



**ARMSTRONG
FENTON**
ASSOCIATES

PROJECT: Strategic Housing Development

REPORT: Statement of Response to An Bord Pleanála's Notice of Pre-Application Consultation Opinion Ref.: ABP-308352-20

CLIENTS: Durkan Estates Ireland Ltd & Kelland Homes Ltd

DATE: March 2022

**Planning &
Development
Consultants**



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1.0. Introduction

Applicant's Response to An Bord Pleanála Pre-Application Consultation Opinion Reg.: ABP-308352-20

1.1. Pre-application consultation with An Bord Pleanála in relation to the proposed development, under Section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016 took place on 20th November 2020 online via Microsoft Teams, due to the Covid-19 pandemic.

1.2. The Board's Notice of Pre-Application Consultation Opinion, under Ref. 308352-20, was issued on 8th December 2020 and is enclosed within Appendix A attached to this statement, and is referred to hereafter as "the Opinion". The Opinion states that An Bord Pleanála "*is of the opinion that the documents submitted with the request to enter into consultations constitute a reasonable basis for an application for strategic housing development*".

1.3. The Opinion identifies fifteen items of additional specific information that are to be submitted with any application for permission. Documentation has been prepared and/or updated in response to this request to ensure that the Board will have all of the information it requires to come to a reasoned decision on the proposed development. A summary of the responses provided to each of these specific points is set out in Section 2 of this statement with reference to accompanying application documentation.

1.4. The final proposals and application documentation, now put forward for permission, have had regard to the points of discussion and issues raised during the course of the tripartite SHD pre-application meeting held on 20th November 2020, and meetings pursuant to Section 247 of the Planning and Development Act 2000 (as amended), undertaken with the Planning Authority prior to the tripartite meeting with both An Bord Pleanála and the Planning Authority. It should also be noted that further "offline" discussions have been held with various departments of the Planning Authority subsequent to the tripartite SHD pre-application meeting which have also informed the overall proposal now submitted for permission.

1.5. This Statement will refer to other documentation which forms part of the final SHD application pack and will direct the reader to the relevant information within the application documentation, which demonstrates that the issues raised during the course of pre-application consultation have been fully and satisfactorily dealt with prior to the submission of this final Strategic Housing Development Application.



2.0. Response to An Bord Pleanála Opinion

2.1. The Opinion of An Bord Pleanála following the pre-application stage for the proposed development sets out fifteen specific items of information that are to be submitted with a SHD planning application. The Board consider that these items / information need to be addressed / included in the final documentation submitted to the Board in order to ensure that the proposed development and supporting documentation would constitute a reasonable basis for an application for a strategic housing development.

2.2. Each of the fifteen items raised within the Opinion are set out below, and a response is provided thereto, referring to other documentation or sections within documents that form part of the planning application and which provide a more detailed or technical response, where relevant.

Item No. 1:

Demonstrate / justify the suitability of the proposed site to accommodate the residential density with regard to inter alia refusal reason no. 2 of previous planning application ABP 304828-19 and the provisions of relevant national and regional planning policy including the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual'); The 'Design Standards for New Apartments – Guidelines for Planning Authorities' (2018) and the 'Urban Development and Building Heights – Guidelines for Planning Authorities' (2018).

Response:

The current proposal provides for 655 no. dwellings and a crèche within a total red line application area of 18.3Ha, including the proposed upgrade works to the Boherboy Road (which encompass an area of 5,888m² / 0.6Ha) and access and drainage arrangements into adjoining lands. The area of the two fields on their own, subject to this application, is 17.69Ha.

Within the application site, an area of 1.42Ha is reserved for a school site, in accordance with the requirements of the Fortunestown Local Area Plan (hereafter 'LAP'). A green corridor / significant landscape buffer is also proposed along the eastern boundary of the site equating to 1Ha. The aforementioned areas, i.e.: (i) school site, and (ii) green corridor / significant landscape buffer, as well as (iii) the upgrade works outside of the site to the Boherboy Road (0.6Ha) are being discounted from the overall area within the red line of application which in total equates to 3.02Ha, thus leaving a net developable site area of 15.28Ha. The proposed development of 655 no. dwellings therefore produces a net density of 43 units per hectare across the entire site, which accords with the guidance set out in the 2009 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (hereafter '2009 Guidelines').

The density of the proposed development takes into consideration both An Bord Pleanála's decision to refuse permission under Ref. ABP-304828-19, and the guidance set out in the 2009 Guidelines. The proposed development site can be described as an Outer Suburban / Greenfield Site as per section 5.11 of the aforementioned guidelines, which define such sites as "as open lands on the periphery of cities or larger towns". These 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".



Fig. 1 -

1km walking distance from Fortunestown Luas stop to proposed development.

- - - - represents the 1km threshold line on the site



In addition, 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 permission aims to deliver:

- (i) an efficient density of development on the subject site in accordance with the 2009 Guidelines;
- (ii) an overall minimum net density of 35 dwellings per hectare distributed 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:

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.

The northern part of the site, that lies within the 1km walking distance of the Fortunestown Luas passenger stop (refer to Fig. 1), 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. 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.

The remainder of the proposed development site (southern “half”) 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 35.5 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, but also meets the recommended minimum net density of 35 units per hectare.

We note that in assessing the previous application (Ref. ABP-304828-19), reference was made to the *“insufficient variation in house type and housing mix”* in the southern portion of the site (i.e. beyond the 1km walking distance from the Luas) whereby it was considered that this part of the site was characterised predominantly by three and four bed semi-detached housing. In addressing this, cognisance was paid to the guidance set out in the 2009 Urban Design Manual i.e. criterion number 4 “Variety”, which recognises that a successful neighbourhood will be one that houses a wide range of people from differing social and income groups and recognises that a neighbourhood with a good mix of unit types will feature both apartments and houses of varying sizes. This, coupled with guidance also set out in the ‘Design Standards for New Apartments – Guidelines for Planning Authorities’ (2018, as amended) and the ‘Urban Development and Building Heights – Guidelines for Planning Authorities’ (2018), has produced the proposed site layout plan that provides for 281 no. dwellings in the southern “half” of the site (beyond the 1km walking distance to public transport infrastructure), comprised of:

- 151 no. 2, 3 and 4 bed houses of 2 and 3 storeys;
- 110 no. 1, 2 and 3 bed duplex units of 3 and 4 storeys, and
- 20 no. 1 and 2 bed apartments of 2 storeys.



This is further broken down into:

Unit Type	1 bed	2 bed	3 bed	4 bed	Total
No. of Units	16	75	155	35	281
% Mix	6%	27%	55%	12%	100%

Table 1 – Proposed housing mix in southern part of the site, beyond the 1km walking distance of the Luas.

The locational context and character of the southern part of the site, along with the overall topography of the site, lends the southern part of the site to better accommodating houses as opposed to apartment blocks, which are better located in the northern part of the site, as is proposed. In addressing the previous reason for refusal and taking into consideration the context of the subject site, it should be noted that as part of the current proposal that over 30% of the proposed dwellings in the southern part of the site cater for one and two person households, with 46% of the 281 no. dwellings being in the form of a duplex / apartment arrangement. It is therefore put forward that the revised layout complies with the spirit of both the Urban Design Manual and Project Ireland 2040 National Planning Framework (NPF) in terms of housing mix in the southern part of the site, as well as across the entire site. A variety of building height is also catered for in the southern “half” of the site with 2, 3 and 4 storey buildings proposed – refer to Fig. 2 over.

In conclusion, it is confirmed that an overall net density of 43 units per hectare is achieved across the entire site. In addition, within the 1km walking distance of the Fortunestown Luas passenger stop (refer to Fig. 1), a net density of 51 units per hectare is achieved. Furthermore, south of this, a net density of 35.5 units per hectare is achieved in the form of houses, duplex units and apartments of varying heights such as 2, 3 and 4 storeys which is demonstrative of a variety in housing typology and building height.



Fig. 2 – Units type and height schedule

**Item 2:**

A report that addresses and provides a clear design rationale for the proposed design, scale and character of key buildings / street frontages, materials and finishes of the proposed development including details of all materials proposed for open spaces, paved areas, boundary and retaining walls, specific detailing of finishes and frontages for the proposed apartment blocks, and the maintenance of same. Additional CGIs and visual assessment, having regard to the local objectives pertaining this site, and recognising the visual sensitivity of this area/site.

Response - The submitted Architectural Design Rationale, as well as the Landscape Rationale and drawings set out details of the proposed design, scale and character of key buildings / street frontages and proposed materials and finishes.

Please refer to the submitted Architectural Design Rationale which clearly sets out:

- a detailed analysis of the site;
- the main design principles applied to the proposal;
- how the proposed development complies with each of the 12 main urban design criteria as set out in the Urban Design Manual;
- details of each of the nine character areas within the development and the materials to be applied to each character area to ensure distinctiveness;
- details of the design of the public open spaces and public realm;
- how parking is to be handled across the development;
- details of the material and finishes.

The submitted Landscape Rationale provides details of the proposed hard and soft landscaping materials and play equipment, as well as planting to play areas to encourage natural play. The landscape rationale also provides details of the materials to be used to landscape the communal open spaces. Proposed planting to all open spaces is also set out in the submitted rationale.

Given the topography of the site, the rationale provides details of the sections through rear gardens where level differences occur and how these will be landscaped. Sample images of same, as well as boundary finishes are all set out in the submitted Landscape Rationale. In addition, the submitted landscape drawings provide details of planting, hard surface treatments, hedgerow planting, boundary treatments etc., as well as numerous sections detailing how the topography of the site is being handled in terms of rear garden treatments.

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.

Digital Dimensions have prepared the submitted CGI's and verified views, details of which are also incorporated into the submitted EIAR, under chapter 14 "The Landscape" – please refer to same.

**Item 3:**

The inclusion of all works to be carried out, and the necessary consents to carry out works on lands, within the red line boundary.

Response - The red line of the application includes the necessary proposed works considered to serve the development, i.e. the proposed upgrade works to the Boherboy Road, the proposed vehicular connections into Carrigmore and Corbally as well as the proposed pedestrian/cyclist links into Carrigmore Park, along with the proposed drainage connection via Carrigmore Park to Verschoyle Green. The applicants submit the necessary letters of consent from the relevant third parties consenting to the inclusion of their lands within the red line of application for the purposes of submitting this SHD application for permission, please refer to same from South Dublin County Council dated 13th July 2021 and from Kerasoun Ltd dated 7th July 2021 that are included in Appendix A of this report.

Item 4:

The submitted documentation should clarify the extent of works to the Boherboy Road that would be part of the proposed development and specify whether any other works would be required to provide enhanced connectivity from the site and who would be responsible for their completion.

Response - Please refer to the enclosed drawings and details prepared by Pinnacle Engineering which details the works required for the proposed upgrade to Boherboy Road as well as the creation of new vehicular/pedestrian/cyclist connections from the subject site to the adjoining lands at Carrigmore, Carrigmore Park and Corbally. The applicants propose to deliver the upgrade works to Boherboy Road, as well as the aforementioned proposed connections to adjoining lands, the details of which are also set out in the proposed phasing for the development – refer to section 7.2 of the submitted Planning Statement. All works within the red line of application are proposed to be undertaken by the applicants upon a grant of permission for the proposed development, and upon further agreement with the Local Authority.

At the time of the tri-partite pre-application consultation meeting, regarding the subject development, South Dublin County Council (SDCC) had not completed the taking in charge process of Carrigmore to the north. Since then, SDCC has completed the taking in charge of the roads in Carrigmore and their submitted letter of consent provides for the applicant to include in their red line of application the proposal to create a vehicular connection to Carrigmore. Carrigmore Park is also in the charge of SDCC, as are the roads in Corbally, as well as the Boherboy Road. Kerasoun Ltd owns land at Corbally that are required to be included in this application for permission to cater for the proposed upgrade to the Boherboy Road as well as the completion of the vehicular connection from the subject site into Corbally. They too consent to their lands being included in this application for permission – refer to Appendix A for the aforementioned letters of consent.

Item 5:

Additional cross-sections demonstrating the extent of cut and fill required to accommodate the development of the site.

Response - Please refer to the submitted drawing no.s 08-08j by Ronan MacDiarmada & Associates Landscape Architects which provide details of the cross sections through the site, detailing where cut and fill will occur and how the level differences are being handled to the rear of properties.

**Item 6:**

A layout plan and report that address and provides a clear rationale for connectivity and permeability within and through the site.

Response – Please refer to the enclosed drawings by Pinnacle Consulting Engineers, which illustrate how pedestrian and cyclists will move through the site and connect to adjoining lands, as well as identifying the local catchment area:

- Drawing no. D-0020-S3 “Site Location Permeability Catchment”
- Drawing no. D-0031-S3 “General Arrangement - Sheet 1 of 3”
- Drawing no. D-0032-S3 “General Arrangement - Sheet 2 of 3”
- Drawing no. D-0033-S3 “General Arrangement - Sheet 2 of 3”
- Drawing no. D-0034-S3 “External Connections”

In addition, Pinnacle Consulting Engineers have prepared the submitted Statement of Compliance with DMURS which identifies that a hierarchy of roads have been provided as:

- 1) Link Streets,
- 2) Side Streets &
- 3) Homezones.

This is also detailed in the submitted Landscape Rationale.

The Statement of Compliance with DMURS states that the aim is to provide self-regulating streets offering low speed route choices within a high-quality residential environment. While there is a hierarchy of road types, all roads through this residential development are provided as slow-moving traffic roads. All internal estate roads have been designed with short straight elements, gentle horizontal curves from junction to junction, varying road widths (6.0m, 5.5m, 5.0m & 4.8m), smooth and gentle vertical alignments and numerous interconnections, route options & looped sections keeping speeds low to create a pleasant living environment.

Furthermore, the submitted Traffic and Transport Assessment (TTA), also prepared by Pinnacle Consulting Engineers, sets out details of the proposed pedestrian and cycle networks (namely section 3.6 of same). It asserts that it is a necessary part of the design framework for a residential development such as this, to ensure that there is good permeability for those residents and visitors to the development who choose not to travel by car. The development has been designed to ensure that there is good permeability for pedestrians and cyclists.

Connections between the internal layout and the external pedestrian and cycle networks form part of the overall access strategy for the site. Within the proposed development, pedestrian movement is suitably catered for by footpath connections within and adjacent to the development up to the relevant boundaries i.e. through Carrigmore Estate, Carrigmore District Park and Corbally Estate. These provide good linkage to the surrounding urban areas.

The internal layout demands that all visitors to the site are catered for and so pedestrian routes between dwelling areas and key nodes within the layout are well designed and clearly delineated. Every effort has been made to ensure that vehicular access will be restricted in areas where there are likely to be the highest concentrations of pedestrian/cycle movements.

The internal site layout plan includes several crossing facilities that are located along key desire lines and which coordinate well with the proposed car parking layouts to enhance the safety, visibility and convenience of those people on foot. These facilities will include features such as tactile paving and surface treatments that will benefit all users and assist those with impaired mobility.



Pedestrian linkages will be provided to the boundary of the local estates such as Corbally and Carrigmore residential developments. Given the desire in current planning guidance to improve accessibility for non-car modes of travel, access by cycle is increasingly important. Since the weather and topography inevitably have an influence on cycle use, the key to cycle accessibility is the existence of convenient and safe links associated with secure and carefully sited cycle parking.

It should also be noted that in order to facilitate the connections to Corbally, Carrigmore Park and into Carrigmore, that crossings over the Corbally Stream are proposed. This has been considered as part of the submitted SSFRA which has determined that the top water level from the 100-year event at the lower northern end of the site as 118.84mOD. The 2009 Planning System and Flood Risk Management Guidelines for Planning Authorities recommends that a freeboard of 500mm and 250mm be applied for the Q100 event for floors and roads respectively. Pedestrian and vehicular access connections between the proposed development and both Carrigmore and the SDCC Park to the north and northeast of the site have levels of 119.5mOD and c.122.7mOD respectively. Again, these road/path levels are significantly above the Q100 top of water level of 118.84mOD as determined from the submitted Site Specific Flood Risk Assessment prepared by Kilgallen & Partners, Consulting Engineers.

Item 7:

A Site Specific Flood Risk Assessment Report. The prospective applicant is advised to consult with the relevant technical section of the planning authority prior to the completion of this report which should describe this consultation and clarify if there are any outstanding matters on which agreement has not been reached with regard to surface water drainage.

Response - Please refer to the enclosed Site Specific Flood Risk Assessment Report prepared by Kilgallen & Partners, Consulting Engineers. In addition, all proposed surface water engineering details were submitted to South Dublin County Council Engineering Services prior to submission of this application for permission and were deemed to be agreed.

Item 8:

A statement of compliance with the applicable standards set out in DMURS, and a mobility management plan which justified the proposed provision of parking for cars and bicycles.

Response - Please refer to the enclosed Statement of Compliance with DMURS prepared by Pinnacle Consulting Engineers and to their separate Residential Travel Plan which addresses the proposed car parking (refer to section 5 of same).

Item 9:

A housing quality assessment which provides specific information regarding the proposed apartments and which demonstrates compliance with the various requirements of the 2018 Guidelines on Design Standards for New Apartments, including its specific planning policy requirements.

Response - A Quality Housing Assessment has been prepared as a separate document by the project architects and is submitted – please refer to same. This assessment demonstrates that the proposed apartments either meet or exceed the standards for accommodation as required by the 2020 Guidelines on Design Standards for New Apartments and that the proposed houses either meet or exceed the standards set



out in the 2007 Guidelines for Quality Housing for Sustainable Communities and the South Dublin County Development Plan 2016-2022.

Item 10:

A building life cycle report in accordance with section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2018).

Response - A Building Life Cycle Report has been prepared by Armstrong Fenton Associates and is submitted as separate document – please refer to same.

Item 11:

A phasing scheme for the development which would indicate how open space and access to serve the proposed houses would be provided in a timely and orderly manner.

Response – Please refer to the enclosed architect’s (MCORM) drawing no. PL07 “Site Layout Plan – Phasing” for an illustration of how it is proposed to phase the development. Please also refer to section 7.2 of the submitted Planning Statement for details of the proposed phasing of the overall development.

Item 12:

Proposals for compliance with Part V of the Planning Act.

Response - A proposal as to how the applicants intend to comply with their Part V obligations is submitted – please refer to the enclosed costs, plans of the proposed unit types and their location within the site, as well as a letter from the Housing Department of South Dublin County Council, dated 29th September 2021, confirming that the applicants have engaged with the Housing Department proposing to provide 67 no. social units and 66 no. affordable units to satisfy their Part V requirement.

Item 13:

A draft construction management plan.

Response – Please refer to the enclosed Outline Construction Management Plan prepared by the applicants.

Item 14:

A draft waste management plan.

Response – Please refer to the enclosed Operational Waste Management Plan prepared by AWN Consulting. It should be noted that a Construction and Demolition Waste Management Plan is also submitted, prepared by AWN Consulting.

**Item 15:**

A material contravention statement, in respect to any and all elements of the development that may materially contravene the Development Plan objectives or policies applicable to the site, whether, core strategy, density, housing typology, car parking, open space, visual sensitivity or other.

Response – A Material Contravention Statement has been prepared by Armstrong Fenton Associates and is submitted as a separate document – please refer to same. The submitted Material Contravention Statement sets out how the proposed development may be deemed by the Board to represent a material contravention of the 2012 Fortunestown Local Area Plan in relation to:

- density;
- building height;
- average floor area;
- unit mix;
- provision of a community building;
- phasing / quantum of development.

The submitted Material Contravention Statement also sets out how the proposed development may be deemed by the Board to represent a material contravention of the 2016-2022 South Dublin County Development Plan in relation to:

- car parking.

The submitted Material Contravention Statement clearly sets out how, under Section 37(2)(b)(i) of the Planning & Development Act 2000 (as amended), and pursuant to Section 9(6) of the Planning and Development (Housing) and Residential Tenancies Act 2016, the Board can grant permission for the proposed development having regard to the strategic national important of delivering new housing on sites in appropriate locations.

It is also considered that under Section 37(2)(b)(iii) of the Planning & Development Act 2000 (as amended) that the Board can grant permission for the proposed development having regard to the proposed development's compliance with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), the Urban Development and Building Heights Guidelines for Planning Authorities (2018) and the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020), and by reference to the policies of the government stated at objectives 3a, 11, 13 and 35 of the National Planning Framework. It is considered that the density, building height, average floor area, unit mix and car parking are in in keeping with the proper planning and sustainable development of the area and can therefore be granted permission.

Having regard to Section 37(2)(b)(iv) of the Act of 2000, which states that where a proposed development materially contravenes the development plan and/or local area plan, the Board may grant permission where it considers that *“permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan”*, it is considered that given (a) the quantum of permitted dwellings (i.e. 3,892 no.) since the adoption of the LAP now exceeds the quantum envisaged by the LAP, (i.e. 3,300 no.), and (b) the permitted quantum of community floorspace on the Plan lands, that An Bord Pleanála can grant permission for the proposed development of 655 no. dwellings and creche (and without the a community facility) having regard to the pattern of development and permissions granted in the area



3.0. Prescribed Bodies

3.1 Finally, the Board's Opinion set out the statutory bodies to be notified of the making an application. A copy of the current application will be sent to the prescribed bodies, as per Section 8(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016, and identified by the Board as follows:

1. Irish Water
2. National Transport Authority
3. Transport Infrastructure Ireland
4. Department of Culture, Heritage and the Gaeltacht (Nature Conservation)
5. Department of Defence
6. Irish Aviation Authority
7. Inland Fisheries Ireland
8. Heritage Council
9. An Taisce
10. Department of Education and Skills

3.2 Prior to the submission of the application, each of the above named prescribed bodies were contacted directly and asked if, given the ongoing Covid-19 pandemic and associated working restrictions related to same, if 1 no. digital copy only of the application would be sufficient for their assessment of the application. It should be noted that each of the 10 no. prescribed bodies requested to receive a softcopy of the application only. As such, the above named prescribed bodies have been sent a softcopy of the application only. In the interest of transparency, a copy of correspondence with each of the prescribed bodies confirming the aforementioned is enclosed with the application – for full details please refer to same.

3.3 Please refer to Appendix B which sets out the correspondence with the Department of Defence prior to the submission of the application.



APPENDIX A

Copies of letters of consent from Kerasoun Ltd & South Dublin County Council



**KERASOUN LIMITED
27 DAWSON STREET
DUBLIN 2**

7 July 2021

Strategic Housing Unit,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1.

Re:

**Proposed Strategic Housing Development (SHD) at
Boherboy, Saggart, Co. Dublin by
Kelland Homes Ltd & Durkan Estates Ireland Ltd.**

Dear Sirs,

We hereby consent to Kelland Homes Ltd and Durkan Estates Ireland, submitting a Strategic Housing Development (SHD) planning application to An Bord Pleanála, for a proposed residential development on lands at Boherboy. We note the proposals as part of the planning application to upgrade the Boherboy Road, and consent to the inclusion of our lands as part of the application to facilitate the proposed road upgrade works. We also consent to the applicants proposing and including as part of their application, connections from the application site into the adjoining lands to the east at Corbally that are in our control. We note the extent of the application site as indicated by the red outline on the site location map enclosed with the planning application.

I trust the above is of assistance to you.

Yours faithfully,

Hugh Lynn
Director

**Tracy Armstrong**

From: Mary Maguire <marymaguire@SDUBLINCOCO.ie>
Sent: Tuesday 13 July 2021 12:39
To: Tracy Armstrong
Cc: John Hegarty; Sheila Kelly; Laura Leonard
Subject: Request for Grant of Consent to Durkan Estates Irl Ltd/Kelland Homes Ltd - Boherboy, Saggart, Co. Dublin
Attachments: 0000-LETTER OF CONSENT SITEPLAN.pdf

Ms. Tracy Armstrong,
Armstrong Fenton Associates,
13 The Seapoint Building,
44/45 Clontarf Road,
Dublin 3

13th July 2021

**WITHOUT PREJUDICE
SUBJECT TO CONTRACT/CONTRACT DENIED**

Re: Proposed Grant of Consent to include lands in the charge/control of the Council in a planning application to An Bord Pleanála to facilitate Durkan Estates Irl Ltd / Kelland Homes Ltd to facilitate the proposed Strategic Housing Development in Boherboy

Dear Ms Armstrong,

I refer to your request to include lands in the charge/control of the Council in a proposed planning application.

I now wish to confirm that South Dublin County Council hereby grants its consent to include lands coloured red on the Boherboy Road and the N81 junction which are Public Roads on attached Indicative Drawing Job no. 2006 and Layout ID: 0000 in a planning application for the purposes outlined above.

Please note that this consent does not convey to Durkan Estates Irl Ltd /Kelland Homes Ltd any interest whatsoever in the subject lands and is for the sole purpose of allowing a planning application to be made.

This consent is valid for a period of twelve months from date of this letter.

The consent is conditional on no development taking place until full planning permission has been granted and the Council is in a position to enter into an appropriate agreement with Durkan Estates Irl Ltd /Kelland Homes Ltd in respect of the lands.

Yours sincerely,

John Joe Hegarty
Acting Senior Engineer
Traffic Roads Planning and Taking in Charge
Encl



APPENDIX B

Copy of email correspondence with Department of Defence



Tracy Armstrong

From: Gareth O'Flaherty (Defence) <Gareth.OFlaherty@defence.ie>
Sent: Wednesday 5 May 2021 13:16
To: Tracy Armstrong
Cc: Jason Kearney (Defence); Sarah Zacharia (Defence); Don Watchorn (Defence)
Subject: FW: Proposed SHD Planning Application Saggart Road, Co. Dublin

Dear Ms. Armstrong,

In response to your email below concerning a proposed SHD Planning Application at Saggart Road, Co Dublin , I wish to advise at the outset that any determination in relation to a planning consent is solely a matter for the planning authorities and/or ABP, as appropriate. Therefore, the following observations are made on a non-prejudicial basis, and are not intended to be used to rely on for a prospective planning application, nor are these observations to be relied on in the event of any commercial transaction pertaining to such lands and they are not to be relied on in the event of any contract exchange pertaining to same.

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.

Yours sincerely,

Gareth O'Flaherty

Higher Executive Officer – Property Management Branch

An Roinn Cosanta

Department of Defence

Bóthar an Stáisiúin, An Droichead Nua, Contae Chill Dara, W12 AD93.

Station Road, Newbridge, Co.Kildare, W12 AD93.



T +353 (0)45 45 2162

gareth.oflaherty@defence.ie

www.defence.ie

From: Tracy Armstrong <tracy@armstrongfenton.com>

Sent: Tuesday 20 April 2021 10:44

To: Gareth O'Flaherty (Defence) <Gareth.OFlaherty@defence.ie>; don.watchhorn@defence.ie; Defence Property Management Planning <PropertyManagementPlanning@defence.ie>

Subject: Proposed SHD Planning Application Saggart Road, Co. Dublin

Dear Sirs,

I act on behalf of two adjoining landowners, Durkan Estates Ireland Ltd and Kelland Homes Ltd, who intend to submit a Strategic Housing Development (SHD) planning application for a residential development on their lands at Boherboy, Saggart Road, Co. Dublin.

We have been asked by South Dublin County Council & An Bord Pleanála (ABP), as part of our pre-planning consultation with them, to contact you in relation to building heights on the subject site.

I attach a site location map, with the site outlined in blue, as well as a site layout plan which identifies the tallest buildings on the site and their height in metres relative to Ordnance Datum. Also attached is a note explaining the proposed development, location and context of the site.

We are currently finalising the preparation of the SHD planning application and will be forwarding you a copy of same when we lodge the application with ABP.

We would be obliged if you can confirm to us that you are satisfied with the proposed heights in relation to Casement/Baldonnell Aerodrome.

Can you please also confirm to us if a soft copy of the SHD planning application is acceptable or if you would also require a hard copy of same in due course?

Should you require any further details, please do not hesitate to contact me.

Many thanks for your time and I look forward to hearing back from you.

Kind regards,

Tracy Armstrong, BA, MRUP, MIPI, MRTPI
Managing Director,

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Planning & Development Consultants,
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