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PLANNING & DEVELOPMENT ACT, 2000 (as amended) AND PLANNING REGULATIONS THEREUNDER

Decision Order Number: 1117	Date of Decision: 29-Aug-2022
Register Reference: SDZ22A/0010	Registration Date: 04-Jul-2022

Applicant: Kelland Homes Ltd

Development: Kelland Homes Ltd. intends to apply for permission for development on a site area of 6.3Ha, on lands within the townland of Cappagh, Dublin 22. The proposed development is located west of the Ninth Lock Road, south of the Dublin-Cork railway line, north of Cappaghmore housing estate and Whitton Avenue, and east of an existing carpark / park & ride facility at the Clondalkin Fonthill train station and the R113 (Fonthill Road). The proposed development is located within the Clonburris Strategic Development Zone (SDZ), within the development areas of (i) Clonburris South East (i.e. CSE-S1 & CSE-S2) and (ii) part of Clonburris Urban Centre (i.e. CUC-54), as identified in the Clonburris SDZ Planning Scheme 2019. The proposed development consists of the construction of 294 no. dwellings, creche and retail / commercial unit, which are comprised of: 118 no. 2, 3 & 4 bed, 2 storey semi-detached and terraced houses, 104 no. 2 & 3 bfd duplex units accommodated in 10 no. 3 storey buildings, 72 no. 1 & 2 bedroom apartments in 2 no. 4 & 6 storey buildings, 1 no. 2 storey creche (c.520.2m²), 1 no. 2 storey retail /commercial unit (c.152.1m²). Access to the development will be via the permitted road network (under Ref. SDZ20A/0021) which provides access from the Ninth Lock Road to the east and the R113 (Fonthill Road) to the west. The proposed development will connect into the permitted Infrastructural works as approved under the Clonburris Strategic Development Zone Planning Scheme (2019) and permitted under Ref. SDZ20A/0021, with the proposed development connecting into the permitted surface water drainage attenuation systems i.e. 1 no. pond, 3 no. modular underground storage systems and 1 no. detention basin combined with modular underground systems. The proposed wastewater infrastructure will connect into a permitted foul pumping station and pipe network within proposed road corridors to facilitate drainage connections to future wastewater drainage infrastructure within the adjoining SOZ lands (Including future Irish Water pumping station permitted under SDZ21A/0006). The proposed development also

provides for all associated site development works above and below ground, public & communal open spaces, hard & soft landscaping and boundary treatments, surface car parking (401 no. spaces), bicycle parking (797 no. spaces), bin & bicycle storage, public lighting, plant (M&E), utility services & 4 no. ESB sub-stations. This application is being made in accordance with the Clonburris Strategic Development Zone Planning Scheme 2019 and relates to a proposed development within the Clonburris Strategic Development Planning Scheme Area, as defined by Statutory Instrument No. 604 of 2015.

Location: The proposed development is located west of the Ninth Lock Road, south of the Dublin-Cork railway, line, north of Cappaghmore housing estate and whitton Avenue, and east of an existing carpark/park, & ride facility at the Clondalkin, Fonthill train ststio

Application Type: Permission

Dear Sir /Madam,

With reference to your planning application, received on 04-Jul-2022 in connection with the above, I wish to inform you that before the application can be considered under Section 33 of the Planning & Development Act 2000, six copies of the following ADDITIONAL INFORMATION must be submitted.

1. Layout & Design

The Planning Authority has concerns in relation to the proposed layout and design of the western part of the site as well as the eastern entrance to the site.

1A In relation to the Clonburris Urban Centre the following should be revised or detailed:

(a) Housing with lower densities than what would have been envisioned for this development area is proposed. Higher density and mixed use development should be explored in the CUC-S4 area of the site.

(b) The proposed plaza and surrounding block form should be significantly redesigned in line with the Design Criteria in Table 2.10.3 of the Planning Scheme. A detailed design of the plaza should be submitted, including how it would connect with the remainder of the Clonburris Urban Centre and wider area as indicated in the Planning Scheme. The plaza should be enclosed on more than one side. Pedestrian and cyclist permeability and connections from the plaza need to be further considered. Further green infrastructure and SUDS should also be incorporated. The external space associated with the creche should be relocated elsewhere, so that the ground floor of the northern block is level onto the plaza. A cross section should be provided of the retail/commercial unit onto the plaza.

(c) The level of commercial/retail floorspace should be increased or at least further facilitated in the future through the provision of flexible designs, including the development onto the proposed plaza.

(d) Master planning of how the proposal would integrate with the Planning Scheme and help deliver the rest of the Clonburris Urban Centre is required. The potential future development of the remainder of the CUC-S4 and CSE-S2 subsectors should be indicated. This indicative masterplan should indicate potential future:

- Block form and layout
- Connections and pedestrian and cyclist permeability
- How the remainder of the CUC and CSE subsectors would achieve the required densities, target no. of units, retail floorspace, commercial non-retail floorspace, and public open space.

- In the short term, how the proposal integrates with the existing western lands, including the park and ride and pumping station.

1B. In relation to the eastern part of the site, the following should be revised or detailed:

(a) Further public open space north of the Link Road at the eastern entrance to the site from Ninth Lock Road.

(b) Omission of the easternmost road off the south of the Link Road and replacement with open space.

(c) Overall revised landscape design for this area, including the incorporation of the permitted attenuation pond.

2. Parameters

The applicant is requested to:

(a) Clarify the Net Developable Areas for the proposed development, including a breakdown per subsector, delineated on a site layout plan. Use this information to clarify net residential densities.

(b) Amend the site boundary so that the lands to the north and east, which contain the existing pathway are included within the site and incorporated into the landscape and open space proposals.

(c) The net residential density for Clonburris South East Subsector 1 should be revised to within the margin of 51-61dph.

(d) SDCC's Housing Department requests that a revised Part V proposal is submitted that is more reflective of unit mix and to provide for better integration within the development.

3. Residential Standards

(a) The applicant is requested to clarify dwelling mix, including how many 2 bed / 3 person apartments are proposed.

(b) Apartment Block A should be redesigned to provide for a higher no. of dual or more aspect apartments.

(c) Further detail and a revised design for communal open space should be submitted. This include revised boundary treatment, consideration of sunlight access and how it will tie in with potential development to the west.

4. Movement & Transport

(a) Pedestrian and Cyclist Movement

The Planning Scheme provides an Overall Movement Concept in Figure 2.2.7. This indicates a Proposed Strategic Pedestrian Cycle Route along the northern and eastern boundaries of the subject site. This is noted as existing and should be incorporated into the overall layout and design of the proposed development. The figure also indicates a Proposed Strategic Pedestrian Cycle Route from the site, along the east of the permitted pumping station, to the Grand Canal. The applicant should demonstrate how this route connects with the subject site, the permitted pump site and through to the Clonburris Urban Centre and wider area.

(b) Street Network

Section 2.2.4 of the Planning Scheme outlines that the centre line and alignment of the Local Streets and Homezones are flexible with the exception of streets with frontages prescribed under Section 3 (Development Areas). In this instance, the application site contains prescribed frontages in the form of Avenue, Park and Railway Frontages (Figure 3.1 refers). The Local Street alignment in the north-western part of the site, in CUC-S4, is amended and Local Streets/ frontages are not provided around the urban plaza as indicated in the Planning Scheme. This would have Avenue Frontages onto it. This should be provided. The Planning Scheme does not provide for the easternmost cul-de-sac to the south of the Link Road. This should be considered for omission and/ or a detailed rationale provided.

(c) Plot Adjustment

The applicant is requested to demonstrate that the proposed development involving a plot adjustment would not significantly affect the prescribed alignment or centre line of any fixed street; would not significantly affect prescribed building lines of any fixed street; would not adversely impact on the environment or environmental objectives contained in the SEA Environmental Report (including required setback from the Grand Canal); and would not have any implications in relation to European Sites.

(d) Street Widths & Car Parking

The proposed overall street widths are largely in line with the Planning Scheme. However, the Planning Authority does have concerns in relation to the allocation of space within these, particularly the Local Streets and Intimate Local Streets. Reference is made to Figure 2.2.6 in the Planning Scheme. The Planning Authority also has concerns about the level of perpendicular car parking on the local streets and the on curtilage parking in intimate local streets. The footpaths on the local street are approx. 2m when they should be 2.5-4.0m. Intimate Local Streets should be fully shared surfaces for the integrated movement of vehicles, pedestrians and cyclists in quieter residential areas. The intimate local street in the east of the site should be significantly redesigned in line with the Planning Scheme. The applicant is requested to submit revised plans indicating revised details. Dimensioned cross sections with comparison to the Planning Scheme should also be provided.

(e) EV Parking

To facilitate the use of electrically operated cars and bicycles, all developments should provide charging points for the charging of electric vehicles at a rate of 100% of the car parking provision and 10% of the bicycle parking provision. Details of how it is proposed to comply with these requirements including details of the design of, and signage for, the electric charging points (where they are not in areas to be taken in charge) shall be submitted.

(f) Whitton Avenue

Further detail is required in relation to the Whitton Avenue access, including the levels across the access within the site and Whitton Avenue. Pedestrian and cyclist access also needs to be considered. A revised detailed layout (not less than 1:200 in scale) and design for that area should be provided.

(g) Other roads items requested for submission:

- A Stage 1 Road Safety Audit.
- An overall management plan of refuse collection for the apartments should be provided, detailing collection points and vehicle routes throughout the entire development.
- Details of the pedestrian and vehicle routes within the development that align with the SDZ planning scheme.
- A revised layout not less than 1:200 scale showing the cross sections of the roads confirming the layouts as described in the SDZ planning scheme within the development.

5. Green and Blue Infrastructure & Ecology

(a) The retention of the north south tree line/hedgerow helps provide the Local Green Corridor running through the site. The proposal has the potential to contribute to the indicated green corridors along the northern and eastern boundaries of the site. Narrow strips of open space are proposed along these boundaries. However, the applicant is requested to extend the site boundary to the railway line to the north and bridge to the east and incorporate the existing pathway and open space here. The existing green palisade fence should be removed to facilitate this. Landscaping along these corridors should make a significant contribution to the site and wider green infrastructure network. Revised plans should be submitted via additional information.

(b) The submitted Ecological Impact Assessment states that further surveys for bats, newts, breeding birds were recommended from the initial walkover in April 2022, and these are currently in process.

The results from these surveys should be submitted via additional information.

c). The applicant is requested to demonstrate compliance with the agreed Parks and Landscape Strategy for the SDZ, including designing and contributing to the Strategic Green Corridor along railway. A revised proposal taking account of the Parks and Landscape Strategy is required.

6. Built Form & Design

(a) Design Statement

The applicant is requested to submit an updated Design Statement that fully provides the information outlined under the Design Statements section of 2.8.2 of the Clonburriss SDZ Planning Scheme.

(b) External Finishes and Appearance

Materials and finishes should be revised so that render is reduced or fully omitted from the development. The apartment balconies should have metal railings. Variation in materials and colours should be provided along the houses.

Revise Apartment Block A so that the 2 storey element is reduced in extent, the creche is relocated away from the public plaza and the ground floor is level with the plaza, further retail/commercial floorspace is provided/facilitated, and own door apartments are provided at ground floor level. Privacy strips should be provided around any ground floor private open space on both apartment blocks.

(c) Block Form

Block form should be amended so that blocks address the roads to the rear of the duplexes facing the Link Road on the northern side. Compliance with the principles for perimeter blocks should be addressed.

(d) Block Size

Block dimensions in the Development Areas that are contiguous to both urban centres should be no more than 100 metres. Larger or irregular blocks of up to 120 metres should be broken up using mid-block penetration with short cul-de-sac/mews development to serve a small number of dwellings. The applicant should confirm that this has been addressed.

(e) Topography

Gradients on all Link Streets and Local Streets should be as gradual as possible with a gradient of between 1 in 33 (or 3%) and 1 in 20 (or 5%) targeted. In pedestrian streets and the urban squares a gradient change of between 1 in 33 (or 3%) shall be targeted and all surfaces should be smooth and continuous with a gentle slope while avoiding, where possible, steps in level. In some areas level changes will need to be carefully regraded. In other areas basement car-parking, services or storage can be provided to raise building ground floor levels to the finished street or space level. The applicant should confirm that this has been addressed.

(f) Facade Treatment

Distances between entrances should not exceed those set out in Table 2.8.1. 10m for Urban Centres – Primary and Secondary Retail Frontages and 9m for Local Streets – Residential. Figure 2.8.7 identifies Secondary Retail Frontages within the urban centre on the subject site. The applicant should confirm that this has been addressed.

(g) Privacy and Overlooking

The applicant is requested to indicate separation distances on the proposed layout plan. Balconies for proposed apartments should also be indicated.

(h) Sunlight and Daylight

No daylight, sunlight and overshadowing assessment has been provided. This should be submitted with particular regard to the proposed apartment buildings and associated open spaces.

(i) Boundary Treatment

The proposed boundary treatment includes 1.2m high parkland metal railing along the sides of corner sites. This is not acceptable and should be replaced with a low wall or similar.

(j) Other

- Submit a building lifecycle report in line with the 2020 Apartment Guidelines.
- Submit further detail on the proposal solar/pv panels including sq.m and megawatt output.

7. Services & Infrastructure

(a) The applicant is requested to submit a letter of confirmation of feasibility from Irish Water for water supply and wastewater connections.

(b) The applicant is requested to submit a noise impact assessment, carried out by appropriately qualified acoustician and competent persons, must be submitted in order to assess the potential impact of environmental noise from the railway line. The proposed noise assessment must assess if noise from the nearby train line will impact on the proposed development. Where deemed necessary a statement outlining recommended acoustic control measures that should be incorporated into the design and construction of the proposed residential units and/or site to ensure against adverse noise impacts on the occupiers must be included. South Dublin County Council Environmental Noise Action Plan 2018 – 2023 recommends that the noise impact assessment should demonstrate that all facets of the UK 'Professional Practice Guidance on Planning & Noise' (2017) (ProPG) have been followed.

8. Landscape & Open Space

The applicant is requested to submit the following:

(a) Green Infrastructure

A revised proposal that provides for the Strategic Green Corridor and Local Green Corridors as indicated in Figure 2.3.1 of the Planning Scheme. Street trees should be provided on both sides of local streets and homezones.

(b) Trees and Hedgerows

A tree and hedgerow management plan that shows the amount of trees and hedgerow being removed and the amount of compensatory/replacement trees and hedgerow being planted as part of the proposals. To be in compliance with the SDZ and the requirement of no net loss of hedgerow across the scheme, the amount of compensatory/replacement hedgerow provided in this development shall be at least equal to that being removed. A bond will be required for all trees and hedgerows to be retained by the Planning Scheme.

(c) Surface Water Drainage

It is essential that open spaces accommodating SUDS measures such as attenuation ponds and swales are designed in order to achieve a balance between surface water management and high-quality open space. The applicant is requested to confirm that the attenuation tanks will not preclude the retention and protection of the existing north south hedgerow/tree line. If required these tanks should be moved to facilitate this. The permitted attenuation pond in the south-east corner of the site should be fully incorporated into the landscape and open space proposals. Further above ground SUDS measures should be incorporated into the overall proposal.

(d) Landscape Plan

A revised detailed landscape plan, to be agreed with Public Realm, with full works specification, that accords with the specifications and requirements of Council's Public Realm Section. The revised landscape plan shall integrate retained and enhanced hedgerows and trees, tree planting and SuDS drainage to provide strong green infrastructure links throughout the development in accordance with Clonburris SDZ Planning Scheme, Parks and Landscape Strategy and Biodiversity Management Plan.

The revised Landscape Proposals shall incorporate:

- i. Street trees that are in line with the requirements set out in the Clonburris Strategic Development Zone Planning Scheme (Clonburris SDZ) 2019' and the 'Design Manual for Roads and Streets (DMURS) 2019.
- ii. Street tree provision to incorporate small scale SuDS features that enhance biodiversity, provide amenity, manage surface water volume while providing water quality treatment.
- iii. Details of street tree planting to be submitted to the Public Realm Section of SDCC for agreement. Urban tree pits to include SUDs measures / storm water attenuation. The developer shall submit cross section details of the SUDs tree pits, including growing and drainage/storage media.
- iv. Street trees Size at planting a minimum of 18 to 20-centimetre girth (cmg) within local streets and a minimum of 16 -18 cmg on intimate local streets (homezones) as per the requirements of the Clonburris SDZ Parks and Landscape Strategy.
- v. Retained, removed and compensatory hedgerow and trees to be clearly identified on Landscape Plans.
- vi. Parkland/Open Space tree planting to include a range of semi-mature specimens that are a minimum of 20-25cmg and specimen ornamental trees to include trees that are 30-35 cmg.
- vii. Details of all natural SuDS features including swales, rain gardens, bioretention tree pits, channel rills, filter strips, ponds, detention basins with lower areas allowed to fill first (low flow channels), wetlands etc.
- viii. All hard and soft landscape details; including levels, sections and elevations
- ix. A fully detailed Planting Plan clearly setting out the Location of species types, schedule of plants noting species, planting sizes and proposed numbers/densities where appropriate.
- x. Landscape masterplan/planting plan to clearly delineate street lighting to ensure street tree proposals are realistic. If this is not currently the case, proposals to be revised to ensure street tree delivery.
- xi. Tree and hedgerow protection measures: show extent and position of tree and hedgerow protection fences
- xii. Tree Impact Plan
- xiii. Implementation timetables.
- xiv. Grassed areas and slopes need to provide for safe grass cutting (generally 1 in 8 slope, max 1 in 6) with ride on lawn mowers or tractor with a 16 foot mower pulled behind.
- xv. Detailed proposals for the future maintenance/management of all landscaped areas.
- xvi. Lockable (preferably automated) vehicular access to local parks and that maintenance vehicular access is possible where required throughout the park area.
- xvii. Boundary details and planting to be to taking in charge standard and to be agreed with SDCC Public Realm.
- xviii. Local Park boundaries to have railing suitable to public realm, i.e. a permanent low wall with heavy duty round bar, minimum 16mm diameter galvanised and powder coated matt black metal railing, 1.8m high, suitable for public realm or a permanent 2m high wall.
- xix. All areas proposed for taking in charge shall be to a taking in charge standard that ensures ease of

maintenance including ease of access. Soft landscape areas intended for taking in charge should predominantly consist of grass, hedges, trees, woodland planting, meadowland or bulb planted areas using predominantly native and/or pollinator friendly species and comply with the requirements of the Clonburris SDZ Biodiversity Management Plan. Trees to be grouped appropriately to enable access to meadows for cutting.

- a. avoid use of ornamental ground cover or ground cover or treatments that need intensive maintenance or herbicide use.
- b. extensive areas of herbaceous perennial ground cover should also be avoided.
- c. minimise the use of shrubs that require regular maintenance
- d. the exception to the planting criteria above are the planted swales required for SuDS where riparian planting is required. Swales to be planted with wildflowers.
- xx. Open space shrub planting to be native and include pollinator friendly species. Suitable species include hazel *Corylus avellana*, wild privet *Ligustrum vulgare*, guelder rose *Viburnum opulus* and yew *Taxus baccata*.
- xxi. Native species shall be used for formal hedging proposed within Clonburris SDZ e.g., residential. Suitable species include hazel *Corylus avellana*, wild privet *Ligustrum vulgare*, guelder rose *Viburnum opulus* and yew *Taxus baccata*.
- xxii. Woodland planting should use the Miyawaki technique (3-5/m²) in order to establish quickly and reduce maintenance costs. This will require an establishment period and maintenance of 5 years for newly planted woodland areas prior to taking in charge.
- xxiii. Paths to be a permeable solid surface within flood attenuation areas.
- xxiv. All playspace surfacing to be engineered woodchip surfacing.
- xxv. Any sand play areas to be enclosed with fencing.
- xxvi. Details of all play items and natural play features to be provided and agreed with SDCC Public Realm Section.
- xxvii. The relevant requirements of the Clonburris Parks and Landscape Strategy.
- xxviii. Landscape Proposals to reflect the requirements of additional information items relating to green infrastructure.

(e) Play

Proposals that demonstrate details of all play items, natural play features and safety surfacing are required. All play areas must be universally accessible. The applicant is recommended to contact Public Realm section to agree details of the natural play proposals.

(f) Biodiversity Management Plan

A site-specific Biodiversity Management Plan demonstrating compliance with the Clonburris BMP. This should include details of any site clearance works and/or the establishment of access routes and site compounds. The applicant is advised to contact SDCC Heritage Officer prior to the preparation of the BMP. The BMP shall be devised by a qualified and experienced ecological expert/ecological team who can demonstrate previous experience of devising and implementing such a plan. The BMP shall clearly demonstrate how it proposes to adhere to and implement the ecological objectives and recommendations of the Clonburris SDZ Scheme, the Clonburris SDZ Biodiversity Management Plan, and the Parks and Landscape Strategy. Particular focus is to be placed on demonstrating the retention and enhancement of:

- An appropriate level of existing biodiversity,
- the robust and sustainable nature of any proposed replanting,
- the strengthening of exiting GI links, and
- the creation of new and appropriate green infrastructure.

The BMP will clearly indicate how the implementation of the BMP will be monitored, with

appropriate remediation measures where shortfalls may occur.SDZ planning scheme.within the development.

9. EIA

The submitted EIA Screening & Statement in Accordance with Article 299B(1)(B)(II)(II)(C) of the Planning and Development Regulations 2001-2021 refers to the proposal as a BTR and grid connection development under section 3.2.1. This should be revised to refer to the subject development.

10. A full revised schedule with proposed units, floor areas and open space provision shall be provided. The schedule shall also provide details of compliance with Section 2.13 of the Planning Scheme.

NOTE: The applicant should note that any submission made in response to the above will be examined and MAY be deemed to be SIGNIFICANT ADDITIONAL INFORMATION by the Planning Authority. In this event the applicant(s) will be subsequently notified and requested to publish a notice in an approved newspaper and erect or fix a site notice on the land or structure to which the further information relates and to submit copies of the both the newspaper and site notices to the Planning Authority in accordance with Article 35 (1) (a) and (b) of the Planning and Development Regulations 2001 (as amended).

Note: The applicant must submit the Further Information within **6 months** of the **date of decision**. If the information is not received within this period, the planning authority shall declare the application to be withdrawn.

Please ensure that your reply to this Request for Additional Information is accompanied by a covering letter marked “ADDITIONAL INFORMATION” and that the Planning Register Reference Number given above is quoted on the covering letter.

Signed on behalf of South Dublin County Council

Register Reference: SDZ22A/0010

Date: 01-Sep-2022

Yours faithfully,

Pamela Hughes
for **Senior Planner**