

ABP-312275-21 – STRATEGIC HOUSING DEVELOPMENT AT ST. EDMUNDS, ST. LOMANS ROAD, PALMERSTOWN, DUBLIN 20

INTRODUCTION

South Dublin County Council hereby sets out its Chief Executive's Report, including recommendations on the above Strategic Housing Development for An Bord Pleanála (ABP or The Board). The Board as the competent authority has validated the application and will carry out an Appropriate Assessment Screening of the proposed development and will decide to grant or refuse permission for the proposed development.

Statutory Requirements of this Report

This report sets out, in accordance with the provisions of the Planning and Development (Housing) and Residential Tenancies Act 2016 and the Planning and Development (Strategic Housing Development) Regulations 2017 - inter alia:

1. A summary of the points raised in the submissions received by An Bord Pleanála on the application.
2. The Chief Executive's view on the effects of the proposed development on the proper planning and sustainable development of the area and on the environment, having regard to matters specified in Section 34(2) of the Planning and Development Act, 2000 (as amended) and submissions received by An Bord Pleanála on the application.
3. A summary of the views of the relevant elected members on the proposed development as expressed at a meeting of members of the Lucan Palmerstown North Clondalkin Area Committee held on the 25th of January 2022.
4. The Planning Authority's opinion as to whether the proposed strategic housing development would be consistent with the relevant objectives of the development plan or local area plan, including a statement as to whether the Planning Authority recommends to An Bord Pleanála that permission should be granted or refused, together with the reasons for its recommendation.
5. Conditions of permission
Where the Planning Authority recommends that permission be granted or refused, the planning conditions and reasons for them that it would recommend if An Bord Pleanála grants permission.

Summary of Key Issues Arising

- Previous Application
The site currently has permission under ABP-305857-19 for a Strategic Housing Development of 252 no. units comprising apartments, duplexes and houses. The proposed development would amend this permitted scheme including increasing the no. of units, height and density.
- Principle of Development
The Planning Authority accepts the principle of development at this site for residential and ancillary uses, as per the land-use zoning, and statutory

planning strategies for consolidation of the urban area (at national, regional and local level).

- **Building Height**
The proposed building height is considered to materially contravene the South Dublin County Development Plan 2016-2022. The Planning Authority does note that given the location and context of the site an increased density and height can be acceptable. Further work is needed in improving connections to public transport.
- **General Layout**
The proposed layout is largely the same as what has been permitted, apart from notable amendments in the north-eastern part of the site. The Planning Authority is generally supportive of the layout of the proposed development. It is still considered that a retail unit to serve the day-to-day needs of residents should be provided.
- **Apartment Standards**
In general, the units meet the minimum standards. It is however noted that single-aspect north-facing units and 2-bedroom 3-person units should be omitted or reconfigured. The Planning Authority is still concerned with the lack of 3 bed units.
- **Daylight, Sunlight and Overshadowing**
A daylight, sunlight and overshadowing assessment has been submitted. Given the setback of the 5 story element of Block 4 it is considered to be acceptable.
- **Streetscapes and Urban Design**
The applicant should consider additional undercroft car parking. Public Realm have also noted additional street trees are required.
- **Roads, Access and Parking**
The SDCC Roads Department have proposed a number of conditions relating to swept path/Autotrack analysis, electric vehicle charging, Mobility Management Plan, lighting, taking in charge, Construction Traffic Management Plan, and pedestrian crossings.
- **Public Realm**
The SDCC Public Realm Section have serious concerns in relation to the deliverability and accessibility of public open space and play areas. Discrepancies are identified between the engineering and landscaping proposals in relation to SuDS. The removal of trees along the western boundary and within SDCC lands have not been shown in the landscaping proposals and are therefore not accepted at this stage.
- **Services and Drainage**
SDCC Water Services have no objection to the development subject to attenuation details and agreeing SuDS with the Public Realm Section.

In summary the major points of note are material contraventions of building heights, need for small retail unit, omission of single-aspect north-facing and 2-bedroom 3-person units, streetscapes and urban design, and serious concerns regarding the deliverability of the landscape proposals.

Proposed Development

Description of Development

The development will consist of modifications to the previously permitted Strategic Housing Development granted on the subject site (Reg. Ref. ABP-305857-19), which is currently under construction. The proposed development will provide for amendments to the permitted development as follows:

- Permitted Block 1 increased in height by 1 storey and will now comprise 235 apartments in total (an increase of 21 from the permitted 214)
- Permitted Block 2 layout will be reconfigured, and increased in height by 1 storey, and will now comprise 34 apartments (an increase of 1 from the permitted 33)
- Replacement of permitted Block 3 (a terrace of 5 2 storey, 3-bed houses) with a new 4-5 storey apartment block comprising 28 apartments (an increase of 23 from the permitted 5)
- Replacement of permitted Block 4 (a 3 storey commercial block comprising creche, gym, retail unit, community room and concierge) with a 2-5 storey block comprising 16 apartments, creche and residential amenity space (providing a gym, co-working space, a multi-use room, kitchenette and reception).

The overall development, as modified, will increase from 252 permitted residential units (comprising 247 apartments/duplexes and 5 houses) to 313 apartments in four blocks (an increase of 61 units) and including 137 1-beds, 171 2-beds and 5 3-beds. The building height will now range up to 9 storeys (previously up to 8 storeys). All apartments will have associated private balconies/terraces to the north/south/east/west elevations. Permitted parking will be revised to now provide 214 car parking spaces (a decrease of 11 spaces) and 378 bicycle parking spaces (an increase of 70 spaces). All associated site services and works to enable the development including bin stores, ESB substations, associated roadworks and services connections, public and communal open spaces, vehicular access, pedestrian/cyclist connections, boundary treatment works and landscaping.

Key Development Statistics

	ABP-305857-19 (Previous)	ABP-312275-21 (Current)	Change (+/-)
No. of units	252	313	+ 61.
Types of units	Apartments & houses	Apartments	- Houses
Unit Mix (1 bed/2 bed/3 bed)	119 no./125 no./8 no.	137 no./171 no./5 no.	+ 18 no./+ 46 no./ - 3 no.
Site Area (Gross)	2.6 ha	2.72 ha	+ 0.12 ha
Site Area (Net)	2.06 ha	2.06 ha	0
Density	122 unit/ha	151.9 unit/ha	+ 29.9 unit/ha
Height	2 to 8 storeys	2 to 9 storeys	+ 1 storey

Dual Aspect	52%	53%	+ 1%
Public Open Space	2,285 sq.m	2,400 sq.m	+ 115 sq.m
Communal Open Space	1,835 sq.m	2,135 sq.m	+ 300 sq.m
Car Parking Spaces	225 no.	214 no.	- 11 no.
Car Parking Ratio	0.9 spaces/unit	0.7 spaces/unit	- 0.2 spaces/unit
Bicycle Parking Spaces	308	378	+ 70
Bicycle Parking Ratio	1.2 spaces/unit	1.2 spaces/unit	0
Facilities	Creche, Retail & Residential Amenity	Creche & Residential Amenity	- Retail

Procedural Note and Summary of S.247 Consultations

Previous Application SHD3ABP-305857-19

The applicant has previously applied for permission through the SHD process for a similar development on these lands. The Board granted this permission on the 6th of March 2020. Although the description of the development states that the subject proposed development is an amendment to this permitted development, the overall development has been applied for again in full. It has therefore been assessed as such, with a particular focus on the amendments.

Pre-Planning with the Planning Authority SHD1SPP003/21

The applicant has engaged in another round of Stage 1 pre-planning consultation. The main points of discussion were as follows:

- Need to see all landscape masterplan and planting plans, sections etc. Natural play standards to be met, taking in charge areas, show existing trees and hedgerows and what are to be protected.
- Previous good SUDs features included-swales, green roofs etc. Would like to see revisions include similar features.
- Applicant-no change to Part V, contact made regarding Part 8-no change.
- Justification required to show breach of DP as going to 9 floors.
- Traveller accommodation to the north is temporary and represents Part 8, doesn't reflect layout on the ground at the moment. Site boundary will have a wall with parking located to the south of this wall with landscaping included.

The relevant minutes have been included with this report.

Pre-Application SHD2ABP-310930-21

The applicant lodged a Stage 2 Pre-Application, and a tripartite consultation meeting was held remotely on the 6th of October 2021. South Dublin County Council raised the opportunity to increase the limited open space proposed, improve the quality of this space, signage proposed in SDCC owned lands, pedestrian links, and further detail required on SUDS.

DEVELOPMENT CONTEXT

Site Description

The site is located between the N4 Lucan Road to the north and L1042 St. Loman's Road to the south. The site is generally flat, with the exception of the change of level towards the south eastern corner of the site. At the time this report was written Block 1 was currently under construction under previously permitted development Reg. Ref. SHD3ABP-305857-19.

The site is bounded by Fonthill Road to the east and by Phases 1 and 2 of the existing St. Edmunds residential development to the west and northwest. To the north, the site is directly bordered by Ballydowd Special Care Unit and a site for a future Part 8 Local Authority scheme relating to Traveller Accommodation. The Liffey Valley Shopping Centre is located approximately 800m to the east of the site. Fonthill Retail Park is located approximately 850m to the south of the site.

There is an existing residential development of 577 no. units comprising Phases 1 and 2 of St. Edmunds development located directly to the west of the site. The scheme was granted planning permission by An Bord Pleanála under Reg. Refs. SD05A/0090; ABP PL06S.213918 and subsequently amended under SD06A/0519, SD06A/0958, SD07A/0485, SD09A/0002 and SD15A/0012. Access to the site is from the west via the existing entrance to Phase 1.

Site Area

Stated as approx. 2.06 ha (approx. 2.72 ha including SDCC lands).

Zoning

The proposed site is subject to land-use zoning objective 'RES': '*To protect and/or improve residential amenity*' under the South Dublin County Development Plan 2016-2022.

There is an objective on the northern part of the site and adjoining lands 'TA' to provide for Traveller Accommodation.

A route designated 'Long Term High Capacity Public Transport (RPA Preferred Route) is indicated on the Development Plan Book of Maps which runs to the east of the site along the R113 Fonthill Road and to the south of the site along the L1042 St Loman's Road.

The route of the NTA Greater Dublin Cycle Network Plan is indicated on the Development Plan Book of Maps which runs to the south of the site along the L1042 St Loman's Road.

SEA Sensitivity Screening

No overlap identified with relevant environmental layers.

Note for An Bord Pleanála: The SEA Sensitivity Screening is related to an internal SEA Monitoring framework, which is used by South Dublin County Council to record certain Development Management information relating to monitoring Biodiversity, Flood-plains, Contaminated Soils, Conservation (Built Environment), Archaeological areas of importance, and Landscape

CONSULTATIONS

Internal Consultees

Environmental Services	No report received.
Roads Department	Report received.
Public Realm Section	Refusal recommended.
Housing Department	Report received.
Water Pollution	No report received.
Waste Management	No report received.

Submissions and Observations

Third Parties

No third party submissions were received on the application.

Observations

A submission was received from Irish Water which stated the following observations:

In respect of Water:

Irish Water records indicate that existing Irish Water infrastructure is present on the site. The applicant has engaged with Irish Water in relation to a proposed diversion of existing infrastructure (DIV21256) which shall also be provided with a wayleave to the benefit of Irish Water to ensure that it is accessible for maintenance. This assessment is currently ongoing, and the applicant is required to continue to engage with Irish Water Diversions to confirm feasibility of assessment of any potential diversion(s) prior to commencement of works.

In respect of Wastewater:

The proposed wastewater connections for this development connect to the Irish Water network via infrastructure that has not been taken in charge by Irish Water (Third Party Infrastructure). Please be advised that at connection application stage and prior to the commencement of any Self-Lay Works, the applicant will be required to:

- Identify and procure transfer to Irish Water of the arterial water and wastewater Infrastructure within the Third Party Infrastructure
- Demonstrate that the arterial infrastructure is in compliance with requirements of Irish Water Code of Practice and Standard Details and in adequate condition and capacity to cater for additional load from the Development

Design Acceptance:

The applicant (including any designers/contractors or other related parties appointed by the applicant) is entirely responsible for the design and construction of all water and/or wastewater infrastructure within the Development redline boundary which is necessary to facilitate connection(s) from the boundary of the Development to Irish Water's network(s) (the "Self-Lay Works"), as reflected in the applicants Design Submission.

Planning Recommendations:

Irish Water respectfully requests the board condition(s) any grant as follows;

1. The applicant shall sign a connection agreement with Irish Water prior to any works commencing and connecting to our network.
1. Irish Water does not permit any build over of its assets and separation distances as per Irish Waters Standards Codes and Practices must be achieved.

- (a) Any proposals by the applicant to build over or divert existing water or wastewater services subsequently occurs the applicant submit details to Irish Water for assessment of feasibility and have written confirmation of feasibility of diversion(s) from Irish Water prior to connection agreement.
2. The applicant must identify and procure transfer to Irish Water of the arterial water and wastewater Infrastructure within the Third-Party Infrastructure.
3. The applicant must demonstrate that the arterial infrastructure is in compliance with requirements of Irish Water Code of Practice and Standard Details and in adequate condition and capacity to cater for additional load from the Development
4. All development is to be carried out in compliance with Irish Water Standards codes and practices.

Elected Representatives

The proposed development was presented to the Lucan Palmerstown North Clondalkin Area Committee on the 25th of January 2022. The comments of Elected Members at that meeting are summarised thus:

Cllr. Liona O'Toole

- Traffic concerns with roundabout
- Traffic assessment/ modelling v reality

Cllr. Paul Nicholas Gogarty

- Principle acceptable, however, concerns regarding mix
- Bond payment to finish works – maximise amount
- Retail – Community gain needed for development.

Cllr. Guss O'Connell

Proximity to Liffey Valley – height

Cllr. Shane Moynihan

Increase in volume

More height

Disappointed to see retail unit omitted

Concern re boundary at St Edmonds – undertaking to finish properly

Extra public transport concerns

Cllr. Alan Hayes

Question – How often allowed to come back with amendments?

Neighbouring land use – overlooking of facility adjacent – sensitive land use

Cllr. Joanna Tuffy

Public realm improvements & pedestrian considerations raised

PLANNING HISTORY

Subject Site

S00A/0391

Permission granted by SDCC to erect new boundary fence / wall and associated site works.

SD08A/0203

Permission granted by SDCC for 6 no. dwellings comprising 4 no. 2-storey 3-bedroom houses and 2 no. 2-storey 2-bedroom houses together with associated site development works and surface car parking and minor revisions to approved road design and landscaping layout, east and north of the creche forming part of permitted development (Reg. Ref. SD05A/0090; ABP Ref. No. PL.06S.213918).

SHD3ABP-305857-19

Permission granted by ABP for a mixed use scheme which consists of:

(a) 252 residential units in 3 blocks made up of 247 apartment/duplex units within 2-8 storey blocks (1 of which is over podium car park) comprising 119 one bed units, 125 two bed units, and 3 three bed units; 5 2 storey, three bed semi-detached/terraced house; all of the residential units will have associated private open space/balconies/terraces facing north/south/east/west;

(b) a separate non-residential block measuring (total floor area c. 1118sq.m) and will comprise a creche (c.430sq.m), retail unit (c. 269sq.m), gym (c.152sq.m), community room (c. 231sq.m), and concierge (c. 36sq.m).

The development will have 225 car parking spaces (145 spaces at undercroft level, 70 spaces at surface level and 10 spaces at the 5 houses), 5 motorcycle parking spaces and 308 secure bike parking spaces. The site is accessed through the existing vehicular access to the west, off the unnamed road to the west. There will be a number of pedestrian entrances along St. Loman's Road, the Fonthill Road (R113) and the unnamed road to the west. In addition to all the new facilities all other site services and works to enable the development of the site will also be provided including site, bin stores, ESB substations, associated roadworks and services connections, a large quantity of public and communal open space, boundary treatment works and landscaping.

Overall St. Edmunds Site

SD05A/0090 & ABP PL06S.213918

Permission refused by SDCC and granted on appeal by An Bord Pleanála for a mixed use development on a 8.6 hectares site to the north of Saint Loman's Road (formerly part of the lands comprising Saint Loman's Hospital); comprising 577 residential units, medical centre, leisure centre, retail unit and crèche. As part of this application, a mix of 97 houses, duplex units and apartments were permitted in the site subject to the current application; these were in the form of terraces backing onto St. Loman's Hospital and two blocks surrounding an activities park, with heights ranging between two and four storeys.

SD05A/0090/EP

Permission granted by SDCC for Extension of duration of permission by a period of 5 years to allow completion of residential development previously approved under SD05A/0090/PL06S.213918.

SD06A/0519

Permission granted for modifications to mixed use development previously approved under SD05A/0090/PL06S.213918, comprising single storey extensions to the rear of houses at sites 1-41 inclusive and sites 44-76 inclusive, and internal layout

modifications to houses at site 2, 3, 10, 16, 17, 23, 26, 27, 30, 31, 34, 35, 38, 39, 40, 48, 57, 63, 70 and 71.

SD06A/0958

Permission granted for modifications to previously approved development, under SD05A/0090/PL06S.213918 comprising provision of first floor gable windows to houses at site nos. 1, 6, 7, 15, 18, 28, 29, 32, 33, 36, 37, 41, 44, 52, 53, 61, 62, 64, 65, 70 and 71, and change of house type at site no. 1 from 'E' type (4 bed, 3 storey dwelling) to a type 'C' (4 bed, 3 storey dwelling).

SD07A/0485

Permission granted for modifications to previously approved development, under SD05A/0090/PL 06S.213918, comprising the construction of 2 ESB substations; proposed Substation A was omitted by way of Condition 2.

SD09A/0002

Permission granted on a 2.8 Ha site in the northern portion of an overall site comprising a residential development known as St. Edmunds for construction of 82 houses (8 two storey semi-detached houses and 74 two storey terraced houses), in lieu of 97 residential units (47 dwellings, 28 duplex units and 22 apartments) on sites 42-76, Block 7 and Block 8 previously approved under SD05A/0090/PL06S.213918, comprising modifications to previously approved residential layout, residential mix and house types on northern portion of residential development previously permitted under SD05A/0090/PL06S.213918 (subsequently amended under SD06A/0519, SD06A/0958 & SD07A/0485).

SD15A/0012

Permission granted by SDCC for Modifications to the previously permitted development Reg. Ref. SD05A/0090 (as amended by Reg. Refs. SD06A/0519, SD06A/0958, SD07A/0485 & SD09A/0002); amendments are proposed to the permitted site layout and residential mix at the northern end of the St. Edmunds development. Proposal to replace 134 permitted residential units (comprising 59 houses and 75 apartments within house nos. 33-76 and Blocks 6, 7 & 8) with 104 no. 2-3 storey, semi-detached and terraced houses ranging in size from c.110.2sq.m to c.153.8sq.m and comprising 46 no. 3-bed units and 58 no. 4-bed units; all associated site development, landscaping, open spaces, boundary treatment works, car parking and infrastructural services provision.

Recent Relevant Enforcement History

None.

RELEVANT POLICY

Relevant Government Policy

The relevant policy documents are detailed below. The Planning Authority are of the opinion that of most significant relevance is the *'Project Ireland 2040 National Planning Framework'*. In this regard, National Strategic Outcome 1 of the NPF refers to and, stresses the importance, of *'Compact Growth'*. The NPF states,

'From an urban development perspective, we will need to deliver a greater proportion of residential development within existing built-up areas of our

cities, towns and villages and ensuring that, when it comes to choosing a home, there are viable attractive alternatives available to people'

The NPF indicated that the delivery of compact growth will be through National Policy Objective 2a, which states,

'A target of half (50%) of future population and employment growth will be focused in the existing five Cities and their suburbs'

and National Policy Objective 3a, which states,

'Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements'.

The National Planning Framework also includes a specific Chapter, No. 6, entitled 'People, Homes and Communities'. It includes 12 objectives from among which:

Objective 27 seeks to ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages.

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

Additional National Policy Documents of Relevance

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

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

Sustainable Residential Development In Urban Areas - Guidelines for Planning Authorities, Department of Environment, Heritage and Local Government (December 2008).

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, (2008).

Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, Department of the Environment, Community and Local Government (2020).

Design Manual for Urban Roads and Streets Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport (2013).

Regional Planning Guidelines for the Greater Dublin Area 2010-2022, Dublin Regional Authority & Mid-East Regional Authority, (2010).

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

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

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

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).

Relevant Policy in South Dublin County Council Development Plan 2016 – 2022
Policy CS2 Metropolitan Consolidation Towns

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.

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 Height

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

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

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.

Policy H16 Steep or Varying Topography Sites

It is the policy of the Council to ensure that development on lands with a steep and/or varying topography is designed and sited to minimise impacts on the natural slope of the site.

Section 3.2.0 Community Facilities

Policy C1 Community Centres

It is the policy of the Council to ensure that all communities have access to multifunctional community centres that provide a focal point for community activities.

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 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 H12

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.

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 11.3.1 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 11.20: Minimum Space Standards for Houses

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

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

ASSESSMENT OF PROPOSED DEVELOPMENT

Principle of Development

Zoning

The proposed site is subject to zoning objective ‘RES’: *‘To protect and/or improve residential amenity’* under the County Development Plan.

The proposed ‘residential’ use on the site is Permitted in Principle under this zoning. It is noted that the proposed residential facilities and amenity spaces are associated with the residential use of the site. Childcare facilities are ‘Open for Consideration’.

Uses which are ‘Open for Consideration’ should be assessed on their own merits and in relation to their impact on the development of the county at a strategic and local level. Such uses may only be permitted where they do not materially conflict with other aspects of the County Development Plan.

Traveller Objective

There is an objective on the County Development Plan maps on the north-eastern corner boundary of the site *'To provide for Traveller Accommodation'*. The applicant states that there is unauthorised traveller accommodation in the north-east corner. This would be removed as part of the permitted development. There is an extant Part 8 permission for permanent traveller accommodation on the adjoining land to the north, which are within the ownership of the applicant. It is therefore considered that this objective is addressed.

Amendments to Previously Granted Scheme (SHD3ABP-305857-19)

The proposed amendments are as a result of a change in ownership. The proposed changes to the development are as follows:

- The total no. of units would increase from 252 to 313, an increase of 61 units.
- An additional floor is proposed on Cores 2, 3, 5 and 6 of Block 1. This block would now comprise of 235 apartments in total (an increase of 21 from the permitted 214)
- Block 2 would be reconfigured and increased in height by 1 storey. This block would now comprise of 34 apartments (an increase in 1 from the permitted 33).
- The 5 terraced dwellings in the north-east corner would be omitted and replaced with surface car parking. A new Block 3 would be provided, connected with Block 2 at ground floor. This block would be 5 storeys and consist of 28 apartments.
- Block 4 would be replaced with a new block, which would be 2-5 storeys in height with 16 apartments and a creche and residential facilities and amenity spaces. The retail unit has been omitted from Block 4. The creche layout has also been revised and the residential facilities and amenity spaces expanded and redesigned.
- Increases in public and communal open space provision. These spaces have also been redesigned.
- Reduction in car parking spaces and increase in bicycle parking spaces.
- Site boundary slightly altered on the eastern boundary to include up to the public road.

These amendments are assessed further in the following sections of this report. It remains the view of the Planning Authority that the development would benefit from a small retail unit for basic day to day needs. This is discussed further in this report.

The below figure is extracted from the submitted Design Statement and shows a summary of the proposed amendments (in blue) in visual form.

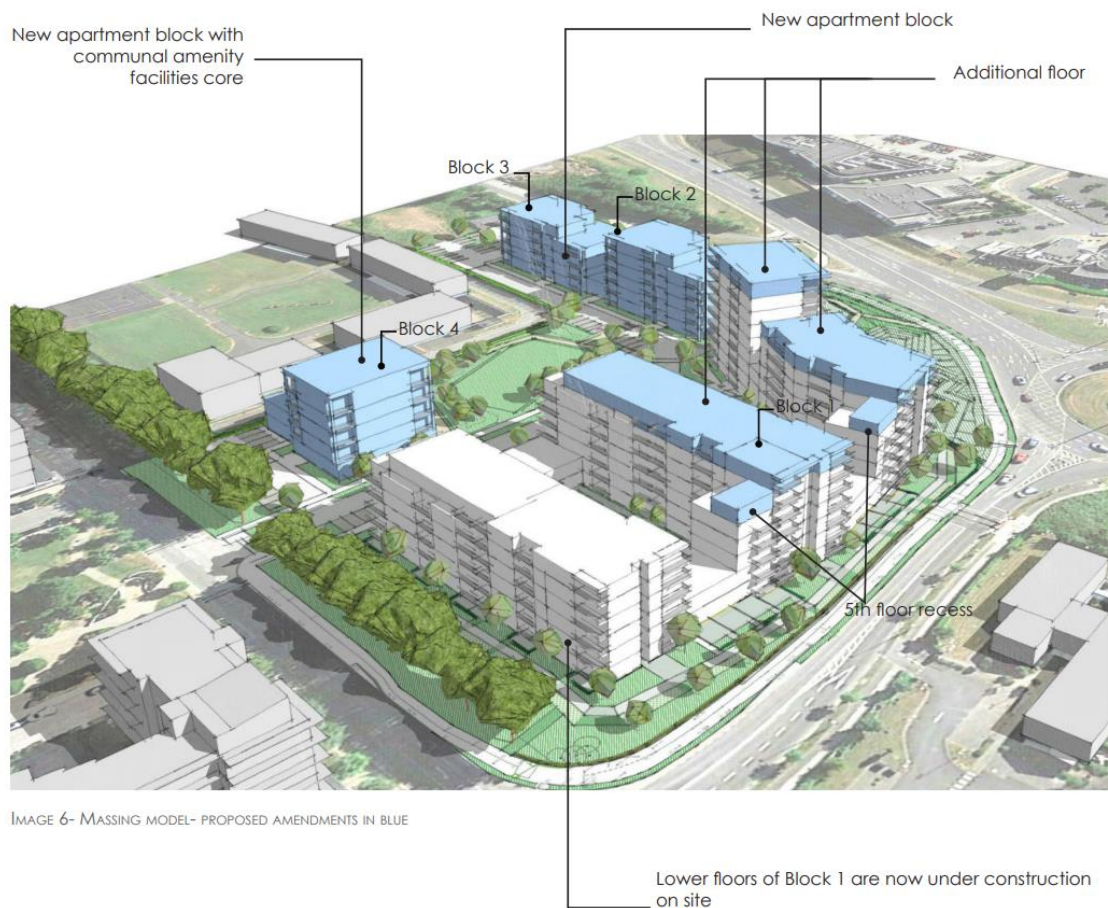


IMAGE 6- MASSING MODEL- PROPOSED AMENDMENTS IN BLUE

Material Contraventions

The applicant has submitted a Material Contravention Statement identifying the following material contraventions:

- Building height – up to 9 storeys
- Residential mix and typology – more than 10% 1 bed units
- Density – exceeds 35-50 units per ha
- Open space – 2015 Apartment Guidelines have been superseded by 2020 version.
- Quantitative apartment standards – separation distance less than 22 m. 2015 Apartment Guidelines have been superseded by 2020 version.

The Planning Authority considers that the proposed development materially contravenes the building height provisions of the County Development Plan.

These materials contraventions are discussed in more detail in the following sections of this report. The Planning Authority notes that where reference in the County Development Plan is made to the 2015 Apartment Guidelines, the 2020 Apartment Guidelines have been adopted and supersede this. As this is yet to be updated in the County Development Plan, the Planning Authority agrees that compliance with the 2020 Apartment Guidelines means that there is a conflict with the County Development Plan. The Planning Authority does not however consider this to be a material contravention in this instance.

Unit Mix and Type, Part V and Tenure

Unit Mix and Type

The proposed mix of apartment units would be amended as follows:

	ABP-305857-19 (Previous)	ABP-312275-21 (Current)	Change (+/-)
1 beds	119 no. (47.2%)	137 no. (43.8%)	+ 18 (- 3.4%)
2 beds	125 no. (49.6%)	171 no. (54.6%)	+ 46 (+ 5.0%)
3 beds	8 no. (3.2%)	5 no. (1.6%)	- 3 (- 1.6%)

The number of 1 and 2 bed units would be increased, with the largest increase occurring in 2 bed units, and the number of 3 bed units decreased. The applicant states that this would provide a greater choice within the wider area, which is dominated by 2 storey detached, semi-detached and terraced houses. Block 3 would be changed from 5 houses to an apartment block. No houses would therefore be provided as part of the amended development.

Policy H10 of the County Development Plan related to providing a wide variety of adaptable housing types, sizes and tenures in accordance with the Housing Strategy. Section 11.3.1 requires that proposals that include more than 10% 1 beds, such as this one, to demonstrate the need for such accommodation.

The Planning Authority considers that the number of 3 bed units should be increased to cater for larger families who wish to reside within this established residential area close to high quality, high frequency public transport links and to services and facilities. The reduction in already a low number of 3 bed units raises concerns with regard to the lifetime adaptability of the scheme and ability to provide for a greater mix of housing type, and expand the level of choice available to residents.

Part V

The applicant has allocated 31 units for Part V purposes onsite. The Housing Department has reviewed the proposed development and has provided a report stating the following:

Moykerr Limited's proposal to provide a total of 25 units; 13x1bed and 12x2bed apts in Block 1, in respect of Part V of the Planning & Development Act 2000 (as amended) as submitted with the application is noted. However, this offer is based on the previous proposal and will need to be reviewed to reflect the increase in the total number of units on the site. It would be the preference of the Housing Department that a revised proposal is submitted to reflect a unit mix & and to include a specially adapted unit, suitable for persons with medical needs.

The Part V percentage liability is dependent on the date the applicant purchased the subject site and the applicant is requested to provide proof of same to the Housing Department.

South Dublin County Council's preference in respect of Part V is to acquire units on site. South Dublin County Council can only agree Part V in respect of the permitted development subject to costing approval from the Department of Housing, Local Government & Heritage.

These negotiations will commence following any grant of planning permission. Please note that the Council would require a fully completed Part V submission prior to commenting on costs.

Tenure

It is not clear from the documentation submitted what the tenure of the units would be. It is noted that the applicant has assessed the units against the Build-To-Sell requirements of the 2020 Apartment Guidelines. Whatever tenure the units would be, it should be ensured that they comply with the relevant provisions.

Residential Density and Heights

Residential Density

The proposed residential density is 151.9 units/ha, an increase from the permitted 122 units/ha. The subject site is located within a 'Metropolitan Consolidation Town' in the Settlement Hierarchy under the County Development Plan. The site is identified as a 'Housing Capacity Site' in Map 1.3 of the County Development Plan. These are sites identified as having capacity to support sustainable growth and address the identified shortfall in housing. Policy H8 Objective 6 of the County Development Plan provides for a recommended density of 35 – 50 dwellings to sites such as this one.

The Apartment Guidelines provide further guidance on residential density. Under such guidance, the site may qualify as an 'intermediate urban location' (suitable for >45 dph) or a 'peripheral and/or less accessible urban location' (<45 dph) depending on how the site's accessibility is assessed.

There are existing bus services along the N4 (every 30 min) and Fonthill Road (R113). Dublin Bus No. 40 (every 10-15 min) is along Fonthill Road and heads towards the city centre. BusConnects identifies improved bus services in this area, including a bus terminal at Liffey Valley. This terminal has been permitted under Reg. Refs. SD19A/0320 and SD21A/0291. Pedestrian and cyclist links to this are important. It is not considered this has been fully addressed and should be addressed by condition.

Considering the above, the increase in residential density is considered acceptable.

Building Heights

The building heights have been increased from the permitted development as follows:

	ABP-305857-19 (Previous)	ABP-312275-21 (Current)	Change (+/-)
Block 1	2 to 8 storeys	2 to 9 storeys	+ 1 storey
Block 2	5 storeys	5 to 6 storeys	+ 1 storey
Block 3	2 storeys	4 to 5 storeys	+ 3 storeys
Block 4	1 to 3 storeys	2 to 5 storeys	+ 2 storeys

It is acknowledged that the subject site is not identified for tall buildings exceeding five storeys in an approved plan (as per Policy H9 Objective 4 and Policy UC6 Objective 3). Blocks 1 and 2 would exceed 5 storeys by 4 storeys and 1 storey respectively. As stated previously, the Planning Authority considers there to be a material contravention in relation to these height provisions. Block 4 has not been

amended from Stage 2. However, the Planning Authority welcomes the restriction of height to 2 storeys close to the northern boundary. The 5 storey element of this building would be setback approx. 12.3m from the existing building to the north. Windows along the northern elevation are also noted as being mostly avoided.

Block 3 has been increased in height from the permitted 2 storeys to 4 to 5 storeys. This building would be approx. 32 m from the permitted Part 8 housing scheme to the north. It is considered that the provision of increased height above 2 storeys within 35m of the permitted 2 storey dwellings is contrary to a criterion contained in the implementation section of the County Development Plan. (Section 11.2.7).

However, the Planning Authority acknowledges that the Section 11.2.7 text which states that new residential development that adjoins existing one and/or two storey housing (backs or sides onto or faces) shall be no more than two storeys in height, unless a separation distance of 35 metres or greater is achieved may be viewed as a blanket height restriction that runs contrary to the Urban Development and Building Height Guidelines, 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. SPPR3 provides a framework for planning authorities to grant permission contrary to their development plan subject to being satisfied that the applicant has met specified criteria. The Planning Authority note that permission is permitted for a similar height on the site under SHD and An Bord Pleanála accepted the justification in terms of the Building Height Guidelines.

Urban Design and Layout **Layout and Urban Form**

The layout of the development is largely the same to the permitted layout with the most distinct amendments in the north-east corner. The permitted dwellings in this corner have been omitted and an additional apartment block provided (Block 3). The other blocks have also been amended but their footprints largely remain the same.

The relocation of car parking from around the perimeter of the central public open space is welcomed by the Planning Authority. The amendments to the north-east corner of the site have resulted in a number of surface car parking spaces in this area. Consideration should be given to relocating some surface car parking to undercroft via condition.

Daylight and Sunlight

A Daylight, Sunlight and Overshadowing Report has been submitted. This includes a comparison of the permitted and proposed developments. The increase in bulk and height of Block 4 results in an increase in overshadowing of the northern neighbouring buildings. However, a limited number of windows are along the elevation of the neighbouring building facing the site. It is also noted that Block 4 is restricted to 2 storeys nearest to this boundary.

A total of 53% of the proposed apartments would be dual aspect. This is a slight increase to the dual aspect ratio of the permitted development. Given the location and nature of the site the proposed dual aspect ratio is considered acceptable to the

Planning Authority. The Apartment Guidelines advise that for single aspect units the preferred aspect is southerly, with westerly or easterly also being acceptable. They also state that:

“North facing single aspect apartments may be considered, where overlooking a significant amenity such as a public park, garden or formal space, or a water body or some other amenity feature. Particular care is needed where windows are located on lower floors that may be overshadowed by adjoining buildings.”

Of the single aspect units 2 no. would be north facing. These units are in Block 1, Unit 4 in Core 1 and Unit 36 of Core 2. These were previously raised as a concern by the Planning Authority in the assessment of the permitted scheme and have not been addressed. While Unit 36 would look across the internal access to the public open space, Unit 4 would look across to Block 4. The Planning Authority therefore recommends that the single aspect north-facing units in Block 1 are omitted, and the internal layout amended accordingly.

Permeability and Access

The site would still be vehicularly accessed via the existing road to the west of the site. Pedestrian entrances are proposed along this road, St. Loman’s Road and Fonthill Road (R113). This includes a pedestrian access via the SDCC lands. This access has been amended from the permitted to only one, whereas previously it branched off to align with the eastern pedestrian crossing. Connectivity eastwards to existing, permitted and proposed public transport links is considered important to justify the increase in density and height. It is therefore considered that this should be addressed by way of condition.

Streetscapes

The Public Realm Section note that no street trees have been provided along the route leading to Blocks 2 and 3. The previously permitted scheme had sufficient street tree provision in this area. This should be addressed via condition.

Residential Amenity and Design

Standard of Accommodation

In terms of the standard of accommodation the proposed development appears to be generally consistent with the standards of the Quality Housing for Sustainable Development, Apartment Guidelines and County Development Plan.

Section 11.3.1(v) of the County Development Plan relates to separation distances of 22 m between directly opposing above ground floor windows to maintain privacy. There would be instances in the proposal where separation distances of less than 22 m would be achieved. The separation distances between Blocks 1 and 2 and Blocks 2 and 3 would be less than 22 m. The separation distance between Blocks 2 and 3 would be the shortest at 10 m. The applicant states that this is acceptable as the windows are considered secondary views from kitchen/living/dining rooms.

The Planning Authority does not agree with this rationale. It is considered that the proposal should be revised via condition to address this. The proposed separation distances in their current design are considered to conflict with Section 11.3.1(v) of the County Development Plan.

Private and Communal Open Space

Private open space would be provided to each unit in the form of a balcony or terrace. Consideration would need to be given to the provision of defensible space where units and private open space adjoin public areas. This includes the apartments at first floor level opening onto the communal courtyards at Block 1.

Communal open space has been increased to 2,135sq.m, from 1,835sq.m. The communal open space at Block 1 would remain largely the same as 2 central courtyards at podium level totalling approx. 1,420sq.m. Block 2 and 3 would each have a roof terrace of approx. 200sq.m. An area of approx. 175sq.m at ground level to the south of Block 2 is shown and noted as communal open space for Blocks 1 and 2. This space is along public pedestrian access through the site and appears to be incidental to the layout of the proposal. Given the location and treatment of this space it is not considered to contribute to communal open space.

Block 4 would have an approx. 140sq.m roof terrace at second floor level. A solid 1.8m high balustrade/screen would be provided along the north of this roof terrace to mitigate overlooking into the neighbouring care unit lands. This is welcomed by the Planning Authority.

Materials and Finishes

Building Lifecycle Report has been submitted for the proposed development. This provides details on the proposed materials and finishes and long-term maintenance and management strategy for the scheme. The proposed choice of materials and finishes is consistent with what was proposed as part of the permitted scheme. They also match or complement to the materials used on the adjoining phases of the wider St. Edmund's residential development.

Energy Efficiency

The applicant has provided a Preliminary Energy Report with the application. This report outlines the energy performance of the proposed development. It is proposed to use PV collectors, air heat pump systems and other suitable measures subject to further assessment at detailed design stage.

Visual Amenity

The application is accompanied by detailed drawings and photomontages comparing the permitted development to the proposed. The revised proposal would increase the built form along the eastern boundary, this would be visible from the public domain. Blocks 1, 2 and 3 would be the most visible blocks from the public domain, along the southern and eastern boundaries. Given the location of Block 3, adjacent to the slip road off R113, it would be less visible than Blocks 1 and 2. The addition of this apartment block along this elevation is therefore acceptable. The bulk of Blocks 3 and 4 are sufficiently setback from the northern boundary.

Public Open Space and Realm

The full Public Realm report is appended to this report. The layout of the public open space would remain largely the same to the permitted scheme. There would be the omission of some car parking spaces and improved landscaping and layout to car parking area to north. Public open space has been increased to 2,400sq.m from the permitted 2,285sq.m. This increased total amounts to 11.7% of the site area. However, the serious concerns are raised in regard to the deliverability and accessibility of the public open space. Public Realm Section notes that the public open space includes areas that cannot be considered as public open space. They also raise concerns with the accessibility of this space, in relation to universal accessibility and maintenance, and the layout of play equipment.

In addition to the public open space provision, 4,400sq.m of open space to the east, in ownership of SDCC, is within the site boundary. This area has been revised from the permitted development. Planting in this space has been altered. There would only be one pedestrian access provided through this space to the proposed development. The permitted development had another access that linked up from the crossing to the east. This would have been welcomed by the Planning Authority. Accessibility through this space should be addressed via condition. It is also advised that the design of this space should be agreed with SDCC. The current proposal is not acceptable due to accessibility and design.

The submitted planning and landscaping documentation notes that the trees along the western boundary are still to be retained, with the exception of 3 at the north which are being removed and replaced. The submitted arboricultural documentation and drawings show the removal of a large number of trees along this boundary and the eastern boundary (within SDCC lands). The arborist identifies the trees to be in poor condition and recommend that they be felled and replaced. It is proposed to retain them and replace in the future as part of the management of the overall development. In the event of a grant of permission the development should be granted in line with the architectural and landscaping proposals.

An Ecological Impact Assessment and Bat Survey have been submitted. It is recommended that a condition is included in the event of a grant of permission requiring the mitigation measures from these reports to be implemented in full.

Non-Residential Uses

Retail

The retail element, previously permitted, has been omitted from this development. The applicant states that the reason for this is that the provision of retail in this location would not thrive due to the larger shopping centre located to the south of the site, in the form of Liffey Valley Shopping Centre. This is noted; however, the Planning Authority considers that the development would benefit from a small retail unit for basic day to day needs. This should be addressed by way of condition in the event of a grant of permission.

Creche

The permitted creche in Block 4 would be increased from approx. 430sq.m to 504sq.m to cater for approx. 78 childcare spaces. The creche would be located on the ground floor of Block 4, previously permitted over two floors. The facility has been sized to cater for the expected childcare demand for the overall St. Edmund's development, existing and proposed. This is acceptable to the Planning Authority. It is noted that it is stated elsewhere in the submitted documentation that the proposed creche would be 471sq.m and cater for 96 children.

Residential Facilities/Amenity

The residential amenity space would be increased from 419sq.m to 447sq.m and include a communal room, gym, co-working suite and concierge. These would be provided over two floors in Block 4. The additional quantity and types of spaces are welcomed by the Planning Authority. It should be ensured that all residents within the proposed scheme would have access to these spaces. It appears that the lift and stair core, circulation space, have been included in the calculation for residential amenity space. This space should not be included in the calculation for residential amenity space.

Roads, Access and Parking

The full Roads Department report is appended to this report. This report makes observations in relation to swept path/Autotrack analysis, electric vehicle charging, Mobility Management Plan, lighting, taking in charge, Construction Traffic Management Plan, and pedestrian crossings.

The number of car parking spaces would be reduced from what was permitted by 11 spaces. The car parking ratio would therefore reduce from 0.9 per unit to 0.7 per unit. It is noted 2 spaces would be allocated to car sharing. The applicant's rationale for reduced car parking spaces is in relation to the access to high frequency bus routes. Given the site's accessibility and that the County Development Plan rates are maximum rates, this is acceptable to the Planning Authority.

Bicycle parking has increased by 70 to 378 in total. This maintains a bicycle parking ratio of 1.2 per unit. Each core for Block 1 would have a bicycle store room at undercroft level. Blocks 2 and 3 would have a bicycle store room between the two blocks. Visitor bicycle parking would be located at surface level at different locations. The increase in bicycle parking spaces is to be welcomed.

Services and Drainage

The full Water Services report is appended to this report. Water Services state they have no objection subject to conditions relating to attenuation and SuDS. The Public Realm Section note discrepancies in the documentation in relation to SuDS drainage. Notably, the proposed swales on the engineering and landscaping proposals do not fully match. It is noted that in accordance with the County Development Plan underground attenuation should be the last resort for surface water management. Policy IE2 Objective 5 states that surface water run-off should be limited to SuDS and underground attenuation avoided.

The Public Realm Section also state that attenuation tank under public open space is not suitable as it reduces the usability of the space and the potential for tree planting. SDCC lands have been included within the development area for the purpose of additional space for SuDS. In the event of a grant of permission SuDS to account for all above ground attenuation in the calculations and reduce the need for underground storage.

Public Health

Environmental Health

An updated Traffic Noise Impact Assessment has been submitted. This lists a number of mitigation measures which are noted as similar to those proposed in the permitted development. It is considered that the previously recommended conditions on the permitted scheme should be included in the event of a grant of permission.

Waste Management

A Construction and Demolition Waste Management Plan and Operational Waste and Recycling Management Plan has been submitted. Conditions in line with what was recommended for the permitted development are recommended in the event of a grant of permission.

Aviation Safety

The Irish Aviation Authority has not provided a report on this application. An observation from the IAA was received on the permitted development. The appropriate condition should be included in the event of a grant of permission.

Screening for Appropriate Assessment

The applicant has submitted an Appropriate Assessment Screening Report. This report finds that no significant effects are likely to arise, either alone or in combination with other plans or projects and rules out a Stage 2 assessment. An Bord Pleanála is the competent authority in this regard.

Screening for Environmental Impact Assessment

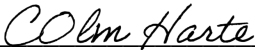
The applicant has submitted an Environmental Impact Assessment Screening Report, which concludes that an EIAR is not required for the proposed development. An Bord Pleanála is the competent authority in this regard.

Conclusion


There remain a number of issues with this application, which have each either been raised previously by SDCC, or have arisen in the present application.

Noting national and regional guidance in relation to urban consolidation, and also noting the location of the site and the extent of changes from permitted development on the site, the Planning Authority recommends that the development can be **granted permission**, subject to the conditions proposed in Appendix 1.

Ultimately, the Board should use its discretion to assess whether the above issues do not raise issues of such magnitude as to require a refusal of permission and can be dealt with by condition.




Colm Harte,
Senior Executive Planner



Eoin Burke,
Senior Planner

Date: 16th Feb 2022



Mick Mulhern,
Director of Land Use, Planning and
Transportation

APPENDIX A – STRATEGIC HOUSING DEVELOPMENT TABLE OF RECOMMENDED CONDITIONS

No	Condition	Reason
1	<p>Effective control on development as approved Development in accordance with submitted plans and details. The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.</p>	<p>To ensure that the development shall be in accordance with the permission and that effective control be maintained.</p>
2	<p>Amendments The applicant, developer or land owner shall submit revised plans (including site plans, floor plans, sections and elevations) as required to specify the below amendments to the scheme, subject to the final agreement of the Planning Authority prior to commencement of development:</p> <p>(a) Omit the north facing single aspect units in Block 1 and reconfigure the internal layout so as not to provide any north facing single aspect units.</p> <p>(b) Reconfigure the necessary apartment blocks to provide for an increase in the number of 3-bedroom units provided.</p> <p>(c) Redesign the southern elevation of Block 3 and the northern elevation of Block 2 to mitigate potential overlooking between windows on these elevations. This might involve providing angled windows or repositioning the windows, so they do not directly face each other.</p> <p>(d) Relocate further surface car parking spaces from the north-east corner of the site to the undercroft car park. Additional soft landscaping should be provided in place of the relocated surface car parking spaces.</p> <p>(e) Provide a retail unit. This unit shall be restricted to uses which fall within Class 1, Class 2 or Class 8 or Class 10 of Part 4 of Schedule 2 of the Planning and Development Regulations 2001, as amended, excluding use as a betting office, take-away or stand-alone off-licence. Any other use shall be subject to a planning application. Prior to the occupation of the unit, details shall be submitted to the Planning Authority of the intended occupant.</p>	<p>In the interest of a high quality sustainable residential development.</p>
	<p>Phasing No development shall take place under this permission until a detailed phasing programme for the approved development that has been agreed in writing with the Planning Authority. The applicant, owner or developer is advised to consult with the Planning Authority in advance of lodging the required programme.</p>	<p>In the interest of clarity and to provide for the orderly and sustainable development of the site and compliance with South Dublin County Council's Development Plan.</p>
	<p>Swept Path/Autotrack The applicant will be required to show a swept path / Autotrack analysis of fire tender and refuse truck access through the entire site.</p>	<p>To ensure effective control of development, and to ensure safe and adequate provision of transport infrastructure.</p>

<p>Electric Vehicle Charging The proposed development shall make provision for the charging of electric vehicles. 100% of surface car parking spaces must be provided with electrical ducting and termination points to allow for the provision of future charging points, and 10% of surface car parking spaces must be provided with electric vehicle charging points initially. Details of how it is proposed to comply with these requirements including details of the design of, and signage for, the electric charging points (where they are not in areas to be taken in charge) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p>	<p>In the interest of sustainable transport.</p>
<p>Mobility Management Plan A Mobility Management Plan is to be completed within six months of opening of the proposed development. The Mobility Management Plan shall be agreed with the roads department and the agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.</p>	<p>In the interest of sustainable transport.</p>
<p>Public Lighting (a) Prior to the commencement of development, the applicant shall agree in writing an integrated Public Lighting scheme and Landscape Plan with the Planning Authority. Once agreed, the scheme shall be constructed/installed to taking in charge standards at the expense of the developer and to the satisfaction of South Dublin County Council Lighting Department. (b) The Public Lighting scheme and Landscaping Plan shall be integrated and agreed with the Planning Authority prior to commencement of development.</p>	<p>In the interests of protection of bats, public safety and amenity, to prevent light pollution and in the interests of the proper planning and sustainable development of the area.</p>
<p>Impact on Biodiversity The mitigation measures contained in the Ecological Impact Assessment prepared by Whitehill Environmental and in the Bat Survey Report prepared by Brian Keely of Wildlife Surveys Ireland, shall be adhered to at all times during construction works.</p>	<p>To ensure the protection of the natural Heritage of the site.</p>
<p>Taken In Charge All items and areas for taking in charge shall be undertaken to a taking in charge standard. Prior to development the applicant shall submit construction details of all items to be taken in charge. No development shall take place until these items have been agreed.</p>	<p>To comply with the Councils taking in charge standards.</p>
<p>Construction Traffic Management Plan Prior to commencement of development a developed Construction Traffic Management Plan shall be agreed with the roads department. The agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.</p>	<p>In the interests of traffic safety and residential amenity.</p>
<p>Pedestrian Crossings Prior to commencement of development, the location, design and</p>	<p>To provide safe/convenient access to the bus routes on</p>

	<p>construction details of pedestrian crossings to be constructed by the applicant/developer and at their own expense shall be agreed with the roads department. The agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.</p>	<p>the N4 as a mitigation for the reduction in vehicle parking provision.</p>
	<p>Council Housing Strategy The applicant, owner or developer, or any other person with an interest in the land to which the development as approved relates shall, prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations 1997:</p> <p>(i) enter into an agreement with the Housing Authority for compliance with the Part V of the Planning and Development Act 2000 (as amended) as referred to in the South Dublin County Council Development Plan 2016-2022, providing, in accordance with that section, for the matters referred to in paragraph (a) or (b) of subsection (3) of section 96, and</p> <p>(ii) when the agreement with the Housing Authority for compliance with the Part V of the Planning and Development Act 2000 is finalised to the satisfaction of the Housing Authority, a certified copy of the agreement shall be lodged with the Planning Authority.</p>	<p>To promote social integration consistent with policies/objectives of the Councils Housing Strategy as contained in the South Dublin County Council Development Plan 2016-2022.</p>
	<p>Arboricultural Impact of the Proposed Development The existing trees onsite shall be retained as per the submitted Landscape Plan Drawing No. 1 (as amended through conditions). This is except for the trees identified for removal for the temporary construction access as per the Landscape Plan. Any proposals to remove further trees in future must be agreed in advance by the Planning Authority.</p>	<p>To ensure and give practical effect to the retention, protection and sustainability of trees during and after construction of the permitted development.</p>
	<p>Public Open Space The Public Open Space calculation includes areas that cannot be considered as Public Open Space. The applicant is requested to demonstrate the required the Public Open Space provision, omitting:</p> <p>(i) The area west of the access path along the boundary of the Public Open Space, that leads to the rear of Block 4 and is associated with the building.</p> <p>(ii) The public footpath to the south of the open space and the planting strip (avenue trees and shrubs) along the access road.</p>	<p>To ensure adequate quality public open space is being provided.</p>
	<p>Children's Play A maximum of two weeks from the date of any Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any works on site the applicant, owner or developer shall have lodged with the Planning Authority:</p> <p>(a) Details of play proposals to be agreed with Public Realm.</p> <p>(b) An updated landscape plan to show play safety zones clearly and in their entirety.</p> <p>(c) Play proposals that are accessible and include accessible play equipment/features.</p> <p>(d) Details of all play equipment, features and safety surface, along with specifications and proof that all equipment conforms to European Standards</p>	<p>To ensure adequate, safe and accessible play equipment and features are being provided.</p>

<p>EN 1176-1-11 and EN 1177 Playground equipment and surfacing shall be submitted prior to the commencement of development. Engineered woodchip is the preferred safety surface.</p> <p>(e) Post installation certification by the Royal Society for the Prevention of Accidents is also a requirement.</p> <p>(f) An Indicative Play Map showing types of play and age groups catered for.</p>	
<p>Sustainable Urban Drainage Systems (SuDS)</p> <p>Prior to the commencement of development the applicant, owner or developer shall have lodged with the Planning Authority for written agreement a revised SuDS design:</p> <p>(a) To account for attenuation storage from all SuDS features for the development including permeable paving, tree pits, bioretention areas and swales.</p> <p>(b) To offset the above storage volume from the underground attenuation system.</p> <p>Should underground tanking prove to be unavoidable the applicant shall provide:</p> <p>(a) Certification that the tanking is designed to support all predicted loads e.g. tractor, wet clay, crane etc.</p> <p>(b) The design life of the structure clearly demonstrating it meets the design life of the development.</p> <p>(c) Additional sediment/pollutant removal measures upstream to minimise risk of blockage and risk to water quality.</p>	<p>In the interests of surface water management, amenity, biodiversity and sustainable development and comply with the South Dublin County Development Plan.</p>
<p>Landscape Proposals</p> <p>(a) A maximum of two weeks from the date of any Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any works on site the applicant, owner or developer shall have lodged with the Planning Authority for agreement in writing with the Public Realm Section a fully detailed landscape plan which shall include:</p> <p>(i) Public Open Space that has accessible paths so it can be accessed by persons with disability.</p> <p>(ii) Proposals for machinery to gain access to the Public Open Space for maintenance.</p> <p>(iii) Accessible play equipment with universal access within the Public Open Space.</p> <p>(iv) Safety Zones for play to be accurately shown so the proposals are realistic.</p> <p>(v) Plans showing extent and position of tree protection fences required in accordance with BS5837:2012.</p> <p>(vi) SuDS proposals on landscape and drainage drawings to be consistent. E.g. show which hardscape features are permeable; ensure planting proposals for all swales are compatible.</p> <p>(vii) Planting details for swales: resolve conflicts with drainage engineers proposals, e.g. Western Boundary to Block 3 planting conflict with swale and Southern Boundary trees conflict</p> <p>(viii) Swales on SDCC lands to be planted with riparian wildflowers.</p>	<p>In the interests of residential and visual amenity and to ensure full and verifiable implementation of the approved landscape design.</p>

<p>(ix) A Street Tree with SuDS tree pit opposite Block 2: by realigning the path to small building/substation rather than having two separate thin grass strips.</p> <p>(x) Revised details of SuDS tree planting pits as current detail for urban tree soil placement is flawed. The applicant is referred to the recently published SDCC SuDS Design Guide.</p> <p>(xi) Detail the amenity and biodiversity value associated with SuDS features.</p> <p>(xii) Extent and position of required tree protection fences.</p> <p>(xiii) A detail timeline for landscaping and reinstatement of the SDCC land. Note: The South Dublin County Council lands form part of the entrance to Liffey Valley Shopping Centre and we would like disruption to this area to be as short as possible.</p> <p>(xiv) Pedestrian/cyclist accesses to the east.</p> <p>(xv) A fully detailed Planting Plan for the entire development that includes:</p> <ol style="list-style-type: none"> i. Location of species types, schedule of plants noting species, planting sizes and proposed numbers/densities where appropriate ii. Implementation timetables. iii. Detailed proposals for the future maintenance/management of all landscaped areas. <p>(b) Planting material where possible should be Irish Grown Nursey Stock and the importation of foreign planting material should be avoided within the proposed planting schemes</p> <p>(c) The landscaping scheme once agreed shall be carried out within the first planting season following substantial completion of external construction works of each phase of development. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p>	
<p>Appointment of Landscape Architect</p> <p>(a) Prior to the commencement of any permitted development, the developer shall appoint and retain the services of a qualified Landscape Architect (or qualified Landscape Designer) as a Landscape Consultant, throughout the life of the construction works and shall notify the Planning Authority of that appointment in writing prior to commencement.</p> <p>(b) A Practical Completion Certificate is to be signed off by the Landscape Architect when all landscape works are fully completed to the satisfaction of the Planning Authority in accordance with the permitted landscape proposals.</p> <p>(c) The installation of attenuation tree pits shall be supervised by the project landscape architect.</p>	<p>In the interests of residential and visual amenity and to ensure full and verifiable implementation of the approved landscape design.</p>
<p>Appointment of Arborist</p> <p>(a) Prior to the commencement of any permitted development, the developer shall engage the services of a Professional Member of Arboricultural Association who is an independent, qualified arborist, for the entire period of construction activity.</p> <p>(b) The applicant shall inform the planning authority in writing of the</p>	<p>To ensure and give practical effect to the retention, protection and sustainability of trees during and after construction of the</p>

<p>appointment and name of the consultant, prior to commencement of development.</p> <p>(c) The consultant shall visit the site at a minimum on a monthly basis, to ensure protection of trees proposed for retention.</p> <p>(d) Any proposals to remove additional beech trees (not including those to create entrances) in the row along the western boundary recommended in the most recent tree survey report (dated 29 Nov 2021) must have agreement in advance by the Planning Authority.</p>	<p>permitted development.</p>
<p>Tree Protection</p> <p>(a) In order to ensure the protection of trees to be retained within the site, the applicant shall implement the tree retention proposals in the Landscape Rationale.</p> <p>(b) Prior to the commencement of the development the applicant shall submit and agree a Tree Protection Plan and Arboricultural Method Statement with SDCC Public Realm Section. This shall comprise:</p> <p>(i) Tree Protection Plan: a scaled site plan (1:500@A1) of the proposed development, clearly showing and distinguishing (by colour coding) those trees and hedges to be retained and protected and those to be removed ; showing alignments of Tree Protection Fencing and areas to be excluded from construction activities and compound(s), site office(s), plant, equipment and materials storage. Root Protection Areas (RPAs') of all trees and hedgerows to be clearly shown on this drawing.</p> <p>(ii) Arboricultural Method Statement: clear and practically-achievable measures to be used during the construction period, for the protection and management of all trees and hedges that are to be retained, as shown in the Tree Protection Plan.</p> <p>(iii) Summary Table: Summary of all trees and hedgerow proposed for removal and retention to include numbers and percentages.</p> <p>(iv) Pre Development Photo's: Prior to the commencement of works the applicant shall submit pictures of the existing trees/hedgerows before works commence with the tree protective fencing. This shall include a location map of where each picture was taken from.</p> <p>(v) Arborist's name, arboricultural qualifications and contact details.</p> <p>(c) Prior to works commencing on site, tree protection fencing shall be erected to protect the tree and hedge vegetations root zone from impacts by the construction works. The fencing needs to be 2.3m high and constructed in accordance with Figure 2 of BS5837 2012 using vertical and horizontal scaffold bars well braced together with the verticals spaced out at a maximum of 3m centres. Onto this, weld mesh panels are to be securely fixed with wire or scaffold clamps. Signs need to be attached to these fences warning people to 'Keep out'.</p> <p>(d) No construction equipment, machinery or material shall be brought onto the site for the purpose of the development until all the trees which are to be retained have been protected by this fencing. No work shall be carried out within the area enclosed by this fencing, and in particular, there shall be no parking of vehicles, placing of site huts, storage compounds or topsoil heaps, storage of oil, chemicals or other substances, and no lighting of fires, over the</p>	<p>To ensure the protection, safety, prudent retention and long-term viability of trees to be retained on and immediately adjacent to the site.</p>

root spread of any tree/hedge to be retained.	
<p>Tree Works</p> <p>Prior to the commencement of construction works on site, a meeting with the Project Landscape Architect, Site Foremen, the appointed Arborist and a representative from the Public Realm Section shall take place on-site to inspect that:</p> <p>i. All tree pruning & tree felling has been carried out in accordance with BS 3998:2010 Tree Work – Recommendations</p> <p>ii. That the protective fencing has been installed in accordance with BS5837:2012</p> <p>All tree felling, surgery and remedial works shall be completed prior to the commencement of construction works. All works on retained trees shall comply with proper arboricultural techniques conforming to BS 3998:2010 Tree Work – Recommendations. The clearance of any vegetation including trees and scrub shall be carried out outside the bird-breeding season (1st day of March to the 31st day of August inclusive) or as stipulated under the Wildlife Acts 1976 and 2000.</p>	To ensure and give practical effect to the retention, protection and sustainability of trees during and after construction of the permitted development.
<p>Tree Bond and Arboricultural Agreement</p> <p>(a) Prior to the commencement of any permitted development or any related construction activity or tree felling on the site, the applicant shall lodge a Tree and Hedgerow Bond to the value of €344,242.60 with the Planning Authority. This is to ensure the protection of trees on and immediately adjacent to the site to make good any damage caused during the construction period.</p> <p>(b)The bond lodgement shall be coupled with an Arboricultural Agreement, with the developer, empowering the Planning Authority to apply such security, or part thereof, to the satisfactory protection of any tree/hedgerow or trees/hedgerows on or immediately adjoining the site, or the appropriate and reasonable replacement of any such trees/hedgerows which die, are removed or become seriously damaged or diseased within a period of three years from the substantial completion of the development. Any replacement planting shall use large semi-mature tree size(s) and species or similar as may be stipulated by the planning authority.</p> <p>(c)An Arboricultural Assessment Report and Certificate is to be signed off by a qualified Arborist after the period of 3 years of completion of the works. Any remedial tree surgery, tree felling works recommended in that Report and Certificate shall be undertaken by the developer, under the supervision of the Arborist.</p> <p>(d)For the tree and hedgerow bond to be released, a post construction report on the condition of the trees and hedgerows to be retained shall be undertaken by the project Arborist and all recommendations made within this report shall be carried out. On completion of this, the report and a Certificate of Effective Completion signed by the project Arborist shall be provided to the Planning Authority.</p>	To ensure the protection, safety, prudent retention and long-term viability of trees to be retained on and immediately adjacent to the site.
<p>Owner’s Management Company</p> <p>Prior to the commencement of development details of an Owner’s Management Company shall be submitted to the Planning Authority for</p>	In the interests of proper planning and sustainable development.

	written agreement.	
	<p>Services to be Underground. All public services to the proposed development, including electrical, information and communications technology (ICT) telephone and street lighting cables and equipment shall be located underground throughout the entire site. There shall also be provision for broadband throughout the site in accordance with the Planning Authority's policy and requirements.</p>	In the interests of the visual amenities of the area, the proper planning and sustainable development of the area and compliance with the South Dublin County Development Plan.
	<p>Irish Water</p> <p>(a) The applicant is required to sign connection agreements for water supply and waste water with Irish Water prior to any works commencing and connecting to the network.</p> <p>(b) Any proposals to build over or divert existing water or wastewater services subsequently the applicant/developer is required to submit details to Irish Water for assessment of feasibility and have written confirmation of feasibility of diversion(s) from Irish Water prior to connection agreement.</p> <p>(c) The applicant must identify and procure transfer to Irish Water of the arterial water and wastewater Infrastructure within the Third-Party Infrastructure.</p> <p>(d) The applicant must demonstrate that the arterial infrastructure is in compliance with requirements of Irish Water Code of Practice and Standard Details and in adequate condition and capacity to cater for additional load from the Development.</p> <p>(e) All development is to be carried out in compliance with Irish Water Standards codes and practices.</p>	To ensure that the development does not endanger public health.
	<p>Attenuation Prior to commencement of development, the applicant is required to submit a cross sectional detail of the proposed detention basin/underground attenuation system. The detail shall demonstrate how flood waters above the 1 in 30 year storm event will enter and exit the proposed detention basin. The applicant is also required to submit a detail drawing of any proposed headwall within the proposed detention basin. Hard engineered solutions should be avoided here and more natural, aesthetically pleasing inlet/outlets shall be incorporated in public open space areas.</p>	In the interests of public health, safety, the proper planning and sustainable development of the area and in order to ensure adequate and appropriate surface water drainage provision.
	<p>Archaeological Monitoring The applicant/developer shall employ a qualified Archaeologist, licensed to carry out Archaeological Monitoring of all sub-surface works carried out within the proposed development site. This will include the archaeological monitoring of the removal of topsoil, the excavation of trenches for foundations, services, access roadway, etc. associated with the proposed development.</p>	To facilitate the recording and protection of any items of archaeological significance that the site may possess.
	<p>Archaeological Monitoring Reporting The archaeologist shall prepare and submit a report, describing the result of the Archaeological Monitoring, to the Local Authority and the Development</p>	To facilitate the recording and protection of any items of archaeological

	Application Unit of the Department of Environment, Heritage and Local Government within six weeks following completion of Archaeological Monitoring.	significance that the site may possess.
	<p>Construction Environmental Management Plan Prior to commencement of development, the applicant shall submit and obtain written agreement of the Planning Authority for a site specific Construction Environmental Management Plan. The CEMP shall identify potential impacts and mitigating measures, and a mechanism for ensuring compliance with environmental legislation, and ensure best construction practices including measures to prevent and control the introduction of pollutants and deleterious matter to surface water and measures to minimise the generation of sediment and silt. Precautions must be taken to ensure there is no entry of solids, during the connection of pipe work, or at any stage to the existing surface water system and the Owendoher River.</p>	To ensure compliance with relevant environmental legislation and standards during construction, and to prevent the entry of pollutants into watercourses.
	<p>Street Naming and Dwelling Numbering. Prior to the commencement of any works on site the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:</p> <p>(i) A street naming and dwelling/unit numbering scheme, for the development as approved that is in accordance with the Planning Authority's policy and requirements for such schemes, along with associated proposed signage for the scheme.</p> <p>The agreed number shall be placed on each house upon completion so as to be clearly legible from the proposed access road or the public realm, and the agreed street name in both Irish and English, or Irish only shall be erected at the beginning of each street in a manner to be clearly legible, and in accordance with Planning Authority's requirements.</p> <p>The development name should:</p> <ol style="list-style-type: none"> 1. Avoid any duplication within the county of existing names, and 2. Reflect the local and historical context of the approved development, and 3. Comply with; <ol style="list-style-type: none"> (a) Development Plan policy, and (b) The guidelines on naming and numbering of the Department of the Environment, Heritage and Local Government, and (c) Have regard to the Guidelines issued by the Place Names Commission (An Coimisiún Logainmneacha) and (d) Preferably make exclusive use of the Irish language. <p>Proposals for an apartment name and numbering scheme and associated signage shall be lodged with the Planning Authority prior to the date of any Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any works on site. The applicant, developer, or owner is advised to consult with Naming and Numbering section of the Planning Authority in advance of lodging the required scheme.</p>	In the interest of the proper planning and sustainable development of the area and compliance with the South Dublin County Council's Development Plan.
	<p>Construction and Demolition Waste Management Plan (a) Prior to commencement of development a developed Construction Demolition and Waste Management Plan shall be agreed with the roads</p>	In the interests of public safety, compliance with Development Plan Policy

	<p>department. The agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.</p> <p>(b) The plan shall detail that construction waste shall not be left in close proximity to neighbouring residential gardens.</p>	<p>and sustainable waste management.</p>
	<p>Aviation Safety</p> <p>Prior to the date of any Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any works on site the applicant, owner or developer shall lodge with the Planning Authority evidence of the written agreement from the Irish Aviation Authority to the crane operations proposed on site including a marking and lighting scheme for construction cranes and as such information as may be required by the Irish Aviation Authority including crane type, elevation, dimensions, ground elevation and location co-ordinates. The operation of cranes shall be co-ordinated with the Air Corps Air Traffic Services, no later than 28 days before use.</p>	<p>In the interests of aviation safety.</p>
	<p>Construction Noise and Hours</p> <p>To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.</p> <p>Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).</p> <p>The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:</p> <ul style="list-style-type: none"> - Schedule of works to include approximate timeframes - Name and contact details of contractor responsible for managing noise complaints - Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise. 	<p>In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.</p>
	<p>Minimise Air Blown Dust</p> <p>During the construction and or demolition phase of the development, Best</p>	<p>In the interest of public health and to uphold the</p>

<p>Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.</p>	<p>Council’s policies set out in the South Dublin County Council Development Plan.</p>
<p>Regulation of Institutional Investment in Housing - Mixed unit-type development.</p> <p>(a) Prior to the commencement of any house or duplex unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the Planning Authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000 (as amended), that restricts all houses and duplex units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p> <p>(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each specified house or duplex unit for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p> <p>(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.</p>	<p>To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.</p>
<p>Section 48 Financial Contribution</p> <p>The developer shall pay to the planning authority a financial contribution in a sum to be agreed with the Planning Authority, in respect of public infrastructure and facilities benefiting development within the area of the planning authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).</p> <p>The contribution shall be paid prior to commencement of development, or in such phased payments as the planning authority may facilitate. Contributions shall be payable at the rate pertaining to the year in which implementation of the planning permission is commenced as outlined in the South Dublin County Council Development Contribution Scheme 2021 - 2025.</p>	<p>The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local</p>

		Authority.
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APPENDIX B – WATER SERVICES REPORT

Register Reference No.: *SHD3ABP-312275-21*

Development: The proposed development will provide for amendments to the permitted development as follows: • Permitted Block 1 increased in height by 1 storey and will now comprise 235 no. apartments in total (an increase of 21 no. from the permitted 214 no.) • Permitted Block 2 layout will be reconfigured, and increased in height by 1 storey, and will now comprise 34 no. apartments (an increase of 1 no. from the permitted 33 no.) • Replacement of permitted Block 3 (a terrace of 5 no. 2 storey, 3-bed houses) with a new 4-5 storey apartment block comprising 28 no. apartments (an increase of 23 no. from the permitted 5 no.) • Replacement of permitted Block 4 (a 3 storey commercial block comprising creche, gym, retail unit, community room and concierge) with a 2-5 storey block comprising 16 no. apartments, creche and residential amenity space (providing a gym, co-working space, a multi-use room, kitchenette and reception). The overall development, as modified, will increase from 252 no. permitted residential units (comprising 247 no. apartments/duplexes and 5 no. houses) to 313 no. apartments in four blocks (an increase of 61 no. units) and including 137 no. 1-beds, 171 no. 2-beds and 5 no. 3-beds. The building height will now range up to 9 storeys (previously up to 8 storeys). All apartments will have associated private balconies/terraces to the north/south/east/west elevations. Permitted parking will be revised to now provide 214 no. car parking spaces (a decrease of 11 no. spaces) and 378 no. bicycle parking spaces (an increase of 70 no. spaces). All associated site services and works to enable the development including bin stores, ESB substations, associated roadworks and services connections, public and communal open spaces, vehicular access, pedestrian/cyclist connections, boundary treatment works and landscaping.

Location: St Edmunds, St Lomans Road, Palmerstown, Dublin 20

Report Date : 10th January 2022

Surface Water Report:

No objection subject to:

1.1 Prior to commencement of development, the applicant is required to submit a cross sectional detail of the proposed detention basin/underground attenuation system. The detail shall demonstrate how flood waters above the 1 in 30 year storm event will enter and exit the proposed detention basin. The applicant is also required to submit a detail drawing of any proposed headwall within the proposed detention basin. Hard engineered solutions should be avoided here and more natural, aesthetically pleasing inlet/outlets shall be incorporated in public open space areas.

1.2 All details for proposed surface water swales to the east of the site within South Dublin County Council lands must be agreed with the Council's Public Realm department to ensure maintenance can be carried out in the future.

Flood Risk

No objection

Note:

- The Developer shall ensure that there is complete separation of the foul and surface water drainage systems within the site, both in respect of installation and use.
- All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.
- All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

Signed:

Ronan Toft AE

Date:

Endorsed:

Brian Harkin SEE

Date:

APPENDIX C – ROADS REPORT

An application for Strategic Housing Development was received by An Bord Pleanála on the 23-12-2021

Site: St Edmunds', St Loman's Road, Palmerstown, Dublin 20.

Applicant: Moykerr Limited

Development: The proposed development will provide for amendments to the permitted development as follows: • Permitted Block 1 increased in height by 1 storey and will now comprise 235 no. apartments in total (an increase of 21 no. from the permitted 214 no.) • Permitted Block 2 layout will be reconfigured, and increased in height by 1 storey, and will now comprise 34 no. apartments (an increase of 1 no. from the permitted 33 no.) • Replacement of permitted Block 3 (a terrace of 5 no. 2 storey, 3-bed houses) with a new 4-5 storey apartment block comprising 28 no. apartments (an increase of 23 no. from the permitted 5 no.) • Replacement of permitted Block 4 (a 3 storey commercial block comprising creche, gym, retail unit, community room and concierge) with a 2-5 storey block comprising 16 no. apartments, creche and residential amenity space (providing a gym, co-working space, a multi-use room, kitchenette and reception). The overall development, as modified, will increase from 252 no. permitted residential units (comprising 247 no. apartments/duplexes and 5 no. houses) to 313 no. apartments in four blocks (an increase of 61 no. units) and including 137 no. 1-beds, 171 no. 2-beds and 5 no. 3-beds. The building height will now range up to 9 storeys (previously up to 8 storeys). All apartments will have associated private balconies/terraces to the north/south/east/west elevations. Permitted parking will be revised to now provide 214 no. car parking spaces (a decrease of 11 no. spaces) and 378 no. bicycle parking spaces (an increase of 70 no. spaces). All associated site services and works to enable the development including bin stores, ESB substations, associated roadworks and services connections, public and communal open spaces, vehicular access, pedestrian/cyclist connections, boundary treatment works and landscaping.

This is stage 3 of the SHD process, Application to An Bord Pleanála.

Stage 3 reference number: SHD3ABP-312275-21

Stage 2 with ABP in APAS under reference: SHD2ABP-310930-21

Stage 1 with SDCC in APAS under reference: SHD1SPP003/21

Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department.

Description:

The proposed development will provide for amendments to the permitted development as follows: • Permitted Block 1 increased in height by 1 storey and will now comprise 235 no. apartments in total (an increase of 21 no. from the permitted 214 no.) • Permitted Block 2 layout will be reconfigured, and increased in height by 1

storey, and will now comprise 34 no. apartments (an increase of 1 no. from the permitted 33 no.) • Replacement of permitted Block 3 (a terrace of 5 no. 2 storey, 3-bed houses) with a new 4-5 storey apartment block comprising 28 no. apartments (an increase of 23 no. from the permitted 5 no.) • Replacement of permitted Block 4 (a 3 storey commercial block comprising creche, gym, retail unit, community room and concierge) with a 2-5 storey block comprising 16 no. apartments, creche and residential amenity space (providing a gym, co-working space, a multi-use room, kitchenette and reception). The overall development, as modified, will increase from 252 no. permitted residential units (comprising 247 no. apartments/duplexes and 5 no. houses) to 313 no. apartments in four blocks (**an increase of 61 no. units**) and including 137 no. 1-beds, 171 no. 2-beds and 5 no. 3-beds. The building height will now range up to 9 storeys (previously up to 8 storeys). All apartments will have associated private balconies/terraces to the north/south/east/west elevations. Permitted parking will be revised to now provide 214 no. car parking spaces (**a decrease of 11 no. spaces**) and 378 no. bicycle parking spaces (**an increase of 70 no. spaces**). All associated site services and works to enable the development including bin stores, ESB substations, associated roadworks and services connections, public and communal open spaces, vehicular access, pedestrian/cyclist connections, boundary treatment works and landscaping.

Access & Roads Layout:

Vehicular access to the site is via an existing shared unnamed road with St. Edmund's Park to the west of the subject site. This unnamed road is not taken in charge by SDCC. The access road is 6.0m wide. There is ground level perpendicular parking on this road. The access road serves block 1 to 4 and leads to a podium car park under block 1. There is an additional controlled emergency access off St. Loman's Road. This is welcomed by the Roads department.

The Primary access street within the site is 6.0m wide with a raised table with pedestrian crossing. There is on street parallel and perpendicular parking provided throughout the site. The car parking layout to the west of block 3 has been rearranged. A swept path analysis needs to be completed to show how servicing vehicles and fire tenders can access the development.

Permeability:

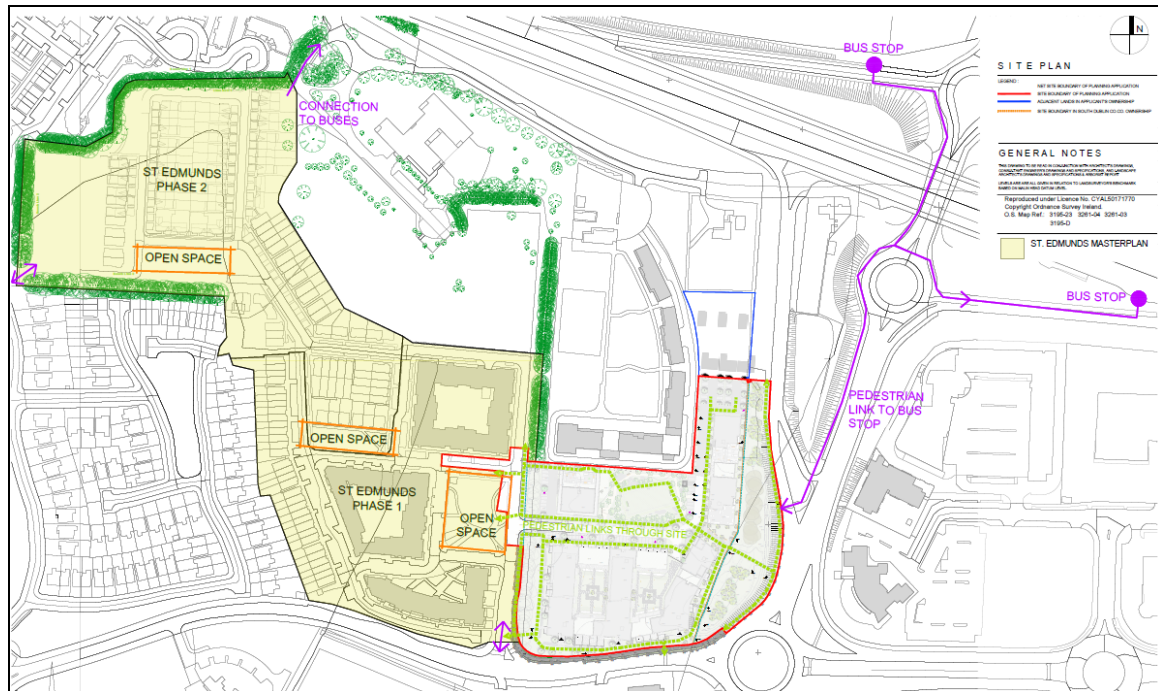
There are 2.0m wide footpaths on both sides of St Loman's road. An existing bus layby is provided adjacent to the westbound carriageway of St. Loman's Road. There is an existing Toucan crossing to the east of the existing site access. There will be a few proposed pedestrian entrances along St. Loman's Road, the Fonthill Road (R113) and the unnamed road to the west of the development. A pedestrian route through SDCC lands is to be developed linking to the pedestrian crossing on the Fonthill road.

ABP requested the following information:

Provision of pedestrian links through open space areas should be detailed with consideration of links to public transport. Provision of a pedestrian link through the area of landscape in SDCC ownership, from the street to the area to the north of the site.

Applicant Response

RMDA Landscape Rationale provides a plan of linkages through the site. This includes routes through the site, and the extension of the new public footpath to the north in SDCC land ownership for which a letter of consent has been received. MCORM Architects have also provided a Masterplan drawing providing routes from the site into the wider area including public transport.



The applicant has provided a detailed map of the pedestrian routes across the development and the surrounding areas. The links to the frequent bus stops to the north have been highlighted, the road crossing at the roundabout leading to the west bound bus route is uncontrolled. This crossing location has no pedestrian provision and is heavily trafficked. The applicants rational for reduced car parking spaces has stated that the access to high frequency bus routes is a factor.

“it is also noted the highly accessible nature of this site close to a QBC and a range of bus route.”

If the development is going to rely on this mode of transport, then a dedicated and safe pedestrian route should be provided.

Car Parking:

The proposed residential development units made up of 313 apartment units, of which 137 are one-bedroom with 171 two-bedroom apartments and 5 three-bedroom apartments. The extent of maximum car parking based on the proposed development being within Zone 1 of the Development Plan. Based on these maximum parking standards some 360 car parking spaces would be required to serve the development.

1 bed 137 (1 per bed 137 spaces)

2 bed 171 (1.25 per bed 213 spaces)

3 bed 5 (2 per bed 10 spaces)

Creche c. 471m² 6no. classrooms (1 per classroom 6 spaces)

Total required 360no spaces

It is proposed to provide 214 parking spaces and 378 resident and visitor cycle parking

spaces within the development site at surface and podium level almost 60% in compliance with the development plan car parking standards. There is an increase of 61no. units and a reduction in parking provision by 11no. There is a proposal to have 5 no. mobility impaired spaces in the undercroft and 4 no. on street spaces. There is provision for 2no club car parking spaces within the total.

“More on street parking could be provided around the central open space, however it is considered more appropriate to retain this area as car free. This approach in conjunction with the provision of car parking predominantly at undercroft level results in a pedestrian and cyclist dominated development.”

The proposed development shall make provision for the charging of electric vehicles. In the case of on-curtilage/driveway parking, 100% of spaces must be provided with electrical connections, to allow for the provision of future charging points. In the case of surface car parking spaces and basement car parking spaces, 100% of spaces must be provided with electrical ducting and termination points to allow for the provision of future charging points, and 10% of surface car parking spaces must be provided with electric vehicle charging points initially.

Bicycle Parking:

A total of 378 no. secure bicycle parking spaces is proposed within the development. This is acceptable. An increase of 70no. from the previous permission, in an effort to mitigate the loss of parking provision.

Bin Storage & Management:

Bin storage is proposed in the podium car park in block 1 and at ground floor level in block 2 and block 4. If bin lorries are to access the podium the roads department is concerned whether sufficient headroom has been allocated.

The applicant has not submitted a swept path analysis showing fire tender access to the site through the main access and emergency access. The applicant will be required to show a swept path / Autotrack analysis of fire tender access through the entire site.

Public Lighting:

A site Public Lighting design has been submitted with this application. The final lighting

design must be agreed with the Roads Lighting department prior to construction.

Taking in Charge:

No roads are proposed to be taken in charge, however an area to the east of the site adjacent to the N4 slip road is to be taken in charge. (Drawing no. PL04).

Traffic and Transport:

The Traffic Impact Assessment shows that the proposed development and the existing planned residential developments and cater for the predicted growth.

Site Specific Construction & Demolition Waste Management Plan:

The applicant has submitted a site-specific construction management plan for the development. A development construction traffic management plan will have to be submitted and agreed with the Roads Department prior to construction.

Roads Department has the following observations:

- 1 The applicant will be required to show a swept path / Autotrack analysis of fire tender and refuse truck access through the entire site.
- 2 The proposed development shall make provision for the charging of electric vehicles. 100% of surface car parking spaces must be provided with electrical ducting and termination points to allow for the provision of future charging points, and 10% of surface car parking spaces must be provided with electric vehicle charging points initially. Details of how it is proposed to comply with these requirements including details of the design of, and signage for, the electric charging points (where they are not in areas to be taken in charge) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. REASON: In the interest of sustainable transport.
- 3 A Mobility Management Plan is to be completed within six months of opening of the proposed development. The Mobility Management Plan shall be agreed with the roads department and the agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.
- 4 Prior to the commencement of development, the applicant shall agree in writing a public lighting scheme with South Dublin County Council Lighting Department.
- 5 All items and areas for taking in charge shall be undertaken to a taking in charge standard. Prior to development the applicant shall submit construction details of all items to be taken in charge. No development shall take place until these items have been agreed.
- 6 Prior to commencement of development a developed Construction Traffic Management Plan shall be agreed with the roads department. The agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.
- 7 Prior to commencement of development, the location, design and construction details of pedestrian crossings to be constructed by the applicant/developer and at their own expense shall be agreed with the roads department. The agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.

- 8 Prior to commencement of development, the location, design and construction details of the pedestrian crossings to be constructed by the applicant/developer and at their own expense shall be agreed with the roads department. The agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file. To provide safe/convenient access to the bus routes on the N4 as a mitigation for the reduction in vehicle parking provision.

APPENDIX D – PUBLIC REALM SECTION REPORT

SOUTH DUBLIN COUNTY COUNCIL



INTERNAL MEMORANDUM

Public Realm Planning Report

Development:

The application site is bounded to the south by St. Loman's Road (L1042); to the west by a previous phase of St. Edmund's residential development; to the north by Ballydowd Special Care Unit; and to the east by the Fonthill Road (R113); The proposed development comprises modifications to the previously permitted Strategic Housing Development granted on the subject site (Reg. Ref. ABP-305857-19), which is currently under construction; The proposed development will provide for amendments to the permitted development as follows: Permitted Block 1 increased in height by 1 storey and will now comprise 235 apartments in total (an increase of 21 from the permitted 214); Permitted Block 2 layout will be reconfigured, and increased in height by 1 storey, and will now comprise 34 apartments (an increase of 1 from the permitted 33); Replacement of permitted Block 3 (a terrace of 5 two storey, three bed houses) with a new 4-5 storey apartment block comprising 28 apartments (an increase of 23 from the permitted 5); Replacement of permitted Block 4 (a 3 storey commercial block comprising creche, gym, retail unit, community room and concierge) with a 2-5 storey block comprising 16 apartments, creche and residential amenity space (providing a gym, co-working space, a multi-use room, kitchenette and reception); The overall development, as modified, will increase from 252 permitted residential units (comprising 247 apartments/duplexes and 5 houses) to 313 apartments in four blocks (an increase of 61 units) and including 137 one beds, 171

two beds and 5 three beds. The building height will now range up to 9 storeys (previously up to 8 storeys). All apartments will have associated private balconies/terraces to the north/south/east/west elevations. Permitted parking will be revised to now provide 214 car parking spaces (a decrease of 11 spaces) and 378 bicycle parking spaces (an increase of 70 spaces). All associated site services and works to enable the development including bin stores, ESB substations, associated roadworks and services connections, public and communal open spaces, vehicular access, pedestrian/cyclist connections, boundary treatment works and landscaping. The application contains a statement setting out how the proposal will be consistent with the objectives of the South Dublin County Council Development Plan 2016 – 2022.

Location: St. Edmunds, St. Lomans Road, Palmerstown, Dublin 20.

Applicant: Moykerr Ltd

Reg. Ref: **SHD3ABP-312275-21**

Report Date: **11th Feb 2022**

Planning Officer: **Caitlin O Shea**

Recommendation: **Refusal based on inaccessible Public Open Space**

Main Concerns:

1. **Arboricultural Impact**

Although the latest Arboricultural Tree Survey Report by Tree Management Services, dated 29th November 2021 recommends removal of an additional 68 Beech trees along the western boundary, the Landscape Rationale and Plans propose to retain them. **Any proposals to remove these trees in future must be agreed in advance with the planning authority.** A tree protection plan and a bond is required to safeguard trees to be retained.

2. **Public Open Space: Accessibility** There are no accessible paths or accessible play features in the Public Open Space. Public Realm cannot accept public open space and play provision that are not accessible. The Public (and communal) Open Space for the proposed development should be designed to all relevant qualitative

standards. public (and communal) open spaces should be designed to be usable and functional within the overall proposed development. Furthermore, there are no proposals for machinery to access this area for maintenance.

3. **Public Open Space: Provision**

The Public Open Space provision includes areas that cannot be considered as Public Open Space, i.e.

- a) The area west of the access path along the boundary of the Public Open Space, that leads to the rear of Block 4 and is associated with the building (Block 4).
- b) Both the public footpath to the south of the open space and the planting strip (avenue trees and shrubs) along the access road.

Demonstration of the required 10% Public Open Space without these areas included is required.

4. Play There are no accessible play features within the Public Open Space. Safety zones have not been shown on the landscape plans. Additional information/detail is required on proposed play items within the landscape proposals. Some of the proposed play items are inappropriate as they have low play value. Engineered woodchip is the preferred safety surfacing rather than rubber matting and wetpour.

5. **SUDS**

All SuDS features along the treatment train including permeable paving, SuDS tree pits, bioretention areas/rain gardens and swales shall be included in the attenuation storage calculations. This is to reduce the need for underground tanks which are the least favoured means for surface water management. They shall only be used when green solutions have proven not feasible. Then the least suitable place is under Public Open space as it reduces the usability of the space and the potential for tree planting. Proposed SuDS on landscape and drainage proposals need to be consistent and function as SuDS.

6. Street Trees: Street trees have not been provided along the route leading to Blocks 2 and 3. The previously granted SHD Ref had good street tree provision in this area. On the west side there is one street tree and 9 car park spaces with no intervening trees. The applicant is requested to submit a revised landscape plan to incorporate further street trees. The path to the new building/substation/feature could be realigned to fit a tree with SuDS tree pit rather than two separate thin grass strips.

Relevant Sections, Policies and Objectives of the SDCC Development Plan 2016-2022:

CHAPTER 2 HOUSING (H) Policy 12 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.

H12 Objective 1:

To ensure that public open space in new residential developments complies with the quantitative standards set out in Chapter 11 Implementation and the qualitative standards set out in Chapter 11 and Chapter 4 of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009), together with the design criteria illustrated under the Urban Design Manual – A Best Practice Guide, DEHLG (2009).

H12 Objective 2:

To ensure that there is a clear definition between public, semi-private and private open space at a local and district level and that all such open spaces benefit from passive surveillance from nearby residential development.

CHAPTER 6 ROAD AND STREET DESIGN

6.4.3 ROAD AND STREET DESIGN (i) Design of Urban Roads and Streets: *Harsh measures such as bare concrete walls will not be permitted, and alternative landscape measures such as street trees, screen planting and planted verges should be provided.*

CHAPTER 7 INFRASTRUCTURE & ENVIRONMENTAL QUALITY (IE) Policy 2 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.

IE2 Objective 3: *To maintain and enhance existing surface water drainage systems in the County and promote and facilitate the development of Sustainable Urban Drainage Systems (SUDS), including integrated constructed wetlands, at a local, district and County level, to control surface water outfall and protect water quality.*

IE2 Objective 5: *To limit surface water run-off from new developments through the use of Sustainable Urban Drainage Systems (SUDS) and avoid the use of underground attenuation and storage tanks.*

CHAPTER 8 GREEN INFRASTRUCTURE

GREEN INFRASTRUCTURE (G) Policy 1 Overarching

It is the policy of the Council to protect, enhance and further develop a multifunctional Green Infrastructure network by building an interconnected network of parks, open spaces, hedgerows, grasslands, protected areas, and rivers and streams that provide a shared space for amenity and recreation, biodiversity protection, flood management and adaptation to climate change.

G1 Objective 1: *To establish a coherent, integrated and evolving Green Infrastructure network across South Dublin County with parks, open spaces, hedgerows, grasslands, protected areas, and rivers and streams forming the strategic links...*

GREEN INFRASTRUCTURE (G) Policy 2 Green Infrastructure Network

It is the policy of the Council to promote and develop a coherent, integrated and evolving Green

Infrastructure network in South Dublin County that can connect to the regional network, secure and enhance biodiversity, provide readily accessible parks, open spaces and recreational facilities.

G2 Objective 1: *To reduce fragmentation of the Green Infrastructure network and strengthen ecological links between urban areas, Natura 2000 sites, proposed Natural Heritage Areas, parks and open spaces and the wider regional Green Infrastructure network.*

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

G2 Objective 3: *To restrict development that would fragment or prejudice the Green Infrastructure network.*

G2 Objective 4: *To repair habitat fragmentation and provide for regeneration of flora and fauna where weaknesses are identified in the network.*

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

G2 Objective 6: *To protect and enhance the County's hedgerow network, in particular hedgerows that form townland, parish and barony boundaries, and increase hedgerow coverage using locally native species.*

G2 Objective 9: *To preserve, protect and augment trees, groups of trees, woodlands and hedgerows within the County by increasing tree canopy coverage using locally native species and by incorporating them within design proposals and supporting their integration into the Green Infrastructure network.*

G2 Objective 10: *To promote a network of paths and cycle tracks to enhance accessibility to the Green Infrastructure network, while ensuring that the design and operation of the routes responds to the ecological needs of each site.*

G2 Objective 12: *To seek to control and manage non-native invasive species and to develop strategies with relevant stakeholders to assist in the control of these species throughout the County.*

G2 Objective 13: *To seek to prevent the loss of woodlands, hedgerows, aquatic habitats and wetlands wherever possible including requiring a programme to monitor and restrict the spread of invasive species.*

GREEN INFRASTRUCTURE (G) Policy 4 Public Open Space and Landscape Setting

G4 Objective 1: *To support and facilitate the provision of a network of high quality, well located and multifunctional public parks and open spaces throughout the County and to protect and enhance the environmental capacity and ecological function of these spaces.*

G4 Objective 2: *To connect parks and areas of open space with ecological and recreational corridors to aid the movement of biodiversity and people and to strengthen the overall Green Infrastructure network.*

G4 Objective 3: *To enhance and diversify the outdoor recreational potential of public open spaces and parks, subject to the protection of the natural environment.*

G4 Objective 4: *To minimise the environmental impact of external lighting at sensitive locations within the Green Infrastructure network to achieve a sustainable balance between the recreational needs of an area, the safety of walking and cycling routes and the protection of light sensitive species such as bats.*

G4 Objective 5: *To promote the planting of woodlands, forestry, community gardens, allotments and parkland meadows within the County's open spaces and parks.*

G4 Objective 6: *To take steps, in conjunction with communities and businesses, to plant existing areas of grassed open space to promote the development of multifunctional amenity areas with enhanced biodiversity value.*

G4 Objective 7: *To avoid the cumulative fragmentation and loss of ecologically sensitive areas of the Green Infrastructure network to artificial surfaces and to position recreational facilities that incorporate artificial surfaces at appropriate community-based locations.*

GREEN INFRASTRUCTURE (G) Policy 5 Sustainable Urban Drainage Systems

It is the policy of the Council to promote and support the development of Sustainable Urban Drainage Systems (SUDS) in the County and to maximise the amenity and biodiversity value of these systems.

G5 Objective 1: *To promote and support the development of Sustainable Urban Drainage Systems (SUDS) at a local, district and county level and to maximise the amenity and biodiversity value of these systems.*

G5 Objective 2: *To promote the provision of Green Roofs and/or Living Walls in developments where expansive roofs are proposed such as industrial, retail and civic developments.*

GREEN INFRASTRUCTURE (G) Policy 6 New Development in Urban Areas

G6 Objective 1: *To protect and enhance existing ecological features including tree stands, woodlands, hedgerows and watercourses in all new developments as an essential part of the design process.*

G6 Objective 2: *To require new development to provide links into the wider Green Infrastructure network, in particular where similar features exist on adjoining sites.*

G6 Objective 3: *To require multifunctional open space provision within all new developments that includes provision for ecology and sustainable water management.*

CHAPTER 9 . HERITAGE, CONSERVATION AND LANDSCAPES (HCL) Policy 1 Overarching

HERITAGE, CONSERVATION AND LANDSCAPES (HCL) Policy 15 Non-Designated Areas

HCL15 Objective 1: *To ensure that development does not have a significant adverse impact on rare and threatened species, including those protected under the Wildlife Acts 1976 and 2000, the Birds Directive 1979 and the Habitats Directive 1992.*

HCL15 Objective 2: *To ensure that, where evidence of species that are protected under the Wildlife Acts 1976 and 2000, the Birds Directive 1979 and the Habitats Directive 1992 exists, appropriate avoidance and mitigation measures are incorporated into development proposals as part of any ecological impact assessment.*

HCL15 Objective 3: *To protect existing trees, hedgerows, and woodlands which are of amenity or biodiversity value and/ or contribute to landscape character and ensure that proper provision is made for their protection and management in accordance with Living with Trees: South Dublin County Council's Tree Management Policy 2015-2020.*

CHAPTER 11 IMPLEMENTATION

11.6.1 Water Management

(ii) Surface Water

Development proposals should provide suitable drainage measures in compliance with the Greater Dublin Strategic Drainage Study (GSDSDS) and Greater Dublin Regional Code of Practice for Drainage Works. The maximum permitted surface water outflow from any new development should not exceed the existing situation. On greenfield lands the permitted outflow of a development should be the equivalent to a greenfield Site. All new development must allow for climate change as set out in the GSDSDS Technical Document, Volume 5 Climate Change.

Development proposals should not give rise to the pollution of ground or surface waters either during construction phases or subsequent operation. This will be achieved through the adherence to best practice in the design, installation and management of systems for the interception, collection and appropriate disposal or treatment of all surface water and effluents.

(iii) Sustainable Urban Drainage System (SUDS)

In general, all new developments will be required to incorporate Sustainable Urban Drainage Systems (SUDS). SUDS include devices such as swales, permeable pavements, filter drains, storage ponds, constructed wetlands, soakways and green roofs. In some exceptional cases and at the discretion of the Planning Authority, where it is demonstrated that SUDS devices are not feasible, approval may be given to install underground attenuation tanks or enlarged pipes in conjunction with other devices to achieve the required water quality. Such alternative measures will only be considered as a last resort.

The Public Realm Section has assessed the proposed development in accordance with the CDP and best practice guidelines and recommends refusal based on inaccessible Public Open Space and lack of accessible play provision. Should permission be granted we recommend the following conditions are applied:

1. Arboricultural Impact of the Proposed Development

Although the latest Arboricultural Tree Survey Report by Tree Management Services, dated 29th November 2021 recommends removal of an additional 68 Beech trees along the western boundary, the Landscape Rationale and Plans propose to retain them. **Any proposals to remove these trees in future must be agreed in advance by the planning authority.** Should planning permission be granted, the trees proposals for retention within the landscape plans shall be implemented as a condition of planning.

Every effort should be made to retain existing trees as this network provides corridors for biodiversity and habitats for existing flora and fauna.

CONDITION

Reason: To ensure and give practical effect to the retention, protection and sustainability of trees during and after construction of the permitted development.

2. Public Open Space

a) Accessibility

There is no accessible path into the public open space. Paths to the Public Open Space shall be provided to National Disability Authority guidelines for universal access.

CONDITION

b) Provision

The Public Open Space calculation includes areas that cannot be considered as Public Open Space. The applicant is requested to demonstrate the required the Public Open Space provision, omitting:

- i) The area west of the access path along the boundary of the Public Open Space, that leads to the rear of Block 4 and is associated with the building.
- ii) the public footpath to the south of the open space and the planting strip (avenue trees and shrubs) along the access road.

CONDITION

3. Play

There is no accessible play equipment or accessible paths. Play safety zones have not been shown clearly on the landscape plans and do not appear to be realistic. Some of the play features have low play value. Therefore

- a) A maximum of two weeks from the date of any Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any works on site the applicant, owner or developer shall have lodged with the Planning Authority;
 - i. Details of play proposals to be agreed with Public Realm.

- ii. An updated landscape plan to show play safety zones clearly and in their entirety.
- iii. Play proposals that are accessible and include *accessible* play equipment/features.
- iv. Details of all play equipment, features and safety surface, along with specifications and proof that all equipment conforms to **European Standards EN 1176-1-11** and **EN 1177 Playground equipment and surfacing** shall be submitted prior to the commencement of development. Engineered woodchip is the preferred safety surface.
- v. Post installation certification by the **Royal Society for the Prevention of Accidents** is also a requirement.
- vi. An Indicative Play Map showing types of play and age groups catered for.

4. SUDS

A detailed SUDS scheme for the proposed development which meets the objectives of South Dublin County Council Development Plan 2016-2022 to be agreed with Public Realm. The SUDS should be an integrated multi-disciplinary approach which locally addresses water quality, water quantity, and provides for amenity and biodiversity enhancement.

Underground tanks are the least favoured means for surface water management. They shall only be used when green solutions have proven not feasible. Then the least suitable place is under Public Open space as it reduces the usability of the space and the potential for tree planting. SDCC lands have been included within the development area for the purpose of additional space for SuDS.

a) The applicant shall revise the SuDS design:

- i. to account for attenuation storage from all SuDS features for the development including permeable paving, tree pits, bioretention areas and swales.
 - ii. To offset the above storage volume from the underground attenuation system
- CONDITION**

b) Should underground tanking prove to be unavoidable the applicant shall provide:

- i. Certification that the tanking is designed to support all predicted loads e.g. tractor, wet clay, crane etc.
- ii. The design life of the structure clearly demonstrating it meets the design life of the development.
- iii. Additional sediment/pollutant removal measures upstream to minimise risk of blockage and risk to water quality.

CONDITION

- c) There are discrepancies between the proposals shown on the SuDS Drainage drawings and the Landscape drawings that require resolving. For example, the swale shown on the western boundary opposite Block 3 is proposed in the landscape proposals for planting with native hedgerow; there are proposal to plant trees in the swale along the southern boundary. Planting proposals need to work with SuDS provision. Can the area west of Block 3 be planted as a bioretention area that acts as both SuDS and a privacy strip?
 - i) The applicant shall resolve discrepancies between the Drainage and Landscape Proposal to maximise sustainable drainage that delivers amenity and biodiversity as well as water treatment and attenuation.
 - j) The applicant shall detail the amenity and biodiversity value associated with SuDS features

CONDITION

Reason: In the interests of surface water management, amenity, biodiversity and sustainable development

5. Landscape Proposals

- a) A maximum of two weeks from the date of any Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any works on site the applicant, owner or developer shall have lodged with the Planning Authority for agreement in writing with the Public Realm Section a fully detailed landscape plan which shall include:
 - i) Public Open Space that has accessible paths so it can be accessed by persons with disability. (The Public Open Space has a side slope of 1 in 4 to accommodate a detention basin and underground tank)
 - ii) Proposals for machinery to gain access to the Public Open Space for maintenance.
 - iii) Accessible play equipment with universal access within the Public Open Space.
 - iv) Safety Zones for play to be accurately shown so the proposals are realistic.
 - v) Plans showing extent and position of tree protection fences required in accordance with BS5837:2012.
 - vi) SuDS proposals on landscape and drainage drawings to be consistent. E.g. show which hardscape features are permeable; ensure planting proposals for all swales are compatible.
 - vii) Planting details for swales: resolve conflicts with drainage engineers proposals, e.g. Western Boundary to Block 3 planting conflict with swale and Southern Boundary trees conflict
 - viii) Swales on SDCC lands to be planted with riparian wildflowers.
 - ix) A Street Tree with SuDS tree pit opposite Block 2: by realigning the path to small building/substation rather than having two separate thin grass strips.

- x) Revised details of SuDS tree planting pits as current detail for urban tree soil placement is flawed. The applicant is referred to the recently published SDCC SuDS Design Guide.
 - xi) Detail the amenity and biodiversity value associated with SuDS features.
 - xii) Extent and position of required tree protection fences.
 - xiii) A detail timeline for landscaping and reinstatement of the SDCC land.
Note: The South Dublin County Council lands form part of the entrance to Liffey Valley Shopping Centre and we would like disruption to this area to be as short as possible.
 - xiv) A fully detailed Planting Plan for the entire development that includes:
 - i. Location of species types, schedule of plants noting species, planting sizes and proposed numbers/densities where appropriate
 - ii. Implementation timetables.
 - iii. Detailed proposals for the future maintenance/management of all landscaped areas
- b) Planting material where possible should be Irish Grown Nursey Stock and the importation of foreign planting material should be avoided within the proposed planting schemes
- c) The landscaping scheme once agreed shall be carried out within the first planting season following substantial completion of external construction works of each phase of development. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of residential and visual amenity and to ensure full and verifiable implementation of the approved landscape design

6. Appointment of Landscape Architect

- a) Prior to the commencement of any permitted development, the developer shall appoint and retain the services of a qualified Landscape Architect (or qualified Landscape Designer) as a Landscape Consultant, throughout the life of the construction works and shall notify the planning authority of that appointment in writing prior to commencement.
- b) A Practical Completion Certificate is to be signed off by the Landscape Architect when all landscape works are fully completed to the satisfaction of the planning authority in accordance with the permitted landscape proposals.
- c) The installation of attenuation tree pits shall be supervised by the project landscape architect. **CONDITION**

Reason: In the interests of residential and visual amenity and to ensure full and verifiable implementation of the approved landscape design

7. Appointment of Arborist

- a) Prior to the commencement of any permitted development, the developer shall engage the services of a Professional Member of Arboricultural Association who is an independent, qualified arborist, for the entire period of construction activity.
- b) The applicant shall inform the planning authority in writing of the appointment and name of the consultant, prior to commencement of development.
- c) The consultant shall visit the site at a minimum on a monthly basis, to ensure protection of trees proposed for retention.
- d) Any proposals to remove additional beech trees (not including those to create entrances) in the row along the western boundary recommended in the most recent tree survey report (dated 29 Nov 2021) must have agreement in advance by the planning authority.

CONDITION

Reason: To ensure and give practical effect to the retention, protection and sustainability of trees during and after construction of the permitted development.

8. Tree Protection

- a) In order to ensure the protection of trees to be retained within the site, the applicant shall implement the tree retention proposals in the Landscape Rationale.
- b) Prior to the commencement of the development the applicant shall submit and agree a Tree Protection Plan and Arboricultural Method Statement with SDCC Public Realm Section. This shall comprise:
 - i. Tree Protection Plan: a scaled site plan (1:500@A1) of the proposed development, clearly showing and distinguishing (by colour coding) those trees and hedges to be retained and protected and those to be removed ; showing alignments of Tree Protection Fencing and areas to be excluded from construction activities and compound(s), site office(s), plant, equipment and materials storage. Root Protection Areas (RPAs') of all trees and hedgerows to be clearly shown on this drawing.
 - ii. Arboricultural Method Statement: clear and practically-achievable measures to be used during the construction period, for the protection and management of all trees and hedges that are to be retained, as shown in the Tree Protection Plan.
 - iii. Summary Table: Summary of all trees and hedgerow proposed for removal and retention to include numbers and percentages.
 - iv. Pre Development Photo's: Prior to the commencement of works the applicant shall submit pictures of the existing trees/hedgerows before works commence with the tree protective fencing. This shall include a location map of where each picture was taken from.

- v. Arborist's name, arboricultural qualifications and contact details.

c) Prior to works commencing on site, tree protection fencing shall be erected to protect the tree and hedge vegetations root zone from impacts by the construction works. The fencing needs to be 2.3m high and constructed in accordance with Figure 2 of BS5837 2012 using vertical and horizontal scaffold bars well braced together with the verticals spaced out at a maximum of 3m centres. Onto this, weld mesh panels are to be securely fixed with wire or scaffold clamps. Signs need to be attached to these fences warning people to 'Keep out'.

- d) No construction equipment, machinery or material shall be brought onto the site for the purpose of the development until all the trees which are to be retained have been protected by this fencing. No work shall be carried out within the area enclosed by this fencing, and in particular, there shall be no parking of vehicles, placing of site huts, storage compounds or topsoil heaps, storage of oil, chemicals or other substances, and no lighting of fires, over the root spread of any tree/hedge to be retained.

REASON: to ensure the protection, safety, prudent retention and long-term viability of trees to be retained on and immediately adjacent to the site.

9. Tree Works

Prior to the commencement of construction works on site, a meeting with the Project Landscape Architect, Site Foremen, the appointed Arborist and a representative from the Public Realm Section shall take place on-site to inspect that:

- i. all tree pruning & tree felling has been carried out in accordance with BS 3998:2010 Tree Work – Recommendations
- ii. That the protective fencing has been installed in accordance with BS5837:2012

All tree felling, surgery and remedial works shall be completed prior to the commencement of construction works. All works on retained trees shall comply with proper arboricultural techniques conforming to BS 3998:2010 Tree Work – Recommendations. The clearance of any vegetation including trees and scrub shall be carried out outside the bird-breeding season (1st day of March to the 31st day of August inclusive) or as stipulated under the Wildlife Acts 1976 and 2000.

Reason: To ensure and give practical effect to the retention, protection and sustainability of trees during and after construction of the permitted development.

CONDITION

10. Tree Bond and Arboricultural Agreement

- a) Prior to the commencement of any permitted development or any related construction activity or tree felling on the site, the applicant shall lodge a Tree and Hedgerow Bond to the value of **€344,242.60** with the Planning Authority. This is to ensure the protection of trees on and immediately adjacent to the site to make good any damage caused during the construction period.
- b) The bond lodgement shall be coupled with *an Arboricultural Agreement*, with the developer, empowering the planning authority to apply such security, or part thereof, to the satisfactory protection of any tree/hedgerow or trees/hedgerows on or immediately adjoining the site, or the appropriate and reasonable replacement of any such trees/hedgerows which die, are removed or become seriously damaged or diseased within a period of three years from the substantial completion of the development. Any replacement planting shall use large semi-mature tree size(s) and species or similar as may be stipulated by the planning authority.
- c) *An Arboricultural Assessment Report and Certificate* is to be signed off by a qualified Arborist after the period of 3 years of completion of the works. Any remedial tree surgery, tree felling works recommended in that Report and Certificate shall be undertaken by the developer, under the supervision of the Arborist.
- d) For the tree & hedgerow bond to be released, a post construction report on the condition of the trees & hedgerows to be retained shall be undertaken by the project Arborist and all recommendations made within this report shall be carried out. On completion of this, the report and a Certificate of Effective Completion signed by the project Arborist shall be provided to the Planning Authority.

REASON: To ensure the protection, safety, prudent retention and long-term viability of trees to be retained on and immediately adjacent to the site.

11. Impact on Biodiversity

The mitigation measures contained in the Ecological Impact Assessment prepared by Whitehill Environmental and in the Bat Survey Report prepared by Brian Keely of Wildlife Surveys Ireland, shall be adhered to at all times during construction works.

Reason: To ensure the protection of the natural Heritage of the site.

Fionnuala Collins

Assistant Parks Superintendent

Endorsed By: Laurence Colleran

Senior Executive Parks Superintendent

APPENDIX E – HOUSING DEPARTMENT REPORT

SOUTH DUBLIN COUNTY COUNCIL



INTERNAL MEMORANDUM

HOUSING DEPARTMENT

14/01/2022

Michael Mulhern
Director of Land Use, Planning and Transportation
Dept. of Development, Economic & Transport Planning

FAO: Tracey McGibbon & Brian Connolly
312275-21

RE: Reg. Ref. SHD3ABP-

Location: St Edmunds', St Loman's Road, Palmerstown, Dublin 20

Applicant: Moykerr Limited

Proposal: 313 residential apartments including: 137x1bed apts, 171x2bed apts in 4 blocks & 5x3bed houses with 214 no. car parking spaces and 378 no. bicycle parking spaces.

Moykerr Limited's proposal to provide a total of 25 units; 13x1bed and 12x2bed apts in Block 1, in respect of Part V of the Planning & Development Act 2000 (as amended) as submitted with the application is noted. However, this offer is based on the previous proposal and will need to be reviewed to reflect the increase in the total number of units on the site. It would be the preference of the Housing Department that a revised proposal is submitted to reflect a unit mix & and to include a specially adapted unit, suitable for persons with medical needs.

The Part V percentage liability is dependent on the date the applicant purchased the subject site and the applicant is requested to provide proof of same to the Housing Department.

South Dublin County Council's preference in respect of Part V is to acquire units **on site**. South Dublin County Council can only agree Part V in respect of the permitted development subject to costing approval from the Department of Housing, Local Government & Heritage.

These negotiations will commence following any grant of planning permission. Please note that the Council would require a fully completed Part V submission prior to commenting on costs.

**Rachel Jackson
Administrative Officer,
Housing Procurement Section**