

The Secretary,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1,
D01V902.

Date: 28th April 2021
JSA19144

Dear Sir / Madam,

RE: PROPOSED STRATEGIC HOUSING DEVELOPMENT CONSISTING OF 165 NO. DWELLINGS, OPEN SPACE, CRECHE AT COOKSTOWN ROAD ENNISKERRY, CO. WICKLOW

On behalf of the applicant, Cairn Homes Properties Ltd, 7 Grand Canal, Grand Canal Street Lower, Dublin 2, we hereby submit this planning application to An Bord Pleanála in respect of a permission for a residential development of 165 no. dwellings, and a creche (c. 510 sq. m) all on a site of c. 6.57 hectares.

This application falls under the definition of Strategic Housing Development as set out under Section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016 as it is a proposed development 'of 100 or more houses on land zoned for residential use or for a mixture of residential and other uses'.

Proposed Development

The proposed development for which permission is sought is described as follows in the public notices:

"The development will consist of the construction of 165 no. dwellings and associated ancillary infrastructure as follows:

- 105 no. 2 storey houses (49 no. 3 bedroom houses [House Types B, B1, & B2], 56 no. 4 bedroom houses [House Types A, D, E & E1];
- 56 no. apartments/duplex apartments in 6 no. 3 storey buildings – (28 no. 2 bedroom apartments and 28 no. 3 bedroom duplex apartments) all with terrace;
- 4 no. 1 bedroom Maisonette dwellings in a 2 storey building;
- Part 2-storey and single storey creche (c. 510 sq. m - including storage);
- Open space along southern boundary of c. 0.93 hectares [with pedestrian connections to boundary to 'Lover's Leap Lane' to the south and to boundary to the east and west], hard and soft landscaping (including public lighting) and open space (including boundary treatment), communal open space for duplex apartments; regrading/re-profiling of site

Managing Director: John P. Spain BBS MRUP MRICS ASCS MRTPI MIPI

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Associate Directors: Meadhbh Nolan BA MRUP MRTPI Kate Kerrigan BA MSc MRTPI

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where required [including import/export of soil as required] along with single storey bicycle/bin stores and ESB substation;

- *Vehicular access (including construction access) from the Cookstown Road from a new junction as well as 313 no. car parking spaces and 150 no. cycle spaces;*
- *Surface water attenuation measures and underground attenuation systems as well as connection to water supply, and provision of foul drainage infrastructure (along the Cookstown Road to existing connection at junction with R760) and provision of underground local pumping station to Irish Water specifications;*
- *3 no. temporary (for 3 years) marketing signage structures [2 no. at the proposed entrance and 1 no. at the junction of the R760 and the Cookstown Road] and a single storey marketing suite (c. 81 sq.m) within site;*
- *All ancillary site development/construction/landscaping works, along with provision of footpath/public lighting to Powerscourt National School pedestrian entrance and lighting from Powerscourt National School entrance to the junction of the R760 along southern side of Cookstown Road and pedestrian crossing across Cookstown Road.*

The proposed residential development has been prepared in accordance with the requirements of the relevant Section 28 Guidelines, the NPF, the Regional Spatial and Economic Strategy for the East and Midlands, the Wicklow County Development Plan 2016-2022 and the Bray Municipal District LAP, and has been the subject of a pre-application consultations with the Planning Authority under Section 247 and a tri-partite meeting with An Bord Pleanála prior to the submission of this planning application to An Bord Pleanála.

Location

The subject lands are located on the south eastern side of Enniskerry, c.1km from the village centre. The lands are situated to southern side of the L1020 (Cookstown Road) and to the east of the R760. The lands under the ownership of Cairn comprises 6.27 hectares with additional areas for footpath and public lighting upgrade (as well as foul mains and water mains upgrade along the Cookstown Road) of c. 0.3 ha, resulting an overall area of 6.57 hectares. The relevant letters of consent are included in the particulars with the SHD application. The works along the public road will be undertaken in agreement with Wicklow County Council and relevant statutory undertaker.

Zoning

The subject lands are zoned, R10 New Residential, R20 New Residential, OS1 Open Space and CE Community and Education. The proposed residential development Creche and open space is in accordance with the land use zoning objectives.

ABP's Consultation Opinion & Section 5 SHD - Pre-Application Consultation Meeting with the Board (Tri-Partite Meeting)

A pre-application meeting was undertaken with An Bord Pleanála on the 3rd July 2020, under Section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. This meeting was attended by representatives from Wicklow County Council and the applicant's team, and the items on the Board's agenda were discussed.

This planning application is accompanied by a Statement of Response to the Board's Opinion (which is dated the 1st September 2020) of the proposed development. The Statement of Response, which should be read in conjunction with all application documentation, clearly set out how the items raised by the Board have been fully addressed in the documentation now submitted for approval.

John Spain Associates Statement of Response is intended to provide a useful overview of the responses to the items in the Board's Opinion. The overall Statement of Response refers the reader to other documentation within the application pack which provides greater detail in respect of the items addressed within the JSA Statement of Response.

Consultation with Planning Authority under Section 247

The first stage of the SHD process is a consultation with the Planning Authority (under section 247 of the Planning & Development Act, 2000, as amended). A description of the pre-application consultation undertaken by the Applicant with Wicklow County Council under Section 247 has been included within the Planning Report and Statement of Consistency.

Part V

The applicant has entered into initial discussions with the Housing Department of Wicklow County Council in respect to the Part V requirements. The applicant's Part V proposals are described and mapped in the Part V material accompanying this SHD application prepared by MOLA Architects. The proposed Part V allocation is the transfer of 16 no. units by the applicant to Wicklow County Council. The detail is provided in Appendix 4 of the Statement of Consistency.

The applicant agrees to accept a condition on a grant of planning permission, if the Board is minded to approve the proposed development, which requires the applicant to enter into a Part V agreement with Wicklow County Council as per their requirements prior to the commencement of development.

Drawings, Plans and Particulars

The planning application is accompanied by a full set of architectural drawings which have been prepared in accordance with the requirements of Articles 297 and 298 of the Planning and Development Regulations 2001-2018.

The planning application drawing packages include a Site Location Map, Site Layout Plan, Taken in Charge drawing, Landscape Masterplan and Engineering drawings. The full list of enclosures is set out below. Each drawing pack is accompanied by a schedule of drawings as required under Q. 23 of the SHD Application Form. Lands under the control of the applicant are identified on the drawings.

Statement of Consistency with Planning Policy

A stand-alone Statement of Consistency with Planning Policy and Planning Report, prepared by John Spain Associates, accompanies this planning application, demonstrating that the proposal is consistent with the relevant guidelines issued under Section 28 of the Planning and Development Act 2000 (as amended), the National Planning Framework (NPF), the RSES for the Mid-East Region, the Wicklow County Development Plan 2016-2022 and the Bray Municipal District Local Area Plan.

Material Contravention Statement

As set out within the public notices for the application, the application contains a statement indicating why permission should be granted for the proposed development, having regard to a consideration specified in Section 37(2)(b) of the Planning and Development Act, 2000, as amended, notwithstanding that the proposed development materially contravenes a relevant development plan or local area plan other than in relation to the zoning of the land.

The Material Contravention Statement provides a justification that the Board may have regard to in the event that the development is considered to represent a Material Contravention of the County Development Plan or the Local Area Plan for the area. The proposed development does not represent a material contravention in relation to the zoning of land, as the subject site is zoned to facilitate the proposed uses.

Environmental Impact Assessment Report (EIAR)

An Environmental Impact Assessment Report and a Non-Technical Summary have been prepared for and accompany this planning application.

In this context the following topics/issues have been reviewed and addressed in the context of the proposed development:

- Introduction and Methodology,
- Project Description and Alternatives Examined,
- Population and Human Health,
- Archaeology and Cultural Heritage,
- Biodiversity,
- Land and Soils,
- Water,
- Air Quality and Climate,
- Noise and Vibration,
- Landscape and Visual Impact, including Photomontages,
- Material Assets – Waste,
- Material Assets – Traffic,
- Material Assets - Utilities,
- Risk Management
- Interactions,
- Principal Mitigation and Monitoring Measures,
- Non-Technical Summary.

In accordance with the requirements of the Regulations the following copies have been provided to the relevant parties:

- 2 no. hard and 3 no. soft copies to An Bord Pleanála
- 6 no. hard and 3 no. soft copies to the Planning Authority
- Copies to the 4 no. prescribed authorities listed in the Board's Opinion on the proposed application, noting that some prescribed bodies requested soft copies only, as set out below (copy of emails confirming same and cover letters issued to same are attached for reference purposes).

EIA Portal

Appendix 2 of this cover letter comprises of a copy of a confirmation notice email from the Department of Housing, Planning and Local Government EIA Portal, stating that the information provided to the portal has been uploaded to the EIA Portal under Portal ID number **2021046**.

Application Site Boundary

Please note that the application site boundary has been provided in .dwg format on CD ROM with all geometry referenced to ITM as specified in Section 6 of the Application Form.

Irish Water Requirements

The requirements in respect of Irish Water (IW) set out in Section 20 of the SHD Application Form are addressed in the form, the IW correspondence received (accompanying the application form) and the Water Services Report, including appendices, prepared by BM Consulting Engineers.

BM Consulting Engineers received a Statement of Design Acceptance dated 24 September 2019 from Irish Water, enclosed with the SHD application.

The applicant confirms that all water and foul drainage services will be designed and installed in accordance with Irish Water standards.

Prescribed Bodies

As required in the Board's Consultation Opinion a copy of the application has been sent to the prescribed bodies set out below. Several prescribed bodies stated that they would prefer to receive a soft copy of the planning application documentation only. These are noted below.

1. Irish Water; **([usb] soft copy only)**;
2. Department of Culture, Heritage and the Gaeltacht; **(soft copy link)**
3. The Heritage Council; **(soft copy link)**
4. An Taisce **(soft copy)**;
5. Inland Fisheries Ireland; **(soft copy only)**;
6. Transport Infrastructure Ireland; **(soft copy link)**
7. National Transport Authority (NTA); **(soft copy only)**
8. Wicklow County Childcare Committee **(soft copy only)**.

Fee

Please find enclosed fee of **€35,705.20** made payable to An Bord Pleanála for a proposed Strategic Housing Development application as prescribed in the Strategic Housing Development Fee Schedule issued on the 15th of March 2017. The basis of calculation is as follows

165 no. units x €130	€21,450
591 sq. m x €7.20	€4,255.2
(creche 510 x 7.20 and Temporary Marketing suite 81 x 7.20)	
EIAR	€10,000

Enclosures

The following documentation accompanies this planning application in accordance with Section 4 and 8 of the Planning and Development (Housing) and Residential Tenancies Act 2016 and Articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017:

1. Particulars	
1.	Cover Letter
2.	SHD Application Form
3.	Letters of Consent (in Appendix 5 of JSA Statement of Consistency)
4.	EIA Portal confirmation
5.	Site Notice
6.	Newspaper Notice
7.	Prescribed Bodies Letters
8.	Apartment Lifecycle Report
9.	Part V Proposals (in Appendix 4 of JSA Statement of Consistency)
10.	SHD fee
11.	IW Confirmation of Design
12.	Tuath Housing Body Letter
13.	AA3 Action Plan WCC Confirmation
14.	ITM Red line (Soft Copy-CD)
2. John Spain Associates	
15.	Planning Report & Statement of Consistency
16.	An Bord Pleanála Response Document
17.	EIAR Volume I Non-Technical Summary
18.	EIAR Volume II Main Report
19.	EIAR Volume III Appendices
20.	Statement of Material Contravention
21.	Social Infrastructure Assessment
22.	AA3 Action Plan March 2020
3. MOLA Architects	
23.	Architectural Design Statement
24.	Architectural Drawings plans elevations sections (including schedule of drawings and accommodation)
25.	Housing Quality Assessment
4. BM Consulting Engineers	
26.	Roads Engineering, Traffic & Transport Assessment
27.	DMURS Statement of Compliance
28.	Civil Engineering Infrastructure Report & Flood Risk Assessment
29.	Construction & Environmental Management Plan
30.	Engineering Drawings and Schedule
5. Landscape Architects KFLA	
31.	Landscape Design Report
32.	Landscape Drawings
6. Byrne Environmental	
33.	Construction & Demolition Waste and By-Product Management Plan
34.	Operational Phase Waste Management Plan
7. Waterman Moylan Consulting Engineers	
35.	Energy Statement
8. Dr. Tina Aughney - Bat Eco Services	

36.	Bat Assessment 2020
9. Openfield	
37.	AA Screening Report
10. The Tree File	
38.	Tree Survey Drawings and Cookstown Arboricultural Report
11. 3D Design Bureau	
	Photomontage Booklet
12. IES	
	Daylight, Sunlight and Overshadowing Study
13. Sabre	
39.	Public Lighting Layout Drawing and Outdoor Lighting Report

The application website is CookstownroadSHDplanning.com

We trust that the documentation as submitted meets the requirements of the Planning and Development (Housing) and Residential Tenancies Act 2016, and specifically the Planning and Development (Strategic Housing Development) Regulations 2017 and application guidance documents issued by An Bord Pleanála.

Six no. hard copies, and three no. soft copies, of this planning application have been submitted to Wicklow County Council as the appropriate planning authority in which the proposed Strategic Housing Development (SHD) is located.

If you require any additional information, please do not hesitate to contact us.

Yours faithfully,



John Spain Associates

APPENDIX 1: CORRESPONDENCE FROM PRESCRIBED BODIES NOTING PREFERENCE FOR RECEIPT OF SOFT COPY APPLICATION DOCUMENTATION ONLY

Irish Water



Aidan McLernon
Cairn PLC
7 Grand Canal
Grand Canal St Lwr
Dublin 2

Uisce Éireann
Teach Colvill
24-26 Sráid Thalbóid
Baile Átha Cliath 1
D01 NP86
Éire

Sent via Email

Irish Water
Colvill House
24-26 Talbot Street
Dublin 1
D01 NP86
Ireland

Re: SHD Planning Documentation

T: +353 1 89 25000
F: +353 1 89 25001
www.water.ie

Dear Aidan

Due to the ongoing Covid-19 pandemic, Irish Water is seeking the assistance of the development community to help minimise our requirement to attend the office. In this regard, it is preferable for Irish Water to receive the SHD Planning Documentation in USB format rather than paper format with a cover letter. The USB should be sent to the same address as the paper format: CDS Planning, Irish Water, Colvill House, 24-26 Talbot Street, Dublin 1.

We also urge the development community to continue to submit their designs to CDSdesignqa@water.ie ahead of any full SHD application to An Bord Pleanála for assessment. Upon review of an acceptable design Irish Water will provide the developer with a Statement of Design Acceptance.

Yours sincerely

Connection & Developer Services

Department of Culture, Heritage and the Gaeltacht

Rory Kunz

From: Manager DAU <Manager.DAU@chg.gov.ie>
Sent: Wednesday 7 October 2020 12:26
To: Rory Kunz
Subject: RE: SHD application

Rory

If you can send us on a copy of the cover letter in a pdf and a link to the dedicated website to this email address, that will suffice.

Regards

Michael Murphy
Aonad na nIarratas ar Fhorbairt
Development Applications Unit
Oifigi an Rialtais
Government Offices
Bóthar an Bhaile Nua, Loch Garman, Contae Loch Garman, Y35 AP90
Newtown Road, Wexford, County Wexford, Y35 AP90

The Heritage Council

Rory Kunz

From: Ger Croke <gcroke@heritagecouncil.ie>
Sent: Wednesday 7 October 2020 11:19
To: Rory Kunz
Subject: RE: SHD Cookstown, Enniskerry, Co. Wicklow

Hi,
Soft copy, electronic link to Alison Harvey our planning officer, aharvey@heritagecouncil.ie
Rgds
Ger

From: Rory Kunz <rkunz@johnspainassociates.com>
Sent: 07 October 2020 11:14
To: Ger Croke <gcroke@heritagecouncil.ie>
Subject: re: SHD Cookstown, Enniskerry, Co. Wicklow

Dear Ger,

Our Client, Cairn Homes Properties Ltd., intend to lodge a Strategic Housing Development of c. 164 no. dwellings (houses and duplex apartments and a creche) in the townland of Cookstown, Enniskerry, Co. Wicklow. An Bord Pleanála has recommended that we send a copy of the application to the Heritage Council. We would appreciate if you could confirm that a soft copy of the application would suffice rather than a full hard copy.

Best regards,

Rory

Rory Kunz, *Executive Director*,

John Spain Associates,
39 Fitzwilliam Place,
Dublin 2,
D02 ND61.

T: 01 662 5803
M: 087 322 5858
e-mail: RKunz@johnspainassociates.com

An Taisce

Rory Kunz

From: Phoebe Duvall <planning@antaisce.org>
Sent: Wednesday 7 October 2020 12:48
To: Rory Kunz
Subject: Re: Cookstown, Enniskerry SHD - Cairn

Hello Rory,

Thank you for your email. A soft copy would be absolutely fine.

All the best,
Phoebe Duvall

On Wed, 7 Oct 2020 at 11:09, Rory Kunz <rkunz@johnspainassociates.com> wrote:

Dear Sir/Madam,

National Transport Authority

Rory Kunz

From: Info
Sent: Wednesday 21 August 2019 12:23
To: All Staff - JSA
Subject: FW: SHD Applications

From: David Clements <David.Clements@nationaltransport.ie>
Sent: Wednesday 21 August 2019 12:17
To: Info <info@johnspainassociates.com>
Subject: SHD Applications

Hi,

Could you please inform your planners that the NTA does not require hard copies of SHDs, as we end up recycling almost all of the documents. They only need to send us a cover letter and CD in future.

Thanks,

David Clements
Land Use & Transport Planner
Transport Planning and Capital Investment



Dún Saéine
Iveagh Court
Harcourt Lane
Dublin 2

Tel: + 353 (0)1 879 8305
Email: david.clements@nationaltransport.ie
Web: www.nationaltransport.ie

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Inland Fisheries Ireland

From: ERBD <erbd@fisheriesireland.ie>
Sent: Wednesday 6 November 2019 15:58
To: Nicola Reilly <nreilly@johnspainassociates.com>
Subject: RE: Strategic Housing Development

Hi Nicola
No problem we accept disc or email less than 10MB
Kind regards
Yvonne

Yvonne Quirke
Inland Fisheries Ireland - Dublin

Iascach Intíre Éireann
Inland Fisheries Ireland

Tel +353 (1) 8842695
Email yvonne.quirke@fisheriesireland.ie
Web www.fisheriesireland.ie

3044 Lake Drive, Citywest Business Campus, Dublin 24, D24Y265, Ireland.

Help Protect Ireland's Inland Fisheries

Call 1890 34 74 24 to report illegal fishing, water pollution or invasive species.

Transport Infrastructure Ireland

Rory Kunz

From: Landuse Planning <LandUsePlanning@tii.ie>
Sent: Thursday 8 October 2020 08:33
To: Rory Kunz
Subject: RE: SHD Enniskerry, Cookstown

Dear Mr. Kunz

Thank you for your email of 7 October 2020 regarding the above.

I wish to advise that the TII offices are closed with all staff working remotely. It would be appreciated if all planning related documents could therefore be sent electronically to landuseplanning@tii.ie

Thank you for your assistance in this matter.

Kind regards
Olivia Morgan
Land Use Planning

From: Rory Kunz <rkunz@johnspainassociates.com>
Sent: Wednesday 7 October 2020 14:47
To: Landuse Planning <LandUsePlanning@tii.ie>
Subject: RE: SHD Enniskerry, Cookstown

Wicklow Childcare Committee

Rory Kunz

From: Assumpta O'Neill <assumpta@wccc.ie>
Sent: Wednesday 7 October 2020 11:02
To: Rory Kunz
Cc: Lorraine McConnell
Subject: RE: Cookstown, Enniskerry SHD

Hi Rory

Yes that's fine can you also cc lorraine@wccc.ie when you send a copy of the application.

Many thanks

Kind regards

Assumpta

From: Rory Kunz [mailto:rkunz@johnspainassociates.com]
Sent: Wednesday 7 October 2020 10:55
To: Assumpta O'Neill <assumpta@wccc.ie>
Subject: re: Cookstown, Enniskerry SHD

Dear Assumpta,

Our Client, Cairn Homes Properties Ltd., intend to lodge a Strategic Housing Development of c. 164 no. dwellings (houses and duplex apartments and a creche) in the townland of Cookstown, Enniskerry, Co. Wicklow. An Bord Pleanála has recommended that we send a copy of the application to the Wicklow Childcare Committee. We would appreciate if you could confirm that a soft copy of the application would suffice rather than a full hard copy.

Best regards,
Rory

Rory Kunz, *Executive Director*,
John Spain Associates,
39 Fitzwilliam Place,
Dublin 2,

Appendix 2 EIA Portal

From: Housing Eiaportal <EIAportal@housing.gov.ie>
Sent: Monday 15 March 2021 09:42
To: Rory Kunz
Subject: EIA Portal Confirmation Notice Portal ID 2021046

A Chara,

An EIA Portal notification was received on 12/03/2021 in respect of this proposed application. The information provided has been uploaded to the EIA Portal on 15/03/2021 under EIA Portal ID number **2021046** and is available to view at

<http://housinggovie.maps.arcgis.com/apps/webappviewer/index.html?id=d7d5a3d48f104ecbb206e7e5f84b71f1>.

Portal ID: 2021046

Competent Authority: An Bord Pleanála

Applicant Name: Cairn Homes Properties Ltd.

Location: Cookstown Road, Enniskerry, Co. Wicklow

Description: Construction of 165 no. dwellings, creche, open space, footpath upgrade, ancillary development works.

Linear Development: No

Date Uploaded to Portal: 15/03/2021

Regards

Nicole Coughlan
EIA Portal team

An Roinn Tithíochta, Rialtais Áitiúil agus Oidhreachta
Department of Housing, Local Government and Heritage
