

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

Date: 16th June 2022
JSA Ref 20139/RK

Dear Sir / Madam,

RE: PROPOSED STRATEGIC HOUSING DEVELOPMENT OF 280 NO. DWELLINGS CONSISTING OF 128 NO. HOUSES, 116 NO. APARTMENTS, 36 NO. DUPLEX APARTMENTS, AS WELL AS A CRECHE AND OPEN SPACE.

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 the construction of 280 no. dwellings comprising 128 no. houses, 116 no. apartments, 36 no. duplex apartments, as well as a creche and open space.

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 280 no. dwellings, a creche, and open space as follows:

- A) 128 no. 2 storey houses (8 no. 2 bedroom houses, 94 no. 3 bedroom houses, 25 no. 4 bedroom houses and 1 no. 5 bedroom house;
- B) 116 no. apartments in 2 no. 5 storey buildings comprising (54 no. 1 bedroom apartments & 62 no. 2 bedroom apartments, all with terrace or balcony along with solar panels and green roofs at roof level as well as telecommunications infrastructure comprising 9 no. support poles on ballast mounts (to accommodate 1No. 2m 2G/3G/4G antenna & 1No. 5G antenna each) & 3 no. poles on lift overrun (to

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- accommodate 2No. Ø0.3m Microwave links each at roof level of Apartment building B, together with associated equipment and cabinets/shrouds);
- C) 36 no. apartments/duplex apartments in 3 no. 3 storey buildings – (18 no. 2 bedroom apartments and 18 no. 3 bedroom duplex apartments) all with terrace;
 - D) Amendment to permitted Creche (c. 518sqm) in ‘Graydon’ (ABP References: TA06S.305343 & ABP-305343-19) to now provide a Creche of c. 778 sq. m of 2 no. storeys;
 - E) Open space, hard and soft landscaping (including public lighting & boundary treatment), communal open space for duplex apartments and apartments; along with single storey bicycle/bin stores and ESB substations;
 - F) Vehicular access from the Athgoe Road from a new signalised junction along with upgrades to footpath and pedestrian crossing as well as provision of vehicular/pedestrian/cycle link to permitted ‘Graydon’ (TA06S.305343) ‘Newcastle Boulevard’ to the east, as well as 423 no. car parking spaces and 370 no. bicycle spaces and all internal roads, cycleways, green routes and paths;
 - G) Provision of Surface water attenuation measures and underground attenuation systems, connection to water supply, and provision of foul drainage infrastructure as well as underground local pumping station to Irish Water specifications and all ancillary site development/construction/landscaping works.

The proposed residential development has been prepared in accordance with the requirements of the relevant Section 28 Guidelines, the National Planning Framework, the Regional Spatial and Economic Strategy for the East and Midlands, the relevant Development Plan and Local Area Plan, 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

Cairn Homes Properties Limited are the owners of the majority of this site with South Dublin County Council owning a small area adjacent to the Athgoe Road. A letter of consent accompanies this submission from the Local Authority.

Zoning

The subject site is zoned ‘Objective RES-N’ - *‘To provide for new residential communities in accordance with approved area plans’*.

The proposed residential development, Creche as well as open space uses are “permitted in principle” uses in relation to the land use zoning objectives.

A small portion of the subject lands (relating to open space along the southern boundary) are zoned ‘Objective RU’, ‘To protect and improve rural amenity and to provide for the development of agriculture.’ Open Space is a “permitted in principle” use. A small portion of the open space for the development is located on the RU objective.

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 11th of February 2022, under Section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. This meeting was attended by representatives from South Dublin County Council and the applicant’s team, and the items on the Board’s agenda were discussed.

The Statement of Response, which should be read in conjunction with all application documentation, clearly set out how the items raised by the Board in its Opinion 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.

Duration of Permission

As set out in the public notices and having regard to the scale of the proposed development, the proposed phasing, the fact that the application is subject to an EIAR, as set out in the public notices, a seven-year permission is sought having regard to the provisions of Section 41 of the Planning and Development Act 2000, as amended.

The proposed development will respond to current and future housing demand in the area, via the delivery of a significant quantity of residential development on a phased basis over the duration of a 7 year planning permission which is sought for the development. Subject to a grant of permission, the proposed development will see the delivery of apartment units on the site from c. 2024 onwards (given the estimated timescale to complete Graydon to the east). Further information in this respect may be found in the accompanying Statement of Response to the Board's Opinion prepared by John Spain Associates and relevant engineering documentation accompanying the application.

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 South Dublin 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 South Dublin County Council in respect to Part V.

The applicant has entered into initial discussions with the Housing Department of South County Council in respect to Part V. 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 South Dublin County Council as per their requirements prior to the commencement of development.

The applicants Part V proposals are described and mapped in the Part V material, including costs accompanying this SHD application submission.

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 South Dublin County Council as per their requirements prior to the commencement of development.

Please refer to the accompanying drawings, schedule of accommodation and costings for full details.

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 as amended.

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 South Dublin County Development Plan 2016-2022, the Draft South Dublin County Development Plan 2022-2028 and the Newcastle Local Area Plan 2012-2022 (due to expire on the 7th of December 2022).

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 Development Plan/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.

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 7 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).

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 Infrastructure Design Report, including appendices, prepared by DBFL Consulting Engineers.

DBFL Engineers received a Statement of Design Acceptance dated 9th June 2022 from Irish Water, enclosed with the SHD application. A Confirmation of Feasibility dated 31st May 2022 from IW is also included. It is noted the works indicated for the water connection have been carried out as part of Graydon (by Cairn to the east). The COF also notes that The connection for the development can be facilitated with the installation of an on-site pumping station with 24-hour storage to cater for the full development.

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.

All of the prescribed bodies stated that they would prefer to receive a soft copy of the planning application documentation only. These are noted below.

1. The Minister for Housing, Local Government and Heritage.
2. The Heritage Council.
3. An Taisce.
4. Irish Water.
5. National Transport Authority.
6. Transport Infrastructure Ireland.
7. Inland Fisheries Ireland

Fee

Please find enclosed fee of **€52,001.60** 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:

280 no. units x €130	€36,400
778 sq. m x €7.20	€5,601.60
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:

Enclosures
1. Particulars
1. ABP Cover Letter
2. SHD Application Form
3. Site Notice
4. Newspaper Notice
5. EIA Portal Confirmation
6. SHD Application Fee
7. CD-Rom copies
8. Lifecycle Report - Cairn
9. South Dublin County Council letter of Consent
10. Part V Proposals (Appendix 1 Application Form) & MOLA Architects Drawings.
11. ITM Red Line Area
12. Irish Water Confirmation of Feasibility and Confirmation of Design Acceptance
13. Prescribed Bodies letters
14. South Dublin County Council Cover Letter
15. Letter from Eversheds Sutherland
2. John Spain Associates
16. Planning Report and Statements of Consistency
17. EIAR Volume I
18. EIAR Volume II
19. EIAR Volume III
20. Material Contravention Statement
21. An Bord Pleanála Response Document
3. Mola Architects
22. Schedule of Drawings
23. Architectural Design Report (including schedule of accommodation & 'The Plan Approach' Compliance Report)
24. Architectural Drawings plans elevations sections
25. Housing Quality Assessment Apartments and Duplex Units
26. Housing Quality Assessment Houses
27. Universal Access Statement (A4)
28. A3 Drawings and Schedule of Accommodation
4. DBFL Consulting Engineers
29. Engineering Drawings and Schedule
30. Infrastructure Design Report
31. Mobility Management Plan (MMP)
32. Preliminary Construction Environmental Management Plan (PCEMP)
33. Site Specific Flood Risk Assessment
34. DMURS Design Statement
35. Traffic and Transportation Assessment
36. Quality Audit (Appendix H of DBFL IDR)
5. Murray Associates Landscape Architects

Enclosures
37. Landscape Drawings
38. Landscape Design Report
6. Charles McCorkrell
39. Arboricultural Report and Drawings
7. Micro-climate/Wind BFluid
40. Wind Microclimate Modelling Report
8. AWN Consulting
41. Resource & Waste Management Plan (See Appendix E 11.1 Volume III of the EIAR)
42. Operational Waste Management Plan (See Appendix E 11.2 Volume III of the EIAR)
43. Hydrological Qualitative Risk Assessment
9. Altemar
44. Appropriate Assessment Screening
45. Bat Report (See Appendix G 4.1 of Volume III of EIAR).
10. 3D Design
46. Daylight and Sunlight Assessment Report
47. Photomontages
11. ISM Telecommunications Report
48. Telecommunications Report
12. Waterman Moylan
49. Energy Statement
13. Aeronautical Repot O'Dwyer & Jones
50. Aeronautical Report
14. Public Lighting Sabre
48. Public Lighting Layout and Report
15. Public Transport Report Derry O'Leary, Consulting Engineer
49. Public Transport Report

The application website is www.newcastlesouthplanning.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 South Dublin 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