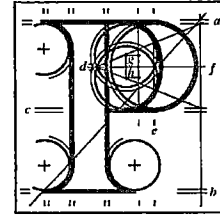


Our Case Number: ABP-314192-22

Planning Authority Reference Number: SD21A/0290



**An
Bord
Pleanála**

Land Use Planning & Transportation

29 JUL 2022

South Dublin County Council

South Dublin County Council
Planning Department
County Hall
Tallaght
Dublin 24

Date: 28 July 2022

Re: Demolition of Leabeg, house, extensions, shed, boiler house shelter and removal of septic tank, existing Priory building not affected, demolition of buildings on the Priory site, construction of 10 houses, demolition of boundary fence and entrance walls along Kiltipper Road to both properties, new site entrance, boundary fences, automatic gates, pedestrian entrance, carparking spaces, and associated site works.

Combined sites of 'The Priory' and 'Leabeg', Kiltipper Road, Old Bawn, Dublin 24

Dear Sir / Madam,

Enclosed is a copy of an appeal under the Planning and Development Act, 2000, (as amended).

Submissions of documents etc., to the Board. N.B. Copies of I-plans are not adequate, all drawings and maps should be to scale in accordance with the provisions of the permission regulations.

1. The planning authority is required to forward specified documents to the Board under the provisions of section 128 and section 37(1)(b) of the Planning and Development Act, 2000, (as amended). Please forward, **within a period of 2 weeks beginning on the date of this letter, the following documents:-**

(i) a copy of the planning application made to the planning authority and a copy of any drawings, maps (including ordnance survey number) particulars, evidence, a copy of any environmental impact statement, other written study or further information received or obtained by your authority in accordance with regulations under the Acts. If practicable, the original of any drawing with coloured markings should be provided or a coloured copy,

(ii) a copy of any technical or other reports prepared by or for the planning authority in relation to the application,

(iii) a certified copy of the relevant Manager's Order giving the decision of the planning authority,

(iv) a copy of the notification of decision given to the applicant,

(v) particulars of the applicant's interest in the land or structure, as supplied to the planning authority,

Teil	Tel	(01) 858 8100
Glaos Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

- (vi) a copy of the published notice and a copy of the text of the site notice erected on the land or structure,
- (vii) a copy of requests (if any) to the applicant for further information relating to the application under appeal together with copies of reply and documents (if any) submitted in response to such requests,
- (viii) a copy of any written submissions or observations concerning the proposed development made to the planning authority,
- (ix) a copy of any notices to prescribed bodies/other authorities and any responses to same,
- (x) a copy of any exemption application/certificate within Part V of the 2000 Act, (as amended), applies,
- (xi) a copy of the minutes of any pre-planning meetings.

2. To ensure that the Board has a full and complete set of the material specified above and that it may proceed with full consideration of the appeal, please certify that the planning authority holds no further material relevant to the case coming within the above list of items by signing the certification on page 3 of this letter and returning the letter to the Board.

3. In addition to the documents mentioned above, please supply the following:- Particulars and relevant documents relating to previous decisions affecting the same site or relating to applications for similar development in near proximity. "History" documents should include;

- a) Certified Manager's Order,
- b) the site location, site layout maps, all plans and
- c) particulars and all internal reports.
- d) details of any extensions of time given in respect of previous decisions.

Copies of I-plan sheets are not adequate.

Where your records show that a decision was appealed to the Board, it would be helpful if you would indicate the Board's reference.

Submissions or observations by the planning authority.

4. As a party to the appeal you may, under section 129 of the 2000 Act, (as amended), make submissions or observations in writing to the Board in relation to the appeal within a **period of 4 weeks beginning** on the date of this letter. Any submissions or observations received by the Board outside of that period shall not be considered, and where none have been validly received, the Board may determine the appeal without further notice to you.

Contingency Submission

5. If the decision of your authority was to refuse permission, you should consider whether the authority wishes to make a contingency submission to the Board as regards appropriate conditions which, in its view, should be attached to a grant of permission should the Board decide to make such a grant. In

Teil	Tel	(01) 858 8100
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Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

particular, your authority may wish to comment on appropriate conditions which might be attached to a permission in accordance with section 48 and/or 49 of the 2000 Planning Act (Development / Supplementary Development Contributions) including any special condition which might be appropriate under section 48(2)(c) of the Act. Any such contingency submission, in circumstances which your authority decided to refuse permission, would be without prejudice to your authority's main submission in support of its decision.

Please quote the above appeal reference number in any further correspondence.

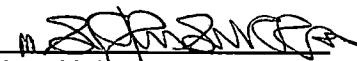
I hereby certify that the planning authority has complied with section 128 and section 37(1)(b) of the 2000 Act, (as amended), and that all material relevant to (ABP-314192-22) the request at 1 on page 1 of this letter has been forwarded.

Signed: _____

Print: (_____)

Date: _____

Yours faithfully,

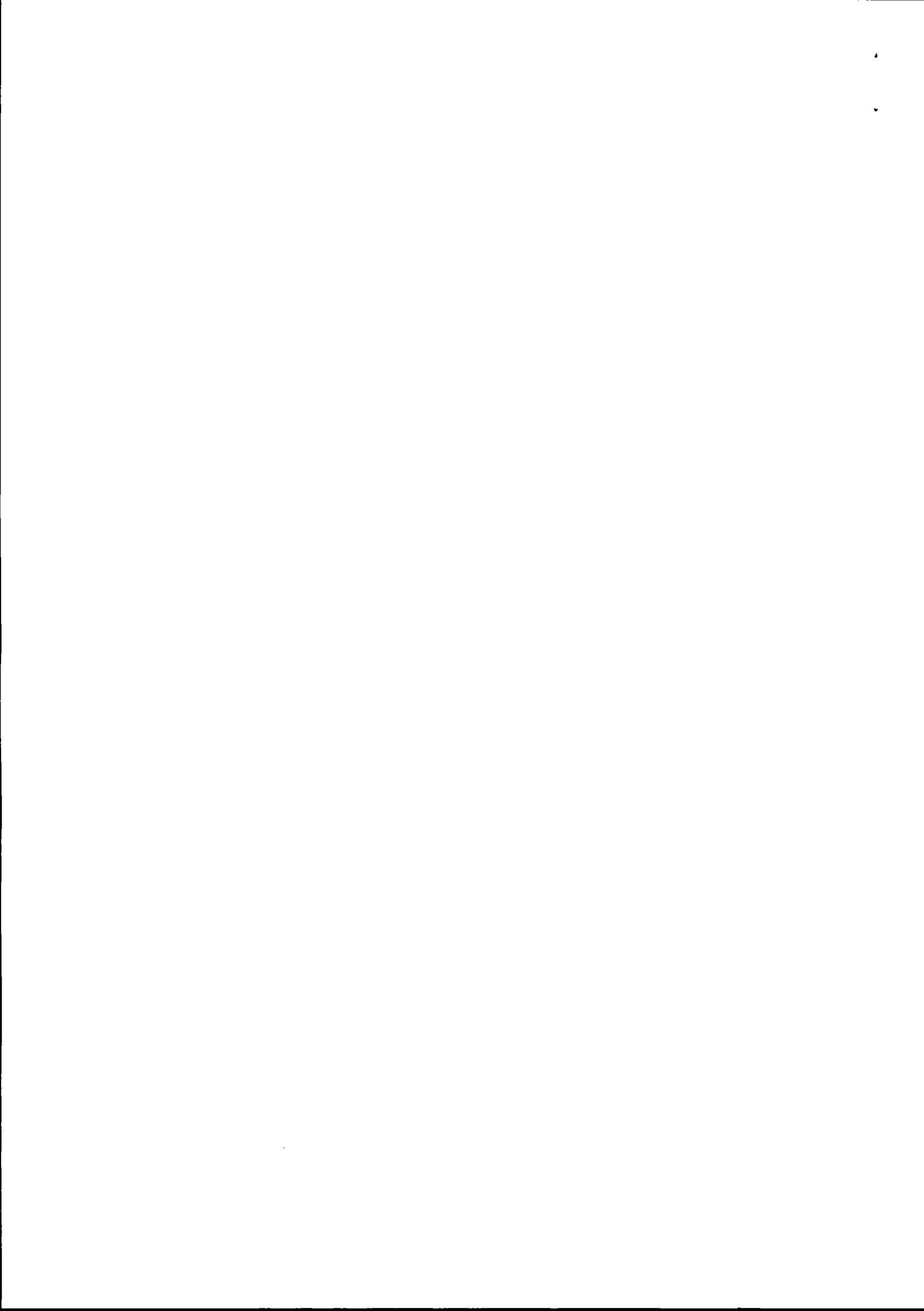

Liam Halpin

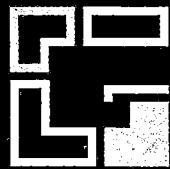
Direct Line: 01-8737280

BP07

Teil	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

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D01 V902	D01 V902





GRAVIS

PLANNING

BELFAST | DUBLIN

AN BORD PLEANÁLA
DG- _____
ABP- _____
26 JUL 2022
Fee: € 220 Type: Cheque
Time: 16:31 By: hac



26 July 2022

An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

BY HAND

Dear Sir/Madam,

Re: Third Party Appeal – South Dublin County Council Planning Reg. Ref. SD21A/0290

On behalf of our client, the Kiltipper Kiltalown Residents Association, please find enclosed a Third Party Appeal against the above-referenced planning permission. A cheque for the applicable fee of €220 is attached.

Please do not hesitate to contact the undersigned in the event of any queries.

Yours sincerely,

Ed Barrett

Gravis Planning

ebarrett@gravisplanning.com



**The Kiltipper Kiltalown Residents
Association**

**Third Party Appeal against Decision to Grant
Planning Permission**

**South Dublin County Council Pl. Reg.
Ref. SD21A/0290**

AN BORD PLEANÁLA	
LDG. <u>055672-22</u>	
ABP. _____	
26 JUL 2022	
Fee: € <u>220</u>	Type: <u>Charge</u>
Time: <u>16:31</u>	By: <u>hand</u>

July 2022

Prepared By:

Gravis Planning
Denshaw House,
121 Baggot Street,
Dublin 2,
Ireland

T: 01 6599445

www.gravisplanning.com


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PLANNING

Contents

1.0	Introduction	3
2.0	Proposed Development	5
3.0	Development Site	6
4.0	Grounds of Appeal	7
5.0	Summary	9

Appendices

- A. Planning Appeal Form
- B. Decision Notice
- C. Receipt of Submission

1.0 Introduction

- 1.1 We, Gravis Planning¹, act on behalf of the 'Kiltipper Kiltalown Residents Association'² (referred to hereafter as 'the Association') which, along with a number of individual local residents, submitted observations to SDCC Planning Reg. Ref. SD21A/0290³. The Association, having reviewed the assessment and decision of South Dublin County Council⁴, has serious concerns regarding the proposed development and wishes to appeal the decision to An Bord Pleanála.
- 1.2 A cheque for the applicable third-party appeal fee of €220 accompanies this submission.
- 1.3 The planning application concerned proposes 10no. individual homeless accommodation units to be located alongside an existing homeless hostel facility at Kiltipper Road on the rural outskirts of Tallaght.
- 1.4 The site of the proposed development comprises two former private dwelling houses ('the Priory' and 'Leabeg') which have been acquired by the Peter McVerry Trust. One of these properties – 'the Priory' – has been in use as a hostel for an extended period⁵, despite never receiving planning permission for its change of use from residential. The other, 'Leabeg', is currently vacant.
- 1.5 The properties involved are in a rural setting⁶, remote from local services and facilities, with the existing hostel facility served by a private bus service. This, according to the application material, is to be extended to serve the intensified use.
- 1.6 They are adjoined by private residential properties to the east and west on Kiltipper Road, and to the south on Ballymana Lane. A HSE care facility lies further to the west on Kiltipper Road, within a converted dwelling house⁷.
- 1.7 The residents of this area, represented by the Association, are concerned by the intensification of use that is being proposed by this development and the over-concentration of homeless accommodation that it brings to this poorly serviced location. They have not been consulted by the applicant at any point, and note with frustration and concern the lack of detail that is provided regarding the management and operation of the expanded facility. Furthermore, they do not consider their previously expressed concerns regarding pedestrian and traffic safety to have been adequately addressed by South Dublin County Council. They wish to appeal accordingly.

¹ Gravis Planning, Denshaw House, 121 Baggot Street Lower, Dublin 2.

² c/o Mark Kennedy, Ballymana Lane, Ballymana, Kiltipper, Dublin 24.

³ A copy of the Association's receipt of submission is attached at Appendix C.

⁴ Decision Notice attached at Appendix B

⁵ SDCC meeting minutes dated 08/07/2019 confirm the property as being in use as that time for 'homeless single persons'.

⁶ The 'rural nature of the site' is acknowledged in the SDCC Chief Executive's Order.

⁷ The property formerly known as 'Kilshean' – planning reg. ref.s S00B/0695 and SD07B/0038 refer.

1.8 The appeal is set out as follows:

1. Introduction
2. Proposed Development
3. Development Site
4. Grounds of Appeal
5. Summary

2.0 Proposed Development

- 2.1 The application proposes the demolition of a number of outbuildings within the site of 'the Priory', with the main building – which has been in use over an extended period as a homeless hostel – to remain untouched. It is unclear from submitted material how many people are accommodated within 'the Priory' at any given time, however it would appear to be a significant operation⁸. Local residents have reported between 10 – 12 occupants on a single night⁹. The adjoining 'Leabeg' property is to be converted into 2no. individual accommodation units, with a further 8no. units arranged in 2 blocks to the rear, extending into the garden area of the existing 'Priory' property.
- 2.2 The proposed ten independent units, alongside the existing hostel capacity, will represent a significant concentration of homeless accommodation at this location.
- 2.2 A unified access, parking and landscaping arrangement is proposed for the expanded facility, creating a fully integrated site. As the submitted Design Statement notes, the two sites will be 'combined into a new housing development'.
- 2.3 There is very little detail provided as to the staffing and management arrangements for the expanded facility – no staff numbers are provided – however it appears that the existing 'Priory' hostel will be the administrative centre. The submitted Design Statement notes that *"each unit can be serviced and link back to the main hostel building"* which will be *"manned by administrative and maintenance staff at all times of day"*.
- 2.4 In total, 14no. car parking spaces are to be provided across a new, unified parking and access layout. It is noted that an expanded private bus service is to be provided to facilitate access to local services and facilities from the facility, however no frequency for this service is stated, there is no vehicle tracking for it included in the submission, and no set down area provided for it within the proposed layout.
- 2.5 No footpath provision is included in the approved design material, however there is a condition applied requiring that a layout for same - connecting to an existing pedestrian crossing to the west - be agreed and delivered prior to occupation of the development. It is unclear how such provision can be achieved without the development – including significant hedgerow loss – of the adjoining property to the east of the site. This property is not – to the Association's knowledge – under the control of the applicant, but should it be acquired by them in due course it would further exacerbate concerns regarding an over-concentration of homeless services in this area.

⁸ We understand that the applicant received DRHE funding for the emergency accommodation of singles at the property of €420,000 in 2021 and 2020, and €315,000 in 2019.

⁹ We understand that the building is currently serviced by a septic tank, and have concerns accordingly as to its capacity and performance over recent years in light of the increased population load.

3.0 Development Site

- 3.1 The development site comprises two individual properties – ‘the Priory’ and ‘Leabeg’. These are described by the applicant as two ‘rural housing sites’. ‘Leabeg’ is currently vacant, however ‘the Priory’ has been in use for an extended period as a homeless hostel. No planning permission has ever been secured for the change of use of ‘the Priory’ from a residential dwelling to a hostel for homeless accommodation. We note, in this regard, that An Bord Pleanála has determined, in recent precedent, that such a change of use is ‘material’ and requires planning permission¹⁰.
- 3.2 The site is adjoined by private residential properties to the east and west on Kiltipper Road, and to the south on Ballymana Lane. As noted previously however, a HSE care facility lies further to the west on Kiltipper Road, within a converted dwelling house.
- 3.3 With the expansion of the existing hostel facility that is being proposed in close proximity to this HSE facility, the residents of the area are concerned that there is a significant over-concentration of sheltered housing/care facilities emerging in a location – remote from local services and facilities and with poor transport and pedestrian infrastructure – that is ill-equipped to cater for it.
- 3.4 Under the recently adopted County Development Plan the site of the proposed development is zoned ‘RES’, ‘to protect and/or improve residential amenity’¹¹. The residents of the area have, unfortunately, experienced anti-social behaviour emanating from the existing hostel and do not consider that the concentration of homeless accommodation that is being proposed in the area will protect and/or improve their residential amenity.
- 3.5 It should also be noted that the section of Kiltipper Road along which the site is located is clearly dangerous, with no footpaths, a blind corner and inadequate sightlines. We note that the Council helpfully proposed - in its extensive Request for Further Information - a number of design solutions to enhance pedestrian safety. None of these have been provided by the development proposal, and the Council has gone on to accept sightlines well below the *reduced* standard of 65m that it previously stated to be acceptable here. It should be noted that the achievement of these reduced sightlines appears to require a significant amount of hedgerow loss. The Roads Department notes that the relaxation of sightline standards in this case is acceptable “*due to the fact that this part of the road is currently being upgraded*”. No detail of this upgrade, or of how the proposal integrates with it, has been set out, and the residents wish to re-state, in the strongest terms, their previously expressed concerns regarding pedestrian and traffic safety.

¹⁰ ABP-308540-20

¹¹ A change from the original Draft Plan ‘RU’ (‘Rural Amenity’) zoning

4.0 Grounds of Appeal

4.0.1 The Residents' Association does not consider this location to be appropriate for the development proposed and appeals to the Board to consider the case *de novo*, taking into account the grounds of appeal set out below.

4.1 Nature and Extent of Proposed Use

4.1.1 The proposed development, which creates an expanded homeless accommodation facility containing a hostel building and 10no. individual accommodation units, is inappropriate for this poorly serviced location.

4.1.2 The site is remote from shops, services, education and employment opportunities and is poorly served by public transport and pedestrian infrastructure. The fact that it must rely on a private bus service to provide access for residents to local services - which is apparently to be expanded to cater for the increased numbers - is a reflection of its unsuitability.

4.1.3 It is not considered to be an 'appropriate location' for this type of development in accordance with Policy H1 Objective 3 of the CDP. The development of such accommodation in poorly serviced areas does not 'protect and/or improve' existing residential amenity, as required by the 'RES' zoning objective which applies under the newly adopted CDP.

4.1.4 Furthermore, the proposal - particularly when considered alongside the existing HSE residential care facility in the area - represents an inappropriate concentration of such accommodation in this area. This is to the detriment of the long-established rural character and amenity of the area and contrary to Policy H5 Objective 1 of the CDP, which requires such accommodation to be distributed "*in a balanced way located throughout the County so as to avoid an over- concentration in any particular area*".

4.2 Existing Unauthorised Use

4.2.1 The proposed development provides for an expanded homeless accommodation facility on unified site, with the new independent living units operating alongside and - in terms of maintenance, administration and day to day management - in tandem with the existing hostel facility at 'the Priory'.

4.2.2 It is, as the Chief Executive's Order describes it, an 'intensification of development' at the site. The existing use however - hostel for homeless accommodation - has never secured planning permission, as is required for a change of use from residential. It must be considered therefore, whether the proposed development represents an intensification of an existing unauthorised use.

4.2.3 In addressing this question in its 'Response to Further Information' the applicant noted that it would *review* the occupancy of the Priory with a view to it aligning with the requirements of Class 14(f) of Schedule 2 of the Planning and Development Regulations,

i.e. 'use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons', limited to 6 residents and 2 resident carers. No evidence has been provided that the occupancy of the building is in line with this, yet South Dublin County Council has simply accepted – with no further assessment or interrogation – that the “*use of the existing dwellinghouse is in line with Class 14(f)*”. This is not acceptable. Planning assessment and decision-making must be based on evidence. The applicant must, accordingly, provide *evidence* as to the ongoing occupancy and use of the Priory.

4.3 Operational Detail

4.3.1 There is very little detail provided in the submitted material as to the day-to-day operation and management of the expanded facility. It is clear that the Priory building will serve as the administrative hub for the site, and that the existing bus service for residents will be expanded (albeit no detail of this service is provided). Beyond this however, residents are left with no information as to how the facility will operate. Multiple questions arise, e.g.

- How many staff will be required?
- What will the maximum capacity of the new, expanded facility be?
- Will the facility be staffed on a 24-hour basis?
- What services will be provided on site?
- What traffic movements are projected, and at what times?
- How will the expanded private bus service operate?

4.3.2 Such questions are all relevant planning considerations for local residents but have not been addressed in the assessment of the application.

4.3.3 As noted previously, local residents have not been engaged with by the applicant at any stage and, as a consequence, have valid questions and concerns as to how the proposed facility would operate. These have not been addressed by the submitted application or the Council's assessment of same.

4.4 Traffic Safety

4.4.1 The Residents' Association, based on its own experience of this section of Kiltipper Road, has serious concerns regarding the pedestrian and traffic safety implications of the proposed development. The sightlines being proposed are an obvious concern, and there is no indication that the proposal has been designed to integrate with forthcoming road improvements for the area.

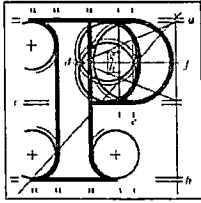
4.4.2 Furthermore, the footpath provision that is required by condition does not appear to be achievable, as the land required for it is not in the control of the applicant, and the road itself is – we understand – proposed to be widened in this section.

5.0 Summary

- 5.1 The proposed development is unsuitable for this peripheral, poorly serviced area. It will not protect and/or improve existing residential amenity.
- 5.2 As an expansion of the established hostel facility on site, it represents an unacceptable over-concentration of homeless accommodation at this location, contrary to CDP Policy H5 Objective 1.
- 5.3 The existing hostel use on the site has never received planning permission, and it remains unclear as to whether the existing occupation and use of 'the Priory' is planning-compliant.
- 5.4 Insufficient detail has been provided regarding the operation and management of the expanded facility, leaving a number of important planning considerations unaddressed.
- 5.5 There are clear pedestrian and traffic safety shortcomings with the proposed development.
- 5.6 We look forward to a detailed consideration of the proposal by An Bord Pleanála, and to receipt of a decision in due course.



Appendix A



An
Bord
Pleanála

Planning Appeal Form

Your details

1. Appellant's details (person making the appeal)

Your full details:

(a) Name

The Kiltipper Kiltalown Residents Association

(b) Address

c/o Mark Kennedy, Ballymana Lane, Ballymana,
Kiltipper, Dublin 24

Agent's details

2. Agent's details (if applicable)

If an agent is acting for you, please **also** provide their details below. If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

Gravis Planning

(b) Agent's address

Denshaw House, 121 Baggot Street Lr., Dublin 2

Postal address for letters

3. During the appeal we will post information and items to you or to your agent. For this appeal, who should we write to? (Please tick ✓ one box only.)

You (the appellant) at the address in Part 1

The agent at the address in Part 2

Details about the proposed development

4. Please provide details about the planning authority decision you wish to appeal. If you want, you can include a copy of the planning authority's decision as the appeal details.

(a) **Planning authority**

(for example: Ballytown City Council)

South Dublin County Council

(b) **Planning authority register reference number**

(for example: 18/0123)

SD21A/0290

(c) **Location of proposed development**

(for example: 1 Main Street, Baile Fearainn, Co Ballytown)

Combined sites of 'The Priory' and 'Leabeg', Kiltipper Road, Old Bawn, Dublin 24

Supporting material

6. If you wish you can include supporting materials with your appeal.

Supporting materials include:

- photographs,
- plans,
- surveys,
- drawings,
- digital videos or DVDs,
- technical guidance, or
- other supporting materials.

Acknowledgement from planning authority (third party appeals)

7. If you are making a third party appeal, you **must** include the acknowledgment document that the planning authority gave to you to confirm you made a submission to it.

Fee

8. You **must** make sure that the correct fee is included with your appeal. You can find out the correct fee to include in our Fees and Charges Guide on our website.

Oral hearing request

9. If you wish to request the Board to hold an oral hearing on your appeal, please tick the “yes, I wish to request an oral hearing” box below.

Please note you will have to pay an **additional non-refundable fee** of €50. You can find information on how to make this request on our website or by contacting us.

If you do not wish to request an oral hearing, please tick the “No, I do not wish to request an oral hearing” box.

Yes, I wish to request an oral hearing

No, I do not wish to request an oral hearing

NALA has awarded this document its Plain English Mark

Last updated: April 2019.

Planning Appeal Form
April 2019


**Plain
English**
Approved by NALA

Appeal details

5. Please describe the grounds of your appeal (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

Please refer to Appeal Statement.

Appendix B

Fitzgerald Kavanagh & Partners
1 Mount Street Crescent
Dublin 2

**NOTIFICATION OF DECISION TO GRANT PERMISSION
PLANNING & DEVELOPMENT ACT 2000 (as amended) AND
PLANNING REGULATIONS THEREUNDER**

Decision Order Number:	0826	Date of Decision:	29-Jun-2022
Register Reference:	SD21A/0290	Date:	02-Jun-2022

Applicant:

Peter McVerry Trust

Development:

Demolition of Leabeg, the existing single storey detached dwelling with single storey extensions to the rear including the single storey rear ancillary shed, boiler house shelter and removal of septic tank; existing the Priory building not affected by this application, as per previously granted planning permission SD15A/0202; demolition of ancillary buildings on the Priory site, including the single storey detached rear building, gas boiler enclosure, boundary palisade/timber fences that connect both sites and the removal of septic tank; construction of 10 one bedroom, single storey houses in three blocks consisting of Block A (Gross floor area: 204sq.m), Unit No.1, Unit No.2, Unit No.3, Unit No.4. - Block B (Gross floor area 205sq.m), Unit No.5, Unit No.6, Unit No.7, Unit No.8. Block C (Gross floor area 104sq.m), Unit No.9, Unit No.10; demolition of existing boundary fence and entrance walls along Kiltipper road to both properties; establish a new site entrance with new boundary fences, piers and automatic gates; new pedestrian entrance route with a proposed pathway from entrance to the housing units; construct a new boundary with automatic gates to the current Leabeg site entrance; provision for 10 car parking spaces, including 2 disabled car parking spaces and 2 electric car charging ports; new connected driveway layout, new bicycle stands, new enclosed bin stores, new landscaped gardens and paving areas, covered pergola areas and all ancillary site development works and site services; sites are covered under development plan housing strategy 2022-2028 H1 Objective 3 and housing strategy H1 objective 5 2016-2022.

Location:

Combined sites of 'The Priory' and 'Leabeg', Kiltipper Road, Old Bawn, Dublin 24

Floor Area:

Time extension(s) up to and including:

Additional Information Requested/Received: 16-Dec-2021 /02-Jun-2022

Clarification of Additional Information Requested/Received:

DECISION TO: Pursuant to the Planning & Development Act 2000 (as amended), it is hereby decided, 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 conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said decision is subject to the said conditions.

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 condition(s) set out hereunder is thereby 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 2nd June 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. Pedestrian Footpath.
Prior to commencement of development or as otherwise agreed in writing with the Planning Authority, the applicant shall agree in writing the final layout of a pedestrian footpath (of minimum width 1.8m, unless otherwise agreed in writing) to be provided to the front of the site and continuing to connect to the existing pedestrian crossing to the east of the site. The footpath to the front and connecting to the east shall be delivered prior to occupation of the independent living units.
REASON: In the interest of sustainable movement, traffic safety, pedestrian safety and the proper planning and sustainable development of the area.
3. Independent Living Units.
The independent living units shall not be separately sold and the site shall not be

subdivided for private use, nor used for a commercial purpose, subject to any future planning permissions. The units and site shall be managed by a registered Approved Housing Body or another Housing Authority as otherwise agreed in writing with the Planning Authority.

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

4. Public Lighting and Landscape 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.

b). The Public Lighting scheme, the footpath design and the 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

D. Areas to be taken in Charge

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

5. Bats.

(a) All recommendations and proposed mitigation measures proposed within the submitted Bat Assessment Report shall be implemented by the applicant in full. In addition, where required the developer shall apply for, and obtain, a European Protected Species Licence before work commences. In addition, specific native planting design which can provide habitats which support the invertebrate prey of bats and therefore provide foraging opportunities for bat species shall be provided for within the landscape proposal.

(b) The recommendations of the Bat Survey Report, as restated in the Further Information cover letter and contained in the Further Information Site Layout Plan, shall be implemented in full on the site.

REASON: To ensure the protection of the natural Heritage of the site in accordance with policies IE7 Objective 5, G2 Objective, G3 Objective 2, G4 Objective 2, HCL15 Objective 3, and other policies relating to Biodiversity within the CDP 2016-2022.

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 shall be incorporated into the proposed drainage system for the development such as rain gardens, detention basins, filter drains, swales etc. In addition, the applicant shall provide the following:

- Demonstrate the treatment train, biodiversity value and amenity value of the SUDS proposed
- Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development including drainage/attenuation calculations for same.
- Natural SUDS measures should be detailed to remove/ reduce the requirement for underground attenuation tanks in line with the development plan objectives.
- A maintenance schedule for all proposed SUDS features including any attenuation tanks proposed.

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.

7. 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 €50,000 with the Planning Authority.

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 the protection, safety, prudent retention and long-term viability of trees to be retained on and immediately adjacent to the site in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

8. Tree Protection and method statement pre-commencement

No operations shall commence on site in connection with the development hereby approved (including demolition works, tree works, fires, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement (AMS) in accordance with BS5837:2012 Trees in relation to design, demolition and construction – Recommendations has been submitted to and approved in writing by the Local Planning

Authority and the protective fencing is erected as required by the AMS. The AMS shall include full details of the following: a) Timing and phasing of Arboricultural works in relation to the approved development. b) Detailed tree felling and pruning specification in accordance with BS3998:2010 Recommendations for Tree Works. c) Details of a tree protection scheme in accordance with BS5837:2012: which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site which are shown to be retained on the approved plan d) Details of any construction works required within the root protection area as defined by BS5837:2012 or otherwise protected in the approved Tree Protection Scheme e) Details of the location of any underground services and methods of installation which make provision for protection and the long-term retention of the trees. f) Details of any changes in ground level, including existing and proposed spot levels required within the root protection area as defined by BS5837:2012 g) Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the arboricultural method statement.

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.

9. 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.

10. 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.

11. 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.

12. 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.

13. 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.

14. 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 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.

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 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: 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.

The Developer is advised that under the provisions of the Construction Products Regulation 2013 (No.305/2011-CPR) All products sourced for use in building process must conform with the statutory requirements of the CPR. For more information on these responsibilities see <http://ec.europa.eu/enterprise/sectors/construction/legislation>.

From March 1, 2014 the Building Control (Amendment) Regulations 2013 (SI 80 of 2013) come into effect. All Commencement Notices for works greater than 40sq.m are obliged to be accompanied by a number of certified undertakings as described by these Regulations.

Please note that upon receipt of this document you are obliged to remove the planning site notice in compliance with Article 20 of the Planning and Development Regulations 2001, as amended.

Please note that any valid submissions or observations received in accordance with the provisions of the Planning and Development Regulations 2001, as amended, have been considered in the determination of this application.

Signed on behalf of the South Dublin County Council.

Pamela Hughes
for Senior Planner

01-Jul-2022

Appendix C

An Rannóg Talamhúsáide, Pleanála agus Iompair
Land Use, Planning & Transportation Department
Telephone: 01 4149000 Fax: 01 4149104 Email: planning.dept@sdublincoco.ie

Mark Kennedy,
Kiltipper Kiltalown Residents Association
Ballymana Lane
Ballymana
Kiltipper
Dublin 24

Date: 29-Nov-2021

Dear Sir/Madam.

Register Ref: SD21A/0290

Development: Demolition of Leabeg, the existing single storey detached dwelling with single storey extensions to the rear including the single storey rear ancillary shed, boiler house shelter and removal of septic tank; existing the Priory building not affected by this application, as per previously granted planning permission SD15A/0202; demolition of ancillary buildings on the Priory site, including the single storey detached rear building, gas boiler enclosure, boundary palisade/timber fences that connect both sites and the removal of septic tank; construction of 10 one bedroom, single storey houses in three blocks consisting of Block A (Gross floor area: 204sq.m), Unit No.1, Unit No.2, Unit No.3, Unit No.4. - Block B (Gross floor area 205sq.m), Unit No.5, Unit No.6, Unit No.7, Unit No.8. Block C (Gross floor area 104sq.m), Unit No.9, Unit No.10; demolition of existing boundary fence and entrance walls along Kiltipper road to both properties; establish a new site entrance with new boundary fences, piers and automatic gates; new pedestrian entrance route with a proposed pathway from entrance to the housing units; construct a new boundary with automatic gates to the current Leabeg site entrance; provision for 10 car parking spaces, including 2 disabled car parking spaces and 2 electric car charging ports; new connected driveway layout, new bicycle stands, new enclosed bin stores, new landscaped gardens and paving areas, covered pergola areas and all ancillary site development works and site services; sites are covered under development plan housing strategy 2022-2028 H1 Objective 3 and housing strategy H1 objective 5 2016-2022.

Location: Combined sites of 'The Priory' and 'Leabeg', Kiltipper Road, Old Bawn, Dublin 24

Applicant: Peter McVerry Trust

Application Type: Permission

Date Rec'd: 22-Oct-2021

I wish to acknowledge receipt of your submission in connection with the above planning application. The appropriate fee of €20.00 has been paid and your submission is in accordance with the appropriate provisions of the Planning and Development Regulations 2001 (as amended). The contents of your submission will be brought to the attention of the Planning Officer during the course of consideration of this application.

This is an important document. You will be required to produce this document to An Bord Pleanála if you wish to appeal the decision of the Council when it is made. You will be informed of the decision in due course. Please be advised that all current applications are available for inspection at the public counter and on the Council's Website. www.sdublincoco.ie.

You may wish to avail of the Planning Departments email notification system on our website. When in the **Planning Applications** part of the Council website, www.sdublincoco.ie, and when viewing an application on which a decision has not been made, you can input your email address into the box named "**Notify me of changes**" and click on "**Subscribe**". You should automatically receive an email notification when the decision is made. Please ensure that you submit a valid email address.

Please note: If you make a submission in respect of a planning application, the Council is obliged to make that document publicly available for inspection as soon as possible after receipt. Submissions are made available on the planning file at the Planning Department's public counter and with the exception of those of a personal nature, are also published on the Council's website along with the full contents of a planning application.

Yours faithfully,

M. Furney
for Senior Planner