

The Russell Family,  
29, Corbally Heath,  
Westbrook Glen,  
Saggart,  
Co. Dublin. D24 W3PE.  
29<sup>th</sup> of April 2022.

Strategic Housing Unit,  
An Bord Pleanála,  
64, Marlborough Street,  
Dublin 1.  
D01 V902

Planning Application Reference No: SHD3ABP-313145-22

Applicant: Kelland Homes Ltd. & Durkan Estates Ireland.

**Development Description:**

Kelland Homes Ltd and Durkan Estates Ireland Ltd are applying to An Bord Pleanála for Planning 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 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 (693m<sup>2</sup>).

**Location:**

In the Townland of Boherboy, Saggart Road, Co. Dublin.

**Planning History:**

This site has been the subject of two separate, Refused, Planning Applications in the past:

**REF: SD15A/0388 & PL06S.247074** 218 No. Dwellings and a Crèche on the Southern Part Only.

**REF: ABP-304828-19** An SHD 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.

• This Application is being put forward under The South Dublin County Area Plan 2016-2022, and under the SDCC Fortunestown LAP 2012 which states "With the exception of lands at Boherboy, the Plan Lands are relatively flat in topography with a slight downhill slope from south to north. The lands at Boherboy have a strong rural character with an undulating topography that rises relatively steeply from north to south towards Boherboy Road and comprises a small tillage and pasture farm. Tributaries of the Camac River run in a north-south direction through the Plan Lands including the Corbally Stream, Kingswood Stream and Fettercairn Stream with some sections culverted under roads and buildings".

Dear Sir/Madam,

We refer to the above planning application and wish to make the following submission / objection in relation to the proposed development.

We wish to object to the proposed development based on the following points:

**Material Contravention of the County Development Plan / Fortunestown LAP:**

The Subject Lands are specified as being within the Boherboy Neighbourhood, with the Main Entrance /Fronting to the Development Lands situated on the Boherboy Road. These are described as "Agricultural Lands situated on a Rural Lane". Prior to the submission of the above SHD Application, Pre-Planning meetings and representations have taken place between the Developers, SDCC & An Bord Pleanála to ensure compliance.

As the Residents and Other Interested Parties to this SHD Application, Public Observations / Representations are only permitted upon receipt of all information by An Bord Pleanála and during the drafting of both the County Development Plan and the Fortunestown LAP. Residents did partake fully in this process.

Numerous SHD Applications have been made in respect of the plan lands. The Applicants of the Boherboy SHD have referred to these in their Material Contravention Statement - Section 4.4 & 4.4.1. All the referenced applications are within the Citywest Campus Area and unlike the subject application, are within the necessary distances to Transport Connections/Amenities/Employment etc.

The Proposed Development is located on the Boherboy Road, within a Rural, Agricultural Environment. The Submitted Plans show a Large Residential Development with a Main Access Point Fronting to the South. At present this entire Road consists of Small Agricultural Holdings and One-Off Houses. There are also Greenfield Sites and Woodlands. Because of its Location, there are No Transport Services along this Road, and the Proposal is Heavily Reliant on Access Roads to the East and North (discussed below) given that the Rural Boherboy Road is incapable of Fully Servicing a Major Development such as this. The Proposed Development would not be in keeping with its Surroundings and would present an Overbearing and Dominant form of Development.

Taking all submitted information into account, we believe that the Proposed Development is a significant Material Contravention of both Area Plans, and that the Applicant has failed to adequately justify these contraventions.

**Consent For Land Access:**

The Applicants have stated that they have acquired Consent from Kerasoun Ltd, regarding the Road Access through Corbally Heath.

As stated below, Westbrook Glen was built in 1995 by Davey Hickey Properties, and to date (27 Years later), certain areas of the Estate have not been Taken in Charge by SDCC, one such area being the Corbally Heath Road. Kerasoun Ltd., from whom Consent has been given, is a Subsidiary of Davey Hickey Properties, who are the Owners of the Adjacent Lands to the East of the Proposed Lands and to the West of Corbally Heath.

These Lands are currently For Sale through Lisney Commercial and have a Feasibility Study, attached to the Sale, for a 12 Dwelling Unit Development (STPP). These Lands also have a Frontage onto the Boherboy Road, which will be Upgraded during the Proposed Development Works. Access to these Lands will also be via the Corbally Heath Road. \*

Our concerns here are the Validity of the Consent and the Parallel Developments in close proximity to the Corbally Estate.  
\*Please see the attached relevant Lisney Commercial Land Sale Brochure & Kerasoun Consent Letter. \*

**Privacy, Security and Residential Street Safety: Proposed Access Routes 2 & 3 – Corbally Heath and Carrigmore.**

Our own property lies to the East of the proposed development, on Corbally Heath within the Westbrook Glen Estate, one of the two estates which will be severely impacted should any such development proceed.

Our concerns relate to the Applicants Required Access Points, Pedestrian/Cycling/Vehicular Access through Corbally Heath and Carrigmore. These Access Points are conditions required to fulfil their Planning Obligations of "Being within walking distance of Public Transport/Shops/Amenities/Town Centre.

Both Estates are well established, with Westbrook Glen having been built in 1995. Corbally Heath is a dead end with a large Open Green Area, the main reason for Us deciding to purchase the house.

**Following Residents' concerns several years ago, a walkway facilitating access from Corbally Rise to Corbally Heath, was subsequently Closed Off by the Council, due to Excess use and Antisocial Behaviour. This Area is the Subject of Consent for Road Access.**

Should the Proposed Development proceed, the Access Points, rather than having the desired Permeability, will have quite the opposite effect of creating Substantial Increases in Population and Road Usage/Parking. Additional increases would have an undesirable effect for Existing Residents in relation to Property Privacy, Security & Safety, Open Drug Dealing, which is already apparent, Antisocial Behaviour already in existence due to lack of Amenities, and the Safety of Children, the latter discussed further below.

#### **Traffic and Infrastructure:**

Proposed Vehicular Access to the Development from Carrigmore and Corbally Heath is a Major Safety Concern to Existing Residents. These are Residential Streets that children play on and have been closed off for over 20 years. Because of the lack of / and maintenance of Open Green Areas, children regularly use these streets for games, learning to cycle and general play. Dog ownership is high, and Residents regularly use the Areas concerned.

The Corbally Heath Road is adjacent to one Open Green Area which fronts onto 6 houses on Corbally Lawn, with the Proposed Development Lands to the West. These streets, along with the rest of the estate streets, are too narrow to accommodate additional traffic and can already barely cope with the traffic and parking as it currently stands.

In providing an Access Point there is a realistic assumption that a Rat Run will be created from the Boherboy Road, all the way through to the exits at both the N81 Blessington Road and the Citywest Road, giving further unobstructed Vehicular Movement onto the N7 from Saggart and Rathcoole and the N81 toward Blessington and Tallaght. Apart from Excessive Additional Traffic, it also provides Uninterrupted Driving Routes for Joyriding, the Boherboy Road being a significant factor as it is a completely unsafe Rural Road.

The National Road Network is unable to cope at present with existing levels of traffic and given the proposed 655 Dwellings, it has the potential of creating approximately 1200 to 2000 extra vehicles, regardless of Parking Facilities provided for in the Proposal. This will ultimately lead to longer travel times and traffic congestion. Traffic in the area is already an issue and this is before the developments, that are currently in construction are complete.

While there are sufficient Luas Links and Bus Links for Existing Residents, the Overall Area is already over developed, having reached approx. 4,000 Housing Units Granted to the end of February 2022.

The Fortunestown LAP has an allocation of 3,300 Units within the Area Plans and should this Development proceed, it would create more than 4,600 Units, which would represent an almost 40% increase in Housing Units. The Area is severely under resourced and would come to a complete standstill with the addition of more housing. It is our understanding that the long awaited N81 to N7 Bypass Link Road, whose aim was to relieve pressure from the Rural Setting of the Area will not be going ahead at any time in the future, and therefore traffic will remain a serious problem.

Corbally Heath Access should Not be reinstated as the Open Green Area at the top of the Heath is frequently used by Residents and more importantly is one of the Few Open Green Spaces for Children's Recreation. Housing permissions have gone beyond the LAP allowances.

#### **Area Requirements and Facilities:**

The land in question has been previously zoned for 556 dwellings in total, and now has an application for 655 Dwellings, a Creche and Future School Premises. Previous Planning Applications in 2019 for 609 Dwellings, a Creche and Future School Premises & 2016 for 218 Dwellings & a Creche, were Refused Planning by An Bord Pleanala. The New Proposal represents an approximate 20% increase in dwellings and as is noted in the Material Contravention Statement, it Contravenes the Planning Regulations.

The Board of Education has not yet decided on the location for a school premises, which has numerous locations being considered, and at the time of their Submitted Application no clarification was received from the Dept. of Education. All other Schools in the Area are now working off a Waiting List System, as all Schools are Full to Capacity, and in some cases, there are waiting times of 2 years or more with limited places available. For many years Existing Residents have availed of School Places for their children well outside the immediate area.

The Area "Town Centre" consists of a small Shopping Centre, a Luas Link, a Lidl, and numerous small Food Outlets within the Citywest Shopping Centre. In contradiction to the Applicants assertion within the Submitted Documentation, there are No Major Facilities Within Easy Access, including Local Businesses. These are all located outside of the Immediate Area in Tallaght, Saggart and Rathcoole.

Tallaght Hospital has waiting lists of between 2 and 4 Years and is under significant pressure at most times.

No provisions have been made in any of the SHD Applications for Housing for the Elderly.

The closest Garda Station is also situated in Tallaght Village, and there is a need for a Garda Station within the Local Area.

As previously mentioned, Several Parallel Developments are currently underway or approved in the Citywest area and will leave Citywest with the Population of a Town but without the Amenities of a Town.

We have No Health Facilities, No Community Centre, No Library, No GAA Pitch, No Football /Rugby Pitches etc., all of which are Essential for the Wellbeing of the Community.

Email Correspondence from SDCC to the Applicants Representatives Armstrong Fenton Associates, dated 15<sup>th</sup> of May 2021, states that there is No Requirement for a Community Centre, although SDCC did specify a need to include Communal Space. No mention of this in Submitted Plans? The Applicant has also referenced Granted Developments S016A/0210-S018A/0014, ABP-306602-20 and ABP-310570-21 in relation to reasons for not having to provide Community Facilities, as these Applications provide for Community Areas. These Areas are allocated as Internal Communal Areas / Management Offices and not Community Facilities.

**Nature and Environment:**

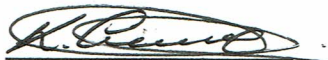
Practically all the green spaces that existed in Citywest no longer exist. The Area is Over Developed and Under Resourced. Climate Issues are at the highest they have ever been, and there is a strong argument that the Proposed Development Lands could better be served as a Wind Farm / Solar Farm for Renewable Energy serving the Community.

Flood risk remains an issue for the area. A Flood Risk Assessment has been included with the Proposal, although Residents to the North/East/West know from experience, that the Complete Surrounding Areas are Prone to Flooding. Insurance Cover is either non existent or extremely high in cost.

**In summary:** Significant Material Contravention of The County Development Plan & Fortunestown LAP. Consent for and Validity of Land Access. There will be an immediate impact on Privacy, Safety, Security for All Residents. Road Traffic Implications. Infrastructure & Facilities for Existing Residents. Nature & Environment The area is currently being severely over developed. Green spaces & flood risks.

We trust our concerns will be taken into consideration prior to a decision being reached on this application and we respectfully request the Planning Authority to recommend a refusal of planning permission.

Yours Sincerely,



Katrina Russell & Family.

**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.**

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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,

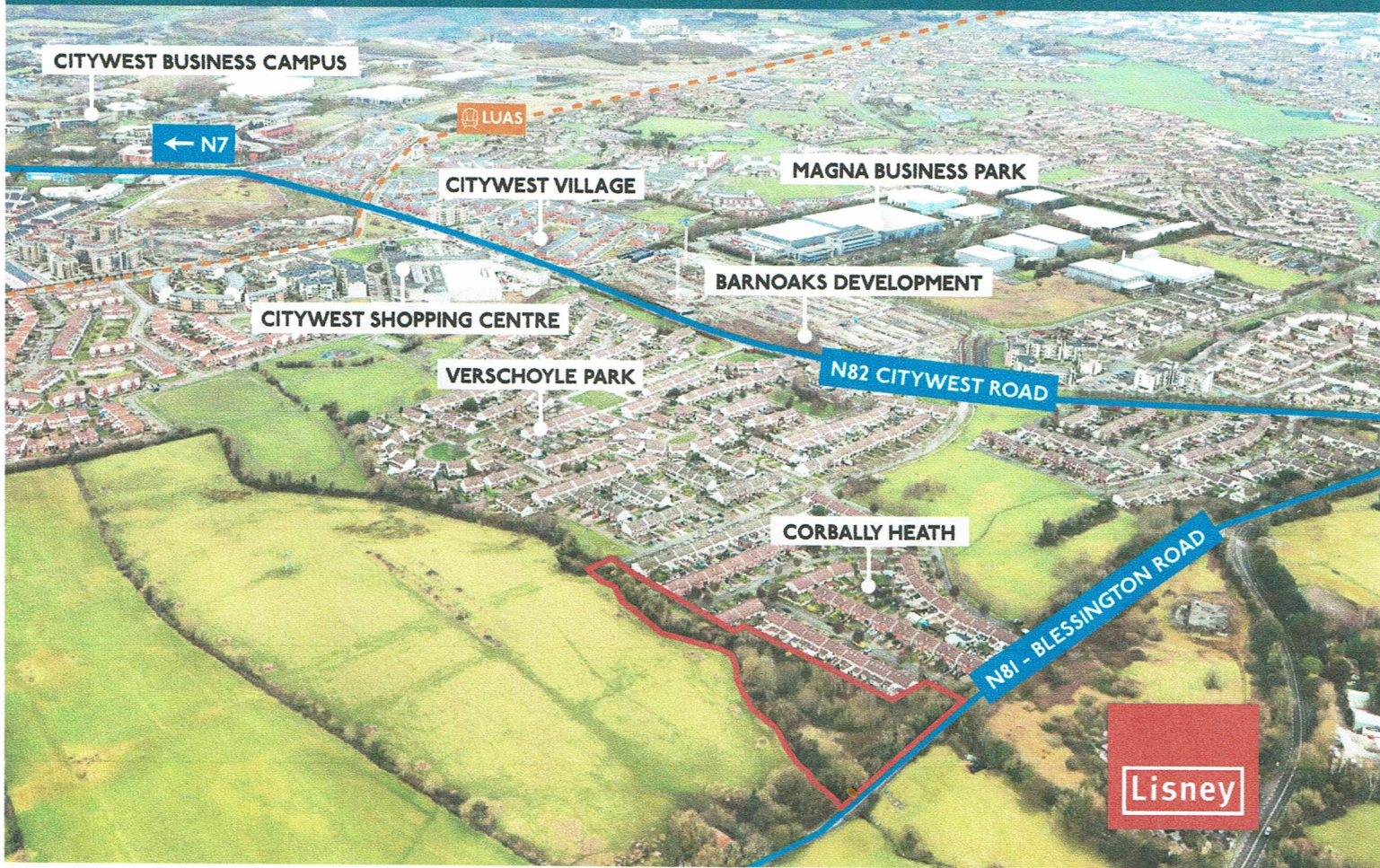


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Hugh Lynn  
Director

0.85HA (2.1 ACRES) OF PRIME RESIDENTIAL DEVELOPMENT  
LAND AT THE BLESSINGTON ROAD, CORBALLY, DUBLIN 24

FOR SALE  
BY PRIVATE TREATY



## THE LOCATION

The lands are located immediately west of the existing Corbally housing development in Dublin 24 and are situated approximately 1.4km south of Citywest Shopping Centre, 20km southwest of Dublin city centre, city centre and 5km west of Tallaght. The world class Citywest Business Campus which commercial occupiers from the pharmaceutical, IT, Electronics, media, food and financial services sector call home are located 2.5km north.

There are a number of newly developed and under construction medium-to high density residential developments within close proximity to the lands. Residential developments within a short distance include Verschoyle, Barnooks, Citywest Village and Edenbrook.

The site is well connected to public transport links with a number of high frequency bus services operating locally and county wide from bus stops within walking distance. The LUAS station at Fortunestown is located approximately 1.4km north of the property and provides direct access via the Red Line to Dublin city centre.

## THE PROPERTY

The property comprises of an irregular shaped parcel of residential zoned lands which extend to approximately 0.85 ha (2.1 acres).

The site benefits from positive zoning and ease of access through the existing mature housing development known as Corbally Glade. The lands offer a purchaser the opportunity to develop (subject to planning) a boutique enclave of highly sought after detached and semi-detached dwellings, in a proven residential location.

The land is currently laid out in grass and is topographically sloping in nature. An architecturally designed indicative layout is available on request. The land is bordered by mature trees and hedgerows which are clearly defined.

## HIGHLIGHTS

- Superbly located residentially zoned lands which extends to approximately 0.85 ha (2.1 acres) situated in a highly sought-after residential destination.
- The land is irregular in shape and is within close proximity to educational, recreational, leisure and residential amenities.
- Situated adjacent to a number of mature residential developments.
- The site offers an exceptional opportunity to acquire and develop a much-needed boutique residential scheme subject to planning permission (SPP).
- Zoned Res – N under the draft South Dublin County Council Development Plan 2022 – 2028.
- Will be of interest to numerous parties such as housebuilders, developers and investors given its short-term development potential.

### FEASIBILITY STUDY

The land is being offered for sale with the benefit of an indicative site layout (subject to planning) for the development of 12 no. detached and semi-detached dwellings.

### TOWN PLANNING

The lands are located in an area zoned Res-N under the Draft South Dublin County Council Development Plan 2022 – 2028.

“TO PROVIDE FOR NEW RESIDENTIAL COMMUNITIES IN ACCORDANCE WITH APPROVED AREA PLANS”



Source: Cantrell & Crowley  
For identification purposes only, not to scale



## TITLE

We understand the property is Freehold.

## BER DETAILS

**BER EXEMPT**

## SERVICES

We understand that all main services are available.

## PRICE

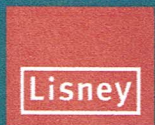
Price on Application.

## FURTHER INFORMATION AND VIEWING

Viewings by appointment only.

For further information please contact Lisney Development Land team.

**Ryan Connell** Surveyor T: +353 87 449 1742 E: rconnell@lisney.com  
**Cathal Daughton** Director T: +353 87 689 9907 E: cdaughton@lisney.com



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Any intending purchaser(s) shall accept that no statement, description or measurement contained in any newspaper, brochure, magazine, advertisement, handout, website or any other document or publication, published by the vendor or by Lisney, as the vendor's agent, in respect of the premises, shall constitute a representation inducing the purchaser(s) to enter into any contract for sale, or any warranty forming part of any such contract for sale. Any such statement, description or measurement, whether in writing or in oral form, given by the vendor, or by Lisney as the vendor's agent, are for illustration purposes only and are not to be taken as matters of fact and do not form part of any contract. Any intending purchaser(s) shall satisfy themselves by inspection, survey or otherwise as to the correctness of same. No omission, misstatement, misdescription, incorrect measurement or error of any description, whether given orally or in any written form, by the vendor or by Lisney as the vendor's agent, shall give rise to any claim for compensation against the vendor or against Lisney, nor any right (whatsoever) of rescission or otherwise of the proposed contract for sale. Any intending purchaser(s) are deemed to fully verify themselves in relation to all such matters. These materials are issued on the strict understanding that all negotiations will be conducted through Lisney. Please note we have not tested any appliances, fixtures, fittings, or services. Interested parties must undertake their own investigation into the working order of these items. All measurements are approximate and photographs provided for guidance only.  
Lisney PSRA No. 00184E, Davy Hickey PSRA No. 00222C