Permission for the above proposal for the reasons set out above is hereby made.

Date:

09 Dec 2020



Mick Mulhern, Director of Land Use,  
Planning & Transportation

An Coimisiún Pleanála - Case reference: JA06S.322638

In the townlands of Kishoge, Esker South, Grange and Balgaddy, Clonburris, County Dublin

South Dublin County Council

Observations from: Eoin Ó Broin TD, Mark Ward TD & Derren Ó Bradagh (Lucan Area Representative)

Sinn Féin fully supports the South Dublin County Council planning application for the delivery of social and affordable homes and related infrastructure at this location.

There is a huge need for both social and affordable homes and this scheme will play an important part in meeting this need.

We would ask the Planning Authority to take the following observations and suggested alternations to the plan in the interests of good urban planning.

1. We would ask that no vehicular or pedestrian permeability is created between the existing cul-de sacs of Tullyhall and Oldbridge and the new development. From reading the plans, it is proposed to open a permeability point at Tullyhall Rise. This, as with the other existing cul-de-sacs, are quiet settled cul-de-sacs, which provide significant safety and security for existing residents and in particular young children. Opening any of these locations up to pedestrian or vehicular permeability will fundamentally change the nature of the existing roads and will provide additional risks to residents arising from traffic.
2. Creating permeability at this location will also create a significant increase in traffic from outside the existing estates through from Griffeen Avenue and the surrounding areas through Tullyhall Rise to access the new road network onto Adamstown Avenue, which would be detrimental to road safety and child safety in the estate as it is currently configured.
3. We would also ask that any new homes build immediately adjacent to the two-story homes in Tully Hall (Rise & Drive) and Old Bridge (Grove, Glen & View) should be two story's in height starting from the same ground level as the existing adjacent homes and from there the new homes could gradually rise in height to three, four and further stories. This would protect the existing residents from any loss of privacy and natural light for existing residents with only the most legible impact on density. This could be compensated for by moving any lost density into the remainder of the development.

Is mise,

Eoin Ó Broin TD

Mark Ward TD

Derren Ó Bradaigh (Lucan Area Representative)



**Shane Moynihan**

Wed 25 Jun, 23:06  
(11 days ago)

to me

Dear Dara-Jane

Thanks for convening the meeting on Monday evening. I hope that residents found it productive and useful.

I said I would follow up with some additional information:

- I have attached the decision of the Council on the Foxhunter development. The planning details are [here](#). The reason for refusal of the entrance was as follows: *'The proposed intensification of vehicular traffic would lead to unacceptable levels of traffic congestion on the adjoining roads network and where the Hermitage Garden cul-de-sac is a 3.8m wide road which is not designed for the proposed level of traffic movements, furthermore the increased traffic would be in close proximity to public open space where children play. This increase in traffic along a substandard road will result in a significant increase in traffic hazard to children in the existing cul-de-sac and at the interface between the Hermitage Garden road and the green open space which is along the proposed vehicular route. The proposed development would therefore endanger public safety by reason of traffic hazard or obstruction of road users or otherwise is considered to be contrary to Traffic and Transport Management policies of the South Dublin County Council Development Plan (2016-2022).'* I think this would be applicable here.
- The County Development Plan has some relevant points on permeability which could be used. Look at Policy SM2 (pg 263) in this [document](#).
- The scheme as the developer has presented the entrance as an 'existing vehicular entrance'. I think submissions should point out that this is not a right of way, and it is gated with infrequent access.

Let me know if I can help in any other way.

Thanks

Shane

Beartas ríomhphoist an Oireachtais agus séanadh. [oireachtas.ie/ga/email-policy/](http://oireachtas.ie/ga/email-policy/)  
Oireachtas email policy and disclaimer. [oireachtas.ie/en/email-policy/...](http://oireachtas.ie/en/email-policy/)

[Message clipped] [View entire message](#)

**One attachment** • Scanned by Gmail



**Submission to An Bord Pleanála on behalf of Foxborough Maintenance Association in relation to the Kishoge10 Site 5 proposed development, Ref No: JA06S.322638**

**To:** An Bord Pleanála, 64 Marlborough Street, Dublin 1

**From:** Foxborough Maintenance Association.

**Group contact:** Tanya McDonald, 37 Foxborough Way, Lucan, Co. Dublin

**Email:** [foxboroughestate@gmail.com](mailto:foxboroughestate@gmail.com)

**Date:**

**Re: *The Proposed development of Site 5 within the Kishoge Development Area of the Clonburris Strategic Development Zone (SDZ).***

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## **Introduction**

The Foxborough Maintenance Association is made up of residents who strive to improve and enhance their area through general maintenance of the estate such as organising litter pickups and tree planting and providing information to residents about local issues of interest and concern via social media. The Association maintains good relations with local elected representatives and has worked closely with many over the years to ensure that the estate receives its fair share of local authority investment and services. There are approximately 900 houses and apartments in the Foxborough Estate which was constructed in the mid to late 1990s. Over the past thirty years, the formerly rural and agricultural lands adjacent to the estate have undergone significant development resulting in a rapid population growth, increased pressure on local facilities such as schools, huge increase in traffic volumes and loss of habitats for biodiversity. This development continues apace with the construction of the Clonburris SDZ, presently putting additional pressure on amenities and services in Foxborough and likely to continue to do so into the future.

On June 11<sup>th</sup>, 2025, a public meeting was arranged by the Association to provide an opportunity for residents to raise, and voice concerns they have in relation to the proposed Site 5 development at Kishoge (hereafter referred to as the 'proposed development'). It is important to point out that no one attending the meeting objects to the proposed development as it is widely recognised that good quality and appropriately serviced housing is required amid a national housing shortage. However, several concerns were raised, including the permeability of the proposed development's boundary, the resulting increase in vehicular traffic congestion, the lack of amenities to keep pace with population growth and

the requirement to enhance the existing boundary wall between Foxborough and the proposed development to ensure privacy, noise reduction and provision of habitats for flora and fauna. The Association believes that these concerns fall under the two permitted headings '*implications of the proposed development for proper planning and sustainable development of the area in which the proposed development is concerned*' and '*the likely effects on the environment of the proposed development*'

### **Boundary wall permeability**

As per the planning notice, new pedestrian connections are facilitated to the Foxborough and Omer Walk residential estates. One of these connections will link the proposed Kishoge Site 5 development to Foxborough Court which is a cul de sac, with one access road, Foxborough Lawn, linking it to the Balgaddy Road. The residents wish to continue to benefit from the peaceful and secure area that this cul de sac provides. The cul de sac provides a sense of community on the street and parents are assured that children are safe when playing outdoors. The proposal to open the street up to pedestrian traffic from the proposed development and beyond will transform this settled cul de sac into a busy pass through. This brings issues such as increased levels of noise, litter and anti-social behaviour.

The inclusion of this connection is considered unnecessary and obtrusive and will result in negative impacts on the residents of Foxborough Court. There are no amenities within Foxborough Court or Foxborough Lawn that require access by non-residents. The provision of a pedestrian access via the recently completed Griffeen Court housing estate and the existing walkways at Tor an Rí are considered adequate to enable people to move between the proposed development, the Balgaddy Road and Thomas Omer Way.

*(Photo of Proposed Access Point to Foxborough Court)*



*(Photos of Existing Permeability walkway from Thomas Omar Way into Tor An Ri Walk and Griffeen Court out to Balgaddy Road)*



The issue of inappropriate permeability between Foxborough and the proposed development was a concern raised by residents once the Clonburris SDZ plans were made public. Over the years, elected representatives have raised the permeability issue on behalf of residents in Foxborough and other areas that are affected by the Clonburris SDZ. In 2018, Cllr. Liona O'Toole raised a motion at a South Dublin County Council SDZ planning meeting, dated January 26<sup>th</sup>, under section 2.2.4 Permeability '*Permeability design to be kept within the SDZ land and not traverse into existing residential areas*' and that any proposed connections between the proposed development and adjacent residential areas were to be discussed on a case-by-case basis and subject to further assessment and a part 8 approval if deemed. This motion was adopted by the council and included under Section 2.3.3 as follows: "A Permeability Strategy Plan (PSP) (similar to Park and Landscape Strategy (PLS) should be prepared by SDCC, this would allow for public consultation on a case by case basis for existing residential area's including but not limited to, Northern side of SDZ Boundary (Oldbridge, Tullyhall, Rossberry, Foxborough).

The Clonburris Planning Scheme by SDCC was appealed to An Bord Pleanala in June 2018. Following an oral hearing, ABP approved the Planning Scheme with modifications in May 2019. The ABP decision omitted the text inserted in the Planning Scheme passed in the motions above from the Planning Scheme. It was listed as one of the modifications to the decision, namely the omission of Material Alteration Ref. Section 2.2 – No. 2 & Material Alteration Ref. Section 2.2 – No. 3. Despite the omission of the Material Alterations by ABP we would still like to see any proposed openings subject to further public consultation

### **Increased traffic levels**

Foxborough already suffers from severe traffic congestion with the Balgaddy Road particularly affected, especially during peak times. The Balgaddy Road currently serves as a terminus for the 151 bus and has bus-stops to serve bus services C1 and C2. These are heavily used services and during peak hours, it is not uncommon for buses to not stop in Foxborough due to being full. Traffic lights with inappropriate sequencing located at the junction of the Balgaddy Road and the R136 exasperate the congestion with lengthy traffic queues along the Balgaddy Road being a daily occurrence, having an impact on residents trying to exit or access their residential streets. The existing road infrastructure within Foxborough was not designed to cope with the levels of traffic that is currently being experienced and there are concerns amongst residents that the proposed development in

conjunction with the overall Clonburriss development will further add to this issue. The level and frequency of public transport is not sufficient to meet the demand of Foxborough and the surrounding areas. The new train station at Kishoge does not address this issue adequately as the train services are limited with no weekend services going beyond Heuston Station. Additionally, the non-inclusion of an appropriate car park at the station has resulted in the R136 being reduced to a single laneway in both directions to facilitate on road car parking. This results in chronic daily congestion which clogs up the roads and streets around Foxborough.

In addition, there are no dedicated cycle lanes along the Bálgaddy Road within Foxborough, due to space constraints. This goes against the promotion of sustainable transport and encourages people to continue using private cars. It is also a concern that the increasing levels of traffic congestion are contributing to poorer air quality due to emissions.

### **Landscaping and biodiversity**

The green area to the immediate south of Foxborough (located between Foxborough Road and Thomas Omer Way) is an important local recreational amenity that also provides a refuge for local biodiversity. The existing boundary wall would benefit greatly with additional landscaping on the Foxborough side using native trees, shrubs and ground flora to retain and increase privacy for the residents on streets such as Foxborough Road and Court. This planting will also provide habitat for flora and fauna.

There are also concerns about the removal of a section of the sound reducing wall that faces out onto Thomas Omer Way. Residents would like to see substantial planting of native trees and shrubs to help compensate for the loss of this section of wall as treelines and scrub areas can help reduce levels of vehicular noise. Such a planting scheme would also help to deter anti-social behaviour that may occur due to the increased numbers of people moving into the adjacent proposed development. The inclusion of thorny dense growing native species such as blackthorn *Prunus spinosa* and hawthorn *Crataegus monogyna* can deter people from gathering or passing through an area whilst also providing habitat for an array of species.

It is noted that a 30 meter wide no building zone is in place within the proposed development due to the presence of the ESB pylons. In the future, this electricity line will be decommissioned, and residents are concerned that this available additional ground could be used for further construction. Residents would like to see a commitment that any ground that becomes available after the electricity lines are removed is earmarked for biodiversity enhancement, such as ponds, wildflowers meadows and wooded areas.



### **Pressure on existing amenities**

There is scant detail on essential services in the plan such as retail, health and youth facilities. 2 creche's are mentioned for site 3 and 4 but no concrete commitment on any other services.

GP Practices in the area are very stretched and are not taking on any new patients. There is currently a waiting period of approx. 2-3 weeks just to secure a doctor or dental appointment locally.

There is no large grocery store in walking distance and no commitment for one in the Kishoge development plans. The nearest stores with approx. distances from Foxborough Road are Lidl in Ballyowen (1.5km), Supervalu on the Newcastle Road (2.9km), Tesco in Dodsboro (4km), Tesco in Liffey Valley (3.8km), Dunnes in Clondalkin Mill Centre (4.5km), Aldi and Lidl stores in Fonthill Retail Park (2.6km approx.)The nearest convenience stores are centra within Foxborough and centra in Griffeen (900m approx), Eurospar in Ballyowen is a further walk (1.6km).

There is a shortage of facilities for teens in the immediate area. It would be nice to see an improvement in facilities for teens as part of the overall planning strategy. The swimming pool and new gym that was planned for the existing population, is still not opened and there is no confirmed date on when this is likely to be.

### **Summary of Issues for Consideration:**

The Foxborough Maintenance Association fully supports the delivery of high-quality, well-planned and maintained housing to meet the current national housing needs. However, the proposed Site 5 development at Kishoge presents several challenges and concerns for existing residents that must be carefully addressed to ensure the principles of sustainable development and proper planning are upheld.

Key issues raised by residents at the June 11th public meeting included:

- **Inappropriate boundary wall permeability** that undermines the safety, security, and cohesion of established cul-de-sacs like Foxborough Court;
- **Increased traffic congestion and inadequate public transport infrastructure**, compounded by ineffective junction design and the lack of safe cycling routes;
- **Loss of biodiversity and insufficient landscape screening** along the boundary wall, especially in light of the removal of sections of the existing noise-reducing wall;
- **Lack of detail and commitment to essential community amenities and services**, including GP access, retail provision, and youth facilities.

Foxborough residents would request that all proposed pedestrian connections be subjected to **further public consultation under Part 8**, as previously outlined in the SDZ planning process. We also request that traffic and transport issues, ecological considerations, and amenity deficits be comprehensively addressed as part of this planning review process.