



ARMSTRONG FENTON

ASSOCIATES

PROJECT: Strategic Housing Development

STATEMENT of CONSISTENCY: for proposed residential development at Boherboy, Saggart, Co. Dublin

CLIENTS: Durkan Estates Ireland Ltd & Kelland Homes Ltd

DATE: March 2022

**Planning &
Development
Consultants**



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1.0 Executive Summary

This Statement of Consistency demonstrates that the proposed residential development at Boherboy, Saggart, Co. Dublin is consistent with the relevant planning policies pertaining to the site at local, county and national levels.

The proposed development is described as follows:

Kelland Homes Ltd and Durkan Estates Ireland Ltd are applying to An Bord Pleanála for permission for a strategic housing development at a site at Boherboy, Saggart, County Dublin. To the immediate north of the site is the Carrigmore residential estate, to the west are agricultural lands and a single dwelling, to the east is the Corbally residential estate while to the south is the Boherboy Road. The proposed application represents the development of the entire Boherboy Neighbourhood as identified in the Fortunestown Local Area Plan (2012).

The development will consist of 655 no. dwellings, comprised of 257 no. 2, 3 & 4 bed, 2 & 3 storey detached, semi-detached & terraced houses, 152 no. 1, 2 & 3 bed duplex units in 17 no. 2-3, 3-4 & 4 storey blocks, and 246 no. 1, 2 & 3 bed apartments in 9 no. buildings ranging in height from 2, 2-5, 4-5 & 5 storeys, and a 2 storey crèche (693m²).

Access to the development will be via one no. vehicular access point from the Boherboy Road, along with proposed upgrade works to Boherboy Road to include the provision of a roadside footpath along the front of the site at the Boherboy Road, continuing eastwards to the junction with the N81 Blessington Road (for an overall distance of c.370m). The proposed development also provides for pedestrian and cyclist connectivity to the adjoining Carrigmore Park to the north-east, and vehicular, pedestrian and cyclist connections to adjoining developments at Corbally Heath to the east and Carrigmore Green to the north.

The proposed development provides for (i) all associated site development works above and below ground, including surface water attenuation & an underground foul sewerage pumping station at the northern end of the site, (ii) public open spaces (c. 3Ha), including alongside the Corbally Stream, which will accommodate the provision of pedestrian / cyclist links to Carrigmore Park to the north-east, (iii) communal open spaces (c. 6,392m²), (iv) hard and soft landscaping and boundary treatments, (v) undercroft, basement & surface car parking (914 no. car parking spaces, including EV parking), (vi) bicycle parking (797 no. bicycle parking spaces), (vii) bin & bicycle storage, (viii) public lighting, and (ix), plant (M&E), utility services & 5 no. ESB sub-stations, all on an overall application site area of 18.3ha. In accordance with the Fortunestown Local Area Plan (2012) an area of approx. 1.4Ha within the site is reserved as a future school site.



2.0 Introduction

2.1 Legislative Context

In accordance with Section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act, (as amended)(the “2016 Act”), Kelland Homes Ltd and Durkan Estates Ireland Ltd intend to apply for planning permission in respect of proposed Strategic Housing Development (SHD) at Boherboy, Saggart, Co. Dublin. This report constitutes the Statement of Consistency required to support the application and pursuant to the requirement under Section 8(1)(a)(iv) of the 2016 Act.

2.2 Outline of this Report

This Statement of Consistency provides a description of the proposed site location and proposed development followed by a list of the various statutory and strategic policy documents considered. The Statement continues to demonstrate full consistency with the relevant Development Plan, Local Area Plan, and S.28 Ministerial Guidelines and National Policy.

3.0 Policy Documents Considered

The following policy documents have informed this Statement of Consistency:

3.1 National Planning Context / Strategic Policy Documents

- Project Ireland 2040 - National Planning Framework (2018);
- Rebuilding Ireland: Action Plan for Housing and Homelessness (2016);
- Housing for All – a New Housing Plan for Ireland (2021).

3.2 Section 28 Ministerial Guidelines

- Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, 2009, and its companion document Urban Design Manual – A best practice guide, 2009;
- Urban Development and Building Heights Guidelines for Planning Authorities, 2018;
- Sustainable Urban Housing: Design Standards for New Apartments, 2020;
- Guidelines for Planning Authorities for Child Care Facilities, 2001;
- The Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009;
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (2018).

3.3 Regional Planning Context

- Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy (June 2019).

3.3 Local Planning Context / Statutory Policy Documents

- South Dublin County Development Plan 2016-2022;
- Fortunestown Local Area Plan, 2012 (extended 2017).



4.0 Statement of Consistency

The following sets out the proposed development's compliance with a range of relevant national and local planning guidelines and policies.

4.1 National Planning Context

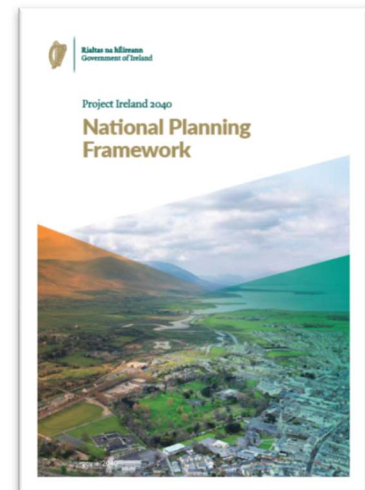
4.1.1 Project Ireland 2040 - National Planning Framework

The Government published the National Planning Framework (NPF) in 2018 which is the Government's high-level strategic plan for shaping the future growth and development of the country out to the year 2040. A key element of the NPF's strategy is compact growth with the key features being:

- *Targeting a greater proportion (40%) of future housing development to be within and close to the existing 'footprint' of built-up areas.*
- *Making better use of under-utilised land and buildings, including 'infill', 'brownfield' and publicly owned sites and vacant and under-occupied buildings, with higher housing and jobs densities, better serviced by existing facilities and public transport.*
- *Supporting both urban regeneration and rural rejuvenation through a €3 Billion Regeneration and Development Fund and the establishment of a National Regeneration and Development Agency. (Page 22)*

The NPF is divided into 11 Chapters as follows:

- Chapter 1 The Vision
- Chapter 2 A Way Forward
- Chapter 3 Effective Regional Development
- Chapter 4 Making Stronger Urban Places
- Chapter 5 Planning for Diverse Rural Places
- Chapter 6 People, Homes & Communities
- Chapter 7 Realising our Island and Marine Potential
- Chapter 8 Working with Our Neighbours
- Chapter 9 Realising Our Sustainable Future
- Chapter 10 Implementing the National Planning Framework
- Chapter 11 Assessing Environmental Impact



Each chapter contains National Policy Objectives that promote coordinated spatial planning, sustainable use of resources and protection of the environment and the Natura 2000 network. The National Policy Objectives most relevant to the current application are as follows:

- **National Policy Objective 3a** - Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements;
- **National Policy Objective 4** - Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.



Statement of Consistency:

In accordance with the National Policy Objectives of the NPF, the current application will deliver a medium to high density development of modern and adaptable new homes, within an existing urban area in close proximity to existing public transport and local service provision, and meets the objective of providing new homes at locations that can support sustainable development and at an appropriate scale of provision relative to its location, in particular that the location of new housing be prioritised in existing settlements, i.e. National Policy Objectives 3a and 4.

- **National Policy Objective 11** - In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth;

Statement of Consistency:

The proposed development is located on residentially zoned lands within the South Dublin County Development Plan 2016-2022 and on lands identified for residential land use in the Fortunestown Local Area Plan 2012. The subject site is located c. 1km south- west of Citywest Shopping Centre which offers a range of shops, services and employment opportunities all within a 10 minute walk of the site. To the north and east are the Citywest Business Campus and Magna Business Park respectively, both c. 1km from the site which cater for a range of employment opportunities. The proposed development will create increased footfall for shops and services in the area.

- **National Policy Objective 13** - In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected;

Statement of Consistency:

The proposed development will provide for a high-quality residential scheme through the design, quality, materials and finishes proposed. In addition, the proposed units are in excess of the minimum apartment size requirement as stated in the Apartment Guidelines and provide well orientated spacious units. Furthermore, car parking for the proposed development is not visually dominant and is provided at a rate that accords with the relevant standards as set out in section 3.4 of the submitted Traffic and Transport Assessment (TTA). The density of the proposed development accords with the requirements set out in the Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, 2009, and as demonstrated in the submitted Planning Statement (section 5.5).

- **National Policy Objective 27** - Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages;



Statement of Consistency:

The proposed development seeks to deliver an appropriate form and scale of residential development close to the Luas at the Fortunestown passenger stop to the north-east, c. 1km away and to multiple bus routes including nos. 65, 65b, 77a, 77x, 69, 175, all within a 10 minute walk of the site, providing access to *inter alia* the City Centre and UCD.

- **National Policy Objective 32** - To target the delivery of 550,000 additional households to 2040;

Statement of Consistency:

The proposed development seeks to deliver 655 no. dwellings which will contribute to the housing stock.

- **National Policy Objective 33** - Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location;

Statement of Consistency:

The subject site is located within the metropolitan area of Dublin City which is identified for significant residential growth over the next two decades. The proposed 655 no. units will provide new residential development on this zoned site.

- **National Policy Objective 34** - Support the provision of lifetime adaptable homes that can accommodate the changing needs of a household over time;

Statement of Consistency:

The proposed houses have been designed to be adaptable and can cater for internal alteration and extension.

- **National Policy Objective 35** - Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights;

Statement of Consistency:

The proposed development will provide a high density residential scheme within the existing settlement of Fortunestown, in close proximity to Citywest, Tallaght, Saggart, and within the metropolitan area of Dublin.

Evaluation of Consistency:

In accordance with the National Policy Objectives of the NPF, the current application will deliver a medium to high density development of modern and adaptable new homes, within an existing urban area in close proximity to existing public transport and local service provision, and meets the objective of providing new homes at locations that can support sustainable development and at an appropriate scale of provision relative to its location, in particular that the location of new housing be prioritised in existing settlements.



The proposed development will provide a high quality residential scheme in sustainable location and help to achieve the NPF's overall aims. Development of these lands is considered to be fully in accordance with the recommendations of the NPF and sustainable growth patterns. The proposed development will increase the local population and support existing public transport, services and facilities in the area. Furthermore, the site's highly accessible location will encourage walking, cycling and public transport use as alternatives to the car.

4.1.2 Rebuilding Ireland – Action Plan for Housing and Homelessness, 2016

Rebuilding Ireland is the Government's Action Plan for Housing and Homelessness, launched in 2016. The overarching aim of the *Action Plan* is to increase the delivery of housing from its current undersupply across all tenures and to help individuals and families meet their housing needs.

The Action Plan provides a target to double the number of residential dwellings delivered annually by the construction sector and to provide 47,000 social housing units in the period up to 2021. The importance of land supply and location is a central consideration of the *Action Plan* which states that:

“locating housing in the right place provides the opportunity for wider family and social networks to thrive, maximises access to employment opportunities and to services such as education, public transport, health and amenities, while delivering on sustainability objectives related to efficiency in service delivery and investment provision”.



The proposed development is located on zoned, serviced lands within walking distance of a range of amenities, services and public transport infrastructure. The development is proximate to existing residential areas and employment opportunities which is in line with the provisions of the Action Plan.

The Plan contains five key pillars of which Pillar 3 is most relevant in this instance. The proposed development at Boherboy is consistent with Pillar 3 to 'Build More Homes', as the scheme is proposing to construct a total of 655 no. dwellings on a greenfield site that enjoys close proximity to a wide range of facilities and services in a highly accessible site location in the southern suburbs of Dublin.

- Pillar 3 – Build More Homes: Increase the output of private housing to meet demand at affordable prices.

Statement of Consistency:

The proposed development is consistent with Pillar 3 to build more homes, *“to increase the output of private housing to meet demand at affordable prices.”* The proposed development provides for 655 no. new dwellings. The provision of these units will substantially add to the residential accommodation availability of the area and cater to the increasing housing demand. The proposed development of 655 no. units will provide a wide mix of unit types and will be suitable for a range of household types and needs. The proposal will also deliver 20% of units for Part V requirements (i.e. Pillar 2 “Accelerate Social Housing”).



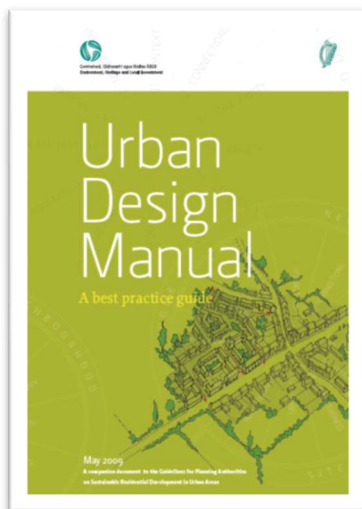
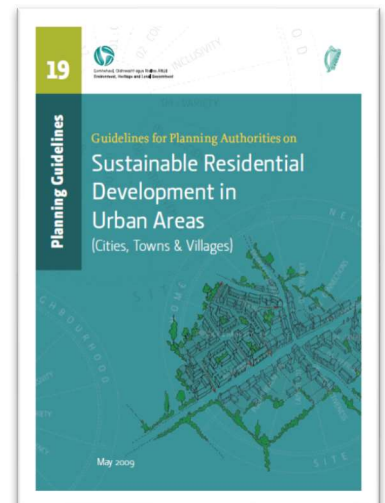
4.2 Section 28 Ministerial Guidelines

The Section 28 Ministerial Guidelines relevant to the current application are, and referred to in preparing the current proposal:

1. Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, 2009, and its companion document Urban Design Manual – A best practice guide, 2009;
2. Urban Development and Building Heights Guidelines for Planning Authorities, 2018
3. Sustainable Urban Housing: Design Standards for New Apartments, 2020;
4. Guidelines for Planning Authorities for Child Care Facilities, 2001;
5. The Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009;
6. Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (2018).

4.2.1 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and accompanying Urban Design Manual Best Practice Guidelines (both 2009)

The Guidelines on Sustainable Residential Development in Urban Areas set out the key planning principles for the preparation and assessment of applications for residential development in urban areas. The Guidelines set out recommended densities for development and how density is to be measured. They are also accompanied by the Urban Design Manual which illustrates how the policy principles can be translated into practice by developers. The principles contained within the Guidelines are translated into the planning and design objectives and standards contained in the South Dublin Development Plan 2016 – 2022. These objectives and standards have informed the nature, scale and form of development within the current application and ensure a plan-led approach to the development of the site.



The Urban Design Manual provides a series of criteria against which residential developments can be assessed at the levels of the neighbourhood, the site and the home.

Consistency with the 12 Design Criteria is demonstrated in detail in the enclosed Architectural Design Rationale - please refer to same, however, the proposed development's compliance with same is also set out on page 11.



Statement of Consistency:

The proposed layout, design and built form is guided by the principles set out within the Guidelines and the 12 design criteria within the Design Manual which ensures that the proposed development provides a variety of residential dwellings that are connected to local public transport options and accessible to existing retail and local services.

Compliance with the 12 urban design criteria is set out in the submitted Architectural Design Rationale, and further on in this statement, which demonstrates that the proposed development has been assessed against the Design Criteria and Indicators contained in the Urban Design Manual – Best Practice Guide, which is also in accordance with the requirements of the current South Dublin County Development Plan and the Fortunestown LAP (section 7.1).

The proposed density of development adheres to the guidance for sustainable residential development as it can be described as an Outer Suburban / Greenfield Site and complies with section 5.11 of the guidelines, which define such sites as “as open lands on the periphery of cities or larger towns”. The Guidelines state that “the greatest efficiency in land usage on such lands will be achieved by providing net residential densities in the general range of 35-50 dwellings per hectare and such densities (involving a variety of housing types where possible) should be encouraged generally. Development at net densities less than 30 dwellings per hectare should generally be discouraged in the interests of land efficiency, particularly on sites in excess of 0.5 hectares”. The proposed net density of 43 units per hectare is in compliance with recommended range set out in section 5.11 of the Guidelines.

Furthermore, section 5.8 of the same guidelines recommends that “increased densities should be promoted within 500 metres walking distance of a bus stop, or within 1km of a light rail stop or a rail station”. This section of the guidelines also states that “in general, minimum net densities of 50 dwellings per hectare, subject to appropriate design and amenity standards, should be applied within public transport corridors, with the highest densities being located at rail stations / bus stops, and decreasing with distance away from such nodes”.

The development now put forward for consideration aims to deliver:

- (i) an efficient density of development on the subject site in accordance with S.28 Guidelines;
- (ii) an overall minimum net density of 35 dwellings per hectare across the site;
- (iii) to include delivering a net density of 50 dwellings per hectare within 1km walking distance of the Fortunestown Luas passenger stop.

This is achieved as follows:

(i) & (ii) The net developable area of the subject site is 15.28Ha which produces a net density of 43 units per hectare across the entire site, thus according with the guidance set out in the 2009 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas.

(iii) The northern part of the site that lies within the 1km walking distance of the Fortunestown Luas passenger stop (refer to Fig. 2 over), occupies a net area of 7.4Ha, and excludes (a) an area of 1.42Ha that has been reserved for a school site, in accordance with the 2012 Fortunestown LAP and (b) 0.61ha of open space/landscape buffer in the “Riverside Park” along the eastern boundary, both of which have been discounted for net density purposes in accordance with the 2009 Guidelines. This northern half of the site accommodates 374 no. dwellings on a net developable area of 7.4Ha which represents a net density of 51 no. dwellings per hectare, which accords with section 5.8 of the 2009 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, as outlined above.



The remainder of the proposed development site occupies a net developable area of 7.9Ha, and does not include the remainder of the proposed open space/landscape buffer in the “Riverside Park” along the eastern boundary (i.e. 0.38Ha). It is proposed to accommodate 281 no. dwellings in this part of the site which produces a net density of 35.57 units per hectare, which is over and above the discouraged net density of “*less than 30 dwellings per hectare*”, as per the 2009 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas.

The aforementioned net density calculation has been calculated based upon guidance set out in Appendix A of the 2009 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, which provides for net density to be calculated based upon the exclusion of:

- *major and local distributor roads;*
- *primary schools, churches, local shopping etc.;*
- *open spaces serving a wider area; and*
- *significant landscape buffer strips.*

(Underlined emphasis added)

The proposed “Riverside Park” of 1.Ha accords with the objectives of the Fortunestown LAP, which states it can be classed as public open space. This “Riverside Park” will cater for green links, is a significant landscape buffer strip that will also adjoin and connect to the District / Carrigmore Park thus ultimately acting as both an open space that will serve the wider area, and as a significant landscape buffer strip. By also discounting this 1 hectare of open space that will serve the wider area, (along with reserved school site) produces a net developable area of 15.3ha which produces a net density of development of 43 units per hectare across the entire site.

Having regard to the Urban Design Manual, along with the previous decision to refuse permission under Ref. ABP 305713-19, the current site layout plan caters for the following:

- A clear road hierarchy has been established, with a main avenue that connects side streets and homezones. The “Avenue” is characterised by having limited car parking that accommodates established street trees, provided at fixed centres along its route, as well as being flanked by existing and proposed green planting on its eastern side for the majority of its length.
- Parking has been managed so that there is a consistent mix of parallel and perpendicular parking provided on the streets off the main “Avenue”, also interspersed with street tree planting. Parking for the apartment buildings is catered for, in accordance with DMURS guidance, by way of a basement / undercroft car parking, to further reduce the perception of dominant surface car parking.
- The urban form of the layout has been adapted to create a clear roads/street hierarchy thus more variation to streets, with changes of direction and connecting paths designed to minimise long straight sections and provide more variance to the character areas and house typologies across the site.
- A strong urban edge is proposed fronting onto Boherboy Road, by way of three/four storey buildings comprised of a mix of houses, duplex and apartment typologies that announces the entrance to the scheme but is designed to also reflect the semi-rural character of the receiving environs.
- Distinct character areas within the site are provided for through architectural design and materiality.



- Public Open Spaces are distributed throughout the development so that each dwelling will lie within an appropriate distance from an open space amenity. Pocket parks are arranged to accommodate suitably sized children's play areas and in each case are overlooked directly by adjacent building frontages.

Given the topography of the application site, and its locational context, a high quality of design, based upon urban design principles has been applied to the scheme. Taking all of the foregoing into account. the proposed density provides a balance between the objectives of the National Planning Framework and RSES for compact growth of existing settlements. The proposed density is considered to be within the Guidelines whilst also providing for a layout which is appropriate for the subject site and its context.

The proposed development conforms to the more detailed guidance within the guidelines on layout, design and density – by making effective use of the site; making a positive contribution to its surroundings; having a sense of identity and place; providing for variety in design and housing typology, effective connectivity, and featuring a design which is guided by the principles of passive surveillance. The proposed development meets the 12 criteria for sustainable residential development contained within the Urban Design Manual (2009), a companion document to the above mentioned Guidelines, and set out in the enclosed Architect's Design Rationale.

1. Context - How does the development respond to its surroundings?	
The development seems to have evolved naturally as part of its surroundings.	The site has been identified and is acceptable in principle as being suitable to accommodate housing of the scale and character proposed. A key objective for the proposed scheme was to help densify the area, provide a greater mix of unit types, and provide active streetscapes, improved connectivity to adjoining lands and create a better sense of place.
Appropriate increases in density respect the form of buildings and landscape around the site's edges and the amenity enjoyed by neighbouring users.	The current low-density characteristic of the area is unsustainable and does not reflect the national policies that asks for higher densities within existing built footprint of cities and towns (NPO13: In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected). The site is of an appropriate size and has landscape features that will benefit this development in terms of creating a unique residential character. The proposed layout respects its environs and will not deter the amenities enjoyed by the neighbouring users.
Form, architecture and landscaping have been informed by the development's place and time.	The design and density of the development reflects the context of the site yet is a modern and high-quality scheme reflecting the type of development that is currently occurring in other parts of the county. The height, scale and massing are considered appropriate given its context within the site and the surrounding developments in the wider area.
The development positively contributes to the character and identity of the neighbourhood	The proposal creates an identity and a sense of place for the new neighbourhood. The proposal's attractive layout and design is integrated into its natural setting.
Appropriate responses are made to the nature of specific boundary conditions	The development has sought to incorporate the natural features and hedgerows as much as possible.



2. Connections – How well connected is the new development?	
There are attractive routes in and out for pedestrians and cyclists.	Vehicular/pedestrian/cyclist accesses into the site are proposed from three locations: (i) Boherboy Road, (ii) Corbally to the east & (iii) Carrigmore to the north, all of which provides accessibility to the District Centre, Park, Luas and employment to the north-east.
The development is located in or close to a mixed-use centre.	The site is within a reasonable walking distance (c. 1km) of local shops and services at Citywest, with Tallaght to the east and Saggart to the west.
The layout links to existing movement routes and the places people will want to get to.	Pedestrian permeability through the site is promoted in the residential layout enabling future residents to access the development from multiple points to access the existing / permitted network of pedestrian, cycle access routes.
Appropriate density, dependent on location, helps support efficient public transport.	The proposed density is put forward for consideration in light of compact urban growth and availability of public transport connection. The subject site is ideally located in proximity to Luas and Bus services, with pedestrian connections to same catered for as part of the current proposal.

3. Inclusivity – How easily can people use and access the development?	
New homes meet the aspirations of a range of people and households.	New apartments, duplexes and houses will meet the needs of a wide range of future occupants from first time buyers, families with children, empty nesters etc. The range of housing typologies and quality of internal spaces and private open space and communal spaces will fulfil the requirements of all future residents.
Design and layout enable easy access by all.	The proposal has been designed for ease of access throughout the site in accordance with Part M of the Building Regulations.
There is a range of public, communal and/or private amenity spaces and facilities for children of different ages, parents and the elderly.	The scheme will provide a variety of open spaces for a range of different ages including children, adults and the elderly. The landscape strategy aims to integrate the new built development with the existing landscape and create a network of attractive useable open spaces while contributing to the local biodiversity. The public open spaces provide for meeting, walking, formal and informal play.
Areas defined as public open space that have either been taken in charge or privately managed will be clearly defined, accessible and open to all.	The public open spaces will be openly accessible to all and clearly defined.
New buildings present a positive aspect to passers-by, avoiding unnecessary physical and visual barriers.	The layout is designed to maximise visual and physical fluidity throughout the scheme and will not hinder movement. Housing located adjacent to open spaces are oriented towards the public spaces contributing to the passive surveillance and overall security of the scheme.



	4. Variety – How does the development promote a good mix of activities?
Activities generated by the development contribute to the quality of life in its locality.	The proposal will significantly improve the housing mix of the area and will increase population creating additional demand for educational, sports and retail services all of which are provided in the local area.
Uses that attract the most people are in the most accessible places.	A variety and hierarchy of open spaces are provided throughout the scheme and will be easily accessible to residents and the public.
Neighbouring uses and activities are compatible with each other.	The area is characterised by residential and open space uses; as such the proposed use is compatible with the surrounding area.
Housing types and tenure add to the choice available in the area.	A mix of apartments, duplexes and houses will further improve the range of unit types in the area available to various household types. For more information, please refer to section 5.7 “Housing Typology & Mix” of the submitted Planning Statement for details of the accommodation schedule.
Opportunities have been taken to provide shops, facilities and services that complement those already available in the neighbourhood.	The scheme is within 10 minute walk of the Citywest / District centre which has a range of local retail and other services. Luas and Bus services connects the site to Dublin City Centre.

	5. Efficiency - How does the development make appropriate use of resources, including land?
The proposal looks at the potential of higher density, taking into account appropriate accessibility by public transport and the objectives of good design	The development density of 43 units/ha is considered to be appropriate for the site and is a sustainable increase on the low-density estates in the area. The development is proposing to include pedestrian and cyclist connections to the existing and permitted roads infrastructure that connect to the wider local area.
Landscaped areas are designed to provide amenity and biodiversity, protect buildings and spaces from the elements and incorporate sustainable urban drainage systems.	The proposal provides for high quality, landscaped public open space as part of the residential element of the development. The scheme incorporates SuDS, promoting biodiversity and providing residential amenity. Where possible existing trees and hedgerows have been trees around the site. In addition to this, the public realm will be planted with a diverse mix of plants and tree species to create tree lined avenues. We refer to RMDA landscape drawings for more information.
Buildings, gardens and public spaces are laid out to exploit the best solar orientation	All of the proposed houses and units accommodated within the duplex blocks are dual aspect. Out of the 246 no. proposed apartment units, approx. 52% are dual aspect (i.e. 117 no. units) with the remainder being single aspect i.e. 48% (i.e. 129 no. units). The 2020 Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, under section “Dual Aspect Ratios” and specifically SPPR4 of same require “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”, and the proposed development complies with this. We note that Block C accommodates 110 no. apartments in total, of which 4 no. are single aspect, north facing units. However, in section 3.18 of the aforementioned “Apartment Guidelines” it is stated that where single aspect apartments are provided, that north facing single aspect apartments may be considered, where overlooking a significant amenity such as a public park, garden or formal space, or some other amenity feature. Block C is positioned whereby its northern elevation directly faces onto a large area of public open space. Less than 4% of the overall units within Block C are north facing single aspect units which directly overlook an area of public open space so it is considered that these units comply with the guidance set out in the “Apartment Guidelines”.



The scheme brings a redundant building or derelict site back into productive use	This is a underutilised greenfield site which is directly serviced by roads and services.
Appropriate recycling facilities are provided.	Each house will undertake its own recycling with collection by municipal services. The apartments and duplex apartments have also been afforded appropriate bin storage.

	6. Distinctiveness - How do the proposals create a sense of place?
The place has recognisable features so that people can describe where they live and form an emotional attachment to the place	The layout of the scheme allows for the creation of distinctive streets and open spaces, as well as character areas which will instil a sense of place for future residents.
The scheme is a positive addition to the identity of the locality.	The proposal will provide an attractive new residential development at an appropriate scale and quantum. It will be positive addition to the residential character for the Fortunestown area.
The layout makes the most of the opportunities presented by existing buildings, landform and ecological features to create a memorable layout.	The proposed layout seeks to incorporate the existing planting along the site boundaries as best as is possible, as well as retention of the central hedgerow as much as is possible. The scale and pattern of the development also takes into account the topography of the site.
The proposal successfully exploits views into and out of the site.	As can be seen from the contiguous elevations, CGI's & verified views, views have been carefully considered in order to enhance the area with the proposed development being sensitive to the character of the surrounding area.
There is a discernible focal point to the scheme, or the proposals reinforce the role of an existing centre.	The main public open spaces provide for focal points within the scheme and which are all directly overlooked by the residential units.

	7. Layout - How does the proposal create people friendly streets and spaces?
Layout aligns routes with desire lines to create a permeable interconnected series of routes that are easy and logical to navigate around.	Pedestrian permeability is a key design outcome for the scheme. All cycle and pedestrian paths have been designed to follow the desire line to the District Centre / Park whilst future connections to permitted developments to the east and north is also catered for.
The layout focuses activity on the streets by creating frontages with front doors directly serving the street.	The proposed streetscape is well defined, DMURS compliant, seeks to reduce car speeds and provide a better balance of modal use with pedestrians and cyclists. For full details of the design principles applied to the proposed development, please refer to the submitted Statement of Compliance with DMURS prepared by Pinnacle Engineering.
The streets are designed as places instead of roads for cars, helping to create a hierarchy of space with less busy routes having surfaces shared by pedestrians, cyclists and drivers.	
Traffic speeds are controlled by design and layout rather than by speed humps.	
Block layout places some public spaces in front of building lines as squares or greens, and	The open space strategy for the scheme creates multiple open space areas of varying uses and sizes, which are designed by RMDA Landscape Architecture to provide high quality space.



some semi-private space to the back as communal court.	
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8. Public Realm - How safe, secure and enjoyable are the public areas?	
All public open space is overlooked by surrounding homes so that this amenity is owned by the residents and safe to use.	All spaces are overlooked and surveyed by the residential units offering natural passive surveillance.
The public realm is considered as a usable integrated element in the design of the development.	Public realm is properly integrated into the design of the development and forms an attractive feature of the development.
Children's play areas are sited where they will be overlooked, safe and contribute to the amenities of the neighbourhood.	Play areas are facilitated within the scheme which are overlooked by houses and apartment / duplex buildings.
There is a clear definition between public, semiprivate, and private space.	This is achieved. Please refer to the drawings and documentation submitted by RMDA Landscape Architects.
Roads and parking areas are considered as an integral landscaped element in the design of the public realm.	The scheme provides for a total of 914 no. car parking spaces throughout the scheme. Car parking is provided in a combination of on-street and in-curtilage for the houses. In higher density areas, car parking areas are provided in grouped communal car parking areas that are visually broken up by planted bays and trees, as well as underground / undercroft arrangements. The integration of landscape elements and car parking areas has been a key element for the scheme's high-quality design approach.

9. Adaptability - How will the buildings cope with change?	
Designs exploit good practice lessons, such as the knowledge that certain house types are proven to be ideal for adaptation	There is a variety of housing typologies including apartments, duplexes, detached, semi-detached, and terraced houses. The houses have the ability to be altered/ extended in the future.
The homes are energy-efficient and equipped for challenges anticipates from a changing climate	The new houses, duplexes and apartments will be constructed in accordance with the energy efficiency standards in place as per the Building Regulations. For further details, please refer to the submitted Energy Statement prepared by BBSC.
Homes can be extended without ruining the character of the types, layout and outdoor space	The houses can be extended without having a detrimental impact on the surrounding residential amenities and character, and can accommodate conversions and extensions as appropriate. The internal space is also flexible and allows for the removal / addition of walls etc. to create different spaces according to needs.
The structure of the home and its loose fit design allows for adaptation and subdivision, such as the creation of an annex or small office	
Space in the roof or garage can be easily converted into living accommodation.	



	10. Privacy and Amenity - How does the scheme provide a decent standard of amenity?
Each home has access to an area of useable private outdoor space.	Each unit has its own private open space in accordance with the minimum residential standard. These are in the form of private balcony/ terrace/ rear garden in line with the standards.
The design maximises the number of homes enjoying dual aspect	100% of the proposed houses & duplex units are dual aspect, with 52% of the proposed apartments being dual aspect, all of which accords with national policy.
Homes are designed to prevent sound transmission by appropriate acoustic insulation or layout	All units are designed to prevent sound transmission in accordance with current building standards.
Windows are sited to avoid views into the home from other houses or the street and adequate privacy is affordable to ground floor units	All units have been oriented to minimise overlooking. Adequate separation distances between opposing windows is achieved and overlooking is not considered an issue. Landscaping strips and boundary treatments at ground floor level ensure that ground floor areas will have an adequate level of privacy.
The homes are designed to provide adequate storage including space within the home for the sorting and storage of recyclables	All units are provided with storage space in line with relevant DoE requirements.

	11. Parking – How will the parking be secure and attractive?
Appropriate car parking is on-street or within easy reach of the home's front door	On-street parking is provided throughout the development, where considered appropriate in terms of design, accessibility and compliance with DMURS. All of this parking is overlooked and within easy reach of each residential unit.
Parked cars are overlooked by houses, pedestrians and traffic, or stored securely, with a choice of parking appropriate to the situation	The quantum of parking provided for the houses, which is a mix of on-curtilage and on-street, is in line with the car parking ratios required in the South Dublin County Development Plan – for full details of compliance with same please refer to section 3.4 of the submitted TTA and section 5.14 of the submitted Planning Statement. The design of car parking complies with section 7.2.3 of the Fortunestown LAP in terms of size of spaces, kerb build outs, no. of spaces in a row etc.
Parking is provided communally to maximise efficiency and accommodate visitors without the need to provide additional dedicated spaces.	For the apartments and duplex apartments, approx. 1 space per units which accord with the Sustainable Urban Housing – Design Standards for New Apartments.
Materials used for parking areas are of similar quality to the rest of the development	On-street parking is overlooked by the residential units, with all on-street parking passively supervised by adjacent dwellings. The submitted landscaping rationale illustrates the proposed hard landscaping finished throughout which ensures consistency. Parking areas will comprise quality surface treatments that promote sustainable drainage and are in keeping with palette and quality of building materials used elsewhere in the development.
Adequate secure facilities are provided for bicycle storage	Bicycle parking is proposed either within or adjacent to the apartments / duplex units in a secure, covered manner, with 2 spaces per units proposed. This level of cycle parking provision is appropriate to the site and in line with the development plan/ Guidelines requirements. Section 3.5 of the submitted TTA outlines that a minimum of 139 no. bicycle parking spaces are required with the proposed development providing 797 no. spaces - refer to the TTA for further details.



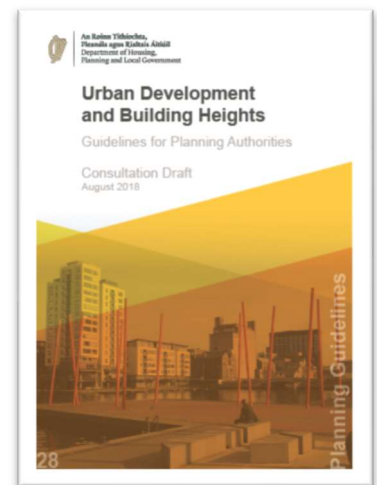
12. Detailed Design – How well thought through is the building and landscape design?	
The materials and external design make a positive contribution to the locality	The overall choice of materials and elevations will reflect the development in the surrounding area and will be an attractive feature in the landscape. This development is of sufficient size that it can, and has, created its own architectural identity /character but which is complementary to the surrounding area. Please see the Design Statement by MCORM & Davey-Smith Architects.
The landscape design facilitates the use of the public spaces from the outset	The public realm has been designed to ensure spaces are easily accessible, safe and secure and aesthetically complement the built form. The open spaces will be provided in tandem with the residential and neighbourhood development. The submitted Landscape Rationale outlines the landscaping design strategy and function of the open spaces etc. – please refer to same.
Design of the buildings and public space will facilitate easy and regular maintenance	The layout of the houses, apartments and the landscaped areas will be accessible for easy and regular maintenance.
Open car parking areas are considered as an integral element within the public realm design and are treated accordingly	Parking at surface level has been carefully located to ensure it does not dominate the environment, which has been achieved by locating parking to the rear of duplex blocks within appropriately landscaped areas. The careful landscaping around the car parking provides an attractive secure location.
Care has been taken over the siting of flues, vents and bin stores	Bin stores are located discretely & accommodated into the design.



4.2.2 Urban Development and Building Heights Guidelines for Planning Authorities (2018)

The Urban Development and Building Heights Guidelines have been approved as Section 28 Ministerial Guidelines, which carry forward the National Policy Objectives from the National Planning Framework in relation to securing more compact forms of urban development.

Essentially, the Guidelines seek to reinforce wider national policy objectives to provide more compact forms of urban development and to consolidate and strengthen the existing built up area. The Guidelines do not encourage blanket limitations on height. As they are Ministerial Guidelines, they clearly state that Planning Authorities and An Bord Pleanála are required to have regard to the guidelines and apply any specific planning policy requirements (SPPRs) of the guidelines, in carrying out their functions. The Guidelines also state that the SPPRs stated in the document take precedence over any conflicting, policies and objectives of development plans, local area plans and strategic development zone planning schemes.



The Guidelines also state that in relation to the assessment of individual planning applications and appeals, it is Government policy that building heights must be generally increased in appropriate urban locations. There is therefore a presumption in favour of buildings of increased height in our town/city cores and in other urban locations with good public transport accessibility.

Section 3 of the Guidelines sets out the requirements for assessing building height as part of planning applications. The Guidelines state that *“it is Government policy that building heights must be generally increased in appropriate urban locations. There is therefore a presumption in favour of buildings of increased height in our town/city cores and in other urban locations with good public transport accessibility”*.

The Guidelines also state that *“In the event of making a planning application, the applicant shall demonstrate to the satisfaction of the Planning Authority/ An Bord Pleanála, that the proposed development satisfies the following criteria:*

At the scale of the relevant city / town

- *The site is well served by public transport with high capacity, frequent service and good links to other modes of public transport.*
- *Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into / enhance the character and public realm of the area, having regard to topography, its cultural context, setting of key landmarks, protection of key views. Such development proposals shall undertake a landscape and visual assessment, by a suitably qualified practitioner such as a chartered landscape architect.*
- *On larger urban redevelopment sites, proposed developments should make a positive contribution to place-making, incorporating new streets and public spaces, using massing and height to achieve the required densities but with sufficient variety in scale and form to respond to the scale of adjoining developments and create visual interest in the streetscape.*

Statement of Consistency

- The application site is located in close proximity / within walking distance c.1km to existing public transport services i.e. Luas and bus.



- The layout of the proposed development and the distribution of varying building heights has taken into account the topography of the site, the need to create good urban street frontage and the submitted verified views, CGIs and landscape visual assessment demonstrate that the proposed building heights will not impact on the receiving environment.
- A wide variety in housing typology is proposed, as are varied building heights of 2, 2-5, 4-5 and 5 storey buildings. The submitted Architectural Design Rationale demonstrates that various character areas are proposed throughout the development that responds to the locational context of the site, which is also details in section 5.11 of the submitted Planning Statement – please refer to both documents.

At the scale of district / neighbourhood / street

- *The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape*
- *The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials / building fabric well considered.*
- *The proposal enhances the urban design context for public spaces and key thoroughfares and inland waterway/ marine frontage, thereby enabling additional height in development form to be favourably considered in terms of enhancing a sense of scale and enclosure while being in line with the requirements of “The Planning System and Flood Risk Management – Guidelines for Planning Authorities” (2009).*
- *The proposal makes a positive contribution to the improvement of legibility through the site or wider urban area within which the development is situated and integrates in a cohesive manner.*
- *The proposal positively contributes to the mix of uses and / or building / dwelling typologies available in the neighbourhood.*

Statement of Consistency

- The application site occupies a greenfield, outer suburban site and the proposed development is comprised of housing of a scale and character that is in keeping with existing and permitted development in the surrounding environs. Buildings address the streets creating good street frontage and new open spaces for use by the wider community are created that connect to adjoining lands thus creating and improving the local environment.
- The design of the buildings is modern, which directly overlook the streets / spaces they address, with the facades well fenestrated. There are no large, blank walls / gables proposed. The distribution of materials across the entire development has been carefully considered in the creation of character areas within the scheme, details of which are set out in the submitted Architect’s Design Rationale and in the Planning Statement (section 5.11).
- The proposed development has been subject to flood risk assessment as detailed in the submitted Site Specific Flood Risk Assessment (SSFRA) by Kilgallen & Partners, with buildings adequately set back from any flood zones. A new “Riverside Park” is proposed along the eastern boundary, accommodating north/south links through same, with buildings appropriately set back to create a biodiversity corridor, but addressing this area of open space. The central avenue through the site is framed by existing planting with buildings directly addressing same. The topography of the site has guided the disposition of varying building height throughout allowing buildings to address new streets and enclose areas of open space, with housing of various typology and height addressing the “Riverside Park”, the central avenue and open spaces.



- The taller buildings in the scheme, i.e. the duplexes and apartment buildings are all carefully positioned addressing streets, the entrance to the development from Boherboy Road, adjacent to and enclosing open spaces and at the lowest part of the site at the northern end, all of which contributes to the legibility of the scheme and creates good urban street frontage and aids way finding through the development.
- The proposed development accommodates 2 and 3 storey detached, semi-detached and terraced houses, duplex units in 17 no. 2-3, 3-4 and 4 storey blocks, and apartments in 9 no. buildings ranging in height from 2, 2-5, 4-5 and 5 storeys. A two storey crèche is also proposed. It is considered that the wide range of housing typologies proposed across the scheme in a variety of buildings and associated heights positively contributes to the mix dwelling typologies and uses available in the neighbourhood.

At the scale of the site / building

- *The form, massing and height of proposed developments should be carefully modulated so as to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light.*
- *Appropriate and reasonable regard should be taken of quantitative performance approaches to daylight provision outlined in guides like the Building Research Establishment's 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'.*
- *Where a proposal may not be able to fully meet all the requirements of the daylight provisions above, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, in respect of which the planning authority or An Bord Pleanála should apply their discretion, having regard to local factors including specific site constraints and the balancing of that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and or an effective urban design and streetscape solution.*

Statement of Consistency

- The project architects have carefully considered the scheme layout and modulation in order to ensure that the development improves legibility in the area and will integrate into the surrounding context. This has been achieved by providing a range of heights throughout the site and by breaking down the massing provided, in addition to creating new open spaces and permeable links proposed throughout the site.
- A daylight / sunlight assessment has been prepared by Digital Dimensions and is submitted the application as a separate document – for further details please refer to same. The results of the enclosed assessment demonstrate that the proposed scheme will not have an unacceptable or adverse impact on itself or on the surrounding properties with regard to daylight and sunlight. The enclosed assessment addresses the availability, quality, and receipt of light within the development, including access to adequate sunlight / daylight within the proposed open spaces. Initial designs of the proposed development were altered to appropriately accommodate required changes as recommended by initial feedback received from the daylight / sunlight assessment. It is considered that, given the surrounding context and orientation of the site, overshadowing and loss of light to existing residential amenity will be negligible.
- The inclusion of large open plan floorplates and large external open spaces will ensure high quality residential amenity is provided for the future tenants and the block orientation and massing also provide opportunities for light infiltration to the open spaces ensuring that these spaces will be attractive and useable.



- Section 2 of the aforementioned assessment outlines the methodology applied to the assessment stating: *“this Daylight and Sunlight Assessment demonstrates compliance with the BRE guide ‘Site Layout Planning for Daylight and Sunlight’ (2nd edition) and BS 8206-2: 2008 – ‘Lighting for Buildings – Part 2: Code of Practice for Daylighting’. This in accordance with the most relevant S.28 Ministerial Guidelines including Section 6.6 of the Sustainable Urban Housing: Design Standards for New Apartments (2020), and Section 3.2 of the Urban Development and Building Heights Guidelines for Planning Authorities (2018). Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2020) directs planning authorities to have regard to quantitative performance approaches to daylight provision outlined in guides like the BRE guide ‘Site Layout Planning for Daylight and Sunlight’ (2nd edition) or British Standard BS 8206-2: 2008 – ‘Lighting for Buildings – Part 2: Code of Practice for Daylighting’. The standards for daylight and sunlight access in buildings (and the methodologies for assessment of same) suggested in both of these documents have been referenced in this Sunlight and Daylight Access Analysis. The former standard BS 8206-2 was read in conjunction with BRE BR209 Site layout planning for daylight and sunlight and CIBSE LG10 as guidance only, but the launch of BS EN 17037 directly impacts on the recommendations of these other technical documents due to the withdrawal of BS8206-2:2008. The new standard can no longer be interpreted as guidance and cannot be incorporated into BR209 but BR209 continues to reference a standard that no longer exists. The updated 3rd Edition of the BRE guide ‘Site Layout Planning for Daylight and Sunlight’ intends to address this and is due to be published in spring 2022”.*
- The submitted daylight/sunlight assessment also states that *“EN 17037 is a unified daylighting standard published by the European Committee for Standardization (CEN) in 2018 (CEN 17037:2018). It is applicable across all countries within the EU including Ireland with the Irish edition IS EN17037:2018. The assessment is carried out in addition to the assessment of the Average Daylight Factor as specified in the BRE guidelines and BS8206 Part 2:2008 Lighting for Buildings, Code of Practice for Daylighting. The EN17037:2018 Standard was enacted prior to the publication of Sustainable Urban Housing: Design Standards for New Apartments in 2020 which has no reference to the new standard. Additionally to date it is not referenced in any planning guidance document by any local authority”.*
- The submitted daylight/sunlight assessment assessed daylight in the proposed development (section 2.6) and states that the *“rooms are assessed for Average Daylight Factor (ADF) and compliance with EN 17037 (2018)”.* Table 3 of same sets out the proposed development’s compliance with EN 17037 – please refer to same (page 5).
- Table 5 of the submitted daylight/sunlight assessment sets out a summary of room compliance with EN 17037 with a complete set of results provided in Appendix B of the assessment. The assessment concludes (section 4.5) that *“All the rooms assessed in the proposed development exceed the Minimum Illuminance values for EN17037:2018 daylight provision. The majority of the rooms to the units in the development meet the Target Illuminance values for EN17037:2018. All the Living Kitchen Dining (LKD)rooms meet the Target Illuminance value in proposed development. The daylight provision to the proposed development achieves good natural daylighting levels throughout”.*
- This report confirms that in terms of the sunlight available to habitable rooms, the design and layout of the apartment blocks is optimised to receive the available sunlight. 86% of the units exceed the target values set out for sunlight and therefore the proposed development meets the recommendations of the BRE guidelines for sunlight.
- For sunlight to gardens and open spaces, the enclosed report states (section 6.2) that *“the site has a variety of public & communal amenity spaces designed into the scheme. The BRE recommends that 50% of the area receive in excess of 2 hours of sunlight on the 21st March. Over 98% of the public and communal amenity space exceeds the BRE recommendation. The area designated S11 has sun on the*



ground over 38% of its area. This is a small area, representing 1.9% of the total amenity area". The assessment concludes that "the proposed development meets and exceeds the criteria set out in the BRE guidelines for sunlight to gardens and open spaces".

Digital Dimensions have been involved in the design process since the beginning of the project. A number of design changes were made throughout the design process to ensure that all of the proposed units and public / communal open spaces achieve acceptable level of daylight / sunlight. Given all the foregoing, it is considered that the proposed development is compliant with the above criteria.

Specific Assessments

To support proposals at some or all of these scales, specific assessments may be required and these may include:

- *Specific impact assessment of the micro-climatic effects such as downdraft. Such assessments shall include measures to avoid/ mitigate such micro-climatic effects and, where appropriate, shall include an assessment of the cumulative micro-climatic effects where taller buildings are clustered.*
- *In development locations in proximity to sensitive bird and / or bat areas, proposed developments need to consider the potential interaction of the building location, building materials and artificial lighting to impact flight lines and / or collision.*
- *An assessment that the proposal allows for the retention of important telecommunication channels, such as microwave links.*
- *An assessment that the proposal maintains safe air navigation.*
- *An urban design statement including, as appropriate, impact on the historic built environment.*
- *Relevant environmental assessment requirements, including SEA, EIA, AA and Ecological Impact Assessment, as appropriate.*

(our emphasis added)

Statement of Consistency

- Two separate bat surveys were undertaken on the subject site on 25th June 2020 and on 9th July 2020. Details of the bat surveys and results are set out under section 5.4.3.4 of the submitted EIAR. Under section 5.6 of the EIAR, the potential impacts of the proposed development on bats at construction and operational stages of the development are set out, while section 5.9 of the EIAR provides details of proposed mitigation measures in relation to bats.
- Section 5.6 "Potential Impacts of the Proposed Development" (and namely section 5.6.2.3) of Chapter 5 of the submitted EIAR refers to the impacts of lighting on bats during the operational stage of the proposed development and states that "light spill will originate both from the installation of public lighting in the residential areas as well as from the residential properties themselves (e.g. incidental light pollution from house windows). The increase in light spill will be minor, as the development site suffers from some light spill from the adjacent public road and adjoining properties, and commuting and foraging areas i.e. treelines and hedgerows along the boundaries, are located away from any potential light spill areas".
- Under mitigation measures set out in Chapter 5, the following is stated: "Any light spill affecting bat use of habitats outside of the proposed development boundary will be avoided, particularly along the boundaries of the site, and along the central boundary. Light levels during construction and operation in these areas will be maintained at baseline levels where possible. This will be achieved through sensitive siting and design of the lighting elements. This will include careful consideration of light placement on buildings, column heights and luminaire design. Luminaires have been selected which do not emit UV



light (e.g. metal halide and fluorescent light sources should be avoided), and luminaries are designed using full cut off to ensure there is no direct upward light. The threshold increment is included in the lighting calculations to that luminaries are not a glare source, with the lighting designed to dim by 25% from 00:00 to 06:00. Monitoring of light levels along the treelines and hedgerows will be undertaken pre-construction, during-construction and post-construction to identify any areas where light spill is affecting background levels during construction or operation. Where monitoring detects light spill is affecting these habitat areas, remedial measures will be implemented to ensure that background light levels are maintained. Reporting on the monitoring will be forwarded to the local authority for their review and any remediation required agreed between them and the applicant”.

Please refer to the aforementioned sections of the EIAR for further specific details.

Chapter 5 of the submitted EIAR (section 5.4.3 Fauna (Birds)) states that the “proposed development is not on any known migrating routes of wintering bird species or located on any flight path for ex-situ SCI species”.

- Prior to submitting this application for permission, the Department of Defence were contacted and details of the proposed development including provision of the site location map and the site layout plan which identified the tallest buildings on the site and their height in metres relative to Ordnance Datum. Their response to / comments on same were invited in terms of their satisfaction with the proposed building heights in relation to Casement/Baldonnell Aerodrome. Please refer to the correspondence set out in Appendix B of the submitted Planning Statement.
- As directed by An Bord Pleanála in their Notice of Pre-Application Consultation Opinion both the Irish Aviation Authority and the Department of Defence, have been sent a copy of the application for their consideration. If a favourable decision is received from An Bord Pleanála the applicant will consult directly with the Irish Aviation Authority and / or the Department of Defence regarding the utilisation of cranes to ensure safe air navigation. Given all the foregoing, it is considered that the proposed development is compliant with the above criteria.
- An Architectural Design Rationale has been prepared by the project architects McCrossan O'Rourke Manning and Davey & Smith and is enclosed with the application as separate document – please refer to same for further details. Section 4.2.1 above also outlines the compliance of the proposed development with the 12 urban design criteria set out in the Urban Design Manual.
- The proposed development has been subject to an AA Screening prepared by Scott Cawley Ecological Consultants. The AA screening concludes that upon the examination, analysis and evaluation of the relevant information and applying the precautionary principle, that, on the basis of objective information; the possibility **may be excluded** that the proposed development will have a significant effect on any of the European sites listed above. Accordingly, a Stage 2 Appropriate Assessment (NIS) is not required to be carried out in relation to the Proposed Development.
- The proposed development has also been subject to a comprehensive Environmental Impact Assessment Report (EIAR). The EIAR has considered the likely, significant, and adverse effects of the proposed project on the receiving environment. Mitigation measures are included for to reduce impacts on the environment where considered necessary. These mitigation measures have been incorporated into the design of the proposed development to avoid or reduce the effects on the environment, as appropriate. For full details please refer to the EIAR which accompanies the application. Given all the foregoing, it is considered that the proposed development is compliant with the above criteria.



The Guidelines go on to state that “Where the relevant planning authority or An Bord Pleanála considers that such criteria are appropriately incorporated into development proposals, the relevant authority shall apply the following Strategic Planning Policy Requirement under Section 28 (1C) of the Planning and Development Act 2000 (as amended).

SPPR 3

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.

- (B) In the case of an adopted planning scheme the Development Agency in conjunction with the relevant planning authority (where different) shall, upon the coming into force of these guidelines, undertake a review of the planning scheme, utilising the relevant mechanisms as set out in the Planning and Development Act 2000 (as amended) to ensure that the criteria above are fully reflected in the planning scheme. In particular the Government policy that building heights be generally increased in appropriate urban locations shall be articulated in any amendment(s) to the planning scheme***

- (C) In respect of planning schemes approved after the coming into force of these guidelines these are not required to be reviewed.***

In relation to building height in suburban/edge locations (City and Town), the Guidelines state that newer housing developments at the suburban edges of towns and cities, “typically now include town-houses (2-3 storeys), duplexes (3-4 storeys) and apartments (4 storeys upwards). Such developments deliver medium densities, in the range of 35-50 dwellings per hectare net. Such developments also address the need for more 1- and 2-bedroom units in line with wider demographic and household formation trends, while at the same time providing for the larger 3, 4 or more bedroom homes across a variety of building typology and tenure options, enabling households to meet changing accommodation requirements over longer periods of time without necessitating relocation”. In light of this, the Guidelines require that “development should include an effective mix of 2, 3 and 4-storey development which integrates well into existing and historical neighbourhoods and 4 storeys or more can be accommodated alongside existing larger buildings, trees and parkland, river/sea frontage or along wider streets”.

The Guidelines consider that such development patterns are generally appropriate outside city centres and inner suburbs for both infill and greenfield development and should not be subject to specific height restrictions. Where DMURS principles are incorporated, the Guidelines encourage more compact urban forms and require the relevant planning authority and An Bord Pleanála to apply Specific Planning Policy Requirement 4 which states:



SPPR 4

It is a specific planning policy requirement that in planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure:

- 1. the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled "Sustainable Residential Development in Urban Areas (2007)" or any amending or replacement Guidelines;*
- 2. a greater mix of building heights and typologies in planning for the future development of suburban locations; and*
- 3. avoid mono-type building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more.*

Statement of Consistency:

The proposed development is an outer suburban, greenfield site that is zoned for residential land use. The general character of the surrounding area is low density and suburban. Residential developments to the east and north are typically two storey suburban housing. Higher density development is focussed to the north / north-east proximate to Citywest. Given the locational context of the site and its proximity to public transport infrastructure (with the northern "half" of the site being within a 1km walking distance of the Luas), the proposed development is put forward for consideration in compliance with these guidelines, namely it provides for an urban design led layout that creates legibility through the site and caters for future integration with adjoining lands in a cohesive manner. In addition, the proposal positively contributes to the mix of uses and / or building / dwelling typologies available in the area. Furthermore, the urban form of the layout provides for variation to streets with changes of direction and connecting paths designed to minimise long straight sections and provide more variance to the character areas and housing typologies across the site. A strong urban edge is proposed onto Boherboy Road with 3 and 4 storey buildings addressing same in the form of houses, duplexes and apartment typologies that is designed to reflect the existing character of the environs but also announces the entrance into the scheme from Boherboy Road. Within the development, buildings address the main "Avenue" providing for good urban enclosure to the streetscape and the dispersion of varied building heights throughout the layout has been carefully considered to create variety, legibility and to appropriately frame and enclose public areas.

The proposed development provides an appropriate density of development to ensure an efficiency in zoned land usage and will provide a compact urban form with a mix of 2, 3, 4 and 5 storey buildings, thus the proposed heights comply with the guidance set out in the Urban Development and Building Heights Guidelines. In addition, the proposed housing mix is acceptable and is in accordance with SPPR 4 of the Urban Development and Building Heights Guidelines for Planning Authorities. The provision of apartments within the scheme and at this greenfield / edge of centre site is also in accordance with the guidance set out in the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, which under section 5.11 sets out in that the greatest efficiency in land usage of outer suburban/greenfield sites will be achieved by providing net residential densities in the general range of 35-50 dwellings per hectare, that such densities should be encouraged generally, and that development at net densities of less than 30 dwellings per hectare should generally be discouraged in the interests of land efficiency. The proposed net density of 43 units per hectare on

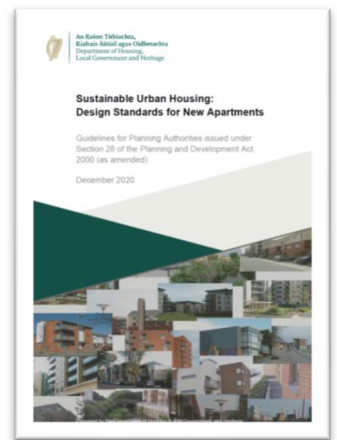


these residentially zoned lands is in accordance with the guidance for outer suburban/greenfield sites, while the portion of the development within 1km walking distance of public transport corridor, is also being delivered at a net density of 50 units per hectare.

The proposed development provides an appropriate density of development to ensure an efficiency in land usage close to an established public transport corridor and will provide a compact urban form with a mix of 2, 3, 4 and 5 storey buildings. While the development proposal exceeds the standards of the LAP in terms of height, and materially contravenes the provisions of the LAP, this matter is dealt with in the enclosed Material Contravention Statement – please refer to same, however, the proposed heights comply with the guidance set out in the Urban Development and Building Heights Guidelines.

4.2.3 Sustainable Urban Housing: Design Standards for New Apartments (2020)

The Sustainable Urban Housing Design Standards for New Apartments were approved by the Minister for Housing, Planning and Local Government and published in March 2018, and updated in December 2020 (in respect of Shared Accommodation only). These Guidelines (hereafter “Apartment Guidelines”) update the “*Sustainable Urban Housing: Design Standards for New Apartments*” guidelines, published by the Department in 2015. The Apartment Guidelines are supported by legislation which introduces powers whereby the Minister may expressly state Specific Planning Policy Requirements which must be applied by planning authorities, or An Bord Pleanála, in the exercise of their functions.



Where specific planning policy requirements are stated in the Guidelines, the Minister intends that such requirements must take precedence over policies and objectives of development plans, local area plans or SDZ planning schemes.

The 2020 Guidelines specify planning policy requirements for:

- Internal space standards for different types of apartments, including studio apartments;
- Dual aspect ratios;
- Floor to ceiling height;
- Apartments to stair/lift core ratios;
- Storage spaces;
- Amenity spaces including balconies/patios;
- Room dimensions for certain rooms.

In accordance with paragraph 6.13 of the 2020 Guidelines, a Building Lifecycle Report is submitted as part of this SHD planning application.

The Guidelines identify a range of urban locations where higher density apartment developments are to be promoted. In this regard the application site is considered to be an “Accessible Urban Location” given its proximity to Luas and bus services (c. 1km), Citywest Shopping Centre and Citywest Business Campus (both c. 1km – 1.5km).

The Guidelines also outline a range of policy requirement relating to the mix and design of apartment developments. These are reviewed overleaf:



Specific Planning Policy Requirement 1

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).

Statement of Consistency:

The overall proposed dwelling mix is illustrated in Table 1 below:

Dwelling Type	1 bed	2 bed	3 bed	4 bed	Total	Percentage %
Houses	0	8	168	81	257	39%
Apartments	62	177	7	0	246	38%
Duplex	4	72	76	0	152	23%
Total	66	257	251	81	655	100%
Percentage %	10%	39%	39%	12%	100%	-

Table 1: Overall Proposed Dwelling Mix

In terms of apartments only, the proposed mix of apartment types is:

Apartment Type	1 bed	2 bed	3 bed	Total
No. of Units	62	177	7	246
% Mix	25%	72%	3%	100%

Table 2: Total Type of Proposed Apartments

The proposed mix accords with SPPR1.



Specific Planning Policy Requirement 2

For all building refurbishment schemes on sites of any size, or urban infill schemes on sites of up to 0.25ha:

- *Where up to 9 residential units are proposed, notwithstanding SPPR 1, there shall be no restriction on dwelling mix, provided no more than 50% of the development (i.e. up to 4 units) comprises studio-type units;*
- *Where between 10 to 49 residential units are proposed, the flexible dwelling mix provision for the first 9 units may be carried forward and the parameters set out in SPPR 1, shall apply from the 10th residential unit to the 49th;*
- *For schemes of 50 or more units, SPPR 1 shall apply to the entire development.*

Statement of Consistency:

SPPR 2 is not relevant to the proposed development.

Specific Planning Policy Requirement 3

Minimum Apartment Floor Areas:

- *Studio apartment (1 person) 37 sq.m*
- *1-bedroom apartment (2 persons) 45 sq.m*
- *2-bedroom apartment (4 persons) 73 sq.m*
- *3-bedroom apartment (5 persons) 90*

Statement of Consistency:

As per the schedules of accommodation set out in the submitted Planning Statement (section 5.7) and in the submitted Quality Housing Assessment, the proposed unit sizes accord with SPPR3.

Specific Planning Policy Requirement 4

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.*

Statement of Consistency:

Out of the 246 no. proposed apartment units, approx. 52% are dual aspect (i.e. 117 no. units) with the remainder being single aspect i.e. 48% (i.e. 129 no. units). Given the location of the application site in a suburban location, which requires a minimum of 50% dual aspect apartments in a single scheme”, the proposed development complies with this.



Specific Planning Policy Requirement 5

Ground level apartment floor to ceiling heights shall be a minimum of 2.7m and shall be increased in certain circumstances, particularly where necessary to facilitate a future change of use to a commercial use. For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise discretion on a case-by-case basis, subject to overall design quality.

Statement of Consistency:

As per the submitted architects drawings of the proposed apartments, ground level apartment floor to ceiling heights are a minimum of 2.7m.

Specific Planning Policy Requirement 6

A maximum of 12 apartments per floor per core may be provided in apartment schemes. This maximum provision may be increased for building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, subject to overall design quality and compliance with building regulations.

Statement of Consistency:

There are a maximum of 12 apartments per floor per core in accordance with SPPR6.

Specific Planning Policy Requirements 7, 8 and 9 relate to Build to Rent (BTR) and Shared Accommodation are not relevant to the current proposal.

A key inclusion in the Apartment Guidelines is the acknowledgement of the importance of strategic sites in existing urban areas in close proximity to existing public transport facilities. The Apartment Guidelines identify locations in cities and town that may be suitable for apartment development as follows:

- Central and/ or Accessible Urban Locations
- Intermediate Urban Locations
- Peripheral and/ or Less Accessible Urban Locations

Statement of Consistency:

The subject site is located within an Accessible Urban Location due to its proximity to high capacity urban public transport stop in the form of Fortunestown Luas passenger stop to the north-east (c. 1km) along with access to bus services to the east, within a 10 minute walk of the site. The Apartment Guidelines note that these locations are generally suitable for small to large scale (which will vary subject to location), and higher density development that may wholly comprise of apartments. As such this site is an appropriate location for the density proposed.

Section 4.16 of the Apartment Guidelines identifies that cycling “*provides a flexible, efficient and attractive transport option for urban living and these guidelines require that this transport mode is fully integrated into the design and operation of all new apartment development schemes.*”

Statement of Consistency:

A total of 797 secure, readily accessible cycle parking spaces have been provided and designed throughout the scheme for the entire development. Section 3.5 of the submitted TTA refers to an absolute minimum of one secure, covered bicycle parking space per unit should be required, and confirms that “*this benchmark has been provided*”.



Section 4.18 of the Apartment Guidelines states that ‘*the quantum of car parking or the requirement for any such provision for apartment developments will vary, having regard to the types of location in cities and towns that may be suitable for apartment development, broadly based on proximity and accessibility criteria.*’

Under section 4.19 of the Apartment Guideline “Central and/or Accessible Urban Locations”, the following is stated: “*In larger scale and higher density developments, comprising wholly of apartments in more central locations that are well served by public transport, the default policy is for car parking provision to be minimised, substantially reduced or wholly eliminated in certain circumstances. The policies above would be particularly applicable in highly accessible areas such as in or adjoining city cores or at a confluence of public transport systems such rail and bus stations located in close proximity*”. Section 4.20 goes onto to identify such locations as “*most likely to be in cities, especially in or adjacent to (i.e. within 15 minutes walking distance of) city centres or centrally located employment locations. This includes 10 minutes walking distance of DART, commuter rail or Luas stops or within 5 minutes walking distance of high frequency (min 10 minute peak hour frequency) bus services*”.

Statement of Consistency:

A total of 898 no. residential car parking spaces will be provided within the development to cater for apartments, duplexes and houses. Parking will be made up of in curtilage and on street parking as follows:

- 500 spaces for 257 no. houses (1.9 spaces per unit);
- 190 spaces for 152 duplex units (i.e. 1.25 spaces per unit);
- 208 spaces for 264 apartments (i.e. 0.8 spaces per unit);

In accordance with the Apartment Guidelines, it is proposed to provide 208 spaces for the apartment element of the proposed development. This equates to c. 0.85 spaces per unit.

Section 3.4.6 of the submitted TTA sets out a justification for the proposed car parking based upon the guidance outlined in the Apartment Guidelines and states that car parking spaces will be provided for the apartments and duplexes on the following basis:

General Car Parking Spaces - Apartments	184 No.
General Car Parking Spaces - Duplex	152 No.
Visitor	62 No.
Total	398 No.

Section 3.4.6 of the submitted TTA concludes that the proposal to provide 398 no. car parking spaces for the proposed 398 no. apartments and duplex units is justified.

Please note that the submitted TTA outlines in detail the site’s access to public transport services not only as part of its justification of the proposed car parking rates (section 3.4.6) but also in sections 2.1, 2.4.3 and 2.7.1 – please refer to the aforementioned sections of the submitted TTA for more details.

The Apartment Guidelines state that all apartments should include private and communal open space.

Statement of Consistency:

Each of the proposed apartments is provided with private open space that either meets or exceeds the minimum requirements and this is clearly set out in the submitted Quality Housing Assessment – please refer to same.



In terms of communal open space provision, the proposed development consists of:

Dwelling Type	1 bed	2 bed	3 bed	Total
Apartments	62	177	7	246
Duplex	4	72	76	152
Total	66	249	83	398

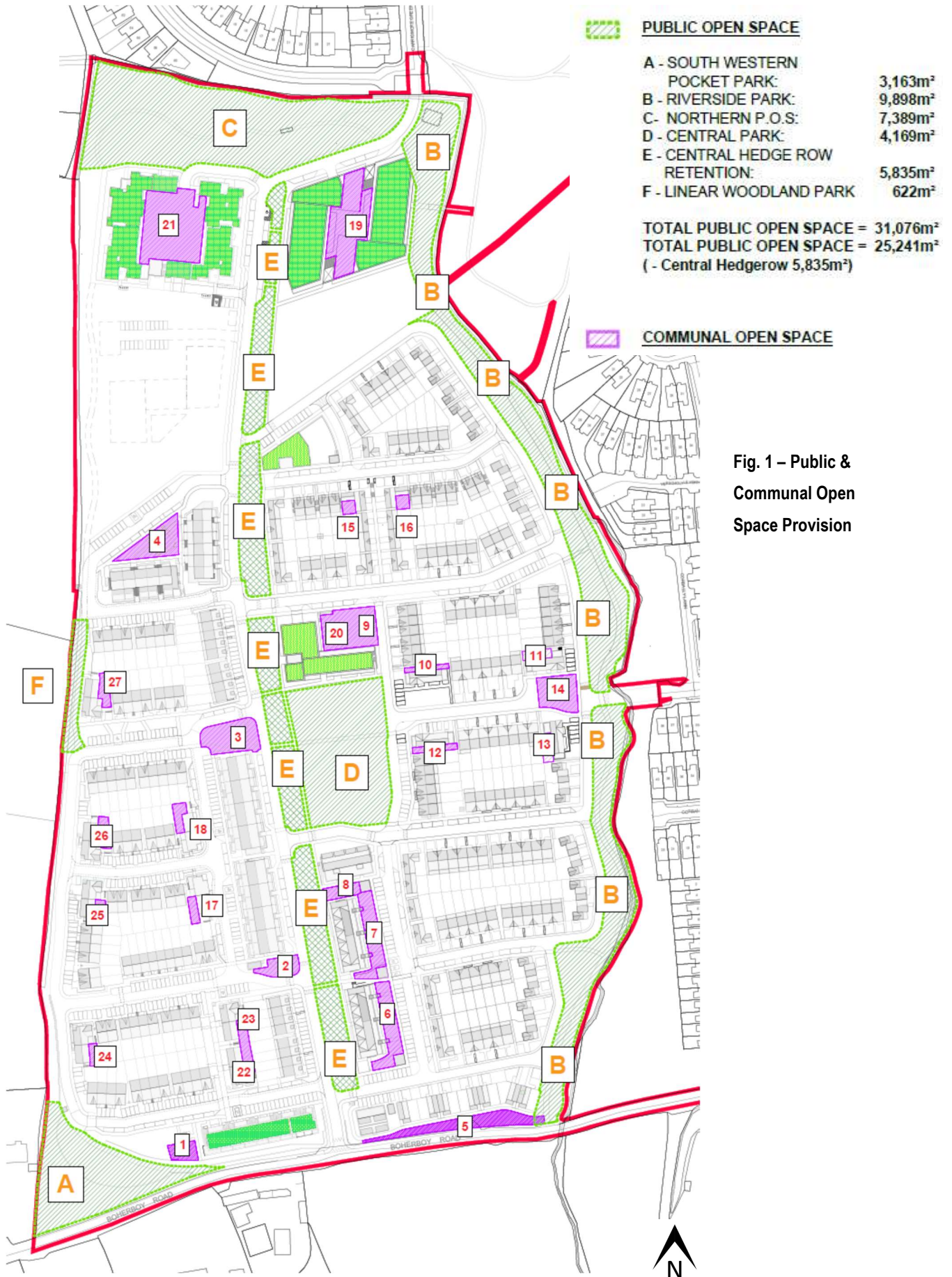
Table 3: Proposed Apartments & Duplex Units

Based upon the proposed quantum of apartments and duplex units, the following is a breakdown of the required communal open space to be provided as per the Apartment Guidelines:

Unit Type	No. of Units	Required Communal OS / unit (m ²)	Total Required Communal OS (m ²)
1 bed	66	5	330
2 bed (4p)	249	7	1743
3 bed	83	9	747
Total	398		2,820m²

Table 4: Required Communal Open Space for Proposed Apartments and Duplex Units

The proposed development provides for a total of 6,391.6m² which is further broken down into 4,245.2m² for the apartments and 2,146.4m² for the duplex units. There are 27 areas of communal open space dispersed throughout the site adjacent to the apartments and duplex units and these are all shaded purple on Fig. 1 overleaf:





The proposed public and communal open spaces exceed the requirements of the Apartment Guidelines. It is considered that the location of the public areas allows for free movement within the site and to the surrounding lands which increases permeability and connectivity through the site. The public open space is equitably distributed throughout the scheme and communal open spaces form more privatised spaces for residential use only.

The proposed density on the subject site is c. 43 units per hectare. It is considered that the proposed density is appropriate given the National Policy objective to increase residential density in existing urban infill locations close to public transport and services. This planning application is accompanied by a Quality Housing Assessment (QHA) which demonstrates the compliance of the proposed development with the relevant quantitative standards required under the 2020 Apartment Guidelines – please refer to this separate document.

The proposed apartment buildings and units are considered to be suitably located on the subject site, integrated within the landscape and well connected to adjacent facilities including public transport, and will provide a high-quality development on the subject site.

4.2.4 Childcare Facilities – Guidelines for Planning Authorities (2001)

The Childcare Facilities Guidelines for Planning Authorities 2001 refer to a benchmark of an average of one facility (with 20 childcare spaces) for 75 houses and also provide broader guidance on internal standards for childcare facilities.

The proposed development comprises 655 no. dwellings consisting of 257 no. 2, 3 and 4 bed houses, 152 no. 1, 2 and 3 duplex units and 246 no. 1, 2 and 3 bed apartments. As set out in the Sustainable Urban Housing: Design Standards for New Apartments (2020), 1 bed units should not generally be considered to contribute a requirement for childcare provision.

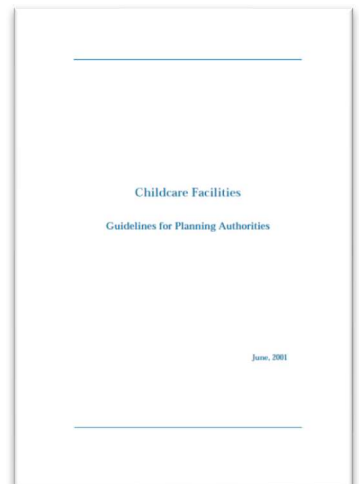
Excluding the proposed 66 no. 1 bed units, the proposed development comprises 589 no. 2, 3 and 4 bed units which would give a requirement for c. 157 no. childcare spaces based on the standards of the 2001 Guidelines.

The 2001 Guidelines apply a minimum floor space per child of 2.32sq.m, exclusive of kitchen, bathroom and hall, furniture or permanent fixtures. Applying that standard, a childcare facility to serve the proposed development and meeting the requirement for c. 157 childcare spaces would need to be a minimum of c. 365sq.m net floor area.

Statement of Consistency:

The proposed development provides a purpose built, standalone crèche of 693sq.m, located south of Street 07 and north of Street 12, south of a large area of open with associated external play area and car parking. The proposed floor area of the crèche exceeds the minimum requirement and includes sufficient additional floorspace to accommodate food prep area, toilets, sleep room, reception/office, circulation and escape route spaces, furniture and permanent fixtures as required, and caters for 163 no. children.

Notwithstanding the current proposal to provide a creche to cater for the childcare needs of the proposed development, the site is in close proximity to both Saggart and the Citywest areas which are well serviced by existing crèche facilities and there are number of additional childcare facilities permitted within Fortunestown LAP area. Under section 7.2 of the submitted Social & Community Infrastructure Assessment, a list and map of



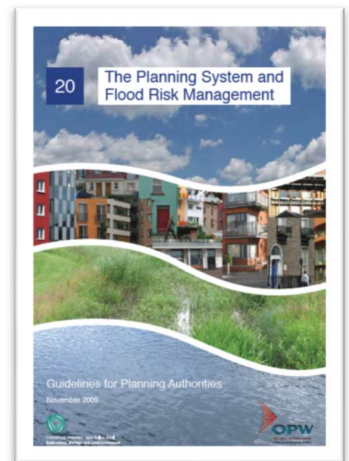


the existing childcare facilities in the local area are provided – please refer to same.

In consideration of the overall gross floor area of the proposed creche, along with the availability of existing childcare facilities in the environs and those recently permitted in the LAP area, the proposed creche is of an appropriate size and scale to cater for the proposed development. Please also refer to section 4.4.1 which sets out the proposed development’s compliance with the South Dublin County Development Plan 2016-2022, including its childcare requirements.

4.2.5 The Planning System and Flood Risk Management – Guidelines for Planning Authorities (2009).

These Guidelines provide detailed guidance on the role that flood risk should play at different levels of the planning system. Planning authorities must implement these Guidelines to ensure that, where relevant, flood risk is a key consideration in development plans and local area plans and in the assessment of planning applications. The Guidelines should also be utilised by developers and the wider public in addressing flood risk in preparing development proposals.



These Guidelines introduce comprehensive mechanisms for the incorporation of flood risk identification and management into the planning process and set out the following core objectives:

- Avoid inappropriate development in areas at risk of flooding;
- Avoid new developments increasing flood risk elsewhere, including that which may arise from surface water run-off;
- Ensure effective management of residual risks for development permitted in floodplains;
- Avoid unnecessary restriction of national, regional or local economic and social growth;
- Improve the understanding of flood risk among relevant stakeholders; and
- Ensure that the requirements of EU and national law in relation to the natural environment and nature conservation are complied with at all stages of flood risk management.

Chapter 2 of the Guidelines identify types and causes of flooding, details on flood risk, the stages of flood risk assessment and flood zones. Chapter 3 of Guidelines sets out the principle actions when considering flood risk management, including the sequential approach, justification test.. Chapter 5 provides guidance on flooding and the development management process including the application of the justification test in assessing a planning application.

Statement of Consistency:

A site specific flood risk assessment (SSFRA) has been prepared by Kilgallen & Partners and is submitted as part of this application for permission so please refer to same for further details. The proposed development was subject to and passed the Development Management Justification Test as confirmed by the submitted SSFRA.

The following sets out a synopsis of the submitted SSFRA and how this application for permission complies with the requirements of the Guidelines.

Under the detailed assessment of the enclosed SSFRA, it is confirmed that the site is located in the catchment of a tributary stream of the Camac River. It is this stream which flows along the eastern and northern boundary of the site. The stream enters the site at the southern boundary (i.e. from a culvert under the Boherboy Road), flows



in a northerly direction along the eastern boundary, turns in a westerly direction upon meeting the northern boundary and discharges to a culvert at the north-western corner of the site.

Initial assessment of flood risk indicators (section 4 of the submitted SSFRA) suggests the site may be at risk from fluvial flooding during extreme rainfall events. The principal flood risk area is at the northwest corner of the site. The indicators also suggest a risk of shallow overland flow at the northeast corner of the site.

Accordingly, a detailed assessment of fluvial flood risk was carried out. This detailed assessment confirmed that the site is affected by flood risk Zones A and B at its northern boundary. In the absence of mitigation measures, parts of the development not compatible with water would be in a flood risk area.

The submitted SSFRA, and Section 5 of same, provides a detailed assessment of the fluvial flood risk. This section of the SSFRA identifies the pre-development flood risk zones on the site (Refer to Figs 5.1 & 5.2 of the SSFRA). Section 5.2 of the SSFRA outlines details of the proposed compensatory storage which is required where a proposed development encroaches into a flood-risk zone and it displaces floodplain storage thereby having the potential to increase flood-risk. Where such displacement occurs the proposed development must provide storage (i.e. Compensatory Storage) to offset the displaced floodplain storage.

While the layout of the development is broadly cognisant of fluvial flood risk, elements of the proposed development at the northern boundary encroach on the flood risk zones. This creates the potential for the proposed development to displace floodplain storage and thereby increase flood risk elsewhere. To prevent this, it is necessary to provide compensatory storage within the site in accordance with the Guidelines.

The requirements for providing compensatory storage are set out in the Appendix to the Guidelines. The basic criterion for compensatory flood plain storage is that the compensatory storage provided must not be less than the volume of floodplain storage displaced by the proposed development.

Section 5.3 of the SSFRA examines the flood risk zones post development. Post-development flood risk zones were established using the finished levels of the proposed development rather than existing ground levels. Fig. 5.3 of the SSFRA shows the extent of the post-development flood risk zone superimposed on the proposed development, and also shows the outlines of pre-development flood risk zones.

Section 5.5 of the SSFRA refers to the proposed stream crossing and states that the proposed development includes four stream crossings at the locations shown on Figure 5.7 of the SSFRA. The crossings structures can be either bridge-type, comprising a simply-supported slab across the stream, or a culvert. A preliminary design for each structure has been carried out in accordance with OPW requirements. The design is based on simply-supported slabs being used to carry the roads across the stream. This design solution has the benefit that it can be constructed without the need for excavation within the stream bed. The OPW requires design solution to convey the 1% AEP flood event with a minimum freeboard of 300mm between the top water level at the inlet and the soffit of the culvert. Table 5.2 of the SSFRA shows the 1.0% AEP water level and minimum soffit level at each crossing culvert. Soffit levels are at least 500mm above the 1% AEP level and so comfortably exceeds OPW requirements. The SSFRA asserts that finished levels are therefore more than 500mm above the 1% flood level thus complying with the FRMG recommendations (Section 8).

Figure 5.8 in the SSFRA shows a typical section at a stream crossing. Two of the crossings are vehicular and crossing levels are constrained by the requirement to tie-in to existing road levels. OPW Section 50 consent have been obtained for these crossings; a copy of the consents is included in Appendix F of the submitted SSFRA – please refer to same.



Section 6 of the submitted SSFRA details food risk from groundwater and confirms that no indicators of groundwater flood risk were observed during a site walkover and so further detailed assessment of flood risk from this mechanism is not required.

Section 7 of the submitted SSFRA details pluvial flood risk (i.e. rain water) and confirms that *“neither desktop indicators nor the site walkover revealed evidence of flood risk from pluvial sources and accordingly detailed assessment of this flooding mechanism is not required”*.

Section 8 of the submitted SSFRA deals with the finished floor levels of the proposed development and states that in order to ensure that elements of the development not compatible with water (i.e. roads and houses) are not at risk of flooding, *“it is recommended that proposed floor and road levels be raised above peak flood levels. The Flood Risk Management Guidelines recommend that floor levels be kept above the 1.0% AEP flood level with an appropriate allowance for freeboard. This SSFRA also recommends that road levels should be kept a minimum 250mm above the 100year flood level.*

The post-development 1% AEP water level in the Compensatory Storage Area is 118.03m (the equivalent 0.1% AEP flood level is 118.04m). Accordingly, the minimum ground floor level for buildings adjacent to the Compensatory Storage Area should be 119.53m (i.e. 118.03m + 0.5m). Buildings adjacent to the Compensatory Storage Area have a minimum floor level of 120.50m, 1.97m above the recommended minimum.

Similarly, the minimum recommended road level immediately in the vicinity of the Compensatory Storage Area is 118.28m (i.e. 118.03m + 0.25m). The proposed road connecting to lands north has a minimum level of 119.50m, 1.22m above the recommended minimum”.

The SSFRA also assert that *“the finished level of the open space adjacent to the stream has been raised where required to provide a minimum 750mm freeboard above the 1% AEP water level in the stream”*.

In accordance with Section 5.15 of the Flood Risk Management Guidelines, the submitted SSFRA has carried out a Development Management Justification Test in respect of the proposed development, the details of which are set out in section 11 of the SSFRA, and Table 11.1 of same presents the results of this test which conclude that the proposed development satisfies the criteria of the Justification test – please refer to same for further details.

The submitted SSFRA concludes (section 12) that the SSFRA was carried out in accordance with the document ‘Planning System and Flood Risk Management – Guidelines for Planning Authorities (2009)’.

It also confirms that for an inland site of this nature and for which there are no existing flood defence mechanisms that could affect flood risk at the site, the potential flood risk mechanisms are Fluvial, Pluvial and Groundwater. Initial assessment of existing flood risk indicators indicate the site is not at risk from either Pluvial or Groundwater flooding.

It is also stated in the conclusion that *“initial assessment of flood risk indicators suggest the site could be at risk from Fluvial Flooding. Accordingly, a detailed assessment of fluvial flood risk was carried out. This detailed assessment confirmed that the site is affected by flood risk zones A & B at its northern boundary. In the absence of mitigation measures, parts of the development not compatible with water would be in a flood risk area.*

The proposed development includes a basin at the northwest corner of the site which is designed to provide direct compensatory storage. The inclusion of this basin means that while the proposed development will impact on existing flood risk zones at some locations and thus displace floodplain storage, it reduces the ground level at other locations, thereby providing compensatory storage. Cumulatively, more floodplain storage will be available upon completion of the proposed development than is currently available, leading to a slight reduction on flood risk elsewhere”.



The submitted SSFRA concludes that the *“finished levels for buildings, roads and footways in the proposed development provide an appropriate freeboard above the 1% AEP water level in accordance with the Flood Risk Management Guidelines. The proposed development was subject to and passed the Development Management Justification Test”*. It also concludes that *“the proposed development is not at risk of flooding and will not increase flood risk elsewhere. The proposed development is therefore appropriate from a flood risk perspective”*.

Taking all of the foregoing into consideration, the submitted SSFRA undertaken for the current development proposal complies with the requirements of the ‘Planning System and Flood Risk Management – Guidelines for Planning Authorities (2009)’, and confirms that the proposed development is appropriate from a flood risk perspective.

4.2.6 Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (2018).

These Guidelines are issued to Planning Authorities and An Bord Pleanála under section 28 of the Planning and Development Act 2000, as amended (the Act), and both are required to have regard to the Guidelines in the performance of their functions under the Act. They replace Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment issued by the Department of the Environment, Community and Local Government in March 2013.

These Guidelines provide practical guidance to planning authorities and An Bord Pleanála and result in greater consistency in the methodology adopted by consent authorities. The proposed development is comprised of 660 no. dwellings, a crèche and all associated site development works. Therefore, an Environmental Impact Assessment Report (EIAR) is required under Part 2(10) (b) of the Planning and Development Regulations 2001 (as amended). The EIAR accompanying this application has been prepared in accordance with these Guidelines and Directive 2011/92/EU *on the assessment of the effects of certain public and private projects on the environment* as adopted and amended by Directive 2014/52/EU.



Statement of Compliance:

An Environmental Impact Assessment Report (EIAR), has been prepared and forms part of this application for permission for the proposed residential development. Please refer to the enclosed EIAR and Non-Technical Summary of same.

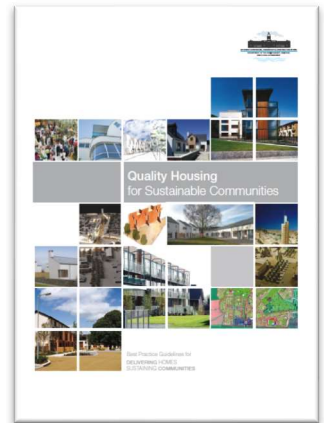
NOTE:

The following sections 4.2.7 to 4.2.10 provide details of other relevant planning guidance documents (that are not Section 28 Ministerial Guidelines but) to which the proposed development has had regard to / complies with.



4.2.7 Quality Housing for Sustainable Communities – Design Guidelines (2007)

The Department’s policy statement Delivering Homes, Sustaining Communities, Guidance provides the overarching policy framework for an integrated approach to housing and planning. Sustainable neighbourhoods are areas where an efficient use of land, high quality design, and effective integration in the provision of physical and social infrastructure combine to create places people want to live in. The policy statement is accompanied by Best Practice Guidelines that promotes quality sustainable residential development in urban areas having regard to the following:



- *promote high standards in the design and construction and in the provision of residential amenity and services in new housing schemes;*
- *encourage best use of building land and optimal of services and infrastructure in the provision of new housing;*
- *point the way to cost effective options for housing design that go beyond minimum codes and standards;*
- *promote higher standards of environmental performance and durability in housing construction;*
- *seek to ensure that residents of new housing schemes enjoy the benefits of first-rate living conditions in a healthy, accessible and visually attractive environment; and*
- *provide homes and communities that may be easily managed and maintained.*

The following criteria indicate the 7 no. essential requirements new residential developments should have regard to when carrying out development:

1. Socially & Environmentally Appropriate:

“The type of accommodation, support services and amenities provided should be appropriate to the needs of the people to be accommodated. The mix of dwelling type, size and tenure should support sound social, environmental and economic sustainability policy objectives for the area and promote the development of appropriately integrated play and recreation spaces.”

Statement of Consistency:

The proposed development provides an appropriate mix of 1, 2, 3 and 4 bedroom dwellings. The proposal seeks to integrate usable open spaces distributed throughout a number of character areas and all interconnected. All open spaces will be overlooked by the proposed dwellings.

2. Architecturally Appropriate:

“The scheme should provide a pleasant living environment, which is aesthetically pleasing and human in scale. The scheme design solution should understand and respond appropriately to its context so that the development will enhance the neighbourhood and respect its cultural heritage.”

Statement of Consistency:

The design and layout of the scheme creates a liveable and visually pleasing residential environment. The design is appropriate and mindful of its locational context, the site constraints, and architectural character of the adjoining areas.

3. Accessible & Adaptable

“There should be ease of access and circulation for all residents, including people with impaired mobility, enabling them to move as freely as possible within and through the development, to gain access to buildings and to use the services and amenities provided. Dwellings should be capable of adaptation to meet changing needs of residents during the course of their lifetime.”



Statement of Consistency:

The design of the proposed dwellings has been carried out in accordance with the requirements of the Building Regulations (including Part M re accessibility). All floors and associated facilities of the apartment buildings are accessible via a lift. A Universal Design Statement has also been submitted with this application. Careful consideration has been paid to the topography of the site to ensure all dwellings are directly accessible from the street.

4. Safe, Secure & Healthy

"The scheme should be a safe and healthy place in which to live. It should be possible for pedestrians and cyclists to move within and through the area with reasonable ease and in safety. Provision for vehicular circulation, including access for service vehicles, should not compromise these objectives."

Statement of Consistency:

The scheme provides good segregation of vehicle and pedestrians/cyclists. A very safe walking and cycling environment will be provided for future residents and the existing residents in the area by the development of strong walking and cycling links through the site, with connections to adjoining lands.

The interconnectivity of the scheme will ensure access for all while creating a walkable environment for inhabitants of the scheme. The continuity of path networks will assist natural way-finding in the scheme. Public areas shall be overlooked and well lit as far as practicable to achieve maximum passive surveillance.

5. Affordable

"The scheme should be capable of being built, managed and maintained at reasonable cost, having regard to the nature of the development."

Statement of Consistency:

The scheme will be built, managed and maintained at reasonable cost.

6. Durable

"The best available construction techniques should be used, and key elements of construction should have a service life in the order of sixty years without the need for abnormal repair or replacement works"

Statement of Consistency:

The scheme endeavours to use the best available materials and construction techniques in order to minimise the level of refurbishment over the lifetime of the scheme.

7. Resource Efficient

"Efficient use should be made of land, infrastructure and energy. The location should be convenient to transport, services and amenities. Design and orientation of dwellings should take account of site topography so as to control negative wind effects and minimise the benefits of sunlight, daylight and solar gain; optimum use should be made of renewable sources of energy, the use of scarce natural resources in the construction, maintenance and management of the dwellings should be minimised."

Statement of Consistency:



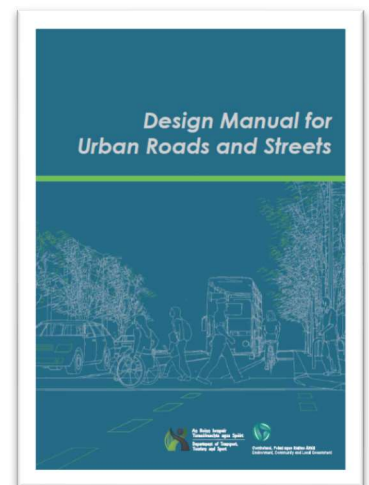
The scheme is considered to accord with the aforementioned sustainable development principles. The site is located in a highly accessible location and the density proposed for this site is appropriate to its location. It has been laid out in a way to ensure that it maximise passive solar gain and meets the best practice for sustainable development.

Evaluation of Consistency:

The enclosed Housing Quality Assessment and associated floor plans also confirm that the proposed housing units are designed in accordance with the Quality Housing for Sustainable Communities Guidelines.

4.2.8 Design Manual for Urban Roads and Streets (DMURS), (2019)

The Design Manual for Urban Roads and Streets (DMURS) was first published in 2013 and an updated version was released in May 2019. It sets out design guidance and standards for constructing new and reconfiguring existing urban roads and streets in Ireland. It also outlines practical design measures to encourage more sustainable travel patterns in urban areas. DMURS outlines 4 design principles for new developments, which are addressed below:



Design Principle 1 - Connected Networks:

“To support the creation of integrated street networks which promote higher levels of permeability and legibility for all users, and in particular more sustainable forms of transport.”

Statement of Consistency:

The proposed layout and design ensure a permeable and legible development for all users. The internal road and street layout combined with the proposed walkways through the open spaces ensures a permeable and legible layout for all users.

Design Principle 2 – Multi-Functional Streets:

“The promotion of multi-functional, place-based streets that balance the needs of all users within a self-regulating environment.”

Statement of Consistency:

The layout ensures that all open spaces and routes are overlooked providing a strong sense of safety and creating a self-regulating environment.

Design Principle 3 – Pedestrian Priority:

“The quality of the street is measured by the quality of the pedestrian environment.”

Statement of Consistency:



Pedestrian priority is of the utmost importance. The passive surveillance provided by overlooking dwellings creates a strong sense of safety for pedestrians. Vehicular speeds through the development will be reduced to create a safe environment for pedestrians.

Pedestrian permeability through the site is promoted in the residential layout enabling future residents to access the development from multiple points and to access the existing network of pedestrian, cycle and public transport facilities in the environs.

Design Principle 4 – Multi-Disciplinary Approach

“Greater communication and cooperation between design professionals through the promotion of a plan-led, multidisciplinary approach to design.”

Statement of Consistency:

The design of the proposed development results from a multi-disciplinary plan-led approach through the co-operation of architects, engineers, ecologists, landscape architects and planners.

Evaluation of Consistency:

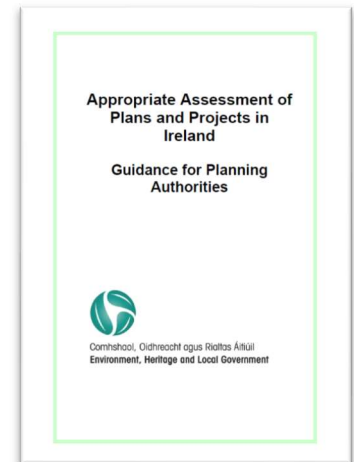
DMURS recommendations have been incorporated into the street and building design of the proposed development and we enclose a separate document entitled “Statement of Compliance with DMURS” prepared by Pinnacle Consulting Engineers – please refer to same.

The adopted design approach successfully achieves the appropriate balance between the functional requirements of different network users whilst enhancing the sense of place. The implementation of an efficient car parking provision and a high bicycle parking provision actively promotes a modal shift to alternative forms of transport while also creating high-quality open spaces as part of the development. This scheme prioritises pedestrians and cyclists throughout the development. There will be a new vehicular access off the Boherboy Road into the scheme as well as proposed vehicular / pedestrian / cyclist access into Corbally to the east and Carrigmore to the north, as well as pedestrian and cyclist connections to the adjoining District Park / Carrigmore Park. For further detail of compliance with DMURS please refer to submitted documentation prepared by Pinnacle Consulting Engineers.



4.2.9 Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (2009).

This guidance, prepared jointly by the NPWS and Planning Divisions of DECLG, sets out the different steps and stages that are needed in establishing whether a plan or project can be implemented without damaging a Natura 2000 site. It indicates the role to be played by professional ecologists and other professionals in identifying and assessing potential impacts. It addresses issues of mitigation and avoidance of impacts, and also the Article 6.4 derogation provisions in circumstances in which there are no alternatives and there are imperative reasons of overriding public interest requiring a plan or project to proceed.



Statement of Consistency:

An Appropriate Assessment Screening Report has been prepared by Scott Cawley Ecologists (and is submitted as a separate document with this SHD planning application), which provides information on, and assesses the potential for, the proposed development to impact on the Natura 2000 network. An AA is required if significant effects on European sites arising from a proposed development cannot be ruled out at the screening stage, either alone or in combination with other plans or projects. The submitted AA Screening Report states that *“For the reasons set out in detail in this AA Screening Report, an Appropriate Assessment of the proposed development is not required in this instance as it can be concluded, on the basis of objective information, that the proposed development, either individually or in combination with other plans or projects, will not have a significant effect on any European sites”*.

The submitted AA Screening Report provides an assessment of the receiving environment in terms of habitats, hydrology, flora and fauna. It examines all the potential impacts associated with the proposed development, examines whether there are any European sites within the Zone of Influence (Zoi) of effects from the proposed development, and assesses whether there is any risk of the proposed development resulting in a significant effect on any European site, either alone or in combination with other plans or projects. The report asserts that: *“The potential impacts associated with the proposed development do not have the potential to affect the receiving environment and, consequently, do not have the potential to affect the conservation objectives supporting the qualifying interest/special conservation interests of any European sites. Therefore, the proposed development is not likely to have significant effects on any European sites”*.

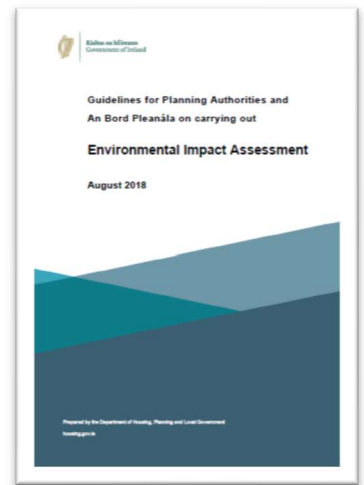
The AA Screening Report concludes that *“Following an examination, analysis and evaluation of the best available information, and applying the precautionary principle, it can be concluded that the possibility of any significant effects on any European sites, whether arising from the project alone or in combination with other plans and projects, can be excluded, for the reasons set out in Section 3.3 above. In reaching this conclusion, the nature of the project and its potential relationship with all European sites within the zone of influence, and their conservation objectives, have been fully considered. Therefore, it is the professional opinion of the authors of this report that the application for consent for the proposed development does not require an Appropriate Assessment or the preparation of a Natura Impact Statement (NIS)”*.



4.2.10 Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (2018).

The purpose of these Guidelines is to provide practical guidance to planning authorities and An Bord Pleanála and result in greater consistency in the methodology adopted by consent authorities. The proposed development is comprised of 660 no. dwellings, a crèche and all associated site development works. Therefore, an Environmental Impact Assessment Report (EIAR) is required under Part 2(10) (b) of the Planning and Development Regulations 2001 (as amended) and will be prepared with and form part of a prospective application for permission. The EIAR will be prepared in accordance with Directive 2014/52/EU *on the assessment of the effects of certain public and private projects on the environment* as adopted on 16 April 2014 as an amendment of Directive 2011/92/EU.

The preparation of an Environmental Impact Assessment Report (EIAR), which also constitutes an Environmental Impact Statement (EIS) for the purposes of the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001-2018, has been prepared and forms part of this application for permission for the proposed residential development. Please refer to the enclosed EIAR and Non-Technical Summary of same.



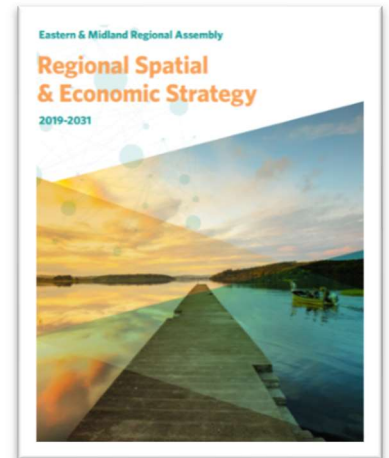


4.3 Regional Planning Context

4.3.1 Eastern & Midland Regional Assembly - Regional Spatial & Economic Strategy (2019)

The Regional Spatial and Economic Strategy (RSES) is a strategic plan and investment framework to shape the future development of the Eastern & Midland Region to 2031 and beyond. The region is the smallest in terms of land area but the largest in population size and is identified as the primary economic engine of the state.

The Strategy identifies that the region 'is home to over 800,000 households, with 4 out of 5 living in conventional housing while apartments account for around 18% of our housing stock. One of the challenges facing the region is the continued growth rates of household formation coupled with a severe slowdown in the development of new housing stock during the economic recession, resulting in housing supply and affordability pressures in both sale and rental markets, particularly in Dublin and urban areas but affecting all of the region'.



The Strategy is underpinned by key principles that reflect the three pillars of sustainability: Social, Environmental and Economic, and expressed in a manner which best reflects the challenges and opportunities of the Region. The plan identifies that the central need is for the RSES to be people focussed, as 'quality of life' encapsulates strong economic output and stability, good environmental performance and a good standard of living for all.

The NPF also sets out ambitious targets to achieve compact growth with 50% of housing to be provided within or contiguous to the built-up area of Dublin city and suburbs. The subject site is located with the Dublin Metropolitan Area, as designated by the Strategy. The Metropolitan Area Strategic Plan (MASP) which is part of the RSES seeks to focus on a number of large scale strategic sites, based on key corridors that will deliver significant development in an integrated and sustainable fashion. The MASP provides 5 no. strategic corridors which includes the South Western Corridor. Fortunestown is located in the South West Corridor and reference is made to additional growth at "brownfield regeneration lands at Naas Road and Tallaght and new residential communities at Fortunestown, supported by the LUAS redline".

In terms of Phasing / Enabling Infrastructure, the RSES EMRA states that the new district at Fortunestown near the emerging town of Saggart / Citywest can occur in the short to medium term with short term population capacity of 45,000 and a medium term capacity of 21,000 giving a total of capacity of 66,000 persons. Reference is made to the upgrading of the Citywest junction link at Tallaght / Fortunestown which is now complete.

Policy Objectives relating to Housing Delivery include:

RPO 5.4: *Future development of strategic residential development areas within the Dublin Metropolitan area shall provide for higher densities and qualitative standards as set out in the 'Sustainable Residential Development in Urban Areas', 'Sustainable Urban Housing; Design Standards for New Apartments' Guidelines, and Draft 'Urban Development and Building Heights Guidelines for Planning Authorities'.*

RPO 5.5: *Future residential development in the Dublin Metropolitan Area shall follow a clear sequential approach, with a primary focus on the consolidation of Dublin and suburbs, supported by the development*



of Key Metropolitan Towns in a sequential manner as set out in the Metropolitan Area Strategic Plan (MASP) and in line with the overall Settlement Strategy for the RSES.

Statement of Consistency:

The proposed development enables the consolidation of a strategically located site within the urban envelope of south-west Dublin, and within the metropolitan area. The Metropolitan Area Strategic Plan seeks to focus on a number of large scale strategic sites, based on key corridors that will deliver significant development in an integrated and sustainable fashion, including the South Western Corridor, where the subject site is located, which complies with objective RPO 5.5.

The proposed development provides for a density of development, a mix of housing typologies and building heights that comply with the guidance/standards as set out in the following guidelines: 'Sustainable Residential Development in Urban Areas' , 'Urban Development and Building Heights Guidelines for Planning Authorities' and Sustainable Urban Housing; Design Standards for New Apartments' Guidelines, – all of which is demonstrated in the foregoing sections 4.2.1, 4.2.2 and 4.2.3 respectively, and as detailed in the submitted Planning Statement. Therefore, it is considered that the proposed development complies with objective RPO 5.4.

The development of the subject site is fully compliant with the objectives of the RSES EMRA as the proposal will contribute to the development of Saggart / Citywest as a new district, within a short walking distance of the Luas red line.

The subject development seeks to provide residential development on a key suburban site with increased densities. This will result in urban consolidation in this suburban location. The proposed development is therefore compliant with the overall policies and objectives of the RSES in this regard.



4.4 Local Planning Context / Statutory Policy Documents

4.4.1 South Dublin County Development Plan 2016-2022

This section contains an assessment of the consistency of the proposed development with the relevant South Dublin County Development Plan 2016 - 2022 policies and objectives. The South Dublin Development Plan 2016 - 2022 (hereafter the CDP) is the current statutory development plan for the area.

Fig. 2 identifies the location and extent of the site (outlined in red) on an extract from the Development Plan Zoning Map

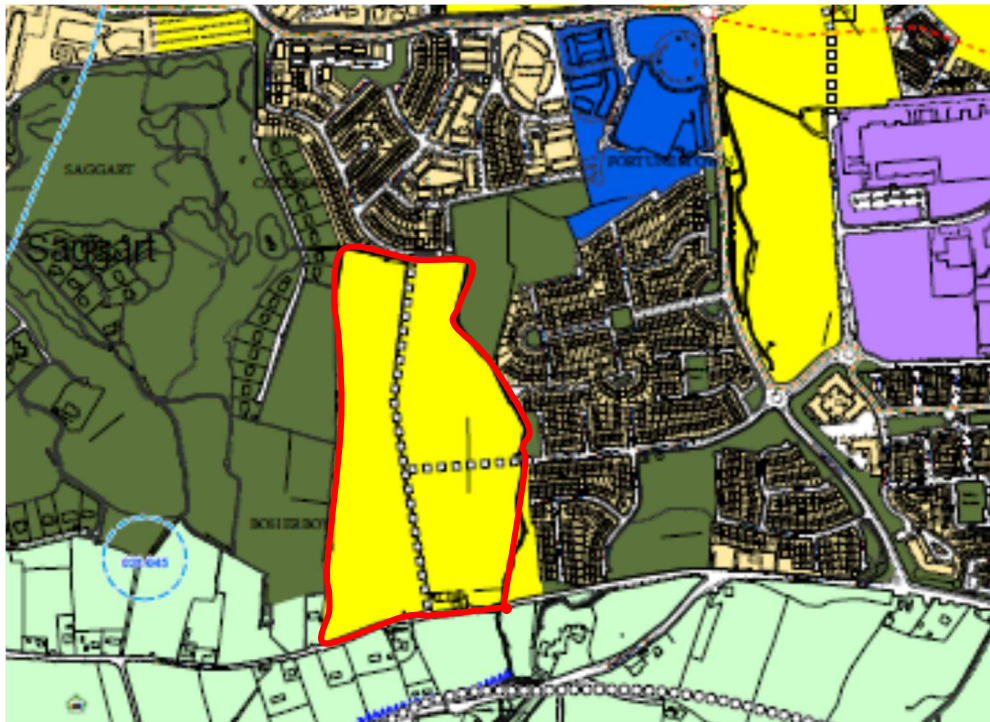


Fig. 2 – Subject site outlined in red – extract from South Dublin County Development Plan 2016-2022

The proposed development site is zoned objective RES-N: *“To provide for new residential communities in accordance with approved area plans”* in the current South Dublin County Development Plan. To this end the applicants lands are subject to the approved Local Area Plan for the entire Fortunestown area, within which the subject site is located.

Table 11.3 of the CDP provides guidance in relation to the general appropriateness of particular development types or land uses on lands zoned RES-N. The proposed development consist of residential use, along with a childcare facility and open spaces. Therefore, the proposed development and its associated uses are in compliance with / permitted in principle under the RES-N land use zoning objective attached to the application site.



Use Classes Related to Zoning Objective	
Permitted in Principle	Childcare Facilities, Community Centre, Cultural Use, Doctor/Dentist, Education, Enterprise Centre, Funeral Home, Garden Centre, Guest House, Health Centre, Housing for Older People, Industry-Light, Nursing Home, Offices less than 100 sq.m, Open Space, Primary Health Care Centre, Public House, Public Services, Recreational Facility, Recycling Facility, Residential Institution, Residential, Restaurant/Café, Retirement Home, Shop-Local, Shop-Neighbourhood, Sports Club/Facility, Stadium, Traveller Accommodation, Veterinary Surgery.
Open for Consideration	Advertisements and Advertising Structures, Agriculture, Allotments, Bed & Breakfast, Betting Office, Camp Site, Car Park, Caravan Park-Residential, Cemetery, Crematorium, Embassy, Fuel Depot, Home Based Economic Activities, Hotel/Hostel, Industry-General, Live-Work Units, Motor Sales, Nightclub, Office-Based Industry, Offices 100 sq.m - 1,000 sq.m, Off-Licence, Petrol Station, Place of Worship, Refuse Transfer Station, Science and Technology Based Enterprise, Social Club, Wholesale Outlet.
Not Permitted	Abattoir, Aerodrome/Airfield, Boarding Kennels, Concrete/Asphalt Plant in or adjacent to a Quarry, Conference Centre, Heavy Vehicle Park, Hospital, Industry-Extractive, Industry-Special, Offices over 1,000 sq.m, Outdoor Entertainment Park, Refuse Landfill/Tip, Retail Warehouse, Rural Industry-Food, Scrap Yard, Service Garage, Shop-Major Sales Outlet, Transport Depot, Warehousing, Wind Farm.

Fig. 3 – Table 11.3 of the CDP

Development Plan Policies and Objectives

Core & Settlement Strategy

The Planning and Development (Amendment) Act 2010 introduced the requirement for an evidence-based “Core Strategy” (CS) to be incorporated as part of County Development Plans. The purpose of a Core Strategy is to articulate a medium-to longer term quantitative-based strategy for the spatial development of the area of the Planning Authority, and, in so doing, to demonstrate that a Development Plan and its policies and objectives are entirely consistent with National and Regional development objectives. The central focus of the Core Strategy is on residential development and ensuring that there is an acceptable equilibrium between the supply of zoned, serviced land for residential development and the projected demand for new housing during the lifetime of the Plan.

The subject site in the townland of Boherboy, is located within the area identified as Saggart - Citywest in the South Dublin County Core Strategy Map – refer to Fig. 4 overleaf.

The CDP’s settlement strategy was developed in accordance with the Regional Planning Guidelines 2010-2022. As such Saggart - Citywest was identified as an ‘Emerging Moderate Sustainable Growth Town’, as its population exceeds the RPG defined population threshold for a ‘Small Town’.

Following the publication of the Regional Spatial and Economic Strategy (RSES) 2019-2031, South Dublin County Council adopted Variation No. 4 of the Development Plan. This variation identifies Saggart / Citywest as a “Self-Sustaining Growth Town” within the South Dublin Settlement Hierarchy under the RSES.

Section 1.7.3 of Variation No. 4 of the CDP states: “*Saggart/Citywest can be defined as a self-sustaining growth town. The population taken in conjunction with the extent of economic activity, the quality of public transport provision, the designation of Citywest Shopping Centre as a Level 3 Retail Centre in the Retail Strategy for the Greater Dublin Area 2008-2016 and future growth potential, align strongly with the definition*



of a Self-Sustaining Growth Town in the RSES. It is considered appropriate to reflect this under the County Settlement Hierarchy by designating Saggart/Citywest as a Self-Sustaining Growth Town”.

Table 1.5 of Variation No. 4 of the CDP “South Dublin County Development Plan 2016-2022 Total Capacity” outlines that Saggart / Citywest has a total housing capacity (no.s) of 4,196 no. units with a potential population forecast for 2022 of 17,972 no. persons.

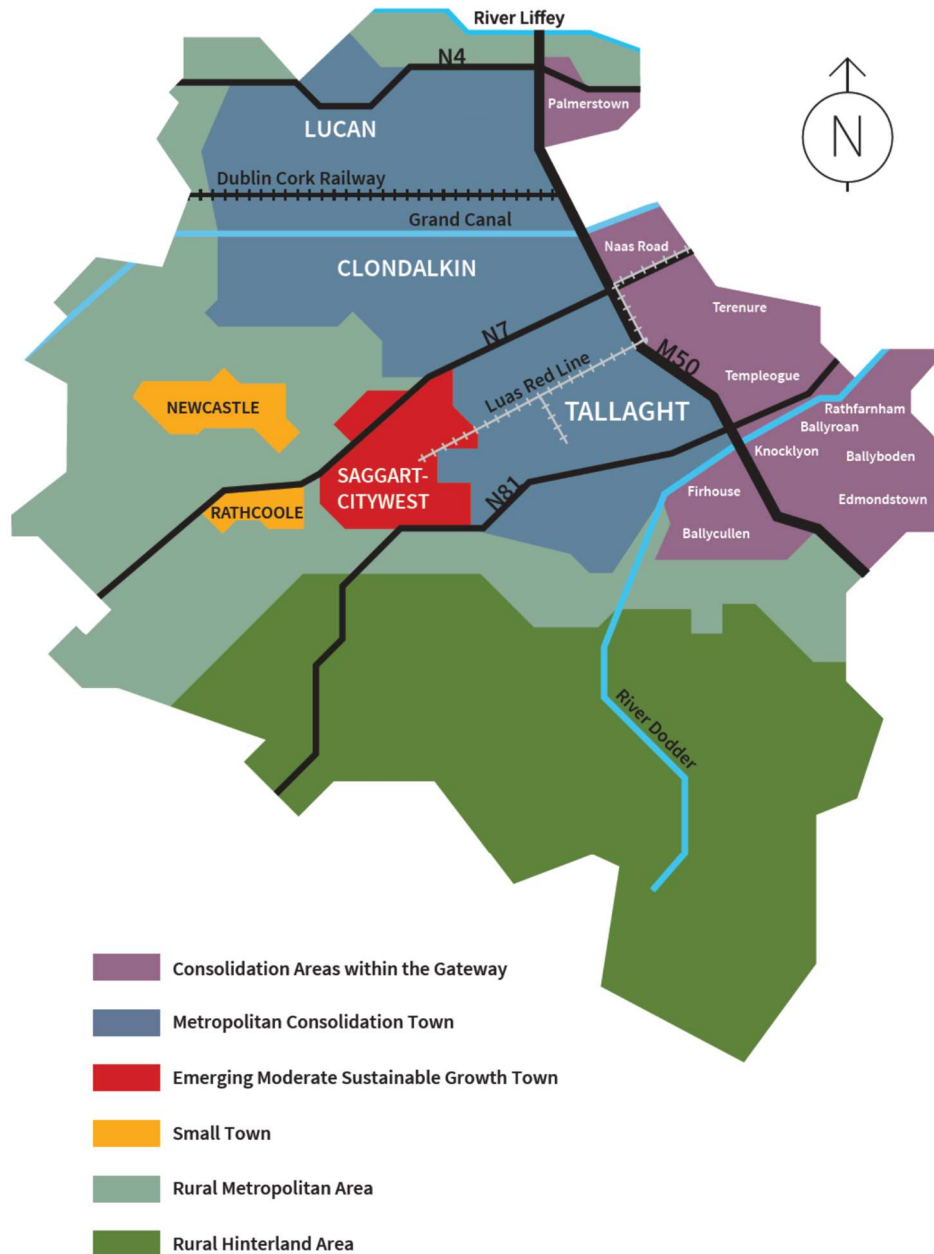


Fig. 4 – Copy of Fig. 1.1: South Dublin County Core Strategy Map

Variation No. 4 notes that, as of September 2019, 2,804 no. units have been delivered in South Dublin since the adoption of the CDP and there is therefore sufficient capacity for further growth over the remaining lifecycle of the plan period. The subject site is identified in Map 1.3 of the CDP as one of the sites within the county that has capacity for additional residential development – see Fig. 5 overleaf.

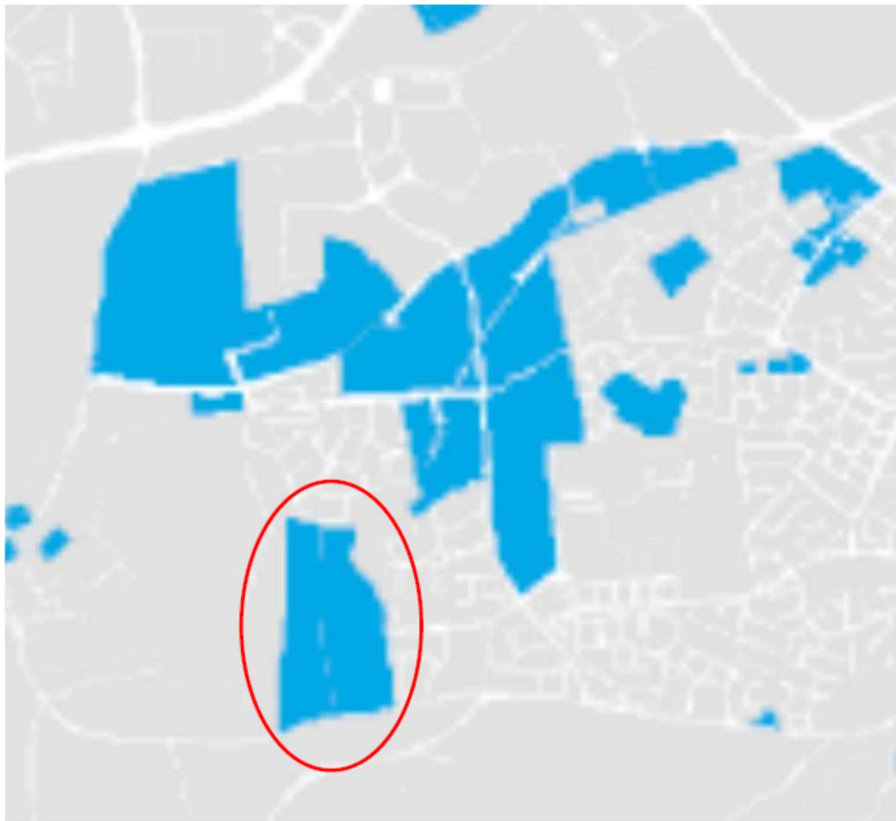



Fig. 5 - Extract from Map 1.3 of the Development Plan

 Housing Capacity Sites

Subject site circled in red

Chapter 2 outlines the aims and objectives for housing in the county. It notes that as South Dublin is a predominantly urban county, new housing will be delivered in established areas through sustainable intensification, infill development and the re-use of brownfield lands while respecting the amenity value of existing public open spaces. It also notes that new housing will take into account the housing needs of the County's population and in particular changing demographic factors such as the decline in average household size and the increasing number of people aged over 65.

This chapter includes policies and objectives in relation to housing supply, residential densities, creating sustainable neighbourhoods, residential building height, unit mix, and the quality of residential development.

The proposed development will deliver new residential accommodation on an undeveloped and underutilised site that has been zoned for residential land use for many years and now has the requisite LAP in place which sets out a development framework. The development will be in close proximity to existing retail and commercial services at Citywest Shopping Centre, existing public transport services (Luas) and existing and planned schools within the wider Fortunestown / Citywest area.

Statement of Consistency:

The Core Strategy of the CDP seeks to focus higher density development in suitable strategic nodes along existing or planned public transport corridors. The subject lands comprise a strategically located yet vacant site within the Metropolitan area and is identified as a *self-sustaining growth town*, which is in close proximity to Citywest Shopping Centre and is c. 1km south of the Fortunestown Luas passenger stop.



The proposed residential development will have a net density of c. 43 units per hectare providing an appropriate mix of unit types and sizes, in addition to open spaces and a childcare facility, and is considered to be consistent with the Core Strategy of the Development Plan.

Housing

Chapter 2 of the Development Plan sets out the policies and objectives for new housing. It is submitted that the proposed development is consistent with the Development Plan requirements for new housing developments on the basis of the following:

Policy 1 Housing Strategy: Policy H1 Objective 2: *“To apply a 10% social housing requirement, pursuant to Part V of the Planning and Development Act 2000 (as amended) to all sites that are zoned solely for residential use, or for a mixture of residential and other uses (save where the development qualifies for a modified or amended obligation or is otherwise exempted).”*

Compliance: As part of this application, the applicants enclose proposals for the delivery of Social Housing in accordance with Part V requirements of the Planning and Development Act 2000 (as amended) and, as amended by the Affordable Housing Act 2021.

Policy 7 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).

H7 Objective 1: *“To ensure that residential development contributes to the creation of sustainable communities in accordance with the requirements of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009) (or any superseding document) including the urban design criteria as illustrated under the companion Urban Design Manual – A Best Practice Guide, DEHLG (2009)”.*

H7 Objective 2: *“To ensure that residential development provides an integrated and balanced approach to movement, place-making and streetscape design in accordance with the requirements of the Design Manual for Urban Roads and Streets, DTTAS and DEHLG (2013)”.*

Compliance: Under sections 4.2.1 and 4.2.8 above, the proposed development’s compliance with the design principles of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, and the urban design criteria set out in its companion document Urban Design Manual, and with the Design Manual for Urban Roads and Streets respectively are set out.

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.

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).*

H8 Objective 5: *To ensure that developments on lands for which a Local Area Plan has been prepared comply with the local density requirements of the Local Area Plan.*

H8 Objective 6: *To apply the provisions contained in the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009) relating to Outer Suburban locations, including a density range of 35-50 units per hectare, to greenfield sites that are zoned residential (RES or RES-N) and are not subject to a SDZ designation, a Local Area Plan and/or an approved plan, excluding lands within the M50 and lands on the edge or within the Small Towns/ Villages in the County.*

Compliance: Under section 5.5 of the enclosed Planning Statement, as well as the submitted Statement of Response to the Board's Opinion, along with the foregoing section 4.2.1 above, details of the proposed density of development and how it is compliant with the Section 28 Ministerial Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas regarding density, which is therefore compliant with the aforementioned Development Plan policy concerning residential densities, are all clearly set out. The net density of development is 43 units per hectare across the entire site which accords with the range under H8 Objective 6 above. A higher density of development is also catered for within the appropriate walking distance of a public transport corridor, in accordance with H8 Objective 2. The proposed density of development is also addressed in the submitted Material Contravention Statement (sections 3.3, 4.3.2.1 & 4.3.2.2) in relation to the prescribed densities set out in the Fortunestown LAP – please refer to same.

Policy H9 Residential Building Heights - It is the policy of the Council to support varied building heights across residential and mixed use areas in South Dublin County.

H9 Objective 1: *To encourage varied building heights in new residential developments to support compact urban form, sense of place, urban legibility and visual diversity.*

H9 Objective 2: *To ensure that higher buildings in established areas respect the surrounding context.*

Compliance: A range of building heights are proposed from 2 to 5 storeys across the scheme with the submitted Architectural Design Rationale and Planning Statement (section 5.11) detailing the urban design approach to the various building heights proposed. The taller buildings are carefully positioned to create definition, legibility and a sense of enclosure around open spaces and are sufficiently set back from existing development so as not to create any impacts on existing residential amenity or impact on views which is illustrated on the submitted verified views.

Policy H10 Mix of Dwellings 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.

H10 Objective 1: *To ensure that new residential developments provide for a wide variety of housing types, sizes and tenures in line with the Interim South Dublin County Council Housing Strategy 2016-2022.*

Compliance: the proposed development caters for a wide range of housing typologies in the form of apartments, duplex units and houses. Details of same are set out in section 5.7 of the submitted Planning Statement with a summary of same provided in Table 4 overleaf:



Dwelling Type	1 bed	2 bed	3 bed	4 bed	Total	Percentage %
Houses	0	8	168	81	257	39%
Apartments	62	177	7	0	246	38%
Duplex	4	72	76	0	152	23%
Total	66	257	251	81	655	100%
Percentage %	10%	39%	39%	12%	100%	-

Table 4: Overall Proposed Dwelling Mix

Policy 11 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.

H11 Objective 1: *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 in accordance with the standards set out in Chapter 11 Implementation.*

Compliance: The proposed development has been designed in accordance with the principles set out in the Urban Design Manual as demonstrated in the foregoing section 4.2.1 and as set out in the submitted Architectural Design Rationale. A variety of housing typologies, design and building height is proposed, which is distributed across nine different character areas. All of the proposed dwellings either meet or exceed the required standards for same in terms of floor area. A considerable quantum of public and communal open space is provided throughout with all of the units afforded sufficient private open space. Details of the aforementioned quantum's of open space and floor areas are set out in the submitted Planning Statement under section 5 and in the submitted Quality Housing Assessment. It is considered that all of the foregoing factors contribute to a high quality residential environment.

Policy 12 Public Open Space - It is the policy of the Council to ensure that all residential development is served by a clear hierarchy and network of high quality public open spaces that provides for active and passive recreation and enhances the visual character, identity and amenity of the area.

H12 Objective 1: *To ensure that public open space in new residential developments complies with the quantitative standards set out in Chapter 11 Implementation and the qualitative standards set out in Chapter 11 and Chapter 4 of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009), together with the design criteria illustrated under the Urban Design Manual – A Best Practice Guide, DEHLG (2009).*



H12 Objective 2: *To ensure that there is a clear definition between public, semi-private and private open space at a local and district level and that all such open spaces benefit from passive surveillance from nearby residential development.*

Policy 13 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 (inc. semi-private open space for duplex and apartment units) and that private open space is carefully integrated into the design of new residential developments.

H13 Objective 1: *To ensure that all private open spaces for apartments and duplexes including balconies, patios and roof gardens are designed in accordance with the qualitative and quantitative standards (including minimum balcony size and depth) set out under Sustainable Urban Housing: Design Standards for New Apartments, DECLG (2015), the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009) and the accompanying Urban Design Manual – A Best Practice Guide, DEHLG (2009).*

H13 Objective 2: *To ensure that new apartments have access to high quality and integrated semi-private open space that supports a range of active and passive uses, in accordance with the quantitative standards set out in Chapter 11 Implementation.*

H13 Objective 3: *To ensure that private amenity spaces for houses are designed in accordance with the quantitative standards set out in Chapter 11.0 Implementation and the qualitative standards set out under the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) including the accompanying Urban Design Manual – A Best Practice Guide (2009).*

Compliance with Housing Policies 12 and 13: Section 5.15 of the submitted Planning Statement provides details of the proposed public and communal open space, as illustrated on Fig. 27 in that report, a copy of which is also provided on page 33 of this report. The total public open space provision on site is 31,076m² (i.e. 3.1Ha / 17.5%) which exceeds the 14% requirement of the CDP. The proposed development provides for a total of 6,391.6m² of communal / semi-private open space which is further broken down into 4,245.2m² for the apartments and 2,146.4m² for the duplex units, which exceeds the quantum of required communal open space as per the Apartment Guidelines. There are 27 areas of communal open space dispersed throughout the site adjacent to the apartments and duplex units and these are all shaded purple on the aforementioned Fig. 27. Private open space is afforded to each dwelling in accordance with the CDP standards for houses, which is detailed on the site layout plan and detailed on the submitted Quality Housing Assessment. Private open space for the duplex units and apartments also meet or exceed the required standards of the Apartment Guidelines and these too are scheduled on the submitted plans and Quality Housing Assessment – please refer to same.

The design and location of public open spaces throughout the development have been guided by the urban design criteria of the Urban Design Manual as demonstrated in the foregoing section 4.2.1 and the submitted Architectural Design Statement.

Policy 14 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.

H14 Objective 1: *To ensure that all residential units and residential buildings are designed in accordance with the relevant quantitative standards, qualitative standards and recommendations contained in Sustainable Urban Housing: Design Standards for New Apartments (2015), the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), the companion Urban Design*



Manual and have regard to the standards and targets contained in Quality Housing for Sustainable Communities (2007), particularly the standards and recommendations that relate to internal amenity/layout, overall unit size, internal room sizes, room dimensions, aspect, sound insulation, communal facilities, storage, sustainability and energy efficiency.

H14 Objective 2: *To support adaptable housing layouts that can accommodate the changing needs of occupants, through extension or remodelling.*

Compliance: The submitted Housing Quality Assessment (HQA) details that all of the proposed dwellings either meet or exceed the standards set out in the 2020 Apartment Guidelines (updated since 2015), the 2007 Quality Housing for Sustainable Communities guidelines and the Development Plan. Section 5.7 of the submitted Planning Statement also sets out details of the proposed schedules of accommodation – please refer to both the HQA and Planning Statement for details. The foregoing section 4.2.1 also sets out the proposed development’s compliance with the qualitative guidance contained in the Sustainable Residential Development in Urban Areas Guidelines and its companion Urban Design Manual, with further details also provided in the Architectural Design Rationale. The proposed housing has been designed in a manner that affords alteration and extension thus catering for future adaptability – this is asserted in the submitted the Architectural Design Rationale – please refer to section 5(ix).

Policy 15 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.

H15 Objective 1: *To ensure that there is a clear definition between private, semi-private and public open space that serves residential development.*

H15 Objective 2: *To ensure that all developments are designed to provide street frontage and to maximise surveillance of streets and spaces.*

H15 Objective 3: *To ensure that private open spaces are enclosed within perimeter blocks behind the building line and that they are subdivided by suitably robust boundary treatments of a sufficient height and composition to provide adequate privacy and security.*

H15 Objective 4: *To ensure that opposing balconies and windows at above ground floor level have an adequate separation distance, design or positioning to safeguard privacy without compromising internal residential amenity.*

Compliance: The submitted site layout plan and drawings of the proposed dwellings illustrate that open spaces are clearly defined and differentiated, which is also illustrated on the submitted landscape plans, including boundary treatment plan. All of the proposed buildings address the streets that they front onto providing passive surveillance. Sufficient separation distances are afforded between buildings so as to avoid any negative overlooking.

Policy 16 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.

H16 Objective 1: *To ensure that all developments including buildings, streets and spaces are designed and arranged to respond to and complement the site’s natural contours and natural drainage features in accordance with the recommendations of the Urban Design Manual – A Best Practice Guide (2009).*



H16 Objective 2: *To avoid the use of intrusive engineered solutions, such as cut and filled platforms, embankments or retaining walls on sites with steep or varying topography.*

Compliance: Judicious consideration has been paid to design of the proposed development due to the existing topography of the site. Building heights have been carefully distributed throughout the entire site so as to take into account the principles of the Urban Design Manual in terms of providing variety and distinctiveness as well as creating a sense of place and different character areas.

The layout of the housing takes cognisance of the topography of the site, thus eliminating the necessity for cut and fill and retaining walls throughout. How the applicants intend to deal with the level differences across the site has been given careful consideration and is detailed on the enclosed landscape drawing no.s 08-08j prepared by Ronan MacDiarmada & Associates Landscape Architects (RMDA) – please refer to same.

Please also refer to the submitted RMDA drawing no. 12 “Retaining Wall Location Plan” which identifies where some form of retaining will occur, which is further broken down into four different types of landscaping treatment i.e.: (i) gabion wall, (ii) crib wall, (iii) rear gardens RSJs with timber sleepers in between and (iv) retaining concrete wall.

The submitted “Landscape Rationale”, identifies on plan, where the level differences are between the rear gardens of housing cells. It is considered that where any type of retaining structure is to be used, this has been clearly identified and illustrated on the enclosed drawings and landscape reports. There are only 8 instances of a retaining concrete wall being used, c. 25 examples of the rear gardens RSJs with timber sleepers in between being used, and c. 14 examples of a crib wall being applied across the site. All of the foregoing, as well as the submitted drawings and reports clearly demonstrates how the proposed development has carefully considered the topography on the site and that there will not be extensive cut and fill and therefore a negative visual impact as a result of the proposed development. Based upon all of the drawings and details submitted with the application in relation to cut and fill and retaining walls, it is respectfully put forward that cut and fill has been kept to a minimum and that there is no excessive use of retaining walls.

Chapter 3 of the CDP refers to “Community Infrastructure” and contains the following policies / objectives that are relevant to the proposed development.

Policy 1 Community Centres

Policy C1 - It is the policy of the Council to ensure that all communities have access to multifunctional community centres that provide a focal point for community activities.

(And its associated objectives)

Compliance: A Social and Community Infrastructure Assessment (SCIA) is submitted with this application for permission and provides a brief review of the relevant planning policy context, identifies the existing social and community infrastructure in the vicinity of the development, considers the impact of the proposed development on such infrastructure, and has reference to social & community infrastructure proposed as part of the proposed residential development at the lands at Boherboy, Saggart, Co. Dublin. The enclosed SCIA provides details of the following in the local area:

- Health & Wellbeing - Hospital & Specialist Care, GP & Medical Centres, Dental, Pharmacy’s and Physiotherapy;
- Childcare Facilities;



- Education - Primary, Post Primary, Third Level and Further Education & Training;
- Sports & Recreation - Parks, Playgrounds, Sports Clubs, Fitness Facilities and Recreation; and
- Other Community Services - Social Service or Information Centre, Retail, Religion or emergency services.

The submitted SCIA demonstrates that the existing Social and Community Infrastructure in the area will be sufficient to cater for the needs of the proposed development.

Please also refer to Appendix A of this Statement of Consistency which sets out that South Dublin County Council do not require the provision of a community centre on the subject site. This matter is also addressed in the submitted Material Contravention Statement (section 3.6).

Policy 2 Libraries - It is the policy of the Council to continue to provide an innovative, community focused public library service to all who live, work and study in South Dublin County.

Policy 3 Arts & Cultural Facilities - It is the policy of the Council to facilitate the continued development of arts and culture in the County.

Policy 4 – Places of Worship - It is the policy of the Council to support and facilitate the development of places of worship and multi-faith facilities at suitable locations within the County.

Policy 5 – Fire Stations - It is the policy of the Council to co-operate with Dublin City Council in the development of the fire service in the Dublin Region.

Policy 6 – Burial Grounds - It is the policy of the Council to facilitate the sustainable development of cemeteries and crematoria to cater for the needs of the County.

Policy 7 – Sports Facilities & Centres - It is the policy of the Council to ensure that all communities are supported by a range of sporting facilities that are fit for purpose, accessible and adaptable.

Policy 8 – Childcare Facilities

Policy C8 (a) - It is the policy of the Council to support and facilitate the provision of good quality and accessible childcare facilities at suitable locations in the County.

Policy C8 (b) - It is the policy of the Council to require the provision of new childcare facilities in tandem with the delivery of new communities.

Policy C9 (a) - It is the policy of the Council to work in conjunction with the relevant education authorities to promote and support the provision of primary and post-primary schools in the County.

Policy C9 (b) - It is the policy of the Council to engage with the Department of Education and Skills and to support the Department's School Building Programme by actively identifying sites for primary and post primary schools at suitable locations, based on forecast need.

Policy 11 Healthcare Facilities

Policy C11a - It is the policy of the Council to support the Health Service Executive (HSE) and other statutory and voluntary agencies in the provision of appropriate healthcare facilities, including the system of hospital care and the provision of community based primary care facilities.



Policy C11b - It is the policy of the Council to support and encourage the integration of healthcare facilities within new and existing communities that are appropriate to the size and scale of each settlement.

Compliance: A Social and Community Infrastructure Assessment (SCIA) is submitted with this application for permission and provides a brief review of the relevant planning policy context, identifies the existing social and community infrastructure in the vicinity of the development, considers the impact of the proposed development on such infrastructure, and has reference to social & community infrastructure proposed as part of the proposed residential development at the lands at Boherboy, Saggart, Co. Dublin. The enclosed SCIA provides details of the following in the local area:

- Health & Wellbeing - Hospital & Specialist Care, GP & Medical Centres, Dental, Pharmacy's and Physiotherapy;
- Childcare Facilities;
- Education - Primary, Post Primary, Third Level and Further Education & Training;
- Sports & Recreation - Parks, Playgrounds, Sports Clubs, Fitness Facilities and Recreation; and
- Other Community Services - Social Service or Information Centre, Retail, Religion or emergency services.

The submitted SCIA demonstrates that the existing Social and Community Infrastructure in the area, including the proposed childcare facility, will be sufficient to cater for the needs of the proposed development.

The proposed development reserves a site to accommodate a future primary school until such time as the Department of Education and Skills confirms their need for same.

Chapter 6 of the CDP deals with "Transport and Mobility" and contains the following policies / objectives relevant to the proposed development:

Policy 2 Public Transport - It is the policy of the Council to promote the sustainable development of the County by supporting and guiding national agencies in delivering major improvements to the public transport network and to ensure existing and planned public transport services provide an attractive and convenient alternative to the car.

TM2 Objective 3: To generate additional demand for public transport services through integrated land use planning and maximising access to existing and planned public transport services throughout the network.

Policy 3 Walking and Cycling - It is the policy of the Council to re-balance movement priorities towards more sustainable modes of transportation by prioritising the development of walking and cycling facilities within a safe and traffic calmed street environment.

TM3 Objective 1: To create a comprehensive and legible County-wide network of cycling and walking routes that link communities to key destinations, amenities and leisure activities with reference to the policies and objectives contained in Chapter 9 (Heritage, Conservation and Landscape) particularly those that relate to Public Rights of Way and Permissive Access Routes.

TM3 Objective 2: To ensure that connectivity for pedestrians and cyclists is maximised in new communities and improved within existing areas in order to maximise access to local shops, schools, public transport services and other amenities, while seeking to minimise opportunities for anti-social behaviour and respecting the wishes of local communities.



TM3 Objective 3: *To ensure that all streets and street networks are designed to prioritise the movement of pedestrians and cyclists within a safe and comfortable environment for a wide range of ages, abilities and journey types.*

TM3 Objective 4: *To prioritise the upgrade of footpaths, public lighting & public realm maintenance and supporting signage on public roads/paths where a demonstrated need exists for busy routes used by runners & walkers.*

TM3 Objective 6: *To ensure that all walking and cycling routes have regard to pertaining environmental conditions and sensitivities and incorporate appropriate avoidance and mitigation measures as part of any environmental assessments.*

Compliance: The proposed development provides for the creation of new connections to adjoining lands which will aid pedestrian and cyclist permeability to avail of existing public transport services in the locality thus encouraging sustainable modes of transport and a reduction in car dependency. New paths are proposed as part of the development such as along the eastern boundary, that includes a reserved biodiversity strip, as well as upgrades to the Boherboy Road. The proposed connections to the north via Carrigmore Park will provide direct access to local amenities including onwards to the Citywest Shopping Centre. As confirmed in the submitted Statement of Compliance with DMURS, the streets have been designed to cater for pedestrian and cyclist priority. All routes through the site will be lit by public lighting, as per the submitted plans for same.

Policy 6 Road and Street Design - 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.

Policy 7 Car Parking - It is the policy of Council to take a balanced approach to the provision of car parking with the aim of meeting the needs of businesses and communities whilst promoting a transition towards more sustainable forms of transportation.

Compliance: The proposed streets have been designed in accordance with DMURS as confirmed in the submitted Statement of Compliance with DMURS prepared by Pinnacle Consulting Engineers – please refer to same.

The proposal includes a reduced car parking provision to support more sustainable transport modes and to encourage a transition away from car dependency, in light of the site's locational context and proximity to public transport infrastructure.

Chapter 7 of the CDP sets out details regarding infrastructure and environmental quality and contains the following policies / objectives relevant to the proposed development:

Policies IE1, IE2 and IE3 (and associated objectives) relate to the protection of existing water and drainage infrastructure, the management of surface water, and flood risk management:

Policy 1 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.

Policy 2 Surface Water & Groundwater - It is the policy of the Council to manage surface water and to protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.



Policy 3 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.

Compliance: This application for permission is accompanied by detailed engineering plans and reports with the proposed water and drainage infrastructure systems having been carefully designed by Roger Mullarkey & Associates Consulting Engineers, who have liaised with the Local Authority throughout the design process. An Irish Water statement of design acceptance has been issued for the proposed development under Ref. CDS20004359 and is submitted. The proposed development has been subject to a Site Specific Flood Risk Assessment (SSFRA) prepared by Kilgallen & Partners, Consulting Engineers Please refer to the aforementioned enclosures for further details.

Policy 5 Waste Management (and its related objectives 1-8) - It is the policy of the Council to implement European Union, National and Regional waste and related environmental policy, legislation, guidance and codes of practice to improve management of material resources and wastes.

Compliance – AWN Consulting have prepared the submitted a Construction and Demolition Waste Management Plan and an Operational Waste Management Plan for the proposed development.

Policy 7 Environmental Quality (and its related objectives 1-5) - It is the policy of the Council to have regard to European Union, National and Regional policy relating to air quality, light pollution and noise pollution and to seek to take appropriate steps to reduce the effects of air, noise and light pollution on environmental quality and residential amenity.

Compliance: The EIAR chapters regarding Air Quality & Climate (chapter 8) and Noise (chapter 9) conclude that these factors not likely to be significantly affected by the proposed development – please refer to the submitted EIAR for more details.

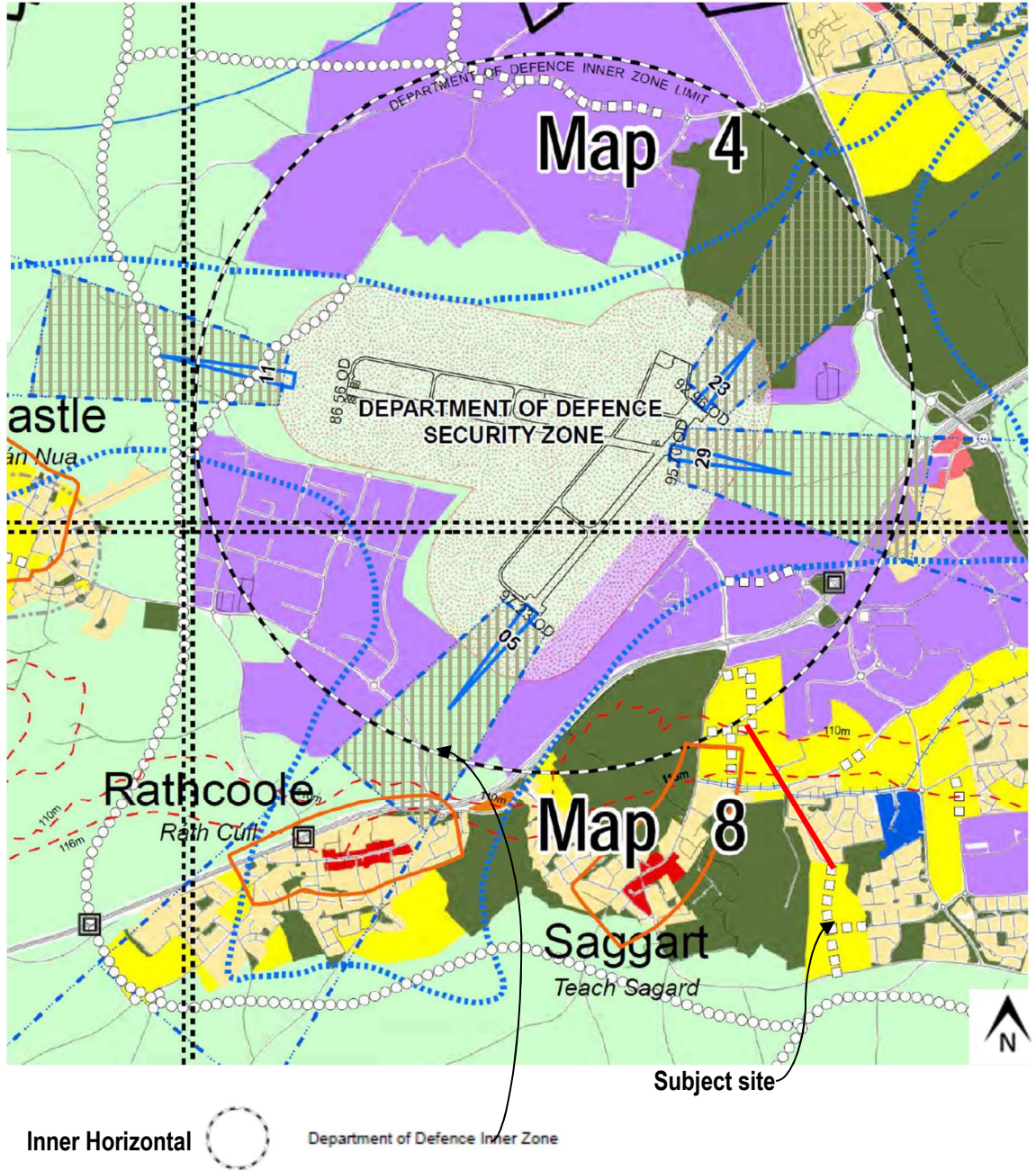
Policy 8 Casement Aerodrome (and its related objectives 1-6) - It is the policy of the Council to safeguard the current and future operational, safety and technical requirements of Casement Aerodrome and to facilitate its ongoing development for military and ancillary uses, such as an aviation museum, within a sustainable development framework.

Compliance: We note that in their opinion to An Bord Pleanála, regarding the proposals put forward for pre-application consultation, that South Dublin County Council (SDCC) stated that *“The applicant should liaise with the Department of Defence in relation to the potential height of the structures above mean sea level, relative to the Inner Horizontal of Casement/Baldonnell Aerodrome. Please note Section 11.6.6. of the County Development Plan”*. In response to same, in April 2021, on behalf of the applicants, we contacted the Department of Defence referring to the development proposals and to the fact that we had been requested by both SDCC and An Bord Pleanála to contact them prior to submission of this SHD planning application, in relation to the height of the structures above mean sea level, relative to the Inner Horizontal of Casement/Baldonnell Aerodrome.

The subject site is located c. 2.5km south-east of Casement/Baldonnell Aerodrome and is c.870m south of the inner horizontal of the Aerodrome (refer to Fig. 34 below). The subject site is not located within the Inner Approach Area of Casement Aerodrome but is located c. 870m south of same (as the crow flies).



Fig. 6 - Extract from South Dublin County Development Plan 2016-2022 Index Map



— Represents the distance from the subject site to the Inner Horizontal of Casement Aerodrome.

The Boherboy / subject site ground levels range from 155m OD in the southwest corner to 117.5m OD in the northwest corner, a difference of c. 37 metres. The northern most buildings, i.e. closest to Casement/Baldonnell Aerodrome are 4 to 5 storey apartment buildings with the total height of Block A being 138.15m OD and Block C being 137.15m OD. Further south, at the highest part of the site, the tallest buildings, i.e. Blocks A and F have a total height of 157.1m OD and 157.35m OD respectively.

Given the separation distance of the subject site from the Inner Horizontal of Casement/Baldonnell Aerodrome, along with the enclosed details of the proposed building heights, it is considered that the proposed development does not breach the Inner Horizontal of Casement/Baldonnell Aerodrome and therefore will not affect the safety, efficiency or regularity of operations at the aerodrome.



Notwithstanding the foregoing, the Department of Defence responded on 5th May 2021 making the following observations:

“Following consultation with Air Corps, the Department of Defence has the following observations at this juncture:

- 1. Given the proximity to Casement Aerodrome, operation of cranes should be coordinated with Air Corps Air Traffic Services, no later than 28 days before use, contactable at airspaceandobstacles@defenceforces.ie or 01-4037681.*
- 2. Given the proximity to Casement Aerodrome this area may be subject to a high level of noise from aircraft operating in the vicinity of the aerodrome.*
- 3. Given the proximity of the development to Casement Aerodrome, should negative effects become apparent on air or ATC operations as a result of the photovoltaic cells, then the owner must take measures necessary to mitigate these effects to an acceptable level, without delay.*
- 4. Due to the proximity to Casement Aerodrome, mitigations may be required in relation to the management of wildlife attracted to attenuation ponds or other water features. Should negative effects of bird activity on Irish Air Corps operations arise, the owner must put measures in place to mitigate these effects to an acceptable level.*

Nothing in the above observations shall be taken as a binding response by the Minister for Defence in the event that a planning application is made. The Minister reserves the right to comment on an actual planning application as and when it is submitted in accordance with the provisions of the planning regulatory code”.

Refer to Appendix B of the submitted Planning Statement for details of the above mentioned email correspondence.

A copy of this planning application has been sent to the Department of Defence as requested in the An Bord Pleanála Opinion Ref. ABP-308352-20.

Chapter 8 provides guidance in relation to “Green Infrastructure” and contains the following policies / objectives relevant to the proposed development:

Policy 1 Overarching - It is the policy of the Council to protect, enhance and further develop a multifunctional Green Infrastructure network by building an interconnected network of parks, open spaces, hedgerows, grasslands, protected areas, and rivers and streams that provide a shared space for amenity and recreation, biodiversity protection, flood management and adaptation to climate change.

Policy 2 Green Infrastructure Network (and its related objectives 1-13) - It is the policy of the Council to promote and develop a coherent, integrated and evolving Green Infrastructure network in South Dublin County that can connect to the regional network, secure and enhance biodiversity, provide readily accessible parks, open spaces and recreational facilities.

Policy 3 Watercourses Network (and its related objectives 1-5) - It is the policy of the Council to promote the natural, historical and amenity value of the County’s watercourses; to address the long term management and protection of these corridors and to strengthen links at a regional level.



Policy 4 Public Open Space and Landscape Setting (and its related objectives 1-7) - It is the policy of the Council to provide a hierarchy of high quality and multi-functional public parks and open spaces.

Policy 5 Sustainable Urban Drainage Systems (and its related objectives 1-2) - It is the policy of the Council to promote and support the development of Sustainable Urban Drainage Systems (SUDS) in the County and to maximise the amenity and biodiversity value of these systems.

Policy 6 New Development in Urban Areas (and its related objectives 1-3) - It is the policy of the Council to support the protection and enhancement of Green Infrastructure in all new development in urban areas, to strengthen Green Infrastructure linkage across the wider urban network and to achieve the highest standards of living and working environments.

Compliance: The proposed open spaces will contribute to the green infrastructure network in the area, particularly through the creation of the “Riverside Park” along the eastern boundary of the site, adjacent to and set back from the Corbally Stream. The proposal will result in a significant improvement in the green landscaping and biodiversity of the area as the level of green infrastructure will be increased significantly.

The public open spaces will provide both recreational space for the residents and space for the local biodiversity to thrive incorporating SuDS. This has huge implications for the surrounding environment particularly in relation to water run-off, drainage and ensure sustainable water management on site.

Chapter 9 of the CDP relates to “Heritage, Conservation and Landscapes” and contains the following policies / objectives relevant to the proposed development:

Policy 2 Archaeological Heritage (and its related objectives 1-5) - It is the policy of the Council to manage development in a manner that protects and conserves the Archaeological Heritage of the County and avoids adverse impacts on sites, monuments, features or objects of significant historical or archaeological interest.

Compliance: Chapter 12 “Archaeology and Cultural Heritage” of the submitted EIAR has examined the impact of the proposed development on Archaeology and Cultural Heritage and confirms that the proposed development will not impact on any such archaeological or heritage features – please refer to same.

Policy 7 Landscapes (and its related objectives 1-2) - It is the policy of the Council to preserve and enhance the character of the County’s landscapes particularly areas that have been deemed to have a medium to high Landscape Value or medium to high Landscape Sensitivity and to ensure that landscape considerations are an important factor in the management of development.

Policy 8 Views and Prospects (and its related objectives) - It is the policy of the Council to preserve Views and Prospects and the amenities of places and features of natural beauty or interest including those located within and outside the County.

Policy 9 Dublin Mountains (and its related objectives 1-7) - It is the policy of the Council to protect and enhance the visual, recreational, environmental, ecological, geological, archaeological and amenity value of the Dublin Mountains, as a key element of the County’s Green Infrastructure network.



Compliance: Chapter 13 “The Landscape” of the submitted EIAR has examined the impact of the proposed development on the landscape and concludes that the proposed development will not impact on same. In support of this, a series of verified views have been prepared and are also submitted as part of this application – please refer to same.

The subject site is located north of the Dublin Mountains and will not negatively impact on the character of this area, as demonstrated in the submitted verified views.

Policy 12 Natura 2000 Sites (and its related objectives 1-2) - It is the policy of the Council to support the conservation and improvement of Natura 2000 Sites and to protect the Natura 2000 network from any plans and projects that are likely to have a significant effect on the coherence or integrity of a Natura 2000 Site.

Compliance: An Appropriate Assessment Screening has been carried out (prepared by Scott Cawley Ecologists) and the submitted screening report asserts that *“The potential impacts associated with the proposed development do not have the potential to affect the receiving environment and, consequently, do not have the potential to affect the conservation objectives supporting the qualifying interest/special conservation interests of any European sites. Therefore, the proposed development is not likely to have significant effects on any European sites”*.

Policy 15 Non-Designated Areas (and its related objectives 1-3) - It is the policy of the Council to protect and promote the conservation of biodiversity outside of designated areas and to ensure that species and habitats that are protected under the Wildlife Acts 1976 and 2000, the Birds Directive 1979 and the Habitats Directive 1992 are adequately protected.

Compliance: The submitted EIAR contains Chapter 4 Biodiversity which aims to

- Establish and evaluate the baseline ecological environment, as relevant to the proposed development;
- Identify, describe and assess all potentially significant ecological effects associated with the proposed development;
- Set out the mitigation measures required to address any potentially significant ecological effects and ensure compliance with relevant nature conservation legislation;
- Provide an assessment of the significance of any residual ecological effects;
- Identify any appropriate compensation, enhancement or post-construction monitoring requirements.

Chapter 4 of the submitted EIAR concludes that the proposed development does not pose a risk of adversely affecting (either directly or indirectly) the integrity of any European site, either alone or in combination with any other plans or projects.

The proposed development has also been the subject of an arboricultural assessment (carried out by Arborist Associates) and the drawings and report associated with same are included as part of this application for permission. A considerable quantum of trees and hedgerows will be retained as part of the proposed development and a simple explanation of same is provided in the submitted Landscape Rationale document prepared by Ronan MacDiarmada and Associates Landscape Architects – please refer to same.



Chapter 10 of the CDP relates to “Energy” and contains the following policies / objectives relevant to the proposed development:

Policy 4 Energy Performance in New Buildings (and its related objectives 1-3) - It is the policy of the Council to ensure that new development is designed to take account of the impacts of climate change, and that energy efficiency and renewable energy measures are considered in accordance with national building regulations, policy and guidelines.

Compliance - The proposed seeks to import best practice construction/engineering techniques and use of energy efficient materials to maximise energy capacity in accordance with current Buildings Regulations

Development Management Standards

Chapter 11 of the CDP sets out the development standards and criteria that seek to ensure development takes place in an orderly and efficient manner. The following development standards are relevant to the proposed development which have been considered under the headings contained within Chapter 11 of the Development Plan:

Residential (Section 11.3.1)

The following is a summary of the requirements of section 11.3.1 of the CDP:

- (i) Proposals that include more than 10% one beds need to demonstrate a need for this accommodation;
- (ii) Residential density should be greater than 35 dwellings per hectare;
- (iii) Applications need to include: landscape plan, 10% total site area as public open space, natural features for children’s play;
- (iv) Provides minimum space standards for houses and apartment;
- (v) Separation distance of 22m between opposing ground floor windows. Privacy strip of at least 1m;
- (vi) Dual aspect ratios to be providing in line with 2015 Design Standard for Apartments;
- (vii) Minimise use of shared entrances;
- (viii) Clothes drying facilities to be provided.

Compliance - The proposed development complies with the above criteria as follows:

- (i) **Mix of Dwelling Types:**
The proposed development includes 10% one bed units, which will add to the housing stock and improve the variety of housing typologies available in the area.
- (ii) **Residential Density:**
The proposed net density is an average of 43 dwellings per hectare across the entire site.
- (iii) **Public Open Space / Children’s Play:**
The proposed development includes a total public open space provision on site of 31,076m² (i.e. 3.1Ha) which equates to 17.5%. The submitted landscaping plans and rationale details the natural play features included for children’s play.



(iv) Dwelling Standards:

The proposal is in accordance with the minimum space standards set out in Table 11.21. Please refer to section 5.7 of the submitted Planning Statement as well as the submitted HQA for further details of compliance with same.

(v) Privacy:

The submitted drawings i.e. site layout plans demonstrate that the required separation distance of 22 metres is provided between directly opposing above ground floor windows to maintain privacy.

(vi) Dual Aspect:

All of the proposed houses and duplexes/apartments are dual aspect. Out of the 246 no. proposed apartment units, approx. 52% are dual aspect (i.e. 117 no. units) with the remainder being single aspect i.e. 48% (i.e. 129 no. units). The 2020 Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, under section "Dual Aspect Ratios" and specifically SPPR4 of same require "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", and the proposed development complies with this. (Note: the 2020 Apartments Guidelines are an updated version of the 2015 Design Standard for Apartments).

(vii) Access Cores and Communal Areas:

The design of the apartment buildings (Blocks A, B & C) are in accordance with the 2020 Apartment Guidelines in terms of the permitted number of apartments per core. The apartments in Blocks Y to Y6 as well as the apartments in the duplex blocks are all own door access.

(viii) Clothes Drying Facilities:

The apartments have sufficient internal space for clothes drying.

Childcare Facility

Section 11.3.1 "Early Childhood Care and Education" states that "in new developments, childcare facilities should be purpose built, at ground floor level or as a stand alone building".

Compliance: the proposed development provides for a stand alone creche of crèche facility of 693sq.m, located south of Street 07, north of Street 12, with associated external play area of 368m² and 16 no. dedicated car parking spaces to serve same, and caters for 163 no. children.

Bicycle Parking Standards (Section 11.4.1)

Table 11.22 'Minimum Bicycle Parking Rates' of CDP sets out the cycle parking requirements for various types of development. The table below is a summary of same in terms of the requirements for bicycle parking to serve the proposed development:



Cycle Parking Standards		
Land Use	Standards	
	Long Term	Short Stay
Residential Apartment	1 per 5 apartments	1 per 10 apartments
Creche	1 space per 5 Staff	1 space per 10 children

The quantum of bicycle parking required, in accordance with the CDP standards, is:

Cycle Parking Provision			
Land Use		Standards	
		Long Stay	Short Stay
Apartment	246	49	25
Duplex	152	30	15
Crèche		5	15
Sub Total		84	55
Total		139	

Section 3.5 of the submitted TTA deals with Cycle Parking for the proposed development – please refer to same for details of compliance with the CDP standards. A total of 797 no. bicycle parking spaces caters for the proposed apartments, duplex units and creche. As only 139 no. spaces are required in accordance with CDP, the proposed bicycle parking provision is compliant with the CDP.

Dedicated bicycle parking is catered for within the individual apartment blocks, with bicycle stores provided for at the duplex blocks. Bicycle parking for houses can be catered for within the curtilages of the properties, as all proposed houses have direct street access, so bicycle parking is expected to take place privately within each individual dwelling.



Car Parking Standards (Section 11.4.2)

A total of 898 no. residential car parking spaces will be provided within the development to cater for apartments, duplexes and houses. Parking will be made up of in curtilage and on street parking as follows:

- 500 spaces for 257 no. houses (1.9 spaces per unit);
- 190 spaces for 152 duplex units (i.e. 1.25 spaces per unit);
- 208 spaces for 264 apartments (i.e. 0.8 spaces per unit);

There are 16 no. car parking spaces provided for the crèche. The overall parking provision for the development, including EV parking, is 914 no. spaces.

Table 11.24 'Maximum Parking Rates (Residential Development)' of the CDP sets out the car parking requirements for various types of development. The CDP's parking standards are described as maximum standards i.e. parking should not be provided over and above the figures outlined in Table 11.24. Section 3.4 of the submitted TTA addresses the proposed car parking provision and Table 4 contained in same outlined the parking standards of the Development Plan i.e.:

<i>General Parking Standards</i>			
Land Use		Standards	
		<i>Z1</i>	<i>Z2</i>
<i>Apartment/Duplex</i>	<i>1 bed</i>	<i>1 space</i>	<i>0.75 spaces</i>
	<i>2 bed</i>	<i>1.25 spaces</i>	<i>1 space</i>
	<i>3 bed+</i>	<i>1.5 spaces</i>	<i>1.25 spaces</i>
<i>House</i>	<i>1 bed</i>	<i>1 space</i>	<i>1 space</i>
	<i>2 bed</i>	<i>1.5 spaces</i>	<i>1.25 spaces</i>
	<i>3+ bed</i>	<i>2 spaces</i>	<i>1.5 spaces</i>
<i>Creche</i>		<i>1 per classroom</i>	<i>0.5 per classroom</i>

Table 5: Parking Standards

For the houses which are located in the southern part of the site, it is assumed that a medium level service level in terms of bus and Luas service applies, given the walking distance between each one is greater than 800m. The submitted TTA assumes (section 3.4.3) that the is in Zone 1, as per the standards set out in Table 14 above.

Car parking for the houses is proposed as follows, and this is rationalised under section 3.4.3 of the submitted TTA (Table 6 of same):



Parking Provision			
Land Use	No.	Standards	Provided
<i>House 3 Bed +</i>	249	498	488
<i>Houses 2 Bed</i>	8	12	12
Total		510	500

Table 6: Parking Provision – Houses

A total of 500 spaces for the houses will be provided in this development for the houses, which is in compliance with Table 11.24 which provides for “maximum” standards.

The 2020 Sustainable Urban Housing – Design Standards for New Apartments Guidelines (hereafter “Apartment Guidelines”) sets out alternative standards for apartments. Under the Apartment Guidelines *‘the quantum of car parking or the requirement for any such provision for apartment developments will vary, having regard to the types of location in cities and towns that may be suitable for apartment development, broadly based on proximity and accessibility criteria.’* Therefore, the car parking provision for the site seeks to balance to maximum requirements, as described in the Development Plan, and what is sustainable based on the criteria outlined in the Apartment Guidelines. This approach will be adopted for both the apartments and duplexes in the proposed development.

The Apartment Guidelines sets out alternative criteria for the provision of car parking spaces based on the link between the proposed development, access to local amenities and access to public transport. The duplex blocks are located in Zone 1. A comparison between development plan standards and the new apartment guidelines is illustrated in the following tables 7 and 8 (and also Tables 7 & 8 in the submitted TTA):

Car Parking Standards – Duplex			
Land Use		Standards	
		Development Plan Standards (Zone 1)	‘Sustainable Urban Housing – Design Standards for New Apartments’ DoECLG (2020)
Duplex	1 Bed	1 space	Depends on Design & Location
	2 Bed	1.25 space	
	3 Bed	1.5 spaces	
Visitors		-	1 space per 4 units

Table 9: Parking Standards



Car Parking Provision - Duplex			
No. of Units		Standards	
		Development Plan Standard	'Sustainable Urban Housing – Design Standards for New Apartments' DoECLG (2020)
1 Bed	4	3	152
2 Bed	72	90	
3 Bed	76	114	
Visitor		-	38
Total		208	190

Table 10: Parking Provision – Duplexes

A total of 190 spaces for the duplexes will be provided in this development. This equates to c. 1 spaces per unit and 38 no. visitor spaces.

In relation to the proposed apartments, car parking provision for same is proposed in accordance with the Apartment Guidelines. Given the location of the apartment blocks relative to the Luas stop at Fortunestown, the submitted TTA assumes (Section 3.4.5) that the apartment blocks are located in Zone 1. A comparison between development plan standards and the new apartment guidelines is illustrated in Tables 11 & 12 as follows (and also Tables 9 & 10 in the submitted TTA):

General Parking Standards			
Land Use		Standards	
		Z1	Z2
Apartment/Duplex	1 bed	1 space	0.75 spaces
	2 bed	1.25 spaces	1 space
	3 bed+	1.5 spaces	1.25 spaces

Table 11: Parking Standards



Car Parking Provision - Apartment				
Type	No.	Standards		
		Zone		DoECLG (2020)
		Z1	Z2	
I Bed	62	18	33	184
2 Bed	177	33	151	
3 Bed	7	2	8	
Visitor		-		24
Sub Total		52	192	208
Total		244		208

Table 12: Parking Provision – Apartments

It is proposed to provide 208 spaces for the apartment element of the proposed development. This equates to c. 0.85 spaces per unit.

Section 3.4.6 of the submitted TTA sets out a justification for the proposed car parking based upon the guidance outlined in the Apartment Guidelines and states that car parking spaces will be provided for the apartments and duplexes on the following basis:

General Car Parking Spaces - Apartments	184 No.
General Car Parking Spaces - Duplex	152 No.
Visitor	62 No.
Total	398 No.

Section 3.4.6 of the submitted TTA concludes that the proposal to provide 398 no. car parking spaces for the proposed 398 no. apartments and duplex units is justified.

Please note that the submitted TTA outlines in detail the site's access to public transport services not only as part of its justification of the proposed car parking rates (section 3.4.6) but also in sections 2.1, 2.4.3 and 2.7.1 – please refer to the aforementioned sections of the submitted TTA for more details.

In relation to car parking for the proposed apartments and duplex units – please also refer to the submitted Material Contravention Statement (section 4.3.2.8).



Car Parking for Electric Vehicles (Section 11.4.3)

This section of the CDP states that “all developments shall provide facilities for the charging of battery operated cars at a rate of up to 10% of the total car parking spaces. The remainder of the parking spaces should be constructed to be capable of accommodating future charging points, as required”.

Compliance

As per the submitted plans for the apartments, 10% of the associated car parking spaces will have EV charging facilities. For the own door apartments, duplex units and houses that are afforded surface car parking, please refer to the submitted site layout plans which identify the proposed locations for EV parking (coloured blue). For private houses, future home owners will be offered the opportunity to install a charging facility within the curtilage of the property, however, the applicant’s will provide the necessary piped services for same as part of the proposed site development works.

Aerodromes (Section 11.6.6)

This section of the CDP refers to consultation with the Department of Defence on any proposed development, which by its nature, is likely to increase air traffic in the vicinity of Casement Aerodrome or affect the safety, efficiency or regularity of operations at Casement Aerodrome. This section of the CDP also sets out development restrictions in relation to Aerodromes.

Compliance

As outlined in section 10 of the submitted Planning Statement and on page 64 of this report (under compliance with Policy 8 Casement Aerodrome) the applicants have engaged with the Department of Defence in relation to the proposed development. Given the heights of the proposed buildings and the separation distance of the proposed development from Casement Aerodrome, Baldonnell, to the north, it is considered that the proposed development will impact on the operations of Casement Aerodrome. Please refer to the aforementioned section / report for more details.

Energy – Low Carbon District Heating Networks (Section 11.7.3)

This section of the CDP requires that development proposals for large scale residential developments should include low carbon heating and energy proposals.

Compliance

The proposed development is accompanied by an Energy Statement prepared by BBSC - please refer to same, which sets out the requirements for achieving Part F & L of the Building Regulations with respect to the Energy usage of the proposed development. The submitted report aims to satisfy the legislative planning requirements by addressing how the overall energy strategy of the proposed development has been approached in a holistic manner, striving to meet the highest standards of sustainable building design such as passive solar design, high efficiency systems and use of renewable energy technologies.

Evaluation of Consistency with the 2016-2022 South Dublin County Development Plan

Overall, it is considered that the proposed development is in accordance with the policies and standards of the Development Plan. The proposed development provides for a residential development on residentially zoned land, while also making a positive contribution to the green infrastructure network. The proposed dwellings will increase the housing stock in the area and have been designed to a high-quality standard.



4.4.2 Fortunestown Local Area Plan - 2012

The Fortunestown Local Area Plan was adopted in May 2012 and has been extended until May 2022. Fig. 7 illustrates the subject site in the context of Framework 4 “Boherboy Neighbourhood” of the LAP. The sections of the LAP most relevant to the current application are:

- Section 5.0 The Strategy
- Section 6.0 Frameworks
- Section 7.0 Standards & Design Criteria
- Section 8.0 Phasing.

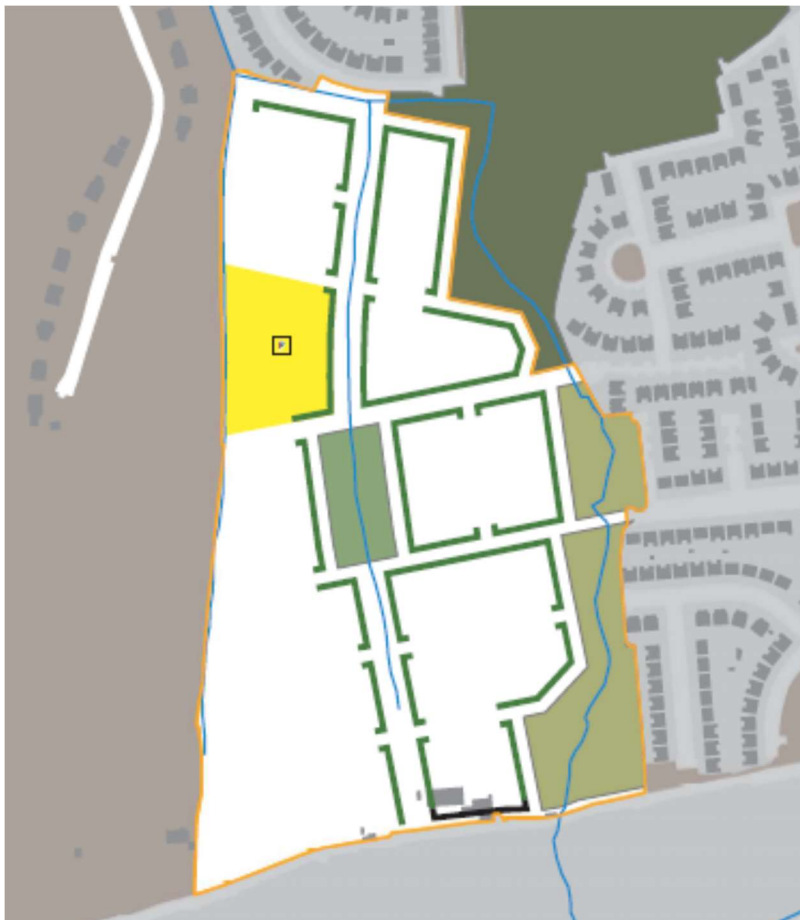


Fig. 7 – Boherboy Neighbourhood
i.e. subject site

Extract from Fortunestown LAP 2012

The Fortunestown Local Area Plan (hereafter referred to as the LAP) is the relevant LAP, which comprises a network of neighbourhoods with the Boherboy Neighbourhood located in the south-western section of the LAP lands.

The indicative framework plan for the Boherboy Neighbourhood allows for approximately 556* dwellings and includes:

- public open space in the centre of the lands;
- a biodiversity strip along the eastern boundary with the Corbally Stream, which will provide pedestrian and cycle access from the Boherboy Road to the District Park to the north;



- Approximately 1 hectare for the provision of a primary school in the north-west section of the Boherboy Neighbourhood.

***NOTE:** Please refer to the submitted Material Contravention Statement (namely sections 3.8 & 4.4.3) in relation to the quantum of development proposed.

The following sets out the relevant sections, objectives and policies of the LAP that are applicable to the subject proposal along with a statement of how the proposed development accords with same:

Accessibility and Movement (Section 5.2)

It is an objective of the Local Area Plan:

That all planning applications for residential and employment development are required to provide or integrate with direct, safe and attractive pedestrian and cyclist routes to public transport stops. **(Objective AM2)**

Encourage cycling within and through the Plan Lands by creating an open ended and integrated network of safe and accessible cycle routes that serve primary, secondary and tertiary streets and spaces. Cycle paths that correspond with vehicular routes shall be provided on-street on both sides and shall be separated from pedestrian routes. **(Objective AM3)**

That pedestrian routes are provided on both sides of every street and through every public space in a manner that creates direct and indirect links with nodal points, civic uses, public open spaces and with the District Centre. **(Objective AM6)**

To create a network of pedestrian routes between destinations including housing, business parks, employment areas and public transport stops and to make walking, cycling and the use of public transport a priority. **(Objective AM7)**

Achieve an integrated network of safe pedestrian and cycle routes in line with 'A Proposal for Connected Walking and Cycling Routes through the Parks, Open Spaces and Roads of South Dublin County' (2006) by utilising links through and along parks, open spaces and green corridors. **(Objective AM8)**

Assess all interfaces between proposed new development, existing housing development and undeveloped lands at planning application stage and to ensure that all proposed development integrates and addresses existing development and undeveloped land especially residential development and open spaces in a manner that creates the opportunity for more permeable layouts and encourages passive and active surveillance of streets and spaces. **(Objective AM14)**

Create open ended routes through existing and new development in a manner that ensures greater permeability and convenient pedestrian access to community facilities, schools, open spaces, shopping facilities, local employment and public transport stops. **(Objective AM15)**

Statement of Consistency:

The proposed development opens up the subject lands to connectivity and permeability. Vehicular, pedestrian and cyclist connections are proposed to adjoining lands to the east and north allowing direct access from the development into Corbally, Carrigmore Park, Carrigmore and onwards to the Fortunestown



Luas stop, Citywest Shopping Centre and to employment opportunities at Citywest Business Campus.

The submitted plans and documents illustrate that priority is afforded to pedestrians and cyclists throughout the scheme. A new “Riverside Park” is proposed that caters for pedestrian and cyclist paths. All routes through the site are passively supervised by the proposed dwellings and will be well lit as per the proposed public lighting layout.

Green Infrastructure (Section 5.3)

It is an objective of the Local Area Plan:

Create an integrated network of biodiversity strips through the Plan Lands by way of linking, preserving and incorporating existing hedgerows (especially those at Boherboy and Cheeverstown), wildlife corridors, green corridors and existing streams with a necklace of parks in a manner that forms a link between the Plan Lands and the Dublin Mountains. All developments relating to planting and water features should be cognisant of the potential for creating bird hazard to aviation. **(Objective GI1)**

Ensure that each of the neighbourhoods throughout the Plan Lands will be provided with green spaces that each have a clear role or function and fits within the plan’s hierarchy and network of linked spaces as outlined in Table 5.1. **(Objective GI2)**

Ensure that all development proposals maximise the opportunities for enhancement of existing ecology and biodiversity and are accompanied by a full ecological assessment, carried out by a suitably qualified professional, that includes measures to enhance ecology and biodiversity and avoid or minimise loss to local ecology and biodiversity. **(Objective GI3)**

A 10 metre (min) biodiversity strip (measured from the top of the bank) shall be maintained on both sides of the sections of watercourse that are designated for preservation under the Local Area Plan, for flood management, landscape and biodiversity reasons. These biodiversity strips shall protect, improve and enhance the natural character of the streams and accommodate pedestrian and cycle corridors where possible. Culverting of sections of watercourses that are designated for preservation will not be permitted. Limited sections of streams may be sensitively diverted where appropriate with the highest standards of engineering design and environmental mitigation to avoid significant negative environmental impact, taking full account of flood risk assessments etc. **(Objective GI4)**

The use of SUDS is a requirement for all new developments in order to reduce surface water run-off and to minimise the risk of flooding of the Plan Lands and surrounding lands. Existing springs will be protected and maintained and incorporated into SUDS. **(Objective GI5)**

All planning applications for residential and/or commercial floorspace on sites in areas at risk of flooding shall be accompanied by a Flood Risk Assessment that is carried out at the site-specific level in accordance with ‘The Planning System and Flood Risk Management – Guidelines for Planning Authorities’ (2009). The scope of flood risk assessment shall depend on the type and scale of development and the sensitivity of the area. **(Objective GI7)**

A linked open space hierarchy shall be implemented fully across the Plan Lands and all proposed developments shall contribute to the achievement of this integrated Green Infrastructure Network where relevant and at a minimum rate of 14% of A1 zoned lands. All biodiversity strips may be calculated as contributing to the required minimum 14% public open spaces provision. **(Objective GI8)**



All proposed public open spaces shall have a clear role and function that falls within the Plan's open space hierarchy detailed under Table 5.1 and shall comply with the qualitative standards detailed under 'Sustainable Residential Development in Urban Areas' (2009). **(Objective GI9)**

Play facilities shall be provided at a rate of 3 sq.m per dwelling and in accordance with 'Planning Guidance on Provision of Children's Play Facilities in New Developments' (2007). **(Objective GI10)**

Statement of Consistency:

The proposed development creates a new "Riverside Park" along the eastern boundary of the site, adjacent to the Corbally Stream, which creates a new park that will serve as open space for the wider community and preserves wildlife corridors, green corridors and an existing stream. This "Riverside Park" will connect to Carrigmore Park to the north-east thus contributing to the creation of a necklace of parks in a manner that forms a link between the Plan Lands and the Dublin Mountains.

The submitted Landscape Rationale (prepared by RMDA Landscape Architects) provides details of the proposed open spaces, their function and hierarchy, as well as details of play facilities. Please also refer to the submitted Planning Statement (section 5.15) for details of the proposed public open space provision. In total, public open space provision on site is 31,076m² (i.e. 3.1Ha / 17.5%).

There is no proposed culverting of streams on the subject site and a 10m biodiversity strip is retained from the top of the bank – refer to the submitted site layout plan to identify same.

The proposed surface water drainage incorporates the use of SUDS – refer to the submitted engineering details prepared by Roger Mullarkey & Associates Consulting Engineers. In addition, Kilgallen & Partners Consulting Engineers have prepared the submitted Site Specific Flood Risk Assessment (SSFRA).

Community and Civic Uses (Section 5.4.3)

It is an objective of the Local Area Plan to:

Provide community facilities, which shall include youth specific facilities, across the Plan Lands at a rate of 300 sq.m per 1,000 dwellings. **(Objective LUD1)**

Statement of Consistency:

The proposed development does not propose the delivery of community facilities, as agreed with the Planning Authority, refer to Appendix A of this report. In addition, this matter is also addressed in the submitted Material Contravention Statement, namely sections 3.8 & 4.4.2 of same and we refer the reader to same.

School Sites (Section 5.4.4)

The LAP has identified that a school site be provided within the Boherboy Neighbourhood and contains the following objective:

Development of the Boherboy, Fortunestown Centre and Saggart- Cooldown Commons neighbourhoods shall each include for the provision of a primary school site (three in total) that measures at least one hectare. **(Objective LUD3)**



Statement of Consistency:

The proposed development provides for a reserved school site of approx. 1.42Ha, which shall remain reserved for use as a school site until such time as confirmation is received from the Department of Education and Skills as to their need for same.

Dwelling Mix (Section 5.4.6)

The LAP contains the following objectives:

Restrict apartments/duplexes only to areas of the Plan Lands that are generally located within 5 minutes walking distance of a Luas station or landmark junction and to require all applicants, at planning application stage, to demonstrate how such walking distances will or can be achieved. **(Objective LUD7)**

Ensure that no more than 10% of dwellings in any residential scheme are of the one bedroom type. **(Objective LUD8)**

Ensure that a minimum of 85% of all dwellings be provided as own door houses on their own site and that a maximum of 15% of all dwellings across the Plan Lands be provided as apartments/ duplexes with such dwellings limited to appropriate areas or particular locations such as Luas stops and landmark junctions and sensitively designed to contribute to the broader aesthetics of the area including the nearby mountains. The minimum average floor area of all developments throughout the Plan Lands shall be 110 sq. metres. **(Objective LUD 10)**

To encourage a mix of dwelling types and quality design that will help aid legibility and way finding throughout the area. **(Objective LUD 11)**

Statement of Consistency:

The proposed development provides for 10% of 1 bedroom units across the entire scheme as well as a variety in unit types – refer to section 5.7 of the submitted Planning Statement for details on the proposed housing typologies.

The proposed development does not adhere to the requirement that a minimum of 85% of all dwellings be provided as own door houses on their own site, nor are apartments/duplexes restricted to within 5 minutes walking distance of a Luas station. However, these matters are addressed in the submitted Material Contravention Statement, namely sections 3.5, 3.6, 4.3.2.5 & 4.3.2.6 of same and we refer the reader to same.

Building Height (Section 5.5.4)

This section of the LAP states that *“there shall be a maximum height limit of three storeys, with exceptions justifiable only in limited exceptional circumstances”*.

Statement of Consistency:

The proposed development provides for building heights ranging from 2 to 5 storeys and this matter is addressed in the submitted Material Contravention Statement – please refer to sections 3.4, 4.3.2.3.



Section 6 of the LAP sets out the “Frameworks” for each of the neighbourhoods on the Plan lands. Section 6.4 “Boherboy Neighbourhoods contains specific requirements pertaining to the application site.

Under section 6, It is an objective of the Local Area Plan to:

Require planning applications for any building(s), street(s) or space(s) to be accompanied by a masterplan layout drawing that details how the proposed building(s), streets(s) or space(s) fits within the framework for the neighbourhood to which they relate in terms of accessibility and movement; integration of development; density and land use; green infrastructure and built form. These framework elements can be varied in terms of precise location and design provided that they conform to the principles and guidance set out in this Local Area Plan. Existing utilities should be accommodated between blocks and under streets. **(Objective F1).**

Ensure that each neighbourhood is developed with open ended and integrated pedestrian and cycle routes that link with the Fortunestown Centre and adjacent neighbourhoods. **(Objective F2).**

Statement of Consistency:

The proposed development occupies all of the Boherboy Neighbourhood and is effectively a masterplan for same. The proposed development provides for connectivity to adjoining lands, services, amenities and facilities whilst also contributing to the creation of green infrastructure. The proposed connections to Carrigmore Park and through Carrigmore allow for direct connectivity to the Fortunestown Centre to the north-east.

Accessibility and Movement Section 6.4.1 provides for the following: *“Vehicular, pedestrian and cyclist access through the Boherboy Neighbourhood shall be provided to and from the Fortunestown Centre, the Saggart Abbey Estate, the Carrigmore Estate and Boherboy Road. It is important that the first phase of development in Boherboy integrates with the Carrigmore Estate and Saggart Abbey estates with through routes. These connections will create convenient access to the Fortunestown Centre, District Park and a new primary school site within Boherboy for the residents of Carrigmore and Saggart Abbey. Open ended pedestrian and cycle routes will also provide convenient access between and through the Fortunestown Centre, District Park and towards the Dublin Mountain”.*

The following are the stated objectives of the LAP:

- The first phase of development in the Boherboy Neighbourhood shall include for through routes to the Carrigmore and Saggart Abbey estates in a manner that provides indirect access from the Boherboy Neighbourhood onto Fortunestown Lane, to the Fortunestown and Saggart Luas stops and onto Citywest Avenue. **(Objective BN1).**
- A pedestrian and cyclist link shall be provided between the first phase of development in the Boherboy Neighbourhood and the district park to the rear (south-west) of the Citywest Shopping Centre. **(Objective BN2).**
- Development of the Boherboy Neighbourhood shall include for cyclist and pedestrian circuit routes that link the District Park with the Boherboy Road via a choice of routes. **(Objective BN3).**

The LAP also requires that *“Phase 1 of development of the Boherboy lands may commence at the southern end of the lands with access off Boherboy Road provided that, prior to the occupation of any dwelling, Phase 1 of development of the Boherboy lands includes for the provision of a footpath along Boherboy Road, including the preservation of trees where possible. This is necessary due to the extremely narrow, sub-standard nature of Boherboy Road where there is no footpath access to the site at present”.*



Statement of Consistency:

The proposed development provides for vehicular, pedestrian and cyclist connections to Corbally to the east and Carrigmore to the north. In addition, pedestrian and cyclist access is also proposed not the adjoining Carrigmore Park to the north-east. Along the entire eastern boundary of the site, a new “Riverside Park” is proposed accommodating pedestrian and cyclist paths that provide north – south access through the entire site. The proposed “Riverside Park” will be delivered as part of the first phase of development, as will the vehicular connection to Carrigmore. In addition, the proposed development also proposes to deliver the vehicular access from Boherboy Road & associated upgrade to Boherboy Road, all of which will be delivered as part of the first phase of development. For further details regarding the phasing of the proposed development, please refer to section 7.2 of the submitted Planning Statement.

Density & Land Use

The strategy of the LAP in terms of density is set out in section 5.4 of same whereby it is stated that the LAP’s “density strategy reflects the recommended densities set out under ‘Sustainable Residential Development in Urban Areas’ (2009) and policy in the South Dublin County Council Development Plan (2010 – 2016), which allows for the provision of lower densities in limited cases and to facilitate a choice of housing types even within urban areas provided that average densities within a neighbourhood or district as a whole comply with prescribed densities”.

The LAP aims to facilitate the provision of own door housing, and as such “net residential densities of 30-50 dwellings per hectare shall apply to the Plan lands. Densities shall be at the higher end of this range within 5 minutes walk of Luas stops in accordance with Development Plan policy and National Guidance and at the lower end of this range at the extremities of the Plan Lands”.

Table 5.3 of the LAP sets out the recommended densities and uses for each of the neighbourhoods within the LAP area and identifies the Boherboy Neighbourhood as having a primary residential use with a net residential density of circa 30 units per hectare:

Table 5.3 Recommended Densities & Uses

Neighbourhood	Primary Use	Net Residential Density
Fortunestown Centre	Mixed	Circa 50 per Ha.
Saggart-Cooldown Commons	Residential	Circa 40 per Ha.
Boherboy	Residential	Circa 30 per Ha.
Cheeverstown	Employment & Residential	Circa 50 per Ha.
Citywest Road	Residential	Circa 40 per Ha.

Fig. 8 – Extract of “Table 5.3” from Fortunestown LAP 2012

Section 6.4.3 Density & Land Use – this section of the LAP states: “Having regard to the provision for more compact development close to the Fortunestown Centre and around the four Luas stops within the Plan Lands and having regard to the need to protect important heritage features in Boherboy while responding to the rural character of the surrounding area with an appropriate transition, it is proposed to provide for lower density housing across the Boherboy Neighbourhood. This accords with policy in the South Dublin County Council Development Plan (2010 – 2016), which allows for lower densities in limited



cases and to facilitate a choice of housing types”.

The LAP also states that *“In order to facilitate the provision of own door housing, net residential densities of 30-50 dwellings per hectare shall apply to the Plan lands. Densities shall be at the higher end of this range within 5 minutes walk of Luas stops in accordance with Development Plan policy and National Guidance and at the lower end of this range at the extremities of the Plan Lands. A more compact form of development may be permitted in the northern area of the neighbourhood subject to the provision of vehicular and pedestrian routes that achieve direct access onto Fortunestown Lane and its Luas stops”.*

The following area the stated objectives of the LAP that:

- Densities at the upper end of the scale shall only be located in the northern areas of the Boherboy Neighbourhood subject to the achievement of vehicular access through the Carrigmore Estate and pedestrian access through the District Park and District Centre. The lower densities shall be implemented in the southern areas of the neighbourhood. **(Objective BN4).**
- A minimum of 85% of all dwellings be provided as own door houses on their own site and that a maximum of 15% of all dwellings across the Plan Lands be provided as apartments/duplexes with such dwellings limited to appropriate areas or particular locations such as Luas stops and landmark junctions and sensitively designed to contribute to the broader aesthetics of the area including the nearby mountains. The minimum average floor area of all developments throughout the Plan Lands shall be 110 sq. metres. **(Objective BN4a).**
- Development of the Boherboy Neighbourhood shall accord with the Local Area Plan’s Phasing Strategy and shall include for the provision of a primary school site of not less than one hectare. **(Objective BN5).**

Statement of Consistency:

The area of application site is 18.3Ha, however, a school site of 1.42Ha is reserved on the western side of the application site, as per the LAP, and 1ha of open space / significant landscape buffer is provided for along the eastern boundary of the site, and these two areas are discounted from the gross area of the subject two fields for the purposes of calculating the net density of the proposed development. Within the red line of application, the proposed upgrade works to the Boherboy Road comprise an area of 0.6Ha which is also discounted for the purposes of calculating the net density of the proposed development. The proposed development of 655 no. dwellings provides for a mix of dwelling types and is laid out on a net developable area of 15.28Ha, thus producing a net residential density of 43 units per hectare.

The proposed development provides a net residential density of 43 units across the entire site. However, within the 1km walking distance of the Luas passenger stop at Fortunestown to the north-east, the proposed development provides for a net density of 51 units per hectare. The proposed density is supported by the provisions of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) which refer to minimum net densities of 50 dwellings per hectare along public transport corridors and encourage development at a sufficiently high density to provide for an efficiency in serviceable land usage.

The proposed development comprises 409 no. own-door houses and duplexes and 246 no. apartments resulting in 62% of the proposed dwellings being own-door units.



- The average floor area of the proposed 257 no. 2, 3 & 4 bed houses is c.127sq.m.;
- The average floor area of the proposed 152 no. 1, 2 & 3 bed own door duplex units is c.100sq.m.;
- The average floor area of the proposed 246 no. 1, 2 & 3 bed apartments is 75.5sq.m.;
- Overall, the average residential floor area per unit is 101.45sq.m.

Based upon the topography of the site, the reservations on the site such as wayleaves and school site, and the LAP requirement for a lower density of development on the site, the resultant dwelling mix is put forward for permission. Individually, all of the unit types comply with the required standards for floor areas, all of which is set out in the enclosed Housing Quality Assessment.

The proposed development provides a higher density of development than envisaged within the LAP resulting in a higher proportion of apartment units, a lower average floor area and increased building heights. However, the proposed density, unit mix and associated building height are supported by the provisions of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) and the 2018 Urban Development and Building Heights Guidelines which refer to minimum net densities of 50 dwellings per hectare along public transport corridors and encourage development at a sufficiently high density to provide for an efficiency in serviceable land usage.

The LAP identifies the school site as being in the western portion of the Boherboy Neighbourhood, and accordingly a site of 1.42ha is reserved for future use as a school site. The landowner, Durkan Estates Ireland has engaged with the Department of Education and Skills over the last number of years with regard to their need for this school site. Prior to submitting this current proposal for pre-application consultation, we raised this matter with the Planning Authority. They in turn contacted the Department of Education and Skills and in May 2020, it was confirmed that while the *“Department does not currently have a requirement for the development of a school on the site”*, they require *“the continued reservation of the school site at Boherboy”*. A copy of this affirmation is set out in Appendix A, refer to email dated 18th May 2020 from the Site Acquisitions and Property Management section of the Department of Education and Skills, to the Forward Planning, Land Use Planning and Transportation Department of South Dublin County Council.

In light of the foregoing, the site remains reserved for the future use of a school and no development on same is proposed as part of this application.

Where the Board may consider that the proposed development is a material contravention of the LAP in terms of the proposed density, average floor area and unit mix, these matters are addressed in the submitted Material Contravention Statement under sections 3.3, 3.5, 3.6, 4.3.2, 4.2.2.5 and 4.3.2.6 respectively – please refer to same.

Green Infrastructure (Section 6.4.4)

Development of the Boherboy Neighbourhood will include for the protection and incorporation of the elements of the Corbally Stream and the hedgerows that run through Boherboy especially the stream and hedgerow along the eastern side of the neighbourhood.

The historic eastern boundary and stream will be set within a linear park lined by footpaths and cycle routes, which in turn will be overlooked by dwellings.

A central neighbourhood park will also be provided and will create a link with the Plan Land’s Green Network between the District Park and the Dublin Mountains via a central street verge. The street verge will follow the route and preserve the majority of the north-south field boundary hedgerow that currently centres on and divides the Boherboy lands.



The following are the objectives of the Local Area Plan, (set out in section 6.4.4) that have been adhered to by the proposed development:

- A 10 metre (min) biodiversity strip (measured from the top of the bank) shall be reserved along both sides of the designated sections of the Corbally Stream for flood management, landscape and biodiversity reasons. This biodiversity strip shall cater for a pedestrian/cycle path from the Boherboy Road to the public open space to the north-east (District Park) as part of Phase 1 of development of the Boherboy lands. **(Objective BN5a).**
- Development across the Boherboy Neighbourhood shall protect and incorporate its existing rolling topography and its existing hedgerows and streams especially the watercourse and hedgerow that demarcates the old townland boundary between Boherboy and Gibbons. **(Objective BN6).**
- The slope of the neighbourhood's topography shall be utilised as part of any development and the level of cut and fill shall be kept to an absolute minimum. This shall be demonstrated under all planning applications with extensive north-south and east-west sections. The excessive use of retaining walls shall be avoided. **(Objective BN7).**
- Development proposals on the south-west corner of the Boherboy lands shall either avoid the lands above the 150 metre contour through the provision of an appropriately landscaped buffer (see Section 7.2.15) or demonstrate design integration with the landscape through measures that may include a combination of low density housing (i.e. bungalows or similar) and properly landscaped public open space that would be of benefit to the development of the site and lands as a whole. **(Objective BN7a).**

Statement of Consistency:

The layout of the proposed development complies with the green infrastructure requirements of the LAP whereby:

In relation to the proposed pedestrian and cyclist paths along the eastern boundary / Corbally Stream, the Fortunestown LAP states the following:

- *A 10 metre (min) biodiversity strip (measured from the top of the bank) shall be maintained on both sides of the sections of watercourse that are designated for preservation under the Local Area Plan, for flood management, landscape and biodiversity reasons. These biodiversity strips shall protect, improve and enhance the natural character of the streams and accommodate pedestrian and cycle corridors where possible. Culverting of sections of watercourses that are designated for preservation will not be permitted. Limited sections of streams may be sensitively diverted where appropriate with the highest standards of engineering design and environmental mitigation to avoid significant negative environmental impact, taking full account of flood risk assessments etc. **(Objective GI4)** (Emphasis added)*
- *A 10 metre (min) biodiversity strip (measured from the top of the bank) shall be reserved along both sides of the designated sections of the Corbally Stream for flood management, landscape and biodiversity reasons. This biodiversity strip shall cater for a pedestrian/cycle path from the Boherboy Road to the public open space to the north-east (District Park) as part of Phase 1 of development of the Boherboy lands. (Objective BN5a) (Emphasis added)*



We note that under the previous SHD application, in her assessment, the Inspector stated: “Consider that the specific requirement of the LAP phasing to retain a 10 metre biodiversity strip along the Corbally Stream has not been adhered to” and further on also states: “The proposed pedestrian walkway and cycleway also do not maintain a 10 metre set back from the stream”. One of SDCC’s recommended reasons to refuse permission included: “The development has not retained a minimum 10 metre set back from the Corbally Stream”. As part of the current proposal, it is proposed to provide a green linear park (significant landscape buffer) / public open space along the eastern boundary of the site, adjacent to the Corbally Stream, of 1 hectare in size. This proposal ensures that a 10m biodiversity strip is provided for from the top of the bank for the entire length of this green linear park. We also note that it is a Phase 1 requirement of the LAP to provide a pedestrian / cyclist linkage along the Corbally Stream from the Boherboy Road to the District Park / Carrigmore Park in its entirety. To this end, the proposed development ensures the provision of a 10m setback provided along the entire length of the green linear park from the top of the bank with the Corbally Stream, and this is dimensioned on the enclosed site layout plan(s) – please refer to same. However, in accordance with the aforementioned objectives GI4 and BN5a of the LAP, it is also proposed that the required pedestrian / cyclist paths will also be provided for within the 10m setback / biodiversity strip for the entire length of the green linear park along the eastern boundary of the site, adjacent to the Corbally Stream, and this has been agreed with the Planning Authority. A sample of the type of path envisaged is illustrated in Fig. 9:



Fig. 9 – Sample pedestrian / cycle path to be provided within the 10m setback / green linear park along the eastern boundary of the site, adjacent to the Corbally Stream.

The proposed pedestrian and cyclist connections are also in accordance with the following objectives:

- A pedestrian and cyclist link shall be provided between the first phase of development in the Boherboy Neighbourhood and the district park to the rear (south-west) of the Citywest Shopping Centre. **(Objective BN2)**
 - Development of the Boherboy Neighbourhood shall include for cyclist and pedestrian circuit routes that link the District Park with the Boherboy Road via a choice of routes. **(Objective BN3).**
- a) The green link along the eastern boundary of the site is provided for with a minimum 10m biodiversity strip maintained, protection of the stream and the heritage of the townland/barony/parish boundary. Pedestrian/cyclist linkages along this green strip, to the District / Carrigmore Park are also provided for.



- b) Maintenance of the hedgerows, particularly the central hedgerow that divides the two landownerships of the applicants. This hedgerow will be maintained where possible to create a central green link that will connect into the main central area of open space and provide for an amenable pedestrian link through the entire site. An arboricultural assessment of the entire site is submitted as part of this application.
- c) The south-western corner of the site is the highest point and is kept free from development and will be landscaped as open space, with no development encroaching onto / above the 150m contour line.
- d) The layout of the housing takes cognisance of the topography of the site, thus eliminating the necessity for cut and fill and retaining walls throughout. How the applicants intend to deal with the level differences across the site has been given careful consideration and is detailed on the enclosed landscape drawing no.s 08-08j prepared by Ronan MacDiarmada & Associates Landscape Architects (RMDA) – please refer to same. For example, split level housing is being used in character area 8 on the eastern side of the site, whereby the house type proposed is a 4 bed, 3 storey split level typology and takes 3 metres out of the level change between adjacent back gardens. This creates back gardens that are more useable and gives better access to sunlight to the units at the lower level - a section of this example is illustrated in Fig. 10:



Fig. 10 – Schematic drawing of split level house typology to minimize step in level between adjacent rear gardens

Please also refer to the submitted RMDA drawing no. 12 “Retaining Wall Location Plan” which identifies where some form of retaining will occur, which is further broken down into four different types of landscaping treatment i.e.: (i) gabion wall, (ii) crib wall, (iii) rear gardens RSJs with timber sleepers in between and (iv) retaining concrete wall.

A separate document, entitled “Landscape Rationale”, on page 39 of same, identifies on plan, where the level differences are between the rear gardens of housing cells. It is considered that where any type of retaining structure is to be used, this has been clearly identified and illustrated on the enclosed drawings and landscape reports. There are only 8 instances of a retaining concrete wall being used, c. 25 examples of the rear gardens RSJs with timber sleepers in between being used, and c. 14 examples of a crib wall being applied across the site. All of the foregoing, as well as the submitted drawings and reports clearly demonstrates how the proposed development has carefully considered the topography on the site and that there will not be extensive cut and fill and therefore a negative visual impact as a result of the proposed development. Based upon all of the drawings and details submitted with the application in relation to cut and fill and retaining walls, it is respectfully put forward that cut and fill has been kept to a minimum and that there is no excessive use of retaining walls.



Sample examples of a crib wall and rear gardens RSJs with timber sleepers in between are as follows:



Fig. 11 – Sample Crib Wall



Fig. 12 – Sample Treated Railway sleepers slotted into RSJs.



Fig. 13 –Suggested sample showing 6 Steps allowing for a drop of 900mm

e) Adequate private open space is also catered for complying with the standards of the Development Plan – refer to the submitted QHA for details of same.

Built Form

Section 5.2.2 Grid Layout – Future development within the Plan Lands will be subject to a grid format with a mix of regular, concentric and irregular layouts offering greater choice of movement while reducing congestion. It is therefore an objective of the Local Area Plan:

- That movement corridors within new developments are based on a grid format that avails of every possibility to link into the existing street network and provide efficient connections to existing local facilities. The grid shall align with desire lines and link sites to specific destinations. Footpaths shall be provided on either side of every street and shall be direct, safe, barrier free and overlooked by development (**Objective AM12**).



Section 6.4.5 Built Form – Development across the Boherboy District will take the form of low density and low rise housing in a manner that incorporates elements of heritage value and views of elements of heritage value. Housing should be no more than two storeys in height. It is an objective of the Local Area Plan that:

- The layout of streets in the southern section of the Boherboy Neighbourhood will be orientated to create vistas of the Church Tower in Saggart Village to the north-west and the Dublin Mountains to the south. Development of the Boherboy Neighbourhood shall also incorporate and retain Corbally Bridge. **(Objective BN8)**

Statement of Consistency:

The proposed layout provides for a grid format that provides for connectivity and permeability, but has been based upon the principles of urban design as set out in the Urban Design Manual 2009, all of which is illustrated in the enclosed Architectural Design Rationale, and under the preceding section 4.2.1.

The proposed development and its associated building height, density, mix of own door units / unit types and average floor area are supported by the provisions of the 2018 Urban Development and Building Heights Guidelines and SPPRs 3 and 4 of same and the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) which refer to minimum net densities of 50 dwellings per ha along public transport corridors (Section 5.8) and within 1km of a light rail stop. The northern part of the application site is within 1km walking distance of the Fortunestown Luas stop and therefore the need to provide a minimum net density of 50 units per hectare is achieved in the current site layout plan. It is submitted that the proposed development provides a sufficient density of development to ensure for an efficiency in serviceable land usage within the LAP lands and therefore, the proposed inconsistencies with the LAP standards are justified on this basis.

The proposed layout provides for connectivity and permeability within the site itself and to adjoining lands, including the provision of a footpath along the Boherboy Road, eastwards to the junction with the N81 Blessington Road. The applicants have also obtained the necessary consents to deliver the proposed connections to adjoining lands and the proposed upgrade works to the Boherboy Road.

The proposed development will not impact on any views of the Church Tower in Saggart Village to the north-west and the Dublin Mountains to the south, as demonstrated in the submitted photomontages prepared by Digital Dimensions – please refer to same.

The proposed development requires associated upgrades to the Boherboy Road, all of which is clearly detailed in the submitted drawings by Pinnacle Engineering. It should be noted, however, that the existing parapets to the bridge of the Corbally Stream will remain in situ as part of said works and the bridge placed adjacent to the existing parapet.

Where the Board may consider that the proposed development is a material contravention of the LAP in terms of the proposed building height, this matter is addressed in the submitted Material Contravention Statement under sections 3.4, 4.3.2.3 and 4.3.2.4 respectively – please refer to same.



Phasing of the LAP

Section 8.0 of the LAP details the phasing and timing of development within the Plan lands in a manner that seeks to ensure that infrastructure and amenities are delivered in conjunction with residential and commercial development.

The Plan Lands are in a number of separate ownerships and are not in the control of one developer / landowner. Development of the Plan Lands can only be managed through a series of planning applications, with each application being assessed on its own merits and consideration should be given to the fact that a particular proposed development can be carried out independently and in its entirety. The LAP states that development across the Plan Lands in each phase shall not proceed until such time as the required community and parkland facilities and amenities have been constructed. In addition, the LAP states that the distribution of dwellings for construction in each neighbourhood under each phase is based upon a pro-rata distribution for the entire Plan Lands and is “*therefore indicative*”. Generally the LAP sets out key outcomes to be delivered in each phase but the LAP also states that key outcomes are not mandatory in all cases. It goes onto state that the Planning Authority may take a considered view that further development should be allowed to proceed with regard to where housing is being delivered. This may occur where:

- There are phasing requirements on lands that are outside of the control of a particular applicant/landowner;
- The developer/landowner of lands that are outside the control of a particular applicant/landowner is either not developing or is proceeding at a significantly slower rate than the particular applicant/landowner;
- The phasing requirements in question are considered not to directly serve the further quantum of development that the particular applicant/landowner wishes to proceed with;
- If required to directly serve the further quantum of development that the particular applicant/landowner wishes to proceed with, an alternative may be considered on the particular applicant/landowners own landholding;
- The particular applicant/landowner who wishes to further develop has satisfactorily and substantially completed a quantum of development already permitted and any directly associated phasing requirement(s).



Total Development Residential Development Allocation

It is our understanding that development under the provisions of the Fortunestown LAP has commenced, by way of the permissions granted to date, details of which are set out below. Under the LAP, permission has been granted for:

Neighbourhood	Reg. Ref.s	Total Units
Fortunestown Centre	SD16A/0210	111
	SD16A/0078	128
	SD18A/0014	78
	SD18A/0015	52
	ABP-306602-20	463
	ABP-305556-19	290
Fortunestown Centre/Cheeverstown	SD15A/0127	384
Cheeverstown	SD168/0002	85
Cheeverstown	SD20A/0219	98
Citywest Road	SD17A/0458 & SD17A/0030	12
Boherboy	-	0
Saggart Cooldown Commons	SD14A/0121 & SD15A/0095	224
	SD16A/0297	12
	ABP-300555-18	524
	ABP-302398-18	459
	ABP-305563-19	488
	ABP-308088-20	224
	ABP-310570-21*	260
Total		3,892

Table 13 – Permitted developments to date under the 2012 Fortunestown LAP

In relation to Ref. ABP-310570-21* above, permission was granted on 6th October 2021 for a development that sought to replace the 32 no. duplex units previously permitted under Ref. ABP-302398-19, and replacing the entirety of the permitted 129 no. dwellings under Ref. SD16A/0078 and replacing both with 421 no. new residential units, which equates to an overall net increase of 260 no. units for the two aforementioned combined sites, north of the Fortunestown Luas stop and the Citywest Shopping Centre (to the north-west of the subject site), located within the Saggart–Cooldown Commons and Fortunestown Neighbourhoods of the LAP.



In total, the permissions outlined in Table 1 provide for the development of 3,892 no. dwellings, albeit to be delivered on a phased basis in accordance with the conditions attached to the relevant permissions. The LAP envisages a total of 3,300 no. dwellings to be delivered across the Plan lands. Taking the quantum of permitted development into consideration (i.e. 3,892 no. dwellings), and should permission be granted for the current proposal of 655 no. dwellings, the LAP lands would be catering for 4,547 no. dwellings.

Table 1 demonstrates that at present, and not including the subject site and other lands in the LAP area that are not subject to extant permissions, the permissions granted to date cater for a far greater quantum of development than originally envisaged in the 2012 Fortunestown LAP. This is also addresses under section 4.4.3 of the submitted Material Contravention Statement – please refer to same.

It is therefore reasonable to consider that development on the Plan lands is now in the final phase, Phase 4 of the LAP, as per Table 8.1 “Phasing and Distribution of Residential Development per Neighbourhood” of the LAP.

Neighbourhoods	Phase				
	1	2	3	4	Phases 1- 4 Total
Total per Phase	400	600	800	1,500	3,300
Fortunestown Centre					
Dwellings	66	100	133	277	576
Saggart - Cooldown Commons					
Dwellings	136	204	273	573	1,186
Boherboy					
Dwellings	56	83	111	306	556
Cheeverstown					
Dwellings	94	141	188	194	617
Citywest Road					
Dwellings	48	71	95	156	370

Note: Figures and calculations are based on 40 dwelling houses per hectare. Some areas, such as the Boherboy lands will attract a lower number of houses (predominantly 30 dwellings per hectare) whilst other areas, such as Cheeverstown will attract a higher number of dwellings (predominantly 50 dwelling houses per hectare).

**Fig. 14 – Extract of Table 8.1 in Fortunestown LAP:
“Phasing and Distribution of Residential Development per Neighbourhood”**

The phasing programme set out in the LAP provides for a quantum of residential development within each neighbourhood under each phase, along with the key outcomes required to be delivered before the next phase of development. Under the phasing strategy, the key outcomes are set out below in italics, with commentary on the status of same:

Phase 1:

- a) *The completion of a fully operational District Park to the rear of Citywest Shopping Centre with outdoor play and recreational facilities,*

Status: this park is known as Carrigmore Park and is completed, having been taken in charge by South Dublin County Council in 2014.



b) *The provision of two primary school sites on the Plan Lands,*

Status: A site has been provided to the Department of Education and Skills, on Fortunestown Lane for the construction of Scoil Aoife Community National School which is now operational. Permission has also been granted for two primary schools under Reg. Ref. SD16A/0255. It should also be noted that there are two primary schools within the Plan Lands, Scoil Niamh Community School and Citywest Educate Together located temporarily on Fortunestown Lane within the Saggart – Cooldown Commons Neighbourhood. Furthermore, provision has been made for a site for a school on the subject site. Therefore, the Phase 1 requirement of the provision of two primary school sites on the Plan lands can be considered to have been delivered.

NOTE: It should also be noted that adjacent to the Fortunestown LAP boundary, at Fortunestown Lane, Saggart, to the north-west of the subject site, permission was granted in March 2021, under Ref. SD19A/0393, for the development of a new educational campus of two new school buildings, including a 1,000 pupil post primary school and a 16 classroom primary school.

c) *The upgrade of the roundabout junction between Fortunestown Lane and Citywest Road to a fully signalized junction with single phase cyclist and pedestrian crossings,*

Status: The upgrade of the roundabout junction between Fortunestown Lane and Citywest Road to a fully signalized junction with single phase cyclist and pedestrian crossings. While the upgrade of the junction between Fortunestown Lane and Citywest Road is outside of the control the applicants, it is our understanding is that the Local Authority controls this junction, and that said works have been completed. We also note that as part of the application put forward for permission under Reg. Ref. SD16A/0078, it is proposed to provide for the upgrade of the roundabout entrance to Citywest Shopping Centre and permission for same has been granted which includes conditions requiring details on the final junction design on Fortunestown Lane.

d) Boherboy: Regardless of where development commences, a 10 meter (min) biodiversity strip (measured from the top of the bank) along both sides of the designated sections of the Corbally Stream to cater for a pedestrian / cycle path from the Boherboy Road to the public open space to the north-east (District Park)

Status: Currently proposed as part of this proposed development, and will be delivered as part of Phase 1 of the overall proposed development.

Phase 2:

The additional phasing requirements / key outcomes set out in the LAP for Phase 2 of development of the Plan lands include:

- e)** The provision of a secondary school site;
- f)** Circa 780sq.m community floorspace;
- g)** Completion of a neighbourhood park at Saggart – Cooldown Commons Neighbourhood;
- h)** Construction of Citywest Avenue extension to the west of the N82 to link with Fortunestown Lane.



e) In relation to the phase 2 requirement for the provision of a secondary school site; a site for same is identified in the LAP as being within a different neighbourhood, i.e. the Saggart – Cooldown Commons Neighbourhood. From an examination of the details contained in a relevant planning application (i.e. Reg. Ref. SD14A/0121), it is our understanding that the terms of sale for land to cater for a primary school and a secondary school to the Department of Education and Skills were nearing completion (i.e. May 2014) with the relevant landowner. However, subsequent to this, a planning application for the delivery of two primary schools on the lands at Cooldown Commons was granted in January 2017 under Reg. Ref. SD16A/0255. While the lands at Cooldown Commons have been identified within the LAP to accommodate a secondary school, as required under Phase 2 of the LAP, the applicant, the Minister for Education and Skills, stated in the aforementioned application that the need for primary schools was more immediate than that of a post-primary school and it was determined that the site should be used for the provision of the required primary schools. Notwithstanding the current position of the Department in relation to school provision on the Plan lands, the LAP does identify that a secondary school site is to be provided within the Saggart – Cooldown Commons Neighbourhood and nothing in this current application obviates the requirement for same. Given that permission was granted for two primary schools and that the Department has no immediate requirement for a secondary school in the area, it can therefore be construed that the key requirement in relation to the provision of a secondary school site is not applicable at present. We also note the recent granting of permission for a 1,000 pupil secondary school on lands at Fortunestown Lane, Saggart, to the north-west of the subject site, just outside the Fortunestown LAP boundary. It is put forward that the Department of Education has confirmed the current position in relation to schools provision on the Plan lands and therefore the delivery of housing should be allowed to proceed.

f) The LAP is not specific as to where 780sq.m of community floorspace is to be provided. Permissions have been granted for development on the Plan lands, with conditions attached requiring community floorspace. However, it should be noted that discussions have taken place with the Planning Authority and we understand that they are currently considering how best to deliver one overall facility in conjunction with all of the relevant stakeholders / landowners in the Plan lands and the applicants have no objection to this proposal in principle. The Planning Authority has also confirmed to the applicants that they are not requiring a community facility to be proposed or delivered by the applicants on the lands in the Boherboy Neighbourhood, and this is confirmed in their email to us dated 15th May 2020 – refer to Appendix A.

g) The completion of a neighbourhood park at Saggart – Cooldown Commons was proposed under planning application Reg. Ref. SD14A/0121, and a decision to grant permission was issued by the Planning Authority for this development. These lands are not located in the same neighbourhood as the current application and are not in the control of the applicants for this current application, but the relevant landowners have committed to delivering same and it is our understanding that this neighbourhood park is being provided within that permitted development which is known as Cúil Dúin. Therefore, it should be construed that this item can be delivered and that the phasing requirement for same has been complied with.

h) The construction of the Citywest Avenue extension to the west of the N82 to link with Fortunestown Lane is again outside of the control of the applicants. It is our understanding that the lands required for this extension are in a number of ownerships but are not in the control of the applicants, therefore cognizance must be paid to their lack of control / legal power to deliver this item of infrastructure, which is not relevant to the current application site and the delivery of same will not have any significant impact on the development. However, we understand that as part of permissions granted in that area, that said permissions provide for the delivery of the required road extension.



Taking all of the foregoing into consideration, it is considered that requirements for Phase 2 of development of the Plan Lands have been met.

In relation to the key outcomes required for **Phase 3**, i.e. a third primary school site, Scoil Aoife is operational. We have also outlined above that, under the Phase 1 requirement has been met for the provision of two primary school sites on the Plan lands. The grant of permission under Reg. Ref. SD16A/0255, permits the development of two additional primary schools on the Plan lands, thus the requirement for a third primary school has been met. One primary school has been delivered on the Plan lands, i.e. Scoil Aoife, permission has been granted for the development of two additional primary schools in the Saggart – Cooldown Commons Neighbourhood and the school site in the Boherboy Neighbourhood remains available, therefore both the Phase 1 and Phase 3 requirements in relation to the provision of primary schools have been met. In addition, permission was recently granted to the north-west under Ref. SD19A/0393 for a 16 classroom primary school.

The final phasing requirement of the LAP i.e. **Phase 4** is the provision of a second secondary school site. As outlined above and as part of the planning application details under Reg. Ref. SD16A/0255, the Minister for Education and Skills clearly asserted that there is no need for a post-primary school at this time, which was accepted by the Planning Authority, and it can therefore be deemed that this requirement of the LAP has been met. Furthermore, as part of the planning application submitted under Reg. Ref. SD16A/0078, in their assessment of that application, the Planning Authority acknowledged that the *“drafting process of the Fortunestown LAP relates to a certain point in time when the requirement for a secondary school – within the Plan lands - was forecast based on the most up-to-date demographical information available. However, based on recent communications with the Department of Education, the requirement for a secondary school within the Plan lands is not considered an immediate priority, relative to the provision of primary schools within the Plan area”*. Notwithstanding same, permission was granted in March 2021 for a 1,000 pupil post primary school under Ref. SD19A/0393, and a site remains available to accommodate a secondary school in the Cheeverstown Neighbourhood, until such time as the Department of Education and Skills confirms their need for this site.

Taking the aforementioned recent decisions to grant permission for development on the Plan lands, it is considered that the relevant phasing requirements of the LAP have been met and therefore the proposed development ought to be granted permission accordingly.

Where the Board may consider that the proposed development is a material contravention of the LAP in terms of the phasing strategy contained in the LAP, this matter is addressed in the submitted Material Contravention Statement under sections 3.8, and 4.4.3 – please refer to same.



5.0 Conclusion

This Statement of Consistency demonstrates the compliance of the proposed development with the relevant national, regional and local planning policy context. Where the proposed development does not fully comply with the requirements of the Development Plan and/or Local Area Plan, these instances are highlighted and addressed in the submitted Material Contravention Statement. The proposed development is consistent with national policy and is generally consistent with the policies and objectives of both the County Development Plan and Local Area Plan. The proposed development will result in a very attractive place to live on zoned serviced lands in close proximity to public transport and local services.

At a national and regional level, this statement has demonstrated the compliance of the development with the following:

- Project Ireland 2040 - National Planning Framework (2018);
- Rebuilding Ireland: Action Plan for Housing and Homelessness (2016);
- Eastern & Midland Regional Assembly - Regional Spatial & Economic Strategy (2019);
- Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, and its companion document Urban Design Manual – A best practice guide, (2009);
- Urban Development and Building Heights Guidelines for Planning Authorities, (2018);
- Sustainable Urban Housing: Design Standards for New Apartments, (2020);
- Quality Housing for Sustainable Communities - Best Practice Guidelines, (2007);
- Guidelines for Planning Authorities for Child Care Facilities, (2001);
- Irish Design Manual for Urban Roads and Streets, (2013);
- The Planning System and Flood Risk Management Guidelines for Planning Authorities, (2009);
- Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, (2009);
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (2018).

At local level, this statement has demonstrated the compliance of the development with the following, statutorily adopted Plans for the administrative area within which the subject site is located:

- South Dublin County Development Plan 2016-2022
- Fortunestown Local Area Plan, 2012 (extended 2017)

We are therefore, of the opinion that the proposed development will provide an appropriate form of high quality residential development for the subject lands which have been zoned for new residential development for many years, and will provide for an efficient use of lands which are highly accessible and well served by public transport.

The design and layout of the proposed development has been prepared following pre-planning consultation with the Planning Authority and An Bord Pleanála. In conclusion, it is submitted that the proposed development is consistent with the proper planning and sustainable development of the area, and with all relevant national, regional and local planning policies and guidelines.



APPENDIX A

Correspondence with Department of Education and Skills regarding reservation of a school site
on the subject lands

&

Correspondence with SDCC re provision of Community Facility



Tracy Armstrong

From: Hanlon, Alan <Alan_Hanlon@education.gov.ie>
Sent: Monday 18 May 2020 13:48
To: John Carty
Cc: Hanly, Murty; Hazel Craigie; Stephen Willoughby; Cusack, Aine
Subject: School Site Boherboy - Fortunestown
Attachments: Site Layout and Statistics.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: [EXTERNAL EMAIL] Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear John,

I refer to your email below relating to lands at Boherboy, Saggart, County Dublin. This Department does not currently have a requirement for the development of a school on the site to which you refer. In respect of its continued reservation, it would be best to consider this as part of the next CDP review or as part of the next Fortunestown Local Area Plan review, whichever is more appropriate. It is only as part of this process that school site requirements can be comprehensively assessed by considering, inter alia:

- emerging demographic requirements
- planned residential development in the area
- the quantum of undeveloped zoned residential land and associated potential housing development
- potential future population changes in existing housing stock
- potential higher density development on brownfield sites

In that context, this Department requires the continued reservation of the school site at Boherboy. I also note in the document attached that the proposed school site is split by a roadway. This is not acceptable to the DES as the lands reserved for school purposes will need to be directly contiguous.

If there is anything further that you acquire, please let me know.

Regards

Alan

Site Acquisitions and Property Management

An Roinn Oideachais agus Scileanna

Department of Education and Skills

Bóthar Phort Laoise, An Tulach Mhór, Co. Uíbh Fhailí, R35 Y2N5.

Portlaoise Road, Tullamore, Co Offaly, R35 Y2N5.

T +353(57)93 2 4474

www.education.ie

From: John Carty [mailto:jcarty@SDUBLINCOCO.ie]
Sent: Monday 18 May 2020 11:29
To: Hanlon, Alan <Alan_Hanlon@education.gov.ie>
Cc: Hanly, Murty <Murty_Hanly@education.gov.ie>; Hazel Craigie <hcraigie@SDUBLINCOCO.ie>; Stephen Willoughby <SWilloughby@SDUBLINCOCO.ie>
Subject: SDCC - School Site Boherboy - Fortunestown

Dear Alan,

I hope this email finds you safe and well. We are emailing you about the school site at lands known as 'Boherboy' location South-west of Citywest Shopping Centre, Fortunestown, Dublin.

Last year an application was made on the site but was refused by An Bord Pleanála. The applicant's (Durken and Kelland) recently engaged in pre-planning for a further SHD application on site for 690 units. Attached is the latest site layout plan submitted for pre-planning and we would be grateful for confirmation / advice that the layout as shown would meet the needs of the Department?



While SDCC will liaise with the Department on the requirement for this, and all other reserved school sites in the current plan (*as part of the review process starting in July of this year*) - can the DES confirm whether the site at Boherboy is required?

Kind Regards,

John Carty | Assistant Planner |

Forward Planning, Land Use Planning and Transportation Department

South Dublin County Council,

County Hall, Tallaght,

Dublin 24

Telephone: +353 1 414 9000 (ext. 4415) **e-mail:** jcarty@sdublincoco.ie



Tracy Armstrong

From: Jason Frehill <jfrehill@SDUBLINCOCO.ie>
Sent: Friday 15 May 2020 15:07
To: Tracy Armstrong
Cc: Deirdre Kirwan; Eoin Burke
Subject: RE: Lands at Boherboy

Tracy,

We are satisfied in this instance for you not to provide a small community space as you have done previously however we would advocate that if an apartment block is being delivered that you look at the feasibility of providing some internal communal space where residents can meet if necessary.

Many thanks.

Kind Regards,
Jason

From: Tracy Armstrong <t.armstrong@fenton.ie>
Sent: 15 May 2020 15:01
To: Jason Frehill <jfrehill@SDUBLINCOCO.ie>
Subject: RE: Lands at Boherboy

CAUTION: [EXTERNAL EMAIL] Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Jason,

When you get a chance, you might give me an update regarding this please?

Many thanks

Kind regards,

Tracy Armstrong, BA, MRUP, MIPI, MRTPI
Senior Planner,

Armstrong Fenton Associates,
Planning & Development Consultants,
Unit 13 The Seapoint Building,
44-45 Clontarf Road,
Dublin 3, D03 A0H3.

Tel: 01-4793140
Mob: 087-2807144
Email: t.armstrong@fenton.ie



From: Jason Frehill <jfrehill@SDUBLINCOCO.ie>
Sent: Thursday 7 May 2020 10:52
To: Tracy Armstrong <t.armstrong@fenton.ie>

Cc: Deirdre Kirwan <dkirwan@SDUBLINCOCO.ie>; Barry Coughlan <barrycoughlan@SDUBLINCOCO.ie>
Subject: RE: Lands at Boherboy

Hi Tracy,

Thanks for your email, I understand your position and have previously discussed this matter with Eoin.

Leave this with me and I will come back to you either tomorrow or else early next week with a definitive answer on the questions you have raised, which will allow you to proceed with the SHD application.

Kind Regards,
Jason

From: Tracy Armstrong <t.armstrong@fenton.ie>
Sent: Wednesday 6 May 2020 15:41
To: Jason Frehill <jfrehill@SDUBLINCOCO.ie>
Subject: Lands at Boherboy

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To Jason,

How are you – hope all's well in the current circumstances.

I am representing Kelland Homes Ltd & Durkan Estates Ireland Ltd who are landowner of two adjoining fields on the Boherboy Road near Saggart. The lands are zoned for residential land use and form the Boherboy Neighbourhood, as per the Fortunestown LAP.

We are currently preparing a SHD application for c.690 dwellings on the lands and had our S.247 meeting last week with Eoin Burke & Jim Johnston (Ref. SHD1SPP006/20). We are now proceeding with working up a proposal to have pre-application consultation with An Bord Pleanála.

One of the items raised last week by SDCC was the issue of community infrastructure. Obviously the LAP requires 780sq.m of community floorspace but it is not further defined than that, i.e. location, who provides it etc. I know to date that some permissions granted by SDCC in the LAP area have been conditioned to omit a residential unit in lieu of community floorspace.

Eoin contacted me late last year to discuss this as I also represent Davy Hickey Properties who are carrying out the Citywest Village and Citywest Demesne developments in the area and they too have had similar conditions attached to their permissions. My understanding from my conversation with Eoin in late 2019 is that SDCC are looking at the possibility of getting one community facility for the entire area as opposed to having a number of smaller units that may never be used which is of no benefit to any party.

That said, since the adoption of the LAP in 2012 and the introduction of the SHD process, obviously the permitted numbers of units have gone beyond what was originally envisaged by the LAP/SDCC. We have been asked by SDCC to address the provision / need for community infrastructure as part of our application on the Boherboy lands. Eoin suggested I contact you so any feedback regarding same and/or what is SDCC's intentions at present for the provision of community infrastructure in the LAP area would be welcome. I have to say though, that my clients, Durkan Estates Ireland, were required to provide a community facility in a previous development of theirs at The Belfry, to the east, c. 20 years ago, and that unit has never been taken over by SDCC and has always remained vacant, so they and Kelland Homes do not want a similar situation to occur at Boherboy. If they are to provide a unit, my clients want assurances that SDCC would take the unit and operate it and that no such unit would be left vacant after the expense of building one.



In addition, the lands at Boherboy are required to provide a site for a primary school site as per the LAP. My clients are liaising with the Dept. Education & Skills and are waiting on confirmation from them as to whether they need this site for the provision of a school. We will continue to liaise with them but until such time as their confirmation is provided, a site of c. 1.28ha remains reserved on the lands for the provision of a site to accommodate a school.

I would appreciate it if you could come back to me on the above, as we want to be able to adequately address the subject of community infrastructure as part of our proposal to ABP for the SHD pre-application consultation.

I look forward to hearing back from you. In the meantime, I attach an OS map and details that we submitted last week for the S.247 meeting.

Thanks

Armstrong Fenton Associates – COVID-19 NOTICE

AFA are committed to complying strictly with all the advice from the Public Health Authorities. We are giving priority to ensuring the greatest possible protection to our staff while maintaining the best possible service to all our clients. AFA have put measures in place which will maintain social distance, these include holding meetings online, remote working and having all of our data available to staff online. We would ask our clients to assist us in this regard. AFA are monitoring info@fenton.ie throughout normal working hours – please email us with your contact number and we will call you back as soon as possible.

Kind regards,

Tracy Armstrong, BA, MRUP, MIPI, MRTPI
Senior Planner,

Armstrong Fenton Associates,
Planning & Development Consultants,
Unit 13 The Seapoint Building,
44-45 Clontarf Road,
Dublin 3, D03 A0H3.

Tel: 01-4793140

Mob: 087-2807144

Email: t.armstrong@fenton.ie

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