ARMSTRONG
FENTON
ASSOCIATES

PROJECT: Strategic Housing Development

PLANNING STATEMENT: 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 Introduction

1.1 Purpose of Report

This Planning Statement has been prepared on behalf of Kelland Homes Ltd and Durkan Estates Ireland Ltd (the Applicants) to accompany drawings and details put forward as part of a planning application to An Bord Pleanála for a proposed Strategic Housing Development on lands at Boherboy, Saggart, Co. Dublin.

It is the intention of the applicants to apply for permission for a development that comprises a Strategic Housing Development as defined within Section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016. The Planning Statement has been prepared in accordance with the requirements of the Planning and Development Regulations 2001 (as amended).

The purpose of this Planning Statement is to provide background information on the site and a description of the proposed development. This Planning Statement should be read in conjunction with the accompanying Statement of Consistency and Material Contravention Statement as well as the submitted Architectural Design Rationale, and all of the submitted drawings, technical reports and documents listed within the enclosed Cover Letter by Armstrong Fenton Associates.

In accordance with the requirements of the Planning and Development Regulations 2001 (as amended), this application for pre-application consultation will be distributed as follows:

- An Bord Pleanála: 2 no. printed copies and 3 no. digital copies;
- South Dublin County Council: 6 no. printed copies and 1 no. digital copy.

1.2 The Applicants

This application for permission, for a Strategic Housing Development (SHD), consisting of 655 no. dwellings and a creche, is being put forward by two separate landowners, relating to two adjoining sites to be developed by (a) Durkan Estates Ireland Ltd. (DEIL) on the western side and (b) Kelland Homes Ltd. on the eastern side. Please refer to Fig. 1 over which illustrates that the western side of the application site is owned by Durkan Estates Ireland Ltd, while the eastern side is owned by Kelland Homes Ltd.

The proposed application represents the development of the entire Boherboy Neighbourhood as identified within the Fortunestown Local Area Plan (2012). It should be noted that the two landowners of the "Boherboy Neighbourhood" lands have come together as joint applicants for the proposed development and as a result, a coordinated and comprehensive development proposal is now put forward for permission to An Bord Pleanála, as it is considered this joint approach best meets the objectives of the Fortunestown Local Area Plan and represents the proper planning and sustainable development of the Boherboy Neighbourhood.

In its totality, the proposal put forward provides for a sustainable, integrated development. It should also be noted that the applicants are long established house builders, having delivered thousands of homes in South Dublin county and beyond, for circa 40 years. Upon a grant of permission, it is their intention to carry out the proposed development and deliver much needed housing. Given the separate ownership of the two plots of land, it is likely that the development will be carried out by the applicants on their own landholdings in an independent manner and therefore we request that cognisance be paid to this fact when considering the overall development proposal and the accompanying drawings and details.

Set out further in this report (section 4.0) is the planning history associated with the subject site, however, the applicants have taken on board the previous decisions to refuse permission on this site and it is considered that the overall proposal, particularly the proposed site layout plan, urban design and housing typologies have been revised in a manner that addresses previous concerns, whilst also taking into consideration the context of the site itself.

Fig. 1 – Site Location and Land Ownership

2.0 Pre-planning Consultation

2.1 Section 247 Pre-planning Consultation

A Section 247 pre-planning meeting took place with South Dublin County Council (hereafter SDCC) on Thursday 26th March 2020 under Ref. SHD1SPP006/20 which was attended by the applicants and their design team.

The proposed development was discussed in detail at this meeting with all of the applicant's design team disciplines / members represented. In addition, representatives of the various local authority departments were in attendance including Planning, Parks, Roads/Transportation and Water Services. Feedback from this pre-planning meeting is incorporated into the design and layout of the proposed development.

Subsequent to the formal S.247 pre-planning meeting under Ref. SHD1SPP006/20, the applicants and their design team have liaised considerably with the various sections of SDCC offline to work through details of the development proposal that will satisfy the Planning Authority's' requirements, including correspondence and meetings with the Planning, Parks and Roads/Transportation Departments of SDCC.

Based upon the feedback received in the formal S.247 meeting and all of the subsequent meetings with SDCC, the current proposal is now put forward for consideration.

2.2 Pre-Application Consultation with An Bord Pleanála and Applicant's Response to Opinion

Pre-Planning consultation with An Bord Pleanála under Section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016 took place on 20th November 2020, under Ref. ABP-308352-20.

The Board's Notice of Pre-Application Consultation Opinion was issued on 8th December 2020, a copy of which is set out in the Appendix of the submitted "Statement of Response to An Bord Pleanála Opinion"**.** The Opinion identifies fifteen items of additional specific information to be submitted with any application for permission.

We enclose as a separate report, entitled "Statement of Response to An Bord Pleanála's Opinion" which describes in detail the additional specific information that is submitted with this SHD planning application. However, a synopsis of same is set out under the following summarised headings:

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' (2020).*

Response - this is also addressed further on in this Planning Statement – refer to sections 4.2 and 5.5. In addition, please also refer to the following sections of the submitted Statement of Consistency which outlines the proposed development's compliance with the following Guidelines:

- Section 4.2.1 re compliance with Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual');
- Section 4.2.2 re compliance with the 'Urban Development and Building Heights – Guidelines for Planning Authorities' (2020).
- Section 4.2.3 re compliance with the 'Design Standards for New Apartments – Guidelines for Planning Authorities' (2020).

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 and landscape rationale and drawings set out details of the proposed design, scale and character of key buildings / street frontages and proposed materials and finishes. In addition, 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".

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 proposed works considered necessary to serve the development. The applicants also submit the necessary letters of consent from the relevant third parties consenting to the inclusion of their lands within the red line of the application for the purposes of submitting this SHD application for permission.

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 listed below 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.

For details of the proposed upgrade works to the Boherboy Road, please refer to the following enclosures prepared by Pinnacle Engineering:

- Section 4 of the Traffic and Transport Assessment
- Drawing No. P200107A-PIN-XX-DR-D-001-SI "Key Plan - External Works"
- Drawing No. P200107-PIN-03-DR-D-0010-S3I "Boherboy Road Alignment & Footpaths"
- Drawing No. P200107X-PIN-XX-DR-D-0011-SI "Description of Works"
- Drawing No. P200107-PIN-XX-DR-D-0013-SI "Site Location Plan - Offsite Works"
- Drawing No. P200107-PIN-XX-DR-D-0014-SI "Suggested N81 Junction Upgrade"
- Drawing No. P200107-PIN-03-DR-D-0034-S3 "External Connections"
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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 this Planning Statement.

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

Response - Please refer to the enclosed drawing no.s 08-08j by Ronan MacDiarmada & Associates Landscape Architects.

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, Statement of Compliance with DMURS and Traffic and Transport Assessment (TTA) by Pinnacle Consulting Engineers, as well as the Landscape Rationale, all of which details the proposed connections to adjoining lands, the permeability through the scheme and the proposed street hierarchy.

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.

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).

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 Housing Quality Assessment has been prepared and is submitted – please refer to same.

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 and is submitted – please refer to same.

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 this Planning Statement for details of the proposed phasing.

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.

13. *A draft construction management plan.*

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

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

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 and is submitted as a separate document – please refer to same.

3.0 Statement of Effects of Environment and European Sites

3.1 Environmental Impact Assessment

An Environmental Impact Assessment Report (EIAR) is required under Section 8(2) of the Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended) and Schedule 5 Part 2(10)(b)(i) of the Planning and Development Regulations 2001 (as amended) and has been prepared in association with the submission of this application for permission. The proposed development is comprised of 655 no. dwellings, with associated crèche and all associated site development works. Therefore, the proposal exceeds the threshold of 500 dwelling units included in Schedule 5 Part 2(10)(b)(i) of the Planning and Development Regulations 2001 (as amended) and the preparation of an Environmental Impact Assessment Report (EIAR), is required to be prepared for the application under Section 8(2) of the Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended).

The EIAR has regard to the Strategic Environmental Assessment prepared with the *Fortunestown Local Area Plan 2012*. The EIAR has considered the likely, significant, adverse effects of the proposed project on the receiving environment. Mitigation measures are included, to reduce impacts on the environment where considered necessary. Mitigation measures have also been incorporated into the design of the proposed development to avoid or reduce the effects on the environment, as appropriate. The EIAR concludes that there are no material or significant environmental issues arising which were not anticipated by the LAP and associated Strategic Environmental Assessment.

3.2 Appropriate Assessment

Scott Cawley, consulting ecologists, (hereafter SCE) have been appointed by the applicants to undertake Appropriate Assessment (AA) for the proposed development, 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. It is the responsibility of the competent authority to make a decision as to whether or not the proposed development is likely to have significant effects on European sites, either individually 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 outlines the various surveys undertaken on the subject site which include:

- Winter bird surveys were carried out on the 25th February 2020 and on the 19th and 23rd March 2020, 17th Feb 2021, and 18th March 2021 by SCE.
- Habitat and flora surveys, terrestrial fauna surveys, and ground-level assessments of trees and structures were undertaken on the 29th June 2020, with additional mammal surveys carried out on the 1st March 2021 by SCE. Breeding bird surveys were undertaken on the 15th and 26th June 2020 by Brian Porter, an independent ornithologist, and on the 27th May and 18th June 2021 by SCE.
- 14 no. bat surveys were undertaken on the 25th June 2020 by SCE and on the 9th July 2020 by Kevin Delahunty BSc (Hons) MSc, an independent bat surveyor.

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 beyond a reasonable scientific doubt on the basis of the best scientific knowledge available, 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)".*

4.0 Planning History

This site has been subject to two separate planning applications in the past:

1. Ref.s SD15A/0388 & PL06S.247074;
2. Ref. ABP-304828-19,

the details of which are set out as follows:

4.1 Ref.s SD15A/0388 & PL06S.247074

Under planning application Ref. SD15A/0388, a residential development of 218 no. dwellings and a crèche on the southern part only, of the overall subject site, was granted permission by South Dublin County Council. This was subject to a third party appeal which was refused by An Bord Pleanála (under Ref. PL06S.247074) for two reasons, which were:

Reason No. 1 of Refusal:

Having regard to the level of flooding identified on the application lands in the Fortunestown Local Area Plan (Appendix 6, Flood Risk Mapping) and in the absence of hydrological modelling and a detailed site-specific flood risk assessment that would clearly demonstrate that the proposed development would not itself be at risk of flooding, or that it would not give rise to an increased risk of flooding downstream, the Board is not satisfied that the site is suitable for development across much of its extent. It is considered that the proposed development would, therefore, be contrary to the provisions of the "Planning System and Flood Risk Management-Guidelines for Planning Authorities" (2009) and would be contrary to the proper planning and sustainable development of the area.

Response to Reason No. 1:

A Site Specific Flood Risk Assessment (SSFRA) of the development proposed under Ref. ABP-304828-19 (and submitted with the aforementioned SHD application) was carried out by Kilgallen & Partners Consulting Engineers in accordance with the document 'Planning System and Flood Risk Management – Guidelines for Planning Authorities (2009)' (hereafter 'FRG')

The Opinion issued by An Bord Pleanála under Ref. 308352-20, which requires the submission of a SSFRA and in accordance with same, notwithstanding the submission of a SSFRA under the previous SHD application Ref. ABP-304828-19, a SSFRA of the current proposal has been undertaken by Kilgallen & Partners Consulting Engineers and the findings of same incorporated into the overall design of the proposed development.

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. The outfall culvert comprises 3 no. 450mm dia. pipes in parallel. For the purposes of this assessment and in accordance with good practice, the hydrological model assumes that blockages have reduced the culvert capacity by 35.0%.

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 Fig.s 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 increases flood-risk. Where such displacement occurs the proposed development must provide storage (i.e. Compensatory Storage) to offset the displaced floodplain storage.

The SSFRA confirms that pre-development peak water levels in the existing flood risk zone are as follows:

- 1.0% AEP Flood Event 118.02m
- 0.1% AEP Flood Event 118.05m

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 FRMG.

Section 5.2 of the SSFRA states that 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. Figure 5.2 of the SSFRA shows a typical section through the compensatory storage area.

The requirements for providing compensatory storage are set out in the Appendix to the FRG. The basic criterion for compensatory flood plain storage is that, calculated at Report on Site-Specific Flood Risk Assessment elevation intervals of 100mm, the compensatory storage provided must not be less than the volume of floodplain storage displaced by the proposed development. To determine if this criterion was met, the volumes of flood plain storage available under the pre- and post-development scenarios was calculated for each 100mm interval between the lowest elevation of the Site, 117.20m, and the peak flood level for the 0.1% AEP flood event, 118.05m (the Assessment Range).

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.

The enclosed SSFRA states that post-development peak water levels flood-risk zones are as follows:

- 1.0% AEP Flood Event 118.02m
- 0.1% AEP Flood Event 118.05m

Section 5.3 also asserts that *"The levels are significantly below the minimum proposed road and floor levels (See Section 8). Within the Site the post-development flood risk zones occupy the compensatory storage basin and do not encroach on water vulnerable areas of the proposed development. The proposed development increases available flood plain storage and so will lead to a slight reduction in flood risk elsewhere".*

Section 5.4 of the SSFRA states *"The stream was found to overtop its western bank at the northeast corner of the Site, with the resulting overflow continuing downhill as sheet flow (i.e. shallow overland flow) and flowing back into the stream channel slightly further downstream. Further upstream, peak water levels were found to be close to the bank levels to the point where appropriate freeboard was not being provided. To provide this freeboard generally the finished level of the open space adjacent to the stream has been raised along the eastern boundary as shown in Figure 5.4 to provide a minimum 750mm freeboard above the 1% AEP water level in the stream. This measure also eliminates the risk of overland flow at the northeast corner, ensuring that flow remains within the channel through this area. Sections showing the 1% AEP flow levels at the east boundary are provided in Figure 5-6. The existing topography does not provide any storage for the sheet flow and so compensatory storage is not required".*

In relation to the proposed stream crossing to provide access to Carrigmore to the north and Carrigmore Park (District Park) to the north-east, Section 5.5 of the submitted SSFRA has considered the flood risk associated with same, stating: *"The proposed development includes four stream crossings at the locations shown on Figure 5.7. 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 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 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. Finished levels are thus more than 500mm above the 1% flood level and thus comply with the FRMG recommendations (Section 8). Figure 5.8 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 E" of the submitted SSFRA.

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 118.02m). Accordingly, the minimum ground floor level for buildings adjacent to the Compensatory Storage Area should be 119.52m (i.e. 118.02m + 0.5m). Proposed buildings adjacent to the Compensatory Storage Area have a minimum floor level of 120.50m, 2.48m above the 1% AEP level.

Similarly, the minimum recommended road level immediately in the vicinity of the Compensatory Storage Area is 118.28m (i.e. 118.27m (i.e. 118.02m + 0.25m). The proposed road connecting to lands north has a minimum level of 120.00m, 1.98m above the 1% AEP level and 1.73m above the recommended minimum.

As described in Section 5.4, the finished level of the open space adjacent to the Corbally 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 FRG, 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.*

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 (Section 5.1) 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 FRG recommend that *"floor levels be kept above the 1.0% AEP flood level with an appropriate allowance for freeboard, typically 0.5m. The maximum post-development 1% AEP water level in the basin at the north boundary is 118.02m. The minimum proposed floor level is 120.50m, 2.48m above the 1% AEP level and 1.98m above the recommended minimum. This SSFRA also recommends that road levels should be kept a minimum 250mm above the 100year flood level. The minimum proposed road level is 120.00m, 1.98m above the 1% AEP level and 1.73m above the recommended minimum".*

The SSFRA states that *"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, it is respectfully put forward that the submitted SSFRA undertaken for the current development proposal confirms that the proposed development is appropriate from a flood risk perspective and it is therefore put forward that this also addresses the previous concerns in relation to flooding on the subject site.

Reason No. 2 of Refusal:

Having regard to:

- *the South Dublin County Development Plan 2016-2022,*
- *the removal of hedgerows and the resultant lack of an integrated biodiversity network as identified as an Objective in the Fortunestown Local Area Plan,*
- *the objectives set out in the Design Manual for Urban Roads and Streets (DMURS),*
- *the detailed guidance for the site with regard to urban design as set out in the Local Area Plan;*
- *to the peripheral location of the main active public open space area, and*
- *to the unsatisfactory quantum of rear private amenity space resulting in substandard residential amenity for future occupants,*

the Board considered that the proposed development would be contrary to the provisions of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns & Villages) 2009, the Design Manual for Urban Roads and Streets (DMURS) and the South Dublin County Development Plan 2016-2022 which promote the high quality design, and location of public and private open space in addition to detailed guidance on street design, road widths, the establishment of "home zones" and a clear hierarchy of spaces. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area

Response to Reason No. 2:

It should be noted that the planning application made under Ref.s SD15A/0388 & PL06S.247074 represented "Phase 1" of the overall development of the subject site and did not cater for housing throughout the entire site as defined by the applicants' ownership and the Boherboy Neighbourhood as per the Fortunestown LAP. A significant departure from that previously proposed under Ref.s SD15A/0388 & PL06S.247074, was put forward for permission under Ref. ABP-304828-19 in terms of layout, density, mix of unit types, road hierarchy, and location and configuration of public open spaces. It is considered that the proposal to develop the Boherboy lands in their entirety, including various amendments to the layout in terms of building height, density and unit / dwelling mix, etc. provides for a holistic approach to the development of the Boherboy lands and that this addresses the previous reason for refusal. In addition, the current proposal represents the proposed development of the entirety of the Boherboy Neighbourhood as per the Fortunestown LAP.

4.2 Ref. ABP-304828-19

Under Ref. ABP-304828-19, a Strategic Housing Development planning application consisting of 609 no. residential units, comprised of 267 no. houses, 158 no. duplex units and 187 no. apartments, crèche and all associated site development works, open spaces etc. was submitted for permission in July 2019. A decision to refuse permission was issued by An Bord Pleanála on 30th September 2019, based upon three reasons, which are as follows:

Reason No. 1 of Refusal:

The Urban Design Manual – a Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in 2009, to accompany the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, includes key criteria such as context, connections, inclusivity, variety and distinctiveness. It is considered that the development as proposed results in a poor design concept that is substandard in its form and layout and lacks variety and distinctiveness. Also, the proposed development would not be in accordance with the Design Manual for Urban Roads and Streets issued by the Department of Transport, Tourism and Sport, and the Department of the Environment, Community and Local Government in 2013.

Response to Reason No. 1:

The Sustainable Residential Development in Urban Areas (SRD) Guidelines and its accompanying document, Urban Design Manual, provide guidance on the core principles of urban design when creating places of high quality and distinct identity. The Guidelines recommend that planning authorities should promote high quality design in their policy documents and in their development management process. The Urban Design Manual demonstrates how design principles can be applied in the design and layout of new residential developments, at a variety of scales of development and in various settings, and sets out a series of 12 criteria which it recommends should be used in the assessment of planning applications. The proposed development's compliance with the 12 criteria are set out in the accompanying Architectural Design Rationale, prepared by the project Architects – please refer to same.

The design of the current proposed development, now put forward for consideration, is arranged as a series of distinct character areas (9 no.), which will be defined by variations in unit types and design, road layout and hierarchy and related open spaces. The enclosed Architectural Design Rationale provides details of the nine character areas proposed in terms of their varying architectural design, layout and materiality (refer to pages 12-23 of same). Each character area is designed to have its own identity, which will be visually different to neighbouring areas in a number of aspects. Building typology, materials and finishes, individual unit design and proportion and open space design are all used to develop an individual sense of place for each separate character area. It is considered that the range of character areas within the scheme will imbue the area with a sense of variety, distinctiveness and visual interest and avoid repetition in terms of layout, design and materials.

The main design characteristics of the proposed development, from an urban design viewpoint, are as follows:

- The main vehicular access route from the Boherboy Road, which runs northwards to a proposed connection into Carrigmore, acts as the primary vehicular route through the lands, running parallel to the existing central hedgerow, thus providing for the retention of same, in so far as possible;
- Creation of a clearly defined hierarchy of streets to the east and west of the main avenue;
- Creation of strong, urban building frontage onto the main avenue with a retained and augmented green feature created by the existing (central) hedgerow to the east;
- In response to topography and context, varied building heights are proposed across the site, including split level houses;
- A strong mix of unit types and sizes are proposed within these residential typologies to ensure visual interest and dwellings for a range of end users;

- Creation of a linear park along the eastern boundary which protects and incorporates elements of the Corbally Stream and respects the required 10m biodiversity strip. Retention of the existing hedgerow and trees to the western boundary and creation of a woodland linear park;

- Provision of a pedestrian and cyclist link along the eastern boundary green link from the Boherboy Road to Carrigmore (District) Park and beyond to the District Centre and Luas;

- Provision of a new public footpath adjacent the Boherboy Road boundary running within the applicants' site. Frontage development along this boundary to provide good passive surveillance.

- Upgrading the Boherboy Road along the site's southern boundary

The variation of house types and the differences between the character areas in terms of appearance, layout, and materiality have been augmented on foot of the previous decision to refuse permission and the revised scheme now presents a wide variety of dwelling types, within each character area, that have been developed to ensure that the scheme provides for high quality design on the micro as well as the macro scale, with certain house types designed specifically for individual locations within the site layout, particularly given the topography of the site.

The current site layout plan addresses the existing topography of the site, it's locational context and the scale surrounding the site, with a variety of unit types. In response to the previous reason for refusal, in terms of how the density of the previous proposal was dispersed throughout the site and how that was expressed in the previously proposed site layout plan, the current proposal has carefully distributed density across the entire lands as well as in each character area and provides for varying housing typologies throughout the site.

The proposed apartments (Blocks A & C) are appropriately located at the northern end of the site in terms of the site's topography and proximity to the Fortunestown Luas passenger stop. As one moves southwards through the development, a strong mix of housing and higher density own door duplex typologies are provided for to improve the overall density. South of the reserved school site, a mix of 39% houses, 23% duplex typologies and 7% apartment typologies is proposed which creates the variety previously lacking in the last SHD scheme that refused permission.

Across the scheme there are 10 no. principle house types, 9 different 3 and 4 bed house types and 1 no. 2 bed house type. The houses vary in form and are detached, terraced and semi detached. 246 no. apartments are proposed in a number of different locations in blocks containing a mix of 1, 2 and 3 bed units. The proposed development also includes 152 no. own door duplex units, and there are over 20 different 1, 2 and 3 bed unit types catered for.

The variety of dwelling types put forward for consideration also allows for the future residential community in Boherboy to remain together over time. If, for example, older people need to down size at any stage, they can move within their own development. Similarly younger owners can trade up to larger units later in life as the need arises.

Further details of the proposed housing typology and mix are set out in section 5.7 of this statement but a summary of same is as follows:

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

Table 1: Overall Proposed Dwelling Mix

The Design Manual for Urban Roads and Streets (DMURS), 2013, 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. The enclosed Statement of Compliance with DMURS, prepared by Pinnacle Consulting Engineers, along with the detail set out in the Architectural Design Rationale both demonstrate the consistency of the proposed development with DMURS.

As demonstrated in the enclosed Architectural Design Rationale and DMURS Statement of Compliance, the proposed development seeks to prioritise pedestrians and cyclists throughout and around the site in accordance with the policies set out in DMURS. The street and building design of the proposed development has had regard to the recommendations of DMURS as it includes proposals for buildings fronting onto streets, raised surfaces at locations within the scheme and the creation of a pedestrian and cycle friendly urban environment. Raised table junctions are utilised throughout the scheme to calm traffic movements and ensure appropriate driving speeds. These raised tables also act as providing pedestrian crossing points which provide the pedestrian with a sense of priority over vehicular movements at these interfaces. While footways adjacent to the roads have been provided through the development, a further independent network of footways is included through the open spaces away from vehicular routes.

The proposed site layout plan is based upon a clear road hierarchy that has been developed to comply with DMURS principles, consisting of a main link street running north-south in a central location through the site, connecting the proposed development with developed lands, services and facilities to the north. A network of local roads, such as side streets and homezones are also provided for, catering for access to the proposed housing and prioritising pedestrian and cyclist movements. The proposed north-south, main link street through the development will benefit from planting, with raised table junctions to calm traffic and reduce speeds, and segregated pedestrian and cycle routes.

The site layout encourages permeability through appropriate block sizes and a looped system where all streets lead on to other streets. DMURS notes that permeable layouts provide more frequent junctions which have a traffic calming effect as drivers slow and show greater levels of caution. The site layout plan demonstrates that the proposal has adopted this principle by incorporating a highly permeable road network with numerous junctions and road bends, along with the use of raised table junctions to ensure reduced vehicle speeds.

Cul-de-Sacs have been kept to a minimum throughout the proposed development to encourage connectivity and permeability throughout the scheme. The scheme provides for pedestrian and cycle linkages with surrounding areas via links with the existing residential developments (to the north and east) and into Carrigmore Park to the north-east, while the proposed development also proposes significant upgrades to the Boherboy Road, through the provision of a footpath of c. 370m in length from the eastern most corner of the subject site towards the junction with the N81.

This site will be served by a north-south and east-west cycle and pedestrian axis, with high quality segregated footpaths and cycleways providing access to the links with surrounding lands, primarily to the east and north. The eastern located north-south green corridor will also enhance pedestrian and cycle permeability and encourage active transit within the scheme. It is considered that the proposed road layout within the development and will encourage cycling and walking by ensuring safe vehicle speeds via tabled junctions and an appropriate and considered road layout. This will add to the vitality and liveability of the area and encourage a more sustainable modal transport split among future residents, who will be more likely to cycle or walk to access local amenities and local public transport services.

DMURS aims to end the practice of designing streets as traffic corridors, and instead focus on the needs of pedestrians, cyclists, and public transport users. The Manual sets out design guidance and standards for constructing new and reconfiguring existing urban roads and streets in Ireland. Incorporating good planning and design practice and focus on the public realm, it also outlines practical design measures to encourage more sustainable travel patterns in urban areas. The principle design guidance of DMURS has been considered in the design of this development, whereby the proposed development seeks to prioritise pedestrian and cyclists throughout and around the site in accordance with the policies set out in DMURS. A DMURS Statement of Compliance has been prepared by Pinnacle Consulting Engineers and is enclosed (please refer to same), which confirms that a hierarchy of roads are catered for as part of the proposed site layout plan and are provided as:

1. Link Streets; **2.** Side Streets & **3.** Homezones

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 the proposed 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 and looped sections keeping speeds low to create a pleasant living environment. The road entrance radii are range from 6.0m at the main entrance to the development and 4.5m on the internal junctions. Road widths within the development are as follows:

- Link Streets are 6.0m wide;
- Side Streets are 5.5m wide;
- Homezones are 4.8m wide with a 1.2m footpath delineated with a 25mm bull nose kerb.

The enclosed DMURS Statement of Compliance asserts that fast moving traffic is discouraged by the horizontal alignment arrangement. Speed limits of 30km/hr maximum is proposed. Home-zones such as those proposed for "local access only" and short cul-de-sacs shown below will have lesser speed limits applied, i.e. 10-20km/hr. In addition, all roads are provided with adjacent footpaths allowing pedestrian interconnectivity throughout the development and connection with adjoining residential estates and further connection with the wider network of paths.

With reference to carparking, the proposed development incorporates:

a) Own door carparking within the curtilage of the private dwelling plots;
b) Off street parking for visitors;
c) Carparking adjacent to the link street; and
d) Carparking within the homezones which harmonize with the domestic environment that they exist within.

All of the above is in compliance with DMURS guidelines whereby Link Streets are provided with on-street parking spaces located in a series of bays that are parallel to the vehicular carriageway. Otherwise, within the low speed access roads, perpendicular spaces are provided. The enclosed DMURS Statement of Compliance sets out the compliance of the proposed site layout plan with the design principles of DMURS – refer to section 3 of same.

Reason No. 2 of Refusal:

Having regard to the proximity of the Luas stops at Saggart and Fortunestown the Board considered that the proposed development with a net density of 30 number units per hectare to the south of the site would not be developed at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage and, therefore, the density proposed would be contrary to the provisions of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, as they relate to cities and towns and in particular to sites serviced by existing and planned public transport. The proposed development would, therefore, be contrary to these Ministerial Guidelines and contrary to the proper planning and sustainable development of the area.

Response to Reason No. 2:

The previously proposed development of 609 no. dwellings, on an overall site area of 17.6Ha, produced a gross density of development of 34.6 units per hectare. However, in the northern part of the site, an area of 1.28Ha was reserved for a school site, and therefore, in accordance with the 2009 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, this was discounted from the gross development area. In addition, a green corridor along the eastern boundary of the site was also discounted as it was a significant landscape buffer strip that was proposed to adjoin and connect to the District / Carrigmore Park, thus ultimately acting as an open space serving the wider area, and occupied an area of 1.3Ha. Therefore, by discounting this 1.3Ha of open space and the school site (1.28Ha), resulted in a net developable area of 15Ha which produced a net density of development of 40.6 units per hectare across the entire site. However, notwithstanding the previously proposed overall net density of 40.6 units per hectare, a decision to refuse was issued citing *"a net density of 30 number units per hectare to the south of the site".*

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

Within the application site (i.e. red line), an area of 1.42Ha is reserved for a school site in accordance with the requirements of the Fortunestown 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, which produces a net density of 43 units per hectare across the entire site, all of which accords with the guidance set out in the 2009 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas.

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 for Planning Authorities on Sustainable Residential Development in Urban Areas. The proposed development site can be described as an Outer Suburban / Greenfield Site in accordance with section 5.11 of the aforementioned 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".*

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 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 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 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 and in compliance with criterion number 4 "Variety" of the Urban Design Manual, 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, the current proposal seeks to deliver 281 no. dwellings comprised of:

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

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 2 – 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 the National Planning Framework in terms of housing mix in the southern part of the site, and across the entire site.

Fig. 2

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

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

Further details regarding the density of the current proposal are set out in section 5.5 of this Planning Statement. Please also refer to the enclosed Statement of Consistency which sets out the compliance of the proposed development with the LAP in terms of density (i.e. section 4.4.2), which confirms that, while the layout is consistent with the LAP, the proposed development is not entirely consistent with the LAP in respect of density, average floor area, building height and unit mix. A Material Contravention Statement, in accordance with Section of 8(1)(a)(iv) of the Planning and Development (Housing) and Residential Tenancies Act 2016, is also enclosed as part of this application and section 3.2 of same sets out the justification for deviation of the proposed development from the requirements of the Fortunestown LAP with respect to the subject site. It should also be noted, however, that the net density of the proposed development is in accordance with guidance set out in Section 28 Ministerial Guidelines with respect to density.

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 1Ha 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 15.28ha which produces a net density of development of 43 units per hectare across the entire site.

Reason No. 3 of Refusal:

It is considered that the Environmental Impact Assessment Report, together with the documentation submitted with the application, does not identify or describe adequately the direct, indirect, secondary and cumulative effects of the proposed development on the environment. The Board is not satisfied that the information contained in the Environmental Impact Assessment Report complies with the provisions of European Union Directive 2014/52/EU amending Directive 2011/92/EU, particularly with regard to biodiversity, water, traffic and landscape and visual impact, and accordingly it is considered that the Board cannot be satisfied that the proposed development would not have significant adverse effects on the environment.

Response to Reason No. 3:

An Environmental Impact Assessment Report (EIAR) has been prepared, and is submitted as an accompanying document to this SHD planning application, ensuring that there is an adequate description of the direct, indirect, secondary and cumulative effects of the proposed development on the environment, particularly with regard to biodiversity, water, traffic and landscape and visual impact, as well as anticipating all of the effects on the environment caused by development. The submitted EIAR has considered the likely significant effects of the development under the headings below, which generally follow the order of the factors set out in Article 3 of the EIA Directive 2014/52/EU:

- population and human health;
- biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC and Directive 2009/147/EC;
- land, soil, water, air and climate;
- material assets, cultural heritage and the landscape; and
- the interaction between those factors.

The information contained in the EIAR has been prepared by competent experts and complies with article 94 of the Planning and Development Regulations 2000, as amended, and the provisions of Article 5 of the EIA Directive 2014.

A description of the interactions between those factors listed above is provided in Chapter 15 of the submitted EIAR and is generally described as follows:

- Population and Human Health interactions with Air Quality, Noise & Biodiversity:
- Air Quality / Climate interactions with Soils, Biodiversity, Surface Water / Groundwater;
- Material Assets interactions with Air Quality, Water, Biodiversity, Human Beings & Landscape;
- Water interactions with Biodiversity;
- Landscape interactions with Population & Human Health, Biodiversity,
- Surface Water / Groundwater interactions with Soils / Geology/ Waste Management;
- Material Assets Utilities interactions with Waste, Water, Soils & Traffic;
- Material Assets Traffic interactions with Population & Human Health

The inter-relationships between these factors and whether these may, as a whole, affect the environment, even though effects may be acceptable when considered on an individual basis, are considered. Adequate information is provided to allow these interactions and cumulative impact of all proposals to be properly considered in the environmental impact assessment. Mitigation and monitoring measures (which have been summarised in a standalone chapter of the EIAR, i.e. Chapter 16) ensure appropriate treatment of the site and surrounding environment during construction and the operation of the site.

The main cumulative impacts have been assessed and the likely environmental effects arising as a consequence of the proposed development are considered to have been satisfactorily identified, described and assessed.

5.0 Proposed Development

5.1 Application Context

The development proposal is for a residential development consisting of 655 no. dwellings comprised of a mix of houses, duplex units and apartments, and a crèche, to be built on an overall application site area of 18.3Ha at Boherboy, Saggart, County Dublin by Durkan Estates Ireland Ltd and Kelland Homes Ltd.

NOTE: From the outset, we wish to confirm the following in relation to the site area: the area encompassed by the red line equates to 18.3Ha, however, this includes the area accommodating the proposed upgrade to the Boherboy Road and associated connections to adjoining lands. The area of the two fields only, subject to the proposed development, equates to c.17.6Ha, i.e. as per Fig.3 below.

The proposed development consists of two adjoining sites to be developed by (a) Durkan Estates Ireland Ltd. on the western side and (b) Kelland Homes Ltd. on the eastern side, as illustrated in Fig.s 3a & 3b:

Fig. 3a – Outline of subject two fields

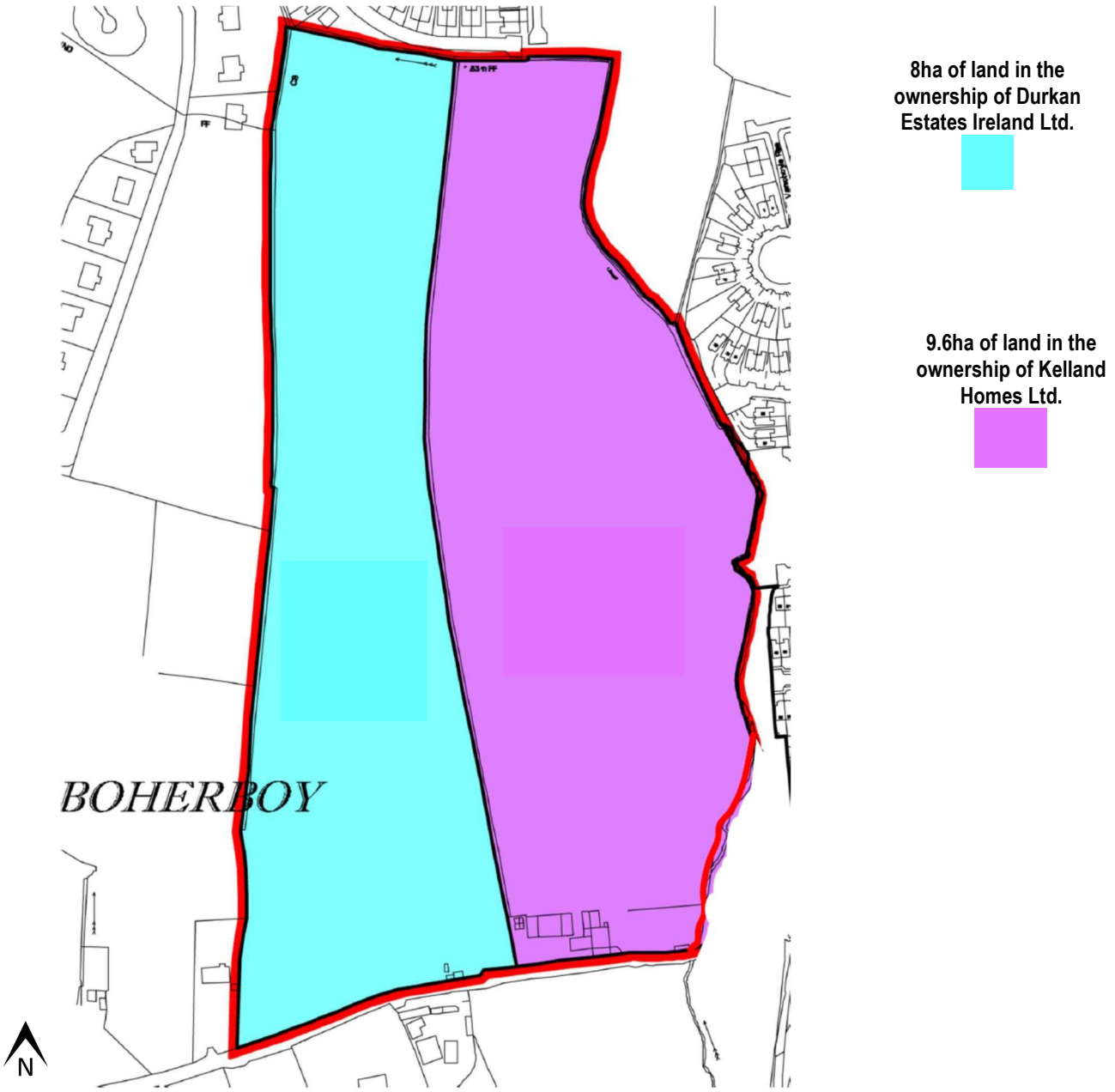


Fig. 3b – Ownership of application site

The proposed application represents the development of the entire Boherboy Neighbourhood as identified within the Fortunestown Local Area Plan (2012). While the proposed development takes the form of a single application for permission, it should be noted that the two landowners of the "Boherboy Neighbourhood" lands have come together as joint applicants for the proposed development and as a result, a coordinated and comprehensive development proposal is put forward for permission. It is considered this joint approach best meets the objectives of the Fortunestown Local Area Plan, and provides for a sustainable, integrated development, representing the proper planning and sustainable development of the Boherboy Neighbourhood.

It should also be noted that the applicants are long established house builders, having delivered thousands of homes in South Dublin county and beyond, for circa 40 years. Upon a grant of permission, it is their intention to carry out the proposed development and deliver much needed housing. Given the separate ownership of the two plots of land, it is likely that the development will be carried out by the applicants on their landholdings in an independent manner and therefore we request that cognisance be paid to this fact in assessing and ultimately when applying conditions to an

order to grant permission in the future. Each developer will have to liaise independently to a certain degree with the Planning Authority on matters of compliance with the conditions attached to any grant of permission.

5.2 Development Description

The proposed development that is described in the public notices is 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 by via one no. new 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 (919 no. spaces including EV parking), (vi) bicycle parking (914 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.

5.3 Site Location & Description

The site is located approx. 2km south-west of Tallaght town centre, approx.1.3km east of Saggart, approx. 700m south-west of Citywest Shopping Centre and 1.6km south of the N7. The site is a greenfield, outer suburban site. 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 / Verschoyle residential estate while to the south is the Boherboy Road.

The site is a greenfield site, having only ever been used for agricultural purposes. The site is steeply sloping, from south to north, with site levels ranging from 155mOD in the south-west corner to 117.5mOD in the north-west corner, which is a level difference of c. 37 metres across the entire site.

The Kelland Homes lands have been zoned for residential land use since the adoption of 1998 South Dublin County Development Plan, with the adjoining Durkan Estates Ireland lands, zoned for residential lands use since the adoption of the 2004 South Dublin County Development Plan.

5.4 Accessibility

5.4.1 Vehicular Access

Access to the development will by via three vehicular access points, namely:

1. From the Boherboy Road, along with the provision of a roadside footpath along the entire front of the site at the Boherboy Road, which will extend eastwards to the junction with the N81 Blessington Road for a length of c. 370m. This accords with Section 6.4.1 "Accessibility and Movement" of the Fortunestown LAP which states: *"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".*

2. Via Corbally residential estate to the east, namely via Corbally Heath and onwards to Citywest Road (N82);

3. Via Carrigmore residential estate to the north, namely Carrigmore Green and onwards to Fortunestown Lane.

The project consulting traffic / roads engineers, Pinnacle Engineering, confirm that these vehicular access points will be fully designed to cater for the expected level of traffic that will be generated by the proposed development.

It should also be noted that the applicants have obtained the necessary third party consents to include the proposed accesses as part of this application for permission and within the associated red line of application. Carrigmore has been taken in charge by the Local Authority who are also in charge of the roads within Corbally, as well as the Boherboy Road. Kerasoun Ltd own lands in Corbally that are not taken in charge, upon which the proposed access route from the proposed development into Corbally Heath will cross over, as well as lands abutting the Boherboy Road that will be required to carry out the proposed upgrade to same. Both parties have consented to their lands being included in the red line of this subject application in order to deliver the necessary road infrastructure - please refer to the submitted letters of consent from South Dublin County Council and Kerasoun Ltd – copies of which are in Appendix A of this Planning Statement.

Access No. 1 is from the Boherboy Road

Access No. 2 connects into Corbally

Access No. 3 connects into Carrigmore

Fig. 4 – Proposed Vehicular Access
(Source: submitted TTA by Pinnacle Consulting Engineers)

We would refer An Bord Pleanála to the enclosed drawings/reports etc. prepared by Pinnacle Engineering for further details of the proposed accesses and the following should also be noted:

5.4.1.1 Boherboy Road

The applicants are proposing a new vehicular connection from the Boherboy Road into the subject site. In addition, it is proposed to upgrade Boherboy Road to provide for a new public footpath (with associated site development works, public lighting etc.) along the northern side of the Boherboy Road, eastwards to the junction with the N81, from Chainage 750 to Chainage 1120, i.e. for a length of c.370m, while to the west of the subject site, proposed works to the Boherboy Road will consist of the provision of public lighting only. The specifics of the Boherboy Road upgrade were discussed in detail with Willie Purcell, Senior Executive Engineer, Land Use Planning & Transportation (now retired), South Dublin County Council in June 2020, as was reiterated at the tri-partite Section 5 Pre-Application Consultation meeting in November 2020. The proposals for the Boherboy Upgrade works include:

- 6m carriageway is to be provided from N81 to a point c. 400m west of site;
- Public lighting is to be installed on existing ESB poles from Chainage 445 to Chainage 0 and to continue further along the road to Saggart until linking with the existing public lighting. First light will be installed at a point to be determined (located within 35m of an existing light ideally). Final design to be confirmed on site;
- No footpath, public lighting or drainage will be installed between Chainage 0 and Chainage 445. Streetlamps will be installed on existing ESB poles as mentioned above;
- Public lighting, drainage and kerb to be installed from Chainage 445 to Chainage 750. Public footpath will be built inside the site along this chainage;
- From Chainage 750 to Chainage 1120, drainage will be installed in the public highway and not under the footpath. The road will be reinstated as required;
- Public lighting, drainage and a 1.8m footpath will be installed from Chainage 750 to Chainage 1120;
- The northern tree line from Chainage 445 to Chainage 1120 will have to be removed to facilitate these works. The southern tree line will remain in-situ.

All of the above proposed works are illustrated in the submitted Pinnacle Engineering Drawing No.s:

- P200107-PIN-XX-DR-D-0001-S1-P01-Key Plan
- P200107-PIN-XX-DR-D-0010-S1-P01- External Works
- P200107-PIN-XX-DR-D-0011-S1-P01- External Works
- P200107-PIN-XX-DR-D-0012-S1-P01- External Works
- P200107-PIN-XX-DR-D-0013-S1-P01- Off Site Works
- P200107-PIN-XX-DR-D-0014-S1-P03- N81 Junction Upgrade

As outlined above, South Dublin County Council and Kerasoun Ltd, as the relevant stakeholders with regard to the proposed upgrade works to the Boherboy Road, have consented to the applicants making an application for permission to include the proposed upgrade works to Boherboy Road, as outlined in this submission.

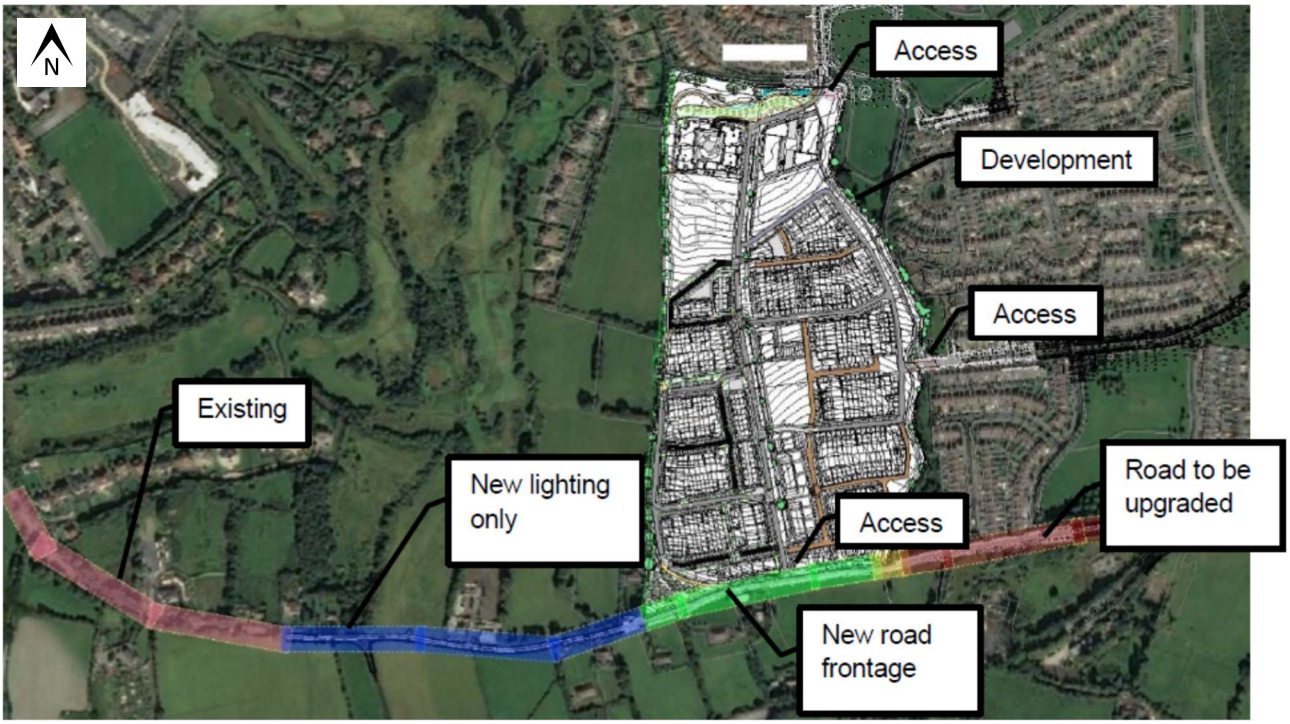


Fig. 5 – Proposed External Works to Boherboy Road

5.4.1.2 Carrigmore

It is proposed to connect the subject development into the adjoining residential development at Carrigmore to the north. Significant consultation has been undertaken with the Planning Authority with regard to the delivery of these connections. South Dublin County Council (SDCC) have recently Taken-In-Charge (TIC) Carrigmore to the north and have consented to the applicants proposing a new vehicular access from the proposed development into Carrigmore. Pedestrian and cyclist access is also facilitated as part of the proposed development.

5.4.1.3 Corbally

The internal road network at Corbally is in the charge of SDCC, however, at the western end of Corbally Heath, there is a parcel of land in the ownership of a third party i.e. Kerasoun Ltd, and we enclose a letter of consent from them (refer to Appendix A of this Planning Statement), consenting to the applicants proposing a vehicular connection from the subject site into Corbally Heath via their lands. It is our understanding that the landowner Kerasoun Ltd has requested that their remaining lands in Corbally that are not already in the charge of the Local Authority, now be taken in charge. However, the applicants have the necessary consent in place to include the proposed vehicular connection from the proposed development into Corbally as part of this application for permission and this too has been the subject of considerable consultation with both the landowner and the Local Authority.

5.4.1.4 The proposed vehicular connections to Carrigmore and Corbally will provide for bridges over the Corbally Stream that runs in a north-south direction along the entire eastern boundary of the site and moves westwards along the northern boundary of the site. Detailed designs of the proposed connections including bridging details are enclosed and the impacts of same in terms of ecology/biodiversity and flooding are all addressed as part of this application, including the EIAR.

5.4.1.5 Under the previous application (Ref. ABP-304828-19), the applicants did not have third party consents in place to deliver the connections through to both Corbally and Carrigmore, however, as outlined above, the applicants have undergone considerable consultation with both the Local Authority and third party land owners to obtain the necessary consents such that not only can the proposed connections be granted permission, but the applicants will deliver same as part of an overall permitted development.

5.4.1.6 The proposed vehicular connections to Carrigmore and Corbally respectively are in accordance with roads objectives set out in both the Fortunestown LAP 2012 and the South Dublin County Development Plan 2016-2022, as illustrated in Fig.s 6 and 7.

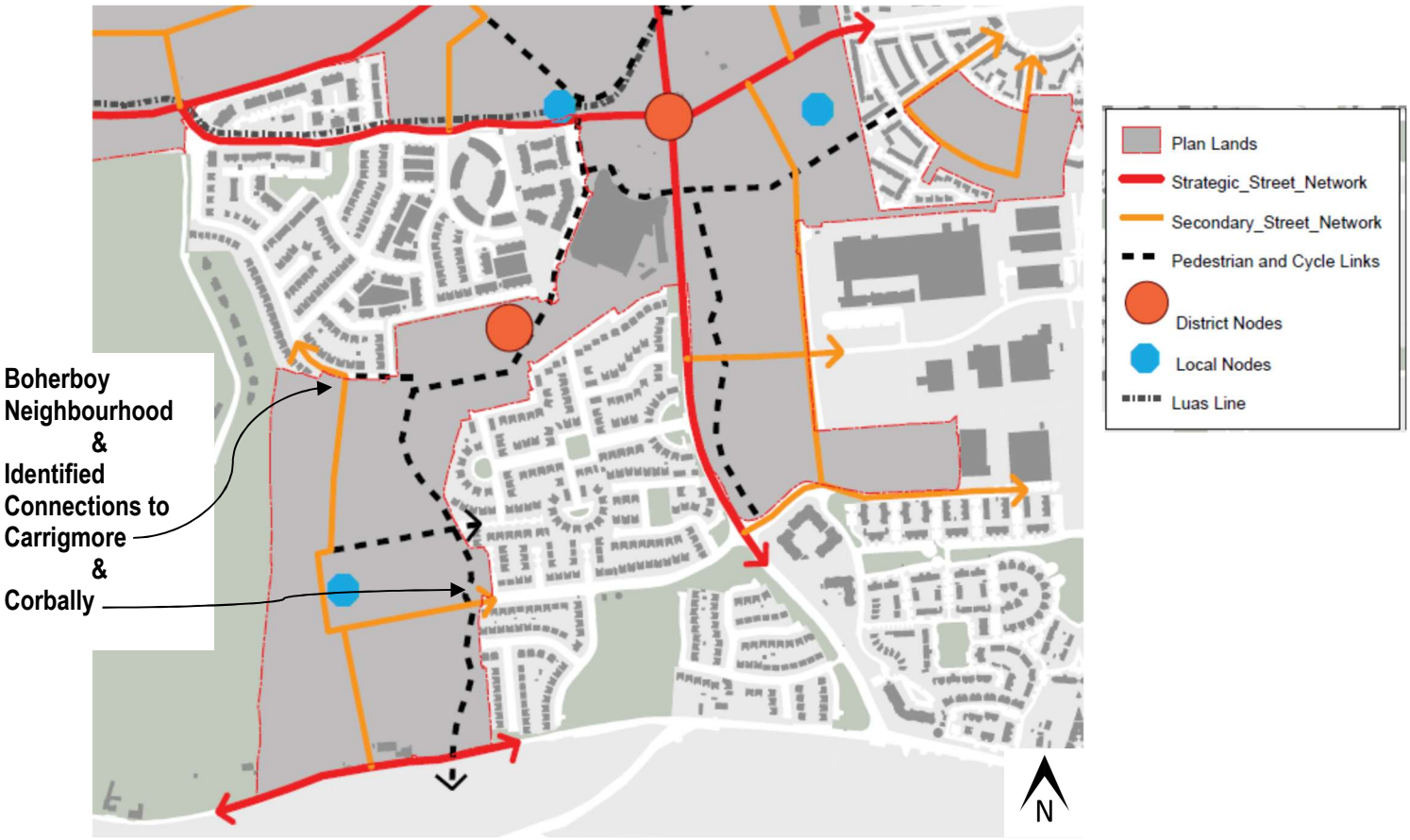
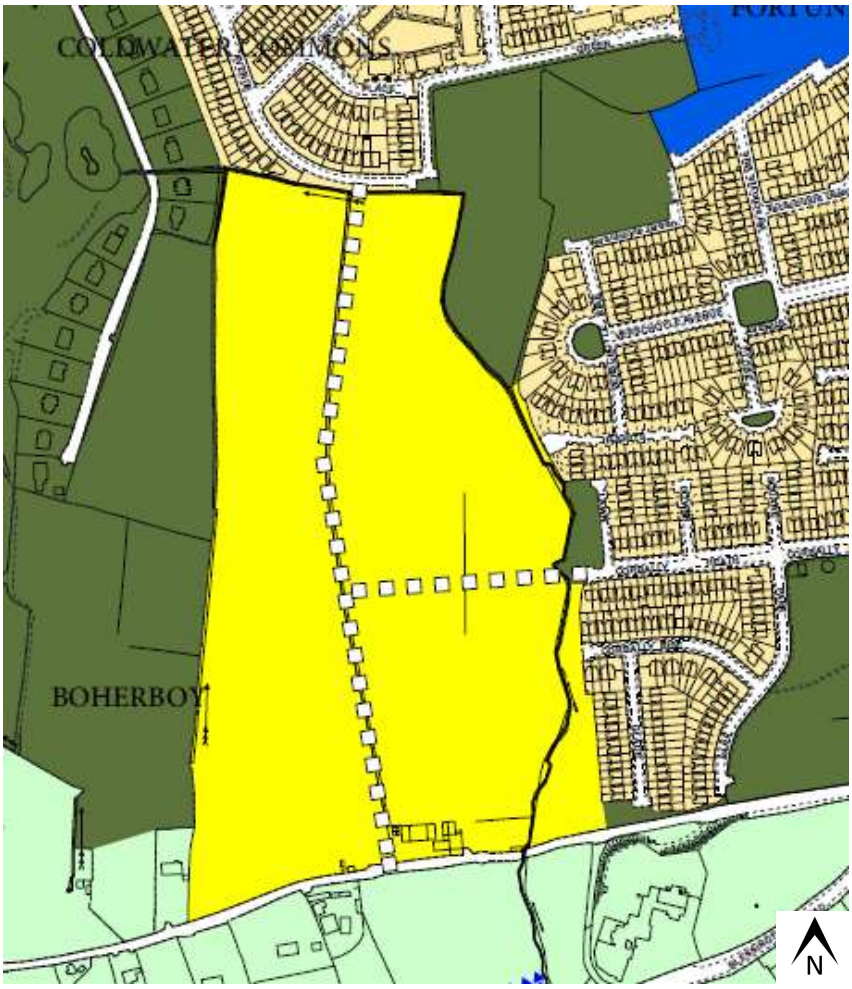


Fig. 6 – Extract from Fig. 5.3 Accessibility & Movement Framework of the 2012 Fortunestown LAP



□ □ □ □ Road Proposals - 6 Year

Fig. 7 – Extract from Map 8 of the South Dublin County Development Plan 2016-2022 identifying 6 year road proposals / connections to Carrigmore to the north & Corbally to the west.

5.4.2 Pedestrian Access

In addition to the vehicular traffic, pedestrian and cyclist permeability will be fully catered for. The proposed development site is well placed in terms of the availability of and access to local amenities for both new and existing residents.

Fig. 8 overleaf illustrates that pedestrian / cyclist permeability proposed to be provided at the following points:

- Via Carrigmore Green to the north;
- Via Corbally Heath to the east;
- Via Boherboy Road to the south;
- Via Carrigmore District Park;
- Along the eastern boundary, via the "Riverside Park" in compliance with the objectives of the LAP which will also link Carrigmore Green, Carrigmore District Park and Corbally Heath to the Boherboy Road;
- Internally throughout the development.

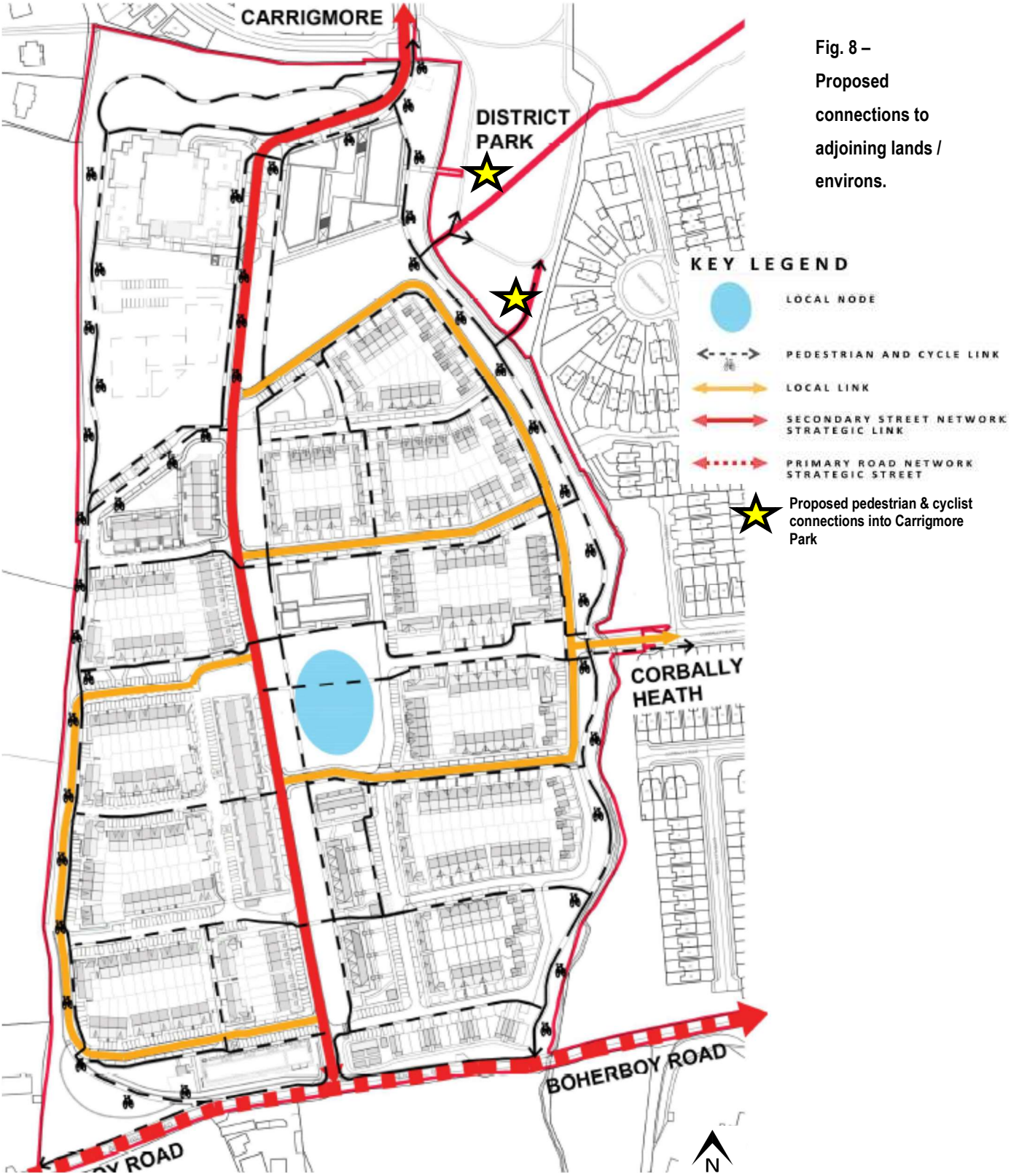


Fig. 8 – Proposed connections to adjoining lands / environs.

Pedestrian and cyclist permeability have been designed to (a) follow desire lines and (b) link the proposed development to local amenities such as public transport links, shopping, schools etc. An additional benefit of this is that it will further enhance the connectivity for existing communities to these amenities, as well as future residents of the proposed development. Two pedestrian / cyclist connections are proposed to connect directly into Carrigmore Park at the north-eastern end of the site, in addition to the proposed primary connections in Carrigmore and Corbally and are identified on the submitted site plan drawings as well as by the yellow star on Fig. 8 above.

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**).

5.4.3 Accessibility Conclusion

Notwithstanding the roads objectives set out in the aforementioned Plans, we note that under the previous assessment of the SHD application for this site (Ref. ABP-304828-19), included in her recommended reasons for refusal, the An Bord Pleanála Inspector citied the following: "*The proposed layout would result in a substandard level of vehicular, pedestrian and cycle connections, particularly to the lands to the east and north of the application site and along the Boherboy Road. The development would be contrary to the provisions of the South Dublin County Development Plan 2016 to 2022 and the Fortunestown LAP 2012 which provide for east west and north south connections through the lands. The proposed development would fail to provide for the necessary integration and permeability between the site and adjoining estates as set out and required in the Local Area Plan".* To this end, the applicants have engaged in significant and meaningful consultation with South Dublin County Council regarding not only the proposed upgrade of the Boherboy Road but also the proposed connections into Corbally and Carrigmore. Whilst the previous application proposed the construction of roads up to the boundaries of the site to facilitate future connections into Carrigmore and Corbally, the necessary consents to actually punctuate through to both existing developments were not in place. However, the applicants have now obtained the necessary consents, and agreed detailed designs, to deliver the necessary connections through to both Carrigmore and Corbally and these are enclosed.

The proposed vehicular connections through to Carrigmore and Corbally are also in accordance with Objective BN1 of the Fortunestown LAP which requires: *"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".*

The proposed development also provides for pedestrian and cyclist connectivity to adjoining lands, i.e. to Carrigmore Park to the north-east (2 no.) and alongside the proposed vehicular connections to both Carrigmore and Corbally.

5.5 Density of Proposed Development

The proposed site layout plan, as illustrated in Fig. 10 overleaf effectively represents the masterplan for the entire Boherboy Neighbourhood and has been based upon (i) the guidance set out in the Fortunestown Local Area Plan (hereafter LAP), (ii) the planning history associated with the subject site and (iii) S.28 Ministerial Guidelines. The proposed site layout plan takes into consideration:

- the existing wayleaves traversing the lands;
- the identified school site on the western side of the lands;
- topography and
- access arrangements.

The density of the proposed development takes into consideration the planning history attached to the site and the guidance set out in the 2009 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas. The proposed development site can be described as an Outer Suburban / Greenfield Site in accordance with section 5.11 of the aforementioned 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".*

In addition, section 5.8 of the same guidelines recommend 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 proposed development provides for 655 no. dwellings on a gross site area (i.e. the area of the red line of application) of 18.3Ha, which includes the proposed upgrade works to the Boherboy Road, i.e. an area equating to 5,888m² / 0.6Ha. The area of the two fields that will accommodate the proposed residential development is 17.6Ha. A school site of 1.42Ha is reserved in the north-western portion of the site, in accordance with the requirements of the LAP, which includes land reserved to accommodate open space / possible playing pitches associated with the school on the north-eastern part of the site. In addition, a green corridor / significant landscape buffer along the eastern boundary of the site is proposed, which will also act as open space for the wider area, this "Riverside Park" equates to 1Ha. Therefore, in accordance with the 2009 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, the area for the school site has been discounted from the gross development area, as has the "Riverside Park". The area catering for the proposed upgrade works to the Boherboy Road, obviously outside of the subject site, has also been discounted from the gross area of the red line of application. Taking the three aforementioned discounted areas into consideration, it produces a net development area of 15.28Ha which in turn produces a net density of 43 units per hectare across the entire site, which accords with section 5.11 of the 2009 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas.

Fig. 10 -

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

- - - - -

represents the 1km threshold line on the site

The above net density calculation has been determined 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 1.0Ha 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 15.28Ha which produces a net density of development of 43 units per hectare across the two fields that are proposed to be developed for housing.

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 for Planning Authorities on Sustainable Residential Development in Urban Areas. The site is an Outer Suburban / Greenfield Site, which ought to be developed at a net residential density of 35-50 dwellings per hectare, while also catering for the required increased density within 1km of a light rail stop or a rail station, i.e. *"minimum net densities of 50 dwellings per hectare",* and the proposed development satisfies both of these density requirements, and 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. 10), 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 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.

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 35.5 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 are also within the recommended density range of 35-50 dwellings per hectare.

For clarity, Table 3 sets out the areas within the red line of application have been discounted for the purposes of calculating the net density of the proposed development:

Description / Area	Area (Ha)	Area (m^2)
Area of two fields alone	17.69	176,919

Description / Area	Area (Ha) (rounded)	Area (m^2)
Red Line Application Area / Gross Development Area	18.3	183,023
School Site	1.42	14,205
Boherboy Road Upgrade	0.6	5,888
Open Space serving the wider area / significant landscape buffer strip i.e. "Riverside Park"	1	9,898
Total Discountable Area	**3**	**29,991**
Net Developable Area	**15.28Ha**	**153,032m^2**

Table 3 – Areas discounted for net density purposes

The areas set out in Table 3 represent the allowable areas to be discounted from the gross site area to demonstrate what the net development area of the application (red line) site is and thus the corresponding net density of development, in accordance with the guidance set out in the 2009 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas.

In addition to all of the foregoing, Table 4 and Fig. 11 (overleaf) illustrate the factors that are to be considered in determining an efficient site layout plan for the subject site, including *inter alia,*:

- wayleaves traversing the site;
- protection / retention of hedgerows;
- topography;
- flood zone.

These areas effectively reduce the real net developable area of the subject site, yet they have not been discounted in their entirety in the calculation of the net density of the proposed development.

Undevelopable Area	Area (Ha) (rounded)	Area (m^2)
Red Line Application Area / Gross Development Area	18.3	183,023
Area of two fields alone	17.69	176,919
Western Hedgerow	0.35	3,552
Central Hedgerow	0.58	5,835
Flood Zone	0.48	4,844
Drainage Wayleaves	0.97	9,745
Undevelopable area above 150m contour line	0.2	1,997
Boherboy Road Setback	0.32	3,205
School Site	1.42	14,205
Boherboy Road Upgrade	0.6	5,888
Open Space serving the wider area / significant landscape buffer strip i.e. "Riverside Park"	1	9,898
Total Discountable Area	**5.92**	**59,169**
Net Developable Area	**12.38Ha**	**123,854m^2**

Table 4 – Undevelopable areas across the entire site

Table 4 illustrates that almost 6Ha of the subject site is undevelopable (i.e. 32% of the overall area of the red line of the application site). The undevelopable parts of the site are illustrated on Fig. 11 over and essentially remain fixed for any proposed housing development of the subject site. If the total undevelopable area i.e. 5.92Ha, was considered in determining the net density of the proposed development, and discounted from the overall red line area of the application, the proposed development would cater for a net density of 43 units per hectare across the entire site.

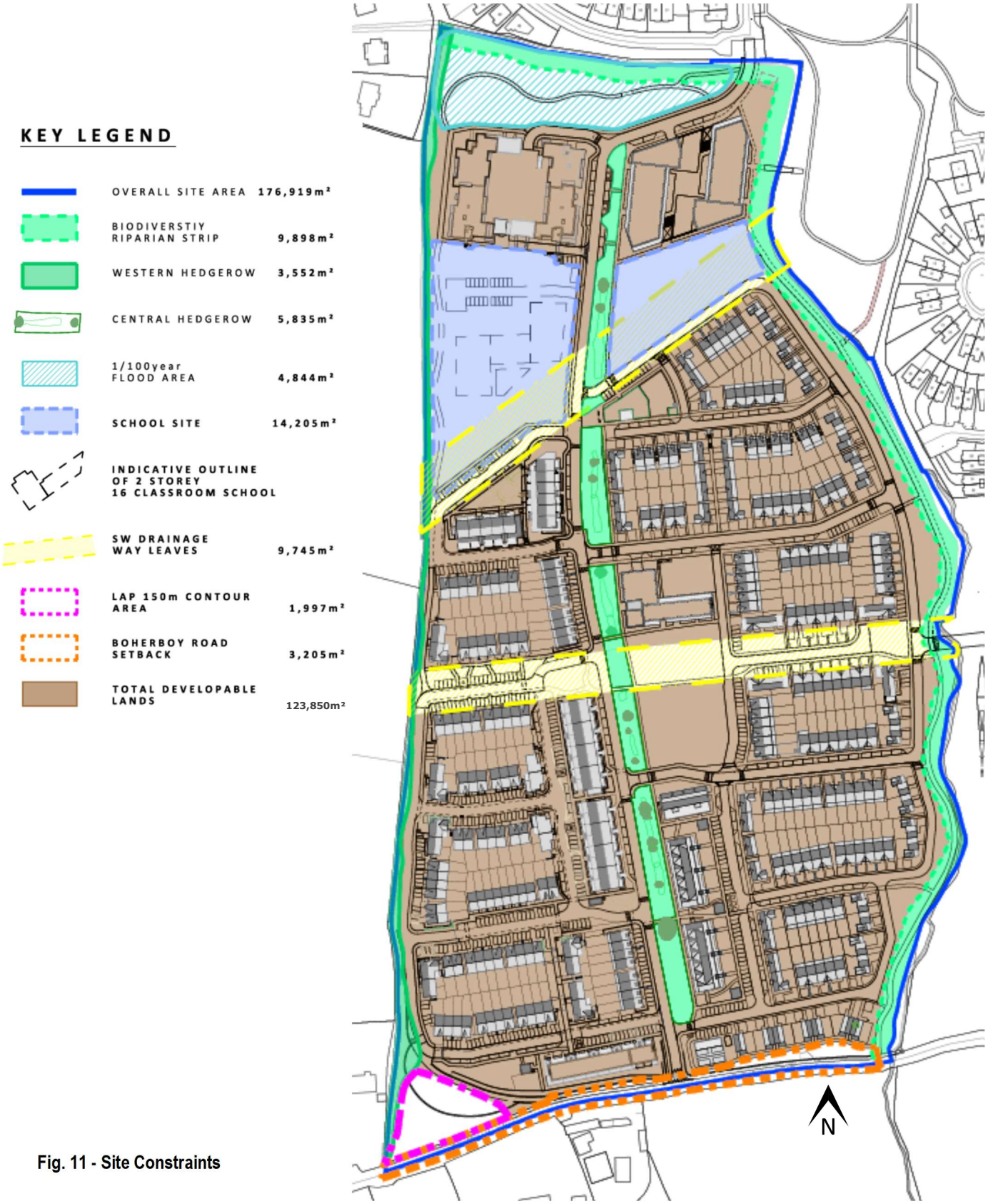


Fig. 11 - Site Constraints

5.6 Urban Design

The proposed development is assessed against the Design Criteria and Indicators contained in the Urban Design Manual – Best Practice Guide, and in accordance with the requirements of the current South Dublin County Development Plan and the LAP (section 7.1). The proposed site layout plan is based upon the 12 urban design principles set out in the Urban Design Manual - A Best Practise Guide, and details of compliance with each of the 12 design criteria is set out in the enclosed Architectural Design Rationale, and the Statement of Consistency – please refer to both documents.

As outlined in the enclosed Architectural Design Rationale, the main design characteristics of the proposed development, from an urban design viewpoint, are as follows:

- The main vehicular access route from the Boherboy Road, which runs northwards to a proposed connection into Carrigmore, acts as the primary vehicular route through the development, running parallel to the existing central hedgerow, thus providing for the retention of same, in so far as possible;
- Creation of a clearly defined hierarchy of streets to the east and west of the main avenue;
- Creation of strong, urban building frontage onto the main avenue with a retained and augmented green feature created by the existing (central) hedgerow to the east;
- In response to topography and context, varied building heights are proposed across the site;
- A strong mix of unit types and sizes are proposed within these residential typologies to ensure visual interest and dwellings for a range of end users;
- Creation of a linear park along the eastern boundary which protects and incorporates elements of the Corbally Stream and respects the required 10m biodiversity strip. Retention of the existing hedgerow and trees to the western boundary and creation of a woodland linear park;
- Provision of a pedestrian and cyclist link along the eastern boundary green link from the Boherboy Road to Carrigmore Park and beyond to the District Centre and Luas;
- Provision of a new public footpath adjacent the Boherboy Road boundary running within the applicants' site. Frontage development along this boundary to provides good passive surveillance, as well as a strong urban streetscape;
- Increased and improved connectivity via the proposed Boherboy Road upgrade.

In order to explain the urban design rationale of the proposed development, an understanding of the site's very particular characteristics is required. The subject site has a number of physical constraints that were not only considered as part of the previous design proposal but remain fixed and therefore continue to influence a final design solution. It is a steeply sloping site, with site levels ranging from 155mOD in the south-west corner to 117.5mOD in the north-west corner, a difference of c. 37 metres across its length. The topography therefore creates considerable topographical challenges for laying out an accessible and visually pleasing residential scheme. A number of significant services wayleaves also traverse the site. The site's natural features include hedgerows, streams and biodiversity, all of which are illustrated in Fig. 11.

Notwithstanding the above factors to be considered in any housing layout, the current site layout plan also adheres to the objectives set out in the LAP by way of incorporating the following:

- A green link along the eastern boundary of the site is provided for, with a minimum 10m biodiversity strip from the top of the bank with the Corbally Stream maintained. Protection of the stream and the heritage of the townland/barony/parish boundary is maintained by creating a "Riverside Park" to further enhance green linkages and provide the necessary pedestrian / cyclist linkages along this green strip, directly connecting into Carrigmore Park and on to the broader environs of the site.

- The existing western hedge and tree line is being retained and enhanced and part of this green amenity is being used as a linear woodland park offering pedestrian and cycle connections to the side of character areas 2 and 3 – refer to the enclosed Architectural Design Rationale.

- The existing central hedgerow (which is not continuous along the entire length of the site) will be maintained, where possible, and developed alongside the central green avenue which provides a strong north-south axis. This central hedge line will frame the main access route through the site, and adjoins open spaces creating an amenable pedestrian link throughout the development. The main vehicular link road will run along the left hand side of the central hedgerow with a landscaped pedestrian route to the right.

- The northern boundary flood risk zone has been kept free of any building or roads, in line with the recommendations of the submitted SSFRA. The proposed apartment blocks in proximity to this flood risk zone i.e. Blocks A and C have finished floor levels of 120.5m placing them 2.48m above the recommended minimum ground floor level for buildings adjacent to the flood risk zone of 118.02 + 0.5m.

- A site of 1.4Ha has been allocated for the future provision of a primary school which addresses the LAP school site objective provision of one hectare.

- There are two existing water supply pipe wayleaves running through the site. These have been maintained free from development as required, as coloured yellow on the enclosed drawings.

- It is proposed to construct a new footpath along the Boherboy Road to the south, which will provide improved connectivity along this road, which will be further augmented by the proposed upgrade works to the Boherboy Road by proposing a new footpath eastwards from the site to the junction with the N81 Blessington Road.

- Increased permeability and connectivity between the proposed development and both existing adjacent housing estates at Corbally and Carrigmore is proposed such that vehicular, pedestrian and cyclist access is catered for in line with the objectives of the Development Plan and LAP and in accordance with the preferences of the both the Planning Authority and An Bord Pleanála, as asserted in their assessment of the previous SHD application. The necessary consents to deliver same are also in place.

The impact of the constraints outlined on the actual developable area is significant. The combination of difficult topography, hedgerow retention, maintaining open watercourses, road/footpath improvements and wayleave provisions has reduced the actual developable area of the site to c.12.4 hectares, which equates to approximately 68% of the overall area of the combined Durkan and Kelland sites.

A detailed analysis of how the current development proposal complies with the 12 urban design criteria is set out in the enclosed Architectural Design Rationale (section 5), and we refer An Bord Pleanála to same. However, the key points to note are as follows:

Connectivity

The development proposes vehicular, pedestrian and cyclist connections into Carrigmore to the north and Corbally to the east, along with additional pedestrian / cyclist connections to Carrigmore Park to the north-east. The provision of these urban connections provide key routes to existing local services and facilities.

The north-south pedestrian and cyclist paths along the eastern boundary of the site deliver a of a key piece of infrastructure that connect the wider LAP lands to the Boherboy Road, as well as being a specific objective and phasing requirement of the Fortunestown LAP.

The proposed upgrade of the Boherboy Road will offer better safety for all road users and pedestrians and improve permeability off the Boherboy Road.

Inclusivity & Variety

A wide range of dwelling types and sizes is proposed, thereby catering for the needs of a variety of people / household formations. 1, 2, 3 and 4 bedroom dwellings are all proposed, which come in a range of typologies including houses, duplexes and apartments (more details set out in section 5.7). This range of different housing typologies will cater for different/emerging living requirements and in terms of flexibility, the option to downsize and/or extend. This advantage of the adaptability of the proposed scheme provides for the formation of a strong community within the development for many years to come.

The public open spaces, landscaping, footpaths and routes are designed to eliminate changes in level in as far as practicable thus prioritizing easy pedestrian and cycle movement and connectivity, avoiding unnecessary physical and visual barriers. This network of varied landscaped spaces has been designed to provide access to people of all ages. The enclosed, detailed Landscape Masterplan proposed by Ronan MacDiarmada & Associates (RMDA) illustrates that all landscaped areas are fully overlooked and accessible to all. These amenity spaces have been carefully designed to cater for all ages of the community. The location of Carrigmore Park immediately adjacent the subject site (to the north-east) provides the added benefit of active open space a short walk for the residents on the new scheme, with direct pedestrian and cyclist connections into same proposed.

The separate land ownership of the applicants has provided an opportunity to create two distinct styles, in addition to the nine distinct character areas throughout the site. Significant variety has been achieved using different typologies and elevational treatments designed by two separate Architectural practices. Terraced units and split level house type units are proposed to deal with drop in levels within some housing cells. A landscaping strategy to the private rear gardens has been put together by Ronan MacDiarmada & Associates (RMDA) to enable the future extension or adaptation of the proposed housing units while still maintaining and providing good quality and functional rear gardens, and details of this are set out in the enclosed Landscape Rationale.

The quantum of private amenity space in all units meets the minimum standards and in some cases the quantum is over the minimum standards. The proposed layout of the various housing cells are now clearly defined by a legible street hierarchy together with a variety of house types including *inter alia* semi-detached wide fronts and terraced 2, 3 and 4 bed units.

Efficiency

A compact urban layout of houses, duplexes and apartments is proposed. The combination of typologies delivers a net density of 43 units per hectare which complies with the 2009 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas.

Distinctiveness

In terms of distinctiveness, the proposed development provides for nine different character areas, with each character area designed to have its own identity, which will be visually different to neighbouring areas in a number of aspects. Building typology, materials and finishes, individual unit design and proportion and open space design are all used to develop an individual sense of place for each separate character area. It is considered that the range of character areas within the scheme will imbue the area with a sense of variety, distinctiveness and visual interest and avoid repetition in terms of layout, design and materials. Details of the individual character areas are set out in the submitted Architectural Design Rationale (pages 14-24).

In addition, the proposed development is bisected by the proposed north-south link avenue that separates the site into two distinct Architectural zones, which have been designed by the two Architectural Practises appointed. These two zones are further broken down into their respective individual character areas that have been designed with individual design styles, varied unit types and a mix of materials and finishes that gives each of these areas a discernible “sense of place”.

The submitted Architectural Design Rationale (part xii “Detailed Design” sets out details of the proposed materials and finishes for the proposed dwellings which are indicative so as to emphasise the detail of the distinct character areas. Upon a grant of permission and prior to commencement of development, the applicants will agree specific brick details with the Planning Authority.

Layout

The layout of the proposed development is based upon the creation of active street frontages, which is achieved by designing a highly permeable layout that promotes passive surveillance and use by pedestrians and cyclists. The use of different treatments and typologies used within each character area creates distinctive areas within the scheme, and adds vibrant and visual interest to the overall scheme, creating a sense of place for this new neighbourhood.

An ordered series of urban residential cells is proposed across the scheme connected by a hierarchy of streets and related open spaces. The new street network is legible and easy to navigate and promotes permeability throughout the scheme itself, whilst also providing easy connections to the neighbouring residential estates, the District centre and Luas etc. A series of secondary routes lead to quieter groupings of houses and homezones in certain cases providing more pedestrian friendly streets. The character of these streets varies and traffic speeds are limited by design.

All of the housing cells are carefully considered and respond to their context and topography. The house facades overlook, supervise and define the edges of streets and public landscaped blocks. Rear gardens back onto rear gardens of adjoining properties providing legible blocks.

Quality public open space in the form of pocket and linear parks are distributed throughout the scheme, all overlooked by housing. Corner sites feature specially designed 'end treatment' houses which provide an active frontage where needed, again allowing for passive surveillance on outward looking facades.

A large central "square" is proposed at the heart of the scheme along with large open spaces to the north and opposite the reserved school site which further improves the legibility and quality of the layout. These amenities will provide usable landscaped spaces and are well distributed throughout the scheme offering the opportunity for a high level of interaction with the proposed western and eastern green pedestrian and cycle links.

5.6.1 Urban Design Conclusion

Judicious consideration has been paid to the urban design criteria set out in the Urban Design Manual and also the planning history associated with the subject site. The proposed site layout plan is based upon the foregoing and the result now put forward for consideration caters for the following:

- An efficient net density of 43 units per hectare across the entire site, provided for with a mix of densities and associated housing typologies accommodated throughout the entire development, rather than being concentrated in the northern zone of the site.
- The roads hierarchy has been established with a clear identity to a single arterial route connecting the northern and southern edges of the site.
- Unit typologies and street frontages have been designed specifically to address and characterise each street type throughout the scheme.
- Site levels and topography have been considered with specific stepped typology designed to address conditions where significant slopes across occurs.
- The urban grain of the scheme has been clearly defined and informed by the establishment of a clear roads hierarchy.
- The scheme has been designed to maintain and connect existing green infrastructure while achieving a clear urban form and density.
- Permeability through the site has been reinforced by the proposed pedestrian routes through the use of the existing green infrastructure throughout the site, ensuring that the site remains well connected, thus adhering to the LAP objectives.
- Car parking is appropriately handled in terms of providing basement/undercroft parking arrangements for the apartment Blocks, A, B & C, with surface parking being laid out in a manner that is DMURS compliant and does not dominate the streetscape.

In conclusion, it is considered that the proposed development, and its site layout plan, accords with best practice urban design principles and provides for accessibility, quality streetscapes, permeability and passive surveillance of the public realm. The proposed development is well connected and integrated with its surroundings and has been designed to be attractive, desirable and safe for residents and members of the future community.

Fig. 12 – Proposed Site Layout Plan

5.7 Housing Typology & Mix

This application seeks permission for the development of 655 no. dwellings, comprised of:

- 257 no. 2, 3 & 4 bed, 2 & 3 storey detached, semi-detached and terraced houses;
- 152 no. 1, 2 & 3 bed duplex units in 17 no. 2-3, 3-4 & 4 storey buildings;
- 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 creche of 693m².

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 (919 no. spaces including EV parking),
(vi) bicycle parking (914 no. bicycle parking spaces),
(vii) bin & bicycle storage,
(viii) public lighting, and
(ix) plant (M&E), utility services & 5 no. ESB sub-stations.

The proposed development also provides for proposed upgrade works to the Boherboy Road, including the provision of a public footpath running along the front of the site eastwards to the junction with the N81 Blessington Road for a length of c.370m. The area of the red line of application is 18.3Ha.

In addition an area of approx. 1.4ha is reserved for a school site. We confirm that the reserved site can accommodate a standard 16 classroom primary school and an initial feasibility on same has been carried out – refer to the submitted site layout plan 3/3 (drawing no. PL03) which illustrates how a school may be accommodated on the site. It is the applicants' intention to seed and grass the reserved school site upon completion of the proposed development and it will remain reserved for use by the department of Education and Skills upon their confirmation of need for same.

Site Area (Gross)	18.3Ha (i.e. total area within red line of application)
Site Area (Net) i.e. area of two fields	17.6Ha
Net Developable Area	15.28Ha
Density (Net)	43 units / Ha
Building Height	2, 3, 4 & 5 storeys
Site Coverage (total site area)	17%
Plot Ratio (total site area)	0.38
Active Open Space Provision	25,241² (2.5ha / 16%)
Creche	693m²

Table 5: Key Statistics

A summary of the proposed dwelling types are set out in Tables 6 - 12 as follows, with a full schedule of accommodation provided for in the submitted Housing Quality Assessment**.**

Houses:

House Type	Description	No. of Units	Storeys	Floor Area (m²)	Total Floor Area (m²)
A	4 bed semi-detached	10	3	148	1,480
B	3 bed mid-terrace	35	2	120.5	4,217.5
B1	3 bed end-terrace	27	2	120.5	3,253.5
B2	3 bed mid terrace	22	2	108.6	2,389.2
B3	3 bed end terrace	5	2	120.5	602.5
C	3 bed wide front semi-detached	10	2	111	1,110
C1	3 bed wide front detached house	1	2	111	111
D	4 bed semi-detached	6	2	133.8	802.8
D1	4 bed detached	4	2	133.8	535.2
E	4 bed semi-detached	18	3	160.3	2,885.4
E1	4 bed detached	1	3	160.3	160.3
F	4 bed semi-detached	6	3	167.4	1,004.4
F1	4 bed detached	1	3	167.4	167.4
G	4 bed mid terrace	10	3	168	1,680
G1	4 bed end terrace	2	3	170.1	340.2
G2	4 bed mid terrace	5	3	159	795
G3	4 bed end terrace	1	3	161.4	161.4
H	3 bed terrace / semi-detached	60	2	114	6,840
H1	3 bed end terrace	8	2	115	920
J	4 bed mid terrace	13	3	150.1	1,951.3
J1	4 bed end terrace	4	3	152.8	611.2
K	2 bed end terrace	2	2	90	180
K	2 bed mid terrace	6	2	90	540
Total		**257**			**32,738m²**

Table 6: Proposed House Types

House Type	2 bed	3 bed	4 bed	Total
No. of Units	8	168	81	**257**
% Mix	3%	65%	32%	**100%**

Table 7: Mix of Proposed House Types

Duplex Units:

Duplex Block A:

Unit Type	Description	Floor	No. of Units	Floor Area (m²)	Total Floor Area (m²)
A	2 bed / 4 person apartment	Ground	6	77.9	467.4
A1	2 bed / 4 person apartment	Ground	1	76.8	76.8
A2	3 bed / 5 person apartment	First & Second	1	101.3	101.3
B	2 bed / 4 person apartment	Ground	1	84.8	84.8
C	3 bed / 6 person duplex	First & Second	6	121	726
C1	3 bed / 6 person duplex	First & Second	1	130.6	130.6
D	1 bed / 2 person apartment	First	1	52.8	52.8
E	1 bed / 2 person apartment	First	1	58.4	58.4
F	2 bed / 4 person duplex	First & Second	1	107.7	107.7
G	3 bed / 5 person duplex	First & Second	1	116.8	116.8
Total			**20**		**1,922.6m²**

Duplex Block B:

Unit Type	Description	Floor	No. of Units	Floor Area (m²)	Total Floor Area (m²)
A	2 bed / 4 person apartment	Ground	6	86.1	516.6
A1	2 bed / 4 person apartment	Ground	1	83.7	83.7
A2	2 bed / 4 person apartment	Ground Floor	1	83.7	83.7
B	3 bed / 5 person duplex	First & Second	6	122.2	733.2
B1	3 bed / 5 person duplex	First & Second	1	123.2	123.2
B2	3 bed / 5 person duplex	First & Second	1	122.2	122.2
Total			**16**		**1,662.6m²**

Duplex Block C:

Unit Type	Description	Floor	No. of Units	Floor Area (m²)	Total Floor Area (m²)
A	2 bed / 4 person apartment	Ground	7	86.1	602.7
A1	2 bed / 4 person apartment	Ground	1	83.7	83.7
B	3 bed / 5 person duplex	First & Second	7	122.2	855.4
B1	3 bed / 5 person duplex	First & Second	1	123.2	123.2
Total			**16**		**1,665m²**

Duplex Block D:

Unit Type	Description	Floor	No. of Units	Floor Area (m²)	Total Floor Area (m²)
A	2 bed / 4 person apartment	Ground	4	82.9	331.6
A1	2 bed / 4 person apartment	Ground	1	85.8	85.8
B	3 bed / 5 person duplex	First & Second	4	126.4	505.6
B1	3 bed / 5 person duplex	First & Second	1	129.3	129.3
Total			**10**		**1,052.3m²**

Duplex Block E:

Unit Type	Description	Floor	No. of Units	Floor Area (m²)	Total Floor Area (m²)
A	2 bed / 4 person apartment	Ground	4	86.1	344.4
A1	2 bed / 4 person apartment	Ground	1	97	97
A2	2 bed / 4 person apartment	Ground	1	94.7	94.7
B	3 bed / 5 person duplex	First & Second	4	122.2	488.8
B1	3 bed / 5 person duplex	First & Second	1	123.2	123.2
B2	3 bed / 5 person duplex	First & Second	1	122.2	122.2
Total			**12**		**1,270.3m²**

Duplex Block F:

Unit Type	Description	Floor	No. of Units	Floor Area (m²)	Total Floor Area (m²)
F1	2 bed / 4 person apartment	Ground	2	74.4	148.8
F2	2 bed / 4 person apartment	Ground	2	76.35	152.7
F3	3 bed / 5 person duplex	First & Second	2	111.77	223.54
Total			**6**		**525.04m²**

Duplex Block G:

Unit Type	Description	Floor	No. of Units	Floor Area (m²)	Total Floor Area (m²)
G1	2 bed / 4 person apartment	Ground	4	74.4	297.6
G2	3 bed / 5 person duplex	First & Second	4	111.75	447
G3	2 bed / 4 person apartment	Ground	2	77.2	154.4
G4	3 bed / 5 person duplex	First & Second	2	111.75	223.5
Total			**12**		**1,122.5m²**

Duplex Block H:

Unit Type	Description	Floor	No. of Units	Floor Area (m²)	Total Floor Area (m²)
H1	2 bed / 4 person apartment	Ground	4	74.4	297.6
H2	3 bed / 5 person duplex	First & Second	4	111.75	447
H3	2 bed / 4 person apartment	Ground	2	77.2	154.4
H4	3 bed / 5 person duplex	First & Second	2	111.75	223.5
Total			**12**		**1,122.5m²**

Duplex Block I:

Unit Type	Description	Floor	No. of Units	Floor Area (m²)	Total Floor Area (m²)
I1	2 bed / 4 person apartment	Ground	4	74.5	298
I2	2 bed / 4 person apartment	Ground	2	76.43	152.86
I3	2 bed / 4 person apartment	First	2	75.71	151.42
I4	3 bed / 5 person duplex	Second & Third	2	106.57	213.14
I5	3 bed / 5 person duplex	Second & Third	2	109.26	218.52
Total			**12**		**1,033.94m²**

Duplex Block J:

Unit Type	Description	Floor	No. of Units	Floor Area (m²)	Total Floor Area (m²)
J1	3 bed / 5 person duplex	Ground & First	4	124.98	499.92
J2	3 bed / 5 person duplex	Second & Third	4	111.76	447.04
Total			**8**		**946.96 m²**

Duplex Block K:

(**Note:** there are 2 no. duplex blocks K accommodating 4 no. units each, located opposite each other, at the junction of Street 10 with Street 14).

Unit Type	Description	Floor	No. of Units	Floor Area (m²)	Total Floor Area (m²)
K1	3 bed / 5 person duplex	Ground & First	2	110.6	221.2
K2	3 bed / 5 person duplex	Ground & First	2	118.4	236.8
K3	2 bed / 4 person duplex	Second & Third	2	86.8	173.6
K4	2 bed / 4 person duplex	Second & Third	2	92.6	185.2
Total			**8**		**816.8 m²**

Duplex Block K1:

(**Note:** there are 2 no. duplex blocks K1 accommodating 4 no. units each, located opposite each other, at the junction of Street 7 with Street 10 / separated by communal open space).

Unit Type	Description	Floor	No. of Units	Floor Area (m²)	Total Floor Area (m²)
K2	3 bed / 5 person duplex	Ground & First	2	118.4	236.8
K3	2 bed / 4 person duplex	Second & Third	2	86.8	173.6
K5	3 bed / 5 person duplex	Ground & First	2	107.5	215
K6	2 bed / 4 person duplex	Second & Third	2	92.6	185.2
Total			**8**		**810.6 m²**

Duplex Block L:

(**Note:** there are 2 no. duplex blocks L accommodating 2 no. units each, located adjacent to each other on Street 12).

Unit Type	Description	Floor	No. of Units	Floor Area (m²)	Total Floor Area (m²)
L1	2 bed / 4 person duplex	Ground & First	2	89.26	178.52
L2	3 bed / 5 person duplex	First & Second	2	117.25	234.5
Total			**4**		**413.02 m²**

Duplex Block X1:

Unit Type	Description	Floor	No. of Units	Floor Area (m²)	Total Floor Area (m²)
A	2 bed / 4 person apartment	Ground	1	79.5	79.5
B	1 bed / 2 person apartment	Ground	1	56.1	56.1
C	3 bed / 6 person duplex	First & Second	1	129.6	129.6
D	3 bed / 5 person duplex	First & Second	1	120.8	120.8
Total			**4**		**386 m²**

Duplex Block X2:

Unit Type	Description	Floor	No. of Units	Floor Area (m²)	Total Floor Area (m²)
A	2 bed / 4 person apartment	Ground	1	79.5	79.5
B	1 bed / 2 person apartment	Ground	1	56.1	56.1
C	3 bed / 6 person duplex	First & Second	1	129.6	129.6
D	3 bed / 5 person duplex	First & Second	1	120.8	120.8
Total			**4**		**386 m²**

Table 8: Schedule of Proposed Duplex Units

Duplex Type	1 bed / 2 person	2 bed / 4 person	3 bed / 5 person	3 bed / 6 person	Total
No. of Units	4	72	67	9	**152**
% Mix	3%	47%	44%	6%	**100%**

Table 9: Total Type of Proposed Duplex Units

Apartments:

Block A:

Unit Type	Description	No. of Units	Floor Area (m²)	Total Floor Area (m²)
A-1	1 Bed / 2 Person	21	48.4	1016.4
A-2	2 Bed / 4 Person	20	79.3	1586
A-3	2 Bed / 4 Person	8	80.6	644.8
A-4	2 Bed / 4 Person	9	83.4	750.6
A-5	2 Bed / 4 Person	8	79.7	637.6
A-6	2 Bed / 4 Person	6	79.2	475.2
A-7	2 Bed / 4 Person	6	77.2	463.2
A-8	2 Bed / 4 Person	2	76	152
A-9	1 Bed / 2 Person	2	53.7	107.4
A-10	2 Bed / 4 Person	2	82.6	165.2
A-11	2 Bed / 4 Person	1	92.9	92.9
A-12	2 Bed / 4 Person	16	89.2	1427.2
A-13	1 Bed / 2 Person	1	49.2	49.2
A-14	1 Bed / 2 Person	1	50.6	50.6
A-15	1 Bed / 2 Person	1	54.3	54.3
A-16	2 Bed / 4 Person	4	76.7	306.8
A-17	2 Bed / 4 Person	2	80.6	161.2
Total		**110**		**8,140.6 m²**

Block B:

Unit Type	Description	No. of Units	Floor Area (m²)	Total Floor Area (m²)
B1	2 Bed / 4 Person	5	80.86	404.3
B2	2 Bed / 4 Person	3	79.48	238.44
B3	2 Bed / 4 Person	3	81.18	243.54
B4	2 Bed / 4 Person	3	81.8	245.4
B5	1 Bed / 2 Person	6	52.18	313.08
B6	3 Bed / 6 Person	1	105.88	105.88
Total		**21**		**1,550.64 m²**

Block C:

Unit Type	Description	No. of Units	Floor Area (m²)	Total Floor Area (m²)
A	1 Bed / 2 Person	8	55	440
B	1 Bed / 2 Person	3	52.7	158.1
B1	1 Bed / 2 Person	2	57.8	115.6
B2	1 Bed / 2 Person	4	53	212
C	1 Bed / 2 Person	1	55	55
D	2 Bed / 4 Person	27	78	2106
D1	2 Bed / 4 Person	7	78	546
D2	2 Bed / 4 Person	5	79	395
D3	2 Bed / 4 Person	8	76	608
D4	2 Bed / 4 Person	4	90	360
D5	2 Bed / 4 Person	4	76	304
E	2 Bed / 4 Person	4	114	456
F	2 Bed / 4 Person	8	89	712
G	3 Bed / 6 Person	1	118	118
G1	3 Bed / 6 Person	1	110	110
H	3 Bed / 6 Person	1	117	117
H1	3 Bed / 6 Person	1	121	121
J	3 Bed / 6 Person	1	101	101
J1	3 Bed / 5 Person	1	103	103
Total		**91**		**7,137.7 m²**

Block Y1:

Unit Type	Description	No. of Units	Floor Area (m²)	Total Floor Area (m²)
A	2 Bed / 4 Person	1	82.4	82.4
B	1 Bed / 2 Person	1	60.9	60.9
B1	1 Bed / 2 Person	1	65.1	65.1
A1	2 Bed / 4 Person	1	82.9	82.9
Total		**4**		**291.3 m²**

Block Y2:

Unit Type	Description	No. of Units	Floor Area (m²)	Total Floor Area (m²)
A	2 Bed / 4 Person	1	82.4	82.4
B	1 Bed / 2 Person	1	60.9	60.9
B1	1 Bed / 2 Person	1	65.1	65.1
A1	2 Bed / 4 Person	1	82.9	82.9
Total		**4**		**291.3 m²**

Block Y3:

Unit Type	Description	No. of Units	Floor Area (m²)	Total Floor Area (m²)
A	2 Bed / 4 Person	1	82.4	82.4
B	1 Bed / 2 Person	1	60.9	60.9
B1	1 Bed / 2 Person	1	65.1	65.1
A1	2 Bed / 4 Person	1	82.9	82.9
Total		**4**		**291.3 m²**

Block Y4:

Unit Type	Description	No. of Units	Floor Area (m²)	Total Floor Area (m²)
A	2 Bed / 4 Person	1	82.4	82.4
B	1 Bed / 2 Person	1	60.9	60.9
B1	1 Bed / 2 Person	1	65.1	65.1
A1	2 Bed / 4 Person	1	82.9	82.9
Total		**4**		**291.3 m²**

Block Y5:

Unit Type	Description	No. of Units	Floor Area (m²)	Total Floor Area (m²)
A	2 Bed / 4 Person	1	82.4	82.4
B	1 Bed / 2 Person	1	60.9	60.9
B1	1 Bed / 2 Person	1	65.1	65.1
A1	2 Bed / 4 Person	1	82.9	82.9
Total		**4**		**291.3 m²**

Block Y6:

Unit Type	Description	No. of Units	Floor Area (m²)	Total Floor Area (m²)
A	2 Bed / 4 Person	1	82.4	82.4
B	1 Bed / 2 Person	1	60.9	60.9
B1	1 Bed / 2 Person	1	65.1	65.1
A1	2 Bed / 4 Person	1	82.9	82.9
Total		**4**		**291.3 m²**

Table 10: Schedule of Proposed Apartments

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

Table 11: Total Type of Proposed Apartments

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 12: Overall Proposed Dwelling Mix

It is evident from the tables above i.e. Tables 6, 8 and 10, that the proposed dwellings exceed the minimum standards of the Development Plan (i.e. Tables 11.20 and 11.21) as well as the standards set out in the 2020 Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities and the standards set out in the Guidelines for Quality Housing for Sustainable Communities (2007).

Please also refer to the submitted Quality Housing Assessment (separate document) which details the floor areas / schedules of internal acromion, private open space etc. for all of the proposed units.

Please also refer to Fig.s 13 and 14 over which illustrates the variety in unit type accommodated across the entire site, however, this is more clearly illustrated on the enclosed drawing no. PL06 "Site Layout Plan – Unit Mix" so please refer to same.

The proposed development also provides for a 2 storey, standalone crèche, which has a floor area of 693m² and will cater for 163 no. childcare places – details of same are set out on the enclosed drawing of the crèche – please refer to same.

Fig. 13 – Proposed Housing Mix

(extract from submitted drawing no. PL06 "Site Layout Plan – Unit Mix")

ZONE A			ZONE B		
HOUSES					
TYPE K	2 BED TERRACED	8	**TYPE A**	3 BED TERRACED	10
TYPE H	3 BED TERRACED	60	**TYPE B**	3 BED SEMI	35
TYPE H1	3 BED TERRACED - GABLE ENTRY	8	**TYPE B1**	3 BED SEMI	32
TYPE J	4 BED TERRACED	13	**TYPE B2**	3 BED SEMI	22
TYPE J1	4 BED TERRACED - GABLE ENTRY	4	**TYPE C**	3 BED SEMI - WIDE FRONT	10
			TYPE C1	3 BED SEMI - WIDE FRONT	1
			TYPE D	4 BED SEMI - WIDE FRONT - L	6
			TYPE D1	4 BED SEMI - WIDE FRONT	4
			TYPE E	4 BED SEMI - WIDE FRONT - 3 STOREY	18
			TYPE E1	4 BED SEMI - WIDE FRONT - 3 STOREY	1
			TYPE F	4 BED SEMI - 3 STOREY - SPLIT LEVEL	6
			TYPE F1	4 BED SEMI - 3 STOREY - SPLIT LEVEL	1
			TYPE G	3 BED SEMI	10
			TYPE G1	3 BED SEMI	2
			TYPE G2	3 BED SEMI	5
			TYPE G3	3 BED SEMI	1
HOUSES ZONE A		93	**HOUSES ZONE B**		164
DUPLEXES			**DUPLEXES**		
DUPLEX	3 BED UNIT	40	DUPLEX	3 BED UNIT	36
DUPLEX	2 BED UNIT	38	DUPLEX	2 BED UNIT	34
DUPLEX	1 BED UNIT	4	DUPLEX	1 BED UNIT	0
TOTAL DUPLEX UNITS		72	**TOTAL DUPLEX UNITS**		72
APARTMENTS			**APARTMENTS**		
1 BED APARTMENTS		30	1 BED APARTMENTS		32
2 BED APARTMENTS		79	2 BED APARTMENTS		98
3 BED APARTMENTS		6	3 BED APARTMENTS		1
TOTAL APARTMENTS UNITS		115	**TOTAL APARTMENTS UNITS**		131
TOTAL UNITS		290			365

5.8 Gross Floor Space

The proposed residential accommodation comprises a total of 66,450.9m² gross floor area. The proposed non-residential elements comprise a crèche of 693m². The total gross floor area proposed is 67,143.9m².

- Residential floor space – 66,450.9m².
- Crèche - 693m².
- Total floor area – 67,143.9m².

Unit Type	Gross Floor Area (m²)
Houses	32,738
Duplex Units	15136.16
Apartments	18,576.74
Total	**66,450.9m²**

Table 13: Proposed Floor Areas

A full schedule of the proposed residential accommodation is set out in the enclosed Housing Quality Assessment.

5.9 Plot Ratio

The proposed development has total floor area of 67,143.9m² (including the crèche) and based upon the gross site area (i.e. the area of the two fields) of 176,919m², produces a plot ratio of 0.38. If the net developable area is considered only, the resultant plot ratio is 0.44.

5.10 Site Coverage

The proposed site coverage is 17%.

5.11 Building Heights

The proposed development has building heights of 2, 3, 4 and 5 storeys.

The proposed 257 no. houses are 2 and 3 storeys.

The 17 no. buildings accommodating duplex units and apartments are 2, 3 and 4 storeys.

The apartment buildings range in height as follows:

- Block A – 5 storeys (13.5m – 17.65m high);
- Block B – 4 & 5 storeys (12.95m – 16.1m high);
- Block C – 4 & 5 storeys (12.85m – 16.65m high);
- Blocks Y1 – Y6 are all 2 storeys (9.85m high).

Notwithstanding, Section 5.5.4 of the LAP, "Building Height" which states that there shall be a maximum height limit of three storeys, with exceptions justifiable only in limited exceptional circumstances, cognisance has been paid to the Section 28 Guidelines for Planning Authorities on Building Heights and Urban Development, 2018 (as amended) which carry forward the National Policy Objectives from the National Planning Framework in relation to securing more compact forms of urban development. Essentially, these 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 set out a number of Strategic Planning Policy Requirements (SPPRs) and pursuant to Section 28(1C) of the Planning and Development Act 2000 (as amended) and Section 9(3) of the Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended) the Board must comply with SPPRs in the performance of its function, and 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 town/city cores and in other urban locations with good public transport accessibility.

The proposed building heights are put forward for permission having regard to the 2018 Guidelines for Planning Authorities on Building Heights and Urban Development, including its specific planning policy requirements (SPPRs), as well as design and density guidance set out in the 2009 Guidelines on Sustainable Residential Development in Urban Areas and its companion document "Urban Design Manual".

We note that as part of the previous application on this site (which also proposed apartment building heights of 4 to 5 storeys), that the An Bord Pleanála Inspector noted the following in relation to those building heights*: "The proposed apartments are located to the north of the site, where the topography is lower. They are also in closest proximity to the existing public transport connections, and in this context, I consider that a higher density and thus greater height is appropriate….., I have no objection in principle to the heights proposed having regard to the sites location and context and the specific provisions of SPPR 4"* which is contained in the aforementioned Guidelines. The current application, in line with the objectives of the LAP and the SPPRs in the Guidelines, propose that 2 no. apartments buildings of 4 and 5 storeys tall (i.e. Blocks A & C) will be located at the northern end of the site, at its lowest point and in closest proximity to public transport infrastructure. The apartment blocks are also designed to offer overlooking and surveillance over the western and eastern site boundaries, the reserved school site and the northern public open space.

It is acknowledged that the height of the proposed apartment blocks exceed the LAP guidelines but as outlined above, based upon national guidance on building heights, it is put forward that the area located to the north of the site can justify a higher density, given its proximity of the LUAS network and lower topography, and this was previously accepted in principle by the An Bord Pleanála Inspector in the previous SHD application. Although taller than the typical established height of residential development on the neighbouring boundaries, the apartments will also form a strong built edge and good passive surveillance. Parking for the apartment blocks is located at ground floor level in an undercroft arrangement with podium over. These podium areas also provide communal open space for the residents of the apartment units. Notwithstanding the use of podium parking, the ground floor of both blocks is flanked with apartments and other active uses to provide activity on street level and good passive surveillance.

Fig. 14 – South elevation of Apartment Block C

Fig. 15 – South elevation of Apartment Block A

In addition to the proposed building heights of Blocks A and C at the lowest point and northern end of the site, varied building height is dispersed throughout the entire development. From the southern end of the site at Boherboy Road and the main entrance into the development, the buildings located along here are predominantly 3 storeys in height, with 4 storey elements flanking the entrance to the site on both sides of the Avenue. These 4 storey elements denote a gateway to the scheme. A mix of 3 storey houses and duplexes also front onto the Boherboy Road creating a strong urban edge and built form.

Fig. 16 – 4 storey buildings facing onto Boherboy Road, announcing the entrance into the scheme.

As one moves north from the Boherboy Entrance, on the western side is Character Area Two, which is located on the steepest part of the development site and looks south to the Dublin mountains. This part of the stie will be developed as 2 storey houses and apartments.

In Character Area 3 further north, which lies to the west and south of Character Area 4, two storey budlings are also proposed in a mix of houses and apartments.

Character Area Four is concentrated to the west side of the main north-south Avenue running through the proposed scheme. The buildings located along this axis are predominantly 3 storeys in height. A mix of houses and duplexes front onto the Avenue with a linear park flanking this Avenue link along its length to the east. In Fig, 16 above, in the left background you can see the proposed 3 storey buildings fronting onto the main Avenue.

Character Area Five lies opposite (to the east of) Character Area 4, and runs through the centre of the scheme. A mix of houses, duplexes and apartments are accommodated while this character area seeks to provide an animated built edge to the central spine avenue and frontage and enclosure to the central open space. A comment at the tripartite pre-application consultation meeting for this proposed development was that the buildings were not of sufficient scale to adequately enclose the large central public open space. At that time, the buildings were 2 and 3 storeys in height. However, this has been revised, whereby the open space is now enclosed by buildings between 3 and 5 storeys as can be seen in Fig. 17 and 8 over.

Fig. 17 – Proposed Block B, 5 storeys, located at the northern edge of the central open space

Fig. 18 – View looking east across central open space with proposed building heights of 3 – 5 storeys.

Fig. 19 – View looking north, of the main pedestrian thoroughfare down through the centre of the site, alongside retained hedgerow on left, with 2 storey houses in left foreground and the remainder being 3 storey duplex typology on both sides of the main Avenue.

Similar to Character Area Three, Character Area Six is comprised of 2 storey houses. This character area is located behind the larger scale more urban typologies that face onto the main north-south Avenue. In scale, they relate to the 2 storey housing typologies to the east at Corbally.

The defining characteristic of Area Seven is the Riverside Park along the entire eastern boundary of the development. All houses and duplexes in this character area flank the Riverside Park. The houses are predominantly 3 storeys which offer good views and passive surveillance over the park. The materials used are red brick gable frontages with 2 storey white rendered corner elements. This treatment seeks to continue the gable fronted motif which runs through the scheme and the use of brick seeks to emphasize the tall brick volumes.

Fig. 20 – View looking west from Riverside Park at showing 3 storey gable fronted houses.

Character Area Eight is mix of housing and duplex, and is characterised by some of the most pronounced level changes across the site. Given the planning history associated with the subject site, as well as its topography, we are conscious of the perception that any development of this site will entail cut and fill as well as a predominant use of retaining walls throughout. In order to appropriately address the level changes on site, the project architects have designed several unit types specifically for in Character Area 8 in order to deal with this particular topographical challenge. 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. Allowing back gardens that are more useable and giving better access to sunlight to the units at the lower level.

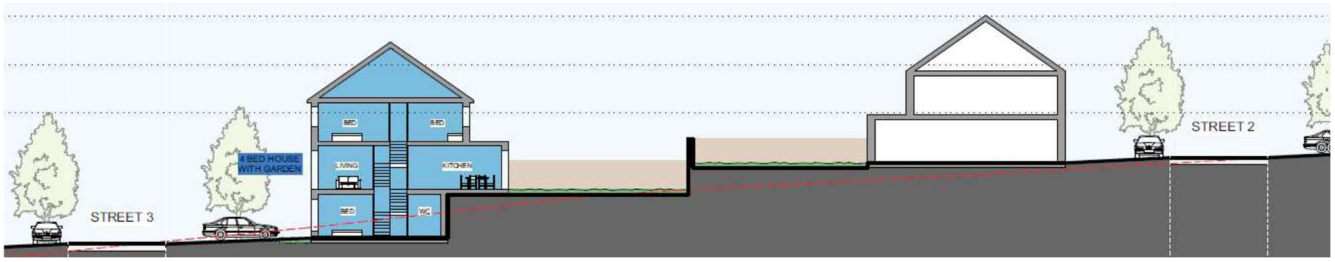


Fig. 21 – Schematic drawing of split level house typology to minimize step in level between adjacent rear gardens

Artists impression of pedestrian through route and split level duplex

Fig. 22 – Split level three storey housing in Character Area 8.

The images and text above demonstrate that judicious consideration has been paid to the urban design and associated distribution of building height throughout the scheme. It is also considered that the design of the current proposals addresses criticisms of the previous development proposals on this site. Whilst some of the building heights exceed the thresholds set out in the LAP for building height, the proposed heights are in compliance with the Building Height Guidelines, a principle that was previously accepted by An Bord Pleanála, and this matter is addressed in the submitted Material Contravention Statement – please refer to section 3.3 of same.

In response to the requirements of the aforementioned Building Height Guidelines, judicious consideration has been paid to the overall proposed development, particularly its layout, locational context and site configuration. Blocks A and C are proposed to be located in the northern part of the site due to the topography here and proximity to public transport infrastructure. Block B occupies are more southern, central location within the site but its selected location has been based upon the need to create a strong urban street frontage, particularly onto the main link avenue running through the site, but also to provide an appropriate sense of enclosure around the central open space. Heights of 4 storeys are also proposed at the entrance to the scheme from Boherboy Road to create definition, which is flanked by 3 storeys to the east and west thus creating a strong urban street frontage onto the Boherboy Road.

Fig. 23 – View looking east along the Boherboy Road

Fig. 24 – View looking west along the Boherboy Road

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.*

Fig. 25 – SPPR 4 of the 2018 Guidelines for Planning Authorities on Building Heights and Urban Development

The proposed building heights are put forward for permission in accordance with the SSPR 4 of the Building Height Guidelines and the requirements of the 2009 Sustainable Residential Development in Urban Areas Guidelines, which require minimum net densities of 50dph on lands within 1km of light railway stops. The height of the proposed 4 and 5 storey buildings (Blocks A, B & C, as well as Duplex Blocks A & F) would materially contravene the Fortunestown LAP which seeks to restrict the height of buildings to three storeys except in specific locations. However, in light of the topography of the site, its location in relation to the Fortunestown Local Centre and Luas passenger stop to the north-east, and the need to develop the site at an efficient density throughout in accordance with the Sustainable Residential Development in Urban Areas Guidelines 2009, it is considered that the proposed heights are appropriate, and this principle has already been accepted as part of the previous SHD application (Ref. ABP-304828-19).

It is acknowledged that the building heights proposed exceed the building heights set out in the relevant LAP, but taking into account the Guidelines for Planning Authorities on Building Heights and Urban Development, 2018, we respectfully submit that taller buildings, creating a higher density development is justified, given the sites proximity to the LUAS network and the existence other similar building typologies to the north at Fortunestown.

It should also be noted that a Material Contravention Statement, in accordance with Section 8(1)(a)(iv)(II) of the Planning and Development (Housing) and Residential Tenancies Act 2016 accompanies this application for permission as a separate document, which addresses why permission should be granted in cases where a proposed development may materially contravene the local area plan in relation to building height – please refer to section 3.3 of same.

Fig. 26 – Units type and height schedule

5.12 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.

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.

5.13 Daylight / Sunlight Analysis

The proposed development has been assessed in terms of the impact of the proposed development for Daylight and Sunlight on the neighbouring buildings and the quality of daylight and sunlight to within the proposed development by Digital Dimensions and their report is submitted as a separate document, entitled "Daylight & Sunlight Assessments of a Strategic Husing Development, Boherboy, Saggart, Co. Dublin" (hereafter "Daylight / Sunlight Analysis"). **NOTE:** For all technical details associated with the Daylight and Sunlight analysis of the proposed development, please refer to the submitted Daylight / Sunlight Analysis; the following is simply a synopsis of the submitted Daylight / Sunlight Analysis and should not be relied upon for technical details.

The submitted 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 is 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).

The 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 the submitted Sunlight and Daylight Access Analysis.

The submitted Daylight / Sunlight Analysis asserts that *"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 Analysis also states that "neither the British Standard nor the BRE Guide set out rigid standards or limits. The BRE Guide is preceded by the following very clear warning as to how the design advice contained therein should be used:

'The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aims is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design'.

That the recommendations of the BRE Guide are not suitable for rigid application to all developments in all contexts is of particular importance in the context of national and local policies for the consolidation and densification of urban areas".

The submitted Daylight / Sunlight Analysis confirms that it has assessed the impact on daylight to adjacent buildings and confirms that there are no adjacent properties that could be impacted on daylight or sunlight by the proposed development. The proposed buildings that they are near to any existing houses of a height, density and distance typically found in housing estates, which usually deliver sufficient daylight and sunlight to amenity areas. The proposed development meets the recommendations of the BRE guidelines.

The submitted Daylight / Sunlight Analysis states (section 3.4) that *"None of the adjacent properties have the potential to experience a reduction in sunlight or daylight due to the proposed development. The proposed development meets the recommendations of the BRE guidelines".*

Section 4 of the submitted Daylight / Sunlight Analysis deals with "daylight to the proposed development" and states that *"daylight has been assessed for compliance with the BRE guide by calculation of Average Daylight Factor. For supplementary information, compliance is also demonstrated with a calculation of Daylight Provision under EN 17037:2018".*

In terms of the assessment for "Average Daylight Factor" (ADF), the *"BRE guidelines recommend that the Average Daylight Factor (ADF) be assessed in habitable rooms of new developments. BS 8206-2 gives minimum values of ADF of 2% for kitchens and living rooms which include a kitchen, 1.5% for living rooms and 1% for bedrooms. An average daylight factor of 5% is a well 'daylit' space. Where there are two room uses within a space then the higher ADF value should be used. The assessment plane covers 100% of living space being considered".* Section 4.3 of the submitted Daylight / Sunlight Analysis states that *"100% of the rooms assessed exceed the minimum recommendations for the Average Daylight Factor and will be well daylit. The proposed development meets the recommendations of the BRE Guidelines and BS8206 Part 2:2008 Lighting for Buildings, Code of Practice for Daylighting".* Section 4.4 of the submitted Daylight / Sunlight Analysis sets out the proposed development's compliance with calculation of Daylight Provision under EN 17037:2018.

Section 5 of the submitted Daylight / Sunlight Analysis deals with sunlight to habitable rooms of the proposed apartment blocks, including Annual Probable Sunlight Hours. The submitted Daylight / Sunlight Analysis states that *"all windows to living rooms in the apartment blocks have been assessed"*, and under Section 5 of same, the following is stated: *"The BRE Guidelines recommend maximising the amount of units that have a window within 90° due South but does not have set targets. Additionally windows with an aspect of greater than 90° due South, like West or North East, will still receive sunlight, but it is likely to be lesser amounts especially in the winter period. This scheme is well designed for Sunlight, many apartments that do not have a window that faces within 90° South, still meet the criteria for sunlight, as shown in Appendix C. In the large apartment blocks, A, B & C there are 148 Living / Dining spaces that have windows facing within 90° of due south. Of these 127 meet the criteria to have an APSH percentage greater than the recommended 25% (414 hours) and 5% (75 hours) from September 21st to March 21st. This represents 86% of the applicable units, which face within 90° due South".* Section 5.3 offers the following conclusion: *"the design and layout of the apartment blocks is optimised to receive the available sunlight and maximise the number of units with a window wall within 90° of due South at 64%. Of these apartments 86% of these exceed the target values set out for sunlight, which includes many windows with overhanging balconies. The proposed development meets the recommendations of the BRE guidelines for sunlight".*

Section 6 of the submitted Daylight / Sunlight Analysis provides details of the assessment of sunlight to gardens and open spaces and states that *"the BRE document indicates that for an amenity area to have good quality sunlight throughout the year, 50% should receive in excess of 2 hours sunlight on the 21st March. It also states that front gardens need not be assessed for sunlight".* A variety of public and communal amenity spaces within the proposed development were assessed as per Figures 7 & 8. The submitted Daylight / Sunlight Analysis 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 more than 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",* and concludes that *"the proposed development meets and exceeds the criteria set out in the BRE guidelines for gardens and open spaces".*

Section 7 of the submitted Daylight / Sunlight Analysis provides details of the shadow analysis and asserts that *"the site is a greenfield site, there is no shadows cast from any structures on the site at present so only the proposed condition is plotted".* Details of the proposed shadow diagrams for the following are set out in the submitted report:

- The Equinox on 21st March at two hour intervals during the day between 09.00 and 17.00;
- The Summer Solstice on 21st June at two hour intervals during the day between 10.00 and 18.00;
- The Equinox on 21st September at two hour intervals during the day between 09.00 and 17.00;
- The Winter Solstice on 21st December at two hour intervals during the day between 10.00 and 14.00.

Section 7.3 illustrates the shadow casting diagrams as per the above times and dates - please refer to same contained in the submitted Daylight / Sunlight Analysis.

Appendix A of the submitted Daylight / Sunlight Analysis provides details of the Average Daylight Factor Tables for Habitable Rooms in Multi Unit Blocks (i.e. Blocks A, B & C and the duplex unit blocks).

Appendix B sets out the EN17037:2018 Daylight Provision Room Compliance Complete Results.

Appendix C provides details of the Annual Probable Sunlight Hours for Apartment Blocks.

5.14 Parking

The enclosed Traffic and Transport Assessment (hereafter TTA) prepared by Pinnacle Engineering sets out the parking rationale and proposals for the proposed development – please refer to section 3.4 of same.

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.

Section 3.5 of the submitted TTA deals with Cycle Parking for the proposed development. A total of 797 no. bicycle parking spaces is caters for the proposed apartments, duplex units and creche.

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.

Table 11.24 'Maximum Parking Rates (Residential Development)' of the South Dublin County Development Plan 2016-2022 sets out the car parking requirements for various types of development. The Development Plan'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.:

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*
House	*1 bed*	*1 space*	*1 space*
	2 bed	*1.5 spaces*	*1.25 spaces*
	3+ bed	*2 spaces*	*1.5 spaces*
Creche		*1 per classroom*	*0.5 per classroom*

Table 14: Parking Standards

It is the intention of the applicants to provide car parking for the houses in line with the South Dublin County Council Development Plan Standards, therefore, parking provision for the houses will be in accordance with table 11.24 'Maximum Parking Rates of the Development Plan. For the houses which are located to the south of the development lands, 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
House 3 Bed +	*249*	498	488
Houses 2 Bed	*8*	12	12
Total		***510***	***500***

Table 15: Parking Provision – Houses

A total of 500 spaces for the houses will be provided in this development for the houses.

The 2020 Sustainable Urban Housing – Design Standards for New Apartments Guidelines sets out alternative standards for apartments. Under these 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 'Sustainable Urban Housing – Design Standards for New Apartments'. This approach will be adopted for both the apartments and duplexes in the proposed development.

The Sustainable Urban Housing – Design Standards for New Apartments 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 16 and 17 (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 16: Parking Standards

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

Table 17: 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 2020 Sustainable Urban Housing – Design Standards for New Apartments. 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 18 & 19 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 18: 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 19: 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 2020 Sustainable Urban Housing – Design Standards for New Apartments 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.

5.15 Open Space Provision

5.15.1 Public Open Space Provision

Section 11.3.1 of the South Dublin Development Plan 2016-2022 states that *"In areas that are designated Zoning Objective RES-N all new residential development shall be required to incorporate a minimum of 14% of the total site area as public open space"*. In accordance with same, there are four primary areas of meaningful public open space providing for 24,619m² (2.46ha), which equates to 14% of the area of the site. These spaces are comprised of a hierarchy of open spaces that are based upon the configuration of the site and are presented as follows:

(a) provision of a centrally located, formal Neighbourhood Park that will serve the overall Boherboy Neighbourhood, as per the LAP (total area = 4,169m²) and identified as area D on Fig. 27;

(b) a Green Corridor / "Riverside Park" along the Corbally Stream (and identified as area B on Fig. 27) along the entire eastern side of the site that will form part of a green link to Carrigmore Park and further on to Fortunestown Centre to the north (total area = 9,898m²). This area of open space also incorporates the required biodiversity strip of 10m from the top of the bank;

(c) Pocket Park in the south-west corner of the site (total area = 3,163m²) and identified as area A on Fig. 27;

(d) the northern open space which will provide for informal play and passive recreation (7,389m²), and identified as area C on Fig. 27.

In addition to the above (and <u>not</u> included in the required 14% Development Plan standard for public open space calculations) are:

(i) the linear park that retains the central hedgerow and contributes to the green infrastructure of the area (5,835m²);

(ii) a small woodland park at the western boundary of the site (622m²).

By adding up all of the open spaces mentioned above, the total public open space provision on site is 31,076m² (i.e. 3.1Ha / 17.5%).

Please refer to Fig. 27 over which illustrates the open space provision as part of the proposed development.

The central hedgerow, which is the ownership boundary between the two applicants landholding, is to be retained for a linear length of 364m. It should be noted that this central hedge does not run in a continuous line between the northern and southern boundaries of the site as there are sections that are missing and some that are in poor condition. The current proposal seeks to retain c. 60.5% of the existing central hedgerow. In addition, the existing hedgerows that are around the perimeter of the site are to be retained for a linear length of 1,481m (83%), with only 295m to be removed. Therefore, approx. 77% of the existing boundary hedgerows are to be retained as part of the current proposal.

5.15.2 Communal Open Space Provision

As can be seen on Fig. 27 over, the areas shaded purple represent the communal open spaces provided throughout the site. The Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2020 set out the minimum standards for communal open space as per the table below:

Minimum floor areas for communal amenity space

Studio	4 sq m
One bedrooms	5 sq m
Two bedrooms (3 person)	6 sq m
Two bedrooms (4 person)	7 sq m
Three bedrooms	9 sq m

The proposed development provides for:

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 20: 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 (m²)	Total Required Communal OS (m²)
1 bed	66	5	330
2 bed (4p)	249	7	1743
3 bed	83	9	747
Total	**398**		**2,820m²**

Table 21: 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. 27 over leaf:

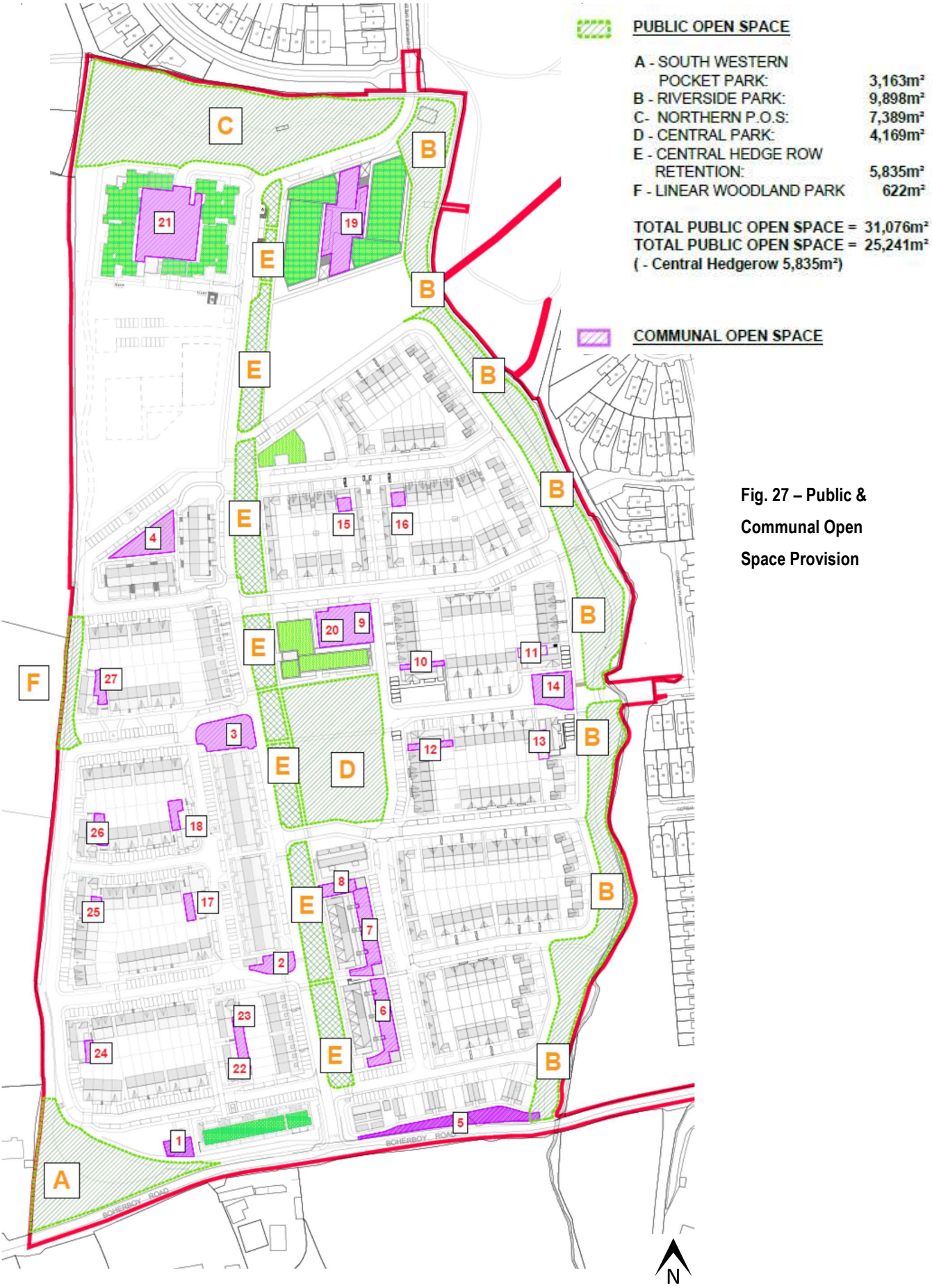


Fig. 27 – Public & Communal Open Space Provision

5.16 Ancillary Services / Other Proposed Uses

Non-residential uses within the current application comprise a proposed 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.

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. Appendix 1 of these Guidelines apply a minimum floor space per child of 2.32sq.m, exclusive of kitchen, bathroom and hall, furniture or permanent fixtures.

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 set out in 2001 Childcare Facilities Guidelines.

Applying the standards set out in Appendix 1 of the Childcare Facilities Guidelines, 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.

The proposed floor area of the crèche i.e. 693sq.m therefore exceeds the minimum requirement as set out in the 2001 Childcare Facilities – Guidelines for Planning Authorities by c.328sq.m, and includes sufficient additional floorspace to accommodate toilets, sleep room, reception, staff area, circulation and escape route spaces, furniture and permanent fixtures as required, and caters for 163 no. children.

In consideration of the overall gross floor area of the proposed creche, along with the availability of existing childcare facilities in the environs (as identified in Section 7.2 of the submitted Social & Community Infrastructure Assessment) and those recently permitted in the LAP area, it is put forward that the proposed creche is of an appropriate size and scale to cater for the proposed development.

5.17 Proposals to Integrate with Surrounding Land Uses

The proposed development provides for pedestrian and cyclist connectivity (which is illustrated on Fig. 29 over) to adjoining lands as follows:

- Along the eastern boundary of the site, within the "Riverside Park", paths leading from the Boherboy Road to the adjoining Carrigmore Park to the north-east are proposed and will be delivered as part of Phase 1 of the future development;

- The provision of a footpath along the Boherboy Road, which will run along the entire frontage of the application site and then extend eastwards along Boherboy Road to the junction with the N81 Blessington Road, as catered for within the red line of application and for which a letter of consent is enclosed from the third party landowner, Kerasoun Ltd, regarding said works along the public road. SDCC has also provided the necessary consent to carry out the proposed upgrade works, the details of which have been agreed in principle after significant consultation with SDCC regarding the details of same.

- The site layout plan provides for connections to Corbally to the east and Carrigmore to the north. These connections have been discussed with SDCC and the development now put forward for consideration proposes vehicular and pedestrian / cyclist connections into the adjoining, above named residential developments. Detailed proposals of the proposed connections and the consents regarding same are enclosed, and as per the preceding section 5.4 of this report. The proposal to facilitate future connections into Corbally and Carrigmore adheres to the objectives set out in the Fortunestown LAP, as illustrated on Fig. 28 overleaf:

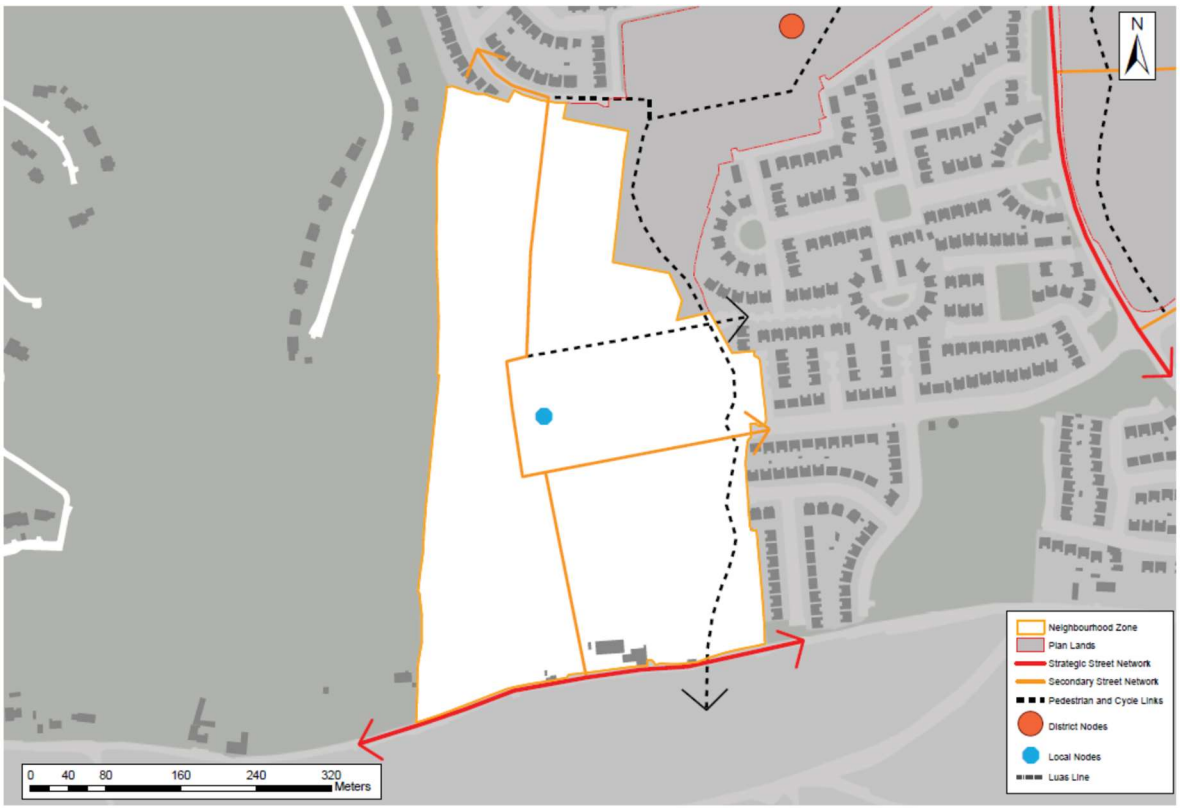


Fig. 28 – "Boherboy Accessibility & Movement Strategy" as per Fig. 6.17 of the Fortunestown LAP 2012.

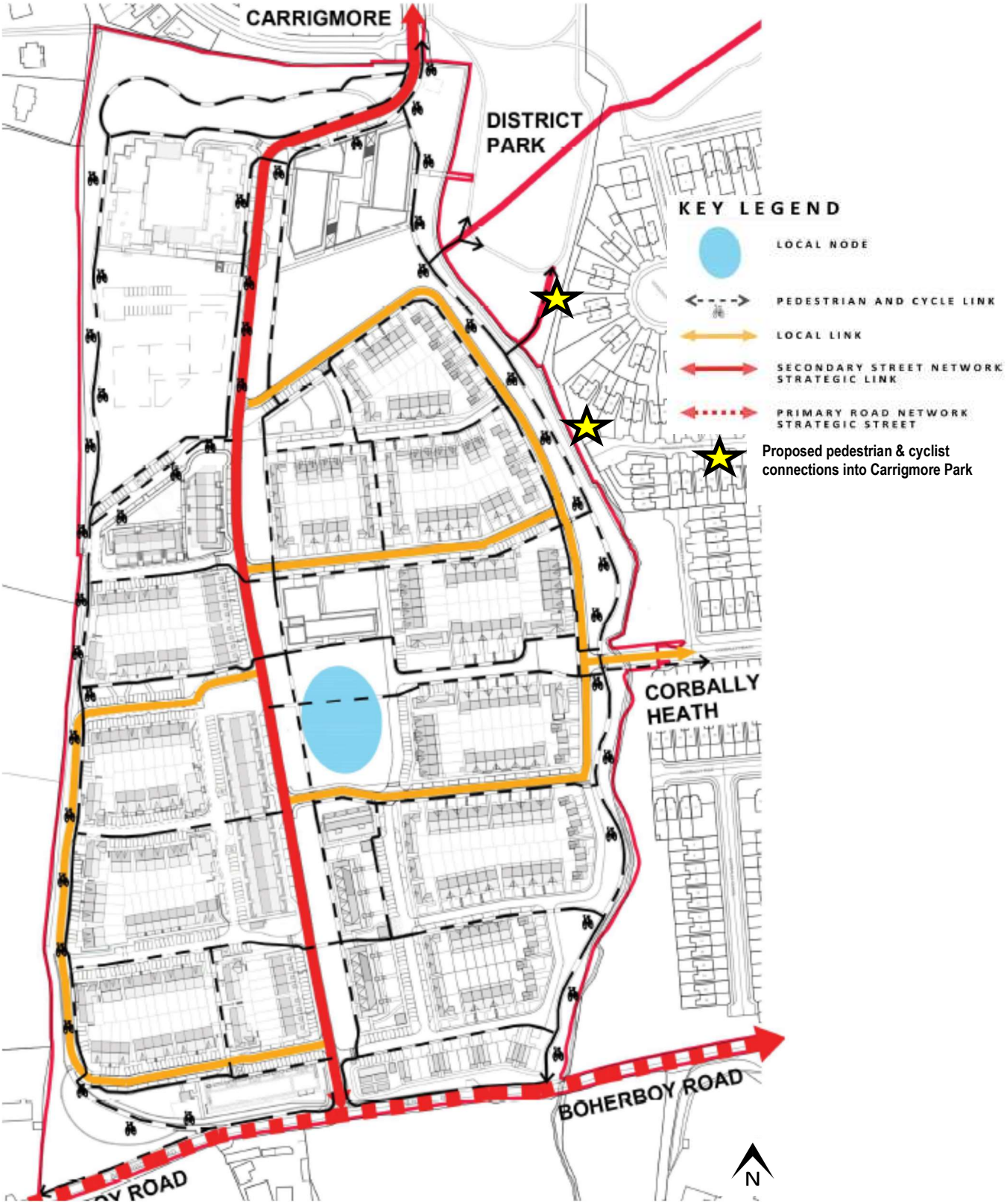


Fig. 29 – Proposed connections to adjoining lands

6.0 Water Services Infrastructure

6.1 Foul Drainage

Roger Mullarkey & Associates' Consulting Engineers have prepared the enclosed civil engineering proposals for the subject development – please refer to same. The following sets outs a summary of the proposed physical infrastructure:

There is no foul water sewer located on the subject lands, therefore it is proposed to service the subject lands by providing a new gravity foul sewer across Carrigmore Park (in the charge of the Local Authority, SDCC) to the north-east of the site connecting into the existing Irish Water foul infrastructure in Verschoyle Green. This has been agreed with Irish Water and approved by them under Ref. CDS20004359 – please refer to the submitted Confirmation of Feasibility and Statement of Design Acceptance details from Irish Water (enclosed with the Roger Mullarkey & Associates' Consulting Engineers package).

Due to the sloping topography of the subject lands it is not feasible to drain the apartment Blocks A and C or the potential future school site by gravity. Therefore, a foul water pumping station is proposed to drain the aforementioned buildings/areas from the lower north-east corner of the site into the gravity sewer to be constructed connecting into Verschoyle Green. The proposed underground foul pumping station is to be in accordance with the Irish Water Code of Practice for Wastewater Infrastructure 2017.

Irish Water have issued a Confirmation of Feasibility letter (refer to same in the appendix of the enclosed "Drainage and Water Infrastructure Engineering Report") for this proposed development noting that the water connection is "*feasible without infrastructure upgrade*" and the wastewater connection is "*feasible subject to upgrades*".

Please refer to the enclosed drawing no.s 1324B/307-309 and 323 for details of the proposed foul sewer infrastructure.

6.2 Water Supply

There are three existing watermains (4inch uPVC/400mmDI/600mmDI) in Boherboy Road along the site frontage, and it is proposed to make a new water connection to the Boherboy watermain in the Boherboy Road.

There are five existing trunk watermains crossing the applicant's lands. A 1.2m Ø (1982 Concrete), a 27inch Ø (1938 Steel) and a 24inch (AC 1975) lie approximately parallel to each other in the northern third of the site and also a 1.2m Ø (1983 Concrete) and 24inch Ø (1952 Cast Iron) lie parallel approximately in the middle of the site. Please refer to the enclosed drawing no.1324/201-203 for location of these existing trunk watermains. The enclosed "Drainage and Water Infrastructure Engineering Report" (section 11) clearly sets out details of the surveys undertaken to precisely locate said watermains, and of the overall proposals regarding potable water – please refer to same.

A Pre-Connection Enquiry Form application (PCEA) was submitted to Irish Water and a Confirmation of Feasibility (CoF) of available service was received from IW (Ref. CDS20004359) noting that the water connection was "*feasible without infrastructure upgrade*". A copy of the IW confirmation letter can be viewed in the appendix of the enclosed "Drainage and Water Infrastructure Engineering Report". It should also be noted that further to the CoF received from IW, extensive discussions were subsequently held with Irish Water and full design submissions were made for the water infrastructure. Subsequently agreement was reached and was confirmed by IW in the Statement of Design acceptance letter (Ref.CDS20004359) issued on 19/08/21, a copy of which is also set out in the appendix of the submitted "Drainage and Water Infrastructure Engineering Report".

Please also refer to the enclosed drawing no.s 1324B/310-312 for the watermain layout and to 1324B/316 for sections across the existing trunk watermains.

6.3 Surface Water

The design of the storm water network has been carried out in accordance with and in conjunction with the requirements of South Dublin County Councils Environmental Services Department as were ascertained in meetings and discussions as part of the pre-planning process, i.e. before and after the Stage 2 tripartite meeting with An Bord Pleanála. Prior to submitting this application for permission, a full set of application drawings/calculations/reports were submitted to the SDCC Environmental Services Department and were subsequently determined to be agreed and no significant issues were identified.

The existing topography of the site falls downhill from the Boherboy Road towards the Corbally stream along the northern boundary. A Site-Specific Flood Risk Assessment (SSFRA) study and report has been prepared by Kilgallen & Partners Consulting Engineers and is also enclosed.

The surface water drainage infrastructure for the proposed development has been separated into 8 no. drainage catchments (refer to the Fig.3 contained in the enclosed "Drainage and Water Infrastructure Engineering Report" and to drawing no. 1324B/318). Please refer to drawing no.s 1324B/304-306 for the surface water general arrangement layouts and to drawing no.s 1324B/317-319 for attenuation and SuDS details.

The surface water drainage infrastructure for the development will collect the rainfall on the site and convey the storm water run-off via roadside swales, tree pits, bio-retention area, rear garden filter drains, gullies, underground pipes, manholes, catchpit manholes and direct the flows via void arched attenuation systems towards vortex flow restricting devices (Hydrobrake or similar) and petrol interceptors before outfalling to the existing on site open watercourses.

Inclusion of SuDS measures is discussed in detail in the enclosed "Drainage and Water Infrastructure Engineering Report" with a variety of SUDS features proposed including *inter alia* filter drains to the rear of housing, permeable paving to all private parking areas, house rainwater butts, tree pits, roadside filter swales, green roofs, attenuation storage, greenfield run off, etc. With the inclusion of these measures it is proposed that the SuDS treatment of the run-off has been adequately addressed.

6.4 Flood Risk

A site specific flood risk assessment (hereafter SSFRA) has been undertaken by Kilgallen & Partners, as referred to above, and is enclosed – please refer to the SSFRA for specific details of the flood risk assessment undertaken. The following is a synopsis of same only – for full details please refer to the submitted SSFRA.

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. The outfall culvert comprises 3 no. 450mm dia. pipes in parallel. For the purposes of this assessment and in accordance with good practice, the hydrological model assumes that blockages have reduced the culvert capacity by 35.0%.

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 Fig.s 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 increases flood-risk.

Where such displacement occurs the proposed development must provide storage (i.e. Compensatory Storage) to offset the displaced floodplain storage.

The SSFRA confirms that pre-development peak water levels in the existing flood risk zone are as follows:

- 1.0% AEP Flood Event 118.02m
- 0.1% AEP Flood Event 118.05m

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 FRMG.

Section 5.2 of the SSFRA states that 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. Figure 5.2 of the SSFRA shows a typical section through the compensatory storage area.

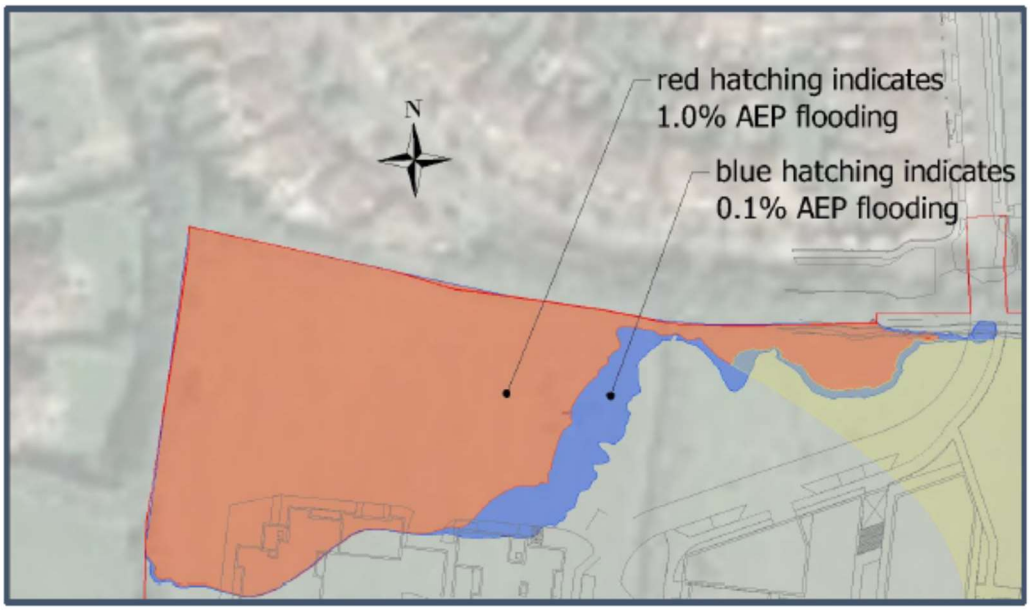


Fig. 30 - Figure 5.2 of submitted SSFRA – "Pre-development flood-risk zones established by hydraulic model at northwest boundary superimposed on proposed development".

The requirements for providing compensatory storage are set out in the Appendix to the FRG. The basic criterion for compensatory flood plain storage is that, calculated at Report on Site-Specific Flood Risk Assessment elevation intervals of 100mm, the compensatory storage provided must not be less than the volume of floodplain storage displaced by the proposed development. To determine if this criterion was met, the volumes of flood plain storage available under the pre- and post-development scenarios was calculated for each 100mm interval between the lowest elevation of the Site, 117.20m, and the peak flood level for the 0.1% AEP flood event, 118.05m (the Assessment Range).

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.

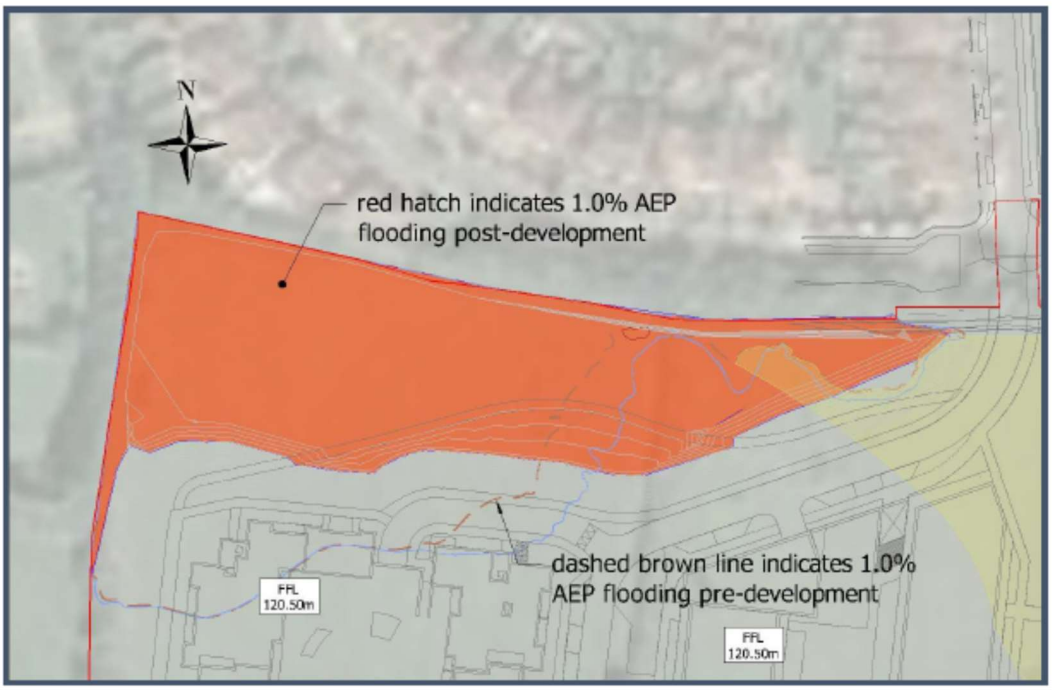


Fig. 31 - Figure 5.3 of submitted SSFRA – "Post-development flood-risk zones".

The enclosed SSFRA states that post-development peak water levels flood-risk zones are as follows:

- 1.0% AEP Flood Event 118.02m
- 0.1% AEP Flood Event 118.05m

Section 5.3 also asserts that *"The levels are significantly below the minimum proposed road and floor levels (See Section 8). Within the Site the post-development flood risk zones occupy the compensatory storage basin and do not encroach on water vulnerable areas of the proposed development. The proposed development increases available flood plain storage and so will lead to a slight reduction in flood risk elsewhere".*

Section 5.4 of the SSFRA states *"The stream was found to overtop its western bank at the northeast corner of the Site, with the resulting overflow continuing downhill as sheet flow (i.e. shallow overland flow) and flowing back into the stream channel slightly further downstream. Further upstream, peak water levels were found to be close to the bank levels to the point where appropriate freeboard was not being provided. To provide this freeboard generally the finished level of the open space adjacent to the stream has been raised along the eastern boundary as shown in Figure 5.4 to provide a minimum 750mm freeboard above the 1% AEP water level in the stream. This measure also eliminates the risk of overland flow at the northeast corner, ensuring that flow remains within the channel through this area. Sections showing the 1% AEP flow levels at the east boundary are provided in Figure 5-6. The existing topography does not provide any storage for the sheet flow and so compensatory storage is not required".*

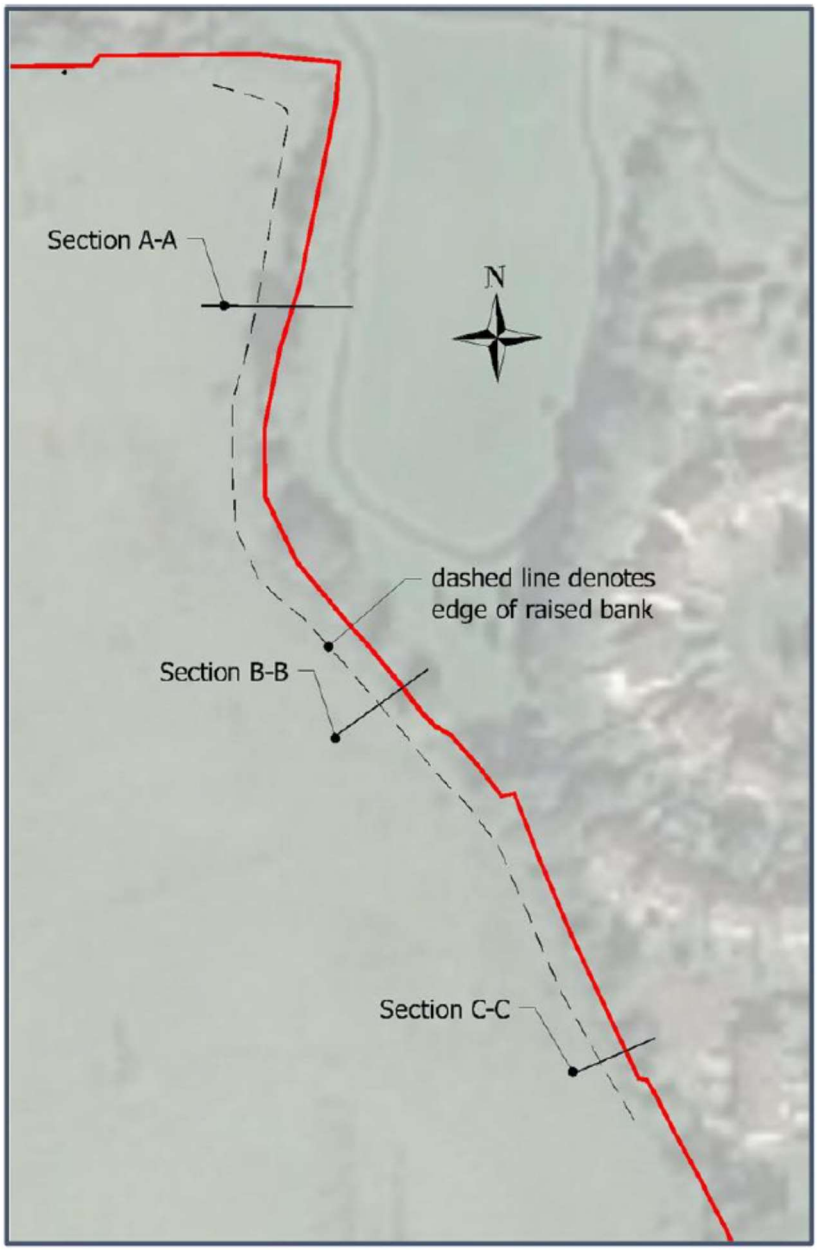


Fig. 32 - Figure 5.4 of submitted SSFRA – "Raised Bank at East Boundary".

In relation to the proposed stream crossings to provide access to Carrigmore to the north and Carrigmore Park (District Park) to the north-east, Section 5.5 of the submitted SSFRA has considered the flood risk associated with same, stating: *"The proposed development includes four stream crossings at the locations shown on Figure 5.7. 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 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 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. Finished levels are thus more than 500mm above the 1% flood level and thus comply with the FRMG recommendations (Section 8). Figure 5.8 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 E"* of the submitted SSFRA.

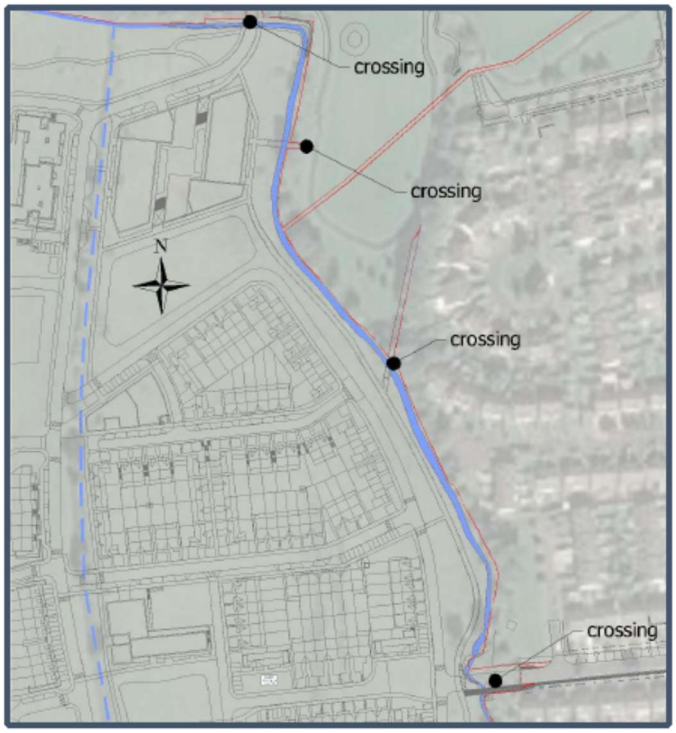


Fig. 33 - Figure 5.7 of submitted SSFRA – "Stream Crossings".

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 E 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 118.02m). Accordingly, the minimum ground floor level for buildings adjacent to the Compensatory Storage Area should be 119.52m (i.e. 118.02m + 0.5m). Proposed buildings adjacent to the Compensatory Storage Area have a minimum floor level of 120.50m, 2.48m above the 1% AEP level.

Similarly, the minimum recommended road level immediately in the vicinity of the Compensatory Storage Area is 118.28m (i.e. 118.27m (i.e. 118.02m + 0.25m). The proposed road connecting to lands north has a minimum level of 120.00m, 1.98m above the 1% AEP level and 1.73m above the recommended minimum.

As described in Section 5.4, the finished level of the open space adjacent to the Corbally 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 FRG, 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.*

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 (Section 5.1) 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 FRG recommend that *"floor levels be kept above the 1.0% AEP flood level with an appropriate allowance for freeboard, typically 0.5m. The maximum post-development 1% AEP water level in the basin at the north boundary is 118.02m. The minimum proposed floor level is 120.50m, 2.48m above the 1% AEP level and 1.98m above the recommended minimum. This SSFRA also recommends that road levels should be kept a minimum 250mm above the 100year flood level. The minimum proposed road level is 120.00m, 1.98m above the 1% AEP level and 1.73m above the recommended minimum".*

The SSFRA states that *"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, it is respectfully put forward that the submitted SSFRA undertaken for the current development proposal confirms that the proposed development is appropriate from a flood risk perspective and it is therefore put forward that this also addresses the previous concerns in relation to flooding on the subject site.

7.0 Other Services Infrastructure & Phasing Proposals

7.1 Other Services Infrastructure

There are no impediments to connections to existing natural gas and broadband services infrastructure in the area.

7.2 Proposed Phasing

It is likely that the proposed development will be completed in three phases:

Phase 1: will commence at the southern end of the site delivering:

(i) the vehicular access from Boherboy Road & associated upgrade to Boherboy Road;
(ii) the central square of public open space;
(iii) pumping station and associated site development works, including north-south central avenue and associated flood relief works;
(iv) the "Riverside Park" including connections to Carrigmore Park to the northwest, all along the eastern boundary of the site;
(v) vehicular connection to Carrigmore to the north; and
(vi) approximately 281 no. dwellings.

Note: the proposed 281 no. dwellings to be delivered in Phase 1 are comprised of:

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

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**

Table 22: Proposed Dwelling Mix to be delivered in Phase 1

Phase 2: will consist of the completion of the proposed residential accommodation north of Streets 2 and 10, moving northwards to and including Streets 3 and 7. This will provide for:

(i) 173 no. dwellings,
(ii) associated open spaces;
(iii) vehicular connection to Corbally and
(iv) the crèche.

Note: the proposed 173 no. dwellings to be delivered in Phase 2 are comprised of:

- 25 no. apartments in Blocks B & Y6;
- 42 no. 2 & 3 bed duplex units in Blocks D, E, J, K, K1 & L;
- 106 no. 3 & 4 bed houses.

Unit Type	1 bed	2 bed	3 bed	4 bed	Total
No. of Units	8	33	86	46	**173**

Table 23: Proposed Dwelling Mix to be delivered in Phase 2

Phase 3: will be the final phase and will deliver:

(i) the 201 no. apartments in Blocks A and C;
(ii) adjoining open spaces.

Note: the proposed 212 no. apartments to be delivered in Phase 3 are comprised of:

Apartment Type	1 bed	2 bed	3 bed	Total
No. of Units	44	151	6	**201**

Table 24: Proposed Dwelling Mix to be delivered in Phase 3

Please refer to the submitted drawing no. PL07 "Site Layout Plan – Phasing" which illustrates the phasing of the overall development.

Details of compliance of the proposed development with the phasing requirements of the LAP are set out in section 4.4.2 of the submitted Statement of Consistency.

8.0 Part V Proposal

The applicants propose to allocate 20% of the proposed units on site for social and affordable housing in compliance with Part V, Section 96 (3)(b)(i) of the Planning and Development Act 2000 (as amended). As the proposed development consists of 655 no. dwellings, the applicants propose to provide 66 no. social housing units and 67 no. affordable housing units to satisfy their Part V obligations. Please find enclosed a Part V booklet which identifies the location of the proposed 133 no. units on the site layout plan - please refer to units highlighted in red for the proposed social units and to the units highlighted in blue for the affordable units. Also submitted are floor plans of the selected Part V units. A schedule of the proposed "Part V" units is also set out in the enclosed Part V submission document, and a Cost Summary Report identifying the estimated cost per unit and total cost of the nominated units are also contained in said report.

The enclosed Part V proposal was submitted to the Housing Department of South Dublin County Council and a letter confirming the applicant's engagement with the Housing Department of SDCC was received on 29th September 2021 confirming same – please also refer to same enclosed.

The information is intended to provide a reasonable estimate of the costs and values of the proposed Part V units based on construction costs and values prevailing at the time of this application. The information set out is for the purposes of facilitating the planning application and will be subject to finalisation and formal agreement with the Local Authority. The ultimate agreement with regard to compliance with Section 96 of the Act is dependent upon receipt of a final grant of permission and on the site value at the time the permission is granted. The applicants intend to fully comply with the requirements of Part V of the Planning and Development Act 2000 (as amended) and the Housing Strategy of South Dublin County Council with respect to the provision of Social and Affordable Housing.

9.0 Built & Cultural Heritage

There are no Protected Structures or Recorded Monuments on or in the vicinity of the site.

Included in the submitted EIAR, namely Chapter 13 "Archaeology & Cultural Heritage" is the assessment of the proposed development on the cultural heritage of the site and its environs and we would refer the reader to same for further details. However, it should be noted that the aforementioned chapter outlines the details of the survey and archaeological testing that has been undertaken on site which confirms that no archaeological finds, features, architectural fragments or artefacts were uncovered as a result of the testing. This assessment also confirms that no recorded archaeological features will be impacted on by the proposed development. It is stated that *"the proposed development is at a remove from any recorded cultural heritage monuments and construction will have no negative impact on them".* No subsurface remains were identified during archaeological testing undertaken at the site, and the assessment asserts that *"it is unlikely that construction works will uncover remains".*

The submitted assessment set out in Chapter 13 of the submitted EIAR also states that "*there are no potential impacts on archaeological cultural heritage expected as a result of the operational phase of the proposed development".* It also asserts that in terms of cumulative impacts that *"there will be no cumulative effect on the cultural heritage landscape as a result of the proposed development. The proposed works are at the edge of an urban environment which includes a number of large scale developments. These are at a distance from the registered archaeological monuments in the area".*

Please refer to Chapter 13 of the submitted EIAR for further details.

10.0 Casement Aerodrome, Baldonnell

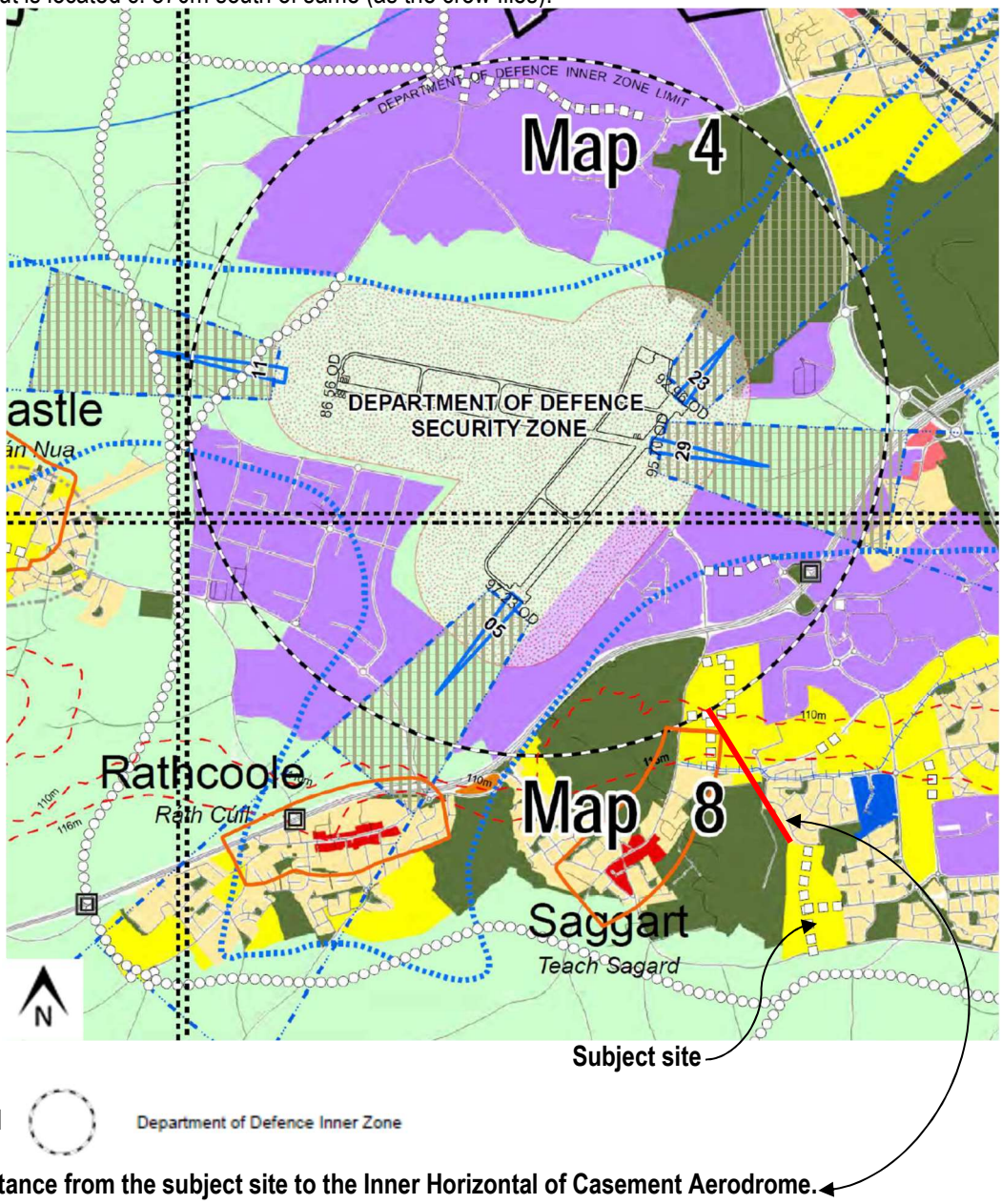
We note that in their opinion to An Bord Pleanála, regarding the proposals put forward for pre-application consultation, that South Dublin County Council stated that *"The applicant should liaise with the Department of Defence in relation to the potential height of the structures above mean sea level, relative to the Inner Horizontal of Casement/Baldonnell Aerodrome. Please note Section 11.6.6. of the County Development Plan".*

Section 11.6.6 of the County Development Plan (CDP) refers to Aerodromes and sets out details in terms of *inter alia* development restrictions at aerodromes and Department of Defence restriction zones.

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



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 above, 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 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.

11.0 Conclusion

11.1 The subject site has a lengthy planning history associated with it. The two landholdings have been zoned for residential land use for 22 and 16 years respectively and it remains the intention of the applicants, as housebuilders, to develop these lands for housing; hence the coordinated approach to this joint planning application. Each of the applicants has a long standing reputation for delivering high quality housing, particularly in South Dublin County, and are both capable of delivering the proposed development.

11.2 The site is subject to the Fortunestown LAP and remains one of the last land parcels within the Plan lands to be developed. The current proposal seeks to deliver housing across the Boherboy Neighbourhood in its entirety. Whilst appropriate regard has been had to the requirements of the LAP and the previous planning history of the site, it has to be recognised that planning policy guidance has evolved since the adoption of the LAP in 2012, and taking this into account, the current proposal is now put forward for permission.

11.3 The site is subject to a number of factors / constraints such as wayleaves, topography, access arrangements and consents for same, flood zones, retention of hedgerows, and the need to cater for an aesthetically pleasing, medium to high density development in an outer suburban location, that demonstrates high quality urban design.

11.4 It is considered that the current proposal for 655 no. dwellings, at a net density of 43 units per hectare across the entire site, represents an appropriate density for this zoned, serviced site. Significant detailed designs and consultation with the relevant stakeholders have been undertaken by the applicants to obtain the necessary consents to deliver the required connections into the adjoining lands at Corbally and Carrigmore, with such proposals forming part of this application for permission. This application includes the necessary letters of consent to propose the creation of the connections into Corbally and Carrigmore as well as the proposed upgrades to the Boherboy Road. Significant consultation between the applicants and the relevant stakeholders has been undertaken in the preparation of this planning application, with the agreed details now put forward as part of the overall planning application.

11.5 The proposed site layout plan is based upon the principles of DMURS and good urban design as set out in the Urban Design Manual – a Best Practice Guide. The enclosed Architectural Design Rationale clearly demonstrates how the key criteria such as context, connections, inclusivity, variety and distinctiveness are catered for in the proposed development.

11.6 There is a good mix of dwelling types, building height, variation in design and character areas to establish a sense of place throughout the scheme. Good street frontage is proposed so as to create a strong urban edge along same. The enclosed landscaping and architectural details clearly demonstrate how the topography of the site is to be handled in terms of stepping buildings, carefully landscaped rear gardens etc. which addresses any previous concerns of extensive cut and fill across the entire site.

11.7 The site layout plan provides for the requisite 14% public open space provision (as per Section 11.3.1 of the Development Plan) in addition to other open spaces that contribute to the green infrastructure of the area. All open spaces will be passively overlooked, cater for a range of recreation and pedestrian and cyclist connectivity, along with linkages to adjoining lands. A significant proportion of the existing central hedgerow is to be retained and the site layout plan is conducive to this whilst also adding to place making within the scheme. The cultural heritage and biodiversity associated with the eastern boundary of the site and Corbally Stream is addressed, as are the objectives of the LAP in creating a connection from the Boherboy Road to Carrigmore Park to the north-east by the provision of pedestrian and cyclist links through same, whilst also maintaining a 10m setback from the top of the bank.

11.8 The enclosed SSFRA concludes that the proposed development will not be at risk to flooding nor will it cause downstream flooding. The proposed bridging over the Corbally Stream to deliver the required vehicular connections to adjoining lands will not result in flooding and all of these details are addressed in the various drawings and reports that are

included in the application.

11.9 Having regard to the policies and objectives in both the South Dublin County Council Development Plan 2016-2022 and the Fortunestown Local Area Plan 2012, along with guidance set out in the following:

- 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).
- the Design Manual for Urban Roads and Streets (DMURS) (2013);
- the Guidelines for Sustainable Residential Developments in Urban Areas and the accompanying Urban Design Manual – a Best Practice Guide (2009);
- the Sustainable Urban Housing: Design Standards for New Apartments (2020);
- the Guidelines for Planning Authorities on Flood Risk Management (2009),

along with the nature, scale and design of the proposed development, the availability in the area of a wide range of social and transport infrastructure including the Luas Red Line, the proposed improved permeability and connectivity afforded to the wider area as a result of the current proposals and the pattern of existing and permitted development in the area, it is considered that the proposed development accords with the proper planning and sustainable development of the area.

11.10 Careful consideration has been given to the improvement of the layout of the proposed development from previous iterations from an urban design point of view. It is considered that the current proposal caters for variety and distinctiveness, creates a sense of place and is a good urban design response to the site which itself has to deal with a number of fixed constraints including topography.

11.11 A wide variety of dwelling types are dispersed throughout the site in a manner that accords with best urban design practice, whilst also providing for an adequate and acceptable level of density, in accordance with national guidance, particularly in the context of sites serviced by existing and planned public transport. The applicants have engaged with the relevant stakeholders in order to deliver the proposed connections to adjoining lands which will provide for the necessary integration and permeability between the site and adjoining estates as set out and required in the Local Area Plan.

11.12 A summary of the site statistics are set out in Table 25:

Site Area (Gross)	18.3Ha (i.e. total area within red line of application)
Site Area (Net) i.e. area of two fields	17.6Ha
Net Developable Area	15.28Ha
No. of Dwellings	655
Density (Net)	43 units / Ha
No. of Houses	257
No. of Duplex Units	152
No. of Apartments	246
Building Height	2, 3, 4 & 5 storeys
No. of Car Parking Spaces	914
Site Coverage	17%
Plot Ratio (total site area)	0.38
Active Open Space Provision	25,241m² (2.5ha / 16%)
Creche	693m²

Table 25: Site Statistics

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,

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

Tel: 01-4793140
Mob: 087-2807144
Email: tracy@armstrongfenton.com
Web: www.armstrongfenton.com