

**ABP-312430-22 Residential development at Units 64 &65, Cherry Orchard Industrial Estate and Kennelsfort Road Upper, Palmerstown, Dublin 10**

**Introduction**

South Dublin County Council hereby sets out its Chief Executive Report, including recommendations on the above Strategic Housing Development for An Bord Pleanála. An Bord Pleanála, as the competent authority will carry out an Environmental Impact Assessment and Appropriate Assessment Screening of the proposed development and will decide to grant or refuse this Strategic Housing Development Application.

**Proposed Development**

The proposed development is a mixed-use scheme that consists of:

- Demolition of an existing warehouse/factory building and
- the construction of a residential development of 144 apartments
  - o 72 1-bedroom apartment and 72 2-bedroom apartments to be provided as follows:
    - Building A (35 1-bedroom & 24 2-bedroom over 5-9 storeys),
    - Building B (7 1-bedroom & 10 2-bedroom over 3-4-storeys),
    - Building C (16 1-bedroom, 19 2-bedroom over 5-storeys),
    - Building D (14 1-bedroom & 19 2-bedroom over 4-5-storeys).
- supporting tenant amenity facilities (gym and activity areas, lounges, and meeting room), employment uses
  - o including 2 incubator units and remote working space,
  - o building management facilities and
- Vehicular access to the proposed development will be provided via an entrance from the existing estate road as accessed from Kennelsfort Road Upper.
- The proposal includes improvement works on the northern side of the junction at the estate road/Kennelsfort Road Upper, new pedestrian/cycle paths on the estate road to the south of the site, and provision of a controlled pedestrian crossing on Kennelsfort Road Upper to the west as part of enabling infrastructure.
- The proposed development provides for outdoor amenity areas, landscaping, external podium lift, under-podium and street car parking, bicycle parking, bin stores, ESB substation, public lighting, roof mounted solar panels and
- all ancillary site development works

**Procedural Background/Pre-Planning History**

**SHD1SPP007/20** Demolition of existing warehouse buildings on site, and construction of a residential development of approximately 119 units with ancillary communal facilities and associated site development works. The development will consist of a mix of studio, 1 and 2-bed apartments. It will be accessed via the existing estate road to the south from Kennelsfort Road Upper. The proposed development also includes open space, landscaping, underground car parking spaces, bicycle racks, bin stores, public lighting & all ancillary site development works.

**SHD2ABP-310483-21** Demolition of existing warehouse/factory buildings on-site and the construction of a residential build-to-rent development of 147 apartments with supporting tenant amenity facilities (gym, lounges and meeting room), landscaping, public realm improvements, and all ancillary site development works. The proposed development will consist of 75 x1 bedroom apartments and 72 x2 bedroom apartments. The proposed development provides for outdoor amenity areas, landscaping, under-podium car parking, bicycle racks, bin stores, ancillary plant, and roof mounted solar panels. Vehicular access to the proposed development will be provided via the existing estate road from Kennelsfort Road Upper.

**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 special meeting of members of Clondalkin Area Committee held on 16 September 2020.
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
  - (i) 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.

### **Key Statistics for Proposed Development**

**144 Residential units (all apartment):**

**Apartments**

72 x 1-bedroom apartments (50%)

72 x 2-bedroom apartments (50%)

**Site Area:** stated as 0.8544ha

**Net Density:** 168.5 units ha.

**Height:** 3-9 storey.

**Dual Aspect apartments:** 58%

**Public Open Space:** 16.21%

### **Description of Site and Surroundings**

The application site is located in the northwest corner of the Cherry Orchard Industrial Estate. The site fronts on to the Kennelsfort Road Upper to the west. An established residential area lies beyond this to the west – this area is characterised by semi-detached two-storey properties. Existing commercial units (take-aways) are located to the north and, beyond this is Palmerstown Sports Complex and Pobalscoil Iosolde. Palmerstown Community School and Palmerstown Shopping Centre (a District Centre) are located further to the north.

Kennelsfort Road Upper connects with the Ballyfermot Road to the south. Cherry Orchard Hospital and Ballyfermot Primary Care Centre are located here.

Lands within the industrial estate to the south and east are currently in industrial use.

The application site is situated at a lower level than Kennelsfort Road Upper. There are street trees along the south and part of the west boundary.

The site is located close to a proposed BusConnects route.

**Site Area:**

Site area is stated as 0.8544ha

**Site Visits:**

Various site inspections have taken place in 2021/2022.

**Zoning:**

The site is subject to zoning objective ‘REGEN’ – ‘To facilitate enterprise and/or employment-led regeneration’.

**SEA Sensitivity Screening:** No overlap

**Consultations:**

- Roads Department – No objection, subject to conditions.
- DCC – No comments received.
- Environmental Services (Water Services) – No objection, subject to conditions.
- Parks and Landscape/Public Realm Department – No objection, subject to conditions.
- Irish Water – No objection, subject to conditions.
- NTA – No comments received.
- Housing Strategy - No objection, subject to conditions.
- Department of Housing, Local Government and Heritage - No objection, subject to conditions.
- TII – No comments or observations.

**Representations/Submissions**

A number of Representations/Submissions were received regarding the proposed development. These included submissions from statutory bodies, local representatives and private individuals/organisations:

- 9-storey tower is monolithic and unsympathetic
- Height of the development is unacceptable. Overshadowing will occur.
- Proposal is eyesore.
- many material contravention considerations including height, car parking, distance from neighbours and outdoor space
- The scale of this development will likely impact any future upgrade of the junction Coldcut Road/Kennelsfort Road to accommodate an increased bus priority as per the aims of the National Transport Strategy.
- location is not logical for a monolithic tower so close to existing homes – Bord should not grant permission for material contravention. county development plan limits building in this area to 3 stories in height
- no gradual change in building heights,
- The proposed development is not the minimum 35m distance from the existing homes.
- 3-bed and 4-bed apartments should be provided
- The masterplan is not prepared with the Council planning authority and with no consultation with residents and adjacent businesses directly affected by this proposal. No area plan has been prepared,
- The proposed development is premature
- The provision of childcare facilities is a problem in the community and the existing SHD at Palmerstown Retail Park does not have this provision,
- Congestion will impact new children's hospital at St James'
- does not represent good or proper planning
- The road infrastructure of Kennelsfort Road is totally unsuitable for the anticipated additional traffic levels
- There is not enough public open space for the new and existing residents
- There are not enough amenities such as childcare facilities to cater the new residents.

- Insufficient car parking
- Asbestos roof is dangerous
- Building work will be disruptive to residents
- Industrial traffic will pose a risk to residents
- Vincent Byrne, Silver Granite and this site would together provide 468 apartments
- request that An Bord Pleanála hold an Oral Hearing for this AHD application as it has far-reaching consequences, not only for this regeneration site, but for the wider communities of Palmerstown and Ballyfermot
- The present proposal does not address industrial regeneration
- The (advance) regeneration plans for the Naas Road at City Edge are part of the same strategy. There will be some dislocation for prosperous businesses during the development phase of this development at City Edge and Cherry Orchard Industrial can benefit. Much of the Cherry Orchard Industrial estate is flourishing and sustainable. It is premature
- Adjacent community school is lower than application site
- The shadowing report given by the consultant gives figures of "acceptable levels" but does not show in real terms the impact of the shadow on adjacent areas.
- Car parking conflicts with open space
- This is not a well-designed development; it represents an overdevelopment of the site and will undermine the quality of life for existing and future residents.
- Appropriate consideration not given to daylight / sunlight
- The proposal is not in keeping with National Policy Objectives
- concerned at the vague reference on energy supply beyond solar and heat pump.
- Traffic modelling is a superficial approach, and the modelling and surveys are at odds with the lived experience.
- cycle ways are shared space and are extremely hazardous.
- a car club is welcomed, the reliance in the short term on the QBC and the radial Bus service is unrealistic.
- It is noted that 'While a road safety audit is not a requirement under the Planning Act, we suggest the Board might consider conditioning such an audit if they are minded to grant planning permission for this development.
- Kennelsfort Road is not a wide boulevard and is not capable of taking proposed traffic
- Increased traffic will negatively impact bus connects
- Tower block will result in antisocial activity
- How deep will foundations be – what will the impact on mains sewers be – who will check strength of foundations? How will this affect homes structurally? Will they be pile driving for foundations?
- Are they going to shield nearby homes from falling debris and materials?
- Is there access for emergency services?
- Proposal will result in overlooking to residential properties and school
- What will be impact on existing daylight be?
- What about the pollution coming from the massive waste incinerator just metres across the road from these tower blocks?
- Is this for 'build to rent' or to sell.
- There is very little public open space included in the development.
- site should be developed to provide affordable family homes of sufficient size and quality to cater for the many different types of family
- housing designed for the rental market must be rented at the zero-cost model, or the Vienna Model
- no mention of any proposed outdoor exercise or recreation space.

- existing residential park, on the opposite side of the Kennelsfort Road has been provided for the needs of, the residents of Palmerstown Manor. This park was never designed to cater for the needs of a new 144-unit residential development
- LACK of clarity in the plans regarding adequate provision of car-parking and secure bicycle parking and whether or not it is proposed to have an EV charging facility

### **Summary of Views Expressed by the Elected Members**

A meeting of members of the Lucan/ Palmerstown/ North Clondalkin Area Committee was held on 25<sup>th</sup> January 2022. Following a presentation by the Executive, the following comments were made by the Councillors at that meeting:

Cllr Hayes

- Number of Material Contraventions indicative of overdevelopment of site
- Breaches separation distances from houses
- No childcare provision and a poor rationale for same. Only 2 under threshold and no consideration of cumulative impact for Silver Granite & Vincent Byrne site proposed residential units
- Breaches Dev Plan on height

Cllr O'Toole

- Concern re precedent of similar development in area
- Traffic impact – cumulative

Cllr Johansson

- Agree re Cllr Hayes – Concern with height. 9 storeys adjacent to 2 storey is too much.
- Low quantum of public open space – cumulative impact of under provision.

Cllr O'Connell

- Zoning Objective – REGEN
- Concern re comments from SDCC – within Development Plan
- Height – proximity to 2 storey
- Green space inadequate
- Overdevelopment of site
- Traffic concerns – Kennelsfort Road at capacity
- Low car parking development
- Question on process

Cllr Gogarty

- Small footprint
- No community benefit in scheme.
- Will cause extra congestion
- Too high
- Open space too small
- Amenities should be accessible to public
- Childcare concerns – cumulative

### **Relevant Planning History:**

#### **Subject site**

SHD2ABP-310483-21 Demolition of existing warehouse/factory buildings on-site and the construction of a residential build-to-rent development of 147 apartments with supporting tenant amenity facilities (gym, lounges and meeting room), landscaping, public realm improvements, and all ancillary site development works. The proposed development will consist of 75 x1 bedroom apartments and 72 x2 bedroom apartments. The proposed development provides for outdoor amenity areas, landscaping, under-podium car parking, bicycle racks, bin stores, ancillary plant, and roof mounted solar panels. Vehicular access to the proposed development will be provided via the existing estate road from Kennelsfort Road Upper.

SHD1SPP007/20 Demolition of existing warehouse buildings on site, and construction of a residential development of approximately 119 units with ancillary communal facilities and associated site development works. The development will consist of a mix of studio, 1 and 2-bed apartments. It will be accessed via the existing estate road to the south from Kennelsfort Road Upper. The proposed development also includes open space, landscaping, underground car parking spaces, bicycle racks, bin stores, public lighting & all ancillary site development works.

S00A/0499 Retain as erected 2 advertising billboards. Permission Refused.

### **Recent Relevant Enforcement History**

S7442 change of use of the industrial unit to use as a Skate Park/BMX Club without the benefit of pp Closed

### **Relevant Government Policy**

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

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'*

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**

***Urban Development and Building Height Guidelines for Planning Authorities, 2018***

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

***Regional, Spatial & Economic Strategy 2020-2032 (RSES), Eastern & Midlands Regional Assembly (2019)***

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

*Rebuilding Ireland, Action Plan for Housing and Homelessness*, 2016.

*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 and Local Government (December 2009).

*Urban Design Manual; A Best Practice Guide*, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government, (2008).

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

*OPR Practice Note PN01 Appropriate Assessment Screening for Development Management* (March 2021)

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

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

*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**

1.9.0 Local Area Plans will be prepared for areas where new development requires a coordinated approach and in particular for areas that are likely to experience large scale development or are in need of regeneration.

*Policy CS6* It is the policy of the Council to prepare Local Area Plans as appropriate, and to prioritise areas that are likely to experience large scale residential or commercial development or regeneration.

*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 Heights*

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 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 3.13.0 Open Space Management & Use*

*Policy C8(a) and C8(b) Childcare Facilities*

*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.

*Policy UC6 Building Heights*

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

*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 – Place Making and Urban Design*

*Section 11.2.0 Place Making and Urban Design Section 11.2.1 Design Statements*

*Section 11.2.2 Masterplans* The Planning Authority may also prepare Masterplans, or request them for areas that are considered to require an integrated design approach.

*Table 11.17 Masterplan Considerations*

*Section 11.2.6 Residential Communities 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 11.3.11 Early Childhood Care and Education*

*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*

### **An Bord Pleanála Direction**

Under their Direction, An Bord Pleanála (ABP) noted that the documents submitted with the request to enter into consultations, that the documents submitted with the request to enter into consultations constitute a reasonable basis for an application for strategic housing development.

ABP noted that the following issues need to be addressed:

1. Consideration is required of potential impacts upon future residential populations of the site, resulting from the existing uses. Any mitigation should be clearly described alongside any measures to preserve mitigation features.
2. Consideration is required of any matters that have the potential to be material contraventions of the Development Plan, with submission of a statement regarding the same if required.
3. Landscape drawings clarifying the quantum of public open space proposed and the quality, functionality / usability of the public open space. Any deviation from policy requirements should be highlighted and considered as to whether a material contravention arises.
4. A plan of landscape proposals clearly delineating communal and private spaces should also be provided, as well as a detailed breakdown of the total area of same. Consideration of how the design of the landscape and provision of furniture/equipment will facilitate use of these spaces for both adults and children is also required. Consideration of security of access to communal amenity space is also required.
5. Cross-sections of the development should be submitted, clearly detailing the change in levels from the site to surrounding public realm areas and how this will be addressed. The inclusion of a ramp instead of a lift should be considered, where this is demonstrated to be unachievable, a comprehensive explanation of the arrangements for security and management of the lift should be outlined.
6. Drawings to be provided giving comprehensive detail of the appearance of all areas of 'podium edge' within the proposed development.
7. A plan annotating separation distances between all windows and balconies / terrace areas, to surrounding areas, and between development blocks in the proposal.
8. A Daylight, Sunlight and Overshadowing Assessment is required to demonstrate how the proposed development responds to recommendations in the Building Research

Establishment's 'Site Layout Planning for Daylight and Sunlight' (the BRE guidelines). The methodology of the BRE guidelines should be followed and clearly stated within the submitted assessment. Analysis of all proposed units on each floor should be provided until it can be demonstrated that all units on a floor meet recommended targets, at which point it can be logically assumed units above will also pass (where a stacked arrangement to room use is proposed). APSH analysis of both the proposed accommodation and existing properties should be provided. Overshadowing analysis of all exterior amenity areas both within the development and in surrounding areas should also be provided. Consideration should include the potential impact on the school site to the north.

9. A report that specifically addresses the proposed materials and finishes of buildings, landscaped areas and any screening/boundary treatment. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinct character for the development.
10. Details of waste storage and collection.
11. Additional details and/or revised proposals in relation to comments from Transportation Planning at the Planning Authority.
12. Additional details and/or revised proposals in relation to comments from the Drainage Division at the Planning Authority.
13. A Housing Quality Assessment with regard to relevant national and local planning policy on residential development.
14. The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018 unless it is proposed to submit an EIAR at application stage.

### **Assessment**

This report will assess below how the applicant has addressed the issues raised by the Planning Authority and as outlined above by An Bord Pleanála, in addition to outlining other relevant matters:

It is the opinion of the Planning Authority that the issues for consideration are:

- Zoning, Masterplan and Associated Objectives
- Settlement and Core Strategy
- Tenure
- Density and Height
- Layout, Design and Residential Amenity
  - o Visual impact
  - o Materials
  - o Apartment standards
  - o Residential amenity – existing and future occupants
  - o Residential amenity – Daylight and shadow
- Part V
- Open Space and Public Realm
  - o Landscaping
  - o Open spaces
  - o Streetscape
- Transport, Access and Parking
- Services and Drainage
- Construction and Waste Management
- Energy and Climate Change
- Ecological Surveys

- Appropriate Assessment and Environmental Impact Assessment

### **Zoning, Masterplan and Associated Objectives**

The South Dublin Development Plan 2016-2022 is the relevant local policy context. There is no local area plan or non-statutory plan prepared for the area.

The site is subject to zoning objective 'REGEN' – 'To facilitate enterprise and / or employment-led regeneration'.

The site is not within or adjacent to any designated sites.

Section 1.8.0 of the Development Plan establishes phasing priorities for the delivery of development commensurate with infrastructure. In relation to REGEN lands, it states the following:

'(4) Underutilised industrial lands that are close to town centres and transport nodes are designated with Zoning Objective Regeneration 'REGEN' (to facilitate enterprise and/or residential led regeneration). These lands are serviced and offer significant potential for more intensive employment and/or residential development and associated uses. The transition from underutilised industrial areas is likely to occur on an incremental basis and may need to be supported by an economic regeneration strategy. It is envisaged that not more than 50% of these areas will come forward for housing during the period 2016-2022'.

Section 11.2.2 Masterplans states "*The Planning Authority may also prepare Masterplans, or request them for areas that are considered to require an integrated design approach*".

At the previous stage, the applicant submitted an indicative masterplan indicating how development on the site would take place in an integrated manner with the surrounding Regeneration Areas. The Architectural Design Statement submitted with the current proposal provides a 'Masterplan Context'. This sets out connectivity to the adjacent areas, as well as a potential layout of buildings and open spaces.

Previously, there was concern that there was not a greater mix of uses, incorporating employment/workspace, particularly at ground level to the rear. The submitted schedule of accommodation at this stage indicates that 133.3sq.m of 'local employment uses' is provided at ground floor in Building B. This is made up of the following:

- Local employment room – 37.5sq.m
- Workshop – 31.2sq.m
- Home office – 47.3sq.m
- Meeting room – 17.3sq.m

These facilities extend from Building B to Building C along the eastern boundary and are therefore consistent with the location previously highlighted by the Planning Authority.

### Conclusion

The Planning Authority is satisfied that the proposed development will not compromise the future delivery of co-ordinated cohesive regeneration on the adjoining lands and is in accordance with the County Development Plan. The proposed mix of uses is considered acceptable. Noted that the zoning objective does not require an approved plan.

### **Settlement and Core Strategy**

The South Dublin County Development Plan sets out the County's Settlement Strategy in Section 1 of the Plan, as amended by Variation No.4.

The relevant policy associated with the settlement strategy includes:

*CS1 Objective 1:*

*To promote and support high quality infill development.*

*CS1 Objective 2:*

*To promote and support the regeneration of underutilised industrial areas in areas designated with Zoning Objective Regeneration 'REGEN' (to facilitate enterprise and/or residential led development).*

*Economic Development and Tourism*

**Policy ET2 Objective 3 Enterprise and/or Residential Led Development in Regeneration Zones**

*To support proposals for incubator, starter and/or live work units on lands designated Zoning Objective 'Regen' (to facilitate enterprise and/or residential led regeneration.*

Having regard to the above, the proposed development is generally in accordance with the consolidation objectives of the Settlement Strategy.

Conclusion

The proposed development is generally in accordance with the consolidation objectives of the Settlement Strategy which aligns to the strategic approach of the RSES and the NPF.

**Tenure**

The previous proposal was presented as two options, both build to rent and build to sell. The planning statement (Section 3.1.4) for the current proposal states that the current proposal is build to sell.

Conclusion

Proposal required to meet the relevant design requirements.

**Density and Height**

Policy H8 Residential Densities, of the County Development Plan, states *It is the policy of the Council to promote higher residential densities at appropriate locations and to ensure that the density of new residential development is appropriate to its location and surrounding context.*

The proposals submitted provides for a density of 168.5 dwellings p/ha. This is lower than the previous stage, where density was 173.7 dwellings p/ha.

H8 Objective 1: To ensure that the density of residential development makes efficient use of zoned lands and maximises the value of existing and planned infrastructure and services, including public transport, physical and social infrastructure, in accordance with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009).

H8 Objective 2: To consider higher residential densities at appropriate locations that are close to Town, District and Local Centres and high capacity public transport corridors in accordance with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009).

Objective 4: To support proposals for more intensive enterprise and/or residential led development within areas designated with Zoning Objective 'REGEN' (To facilitate

enterprise and/or residential led regeneration), subject to appropriate design safeguards and based on traditional urban forms that adhere to urban design criteria.

The Planning Authority stated the following at Stage 2 *“The site is located within a regeneration area, it is on a high frequency bus service and is also on a future ‘Bus Connects’ corridor. It is also close to Palmerstown Shopping Centre (c. 400m – a designated district centre in the CDP) a school and hospital. An increased density at this location is generally acceptable”*.

It was also suggested that the inclusion of employment space would lessen the impact of the increased density. It is considered that the applicant has achieved this in this instance.

The Architectural Design Statement sets out the 12 principles, the *‘Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, 2009’* generally encourage more sustainable urban development through the avoidance of excessive suburbanisation and the promotion of higher densities in appropriate locations. It is considered that an increased density is justifiable, given the Regeneration zoning and associated public transport routes.

### Height

#### Policy H9 Residential Building Heights

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

Policy H9 of the County Development Plan, in particular Objective 3 states:

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

Section 11.2.7 is supporting text included in Chapter 11, the implementation chapter of the Plan. It includes the following text:

*“The appropriate maximum or minimum height of any building will be determined by:*

- The prevailing building height in the surrounding area;*
- The proximity of existing housing - 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;*
- The formation of a cohesive streetscape pattern – including height and scale of the proposed development in relation to width of the street, or area of open space; and*
- The proximity of any Protected Structures, Architectural Conservation Areas and/or other sensitive development.”*

Section 5.1.5 of the Development Plan states that varied building heights are supported in urban centres and regeneration zones and will be important in creating a sense of place, urban legibility and visual diversity. Tall buildings that exceed five storeys will be considered at strategic and landmark locations in Town Centres, Regeneration and Strategic Development Zones based on approved Local Area Plans or SDZ Planning Schemes.

The Buildings would be a maximum of 9 storeys. In addition to this, a small number of existing residential dwellings would be located within 35m of the proposed development (located to the west).



The subject site is not identified for tall buildings exceeding five storeys in an approved plan (as per H9 Objective 4 & UC6 Objective 3). In addition, it is considered that the provision of increased height above 2 storey within 35m of the existing two storey dwellings is contrary to part of the implementation section of the Development Plan. (Section 11.2.7).

However, Policy H9 of the CDP sets out it is the policy of the Council to support varied building heights across residential and mixed-use areas in South Dublin County. In addition, Objective H9 Objective 3 sets out that new residential developments immediately adjoining existing one and two storey housing incorporates a gradual change in building heights with no significant marked increase in building height in close proximity to existing housing. The 9 storey element would be closest to 10 Palmerstown Park and the site layout plan indicates this would be between 30.3m and 34.1m away, just below the 35m standard. An 8 storey element would be situated approximately 26.7m from 1 Palmerstown Crescent. Building D would be approximately 33.1m from Palmerstown Crescent this would be part 5 storey and part 4+setback. Again, this is just marginally below the 35m standard. In this regard, it is considered that the proposal does not constitute a material contravention of the Development Plan. It is the view of the Planning Authority that the inconsistency of the proposal with the implementation guidance in Section 11.2.7 does not constitute a material contravention of the Development Plan.

The Planning Authority acknowledges these blanket height restrictions in the Development Plan run 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. SPPR 3 states that it is a specific planning policy requirement that where:

- (A) 1. an applicant for planning permission sets out how a development proposal complies with the criteria above; and
2. the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the National Planning Framework and these guidelines; then the planning authority may approve such development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise.

In terms of the criteria for SPPR 3, the applicant must demonstrate to the Planning Authority certain matters as detailed in Section 3.0 of the Guidelines. The applicant has provided a statement of consistency, which sets out the following compliance with SPPR 3:

- ***The site is well served by public transport*** – *The subject site is located in a highly accessible location that meets the definition of a ‘Central and/or Accessible Urban Location’ as defined the Apartment Guidelines on the basis that is within easy walking distance (5 minutes or 400-500 m) to a high frequency urban bus services (current service every 10-12 minutes), namely the 40 which serves the Charlestown Shopping Centre to Liffey Valley via a quality bus corridor. The path of the route along the Ballyfermot Road is also a BusConnects Bus Corridor (G Spine) which is earmarked for significant upgrades in terms of dedicated bus lands to improve travel times and new cycle paths to tie in with existing infrastructure. The route will connect local residents to some key employment centres across Dublin. The Planning Authority concur that the site is in an accessible location.*
- ***Integrates into/enhances the character and public realm of the area*** – *The increase in building height on the site has been considered in detail having regard to its immediate*

*context. Significant public realm works are proposed to the west and south of the scheme to provide definition and anchor the proposal into the local context.*

*A Townscape and Visual Impact Assessment for the project has been undertaken by a chartered landscape architect which concludes that that the proposed development is an appropriate contribution to both the existing and likely future built fabric of this urban area and it will not result in any significant townscape or visual impacts.*

The Planning Authority is of the opinion that the proposed development would change the character of the area, however, the change from industrial typology is considered to be an enhancement.

- ***Positive contribution to place making*** – *The proposals provide for a new formal and active living edge on Kennelsfort Road Upper complete with dedicated cycle lane, green buffer setback and a mix of live uses including a range of communal areas. The operational development will also contribute to placemaking via the development of a number of communal and publicly accessible amenity spaces including a playground. The Planning Authority agree that the mix of uses and public interface contributes to positive placemaking.*

At the scale of district/neighbourhood/street (points, where not dealt with above):

- ***Responds to its overall natural and built environment and makes positive contribution to the urban neighbourhood and streetscape.*** *The proposal will make an extremely positive contribution to the urban neighborhood addressing underutilization of zoned REGEN land and introducing much needed residential accommodation to address housing needs and support the critical mass of existing services in the nearby local centre. The Planning Authority believe the proposal makes a positive contribution to streetscape.*
- ***Proposal avoids long, uninterrupted walls of building in the form of perimeter blocks or slab blocks with materials/building fabric well considered*** – *The massing impacts are minimised through a block-based approach with extensive glazing and alternating colour toned brickwork finishes.*
- ***Proposal enhances the urban design context for public spaces and key thoroughfares and inland waterway/marine frontage, thereby enabling additional height in development form to be favourably considered in terms of enhancing a sense of scale and enclosure while being in line with the flood risk requirements*** – *DMURS compliant streetscape.*
- ***Makes a positive contribution to the wider improvement of legibility through the site or wider urban area within which the development is situated and integrated in a cohesive manner*** – *There is a marked improvement to the brownfield, disused inaccessible nature of the site. Vibrant urban streetscape will be provided.*
- ***The proposal positively contributes to the mix of uses and/or building/dwelling typologies available in the neighbourhood*** – *The local housing market in the area is typified by traditional dwelling housing stock. The subject Build to Sell development will contribute positively to available dwelling typologies in the area. The proposal provides a mix of 1-bed and 2-bed apartments, which is in keeping with the apartment guidelines. Further mix could be provided through the provision of a number of 3-bed apartments.*

At the scale of the site/building:

- ***The form, massing and height of proposed developments should be carefully modulated so as to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light.*** – *As illustrated in the Urbanism section in the submitted Design Statement by Shipsey Barry Architects, the form, massing, and height of the proposed development has been considered in detail relative to future occupier*

*requirements and the avoidance of impacts in the local environment. The design approach has been tested by means of daylight reception and shadow analysis (ref. accompanying reports by DKP). The proposal affords access to natural daylight and ventilation and appropriately mitigates the potential for any impacts on adjoining amenities. As outlined, it has been demonstrated by means of a number of technical assessments that the proposed development meets all quantitative performance standards set out in the BRE document 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'. The applicant has undertaken the relevant technical assessments.*

In terms of specific assessments:

- Section by Shipsey Barry Architects confirms there will be no adverse impact arising from the proposed development on aviation safety
- Microclimatic assessment has been undertaken – this confirms no significant effects.
- Telecommunications statement – this confirms no significant effects.
- The site has been subject to ecological survey. A preliminary ground level roost assessment, including a tree and building inspection and a night-time bat activity survey were carried out. Based on observations made during these surveys, the value of the existing buildings and trees was assessed as negligible for bats.
- The application is accompanied by a detailed urban design statement. The site is not located near any protected structures or architectural conservation areas and the project will not have an impact on any buildings of heritage value. The project has been subject to Environmental Impact Assessment screening and Appropriate Assessment screening.

### Conclusion

It is the view of the Planning Authority that it has been demonstrated that the development is of a form that would comply with the requirements of SPPR3 (A), subject to detailed consideration of matters, as set out below.

### **Layout, Design and Residential Amenity**

The Development Plan sets out policy in relation to design and layout including:

#### 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.*

#### Section 2.2.0 Sustainable Neighbourhoods

##### Policy H6 Sustainable Communities

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

##### 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).*

The applicant has submitted a number of documents that demonstrate the suitability of the proposal, i.e. Architectural Design Statement and Townscape and Visual Impact Assessment.

The overall approach to the layout has not changed from the previous SHD stage. The initial proposal was for 4 apartment blocks, as was the second stage. The current proposal has refined the development further, creating more active and overlooked entrances and increasing the mix of uses, which this is welcomed. The proposal does not provide direct access to the regeneration lands to the north or east, but it does provide a boundary road, from which future access could be taken. At the closest point, Building C is 7.6m from the northern boundary and it is unclear how the small strip of regeneration lands to the north (including the takeaway and warehouse) could be redeveloped effectively. There is also a very limited privacy strip for Building C at this point. The boundary to the east is approximately 10m from the proposed buildings at the closest point. The buildings would also be approximately 10m from the boundary / grass verge to the south.

In terms of streetscape, the north and south elevations indicate that the scale and massing of each building is broken up by a variety in height and staggering of frontage. This is also achieved along the east and west elevations. The west elevation from Building C is somewhat blank. This is further demonstrated from View 4 Proposed of the CGIs prepared by digital dimensions.

*Urban Design*

*Urban Design Manual – A Best Practice Guide 2009*

<b>Urban Design Criteria</b>	<b>Assessment – Applicant</b>	<b>Assessment – Planning Authority</b>
<p><i>1. Context: How does the development respond to its surroundings?</i></p>	<p>The proposed has been carefully considered at a macro and micro level within its surrounding context given the edge of regen lands context. By careful sectional and visual analysis of the surrounding scale and urban grain. The development was originally conceived as a 5storey courtyard development at the edge of the regen lands and with SDCC guidance a landmark gateway element was introduced to the South West corner. Scale relationship to Palmerstown Crescent ,while of note, have been assessed in proximities, shadow analysis and the new urban renewal of the regen zoning to present a sustainable density at this transform ative location. The development seeks to-</p> <ul style="list-style-type: none"> <li>•Make an improved and appropriate contribution to the South and West street edges with high quality landscaping and considered treatments for varying uses that present at these locations.</li> <li>•Massing break ups broken and stepped across the development reacting to varying boundary and context settings.</li> <li>•Present a new contemporary aesthetic to identify the lead for future phases to the East on the regen lands.</li> </ul>	<p>The Planning Authority considers that the proposed development has been designed to address its context at a historical industrial location. The inclusion of incubator, starter and/or live work units is welcomed.</p> <p>It is apparent that some further consideration has been given to the residential areas to the west, in terms of overlooking / overbearing impacts from the 9 storey element. It has been reduced in part to 8 storey and the balconies on one element have been reorientated. The Planning Authority consider that more could be done in this regard.</p> <p>The Planning Authority agrees that the southwest corner is a landmark structure and welcomes this. Further consideration has been given to the quality of the elevational treatment on this building.</p>

<b>Urban Design Criteria</b>	<b>Assessment – Applicant</b>	<b>Assessment – Planning Authority</b>
<p>2. <i>Connections: How well is the new neighbourhood / site connected?</i></p>	<p>The new residents benefit from the nearby district centre (250m) to the North. Public realm has been provided to give a high quality streetscape to Kennelsfort Road Upper with the existing no.18(stop4888) at the West entrance to the site. This stop has been upgraded to allow seating areas and visitor bike parking for commuters. Kennelsfort Road Upper has an existing bike lane bounding the site to the South. The proposal extends this from the junction on to Cherry Orchard Industrial Estate Road, designed to have separation from pedestrians and traffic. The development is permeable via access routes off Cherry Orchard Industrial Estate Road and provision is made for future development to the East lands by way of a new roadway to the Eastern boundary to be given in charge. As explored in the masterplan section of this document, it is noted that the site represents the North boundary of the regen lands with no through continuation of circulation available to the North. This informs the main pedestrian linkage onto Cherry Orchard Industrial Estate Road to the South boundary for access to the development. The density of the scheme with these linkages provides support for a more efficient public transport model at this location.</p>	<p>The Planning Authority agrees that the site is well connected to shops, facilities and public transport. It is evident that consideration has been given to permeability through the site and also to the future permeability of the regeneration area. Since the previous stage, it appears that good pedestrian permeability to lands to the east have been removed.</p>
	<p>proposal extends this from the junction onto Cherry Orchard Industrial Estate Road, designed to have separation from pedestrians and traffic. The development is permeable via access routes off Cherry Orchard Industrial Estate Road and provision is made for future development to the East lands byway of a new roadway to the Eastern boundary to be given in charge. As explored in the masterplan section of this document, it is noted that the site represents the North boundary of the regen lands with no through continuation of circulation available to the North. This informs the main pedestrian linkage on to Cherry Orchard Industrial Estate Road to the South boundary for access to the development. The density of the scheme with these linkages provides support for a more efficient public transport model at this location.</p>	

<b>Urban Design Criteria</b>	<b>Assessment – Applicant</b>	<b>Assessment – Planning Authority</b>
<p><i>3. Inclusivity: How easily can people use and access the development?</i></p>	<p>Live frontages are provided for along Cherry Orchard Industrial Estate Road with the main access route provided to the main semi public space within the proposal. A management company will be established to upkeep all the landscape areas with a taken in charge area provided on Kennelsfort Road Upper and to the new street on the Eastern boundary. All open areas are designed to have passive supervision and visibility. Communal spaces are provided for residents, accessible off Kennelsfort Road Upper offering further supervision and activity at street level. A play area is provided central to the courtyard to enhance community and activity central to the scheme. Buildings are set out to have an open aspect to the streets they serve with landscape buffers provided to ground floor units. A series of 4 lifts are provided to access the podium area with the main visitor access via a concierge in Building A to the South West. Public access to the podium is provided by way of ambulant steps and street lift access.</p>	<p>The planning authority welcomes the introduction of live/active frontages at Kennelsfort Road Upper and the establishment of a management company.</p> <p>The applicant has indicated the site is accessible and that all units will comply with the requirements of Building Regulations, Technical Guidance Documents Parts K and M.</p>
<p><i>4. Variety: How does the development promote a good mix of activities?</i></p>	<p>The development provides for a mix of apartments types with 50% 2bed, 50% 1bed. This mix is accommodated across a range of different apartment formats providing for a diverse choice of unit type. The high ratio of 1bedroom unit provided an alternative to the predominantly 2&amp;3 bedroom semi detached typology provided locally.</p>	<p>The applicant has provided a wider mix of uses, which is welcomed.</p> <p>It is considered 3bedroom apartments should be provided.</p>

<b>Urban Design Criteria</b>	<b>Assessment – Applicant</b>	<b>Assessment – Planning Authority</b>
<p><i>5. Efficiency: How does the development make appropriate use of resources, including land?</i></p>	<ul style="list-style-type: none"> <li>•The proposal replaces the now derelict former warehouse facility with the development delivering a proposed plot ratio of 2.13 and site coverage of 58%. This is a highly efficient regeneration of the land use while maintaining sensitivity's around scale and light within its context.</li> <li>•The building is designed to current NZEB standards with green roofs and PV energy combined in the sustainable design.</li> <li>•Orientation of kitchen/dining/living areas, internal and external communal spaces have been organised to maximise solar aspect for comfort with over 58% dual aspect achieved on apartments.</li> <li>•All waste management on the facility has designated recycling areas for residents and will be actively promoted and monitored by management.</li> </ul>	<p>The Planning Authority concurs that the proposal is efficient in its use of land, which includes a mix of uses.</p>
<p><i>6. Distinctiveness: How do the proposals create a sense of place?</i></p>	<p>The building is the first of the regen lands at this location to be proposed setting a bench mark for further development to the East. High quality urban design has been applied to building forms and streetscapes to provide a distinctive new regeneration aesthetic for this emerging location. The building has a high glazing percentage in a formal gridded urban arrangement offering a distinctive high quality aesthetic impression.</p>	<p>Generally, the overall quality of the scheme is welcomed, and it does create a sense of place.</p> <p>The Planning Authority does have some detailed concerns, however. These are:</p> <ul style="list-style-type: none"> <li>the presence of apartments that are effectively single facing north aspect</li> <li>apartments that do not have a positive outlook.</li> </ul>
<p><i>7. Layout: How does the proposal create people-friendly streets and spaces?</i></p>	<p>The design allows for an active relationship on Cherry Orchard Industrial Estate Road and at the junction to Kennelsfort Road Upper. The building formation creates a protective elevated enclosure around the central amenity space of the scheme to enhance acoustic Tranquillity from the roadway &amp; potentially more problematic future noise intensification from the warehousing to the East. This internal landscape area provides for a four sided amenity space giving a more tranquil retreat from Kennelsfort Road Upper carriageway.</p>	<p>Generally, the overall quality of the layout of the scheme is welcomed. The Planning Authority welcomes the changes to the podium entrances and the increased overlooking. There are concerns regarding the proposed car park entrance under the podium between Buildings C and D. There is little overlooking and blank facades.</p>

<b>Urban Design Criteria</b>	<b>Assessment – Applicant</b>	<b>Assessment – Planning Authority</b>
<p><i>8. Public realm: How safe, secure, and enjoyable are the public areas?</i></p>	<p>All public areas are designed to have a good quality interconnectivity, active street frontage and supervision throughout the scheme. Limited apartments are located on street level at busier frontages and are provided with landscape buffers where this occurs. The Street exposed podium edges are designed to active frontages or open access points. Kennelsfort Road Upper and Cherry Orchard Industrial Estate Road is given a green buffer for pedestrian comfort with high quality paving and street furniture provided. Attention is given to detail material use and design in the landscape plan that accompanies the proposal.</p>	<p>The increased overlooking is welcomed. Limited green buffer is provided to the north. Pedestrian connectivity to the east is now lacking. There are concerns regarding overlooking of the new car park entrance.</p>
<p><i>9. Adaptability: How will the buildings cope with change?</i></p>	<p>The ground floor street frontage areas which accommodate communal areas the proposed building structure has been designed to be an open grid with no intermediary bearing wall supports required, offering a flexible open structural grid should internal modification be required from the current layout into any possible future requirements. Internal apartments have been design to have service risers at the edge of plans to allow internal modification of non load bearing walls where required in the future. An amount of employment areas are provided to the Eastern street area with a flexible ceiling height.</p>	<p>The flexibility of communal and employment areas are noted. The scheme could have gone further in this regard, by designing all ground floor units with a <b>minimum</b> floor to ceiling height of be 3.1m.</p>
<p><i>10. Privacy / amenity: How do the buildings provide a decent standard of amenity?</i></p>	<p>The building is set out to have appropriate distances between new residents to offer privacy and maintain private amenity standards. Privacy of the gardens to residents of Palmerston Crescent is dealt with by appropriate setback of the scheme to provide adequate distances from their amenity spaces. Adjoining sites are considered by set back of adequate distances for orderly future development. Within the development all access level apartments are provided with green buffers to their amenity spaces. The majority of apartment's enjoy recessed 'loggia' style balconies for added privacy between neighbours amenity.</p>	<p>The potential overlooking between blocks has been considered. Concerns still remain regarding overlooking of gardens / properties to the west from the 8 storey element.</p>



<b>Urban Design Criteria</b>	<b>Assessment – Applicant</b>	<b>Assessment – Planning Authority</b>
<i>11. Parking: How will the parking be secure and attractive?</i>	Residents parking is undercroft with a landscape podium over. Residents have 65 parking spaces, with 2 carshare spaces provided for E.V. and motorbike parking are also provided for with the development. Secure covered stacked bike spaces are provided for residents to current standards within the development with visitor bike parking located at various access points throughout the scheme.	Security measures should be provided for undercroft parking. Covered cycle parking is welcomed.
<i>12. Detailed design: How well thought through is the building and landscape design?</i>	Consideration has been given to the detailed design of the development from materials maintenance to glazing elements design. The materials are complimentary with a simple palette of materials proposed to give a clear defined aesthetic with crisp rigour to a formal contemporary presentation to the environment. Maintenance and access arrangements have been allowed for in all aspects of façade & landscaping upkeep.	Subject to minor amendments (see below Parks and Public Realm Section) the Planning Authority considers the proposals generally satisfactory.

### Conclusion

Overall, the Planning Authority still has some concerns regarding urban design.

The following sets out the main issues in terms of layout, design and residential amenity.

#### *Adjacent Industrial Areas*

The applicant has been requested to provide consideration is required of potential impacts upon future residential populations of the site, resulting from the existing uses. They were also requested to provide detail of any mitigation.

The applicant has provided some employment uses have been included along the eastern boundary, this has the benefit of acting as a transitional buffer between the proposed residential units and the existing adjacent employment uses to the east. A noise assessment has also been undertaken, as well as air quality, daylight reception and sunlight assessments. The Planning Statement states that these conclude that the future residents will enjoy good quality amenity and not be impacted by existing adjoining uses.

It is noted that the Planning Statement has not provided a summary of proposed mitigation measures.

#### *Linkages*

It is noted that the details of main access points have been provided, as have details of pedestrian linkages. These have altered from the previous stage. Whilst the introduction of employment space to the east is welcomed, it is noted that there is now no pedestrian permeability in this area.

#### *Materials*

Details of materials are set out in the Architectural Design Statement.

The proposed development is in a prominent location. It is considered that the subject site is highly visible and represents an opportunity for high-quality finishes to set the pattern of development for this regeneration area.

Four different types of brick have been proposed. The 9 and 8 storey elements fronting Kennelsfort Road would be light buff natural brick and pale red brick respectively. The rear element of the 9 storey (facing the industrial areas) would be grey blue engineering brick. A large portion of Building C and small elements of Buildings D and B, as well as some podium frontages would also be constructed from this brick. The remaining areas would be light buff brick with bright pointing. The use of different materials for the taller element is welcomed, as is the contrast between dark and light for the remainder of the structures.

Handrails and balustrades in black painted mild steel circular section vertical rails, with flat plate black painted. Glass handrails to tower element.

Notwithstanding the information provided, should the development be granted planning permission, a condition is recommended seeking amendments and agreement of architectural treatment with the Planning Authority prior to the commencement of development.

*Apartment standards*

Specific Planning Policy Requirement 4 (SPPR 4) states:

In relation to the minimum number of dual aspect apartments that may be provided in any single apartment scheme, the following shall apply:

- (i) A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage where appropriate.
- (ii) In suburban or intermediate locations, it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme.
- (iii) For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise further discretion to consider dual aspect unit provision at a level lower than the 33% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects.

The proposed dual aspect is as follows:

Aspect	Total No.	%
Dual	84	58.3
South	28	19.4
East / West	20	13.9
North	12	8.3

Paragraph 3.18 states “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”.

It is noted that a number of changes have been made from the previous stage, at which point there was 54.4% dual aspect apartments. The Planning Authority welcomes this change and the increase in dual aspect units. It is noted that the single aspect facing north apartments have been greatly reduced from 15% at the previous stage to 8.3% at this stage. This is also welcomed. The north facing single aspect apartments are all located on Floors 1-4 of Block A and overlook the amenity area. The removal of the single aspect apartments from Block C is welcomed, however, it

the Planning Authority questions whether some of the apartments annotated as dual aspect are in fact truly dual aspect. For example, at the previous stage C03 and C04 were separate ground floor apartments. C03 was dual aspect, C04 single north. These have now been amalgamated to form C03 at this stage. However, it appears that there is only a single small opaque window on the western elevation of this apartment, all other windows are orientated north. To the east of the C01 was a single (north) aspect ground floor apartment at the previous stage, adjacent to this was a dual aspect apartment. The footprint of Building C has been extended at this stage and now encompasses an area that was previously incidental landscaping to the east. The end apartment, C02, is now dual aspect, and two further apartments, C01 and C04, are contained within the area where C01 and C02 previously were. The two apartments C01 and C04 are annotated as dual aspect, however, there are only window small windows on one aspect. It is noted that corner aspect apartments are dual aspect in accordance with the Apartment Guidelines (para 3.19). However, it is not considered that apartments C03 and C02 on the current proposal are dual aspect but apartments C04 and C01 are not. This concern is mirrored for the corresponding apartments on floors 1-4 of Building C.

In terms of quantitative analysis, the Architectural Design Statement, Housing Quality Assessment sets out that the proposed development meets the minimum requirements of the Apartment Guidelines Design Standard Floor Area Calculation. It is noted that the majority of apartments have a floor to ceiling height of 2.5m on very few increase to 2.85m. increased floor to ceiling heights would be welcomed at ground floor level and provision of 3m, to enable future flexibility should be considered.

*Mix*

In accordance with SPPR 1 of the above guidelines ‘Apartment developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms. Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence-based Housing Need and Demand Assessment (HNDA), that has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development plan(s)’.

The following mix is proposed:

	Previous Stage	Present Proposal
<b>Unit mix studios</b>	0	0
<b>Unit mix one beds</b>	75 (51%)	72 (50%)
<b>Unit mix two beds (3 person)</b>	0	0
<b>Unit mix two beds (4 person)</b>	72 (49%)	72 (50%)
<b>Unit mix three beds</b>	0	0

It is considered that the above mix is in keeping with the guidelines and it is noted that SDCC does not have a requirement for 3-bed apartments. South Dublin is currently preparing a Draft Development Plan. This policy is not adopted to date, however, it is the of the Planning Authority to secure a unit mix and a balanced approach to housing mix and will include a minimum percentage of three bed units. Given the concerns regarding the aspect of some apartments, it may be preferable to increase the number of larger apartments and reduce the overall number.

*Residential amenity – Overlooking and Overbearing*

At the previous stage, The Planning Authority had some concerns regarding the northwest corner of Building A and the potential to cause overlooking of existing properties to the west.

It is noted that the private amenity spaces have been relocated and no longer look west. The extend of the 9 storey element has been reduced, but only in part and only to 8 storeys. The private amenity spaces on the 8 storey element are 26.7m from the adjacent properties and would still have a potentially negative impact in terms of overlooking, as previously raised.

In terms of overbearing, the tallest elements, the 8 and 9 storey elements of Building A, have moved closer to the properties to the west and the Planning Authority's concerns that were previously made remain. The Planning Authority are of the opinion that this element should be stepped in further to the east. Building D is significantly lower and, at 5 storeys, is in keeping with CDP height guidelines.

The louvre system between Buildings C and D has been removed, as have the majority of windows on Building C. Only opaque windows remain on the western elevation of Building C and only for some apartments, western windows have been removed for otherwise south facing apartments. There are now opaque windows on Building A between Buildings A and B. Opaque glass has also been included on the southern elevation of Building D, facing Building A. Some windows on the northern elevation of Building B are also opaque to mitigate against impact from Building C.

Photomontages have also been provided. These demonstrate the development from 6 different views, setting out the existing and proposed. The Townscape and Visual Impact assessment assesses these views. In terms of overlooking / overbearing, View 1, taken from the amenity space south of Palmerstown Park, indicates the impact of the structures on the adjacent residential and it is apparent that the 9 and 8 storey elements closest to Kennelsfort Road Upper could have a significant impact. This is also demonstrated from View 2, taken from Palmerstown Crescent and view 5, taken from Palmerstown Road.

### Conclusion

Overall, the Planning Authority still has concerns that the proposal would have an overbearing impact on adjacent existing residential properties and would result in overlooking.

### *Residential amenity – Daylight, sunlight and overshadowing*

Changes have been made to the design of the apartment blocks following the previous SHD stage and the height of the proposal has been changed in a number of areas.

DK Partnership has prepared the following:

- Daylight Reception Report (DAYLIGHT RECEPTION IN HABITABLE ROOMS WITHIN THE PROPOSED DEVELOPMENT)
- Effects on Daylight Analysis (EFFECTS ON DAYLIGHT RECEPTION IN EXISTING NEIGHBOURING BUILDINGS)
- Sunlight Reception Analysis (SUNLIGHT RECEPTION IN AMENITY SPACES WITHIN THE PROPOSED DEVELOPMENT and EFFECTS on SUNLIGHT RECEPTION IN EXISTING NEIGHBOURING AMENITY SPACES AS A RESULT OF THE PROPOSED DEVELOPMENT)

A number of appendices accompany these documents.

The Daylight Reception Report concludes the calculated ADF are all above minimum guidelines or are equal to the guidelines of the BRE design guide 'site layout and planning for daylight and sunlight - a guide to good practice'. No mitigation is required.

The Effects on Daylight Analysis makes the following conclusion:

*“The BRE recommends that the effects of a new development on daylight reception should not affect any existing VSC by more than 20% or have a maximum change factor in excess of 0.80. From the calculation results we note that the effects on daylight reception on the houses / receptors to the East of the proposed new development are all comfortably within the maximum allowable change factor of the BRE guide. The calculated change in daylight reception in all of the analysed neighbouring receptors of the proposed development achieved a change factor ranging from 0.84 to 0.95.*

*Summarized result findings are as follows (see image 5.1 for receptor locations):*

*- Receptors A and B (Palmerstown Ct): These are residential dwellings with ground floor windows. These dwellings were examined and resulted in a change factor of 0.94 and 0.95. These receptors are comfortably within the guidelines.*

*- Receptors C to J (Palmers Cres): These are residential dwellings with ground floor/first floor windows. These dwellings were examined and resulted in a change factor ranging from 0.84-0.95. These receptors are all within the guidelines.*

*- Receptors K and L (Palmers Park): These are residential dwellings with ground floor windows. These receptors were examined and resulted in a change factor of 0.87. These receptors are also within the guidelines.*

*- Receptors M and N (Industrial estate): These are offices/commercial space with ground floor windows. These receptors were examined and resulted in a change factor of 0.86 and 0.94. These receptors are comfortably within the guidelines.*

*We conclude that the new proposed development’s effect on daylight reception in the neighbouring rooms are all within the constraints and recommendations of the BRE Report – “Site Layout and Planning for Daylight and Sunlight and we therefore deem the development to be compliant with this element”.*

The Sunlight Reception Analysis concludes the new amenity spaces receive sunlight on 50% of the area well in excess of the minimum recommendations of the BRE Report - Site Layout and Planning for Daylight and Sunlight and also that the sunlight reception in the existing neighbouring amenity spaces after the introduction of the new development is in excess of the minimum recommendations of the BRE Report or equal to minimum guidelines – “Site Layout and Planning for Daylight and Sunlight and therefore compliant with the requirements.

### Conclusion

The Planning Authority is satisfied with the findings of the reports.

### *Communal Facilities*

The communal facilities are located as follows:

<b>Area</b>	<b>SQ.M</b>	<b>Building</b>
LOBBY	59	A
LOUNGE 1	100.9	A
LOUNGE 2	65.5	A
LOUNGE 3	54	A
LOUNGE 4	54.5	A
MEETING ROOM	37.1	A
RESIDENT'S GYM	108.1	A
ACTIVITY AREA	68.4	D

It is noted that the provision has changed from the previous scheme, with some additional features, such as the additional lounges and rearrangement of other area, such as the gym and activity area, these new and additional features are welcomed.

### *Childcare*

Planning Guidelines for Childcare Facilities (2001), state that one-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision.

Having regard to the above, it is noted that the proposed development provides for a total of 72 two-bedroom apartment units (excluding one bedroom units as per the guidance above), and therefore falls below the 75 no. unit threshold for the provision of a childcare facility.

The applicant has provided a Statement of Childcare Rationale. This states “*a review of the capacity in existing childcare facilities in the vicinity based on available Tusla Pre-School Inspection Reports indicates there is capacity available. Furthermore, at pre-consultation stage it was established by South Dublin County Council that this scheme would not require a crèche*”.

### *Waste Management*

A Waste Management Plan has been submitted by Shipsey Barry. This indicates a refuse room in each building to serve the residential properties. There are 2 proposed collection points for all buildings. Refuse for communal amenity and employment is also provided. All refuse rooms are located on the ground floor. As the podium communal space is at first floor, there are no negative impacts in this regard. The collection point to the north is clearly set out on the floorplans and appears to have been sensitively designed to not impact adjacent apartments. The collection point to the east is not indicated on the ground floor plan and appears to overlap with an area of incidental landscaping. It is not clear how this would impact the proposed adjacent employment space.

Two locations are indicated in the lower ground floor for bin stores, as well as a waste collection area.

A Bin collection route has been identified in the submission.

The Planning Authority has concerns regarding the proposed bin collection route, which would take vehicles to the rear of Block B, close to ground floor apartments. The planning authority questions the need for the bins to travel to this part of the site. The amenity of the Block B apartments would be compromised. A redesign of this area would be welcomed and if possible, the space become part of the open space provision, subject to alternative refuse collection facilities being proposed.

### Conclusion

Further detail is needed regarding waste collection points

### *Layout and Noise, Air Quality*

The site is located within a regeneration area, adjacent to some residential development. The intention is to gradually change the existing industrial / employment uses from their current state. However, in the interim, there is the potential for noise nuisance from the existing neighbours and road. The documentation submitted states that the windows will be triple glazed to minimize sound transmission, this is welcomed.

The applicant has submitted noise and an air quality reports, as requested at the previous stage. The EHO has stated:

*“Potential noise sources from both the M50 and the local road network must be strongly considered.*

*The location of the proposed development is on a site of an industrial nature with industrial units directly beside with heavy goods vehicles, deliveries etc. directly beside this site.*

*The council have a permanent noise monitor located in close proximity to the proposed site at Palmerstown Court. The full results can be viewed at <https://sdcc.sonitussystems.com/monitor/SDCC-010> for your review.*

*In order to achieve appropriate noise levels within the internal living areas of the proposed residential developments a number of design and structural noise mitigation measures must be incorporated to reduce the potential noise impact on residential properties.*

*This scale, design and height of this proposed development on this site will contribute to an increase in traffic levels and in turn environmental noise for the surrounding areas which should be considered.*

#### *Lighting*

*The scale of this development and the close proximity of sensitive receptors including residential properties and public areas will be impacted by light and shadow associated with the development. Lighting should be considered by the board as an impact of this development”.*

The Planning Authority note the content of the EHO report, however, it is considered that the mitigation and conclusion of the Noise Impact Assessment Report provides for an acceptable residential amenity.

The Planning Authority would require that all generators, vents and flues or any infrastructural pieces associated with the other uses are designed within the development to ensure that there is no requirement to locate these pieces on the external facades of the buildings thereby creating nuisance for residents and for the visual appearance of the structures.

#### *Microclimatic Effects*

A report has been prepared by DK Partnership to satisfy the requirements of SPPR3 in relation to tall buildings. This report recommends the following:

*“Construction phase: No mitigation measures required however the site would be enclosed by high hoarding as part of a construction management plan which would assist in mitigating wind speeds around the perimeter.*

*Operational phase: it is anticipated that in general the wind speeds will be suitable for ‘standing’ along pedestrian routes and ‘frequent sitting’ for the podium amenity area. Design mitigation measures which have been incorporated include; The provision of planting of windbreaks in between each of the gaps between the blocks mitigation a lower wind speeds but will also reduce the noise levels in to the general amenity area. The mature trees around the edge of the site on the southern aspect will also be beneficial at sheltering the development from the wind and building entrances have been located well away from corners.”.*

It is considered that any mitigation should be conditioned if permission be granted.

#### **Part V**

SDCC Housing has stated:

*“I refer to the above application for planning permission, SHD3ABP-312430-22 and I wish to advise that a Part V condition should be attached to any grant of permission for this application.*

*The Part V submission lodged with this planning application is noted, the developer intends on fulfilling its Part V obligation by providing, 9 x 1 bed apartments & 5 x 2 bed apartments through the granting of a 25 year lease, however it is South Dublin County Councils preference to acquire units on site and as such it would be the preference of the Housing Department that a revised proposal is submitted to include acquisition of units as well as the inclusion of a universal type unit to accommodate 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 can only agree Part V in respect of the permitted development subject to costing approval from the Department of Housing, Local Government & Heritage”.*

A condition is recommended in the event of grant.

## **Open Space and Public Realm**

### *Landscaping and Open spaces*

Policy H12 states, in relation to 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’. Objective 2 of the same policy states ‘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’.*

The documentation submitted as part of the current proposal provides for the following spaces:

- 1,303m<sup>2</sup> semi-private landscaped podium courtyard with central play area, lawns, scattered play elements, covered seating areas and benches. (15.25%)
- 1,385 m<sup>2</sup> public open space in the form of a landscaped green buffer along western and southern boundaries with a number of small public squares. (16.21%)
- 2,688 m<sup>2</sup> total public and communal / semiprivate open space. (31.46%)

At the previous stage, the Planning Authority stated:

1. *“There is a need for a strong and legible hierarchy in the open space provided as part of this proposed development, with different types of open space provided for in accordance with policies H12, objective 2. The information provided to date is acceptable in this regard.*
2. *A rationale is required for each of the access points from the public streetscape into the interior of the development site. All access points are required to have active frontage throughout and passive surveillance to provide welcoming functioning access routes.*
3. *A greater level of detail in relation to landscaping, public realm and open space is required “.*

A number of the specific information items requested by ABP also related to open spaces. Below sets out the requirements of ABP, followed by the applicants response in italics:

3. Landscape drawings clarifying the quantum of public open space proposed and the quality, functionality / usability of the public open space. Any deviation from policy requirements should be highlighted and consideration as to whether a material contravention arises. *A Landscape Design Context and Public Open Space Strategy drawing (ref. 1000) has been prepared by Ilsa Rutgers Landscape Architecture to address this item. It is supported by the Landscape Design Strategy Report, which includes a focused response to the request. At 1,385 square metres (16.2%), the public open space*



*provision is in excess of 10% minimum requirement as stipulated in Section 11.3.1 of the South Dublin County Council Development Plan 2016-2022. As such, we consider that a material contravention does not arise in this context.*

4. A plan of landscape proposals clearly delineating communal and private spaces should also be provided, as well as a detailed breakdown of the total area of same. Consideration of how the design of the landscape and provision of furniture/equipment will facilitate use of these spaces for both adults and children is also required. Consideration of security of access to communal amenity space is also required.

*Please refer to the above referenced Landscape Design Context and Public Open Space Strategy drawing (ref. 1000) as prepared by Rutgers Landscape Architecture which clearly delineates communal and semi-private amenity space. The submitted Landscape Design Strategy Report comprehensively addresses the issues raised by the Board in term of the usability of the amenity provision for all age groups and the accessibility and security of communal and public open space. The strategy is also supported by a hard landscape finishes and street furniture, podium level, street level and primary planting plans. In response to the An Bord Pleanála and Planning Authority's comments at the tripartite meeting, entry to the podium courtyard from the Cherry Orchard Estate Road entrance is now via a proposed colonnaded, gated entry, which differentiates between the public open space and the residents' communal amenity as shown on drawing no. 2100 (Landscape Design – Podium Level Plan). The Landscape Design Strategy responds positively to site context and will provide for a high quality, usable and place-focused living environment across the full age spectrum.*

5. Cross sections of the development should be submitted, clearly detailing the change in levels from the site to surrounding public realm areas and how this will be addressed. The inclusion of a ramp instead of a lift should be considered, where this is demonstrated to be unachievable, a comprehensive explanation of the arrangements for security and management of the lift should be outlined.

*The submitted plans and supporting Design Statement prepared by Shipsey Barry Architecture contains a full and complete drawings set with levels and cross-sections illustrating the change in levels from the site to the surrounding public realm areas. The Design Statement includes a focused section on possible provision of a ramp in lieu of an external lift. This was discounted on the basis of a number of practical, security and aesthetic design consideration. The proposed external lift represents a better solution for this site. It is passively overlooked and will be managed in a secure and appropriate manner by the operational management company. In addition, further internal means of access to the podium is available via the concierge area.*

6. Drawings to be provided giving comprehensive detail of the appearance of all areas of 'podium edge' within the proposed development.

*The submitted Design Statement by Shipsey Barry includes a focused podium edge study which presents the design approach for each edge in section and 3D formats. It confirms that the design approach is well considered and will give rise to a high quality and human scale local environment.*

The application is accompanied by a Landscape Design Report, hard and soft landscape details and overall landscape plans. The proposal has been assessed by the Parks & Landscape Services/Public Realm Department.

The Parks Department has raised the following main concerns:

- There is insufficient detail provided for the bioretention Tree Pits and rain gardens. We require better specification of these features to show how they contribute to the SuDS system. The applicant is referred to the recently published ‘SDCC Sustainable Drainage Explanatory, Design and Evaluation Guide 2022’ for relevant details.
- Replacement of Street Trees: At Stage 2 of the SHD process, the arborist strongly advised on the replacement of six low quality (category C2) street trees. Public Realm agreed that in the longer term it is better to replace these trees with specimens that will have a longer life expectancy and be more suitable for the site (refer Public Realm Report for Stage 2 Ref SHD2ABP-310483-21). The landscape proposals have not addressed replacement of these trees which would need to be native, pollinator friendly species and a minimum of 20-25 cm girth, ensuring no net loss of street trees.

Conditions are recommended regarding landscape plan, appointment of landscape architect / arborist, tree works and provision of a tree bond.

As stated at the previous stage, there is a need for a strong and legible open space hierarchy. In response to ABP item 3, the applicant has clearly identified public open space and communal open space in the ‘Landscape Design Strategy and Masterplan’, prepared by Isla Rutgers. The percentage of public open space over the site area is 16.2% which is in excess of the requirement to provide a minimum of 10% of the site area as stated in Section 11.3.1 (iii) of the SDCC Development Plan.

In response to ABP item 4 it is stated an area of 1303sqm of Communal or Semi -Private Open Space is provided at podium level. This area is for the use of residents and exceeds the minimum amenity space required of 864 sqm. The applicant sets out details of furniture / equipment on IRLA-210401-3500 Hard Landscape.

With regards the provision of a ramp (ABP item 5), it is stated that a fully compliant, universally accessible ramp would have a negative impact on the public open space and would be too long to be convenient to anyone who may be unable to use the steps. A well overlooked, external, public lift was considered more practical.

For ABP item 6 the applicant states significant architectural changes to the edges of the podium at street level were made, to bury plant rooms and bicycle stores deep into the plan and ensure that more active, non-residential uses address the street. Access to the carpark has been relocated from the eastern boundary to the northern boundary and new work units including a workshop / studio has replaced plant rooms to create a more active street on the eastern boundary which will improve passive surveillance. The relocation of the carpark entrance has increased activity and footfall around the perimeter of the site to discourage antisocial behaviour.

The Planning Authority has some concerns regarding the overlooking of the car park entrance and also the connectivity to the east as a result of the amendments.

### Conclusion

Overall, the Planning Authority welcomes the changes to the podium area and the increased overlooking, however, some concerns remain.

### **Transport, Access and Parking**

The Roads Department has commented on the scheme These comments are summarised below.

#### *1. “Site Location and Description:*

*The subject site is located in the north-western corner of Cherry Orchard Industrial Estate fronting Kennelsfort Road Upper to the west. Two storey housing characterises the area to the west of the industrial estate, with industrial sheds and warehouses characterising the area to the east and south of the site. Existing takeaway units and Palmerstown Sports Complex and*

*Pobalscoil Iosolde, Palmerstown Community School and Palmerstown Shopping Centre are located to the north of the site. Cherry Orchard Hospital is also located to the south of the site. The site itself is occupied by an industrial shed with mature street trees situated on the site bounds to the west and south.*

*This application is a stage 3 SHD, the proposed development will consist of the demolition of an existing warehouse / factory building and the construction of a residential development of 144 no. apartments with supporting tenant amenity facilities (gym and activity areas, lounges, and meeting room), employment uses including 2 no. incubator units and a remote working space, building management facilities and all ancillary site development works. The proposed development includes 72 no. 1-bedroom apartment and 72 no. 2-bedroom apartments to be provided as follows: Building A (35 no. 1-bedroom & 24 no. 2-bedroom over 5-9 storeys), Building B (7 no. 1-bedroom & 10 no. 2-bedroom over 3-4-storeys), Building C (16 no. 1-bedroom, 19 no. 2-bedroom over 5-storeys), Building D (14 no. 1-bedroom & 19 no. 2-bedroom over 4-5-storeys). Vehicular access to the proposed development will be provided via an entrance from the existing estate road as accessed from Kennelsfort Road Upper. The proposal includes improvement works on the northern side of the junction at the estate road/Kennelsfort Road Upper, new pedestrian/cycle paths on the estate road to the south of the site, and provision of a controlled pedestrian crossing on Kennelsfort Road Upper to the west as part of enabling infrastructure. The proposed development provides for outdoor amenity areas, landscaping, external podium lift, under-podium and streetcar parking, bicycle parking, bin stores, ESB substation, public lighting, roof mounted solar panels and all ancillary site development works.*

## *2. Traffic and Transport Assessment (TTA):*

*The Transport Assessment concludes that “there are no adverse traffic/transportation capacity or operational issues associated with the construction and occupation of the proposed residential development”. The theoretical capacity is an RFC value of 0.85. The results show All junctions operate below their theoretical capacity and therefore no significant queuing is anticipated.*

## *3. Access:*

*The main vehicular access is proposed at the southwestern corner of the site onto the Cherry Orchard Industrial Estate Road. The internal access road is proposed to be 4.8m wide with a 2.0m wide pedestrian footpath on the western side of the proposed internal road leading up to car park main entrance gate where the width of the footpath is proposed to be 1.0m wide. It is proposed to have refuse trucks accessing and egressing the site through this link road. The roads department would like to see all internal access roads to be 5.5m wide. There is a turning head on the northern side of the site to facilitate turning for refuse trucks and fire tender access. The applicant has submitted swept path analysis showing bin trucks and fire tenders can manoeuvre in the proposed turning area close to car parking access gate, however, the auto track analysis did not include the main vehicular access road of the proposed development. The applicant will be required to show a swept path / Autotrack analysis of fire tender access through the entire site.*

*A turning distance of 6.0m reversing area behind perpendicular car parking spaces will be required for the car parking area, with adequate running radii and visibility splay for each exit and entry point.*

*The applicant has proposed a reduce junction radii within the Kennelsfort Road Upper and the Cherry Orchard Industrial Estate junction fronting the applicant site within lands that are under the control of Local Authority/applicant.*

#### 4. Permeability:

*The location of the site is within an industrial estate, the existing footpaths are in poor condition. The proposed footpath at southwestern corner and along Cherry Orchard Industrial estate road of the proposed development are of confusing nature as commercial and public seating area, visitor bicycle parking spaces and public amenities are also being proposed along this proposed pedestrian footpath.*

*At tri-party meeting the applicant was requested to analyse the potential for a ramp access over lift access at the main podium access point between buildings A&B, the applicant submitted response points towards a 4m transition which in their opinion is excessive for a ramp access and security issues due to a long ramp. The applicant proposed to provide an external secure lift for residents managed by the management company with adjoining stepped access and a large, overlooked south facing social area.*

*Note: SDCC Roads department recommend for the pedestrian access to the proposed development the applicant shall comply with Technical Guidance Document Part M.*

#### 5. Public Transport Linkages:

*The proposed development site is located close to a series of Dublin Bus stops on Kennelsfort Road Upper, which provide good quality public transport links. These stops are within 2-to-3-minute walk from the proposed 144 residential apartment development site. In addition, the proposed development site is within a 4-minute walk of the Clondalkin/ Ballyfermot Quality Bus Corridor (QBC). The site is located within a catchment area of approximately 1.0km radius, which covers bus routes such as: 25, 25A, 25B, 25D, 25X, 26, 51D, 66, 66A, 66B, 66E, 66N, 66X, 67, 67N, 67X, 76a, 40, 76, 76a and 18. The applicant will be required to provide a stronger connectivity and tin into the surrounding public transport.*

#### 6. Car Parking:

*The proposed car parking provision is 65no. spaces at the ground floor level and 2 no. of Go car parking spaces are proposed close to the vehicular entrance to the proposed development onto Cherry Orchard Industrial Estate Road. This is a parking ratio of 0.45 spaces per unit. The proposed no. of car parking is considered too low by the Roads department. The applicant intends the apartments will be build to sell, the proposed car parking shall be increased in the range of 80 to 85 no. spaces which is a parking ratio of 0.55 and 0.59 spaces per unit.*

*The applicant has submitted TTA report states that the local public transport network, and car sharing etc. is sufficient to warrant a lower than standard parking provision for the development. SCCC recognise that the Design Standards for New Apartments (March 2018) states that car parking in higher density developments in central locations may minimise or exclude car parking. SDCC Roads Department do not have any issues with this principle however the Roads Department are concerned that the significant under provision of car parking that is proposed as part of this development will not be generally acceptable and may result in parking and traffic issues both within the development and on the surrounding public road network.*

#### 7. Bicycle Parking and Links:

*SDCC bicycle parking ratios are low. The apartment guidelines for bicycle parking spaces are used below, where a total of 288 is recommended (216 + 72 = 288):*

*This is equal 1 space per bedroom and 1 space for every 2 apartments for visitor spaces.*

		Total of rooms
Input no. of 1 bed	72	72
Input no. of 2 beds	72	144
Total Residential Units	144	216

The applicant has proposed 310 bicycle parking spaces for residents and visitors cycle parking spaces including 8 motorbike spaces. SDCC Roads department is satisfy with the provision of 310 bicycle parking spaces at the proposed development.

The applicant has proposed a dedicated cycle lane minimum 1.8m and maximum 2.0m wide adjacent to the proposed pedestrian footpath along the frontage of the site which will connect with the existing cycle lanes on Kennelsfort Road Upper.

#### 8. Bin Storage & Management:

Bin storage for all blocks within the development are proposed at ground floor level within the car park. Collection point is at the entrance to the podium basement, adjacent to the location of the refuse truck turning zone. The bin lorries and emergency vehicle access are restricted to ground floor bin storage and car park, roads department is concerned whether sufficient headroom has been allocated for emergency vehicles to access the ground level car park.

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

#### 9. Waste and Construction Management Plan:

The applicant has submitted an outline waste and construction management plan for the proposed development. Prior to commencement of development the applicant shall submit a developed Waste and Construction Management Plan. Specific haul routes and the daily volumes of materials will have to be agreed with SDCC. A Visual Condition Survey (VCS) shall be carried out of all surrounding roads prior to any site works commencing. The contractor shall liaise with SDCC Roads & Traffic Department to agree any changes construction access routes for the site. Mud spillages on roads and footpaths outside the site shall be cleaned regularly and shall not be allowed to accumulate. Wheel wash facilities shall be provided for vehicles exiting the site. A detailed project specific traffic management plan shall be developed by the contractor and agreed with South Dublin County Council prior to works commencing on site. This plan shall be updated as required throughout the project.

#### 10. Taking in Charge:

A Taking in charge drawing has been submitted on drawing no. SSB-2019-41-002. The proposal is for the approx. 80m section of vehicular access road within the development and grass verge, cycle lane, footpath, and parallel parking bays along southern side of the proposed development to be taken in charge. No road construction details drawing submitted by applicant.

#### 11. Road Safety Audit:

The applicant has not submitted road safety audit.

**12. Mobility Management Plan:**

*A Mobility Management Plan has been noted by the applicant in the TTA assessment. Within 6 months of the development opening the applicant shall submit a developed Mobility Management Plan for agreement with the SDCC planning department.*

**13. Public Lighting:**

*A site Public Lighting design has been submitted with this application. The final lighting design shall be agreed with the Roads Lighting department prior to construction”.*

There are no objections, subject to conditions.

**Services and Drainage**

On surface water and flood risk, the Environmental Services Department has stated no objection to the proposed development on the basis of the services proposals submitted. This is acceptable to the Planning Authority.

For clarity, the Environmental Services Department report states:

*“Water Services have concerns regarding the proposed total attenuation volumes (Currently 221m<sup>3</sup>) following assessment of same. Prior to commencement of development, the applicant is required to submit a revised surface water drainage layout drawing showing an increase of 15% for the proposed attenuation volume provision on the site for the 1 in 100 year storm event.*

*It is unclear how the proposed SuDS (Sustainable Drainage Systems) features are designed to store and attenuate surface water on the site. Prior to commencement of development, the applicant is required to submit the following:*

*a revised surface water layout drawing showing the location of all proposed SuDS systems on site. The drawing shall show how the surface water drainage network on site is integrated into the proposed SuDS features i.e. Green roofs/Podiums, Porous Asphalt, Bio retention rain gardens and tree pits.*

*A drawing showing cross sectional details of all proposed SuDS features.*

**Note:** *Water Services welcome the exclusion of underground attenuation systems. This principle shall continue to be followed.*

*The applicant has not addressed Water Services concerns regarding the location of proposed trees in relation to the existing 225mm public surface water sewer traversing the site to the west. Prior to commencement of development the applicant is required to submit a drawing in plan and cross-sectional view showing the distance between the proposed trees and the existing 225mm surface water sewer. The drawings shall show the invert levels of the surface water sewer and any adjacent proposed structures and tree roots. The drawings must show a minimum clear setback distance of 3m is required between all structures and trees and the centreline of the surface water sewer.*

*A suitable wayleave shall be registered with the Property Registration Authority in favour of South Dublin County Council in relation to the existing 225mm public surface water sewer where such sewer traverses the site to the west. The extents of the wayleave must be agreed with South Dublin County Council.*

*The applicant has proposed to discharge drainage run off from proposed car park to the surface water network which is unacceptable. All surface water from car parking area shall pass through a suitable petrol/oil interceptor and connect to a foul drain/sewer. Prior to commencement of development the applicant is required to submit a drawing showing the proposed car park drainage layout connecting to the foul drainage system.*

Conditions are also recommended regarding foul and surface water drainage.

It is noted that whilst Water Services has raised no objections, some of the matters raised may give rise to the need to change the proposed development.

### **Energy and Climate Change**

At the previous stage, the applicant was advised that they should have full regard to the policy outlined in the Development Plan and should demonstrate in any application how the proposal conforms to objectives to increase renewable energy and to adapt to climate change.

The applicant has submitted an Energy/Part L compliance statement, prepared by DK Partnership. The report analyses the primary energy usage and carbon dioxide emissions to provide an energy efficient building in compliance with the current standards and regulations.

It concludes:

*“Compliance to part L 2019 is achieved by means of a 70% primary energy reduction on the reference dwelling or an EPC (primary energy) of 0.30 or less, a 65% carbon diode reduction or a CPC (carbon dioxide) of 0.35 or less and an equivalent primary renewable energy contribution of 20% or more.*

*The compliance calculation results were achieved by the application of the suggested façade parameters in combination with an air source heat pump for space & hot water heating and photovoltaic panels. However as mentioned in the technical sections compliance can also be achieved by a number of other methods listed in section 4.8 in combination with proposed passive reduction measures outlined in section 4.7”.*

### **Ecological Surveys**

An Ecological Assessment was undertaken by Dixon Bronson. The report is based upon surveys of the site and desk stop studies.

A desktop study was carried out identify features of ecological value occurring within the proposed development site and those occurring in close proximity to it.

The following surveys were undertaken:

- Habitats were mapped according to the classification scheme outlined in the Heritage Council publication ‘A Guide to Habitats in Ireland (Fossitt, 2000) and following the guidelines contained in ‘Best Practice Guidance for Habitat Survey and Mapping (Heritage Council, 2011).
- The proposed development area was surveyed for invasive species.
- All bird species recorded during the walkover survey and habitat survey were recorded.
- A general mammal survey was carried out in conjunction with the habitat survey.

A number of mitigation measures are outlined.

The report concludes:

*“Overall the development will impact on low value habitats. There will be a net gain by planting of grass areas, flowerbeds and treelines.*

*With the exception of localised and short-term disturbance impacts during construction, no significant impacts on fauna, including birds, are envisaged. No buildings or trees suitable as bat roosting habitat were identified within the site. No watercourses are located within the site boundary and no impact on aquatic habitats in the vicinity of the site is predicted.*

*Given that no significant impacts on surface water quality or downstream aquatic receptors have been identified, there will be no adverse impact on designated sites (Natura 2000 sites and/or pNHAs) or their conservation objectives will occur.*

*Management of the medium impact Buddleia plant is required to ensure it is contained and does not spread further in the site or in the local area.*

*No particular difficulties in the effective implementation of the prescribed mitigation measures have been identified”.*

It is considered that the mitigation measures outlined should be secured via condition, should planning permission be granted.

### **Appropriate Assessment and Environmental Impact Assessment**

A Screening Report for Appropriate Assessment was carried out by Dixon Brosnan. The report concludes *“The proposed development at Units 64 & 65, Cherry Orchard Industrial Estate, Palmerstown, Dublin 10 either alone or in-combination with other plans and/or projects, does not have the potential to significantly affect any European Site, in light of their conservation objectives”.*

An Bord Pleanala is the competent authority in this regard.

An EIA Screening Report has been submitted. The proposal is sub-threshold. The report concludes that an EIA is not required. An Bord Pleanala is the competent authority in this regard.

### **Development Contributions**

The following is assessable for development contributions purposes:

- 144 residential units stated as 9,293.8sq.m (apartment floorspace only)
- Lobby 59sq.m
- Lounges 274.9sq.m
- Meeting room 37.1sq.m
- Residents’ Gym 108.1sq.m
- Activity Area 68.4sq.m

### ***SEA Monitoring***

<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m.)</b>
Residential, communal amenity with plant rooms etc	18,165.9sq.m
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Brownfield	0.8544Ha



### **Conclusion, Recommendation and Statement:**

In conclusion, the Planning Authority acknowledges that the site has a number of constraints and the applicant has attempted to address the comments of the ABP and SDCC from previous stages.

The concepts of the design approach at Stage 2 have been amended to reflect the updated studies such as the daylight and shadow analysis. The height of the proposal has been reduced in part along Kennelsfort Road Upper, however, the applicant could go further in this regard to minimise overbearing impacts on adjacent occupiers. The articulation along Kennelsfort Road Upper and Cherry Orchard Industrial Estate Roads have been improved, as have access to the podium areas, with active frontage being created.

The Planning Authority expressed concerns in relation to the functionality of open spaces as the establishment of a clear hierarchy. It is considered that the submitted proposal, has addressed these concerns.

The proposed strategic housing development is generally in accordance with the Core Strategy of the SDCC Development Plan and the general area plan approach provides adequate connection opportunity for future development to the east. The Planning Authority considers that the proposal meets the criteria of SPPR 3 of the Urban Development and Building Height Guidelines.

Notwithstanding this, the Planning Authority has concerns in relation to:

- Dual aspect – there is concern over the location of some single aspect north facing apartments (Building C). There is also a concern with the lack of provision of 3-bed units. Both of these issues could be addressed by providing a higher number of 3 bed units and reconfiguring some of the apartment layouts.
- Overbearing and overlooking – there is concern that the proposal may be overbearing on existing properties to the west, this relates to the 9 storey and 8 storey element fronting Kennelsfort Road Upper, which could be set back. Some balconies on these elements may also impact on existing residents in terms of overlooking.
- Urban Design – Significant improvements have been made to the podium access points. There are concerns regarding the waste collection point to the east, as well as connectivity to east. Concerns regarding Building C – blank façade and lack of overlooking of car park entrance.
- Roads – Full autotrack has not been completed. Concern over public footpath layout in southwest corner. There is a significant underprovision of car parking.
- Parks - There is insufficient detail provided for the bioretention Tree Pits and rain gardens and also replacement street trees.

Subject to conditions to amend the proposal, the Planning Authority recommends a grant of permission.

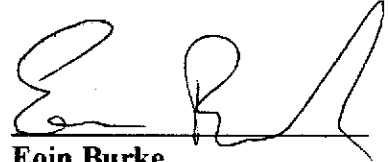
In the event that An Bord Pleanála grants planning permission, Appendix 1 details the list of conditions recommended by the Planning Authority.

*Colm Harte*

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**Colm Harte**

**Senior Executive Planner**



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**Eoin Burke,  
Senior Planner**

**Date:**

7/3/22



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**Mick Mulhern,  
Director of Land Use, Planning and  
Transportation**

## Appendix 1: Strategic Housing Development table of Recommended Conditions

No	Condition	Reason
1	<p><b>Effective control on development as approved</b></p> <p>The development shall be carried out and fully completed in its entirety in accordance with the plans, particulars and specifications lodged with this planning 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><b>Modifications to the Development</b></p> <p>No development shall take place under this permission until the applicant, owner or developer has submitted for written agreement of the Planning Authority revised plans, elevational drawings and a full suite of cross-sections, where necessary, that incorporate all of the following amendments or as otherwise agreed in writing:</p> <ul style="list-style-type: none"> <li>(i) Revise the layout of Building C to ensure all apartments are dual aspect and provide 3 bedroom apartments, blank elevations should be avoided and overlooking of the car park entrance should be increased. The privacy strip between buildings and north road should be increased.</li> <li>(ii) Revise the ground floor Building A, increasing the distance of floors 6-9 from the Kennelsfort Road Upper elevation.</li> <li>(iii) Revise the balconies of Building A to ensure no overlooking of existing residential properties.</li> <li>(iv) Increase the floor to ceiling height of all ground floor units in Building A and B to 3.1m. Revise the ground floor plans for Building A and increase the external doors into the communal areas.</li> <li>(v) Details of waste collection points should be clearly set out on all plans, including floorplans and landscape plans.</li> </ul>	<p>In the interest of a high quality residential and visual amenity and sustainable development.</p>
3	<p><b>Phasing</b></p> <p>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.</p> <p>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>

4	<p><b>Sample External Material finishes</b>  (a) Prior to the commencement of construction of any road, pavement, cycleway, on-street parking bays or other hard landscaped areas within the development hereby approved, sample panels of 3m x 3m of the materials shall be erected on site at an accessible location. Subsequently the Planning Authority shall be notified in writing of the presence and location of the sample panels for inspection and once approved by the Planning Authority, the sample panels shall be retained in good condition for the duration of development for quality control purposes. The development as approved shall be carried out in accordance with the approved samples.</p>	<p>In the interest of visual amenity, environmental quality and effective control of the development as approved.</p>
5	<p><b>No sub-division</b>  Each proposed residential unit shall be used and occupied as a single dwelling unit for residential purposes and shall not be subdivided or used for any commercial purposes, (including short-term letting).</p>	<p>To prevent unauthorised development.</p>
6	<p><b>Under-ground Public Services</b>  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>	<p>In the interests of the visual amenities of the area, the proper planning and sustainable development of the area and compliance with the Council's Development Plan.</p>
7	<p><b>Occupancy and Services</b>  No dwelling unit shall be occupied until all the services (drainage, water supply, electricity and or other energy supply, public lighting and roads) for each dwelling unit have been completed thereto and are operational.</p>	<p>In the interest of the proper planning and sustainable development of the area.</p>
8	<p><b>Street Names and Dwelling numbers</b>  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:  (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, and  (ii) This has been acknowledged in writing and confirmed in writing as acceptable by the Planning Authority.  Following receipt of written acknowledgement that the proposed scheme is acceptable, 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 Council requirements.</p>	<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>

	<p>The development name shall;</p> <ol style="list-style-type: none"> <li>1. Avoid any duplication within the county of existing names, and</li> <li>2. Reflect the local and historical context of the approved development, and</li> <li>3. Comply with; <ol style="list-style-type: none"> <li>(a) Development Plan policy, and</li> <li>(b) The guidelines on naming and numbering of the Department of the Environment, Heritage and Local Government, and</li> <li>(c) Have regard to the Guidelines issued by the Place Names Commission (An Coimisiún Logainmneacha) and Preferably make exclusive use of the Irish language.</li> </ol> </li> </ol>	
<p><b>9</b></p>	<p><b>Irish Water.</b></p> <ol style="list-style-type: none"> <li>1. The applicant shall sign a connection agreement with Irish Water prior to any works commencing and connecting to our network.</li> <li>2. 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. <ol style="list-style-type: none"> <li>(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.</li> </ol> </li> <li>3. All development is to be carried out in compliance with Irish Water Standards codes and practices.</li> </ol>	<p>In the interest of public health and to ensure adequate water/wastewater facilities.</p>

<p><b>10</b></p>	<p><b><u>Landscape Plans</u></b></p> <p>a) The site shall be landscaped in accordance with the detailed scheme of landscaping by ilsa rutgers landscape architecture, dated November 2021, as submitted January 2022 with the following amendments to be agreed in writing with the Public Realm Section prior to the commencement of development:</p> <ul style="list-style-type: none"> <li>i. The previously proposed and agreed plans to replace the six low quality (category C2) Italian alder street trees along the Cherry Orchard Industrial Estate Road shall be implemented.</li> <li>ii. Street trees proposed for removal will be replaced with native pollinator friendly trees. The applicant should provide large minimum 20-25cm girth Native and/or pollinator friendly species. The applicant is referred to the All-Ireland Pollinator Plan and SDCC Tree Policy (2021 – 2026) for appropriate street tree planting.</li> <li>iii. Detailed specification of SuDS bioretention tree planting pits and bioretention rain gardens showing how they work as a treatment train contributing to the SuDS system. The applicant is referred to the recently published ‘<i>SDCC Sustainable Drainage Explanatory, Design and Evaluation Guide 2022</i>’ for relevant details.</li> </ul> <p>b) 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>c) All lighting columns shall be located a minimum of five metres away from any tree.</p> <p>d) 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>In the interests of residential and visual amenity and to ensure full and verifiable implementation of the approved landscape design</p>
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	<ul style="list-style-type: none"> <li>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.</li> </ul>	
11	<p><b><u>Appointment of Landscape Architect</u></b></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>
12	<p><b><u>Appointment of Arborist</u></b></p> <p>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. The applicant shall inform the planning authority in writing of the appointment and name of the consultant, prior to commencement of development. The consultant shall visit the site at a minimum on a monthly basis, to ensure the implementation of all of the recommendations in the tree reports and plans and in the Ecological Impact Assessment Report in relation to Invasive Species.</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>
13	<p><b><u>Tree Works</u></b></p> <p>Prior to the commencement of <u>construction works</u> 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> <ol style="list-style-type: none"> <li>All tree pruning &amp; tree felling has been carried in accordance with BS 3998:2010 Tree Work Recommendations</li> <li>That the protective fencing has been installed in accordance with BS5837:2012</li> </ol> <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</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>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>	
<p><b>14</b></p>	<p><b><u>Tree Bond and Arboricultural Agreement</u></b></p> <p>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 €12.300 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>The bond lodgement shall be coupled with <i>an Arboricultural Agreement</i>, 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><i>An Arboricultural Assessment Report and Certificate</i> 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>For the tree &amp; hedgerow bond to be released, a post construction report on the condition of the trees &amp; 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 sign by the project Arborist shall be provided to the Planning Authority.</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>
<p><b>15</b></p>	<p><b><u>Surface Water and SUDS</u></b></p> <p>a. Prior to commencement of development, the applicant is required to submit a revised surface water drainage layout drawing showing an increase of 15% for the proposed attenuation volume provision on the site for the 1 in 100 year storm event.</p> <p>b. Prior to commencement of development, the applicant is required to submit the following:</p> <ul style="list-style-type: none"> <li>- revised surface water layout drawing showing the location of all proposed SuDS systems on site. The drawing shall show how the surface water drainage network on site is integrated into the proposed SuDS features ie. Green roofs/Podiums, Porous Asphalt, Bio retention rain gardens and tree pits.</li> <li>- drawing showing cross sectional details of all proposed SuDS features.</li> </ul>	<p>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.</p>



	<p>- Underground attenuation should be excluded</p> <p>c. Prior to commencement of development the applicant is required to submit a drawing in plan and cross-sectional view showing the distance between the proposed trees and the existing 225mm surface water sewer. The drawings shall show the invert levels of the surface water sewer and any adjacent proposed structures and tree roots. The drawings must show a minimum clear setback distance of 3m is required between all structures and trees and the centreline of the surface water sewer.</p> <p>d. A suitable wayleave shall be registered with the Property Registration Authority in favour of South Dublin County Council in relation to the existing 225mm public surface water sewer where such sewer traverses the site to the west. The extents of the wayleave must be agreed with South Dublin County Council.</p> <p>e. All surface water from car parking area shall pass through a suitable petrol/oil interceptor and connect to a foul drain/sewer. Prior to commencement of development the applicant shall submit a drawing showing the proposed car park drainage layout connecting to the foul drainage system.</p>	
<p><b>16</b></p>	<p><b>Flood</b></p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.</li> <li>• All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.</li> </ul>	<p>In the interest of public health, safety, the proper planning and sustainable development of the area and in order to ensure adequate sustainable drainage provision</p>
<p><b>17</b></p>	<ol style="list-style-type: none"> <li>1. Prior to commencement of development, the applicant shall submit a revised layout showing the main vehicular access road onto the Cherry Orchard Industrial Estate Road with a minimum 5.5m width.</li> <li>2. Prior to commencement of the development, the applicant shall submit a revised layout showing a 2.0m wide footpath all along the internal road layout and continuity of pedestrian footpath on the eastern side of the main vehicular access road.</li> <li>3. Prior to commencement of the development, the applicant shall submit a revised layout showing set down/loading bay areas for commercial and retail units, at the proposed development.</li> <li>4. Prior to commencement of the development, the applicant shall submit a layout showing an appropriate uninterrupted visibility splay at the proposed vehicular access.</li> <li>5. Prior to commencement of the development, the applicant shall submit a pavement condition survey, to assess the condition of the surrounding public roads prior and post construction, the applicant will be required to reinstate the public roads to an acceptable standard.</li> <li>6. Prior to commencement of development, the applicant shall submit a revised layout showing a minimum of 2.0m wide dedicated pedestrian footpath all along the southern and western</li> </ol>	<p>In the interests of sustainable transport and to ensure that designs, materials and specifications shall meet with the requirements of the Local Authority and the Development Agency and in the interests of proper planning and sustainable development.</p>

	<p>boundary of the proposed development.</p> <ol style="list-style-type: none"> <li>7. Prior to commencement of development, the applicant shall submit detail design of the proposed controlled pedestrian crossing on Kennelsfort road upper detail design shall be agreed with the Planning Authority, proposed pedestrian crossing shall be constructed by the applicant/developer and at their own expense.</li> <li>8. Prior to commencement of the development, the applicant shall submit a detail design of reduce junction radii within the Kennelsfort Road Upper and the Cherry Orchard Industrial Estate junction fronting the applicant site within lands that are under the control of Local Authority or applicant, The detail design shall be agreed with the Planning Authority.</li> <li>9. Prior to commencement of development, the applicant shall submit a letter of agreement to planning authority from NTA/Dublin Bus for the removal and relocating the existing bus stop on Kennelsfort Road Upper, submission shall also include detail drawing showing the new location and design for the relocated bus stop on Kennelsfort Road Upper.</li> <li>10. Prior to commencement the applicant shall submit a revised site layout showing an increased car parking spaces in the range of 80 to 85 no. spaces which is a parking ratio in the range of 0.55 and 0.59 spaces per unit at the proposed development.</li> <li>11. The applicant shall submit a revised layout showing a dedicated 2.5m wide cycle lane at the southern boundary linking with Kennelsort Road Upper cycle lane. Revised layout shall also show dedicated cycle lane along the proposed access road within internal site leading to the bicycle storage area at the ground level. All bicycle parking spaces shall be designed in accordance with the requirements of the National Cycle Manual (NTA, 2011).</li> <li>12. Prior to commencement of development, the applicant shall submit a swept path/ Autotrack analysis showing fire tender can access through the entire site.</li> <li>13. Prior to commencement of development, the applicant shall submit a combined Stage 1 &amp; 2 Road Safety Audit as per TII Publication TII GE-STY-01024 for the proposed development.</li> <li>14. Prior to commencement of development, the applicant shall submit a road marking and signage layout for the proposed development.</li> <li>15. The applicant will be required to increase the internal road (Pavement) width throughout the development to 5.5m wide.</li> <li>16. The applicant shall provide a 5% of the overall vehicular parking spaces for mobility impaired users.</li> <li>17. The proposed development shall make provision for the charging of electric vehicles. In the case of on-surface 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. 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</li> </ol>	
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	<p>writing with, the planning authority prior to commencement of development.</p> <p>18. Prior to the commencement of development, the applicant shall agree in writing a public lighting scheme with South Dublin County Council Lighting Department. 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.</p> <p>19. Prior to commencement of the development, the applicant shall submit to planning authority a Taking In Charge drawings that distinguishes between all areas to be offered to SDCC. Any areas to be Taken in Charge shall be in accordance with Appendix 6 of the SDCC Taking in Charge. These drawings shall include road cross sections that are compliant with the appendix 6 of the SDCC Taking in Charge standards.</p> <p>20. Prior to commencement of development, the applicant shall submit a developed Construction Traffic Management Plan which 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>21. Prior to commencement of development a developed Construction Demolition and Waste Management Plan shall be submitted and 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>22. 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><b>18</b></p>	<p><b>Mitigation Measures.</b>  All mitigation measures set out in the documentation submitted in support of the application, including in particular those set out in the microclimate report, Ecological Impact Assessment Report and associated documentation, shall be implemented in full, except as may otherwise be required in order to comply with the following conditions.</p>	<p>In the interest of the protection of the environment.</p>

<p><b>19</b></p>	<p><b>Taking-in-charge/Management Company</b></p> <p>A. Prior to the commencement of development, the applicant, owner or developer, or any other person with an interest in the land to which the development as approved relates shall submit the following for the written agreement of the Planning Authority:</p> <p>(i) A plan clearly identifying and dimensioning the external common areas of the development to be retained in private ownership by an owners' management company (OMC) under the Multi-Unit Developments Act 2011, or other acceptable legal entity prior to the occupation of the [first residential unit], and this plan shall also clearly identify and dimension any areas of the approved development intended to be offered for taking in charge by the Council, and;</p> <p>) A detailed building lifecycle report which shall include an assessment of long term running and maintenance costs as they would apply on a per residential unit basis at the time of approval of the development, as well as demonstrating what measures have been specifically considered by the developer to effectively manage and minimise costs for the benefit of all potential residents.</p> <p>The said external common areas of the development to be retained in private ownership indicated in the plan required shall not be taken in charge by the Council and shall instead be maintained in perpetuity by an Owners' Management Company set up for this purpose pursuant to the Companies Acts, 1963 as amended and the Multi-Unit Developments Act 2011.</p> <p>B. Continued membership of an Owners' Management Company set up for this purpose pursuant to the Companies Acts, 1963 as amended and the Multi-Unit Developments Act 2011 shall be compulsory for all owners for the time being of property within the development.</p> <p>C. No development shall take place under this permission until the applicant, owner or developer has lodged for the written agreement of the Planning Authority:</p> <p>(i) A copy of the Certificate of Incorporation of the said Company responsible for the external common areas of the development to be retained in private ownership has been lodged with the Planning Authority in respect of the plan required above.</p> <p>D. Any changes to the status or nature of the Owners' Management Company shall be notified to the Council forthwith.</p> <p>E. The Owners' Management Company shall hold insurance for public liability risk at all times for all areas under its control or responsibility.</p>	<p>To ensure a proper standard of residential development and maintenance of the private areas within the development and compliance with the South Dublin County Council Development Plan..</p>
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<p><b>20</b></p>	<p><b>Part V Social Housing</b>  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;  (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  (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><b>21</b></p>	<p><b>Minimise air blown dust</b>  During the construction phase of the development, Best 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>In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.</p>

<p><b>22</b></p>	<p><b>Construction Noise</b></p> <p>To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring, 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 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 shall be provided with the following:</p> <ul style="list-style-type: none"> <li>- Schedule of works to include approximate timeframes</li> <li>- Name and contact details of contractor responsible for managing noise complaints</li> <li>- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.</li> </ul>	<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><b>23</b></p>	<p><b>Ducting</b></p> <p>The applicant shall provide ducting along the frontage of their site in accordance with the following unless otherwise agreed in writing with the Planning Authority. These ducts shall comply with the following:</p> <ol style="list-style-type: none"> <li>a. 100mm diameter medium/high density smooth internal bore polyethylene, minimum wall thickness 5mm (+/- 0.1mm) coloured orange with the words “Traffic Signals” printed in 9mm high white lettering along the outside at intervals not exceeding 1 metre;</li> <li>b. impact resistant, impervious to water and sufficiently flexible to accommodate undulations in the trench; and</li> <li>c. when installed shall be properly jointed or sleeved to provide a continuous smooth internal bore with the printed words “Traffic Signals” uppermost.</li> </ol>	<p>Reason: In the interest of orderly development</p>

	<p>d. A single, securely fixed, polypropylene draw wire shall be left in every duct after installation of the cabling.</p> <p>e. Duct chambers shall be Cooper Clarke or agreed equivalent:</p> <ul style="list-style-type: none"> <li>i. spinal chambers shall not be less than 600 by 600mm (nominal);</li> <li>ii. chambers with integral pole foundations shall be 300 by 300mm or 450 by 450mm (nominal); and</li> <li>iii. chambers for loop tails shall be not less than 300 by 300mm (nominal) but loop tails may be run into spinal chambers and chambers with integral pole foundations when appropriate.</li> </ul> <p>Chamber lids shall be occasional run over unless otherwise required by the County Council.</p>	
25	<p><b>Archaeological Investigations:</b></p> <ol style="list-style-type: none"> <li>1. The applicant is required to engage the services of a suitably qualified archaeologist to carry out an archaeological impact assessment of the development site. No sub-surface developmental work, including geotechnical test pits, should be undertaken until the archaeological assessment has been completed and commented on by this office.</li> <li>2. The archaeologist shall carry out a desk based archaeological impact assessment including all relevant documentary research and inspect the development site.</li> <li>3. Having completed the work, the archaeologist shall submit a written report stating their recommendations to the Planning Authority and to the Department. Where archaeological material/features are shown to be present, preservation in situ, preservation by record (excavation) or monitoring may be required.</li> </ol>	<p>To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.</p>

# SOUTH DUBLIN COUNTY COUNCIL



## INTERNAL MEMORANDUM

### HOUSING DEPARTMENT

7<sup>th</sup> February 2022

*Michael Mulhern*

*Director of Land Use, Planning and Transportation*

*Dept. of Development, Economic & Transport Planning*

FAO: Sarah Watson

Re: Reg Ref: SHD3ABP-312430-22

**Location: Units 64 & 65 Cherry Orchard Industrial Estate, Palmerstown, Dublin 10**

**Applicant: AAI Palmerstown Limited.**

**Proposal:** *The development will consist of the demolition of an existing warehouse / factory building and the construction of a residential development of 144 no. apartments with supporting tenant amenity facilities (gym and activity areas, lounges and meeting room), employment uses including 2 no. incubator units and a remote working space, building management facilities and all ancillary site development works.*

I refer to the above application for planning permission, SHD3ABP-312430-22 and I wish to advise that a Part V condition should be attached to any grant of permission for this application.

The Part V submission lodged with this planning application is noted, the developer intends on fulfilling its Part V obligation by providing, 9 x 1 bed apartments & 5 x 2 bed apartments through the granting of a 25 year lease, however it is South Dublin County Councils preference **to acquire units on site** and as such it would be the preference of the Housing Department that a revised proposal is submitted to include acquisition of units as well as the inclusion of a universal type unit to accommodate 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 can only agree Part V in respect of the permitted development subject to costing approval from the Department of Housing, Local Government & Heritage.

Yours Sincerely,

**Edel Dempsey**

**Senior Staff Officer**

**Housing Procurement Section**



# Water Services Planning Report

**Register Reference No.:** SHD3ABP-312430-22

**Development:** The development will consist of the demolition of an existing warehouse / factory building and the construction of a residential development of 144 no. apartments with supporting tenant amenity facilities (gym and activity areas, lounges and meeting room), employment uses including 2 no. incubator units and a remote working space, building management facilities and all ancillary site development works.

**Location:** Units 64 & 65 Cherry Orchard Industrial Estate, Palmerstown, Dublin 10, D10 E330.

**Report Date :** 27<sup>th</sup> January 2022

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## Surface Water Report:

**No objection subject to:**

- 1.1 Water Services have concerns regarding the proposed total attenuation volumes (Currently 221m<sup>3</sup>) following assessment of same. Prior to commencement of development, the applicant is required to submit a revised surface water drainage layout drawing showing an increase of 15% for the proposed attenuation volume provision on the site for the 1 in 100 year storm event.
- 1.2 It is unclear how the proposed SuDS (Sustainable Drainage Systems) features are designed to store and attenuate surface water on the site. Prior to commencement of development, the applicant is required to submit the following:
  - a revised surface water layout drawing showing the location of all proposed SuDS systems on site. The drawing shall show how the surface water drainage network on site is integrated into the proposed SuDS features ie. Green roofs/Podiums, Porous Asphalt, Bio retention rain gardens and tree pits.
  - A drawing showing cross sectional details of all proposed SuDS features.

**Note:** Water Services welcome the exclusion of underground attenuation systems. This principle shall continue to be followed.

- 1.3 The applicant has not addressed Water Services concerns regarding the location of proposed trees in relation to the existing 225mm public surface water sewer traversing the site to the west. Prior to commencement of development the applicant is required to submit a drawing in plan and cross-sectional view showing the distance between the proposed trees and the existing 225mm surface water sewer. The drawings shall show the invert levels of the surface water sewer and any adjacent proposed structures and tree roots. The drawings must show a minimum clear setback distance of 3m is required between all structures and trees and the centreline of the surface water sewer.

## Water Services Planning Report

- 1.4 A suitable wayleave shall be registered with the Property Registration Authority in favour of South Dublin County Council in relation to the existing 225mm public surface water sewer where such sewer traverses the site to the west. The extents of the wayleave must be agreed with South Dublin County Council.
- 1.5 The applicant has proposed to discharge drainage run off from proposed car park to the surface water network which is unacceptable. All surface water from car parking area shall pass through a suitable petrol/oil interceptor and connect to a foul drain/sewer. Prior to commencement of development the applicant is required to submit a drawing showing the proposed car park drainage layout connecting to the foul drainage system.
- 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.

### Flood Risk Report:

**No objection:**

Signed: \_\_\_\_\_  
Ronan Toft AE

Date: \_\_\_\_\_

Endorsed: \_\_\_\_\_  
Brian Harkin SEE

Date: \_\_\_\_\_