

Comhairle Chontae Atha Cliath Theas

PR/0642/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21A/0327 **Application Date:** 30-Nov-2021
Submission Type: Additional **Registration Date:** 22-Apr-2022
Information

Correspondence Name and Address: Armstrong Fenton Associates Unit 13, The Seapoint Building, 44/45, Clontarf Road, Dublin 3

Proposed Development: A residential development of 77 dwellings comprised of 63 two storey houses and 14 apartments & duplex units accommodated in one 3 storey building. The proposed houses are comprised of 8 two bed houses & 55 three bed houses; the proposed apartments & duplex units are comprised of 7 one bed apartments at ground floor & 7 three bed duplex units overhead. The proposed development also provides for all associated site development & infrastructural works, car & bicycle parking, open spaces, hard & soft landscaping, boundary treatments and bin & bicycle storage; access to the development will be via a new vehicular entrance at the south-west corner of the site off the Old Naas Road. Permission is also sought to demolish the existing building on site approximately 455sq.m. all on a site area of 2.28Ha, at Gordon Park, Old Naas Road, Kingswood, Dublin 22 bounded to the west by the Old Naas Road, to the south by the Silken Park development and is located in the townland of Brownsbarn.

Location: Gordon Park, Old Naas Road, Kingswood, Dublin 22

Applicant Name: Greenwalk Development Ltd.

Application Type: Permission

(CM)

Description of Site and Surroundings

The site is a rugby club located in Kingswood Cross/Kingswood village. The site accommodates a Rugby clubhouse, which is served by its own septic tank and soakaway, as well as a car park to the north of the site. South of these, the site is an unbroken field containing two playing pitches and which slopes gently upwards from north to south. To the south-east of the site, it descends gently to the banks of the Fettercairn, though the banks themselves are steep and the stream is quite low in comparison to the site.

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The site is bound to the west by the Old Naas Road and this boundary is formed by an old stone wall and some very mature trees. The site is bound to the south by residential development to which there are two gated pedestrian accesses, and to the south-west by the small 'Gate Lodge' residential plot. To the north, the site is bound by the 'Roadstone Group Sports Club', with club facilities and a car park to the north, and which also includes playing fields and open space which wrap around to the east.

Site Area: 2.28 ha.

Site Visit: 31/01/2021

Proposal

A residential development on a site of 2.28 Ha. The proposed development consists of **77 dwellings** comprised of 63 two storey houses and 14 apartments & duplex units accommodated in one 3 storey building. The proposed houses are comprised of 8 two bed houses & 55 three bed houses; the proposed apartments & duplex units are comprised of 7 one bed apartments at ground floor & 7 three bed duplex units overhead. The proposed development also provides for all associated site development & infrastructural works, car & bicycle parking, open spaces, hard & soft landscaping, boundary treatments and bin & bicycle storage; access to the development will be via a new vehicular entrance at the south-west corner of the site off the Old Naas Road. Permission is also sought to demolish the existing building on site approximately 455sq.m.

Development Details

Site Area (Ha.)	2.28
No. of Units	77
- Houses	63
o 2-Bed	8
o 3-Bed	55
- Apartments/Duplexes	14
o 1-Bed	7
o 2-Bed	7
Gross Floor Area	8,191.9
Gross Residential Density (DpH)	29.6
Net Residential Density (DpH)*	39.3
*Claimed on the basis that riparian buffer and wayleave should be omitted from calculation.	
Plot Ratio (Net)	Not indicated
Public Open Space (Ha.)	0.258 Ha (11.3%)

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Zoning:

The site is zoned objective 'RES' –'To protect and/or improve residential amenity', under the South Dublin County Development Plan 2016 - 2022.

Consultations

Internal

Environmental Services:	No objection, subject to conditions.
Irish Water	No objection, subject to conditions.
Roads	No report received.
Public Realm	Request Additional Information.
Housing	No report received.
HSE Environmental Health Officer	No report received.

SEA Environmental Sensitivity Screening

No overlap is recorded in the SEA monitoring system.

Submissions/Observations/Representations

A number of submissions have been received from neighbours and nearby residents. The opinions and observations can be summarised as follows:

- Objections to change of use from sports/recreation to 'high density' residential;
- Green area has provided an amenity for the village which predates CRFC's acquisition of the lands;
- Overshadowing, loss of daylight and loss of privacy to adjoining residential developments;
- Area does not have enough parking space or green space due to recent high density developments which have not provided adequate provision of either.
- Objection to felling of mature Sycamore/coniferous trees which straddle site boundaries;
- Location of entrance in proximity to adjoining property would cause 24-hour disturbance, in particular to child with special needs;
- Traffic through the village is too intense and no measures to aid pedestrian movement have been provided or are proposed;
- Unacceptable disruption/upheaval from proposed works;
- Site unacceptable for development in close proximity to casement Aerodrome;
- Loss of last unspoiled green area would be detrimental to the village;
- Application was submitted over Christmas break while people might be distracted;
- Abundant bird life in this field will be disrupted and displaced;
- Development constitutes destruction of important wildlife habitats;
- Objection to location of proposed parking area;
- Lack of infrastructure in village.

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Planning History

SD10A/0388 – Permission for retention **granted** by SDCC for an existing 15m high telecommunications monopole support structure carrying antennas enclosed in a shroud and link dish together with associated equipment and security fence.

SD14A/0032 – Permission **granted** by SDCC for single storey extension, modification and modernisation of the existing clubhouse dressing rooms, showers and changing facilities with new plantroom; replacement of existing 8 no. 10m high floodlights mainly along the southern boundary of Pitch No. 2 with modern directional floodlighting comprising 4 no. 18m high lighting columns placed at the corners of Pitch No. 2 all with associated site development and landscaping works.

ED17/0006 - Proposed erection of Permanent Netting Structures and supporting wooden poles in three locations on sports grounds, declared **not exempt**.

SD18A/0394 – Permission **granted** by SDCC for (a) Installation of two 18m high lighting columns on the northern (clubhouse) side of Pitch 1 and modern directional floodlighting for Pitch 1 from these poles and the existing 18m poles between Pitch No's 1 and 2 previously granted permission and (b) ball stop netting along the southern boundary with the Silken Park Housing Development.

Site to the South

SD05A/0433 – Permission **granted** by SDCC for Mixed use residential / commercial development of a) 169 no. residential units made up of 89 no. 2, 3 and 4 bed detached, semi-detached and terraced houses and 53 no. 2 bed apartments and 27 no. 3 bed duplex units in 8 no. 3 storey blocks and 1 no. single storey block. b) Commercial block of 701sq.m. with 1 no. 2 storey block comprising creche and associated facilities on 2 floors of 242sq.m., 2 no. retail units on ground floor of 186sq.m. with 2 no. offices of 273sq.m. on first floor and c) 26 no. office units in 8 no. 2 storey blocks having a gross floor area of 4215sq.m. All on a site of circa 5.73 hectares including associated site works, car parking, public and private open space, foul and surface water sewers on lands at Kingswood, Naas Road located north east of Citywest Business Campus with access from former Naas Road and from an upgraded Kingswood Road.

SD06A/0221 – Permission **granted** by SDCC for Minor alterations to some house types and internal and external layouts (additional conservatory) of previously approved planning application Register Reference SD05A/0433. Reg. Ref SD05A/0433 application was for 169 units, granted at 149 units following Additional Information and Clarification. The number of units remains at 149 as previously granted. The following changes apply:- (a) 16 number of 2

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bed house - change to 16 number of 3 bed house type 4; (b) 8 number of 3 bed house - change to 8 number of 4 bed house type 4; (c) 1 number of 3 bed house - change to 1 number of 2 bed house; (d) 4 number of 3 bed house- change to 4 number of 4 bed house type 5; (e) 2 number of 2 bed house - change to 2 number of 3 bed house; (f) 2 number of 2 bed house - change to 2 number of 4 bed house type 4; (g) 4 number of 2 bed house - change to 4 number of 3 bed house. The development consists of mixed use Residential/Commercial of (a) 149 no. residential units made up of 121 no. 2, 3 and 4 bed detached, semi-detached and terraced houses and 22 no. 2 bed apartments and 6 no. 1 bed apartments in 4 no. 3 storey blocks and 1 no. two storey block; (b) commercial block 701sq.m. with 1 no. 2 storey block comprising creche and associated facilities on 2 floors of 242sq.m., 2 no. retail units on ground floor of 186sq.m. with 2 no. offices of 273sq.m. on first floor and c) 26 no. office units in 8 no. 2 storey blocks having a gross floor area of 4215sq.m: all on a site of circa 5.73 hectares including associated site works, car parking, public and private open spaces, foul and surface water sewers.

SD06A/0221/EP – Extension of permission granted to the above in 2011, to 2013.

SD07A/0442 – Permission **granted** by SDCC for Amendments to previously approved planning permission (Reg. Ref. SD05A/0433 and SD06A/0221/C1) as follows: provision of a window to the first floor level of each 2-bedroom type dwelling as part of phase 2 of the development, facing to the rear of each dwelling: (there are 23 no. such dwellings which require this amendment).

SD15A/0206 – Permission **granted** by SDCC for construction of 59 two storey dwellings comprising of: 24 two bedroom terraced dwellings, 21 three bedroom terraced dwellings, 8 three bedroom semi-detached dwellings, 4 four bedroom semi-detached dwellings, 1 four bedroom terraced dwelling and 1 four bedroom detached dwelling. The proposed development includes ancillary car parking, landscaping including public and private open spaces, foul and surface water sewers, all associated site services and site development works.

Enforcement History

No recent relevant enforcement history recorded.

Relevant Policy

National Policy

The relevant policy documents are detailed below. The Planning Authority are of the opinion that of most significant relevance is the National Planning Framework (NPF). In this regard, National Strategic Outcome 1 of the NPF refers to and, stresses the importance, of 'Compact Growth'. The NPF states,

'From an urban development perspective, we will need to deliver a greater proportion of residential development within existing built-up areas of our cities, towns and villages

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and ensuring that, when it comes to choosing a home, there are viable attractive alternatives available to people.'

The NPF indicated that the delivery of compact growth will be through National Policy Objective 2a, which states,

'A target of half (50%) of future population and employment growth will be focused in the existing five Cities and their suburbs.'

and National Policy Objective 3a, which states,

'Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.'

The National Planning Framework also includes a specific Chapter, No. 6, entitled 'People, Homes and Communities'. It includes 12 objectives among which Objective 27 seeks to ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages. Objective 33 seeks to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

Other Ministerial Guidelines and Policy

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

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

Rebuilding Ireland: Action Plan for Housing and Homelessness, Government of Ireland (2016).

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

Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment and Local Government (2009).

Urban Design Manual, Department of the Environment, Heritage and Local Government, (2008).

Urban Development and Building Heights Guidelines for Planning Authorities, (2018)
Quality Housing for Sustainable Communities-Best Practice Guidelines, Department of the Environment, Heritage and Local Government (2007).

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

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

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

Departmental Circulars, Department of Housing, Planning and Local Government (2020) – as listed:

- PL02/2020: Covid-19 Measures
- PL03/2020: Planning Time Periods
- PL04/2020: Event Licensing
- PL05/2020: Planning Time Periods
- PL06/2020: Working Hours Planning Conditions
- PL07/2020: Public Access to Scanned Documents
- PL08/2020: Vacant Site Levy
- Circular NRUP 02/2021 - Residential Densities in Towns and Villages

Circular Letter NRUP 03/2021 – s.28 Guidelines on the Regulation of Institutional Investment in Housing

Relevant Policy in South Dublin County Development Plan 2016 – 2022

Policy CS1 Consolidation Areas within the Gateway

Policy CS2 Metropolitan Consolidation Towns

Policy CS3 Emerging Moderate Sustainable Growth Town

Policy CS4 Small Towns

Policy CS6 Local Area Plans

Policy CS6 SLO 2: That a Local Area Plan be initiated for the community of Kingswood (Naas Road) with a view to the sustainability of this community being protected and which provides for retail and other commercial opportunities and amenities, community facilities, employment opportunities and connectivity to the adjoining residential and commercial areas. The preparation of a Local Area Plan for Kingswood to be initiated within two years of the adoption of this County Development Plan.

Policy H6 Sustainable Communities

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

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Policy H7 Urban Design in Residential Developments

It is the policy of the Council to ensure that all new residential development within the County is of high quality design and complies with Government guidance on the design of sustainable residential development and residential streets including that prepared by the Minister under Section 28 of the Planning & Development Act 2000 (as amended).

Policy H10 Mix of Dwelling Types

It is the policy of the Council to ensure that a wide variety of adaptable housing types, sizes and tenures are provided in the County in accordance with the provisions of the Interim South Dublin County Council Housing Strategy 2016-2022.

Section 2.3.0 Quality of Residential Development

Policy H11 Residential Design and Layout

It is the policy of the Council to promote a high quality of design and layout in new residential development and to ensure a high quality living environment for residents, in terms of the standard of individual dwelling units and the overall layout and appearance of the development.

Policy H12 Public Open Space

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

Policy H13 Private and Semi-Private Open Space

It is the policy of the Council to ensure that all dwellings have access to high quality private open space (incl. semi-private open space for duplex and apartment units) and that private open space is carefully integrated into the design of new residential developments.

Policy H14 Internal Residential Accommodation

It is the policy of the Council to ensure that all new housing provides a high standard of accommodation that is flexible and adaptable, to meet the long-term needs of a variety of household types and sizes.

Policy H15 Privacy and Security

It is the policy of the Council to promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing.

Policy H16 Steep or Varying Topography Sites

It is the policy of the Council to ensure that development on lands with a steep and/or varying topography is designed and sited to minimise impacts on the natural slope of the site.

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Section 3.2.0 Community Facilities

Policy C1 Community Centres

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

Section 3.13.0 Open Space Management & Use

Policy C12 Open Space

It is the policy of the Council that a hierarchical network of high quality open space is available to those who live, work and visit the County, providing for both passive and active recreation, and that the resource offered by public open spaces, parks and playing fields is maximised through effective management.

Section 5.1.0 Urban Centres

Policy UC1 Objective 4:

To promote a high standard of urban design in urban centres that contributes to the creation of safe and attractive streets and spaces and creates desirable places to work, live and visit.

Section 5.1.4 Local Centres

It is the policy of the Council to encourage the provision of an appropriate mix, range and type of uses in Local Centres, including retail, community, recreational, medical and childcare uses, at a scale that caters predominantly for a local level catchment, subject to the protection of the residential amenities of the surrounding area.

Section 5.2.2 Retail Hierarchy

Table 5.1 Extract re: Categories and Types of Service in Local Centres

These centres usually contain one supermarket ranging in size from 1,000-2,500 sq.m. with a limited range of supporting shops and retail services and possibly other services such as post offices, community centres or health clinics grouped together to create a focus for the local population. These centres meet the local day-to-day needs of surrounding residents.

Section 5.6.0 Retail Centres

Policy R1 Retail Overarching

It is the policy of the Council to seek to ensure adequate retail provision at suitable locations in the County and to protect the vitality and viability of existing centres in accordance with the retail framework provided by the Retail Planning Guidelines for Planning Authorities (2012) and the Retail Strategy for the Greater Dublin Area 2008-2016. Given the changing economic circumstances since the adoption of the Retail Strategy for the Greater Dublin Area a cautionary approach will be adopted in relation to future quantitative retail floor space requirements.

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Policy R8 Retailing in Local Centres

It is the policy of the Council to maintain and enhance the retailing function of Local Centres.

Section 5.1.4 Urban Centres

It is the policy of the Council to continue to develop the County's network of town centres, village centres, district centres and local centres, based on the following hierarchy:

- Tallaght as the County Town;
- Clondalkin as a vibrant Town Centre;
- Traditional Village Centres as vibrant and sustainable centres;
- A network of District Centres to serve a district catchment; and
- A network of Local Centres and local shops to serve a local catchment.

Section 6.3.0 Walking and Cycling

Policy TM3 Walking and Cycling

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

Section 6.4.3 Road and Street Design

Policy H12

It is the policy of Council to ensure that streets and roads within the County are designed to balance the needs of place and movement, to provide a safe traffic-calmed street environment, particularly in sensitive areas and where vulnerable users are present.

Section 6.4.4 Car Parking

Policy TM7 Car Parking

Section 7.1.0 Water Supply & Wastewater

Policy IE1 Water & Wastewater

It is the policy of the Council to work in conjunction with Irish Water to protect existing water and drainage infrastructure and to promote investment in the water and drainage network to support environmental protection and facilitate the sustainable growth of the County.

Section 7.2.0 Surface Water & Groundwater

Policy IE2 Surface Water & Groundwater

It is the policy of the Council to manage surface water and to protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

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Section 7.3.0 Flood Risk Management

Policy IE3 Flood Risk

It is the policy of the Council to continue to incorporate Flood Risk Management into the spatial planning of the County, to meet the requirements of the EU Floods Directive and the EU Water Framework Directive.

Section 7.8.0 Aerodromes & Airport

Policy IE8 casement Aerodrome

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

Section 8.0 Green Infrastructure

Policy G1 Overarching

Policy G1 Green Infrastructure Network

Policy G3 Watercourses Network

Policy G4 Public Open Space and Landscape Setting

Policy G5 Sustainable Urban Drainage Systems

Policy G6 New Development in Urban Areas

Section 9.3.1 Natura 2000 Sites

Policy HCL12 Natura 2000 Sites

Section 10.0 Energy

Policy E4 Energy Performance in New Buildings

Section 11.2.0 Place Making and Urban Design

Section 11.2.1 Design Statements

Section 11.2.2 Masterplans

Table 11.17: Masterplan Considerations

Section 11.2.7 Building Height

Section 11.3.1 Residential

- (i) Mix of Dwelling Types*
- (i) Residential Density*
- (ii) Public Open Space/Children's Play*
- (iii) Dwelling Standards*
- (iv) Privacy*
- (v) Dual Aspect*
- (vi) Access Cores and Communal Areas*
- (vii) Clothes Drying Facilities*

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Table 11.20: Minimum Space Standards for Houses

Table 11.21: Minimum Space Standards for Apartments

Section 11.4.1 Bicycle Parking Standards

Table 11.22: Minimum Bicycle Parking Rates

Section 11.4.2 Car Parking Standards

Table 11.24: Maximum Parking Rates (Residential Development)

Section 11.4.3 Car Parking for Electric Vehicles

Section 11.4.4 Car Parking Design and Layout

Section 11.4.5 Traffic and Transport Assessments

Section 11.6.1 (i) Flood Risk Assessment

Section 11.6.1 (ii) Surface Water

Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)

Section 11.6.1 (iv) Groundwater

Section 11.6.1 (v) Rainwater Harvesting

Section 11.6.1 (vi) Water Services

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.1 Environmental Impact Assessment

Section 11.8.2 Appropriate Assessment

Assessment

The main issues for consideration are:

- Zoning & Council Policy (Local Area Plan)
- Residential Density
- Visual Impact & Layout
- Residential Amenity
- Childcare Facilities
- Public Realm
- Environment and Ecology
- Aviation
- Access, Transport & Parking
- Water & Drainage
- Public Housing
- Appropriate Assessment
- Environmental Impact Assessment

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Zoning and Council Policy (Local Area Plan)

The site is subject to two zoning objectives:

- The northern portion of the site is zoned 'Local Centre', "To protect, improve and provide for the future development of Local Centres". This is the area containing the Rugby Clubhouse and the car park.
- The southern portion of the site, which contains the playing pitches, is zoned 'RES', "To protect and/or improve residential amenity."

The site adjoins 'LC' zoned lands to the north, 'OS' zoned lands to the east, and 'RES' zoned lands to the south.

Local Centre

The village is split between local centre, enterprise, open space and residential zoning – though the open space zoning is not accessible public land. In addition to the 'LC' zoning objective, Policy UC5 of the County Development Plan concerns local centres and reads as follows:

"It is the policy of the Council to encourage the provision of an appropriate mix, range and type of uses in Local Centres, including retail, community, recreational, medical and childcare uses, at a scale that caters predominantly for a local level catchment, subject to the protection of the residential amenities of the surrounding area."

In addition, Table 5.1 of the Plan describes the uses expected to be found in local centres, under policy R8, it is the policy of the Council to maintain and enhance the retailing function of local centres (see policy section above).

As detailed below, the local centre does not currently provide retail or other amenities that cater for a local level catchment, with the exception of the passive amenity provided by the subject site.

The 'local centre' lands are divided by the Old Naas Road. To the east of the road, there is the 'Roadstone Group Sports Club' which accommodates the Shamrock Rovers Football Academy and a restaurant on the grounds, and has access to a golf course and football pitches to the rear (these are zoned 'open space'). To the west of Old Naas Road, the 'LC' zoned lands are divided into smaller plots, accommodating:

- 'The Address Citywest', a hotel and events venue
- 'Westcity' Kennels, cattery and dog groomers
- An architectural salvage yard
- A headstone retailer
- An art gallery
- The Rugby clubhouse on the subject site

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Additionally, the 'LC' lands are broken up further by 'EE' zoned sites, most of which are to the west but one, a second-hand car dealership, fronts onto the western side of the Old Naas Road and divides the art gallery from the rest of the 'local centre'.

There are several deficiencies to the local centre lands in their current form:

- Amenities do not primarily serve a local catchment;
- Facilities do not front directly onto Old Naas Road but are set back from it within private gated plots and there is little connectivity or permeability between them;
- Pedestrian infrastructure is poor, wide junctions prioritise traffic, and there are no cycling facilities.
- The layout is extremely poor and the area is, in form and function, primarily a transport route.

Local Area Plan

The site is identified in Map No. 8 of the South Dublin County Development Plan 2016 – 2022 as being subject to Policy **CS6 Special Local Objective 2**, which reads:

“That a Local Area Plan be initiated for the community of Kingswood (Naas Road) with a view to the sustainability of this community being protected and which provides for retail and other commercial opportunities and amenities, community facilities, employment opportunities and connectivity to the adjoining residential and commercial areas. The preparation of a Local Area Plan for Kingswood to be initiated within two years of the adoption of this County Development Plan.”

It should be noted that this designation appears on the physical maps but appears to be absent from the maps uploaded to the SDCC website. It is however contained in the text of all available copies and formats of the County Development Plan. The objective of initiating an LAP for the area within 2 years has not been achieved.

The Draft South Dublin County Development Plan 2022 – 2028 contains a similar objective, Policy QDP14 Objective 4, which reads:

“QDP14 Objective 4: To prepare a Local Area Plan for the community of Kingswood (Naas Road) with a view to the sustainability of this community being protected and which provides for retail and other commercial opportunities and amenities, community facilities, employment opportunities and connectivity to the adjoining residential areas.”

The proposed development is located on a central greenfield site within the village, currently used as the grounds of Clondalkin Rugby Football Club and with open access – though gated – to walkers from adjoining sites. The land is zoned 'RES' but it is notably *not* zoned 'RES-N' and has therefore not specifically been identified for new residential development. The focus of the

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'RES' objective is to 'protect and/or improve residential amenity'. That being said, residential development is permitted in principle on lands with this zoning objective.

The following aspects of the Specific Local Objective are noted:

“with a view to the sustainability of this community being protected and which provides for retail and other commercial opportunities and amenities, community facilities, employment opportunities”

It is considered that the Council has set down in policy that there are valid concerns as to the sustainability of this residential community owing to the need for additional facilities in the area. This is repeated in the Draft County Development Plan. The subject site represents a significant development opportunity in the area and is zoned 'LC' and 'RES'. Other sites in the immediate area are zoned 'LC' though these contain uses which would not typically be prioritised in a local centre (including another private sports club). The policy context of this development site would suggest that a balance should be struck between increased residential development and local amenities/services in the area.

Conclusion

The principle of residential development at the site is not considered to be settled, having regard to the split zoning on the site, the apparent lack of local amenities in the local centre, the fact that it is not zoned 'RES-N', and the Specific Local Objective detailed above.

The applicant should be invited to provide an audit of the available amenities in the area as described in the objective, to demonstrate how the development would not be premature pending the adoption of a Local Area Plan, and to demonstrate how the development of the site would provide for local services as detailed in Policies UC1, UC5, R1 and R8 and of the County Development Plan. This should be provided as **additional information**.

Residential Density

The proposed **density is 29.6 d/ha.**, marginally below that required under Policy H8 (which seeks 30-35 d/ha. The applicant has indicated in a drawing that the Irish Water wayleave and proposed riparian buffer should be removed from the site area for the purposes of the density calculation. The 2009 guidelines which contain advice on calculating net density advise to exclude significant landscape buffers and distributor roads. On this site, the riparian buffer is included in the applicant's public open space, and the main street through the development, which overruns the wayleave for underground services, is a local street and cannot credibly be called a 'distributor'.

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Though 29.6 d/ha is not significantly outside the target range under the SDCC County Development Plan, as there are other issues with the development, the issue of density should be addressed by way of **additional information**.

Visual Impact and Layout

Building Height and Layouts

The proposed development consists of 2-storey development with the exception of the duplex block to the north-west of the site, which is 3-storey. The site is currently endowed with mature trees and some hedgerows planted along the south-west, west and north-west boundaries. It is proposed to keep some of these and remove others (see Public Realm below).

The proposed building heights are considered to be in an appropriate range generally; however the proposed raising of ground levels to the north of the site, combined with a 3-storey building, does raise the issues of potential visual impact at that location, where a building located on the boundary might be impacted. The applicant has not provided a section drawing showing the relationship at this location between the proposed and existing buildings. This would be helpful to assess visual impact and any potential impact on levels of sunlight or daylight. The applicant should provide a cross-section drawing by way of **additional information**.

Overlooking, Loss of Privacy and Daylight

A number of third parties have complained of overlooking, loss of daylight and loss of privacy arising from the development. Some of the houses are located very close to boundaries, and though some such units are provided without windows to habitable rooms at first floor level, the visual impact may still feel oppressive. The development also includes the removal of a number of mature trees and boundary hedgerows, particularly to the south-west of the site (see Public Realm below), which would further erode the current sense of privacy for adjoining residents. In considering that the site is zoned 'RES' and not 'RES-N', I am concerned that existing properties would be impacted with loss of trees at or close to their rear boundaries. In combination with the general concern for loss of trees arising from the development, it is considered appropriate that this issue be addressed by **additional information**.

In particular, the south-west boundary contains a great degree of tree and hedgerow cover which would be better retained in, for instance, communal amenity space. This is the approach taken to the western boundary, although with the change in levels proposed at that location, it is not clear whether trees at the roadside would survive in the long term.

Ground Levels and Vehicular Access

The relocation of the access from the north of the site to the south is necessitated by the presence of a gas line on Old Naas Road and the need to route the foul sewer line from the site over or under this line (the public foul drain is west of the gas line) – this is only possible to the south-west of the site, rather than the north-west.

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To facilitate foul drainage by way of gravity, the site levels are being raised by 1 to 1.5 m at the northern end of the site, to allow foul to drain down to the south-west. The proposed development would therefore reverse the natural slope of the land (it slopes down from south to north).

The proposal would see the existing vehicular access to the site relocated to the south-west corner of the site, as an at-grade connection would be impossible to the north-west corner, where the existing vehicular access is provided.

There are some notable problems with this approach:

- The proposal would appear to be in breach of Policy H16 Objectives 1 and 2 of the County Development Plan, which read:

“Objective 1

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

Objective 2

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

- removal of mature trees at the south-west location to facilitate vehicular access;
- patchy streetscape at said access owing to its proximity with adjoining sites;
- It is noted that the Irish Water wayleave provides a natural location for vehicular access to the site from the north-west. Necessity to retain wayleave has provided for an unenclosed parking courtyard in the north-west corner of the site instead;
- The applicant proposes to retain the stone boundary wall to the west of the site, and a number of trees on the western boundary. It is unclear if this is consistent with the proposed raising of ground level by up to 1.5m immediately inside the site at these locations;

The proposed strategy is understood to be responding to the particular context and challenge of serving the proposed site. The applicant may wish to consider, alternatively, the use of a vacuum system to service the site without resorting to reprofiling of the site. As there are other issues with the proposed development, it is considered that this can be commented on or revised by **additional information**.

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Streetscapes and Pedestrian Permeability

The proposed development would facilitate pedestrian connections to the Silken Avenue development to the south. The roads of the neighbouring estate is due to be taken in charge (as per details of its permission), however the open spaces and boundary features are the responsibility of a management company. The connections to the south should be agreed with the adjoining management company and provided as part of the development – in particular, the south-east connection as proposed does not match the existing boundary gate connecting the development to the south with the rugby pitches. The applicant should progress this issue and provide a response via **additional information**.

The proposed connection to the south-west would be accessible via a parking court off the main street. It is considered that the street layout here could be considerably improved with the reorganisation of the adjoining block, through the provision of dormer bungalows with direct frontage onto the connection, and wrap-around corner units, to provide continuous residential frontage onto the pedestrian route and guarantee passive surveillance. The applicant should be requested to revise the layout at this location via **additional information**.

Pedestrian connections between the two development sites should not be gated, and boundaries between adjoining areas of public open space should be open. This can be confirmed by **condition**.

Boundary Trees and Hedgerows

To facilitate a proposed row of houses to the south-west (units 16 to 23), it is proposed that a row of trees and hedgerow would need to be removed. Neighbouring third parties have objected to this element of the proposed development, as has the Public Realm Department (see Public Realm section below). The proposed removal seems excessive at this location; whereas these features could be retained in the context of communal or public amenity space. The applicant should be requested to address potential alternatives at this location which would allow for the retention of these trees, by way of **additional information**.

Duplex Block layout

The communal amenity space for the proposed duplex block is adequately sized but inappropriately placed, presenting a long hedgerow boundary to a residential street. Similarly, the parking court to the north of the duplex block seems to be a left-over space which could be improved. The arrangement of the duplex block, communal amenity space, and parking court, should be reappraised and revised in order that the communal space can be enclosed without presenting a defensive boundary to the local street. The applicant may also wish to consider on-street parking rather than an off-street surface car park. This can be addressed by **additional information**.

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Conclusions

Overall, the proposed layout is considered to be a reasonable attempt to address conditions on the site. A number of aspects of the layout could be reconsidered and improved, however, and this is reflected in the above points.

Residential Amenity

Residential Standards

The Planning Authority is satisfied that the proposed houses and apartments comply with the relevant standards contained in the 'Quality Housing for Sustainable Communities - Best Practice Guidelines' (2007) and the 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities' (2018), as applicable.

Inward Noise

The applicant has provided an Inward noise Impact Assessment. It shows that some of the houses are required to be fitted with special glazing in order to meet minimum standards indoors. Such mitigations measures should be a last resort and come with notable downsides – most notable being the inability of residents to open windows without being subjective to unacceptable levels of noise. The applicant should show consideration of an alternative layout in which this is not a requirement.

Childcare Facilities

The applicant has provided a letter from a childcare business in Citywest supporting the non-provision of childcare facilities on the site owing to the potential to undermine the viability of the existing facility. It is considered that a potential childcare facility would usually be expected in a large development and more details should be submitted regarding the capacity and no. of enrolments at the existing facility. This can be done by **additional information**.

Public Realm

The Public Realm Department has recommended a request for additional information, as follows:

1. Landscape Plan

Detailed landscape drawings that illustrate hard and soft landscaping, useable communal open space, meaningful public open space, pedestrian way finding and connectivity. The public open space shall be usable space, accessible and overlooked to provide a degree of natural supervision. Details of play equipment, street furniture including public lighting and boundary treatments should be submitted. In addition, the applicant shall provide the following additional information:

- i. The applicant shall submit a plan which clearly delineating communal and private spaces should be provided, as well as a detailed breakdown of the total area of same.

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Consideration of how the design of the landscape and provision of furniture/equipment will facilitate use of these spaces for both adults and children is also required.

ii. The developer shall submit level details for the open space, this shall include cross section drawings where applicable. If retaining walls are required, they shall be located outside the open space.

iii. Details of tree planting pits to include SUDs measures in urban tree pits

iv. Detailed planting plan

2. Arboricultural Impact of the Proposed Development

The impact of the proposed development on the existing trees contained within the development site is not acceptable to the Public Realm Section; and would contravene policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 and other GI policies and objectives in the CDP. The current proposal will have a negative impact on existing trees within the development site area. The proposed development will require the removal of 38 no. trees and a large section of existing hedgerow. Response should include a revised layout to significantly reduce the impact of the proposed development on the existing mature trees, especially those trees located along the western boundary which are proposed to be removed.

3. Arboricultural Method Statement

The applicant shall submit a detailed Arboricultural Method Statement (AMS). The AMS shall include justification and mitigation for any tree removal proposed and details of how trees will be protected at all stages of the development.

4. Tree and Hedgerow Protection Measures

The applicant shall submit details of the tree and hedgerow protection measures to be employed during construction of the trees on the site, in accordance with BS 5837:2012 - Trees in relation to construction - Recommendations, for the approval of the Public Realm Section.

5. Impact of Development on Green Infrastructure

The applicant should be requested to submit revised plans to include the following:

a) Significantly reduce the impacts of the development on existing green infrastructure especially the mature boundary trees within the proposed development site

b) Demonstrate how natural SUDS features can be incorporated into the design of the proposed development

c) green infrastructure proposals that will mitigate and compensate for the impact of the proposed development on the existing boundary trees. These proposals should include additional landscaping, SUDS measures (such as permeable paving, green roofs, filtration planting, above ground attenuation ponds, construction/bioretention tree pits etc.) and

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planting for carbon sequestration and pollination to support the local Bat population. Response should include revised layout and drawings. ADDITIONAL INFORMATION

6. SUDS

A comprehensive SUDS Management Plan shall be submitted to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan shall also be included as a demonstration of how the system will function following implementation.

Additional natural SUDS features should be incorporated into the proposed drainage system for the development such as bio-retention/constructed tree pits. In addition, the applicant should provide the following:

- Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development.
- Street Trees shall be planted in public open space with suitable tree pits that incorporates SuDS features in accordance with SDCC Adamstown Street Design Guide, Section 6.3 Side Street Design.
- Tree pit incorporating SUDS features should include a deep cellular water storage/attenuation area below the surface which acts as a soak away allowing surface water to infiltrate into the ground

7. Attenuation and Public Open Space

The issue of surface water attenuation is a significant concern for the Public Realm Section. All the proposed attenuation tanks are situated under areas identified as public open space; a large portion of the public open space areas are underlain by these tanks. This approach is not considered acceptable to the Public Realm Section. The proposal places severe limitations on the potential use and landscaping of the open space into the future. When the area of the attenuation tanks is taken from the public open space area provision then there is potentially a significant shortfall in terms of the open space provided and the standards contained in the South Dublin County Development Plan 2016-2022. The location of these tanks on the open space reduces both the amenity and usability of the open space provided. Revised proposals with regard to the proposed location of the attenuation tanks within the open space areas to be provided by the applicant. Further consideration of the breakdown in provision of open space and the location and size of attenuation tanks needs to be carried out. Response should include revised layout and drawings.

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8. Planting Proposals

Planting should be predominantly native and pollinator friendly where possible, street trees to be minimum 18-20cm girth and open space trees to be 20-25cm girth, specimen/feature trees should ideally be 30-35cm girth. Street trees where possible should contain SUDS features and be planted within the public realm. The applicant should have suitable tree pits that attenuate water within hard surface areas. The applicant should clearly outline how SuDS features within the tree pits will function. Details of constructed/bio retention tree pits to be used to be provided. The applicant is requested to submit a fully detailed Planting Plan to accompany the landscape proposals for the entire development. The applicant should propose native species where possible to encourage biodiversity and support pollinators within the landscape. Planting material where possible should be Irish Grown Nursey Stock and the importation of foreign planting material should be avoided within the proposed planting schemes. Response should include revised layout and drawings.

9. Play Provision

Additional play provision shall be provided for within the proposed development. An emphasis shall be on active, accessible play throughout the development. The applicant is requested to provide fully detailed play proposals as part of the landscape scheme for the proposed development. The applicant shall consider the provision of additional universally accessible equipment within the play proposals for the development. Additional details, specifications and images need to be provided in relation to the proposed playgrounds and play spaces for the development. All play equipment shall be of predominantly natural materials with unstructured play included in the proposed design. The applicant shall consider the use of engineered woodchip as playground surfacing material. The applicant shall provide further details in this regard.

The report also contains a number of recommended conditions on the above topics in the event that a grant of permission is issued. It is considered appropriate that the issues raised by the Public Realm Department – not least the potential loss of trees – be dealt with at the **additional information** stage.

Environment and Ecology

The applicant has provided an Ecological Impact Assessment. The Assessment details the presence of hedgehogs, bats and birds on the site (some birds having an orange conservation status). The report details a number of mitigation measures for development on the site, which can be summarised as:

- Construction phase surface water management measures;
- Vegetation:

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- Careful removal of dead wood/leaves and storage in an 'out of the way' area to provide compensatory hedgehog habitat during the construction phase;
 - Construction materials (i.e. plastic sheeting and netting) to be stored off the ground overnight;
 - Removal of hibernation habitats such as logs and scrub/hedgerow should not take place between 1st November and 1st March, and it is recommended that this take place during September/October;
 - Removal of potential bird nesting sites (hedgerow, scrub and treelines) shall take place outside of the nesting season (1st March to 31st August);
 - Pre-removal surveys of vegetation to be carried out by a qualified ecologist if occurring during the nesting season, and nests/young birds protected;
 - Any trees to be removed in the period of late August to late October/early November in order to protect potential bat roosts;
 - Appropriate measures for removal of any tree with 'moderate' bat roosting potential (Bat Tree Assessment, Pre-felling bat survey, derogation licence from the NWPS)
 - Specific procedures for felling trees;
 - Noise Control
 - Control of noise measures to be set out in the CEMP
 - Night-time lighting
 - Bat-friendly night-time lighting to include 25% dimming between hours of 12 midnight and 6am;
 - Night-time lighting of the site to be kept to a minimum during construction phase;
 - Habitat enhancement;
 - Provision of holes in walls and fences at ground level to facilitate a 'hedgehog highway' through the site;
 - Provide details of these features to new occupants;
 - Provide 5+ bat boxes through the site to provide future roosting opportunities, such as on:
 - Eaves of taller buildings
 - Mature trees being retained
- All under the supervision of a qualified ecologist.

The proposed mitigation measures are gone into in some detail in the EcIA and it is considered that they should be complied with in full. To this end the applicant should produce a Construction Environmental Management Plan which shall be accessible at the site throughout the construction phase. A suitably qualified Ecological Clerk of Works should be appointed to monitor and direct the implementation of both the CEMP and the mitigation measures contained in pages 44 – 52 of the Ecological Impact Assessment. The Public Lighting Plan shall be subject to agreement by the Planning Authority after consultation with both the Public Lighting section and the Public Realm Department or SDCC Heritage Officer. The applicant should submit a

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letter from their consulting ecologist confirming that the detail of measures described under 'Mitigation Measure 4: Night-Time Lighting' in the Ecological Impact Assessment has been adhered to in the final Public Lighting Plan. These details can be required by **condition**.

Aviation

The proposal is located in close proximity to Casement Aerodrome. The contents of Section 11.6.6 (iii) of the County Development Plan are noted, under which development density and height can be limited, or restricted altogether. The site is under the inner approach surface of Casement Aerodrome and may be inside the 'extended public safety zone' though this is not clear. The applicant should assess the same and comment in particular on how the development would comply with section 11.6.6 (iii) of the County Development Plan, in particular in relation to the headings "Public Safety Zones" and "Inner Approach Area".

Access, Transport and Parking

The Roads Department has advised that a Road Safety Audit is required, as per pre-planning advice. The car parking provision in the proposal is considered to be acceptable, though it is noted to be at the maximum allowable standard in this area. The provision of cycle parking is not adequate, and provision should reflect the more generous standards contained in the 2020 Apartment Guidelines. Cycle parking should also be provided at the public open space.

The applicant should provide a Stage 1 & 2 Road Safety Audit of the completed design and submit this as **additional information**.

The applicant should revise the cycle parking figures upwards to comply with the standards found in the 2020 Apartment Guidelines and to provide cycle parking beside the public open space. This can be addressed as **additional information**.

Water and Drainage

The Environmental Services Department has stated no objection, subject to conditions. It is noted however that water attenuation measures in the proposed development are assessed to be inadequate and the proposed conditions would require design changes to the proposed attenuation systems. As there are other issues with the development, this can be dealt with by the applicant via **additional information**.

The stream along the eastern boundary is the source of a mapped flood risk on the site. The applicant has submitted a Flood Risk Assessment and the Environmental Services Department has stated no objection, subject to conditions.

The applicant has provided a Confirmation of Feasibility from Irish Water. The letter notes the following required works:

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- A wayleave in favour of Irish Water to be provided for the Irish Water watermain that traverses the site;
- Extension of the 150mm watermain on Old Naas Road by 140 metres at the applicant's expense.

This is the expected content of a connection agreement with Irish Water. In reporting on the planning application as consultee, Irish Water has recommended that connections agreements for water and waste water are required by condition. This is acceptable.

Public Housing

The Housing Department has not submitted a report. The applicant has proposed that 7 duplex apartments be delivered as Part V units. The preference of the Council is to acquire units on site. The details shall be agreed by **condition**.

Screening for Appropriate Assessment

The applicant has provided an Appropriate Assessment Screening Report. The report concludes that the development does not require a Stage 2 Appropriate Assessment, and that mitigation measures have not been taken into account in the consideration of the recommendation. Having regard to the nature of the development, connection to public services and the distance from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

Screening for Environmental Impact Assessment

Having regard to the scale of the proposed development, and the distance of the site from nearby sensitive receptors, there is no likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Conclusion

The proposed development is located on lands split between 'LC' and 'RES' zoning objectives. The local centre zoned lands in the area do not currently fulfil the function of a local centre and it is an objective of the County Development Plan to prepare a Local Area Plan focused on the improvement of services in the area. The applicant should comment on how they are complying with the policies and objectives that relate to a local centre, and how the development would not be premature pending adoption of a Local Area Plan.

The development is otherwise located on 'RES' zoned lands and a full assessment of it as a residential development has been undertaken. There are a number of issues that should be addressed by additional information to improve the layout as well as a number of other aspects of the development.

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Recommendation

Request Additional Information

Additional Information

Additional information was requested on 2nd February 2022 and received on 22nd April 2022.

Further Consultations

Environmental Services	No objection.
Housing Department	Does not accept proposed Part V units.
Public Realm	No response received
Roads	No objection, subject to conditions.

Further Observations

None.

Assessment of Additional Information

Item 1

The principle of residential development at the site is not considered to be settled, having regard to the split zoning on the site, the apparent lack of local amenities in the local centre, the fact that it is not zoned 'RES-N', and the Specific Local Objective for the site.

The applicant is requested to provide an audit of community infrastructure and facilities in the area as described in the objective, to demonstrate how the development would not be premature pending the adoption of a Local Area Plan, and to demonstrate how the development of the site would provide for local services as detailed in Policies UC1, UC5, R1 and R8 and of the County Development Plan.

Response

The applicant has provided a Social Infrastructure Assessment.

Assessment

The SIA provided by the applicant shows what services are available in a 2.5km catchment area of the development; though the assessment concentrates on lands south of the development and no services north of the N7 are shown. As per the request item, SDCC sought information relating to local services serving a local catchment. It is clear from many of the maps provided with the SIA that this scale of assessment has not taken place. For example, the applicant has concentrated in one section on services available in the Citywest Shopping Centre – this is 2.4 km from the site, and not within the realistic reach of a 'local catchment' for local services. The

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broad assessment of services located across the Tallaght, Citywest, Fortunestown and Saggart areas is of little use in assessing the local services available in a local centre.

The applicant has not provided comment, nor is it evident, how the SIA demonstrates that development at the site would not be premature in respect of the mentioned policies and prior to the adoption of a Local Area Plan.

The site location is quite isolated from other residential areas in the county, and there is a need for local facilities to serve the residents of the area (including prospective residents of the proposed development).

Appropriate facilities within a local centre are set out in the County Development Plan, and several policies in that plan signpost the sort of facilities that should be provided in local centres in order to efficiently organise development and services in the county. These are:

- Houses of worship / multi-faith facilities (Policy C4)
- Childcare facilities (Policy C8)
- Healthcare facilities (Policy C11)
- Local shops to serve a local catchment (Policy UC1)
- retail, community, recreational, medical and childcare uses at a scale that caters predominantly for a local level catchment. (Policy UC5 Local Centres)
- retail (Policy R8 which suggests that local centres should be retail-led).

The services available in the 'LC' zoned area or its immediate surrounds are (as listed in the SIA):

- Louise O'Rourke, Physiotherapist (appears to be a secondary site for a business based in Newcastle, operated out of a house within the grounds of the grave stone yard).
- Prudence College Dublin (however, its website shows it to be located in ACE enterprise park in Clondalkin).
- Shamrock Rovers Football Academy and Roadstone Group Sports Club.

It would appear from observations on the ground and the SIA provided by the applicant that none of the basic services that might be expected to be found in a local centre are provided at Kingswood Cross. In the context of the subject application, it is premature and potentially inappropriate in principle to set aside the policies in the plan relating to local centres in favour of providing an entirely residential scheme.

Development may also be considered premature prior to the adoption of a Local Area Plan for the area as per Policy CS6 SLO2 of the South Dublin County Council Development Plan 2016 – 2022 (and a similar policy under QDP14 in the Draft County Development Plan).

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The Local Centre zoning covers approximately one quarter of the site, to the north. This is the site of the rugby clubhouse and current car park. It is considered reasonable to allow residential development to go ahead on the southern portion of the site, but to **omit (by condition)** the following parts of the development:

- The duplex block (14 no. duplex units, units 64 to 77) and associated parking, and communal open space.

The following changes and agreed details would need to be resolved by the condition:

- Parking for unit 1 to be provided alongside parking for unit 2;
- Parking for unit 49 to be provided alongside parking for unit 48.
- Temporary boundary treatments and services arrangements pending the development of appropriate retail, commercial or community services on the local centre site, and additional residential development alongside such services, subject to a future planning application .

Item 2

The proposal is located in close proximity to Casement Aerodrome. The contents of Section 11.6.6 (iii) of the County Development Plan are noted, under which development density and height can be limited, or restricted altogether. The site is under the inner approach surface of Casement Aerodrome and may be inside the 'extended public safety zone' though this is not clear. The applicant is requested to consider the same and comment in particular on how the development would comply with section 11.6.6 (iii) of the County Development Plan, in particular in relation to the headings 'Public Safety Zones' and 'Inner Approach Area'.

Response

The applicant has provided a map which shows that the site is not in the inner approach area or the department of defence inner zone.

Assessment

The map provided clarifies that the site is in the outer approach area for Casement Aerodrome. Having regard to the proposed building heights, the established building heights adjacent and on site and the shielding principle in IE 8 Objective 3 of the Development Plan, the Planning Authority does not consider that the development will impact on the operation of Casement Aerodrome.

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Item 3

The proposal would see the existing vehicular access to the site relocated to the south-west corner of the site, as an at-grade connection would be impossible to the north-west corner, where the existing vehicular access is provided.

There are some notable problems with this approach:

- The proposal would appear to be in breach of Policy H16 Objectives 1 and 2 of the County Development Plan, which read:

Objective 1

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

Objective 2

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

- removal of mature trees at the south-west location to facilitate vehicular access;
- patchy streetscape at said access owing to its proximity with adjoining sites;
- It is noted that the Irish Water wayleave provides a natural location for vehicular access to the site from the north-west. Necessity to retain wayleave has provided for an unenclosed parking courtyard in the north-west corner of the site instead;
- The applicant proposes to retain the stone boundary wall to the west of the site, and a number of trees on the western boundary. It is unclear if this is consistent with the proposed raising of ground level by up to 1.5m immediately inside the site at these locations;

The proposed strategy is understood to be responding to the particular context and challenge of serving the proposed site. The applicant may wish to consider, alternatively, the use of a vacuum system to service the site without resorting to reprofiling of the site. The applicant should provide comment or consider revising the proposal.

Response

The applicant provides a written response stating that changes to levels on the land are necessary in order to allow for surface water drainage to drain into the river on the site, and to allow for a foul water connection at the south-west of the site.

The applicant also argues that Policy H16 Objective 2 does not apply as the site does not have steep or varying topography, and the proposed solution (raising the levels by 1-1.5m across the north of the site and reversing the topography of the terrain) does not constitute an intrusive engineering solution. The applicant similarly argues that by proposing to raise the levels on the site by 1 to 1.5m, the development would respond to the natural contours as per Policy H16 objective 1.

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The applicant has not shown consideration of the use of an alternative system.

Assessment

The response is adequate and accepted by the Planning Authority.

Item 4

(a) The residential development is considered to be slightly low in density in comparison to County Development Plan standards and taking into account the relevant national guidance. The applicant is requested to justify the proposed density having regard to the County Development Plan and National Guidance.

(b) Pedestrian Connections

(i) The pedestrian connections to the south should be agreed with the adjoining management company and provided as part of the development – in particular, the south-east connection as proposed does not match the existing boundary gate connecting the development to the south with the rugby pitches. These spaces should link up and if possible the adjoining public open spaces should form a single larger space. The applicant should progress this issue and provide a response via additional information.

Note: It is noted that the development to the south is due to be taken in charge as per the details of that permission, but that open spaces will remain in the charge of an Owner's Management Company.

(ii) The proposed pedestrian connection to the south-west would be accessible via a parking court off the main street. It is considered that the street layout here could be considerably improved with the reorganisation of the adjoining block, through the provision of dormer bungalows with direct frontage onto the connection and siding onto the southern boundary, and wrap-around corner units, to provide continuous residential frontage onto the pedestrian route, ensure a street-like layout, and guarantee passive surveillance. The applicant should consider revising the layout at this location.

(c) Northern Street and Duplex Layout.

The communal amenity space for the proposed duplex block is adequately sized but inappropriately placed, presenting a long hedgerow boundary to a residential street. Similarly, the parking court to the north of the duplex block seems to be a left-over space which could be improved. The arrangement of the duplex block, communal amenity space, and parking court, should be reappraised and revised in order that the communal space can be enclosed without presenting a defensive boundary to the local street. The applicant is requested to provide on-street parking and a stronger building frontage.

Response

(a) The applicant has provided a written rationale and stated that the density is 34 DpH.

(a) (i) The applicant has shown a landscaping proposal for a connection to the south-east, taking account of the change in levels (1.5m) between the sites at this location.

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- (ii) The revised plans show the house nearest to the pedestrian access at the south-west, being oriented to face the pedestrian gate.
- (b) The duplex block is now provided with unit entrances on all four facades and the boundary treatment to the communal open space is described as being 'low' and not defensive.

Assessment

- (a) Response is acceptable and it is considered that the density is in line with national and local guidance.
- (a) There remain issues of detailed design with each pedestrian connection. In general, such connections should offer generous visual permeability between the spaces they connect, so as to maximise safety for pedestrian users at all times. Final layouts for these connections should be subject to a **condition of permission**.
- (b) The applicant's response does not address the main issue of layout around the duplex block, and in particular the layout of the parking is considered to be an issue. The layout of this area is moot in the context of the conclusion to item 1, however.

Item 5

The impact of the proposed development on the existing trees contained within the development site is not acceptable to the SDCC Public Realm Section, and would contravene policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 and other GI policies and objectives in the County Development Plan. The current proposal would have a negative impact on existing trees within the development site area. The proposed development will require the removal of 38 no. trees and a large section of existing hedgerow.

The applicant should provide a response which should include a revised layout to significantly reduce the impact of the proposed development on the existing mature trees, in particular addressing:

- (a) those trees located along the western boundary which are proposed to be removed.
- (b) The proposal provides for the removal of a number of mature trees and boundary hedgerows, particularly to the south-west of the site, which would erode the existing sense of privacy for adjoining residents. To facilitate a proposed row of houses to the south-west (units 16 to 23), it is proposed that a row of trees and hedgerow would need to be removed. These could be better retained in, for instance, communal or public amenity space. In combination with the general concern for loss of trees arising from the development, the applicant is requested to address potential alternatives at this location which would allow for the retention of these trees.

Response

The applicant has provided a revised Landscape Plan after consultation with the SDCC Public Realm Department.

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Assessment

The SDCC Public Realm Department has recommended a grant of permission, subject to 10 conditions relating to:

- Implementation
- Retention of landscape architect
- Landscape management and maintenance
- Taking in charge
- SUDs implementation
- Arboricultural method statement
- Tree and hedgerow protection measures
- Tree bond and arboricultural agreement
- Play
- Bird and bat boxes

The Public Realm Department's recommended **conditions** are considered to be acceptable.

Item 6

The applicant is requested to provide the following additional information as required by the SDCC Public Realm Department:

(a) Landscape Plan

(i) The applicant is requested to submit a plan which clearly delineating communal and private spaces should be provided, as well as a detailed breakdown of the total area of same. Consideration of how the design of the landscape and provision of furniture/equipment will facilitate use of these spaces for both adults and children is also required.

(ii) The applicant is requested to submit level details for the open space, this shall include cross section drawings where applicable. If retaining walls are required, they shall be located outside the open space.

(iii) Details of tree planting pits to include SUDs measures in urban tree pits

(iv) Detailed planting plan.

(b) Planting Proposals

Planting should be predominantly native and pollinator friendly where possible, street trees to be minimum 18-20cm girth and open space trees to be 20-25cm girth, specimen/feature trees should ideally be 30-35cm girth. Street trees where possible should contain SUDS features and be planted within the public realm. The applicant should have suitable tree pits that attenuate water within hard surface areas. The applicant should clearly outline how SuDS features within the tree pits will function. Details of constructed/bio retention tree pits to be used to be provided. The applicant is requested to submit a fully detailed Planting Plan to accompany the landscape

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proposals for the entire development. The applicant should propose native species where possible to encourage biodiversity and support pollinators within the landscape. Planting material where possible should be Irish Grown Nursey Stock and the importation of foreign planting material should be avoided within the proposed planting schemes. Response should include revised layout and drawings.

(c) Children's Play

Additional play provision shall be provided for within the proposed development. An emphasis shall be on active, accessible play throughout the development. The applicant is requested to provide fully detailed play proposals as part of the landscape scheme for the proposed development. The applicant shall consider the provision of additional universally accessible equipment within the play proposals for the development. Additional details, specifications and images need to be provided in relation to the proposed playgrounds and play spaces for the development. All play equipment shall be of predominantly natural materials with unstructured play included in the proposed design. The applicant shall consider the use of engineered woodchip as playground surfacing material. The applicant shall provide further details in this regard.

Response

As per item 5, the applicant has submitted a revised Landscape Plan and has consulted with the SDCC Public Realm Department.

Assessment

The SDCC Public Realm Department has stated no objection, subject to conditions. This is noted.

Item 7

The SDCC Public Realm Department has noted a number of concerns relating to the related issues of water attenuation, SUDs, and public open space. The applicant is requested to provide additional information to address the following points:

(a) The issue of surface water attenuation is a significant concern for the Public Realm Section. All the proposed attenuation tanks are situated under areas identified as public open space; a large portion of the public open space areas are underlain by these tanks. This approach is not considered acceptable to the Public Realm Section. The proposal places severe limitations on the potential use and landscaping of the open space into the future. When the area of the attenuation tanks is taken from the public open space area provision then there is potentially a significant shortfall in terms of the open space provided and the standards contained in the South Dublin County Development Plan 2016-2022. The location of these tanks on the open space reduces both the amenity and usability of the open space provided. Revised proposals with regard to the proposed location of the attenuation tanks within the open space areas to be provided by the applicant. Further consideration of the breakdown in provision of open space and the location

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and size of attenuation tanks needs to be carried out. Response should include revised layout and drawings.

(b) The applicant is requested to submit revised plans to include the following:

(i) Significantly reduce the impacts of the development on existing green infrastructure especially the mature boundary trees within the proposed development site

(ii) Demonstrate how natural SuDS features can be incorporated into the design of the proposed development

(iii) Green infrastructure proposals that will mitigate and compensate for the impact of the proposed development on the existing boundary trees. These proposals should include additional landscaping, SUDS measures (such as permeable paving, green roofs, filtration planting, above ground attenuation ponds, construction/bioretention tree pits etc.) and planting for carbon sequestration and pollination to support the local Bat population. Response should include revised layout and drawings.

(c) A comprehensive SuDS Management Plan shall be submitted to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan shall also be included as a demonstration of how the system will function following implementation.

Additional natural SuDS features should be incorporated into the proposed drainage system for the development such as bio-retention/constructed tree pits. In addition, the applicant is requested to provide the following:

(i) Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development.

(ii) Street Trees should be planted in public open space with suitable tree pits that incorporates SuDS features

(iii) Tree pit incorporating SUDS features should include a deep cellular water storage/attenuation area below the surface which acts as a soak away allowing surface water to infiltrate into the ground.

Response

As per item 5, the applicant has submitted a revised Landscape Plan and has consulted with the SDCC Public Realm Department. As per this plan, the applicant has proposed to improve the SUDS measures and reduce the use of underground attenuation.

Assessment

The SDCC Public Realm Department has recommended conditions, including for final agreement of a SUDS plan.

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Item 8

(a) Based on limited information provided the surface water attenuation of 984m³ is undersized by approximately 10%. The applicant is requested to submit a report showing revised details of different surface types such as buildings, permeable paving, green areas and their respective run off coefficients.

(b) The applicant is requested to submit a revised drawing showing the proposed surface water attenuation. Any additional attenuation required should be provided by means of SuDS (Sustainable Drainage). Examples of SuDS include, green roofs, permeable paving, filter drains, swales, green area detention basins, tree pits and other such SuDS.

(c) The applicant is requested to clarify and illustrate on a drawing if a petrol interceptor is proposed prior to entry of surface water to arched type proposed attenuation systems. A suitable sized petrol/oil interceptor should be proposed.

(d) Water Services of SDCC estimate that surface water discharge should be limited to 5.1 litres/second and not 6.5 litres/second as proposed on drawing number 21003-TJOC-ZZ-DR-C-0065. The applicant is requested to submit a report and drawing to explain this difference and adjust where necessary.

Response

(a) The applicant has provided a technical written response, in which they state that the surface water run-off will be acceptable.

(a) It is proposed to reduce the underground attenuation in favour of additional SUDs and surface water storage features including tree pits, bio retention area, and filter strips.

(b) A petrol interceptor is provided. The RFI planning report indicates where on the accompanying drawings the interceptor is located.

Assessment

The Environmental Services Department has provided the following comment:

“Prior to commencement of development the applicant shall clearly label the location of proposed Klargestor NSBE025 on Drawing Number 21003-TJOC-ZZ-ZZ-DR-C-0064 and Drawing Number 21003-TJOC-ZZ-ZZ-DR-C-0065.”

Note: a Klargestor NSBE025 is an oil separator / petrol interceptor.

The report does not otherwise contain a comment relating to water attenuation or SUDs. As shown in the RFI Planning Report, the petrol interceptor is identified on drawing 0065. It is also shown on drawing no. 0064.

It would appear that standard **conditions** relating to the overall agreement of water services layouts are required, and the SUDs measures proposed are acceptable in principle.

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Item 9

The applicant is requested to:

- (a) provide a Stage 1 & 2 Road Safety Audit of the completed design.
- (b) revise the cycle parking provision to match those standards found in the 2020 Apartment guidelines, and to provide cycle parking around the public open space.
- (c) consider improvements to the adjoining section of the Old Naas Road for the purposes of improving pedestrian and cycle access to infrastructure in the local centre.

Response

The applicant has provided a Road Safety Audit and has submitted details of cycle parking provision on the site. The applicant has also proposed to provide a footpath up the western side of the site, inside the tree line.

Assessment

The Roads Department has accepted the applicant's proposals regarding items (a) and (b). Their report recommends the following condition regarding item (c):

“Prior to commencement of development, the design and construction details of footpath improvements on the opposite side of the development for the entire length of the development, to be constructed by the applicant/developer and at their own expense, shall be agreed with the Planning Authority in writing. The agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file. REASON: in the interest of pedestrian and traffic safety.”

The Roads Department otherwise recommends a condition relating to the provision of additional pedestrian crossings. The proposed conditions are considered appropriate subject to a clearer wording to confirm that pedestrian facilities are to be provided on both sides of Old Naas Road.

Item 10

The applicant has provided a letter from a childcare business in Citywest supporting the non-provision of childcare facilities on the site owing to the potential to undermine the viability of the existing facility. It is considered that a potential childcare facility would usually be expected in a large development and more details should be submitted regarding the capacity and no. of enrolments at the existing facility.

Response

The applicant's Social Infrastructure Assessment (See item 1) contains a study of childcare facilities in the area. In addition, the applicant's written response to this item states that the proposed development, containing 70 no dwellings (when the 7 no. 1-bed dwellings are

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excluded) does not require its own childcare facilities “as per the 2001 guidelines”. The 2001 childcare guidelines recommend a ratio of 20 no. spaces per 75 dwellings.

The applicant also submitted an updated letter of support from “Links Childcare” based in the business park to the south, which states that there are 15 spaces available in the facility and urges that a creche not been included in the development due to the impact it would have on the existing business.

Assessment

As per item 1, it is noted that the ‘LC’ zoning objective as well as relevant policies on urban centres and childcare in the County Development Plan, encourages the concentration of childcare facilities in urban centres. The 2001 guidelines provide a recommendation of 1 childcare facility for 75 no. dwellings in new developments, and it would seem appropriate by that metric that a facility would be considered for the proposed development.

It is also considered reasonable, as per item 1, that retail or community or other facilities be facilitated on the ‘local centre’ zoned lands, reflecting not just the zoning objective but also the dearth of such facilities within the local centre as illustrated by the applicant’s SIA. Such provision could be flexible enough to allow for conversion of floor space to childcare facility if needed.

It is considered reasonable that the issue of childcare facilities be determined through either a new Local Area Plan or by way of a separate application to develop part of the ‘LC’ zoned lands, and (as per the assessment of item 1), a portion of the proposed development be omitted to allow for local centre facilities to be developed in the future.

Housing

Though not specifically raised in any of the above items, the SDCC Housing Department has made a submission following receipt of the RFI. The Department does not accept the applicant’s Part V proposal (as per original application) on the basis of the proposed mix of units and seeks a Part V provision that more closely follows the overall mix of the proposed development. The applicant shall have to find agreement with the Housing Department as per the standard **condition of permission** regarding a s.96 agreement.

Screening for Environmental Impact Assessment

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

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Screening for Appropriate Assessment

The applicant has not provided information to assist the screening for Appropriate Assessment. Having regard to the nature of the development, connection to public services and the distance from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

Other Considerations

63 houses permitted, as follows:

House Type	Bedrooms	No. of Units	Floor Area (Unit) (Sq.m.)	Floor Area (Total) (Sq.m.)
E2	3	4	110.4	441.6
E2A	3	1	110.4	110.4
E2X	3	5	128	640.0
E3	3	1	127.4	127.4
N1	3	25	111.6	2790.0
N2	3	17	114.3	1943.1
N5	3	2	120.6	241.2
N7	2	8	84	672.0
		63		6965.7

SEA Monitoring

Development Type: Residential

Floor Area (Sq.m): 6965.7

Site Type: Greenfield

Site Area (Ha.): 2.28

Conclusion

The proposed development is located on lands partially zoned 'RES' ("To improve and/or protect residential amenities") and 'LC' ("To protect, improve and provide for the future development of Local Centres"), and which are subject to a local objective (CS6 SLO2) which seeks the adoption of a Local Area Plan for the local area. The application does not provide for local services as part of this development, and the applicant has not demonstrated that the local centre or local catchment is otherwise well served. Notwithstanding that residential development is permissible in a local centre, and that a local centre can incorporate residential development, it is considered contrary to the proper planning and sustainable development of the area to develop the site wholly for residential use.

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Notwithstanding the above, the applicant has satisfactorily responded to numerous points raised in the request for additional information, and it is considered that development of the majority of the site as proposed would not be seriously injurious to the residential amenities of the area, subject to conditions attached herewith.

Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 - 2022 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 22nd April 2022, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. Modification.
 - (a) This is a permission for 63 no. dwelling units.
 - (b) 14 no. duplex units (units 64 to 77) and associated parking, and communal open space are omitted from this permission.
 - (c) The pedestrian path running north-south along the western boundary of the site shall be included in the development, with details to be agreed.
 - (d) Prior to commencement, the applicant shall secure the written agreement of the Planning Authority to the following details:
 - (i) temporary boundary treatments and services arrangements for the area of development where units are omitted.

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(ii) the parking space for unit 1, which shall be provided alongside the parking space for unit 2; and

(iii) the parking space for unit 49, which shall be provided alongside the parking space for unit 48.

Note: Unit numbers given are as per drawing 2112 P 1001 'Proposed Site Layout' lodged on 22nd April 2022.

REASON: To ensure the development is not premature pending the adoption of a Local Area Plan as per CS6 SLO2 of the South Dublin County Council Development Plan 2016 - 2022; and that it is not contrary to Policies UC1, UC6, and R8 of the County Development Plan, and to allow for future development featuring local centre services on the northern portion of the site another a separate planning application.

3. Connections.

The pedestrian connections between the proposed development at the site to the south shall be provided with low walled boundaries, or an alternative boundary treatment that provides for enhanced visibility of and through the connection, maximises passive surveillance, and ensures visual permeability between adjoining streets and open spaces. Prior to the commencement of development, the applicant, developer or land owner shall obtain the written agreement of the Planning Authority to final layout, landscaping and boundary treatment details of the two pedestrian connections to the south.

REASON: To protect residential amenities.

4. Public Footpaths and Pedestrian Crossings.

(a) The proposed development shall include a pedestrian crossing point across Old Naas Road, connecting the development to the western side of the road.

(b) The proposed development shall include footpath improvements to the western side of Old Naas Road along the length of the development.

(c) Prior to commencement of development, the location, design, and construction details of the pedestrian crossings to be constructed by the applicant/developer and at their own expense shall be for the written agreement of the Planning Authority. The agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.

(d) Prior to commencement of development, the design and construction details of footpath improvements on the western side of Old Naas Road for the entire length of the development, to be constructed by the applicant/developer and at their own expense, shall be agreed with the Planning Authority in writing.

REASON: in the interest of pedestrian and traffic safety.

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5. Ecology and Environment.

(A) (i) Prior to commencement of development, the applicant shall submit and obtain written agreement of the Planning Authority for a site specific Construction Environmental Management Plan. The CEMP shall identify potential impacts and mitigating measures, and a mechanism for ensuring compliance with environmental legislation, and ensure best construction practices including measures to prevent and control the introduction of pollutants and deleterious matter to surface water and measures to minimise the generation of sediment and silt. Precautions must be taken to ensure there is no entry of solids, during the connection of pipe work, or at any stage to the watercourse on-site.

(ii) The CEMP shall identify those measures required as per the Ecological Impact Assessment (see below).

(iii) The CEMP shall be accessible at the site throughout the construction phase.

(iv) A suitably qualified Ecological Clerk of Works should be appointed to monitor and direct the implementation of both the CEMP and the mitigation measures recommended in the Ecological Impact Assessment.

(B) (i) The mitigation measures recommended in the Ecological Impact Assessment shall be implemented as part of the development.

(ii) Prior to commencement of works, the applicant shall obtain the written agreement of the Planning Authority to any alterations to the scheme required as per the Ecological Impact Assessment, and to a proposal outlining how they will implement the measures required in the Ecological Impact Assessment.

The measures provided for in the Ecological Impact Assessment can be summarised as follows (please refer to pages 44 - 52 of the Ecological Impact Assessment Report for full breakdown):

1. Construction phase surface water management measures;
2. Vegetation:
 - Careful removal of dead wood/leaves and storage in an 'out of the way' area to provide compensatory hedgehog habitat during the construction phase;
 - Construction materials (i.e. plastic sheeting and netting) to be stored off the ground overnight;
 - Removal of hibernation habitats such as logs and scrub/hedgerow should not take place between 1st November and 1st March, and it is recommended that this take place during September/October;
 - Removal of potential bird nesting sites (hedgerow, scrub and treelines) shall take place outside of the nesting season (1st March to 31st August);
 - Pre-removal surveys of vegetation to be carried out by a qualified ecologist if occurring during the nesting season, and nests/young birds protected;
 - Any trees to be removed in the period of late August to late October/early November

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in order to protect potential bat roosts;

- Appropriate measures for removal of any tree with 'moderate' bat roosting potential (Bat Tree Assessment, Pre-felling bat survey, derogation licence from the NWPS)
- Specific procedures for felling trees;
- 3. Noise Control: Control of noise measures to be set out in the CEMP
- 4. Night-time lighting
 - Bat-friendly night-time lighting to include 25% dimming between hours of 12 midnight and 6am;
 - Night-time lighting of the site to be kept to a minimum during construction phase;
- 5. Habitat enhancement;
 - Provision of holes in walls and fences at ground level to facilitate a 'hedgehog highway' through the site;
 - Provide details of these features to new occupants;
 - Provide 5+ bat boxes through the site to provide future roosting opportunities, such as on:
 - Eaves of taller buildings
 - Mature trees being retained

All under the supervision of a qualified ecologist.

REASON: In the interest of proper planning and sustainable development of the area

6. Street Lighting

Public Lighting and Landscaping Plan

a) Prior to the commencement of development, the applicant shall agree in writing an integrated public lighting scheme and Landscape Plan with the Planning Authority. Once agreed, the scheme shall be constructed/installed to taking in charge standards at the expense of the developer and to the satisfaction of South Dublin County Council Lighting Department, after consultation as necessary with the SDCC Heritage Officer and SDCC Public Realm Department.

b) The Public Lighting scheme and Landscaping Plan shall be integrated and agreed with the Planning Authority.

c) The site shall be landscaped in accordance with a comprehensive landscape plan, details of which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. This scheme shall include the following:

- A. A Landscape Masterplan to scale of not less than 1:500 showing –
 - i. The species, variety, number, size and locations of all proposed planting
 - ii. Details of Hard landscape works, specifying surface material and furniture
 - iii. Details of natural SuDs features
 - iv. Details of proposed play provision
 - v. Detailed Sections and Elevations
- B. Specifications for mounding, leveling, cultivation and other operation associated with plant and grass establishment
- C. A timescale for implementation

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D. Areas to be taken in Charge

(d) The applicant shall submit a letter from their consulting ecologist confirming that the detail of measures described under 'Mitigation Measure 4: Night-Time Lighting' in the Ecological Impact Assessment has been adhered to in the final Public Lighting Plan.

REASON: In the interests of public safety, biodiversity, residential amenity and visual amenity.

7. Bat and Bird Boxes.

Prior to the occupation of the buildings a scheme to provide bird boxes and bat boxes/tubes on the site shall be submitted to and approved in writing by the Planning Authority. The agreed scheme shall be implemented before the buildings are occupied and thereafter maintained.

REASON: To encourage wildlife on the site.

8. Ecology - Mitigation Measures.

The following mitigation measures shall be implemented:

(a) Public lighting in the scheme shall be limited in brightness, coverage, and times of use, so as to limit or completely mitigate the impact on bats, as per the 'ideals' on p14 of the Bat Survey Report unless otherwise agreed by the Planning Authority in writing.

(b) Native planting shall be used throughout the scheme where removed vegetation is being replaced, as per the recommendations on p15 of the Bat Survey Report.

REASON: in the interest of biodiversity and to facilitate bats.

9. Implementation of Revised Landscape Masterplan

The landscaping scheme shown on the submitted Landscape Masterplan Dwg No. 21578-2-101 (and associated detailed plans and submitted Landscape Design Statement prepared by Cunnane Stratton Reynolds) shall be implemented in full, within the first planting season following completion of the development, in addition:

a) All hard and soft landscape works shall be completed in full accordance with the approved Landscape Masterplan Dwg No. 21578-2-101.

b) All trees, shrubs and hedge plants supplied shall comply with the requirements of BS: 3936, Specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of BS : 4428 (1989) Code of Practice for General Landscape Operations (excluding hard surfaces).

c) All new tree plantings shall be positioned in accordance with the requirements of Table 3 of BS 5837: 2012 'Trees in Relation to Design, Demolition and Construction – Recommendations'.

d) Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within three years of planting shall be replaced within the next planting season by trees, shrubs or hedging

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plants of similar size and species to those originally required to be planted

REASON: To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting of the CDP 2016-2022

2. Retention of Landscape Architect

- i) Prior to the commencement of any permitted development, the developer shall appoint and retain the services of a qualified Landscape Architect (or qualified Landscape Designer) as a Landscape Consultant, throughout the life of the construction works and shall notify the planning authority of that appointment in writing prior to commencement.
- ii) A Practical Completion Certificate is to be signed off by the Landscape Architect when all landscape works are fully completed to the satisfaction of the planning authority in accordance with the permitted landscape proposals.
- iii) Installation of attenuation tree pits shall be supervised by the project landscape architect.

CONDITION

REASON: In the interests of residential and visual amenity and to ensure full and verifiable implementation of the approved landscape design

3. Landscape Management and Maintenance

PRIOR TO COMMENCEMENT OF DEVELOPMENT a Landscape and SUDS Management Plan which includes long term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved Landscape and SUDS Management Plan. CONDITION

REASON: To provide for the satisfactory future maintenance of this development in the interest of visual amenity.

4. Taking in Charge

(a) All areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company.

(b) A map delineating those areas to be taken in charge by the Local Authority and details of the legally constituted management company contract, and drawings/particulars describing the parts of the development for which the legally-constituted management company would have responsibility shall be submitted to, and agreed in writing with, the planning authority before any of the residential or commercial units are made available for occupation. The management scheme shall provide adequate measures for the future maintenance of public open spaces, roads and communal areas. CONDITION

REASON: To provide for the satisfactory future maintenance of this development in the

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interest of residential amenity

4. SUDS IMPLEMENTATION

Prior to the occupation of the buildings the submitted SuDS scheme shall be implemented within a timescale to be agreed and approved by the Planning Authority and thereafter managed and maintained in accordance with the approved details and submitted management and maintenance plan. **CONDITION**

REASON: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies under Section 8.4.0 Sustainable Urban Drainage Systems of the CDP 2016-22 in particular G5 Objective 1 and G5 Objective 2.

6. Arboricultural Method Statement

The applicant shall submit a detailed Arboricultural Method Statement (AMS). The AMS shall include justification and mitigation for any tree removal proposed and details of how trees will be protected at all stages of the development. Recommendations for tree surgery works and details of any tree surgery works necessary will be required as will the method and location of tree protection measures, the phasing of protection methods where demolition or construction activities are essential within root protection areas and design solutions for all problems encountered that could adversely impact trees (e.g. hand digging or thrust-boring trenches, porous hard surfaces, use of geotextiles, location of site compounds, office, parking, site access, storage etc.). All works shall be carried out in accordance with the agreed AMS. **CONDITION**

REASON: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

7. Tree and Hedgerow Protection Measures

Prior to the commencement of construction works on site, the applicant shall submit a tree protection plan for the approval of the Public Realm Section. Tree protection measures shall be shown on a layout plan accompanied by descriptive text and shall include:

- a) The location of the trees to be retained and their root protection areas and canopy spreads (as defined in BS 5837: 2012 Trees in relation to design, demolition and construction);
- b) The position and construction of protective fencing around the retained trees (to be in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction).
- c) The extent and type of ground protection, and any additional measures required to safeguard vulnerable trees and their root protection areas.
- d) An arboricultural impact assessment which evaluates the direct and indirect impacts of the proposed development on the trees to be retained and proposed mitigation.
- e) An arboricultural method statement to demonstrate that operations can be carried out

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with minimal risk of adverse impact on trees to be retained.

f) A method statement for any works proposed within the root protection areas of the trees shown to be retained.

e) A meeting with the Project Landscape Architect, Site Foremen, the appointed Arborist and a Parks Superintendent from the Public Realm Section shall take place on-site to inspect that:

i. all tree pruning & tree felling has been carried out appropriately and

ii. that the protective fencing has been erected prior as per the submitted Tree Protection Plan This fencing is to remain in place for the duration of the project.

The approved tree protection measures shall be retained in situ until the development has been completed. **CONDITION**

REASON: In order to ensure adequate protection for the trees and hedges on the site during the construction of development, and in the interests of the visual amenity of the area.

8. Tree Bond and Arboricultural Agreement

Prior to the commencement of any permitted development or any related construction activity or tree felling on the site, the applicant shall lodge a Tree and Hedgerow Bond to the value of €98,778.24 with the Planning Authority. This is to ensure the protection of trees on and immediately adjacent to the site to make good any damage caused during the construction period.

The bond lodgement shall be coupled with an Arboricultural Agreement, with the developer, empowering the planning authority to apply such security, or part thereof, to the satisfactory protection of any tree/hedgerow or trees/hedgerows on or immediately adjoining the site, or the appropriate and reasonable replacement of any such trees/hedgerows which die, are removed or become seriously damaged or diseased within a period of three years from the substantial completion of the development. Any replacement planting shall use large semi-mature tree size(s) and species or similar as may be stipulated by the planning authority.

An Arboricultural Assessment Report and Certificate is to be signed off by a qualified Arborist after the period of 3 years of completion of the works. Any remedial tree surgery, tree felling works recommended in that Report and Certificate shall be undertaken by the developer, under the supervision of the Arborist. The bond will only be refunded upon receipt by SDCC Public Realm Section of a satisfactory post-construction arboricultural assessment, carried out by a qualified arborist and provided that the hedges/trees proposed for retention are alive, in good condition with a useful life expectancy. **CONDITION**

REASON: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

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9. Play

Details of play proposals to be agreed with Public Realm. Play proposals should include accessible play features. All play equipment should be of predominantly natural materials with unstructured play included in the proposed design. Details of all play equipment, and safety surface, along with specifications and proof that all equipment conforms to European Standards EN 1176-1-11 and EN 1177 Playground equipment and surfacing shall be submitted prior to the commencement of development. Post installation certification by the Royal Society for the Prevention of Accidents will also be a requirement. An Indicative Play Map showing types of play and age groups catered for shall also be submitted. **CONDITON**

REASON: in the interest of ensuring safe, quality play provision and the proper, sustainable development in compliance with best practice guidance.

10. Bird and Bat Boxes

Prior to the occupation of the buildings a scheme to provide bird boxes and bat boxes/tubes on the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented before the buildings are occupied and thereafter maintained. **CONDITION**

REASON: To encourage wildlife on the site.

10. Retention of Landscape Architect.

i) Prior to the commencement of any permitted development, the developer shall appoint and retain the services of a qualified Landscape Architect (or qualified Landscape Designer) as a Landscape Consultant, throughout the life of the construction works and shall notify the planning authority of that appointment in writing prior to commencement.

ii) A Practical Completion Certificate is to be signed off by the Landscape Architect when all landscape works are fully completed to the satisfaction of the planning authority in accordance with the permitted landscape proposals.

iii) Installation of attenuation tree pits shall be supervised by the project landscape architect.

REASON: In the interests of residential and visual amenity and to ensure full and verifiable implementation of the approved landscape design

11. Landscape Management and Maintenance

Prior to commencement of development, a Landscape and SUDS Management Plan which includes long term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) shall be submitted to and approved by the Planning Authority. The development shall be carried out in accordance with the approved Landscape and SUDS Management Plan.

REASON: To provide for the satisfactory future maintenance of this development in the interest of visual amenity.

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12. SUDS Implementation.

Prior to the occupation of the buildings the submitted SuDS scheme shall be implemented within a timescale to be agreed and approved by the Planning Authority and thereafter managed and maintained in accordance with the approved details and submitted management and maintenance plan.

REASON: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies under Section 8.4.0 Sustainable Urban Drainage Systems of the CDP 2016-22 in particular G5 Objective 1 and G5 Objective 2.

13. Trees.

(A) Arboricultural Method Statement.

The applicant shall submit a detailed Arboricultural Method Statement (AMS). The AMS shall include justification and mitigation for any tree removal proposed and details of how trees will be protected at all stages of the development. Recommendations for tree surgery works and details of any tree surgery works necessary will be required as will the method and location of tree protection measures, the phasing of protection methods where demolition or construction activities are essential within root protection areas and design solutions for all problems encountered that could adversely impact trees (e.g. hand digging or thrust-boring trenches, porous hard surfaces, use of geotextiles, location of site compounds, office, parking, site access, storage etc.). All works shall be carried out in accordance with the agreed AMS.

(B) Prior to the commencement of construction works on site, the applicant shall submit a tree protection plan for the approval of the Public Realm Section. Tree protection measures shall be shown on a layout plan accompanied by descriptive text and shall include:

I) The location of the trees to be retained and their root protection areas and canopy spreads (as defined in BS 5837: 2012 Trees in relation to design, demolition and construction);

II) The position and construction of protective fencing around the retained trees (to be in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction).

III) The extent and type of ground protection, and any additional measures required to safeguard vulnerable trees and their root protection areas.

IV) An arboricultural impact assessment which evaluates the direct and indirect impacts of the proposed development on the trees to be retained and proposed mitigation.

V) An arboricultural method statement to demonstrate that operations can be carried out with minimal risk of adverse impact on trees to be retained.

VI) A method statement for any works proposed within the root protection areas of the trees shown to be retained.

VII) A meeting with the Project Landscape Architect, Site Foremen, the appointed

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Arborist and a Parks Superintendent from the Public Realm Section shall take place on-site to inspect that:

- all tree pruning & tree felling has been carried out appropriately and
- that the protective fencing has been erected prior as per the submitted Tree Protection Plan This fencing is to remain in place for the duration of the project.

The approved tree protection measures shall be retained in situ until the development has been completed.

REASON: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

14. Tree Bond.

Prior to the commencement of any permitted development or any related construction activity or tree felling on the site, the applicant shall lodge a Tree and Hedgerow Bond to the value of €98,778.24 with the Planning Authority. This is to ensure the protection of trees on and immediately adjacent to the site to make good any damage caused during the construction period.

The bond lodgement shall be coupled with an Arboricultural Agreement, with the developer, empowering the planning authority to apply such security, or part thereof, to the satisfactory protection of any tree/hedgerow or trees/hedgerows on or immediately adjoining the site, or the appropriate and reasonable replacement of any such trees/hedgerows which die, are removed or become seriously damaged or diseased within a period of three years from the substantial completion of the development. Any replacement planting shall use large semi-mature tree size(s) and species or similar as may be stipulated by the planning authority.

An Arboricultural Assessment Report and Certificate is to be signed off by a qualified Arborist after the period of 3 years of completion of the works. Any remedial tree surgery, tree felling works recommended in that Report and Certificate shall be undertaken by the developer, under the supervision of the Arborist. The bond will only be refunded upon receipt by SDCC Public Realm Section of a satisfactory post-construction arboricultural assessment, carried out by a qualified arborist and provided that the hedges/trees proposed for retention are alive, in good condition with a useful life expectancy.

REASON: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

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15. Play.

(a) Details of play proposals to be agreed with the Planning Authority after consultation as necessary with the Public Realm Department. Play proposals should include accessible play features. All play equipment should be of predominantly natural materials with unstructured play included in the proposed design.

(b) Details of all play equipment, and safety surface, along with specifications and proof that all equipment conforms to European Standards EN 1176-1-11 and EN 1177 Playground equipment and surfacing shall be submitted prior to the commencement of development.

(c) Post installation certification by the Royal Society for the Prevention of Accidents shall be submitted to the Planning Authority upon completion.

(d) An Indicative Play Map showing types of play and age groups catered for shall be submitted.

REASON: in the interest of ensuring safe, quality play provision and the proper, sustainable development in compliance with best practice guidance.

16. Irish Water Connection Agreement.

Prior to the commencement of development the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

REASON: In the interest of public health and to ensure adequate water/wastewater facilities.

17. Drainage - Surface Water.

The disposal of surface water, shall fully comply with all of the technical requirements of the Council's Water Services Section. In this regard, prior to the commencement of development, the applicant/developer shall submit the following for the written agreement of the Planning Authority:

(a) Fully detailed foul and surface water drainage plans for the proposed development as approved showing location of all manholes, AJs etc located within the site boundary up to and including point of connection to the public sewer that fully accords with the requirements Council's Water Services Section and or Irish Water,

(b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

(c) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.

REASON: In the interests of public health, safety, the proper planning and sustainable development of the area and in order to ensure adequate and appropriate surface water drainage provision.

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18. Taking in Charge.

Prior to the commencement of development, the applicant/owner shall submit the following for the written agreement of the Planning Authority:

A plan indicating any part of the development, as approved, intended to be offered for Taking-in-Charge to the Planning Authority, such areas shall be fully consistent with the Planning Authority's Taking-in-Charge policy and requirements. The plan shall make provision for all of the following:

- (a) All drainage and service ducts including accessories are fully located in, and accessible from, areas to be offered for Taking-in-Charge.
- (b) Where applicable any wayleaves in favour of SDCC shall be fully executed prior to being offered for Taking-in-Charge.
- (c) Site features to be retained and protected within any part of the approved development intended to be offered for Taking-in-Charge.
- (d) Any external common areas of the development as approved that it is intended to be retained in private ownership.

REASON: In the interest of the proper planning and sustainable development of the area and to provide clarity on the nature and extent of areas intended to be offered for Taking-in-Charge to the Planning Authority.

19. Access, Transport and Parking.

- (a) Prior to commencement of development a developed Construction & Demolition Waste Management Plan shall be agreed in writing with the Planning Authority.
 - (b) Prior to commencement of development a Construction Traffic Management Plan shall be agreed in writing with the Planning Authority.
 - (c) All items and areas for taking in charge shall be undertaken to a taking in charge standard. Prior to development the applicant shall submit construction details of all items to be taken in charge. No development shall take place until these items have been agreed.
- REASON: in the interest of traffic and pedestrian safety.

20. Public Realm Facilities for Charging Electric Vehicles.

Prior to the commencement of development, the applicant/owner shall submit the following for the written agreement of the Planning Authority:

- (i) a revised site layout plan clearly setting out full details of the location of all proposed facilities and equipment in the public realm (whether to be offered for taking in charge or not) for charging electric vehicles, including details of the overall height, design, colour and all safety features of such equipment including isolation of power supply, and measures to provide for suitable pedestrian safety, along with completed Electrical designs to serve the development as approved prepared by competent electrical design consultants all of which have been agreed with the Council's Roads Section, and
- (ii) Agreed arrangements for the operation and management of such facilities for charging electric vehicles, along with:

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All facilities for charging electric vehicles should be clearly marked as being designated for Electric Vehicle charging. Appropriate signage clearly indicating the presence of a Charge Point or Points should also be erected. All Charge Points fitted in publicly accessible areas should be capable of communicating usage data with the National Charge Point Management System and use the latest version of the Open Charge Point Protocol (OCCP). The facilities for charging electric vehicles should also support a user identification system such as Radio Frequency Identification (RFID).

REASON: In the interests of the proper planning and sustainable development of the area, to provide for improved urban air quality, reduced noise pollution and to support the transition to a low carbon future.

21. Management Company.

A. Prior to the commencement of development the applicant/owner shall submit the following for the written agreement of the Planning Authority:

(i) A plan clearly identifying and dimensioning the external common areas of the development to be retained in private ownership by an owners' management company (OMC) under the Multi-Unit Developments Act 2011, or other acceptable legal entity prior to the occupation of the [first residential unit], and this plan shall also clearly identify and dimension any areas of the approved development intended to be offered for taking in charge by the Council, and;

(ii) A detailed building lifecycle report which shall include an assessment of long term running and maintenance costs as they would apply on a per residential unit basis at the time of approval of the development, as well as demonstrating what measures have been specifically considered by the developer to effectively manage and minimise costs for the benefit of all potential residents.

The said external common areas of the development to be retained in private ownership indicated in the plan required shall not be taken in charge by the Council and shall instead be maintained in perpetuity by an Owners' Management Company set up for this purpose pursuant to the Companies Acts, 1963 as amended and the Multi-Unit Developments Act 2011.

(iii) A management scheme which shall provide adequate measures for the future maintenance of public open spaces, roads and communal areas.

B. Continued membership of an Owners' Management Company set up for this purpose pursuant to the Companies Acts, 1963 as amended and the Multi-Unit Developments Act 2011 shall be compulsory for all owners for the time being of property within the development.

C. No development shall take place under this permission until the applicant, owner or developer has lodged for the written agreement of the Planning Authority:

(i) A copy of the Certificate of Incorporation of the said Company responsible for the external common areas of the development to be retained in private ownership has been lodged with the Planning Authority in respect of the plan required above.

D. Any changes to the status or nature of the Owners' Management Company shall be

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notified to the Council forthwith.

E. The Owners' Management Company shall hold insurance for public liability risk at all times for all areas under its control or responsibility.

REASON: To ensure a proper standard of residential development and maintenance of the private areas within the development and compliance with the South Dublin County Council Development Plan.

22. Street Naming and Dwelling Numbering.

Prior to the commencement of any works on site the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:

(i) A street naming and dwelling/unit numbering scheme, for the development as approved that is in accordance with the Planning Authority's policy and requirements for such schemes, along with associated proposed signage for the scheme.

The agreed number shall be placed on each house upon completion so as to be clearly legible from the proposed access road or the public realm, and the agreed street name in both Irish and English, or Irish only shall be erected at the beginning of each street in a manner to be clearly legible, and in accordance with Planning Authority's requirements.

The development name should:

1. Avoid any duplication within the county of existing names, and
2. Reflect the local and historical context of the approved development, and
3. Comply with;
 - (a) Development Plan policy, and
 - (b) The guidelines on naming and numbering of the Department of the Environment, Heritage and Local Government, and
 - (c) Have regard to the Guidelines issued by the Place Names Commission (An Coimisiún Logainmneacha) and
 - (d) Preferably make exclusive use of the Irish language.

Proposals for an apartment name and numbering scheme and associated signage shall be lodged with the Planning Authority prior to the date of any Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any works on site.

The applicant, developer, or owner is advised to consult with Naming and Numbering section of the Planning Authority in advance of lodging the required scheme.

REASON: In the interest of the proper planning and sustainable development of the area and compliance with the South Dublin County Council's Development Plan.

23. Restriction on Use and Occupancy.

Each proposed residential unit shall be used and occupied as a single dwelling unit for residential purposes and shall not be sub-divided or used for any commercial purposes, (including short-term letting).

REASON: To prevent unauthorised development.

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24. Regulation of Institutional Investment in Housing - Houses and/or duplex unit-type development.
- (a) Prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each housing unit), pursuant to Section 47 of the Planning and Development Act 2000 (as amended), that restricts all residential units permitted to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- (b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- (c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified residential units, in which case the planning authority shall confirm in writing to the developer or any person with an interest in the land, that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.
- REASON: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.
25. Council Housing Strategy.
- The applicant, owner or developer, or any other person with an interest in the land to which the development as approved relates shall, prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations 1997 or as otherwise agreed:
- (i) enter into an agreement with the Housing Authority for compliance with the Part V of the Planning and Development Act 2000 (as amended) as referred to in the South Dublin County Council Development Plan 2016-2022, providing, in accordance with that section, for the matters referred to in paragraph (a) or (b) of subsection (3) of section 96, and
- (ii) when the agreement with the Housing Authority for compliance with the Part V of the Planning and Development Act 2000 is finalised to the satisfaction of the Housing Authority, a certified copy of the agreement shall be lodged with the Planning Authority.
- REASON: To promote social integration consistent with policies/objectives of the Councils Housing Strategy as contained in the South Dublin County Council Development Plan 2016-2022.

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26. Occupation subject to service connection.

No dwelling unit shall be occupied until all the services (drainage, water supply, electricity and or other energy supply, public lighting and roads) for each dwelling unit have been completed thereto and are operational.

REASON: In the interest of the proper planning and sustainable development of the area.

27. Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

28. Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be

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the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

29. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €727,845.99 (seven hundred and twenty seven thousand eight hundred and forty five euros and ninety nine cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

30. Pursuant to this decision, no development shall be commenced until security for the provision, satisfactory completion and maintenance, to the taking in charge standard of South Dublin County Council (outlined in the Councils Taking in Charge Policy), of roads, open spaces, car parks, sewers, watermains, drains and other publicly accessible services required in connection with the development, has been given by:
- (A) Lodgement of a cash deposit of €323,134.00 (three hundred and twenty three thousand one hundred and thirty four euros) (amount will be updated at the date of commencement of development in accordance with changes in the Tender Price Index), to be retained by South Dublin County Council and applied by South Dublin County Council at its absolute discretion, if roads, open spaces, car parks, sewers, watermains, drains and other publicly accessible services required in connection with the development are not duly provided, completed and maintained to the taking in charge standard of South Dublin

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County Council (outlined in the Councils Taking in Charge Policy), or
(B) By lodgement with South Dublin County Council of an approved Insurance Company Bond or a Bond of any Body approved by the Planning Authority in the sum of €371,581.00 (three hundred and seventy one thousand five hundred and eighty one euros) (amount will be updated at the date of commencement of development in accordance with changes in the Tender Price Index) which shall be kept in force until such time as the roads, open spaces, car parks, sewers, watermains, drains and other public services required in connection with the development are provided, completed and maintained to the taking in charge standard of South Dublin County Council (outlined in the Council's Taking in Charge Policy). The bond shall be coupled with an agreement empowering South Dublin County Council to apply such sum or part thereof of said bond to the satisfactory completion of publicly accessible services in the development.
REASON: To ensure that a ready sanction may be available to South Dublin County Council to induce the provision of public services and safeguard amenity in the development.

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The applicant is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

NOTE: A Roads Opening Licence must be obtained from South Dublin County Council prior to the commencement of any works in the public domain in order to comply with the Roads Act 1993, Section 13, paragraph 10. Under this Act, non-compliance constitutes an offence.

NOTE: The applicant/developer is advised that the most up to date South Dublin County Council Taking in Charge Policy and associated documents can be found at the following location <https://www.sdcc.ie/en/services/planning/commencement-and-completion/completion/taking-in-charge-policy-standards>.

NOTE: The applicant shall notify the Irish Aviation Authority and the Department of Defence regarding any cranes likely to penetrate ICAO surfaces.

NOTE: Adequate provision should be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons, including sanitary conveniences. The minimum requirements should be as per Part M of the Building Regulations.

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NOTE: Notwithstanding any grant of planning permission; if an applicant requires permission to access local authority land (e.g. public footpaths, public open space or roadways) in order to access utilities, or for any other reason; please apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.

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REG. REF. SD21A/0327

LOCATION: Gordon Park, Old Naas Road, Kingswood, Dublin 22



Colm Harte,
Senior Executive Planner



Eoin Burke, Senior Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made

Date: 19th May 2022



Mick Mulhern, Director of Land
Use, Planning & Transportation