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

Decision Order Number: 0007	Date of Decision: 04-Jan-2023
Register Reference: SDZ22A/0010	Date: 28-Nov-2022

Applicant:

Kelland Homes Ltd

Application Type:

Additional Information

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 Zona 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 station.**

Dear Sir /Madam,

With reference to your planning application, additional information received on 28-Nov-2022, in connection with the above, I wish to inform you that before the application can be considered under the above Act(s), **6 copies** of the following **Clarification of Additional Information** must be submitted:

1. Layout & Design

It is not considered that AI Item No. 1 has been adequately addressed in relation to the following:

(a) Further information on the opportunities for plaza enclosure on the western and eastern edge of the plaza is required as there are technical concerns with the proposed solutions. Further green infrastructure and SUDS should be incorporated in the public urban plaza.

(b) Under Table 2.13.1 of the Planning Scheme the non-residential floorspace parameters for the CUC-S4 sub-sector are maximum retail floorspace of 1, 200sq.m and minimum non-retail (employment) floorspace of 5, 000sq.m. The proposed development provides for retail/commercial floorspace. The applicant has noted that 'It is envisaged that a quantum of 5, 300sq.m of non-residential space (community and employment) can also be provided across the shared landholding'. Given the scale of this floorspace the applicant should be requested to provide further detail to how this might be facilitated. This might involve a block specifically allocated to employment use.

(c) Item 1B(a) is referring to subject site lands within the applicant's control/ownership. The Planning Scheme shows that the eastern end of the Link Street would have a significant area of open space on both sides of the street. The key objectives of CSE Development Area include to 'To provide locally accessible open spaces of local and strategic importance' and 'To ensure high levels of legibility and ease of orientation'. This Development Area provides the entrance to the SDZ lands from the east. The applicant should provide further open space and landscaping in the south-eastern part of the site, where the Link Street meets Ninth Lock Road. This should include increasing the size of open space to the north of the Link Street at this entrance and providing a high quality design.

2. Parameters

It is not considered that AI Item No. 2 has been adequately addressed in relation to proposed net residential density for sub-sector CSE-S1. The net developable area for CSE-S1 is stated by the applicant as 2.40ha. The Planning Scheme provides a net developable area of 2.17ha for CSE-S1. The Planning Scheme states that 'for calculation purposes, Net Development Area comprises Gross Development Area excluding strategic parklands, canal corridors, schools and existing residential development'. It is acknowledged that the developable area for CSE-S1 identified in the Planning Scheme would in part overlap with the north south hedgerow and open space to be retained/provided. However, the developable area under the subject application has extended elsewhere (mostly south) to result in a net developable area of 2.40ha.

The average net density target low and high margins for CSE-S1 is 51-61dph. This is based on -5dph and +5dph from the target density. The Planning Authority would have concerns with the proposed development not providing for a net density within this margin given that this proposal would deliver the full net developable area for CSE-S1. The applicant should be requested to provide a higher net density than proposed for this sub-sector. It may be appropriate to consider increasing the density in the north-west of this sub-sector, to the east of the north south hedgerow and open space.

3. Communal Open Space

In relation to AI Item No. 3 insufficient detail and consideration have been given to the layout and design of the communal open spaces. The communal open space for Block A in particular is not considered to have an overly usable shape and is closed in to the north by a water tank, bin store and bicycle store; access to these is not clear. This open space is indicated as narrow strips of open space along the eastern and northern sides of Block A, directly adjoining and overlooked by the creche unit.

The applicant should also be requested to address the accessibility of the communal open spaces for residents. There is a stairwell in Block A with direct access to the communal open space located to the north, although hedgerow planting is currently proposed across this access. Accessibility for mobility impaired should also be provided directly from the building to the communal open space (stairwell does not include lift). It does not appear that the communal open space for Block B is directly accessible from the building itself.

There does not appear to be any provision of communal open space for the units in proposed Block K (apartments proposed).

4. Movement & Transport

It is not considered that AI Item No. 4 has been adequately addressed in relation to the following:

(a) Pedestrian and Cyclist Movement

Pedestrian and cyclist connections, where appropriate, should be provided to the existing path to the north and east. As raised by the Roads Department, the 'Proposed Strategic Pedestrian Cycle Route' to the Grand Canal to the south should be facilitated as much as possible within the lands within the applicant's ownership/control.

(b) Street Widths & Car Parking

The Planning Authority and Roads Department still have significant concerns in relation to the designation and design of the street network and types. The proposed development includes Intimate Local Streets/Homezones where they are not included in the Planning Scheme. The only Intimate Local Street/Homezone within the subject site, as indicated in Figure 2.2.7 in the Planning Scheme, is located in the centre north of sub-sector CSE-S1. Any other Intimate Local Streets/Homezones outside of this should be redesigned as Local Streets, as designated under the Planning Scheme. Given the location of the east-west local street along the north of CSE-S1 this should be designed with a fully shared surface for the integrated movement of vehicles,

pedestrians and cyclists.

The designated Intimate Local Street/Homezone in the east of the site should be significantly redesigned to comply with the Planning Scheme. Perpendicular car parking on both sides of the Intimate Local Street/Homezone, whether on-curtilage or off-curtilage, is not in compliance with the Planning Scheme. The Intimate Local Street/Homezone should extend the full extent of this street and the on-street perpendicular car parking at the northern end of this street should be omitted. The footpath should be 2.5-4.0m along this street.

The applicant is requested to submit revised plans indicating revised details. Dimensioned cross sections of all street types with comparison to the Planning Scheme should also be provided.

The National Transport Authority have also provided an observation on the additional information submitted in response to this item. NTA request that car parking is reduced to 1 no space per unit. The applicant is requested to take into consideration this submission. The applicant should submit a breakdown of parking spaces set against the number of dwellings in the development.

5. Green and Blue Infrastructure & Ecology

It is not considered that AI Item No. 5 has been adequately addressed in relation to the following:

(a) The Planning Authority would have concerns with the retention of the current boundary treatment along the northern and eastern boundaries as part of the proposed development.

These spaces are considered vital to the successful deliver of this section of the SDZ. It is therefore considered that the application must engage with the adjoining landowners to the provide the Planning Authority certainty as to the delivery of these areas. As a minimum the replacement with a more visually acceptable boundary treatment should be facilitated through this application.

(b) The Planning Authority and Public Realm Section would have concerns with the loss of habitat onsite and green infrastructure proposed. It is not considered that the proposed development fully complies with the agreed Parks and Landscape Strategy for the SDZ.

6. Built Form & Design

It is not considered that AI Item No. 6 has been adequately addressed in relation to the following:

(a) External Finishes and Appearance

Proposed Block B would have clear glazed balcony guarding. This should be amended to metal railing in the interest of visual amenity. The two storey element of Block A has been fully omitted (the request was to reduce in extent). While the revised design helps provides a stronger frontage onto the plaza, a two storey element provides an element of human scale to an important pedestrian area. An element of this should therefore be incorporated back into the design. Further variation in material (brick colour and design) and form should be provided for Blocks A and B. Of particular concern are the eastern and western elevations of Block A.

Apartment Block K appears to be partly finished in render, which should be omitted. The variation in materials and massing of this building helps break it up and creates visual interest. Adequate privacy strips should be provided along the western front of the proposed ground floor duplexes. The windows to the living rooms for these units appear to front directly onto a public footpath.

Further variation in material (brick colour and design) should be provided for the duplex units along the permitted Link Street. These currently appear to be similar in colour and design. Additional site sections/contiguous elevational drawings should be submitted. In particular, a site section along the Link Street facing south should be provided. Site sections along other proposed streets should also be submitted.

(b) Block Size

The Planning Scheme states that 'In order to encourage pedestrian permeability and ensure that

streets and blocks are dimensioned to reflect their function and setting, reduced block lengths shall be utilised across the SDZ lands.’ The proposed blocks are largely irregularly shaped. The Planning Scheme states that ‘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 longest block dimension would be the row of houses in the northern part of the scheme, facing east towards the central area of open space. Although irregularly shaped, the block extends up to 130m. The applicant should consider increased pedestrian permeability in relation to this block.

(c) Facade Treatment

Proposed Site Plan Drawing No. 2004-PL-002 does not specify the distances between entrances. The applicant is requested to submit a revised plan demonstrating that distances between entrances do not exceed those set out in Table 2.8.1 of the Planning Scheme.

(d) Sunlight and Daylight

The submitted Daylight and Sunlight Assessment Report should be revised to include an assessment of the residential units in proposed Block K and any associated communal open space with this building.

(e) Capacity of Renewable Energy (Development Contributions)

Information in relation to the capacity of renewable energy is sought in relation to the calculation of development contributions. An updated calculation of capacity of a revised development should be submitted as part of clarification of additional information.

7. Landscape & Open Space

The Public Realm Section have raised concerns in relation to landscaping, open space and green infrastructure (AI Item Nos. 5 & 8). The applicant is requested to address/ submit the following in this regard:

(a) Green Infrastructure

Redesigned proposals that demonstrate:

(b) A Strategic Green Corridor facilitated along the northern boundary of the site adjacent to the Dublin-Cork Railway.

(c) A Local Green Corridor approximately N-S along the eastern boundary incorporating nature based SuDS: planting proposals require strengthening as there is no difference between it and the tree planting proposed on the other local streets and homezones.

(d) A Local Green Corridor approximately N-S and E-W along the westernmost local street south of Clonburris Link Street incorporating nature based SuDS: planting proposals require strengthening as there is no difference between it and the tree planting proposed on the other local streets and homezones.

(e) A Local Green Corridor approximately N-S through the centre of the development increasing the retention of trees and hedgerows;

(f) Provision of street trees on both sides along local streets and homezones.

(b) Trees and Hedgerows

A tree and hedgerow management plan that:

i) retains where possible the trees and hedgerows required by the Planning Scheme

ii) 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. Trees and vegetation within what will be privately owned or inaccessible spaces (rear gardens) cannot be relied upon as compensatory planting that will be

appropriately retained and managed. The applicant should also be cognisant of retaining or planting hedgerows/vegetation so that it is incorporated into open space and areas that will be appropriately managed and accessible.

(c) Landscaping

The Public Realm Section have raised concerns in relation to the landscaping design around the permitted pond. 'The proposed engineered detention basin is unacceptable in a Public Open Space area. It has not been designed in accordance with the Council's SuDS Guidance and is lacking in amenity and biodiversity value. Further natural SuDS should be used to create/enhance the Local Green and Strategic Green Infrastructure Links required by the Planning Scheme. The proposal for a gravel path in an area that is designed to flood is also not acceptable.' Further above ground SuDS measures should be considered where appropriate and incorporated into the landscape design.

(d) Street Trees

There is very poor street tree provision throughout the development. The planning scheme requires: 'Streets should be generously planted at frequent intervals to soften the impact of parking and strong building frontages at intervals of 14 – 20 metres. In the interest of biodiversity and place making, reduced spacing between street trees should be considered where appropriate and achievable. (Planning Scheme P64)'. A high quality of Street Tree planting is required throughout the development to strengthen Green Infrastructure links. Landscape proposals are required that demonstrate:

- i. All Streets: Street Trees to be provided as per the Clonburris SDZ Planning Scheme.
- ii. Street Trees to be provided fully in Public Areas to be an integral part of the street rather than in front gardens. The applicant is referred to the Clonburris SDZ Planning Scheme 2019, Clonburris SDZ Parks and Landscape Strategy and DMURS (2019) for guidance on street tree provision and appropriate design layouts for local streets and homezones.
- iii. All Street Trees planted within the Public Realm shall have suitable tree pits that incorporate SuDS features including sufficient growing medium.
- iv. Street Trees to be planted at:
 - Minimum 18-20m girth along local streets
 - Minimum 16-18cm girth on intimate local roads, i.e. homezones

(e) 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, Biodiversity Management Plan and SDCC County Development Plan (2022-2028).

(f) Play Provision

A far greater level of play provision is required than what is proposed. The concept of using natural play is acceptable however we require further detail on this. 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.

(g) Biodiversity Management Plan

The submitted Biodiversity Management Plan does not address the removal of hedgerows shown as retained in the SDZ or the creation of the required Green Corridors. Submit a revised site-specific Biodiversity Management Plan that includes details of any site clearance works and/or the establishment of access routes and site compounds. The applicant is requested to contact SDCC Heritage Officer prior to the submission of the BMP.

- (i) 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.

(ii) 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 Open Space 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 existing GI links, and
- The creation of new and appropriate green infrastructure.

(iii) The BMP will clearly indicate how the implementation of the BMP will be monitored, with appropriate remediation measures where shortfalls may occur.

8. Schedule & Acoustic Assessment

(a) The submitted Housing Quality Statement shows that not all apartment floor areas and/or their balconies/terraces would meet the minimum floorspace requirements of the Apartment Guidelines 2020. This should be addressed.

(b) 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.

(c) An amended acoustic assessment may be required as a result of amendments to the design and layout of the development in response to clarification of additional information.

Failure to respond to this request for Clarification of Additional Information within a period of six months from the date of this decision as stated above, will result in the application being declared withdrawn.

Please ensure that you submit a covering letter, mark your reply “CLARIFICATION OF ADDITIONAL INFORMATION” and quote the Planning Register Reference Number given above.

NOTE: The applicant must submit the further information **within six months of the date of the original Request for Additional Information**. If the information is not received within this period, the Council will declare the application withdrawn.

Yours faithfully,

06-Jan-2023

Pamela Hughes
for **Senior Planner**