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Dublin 2

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

<b>Decision Order Number:</b> 0181	<b>Date of Decision:</b> 17-Feb-2023
<b>Register Reference:</b> SDZ22A/0018	<b>Registration Date:</b> 15-Dec-2022

**Applicant:** Cairn Homes Properties Ltd.

**Development:** Construction of a mixed-use development comprising 594 apartments, office floorspace, 4 retail units, a creche and urban square in the Clonburris Development Areas CUCS3 & CSWS3 of the Clonburris SDZ Planning Scheme 2019 as follows, 594 apartments (255 one bedroom apartments, 307 two bedroom apartments and 32 three bedroom apartments (all apartments to have terrace or balcony; ancillary communal amenity spaces for residents) as follows; Block A (4 and 6 storeys with undercroft) comprises 96 apartments consisting of 36 one bedroom apartments, 48 two bedroom apartments and 12 three bedroom apartments (with creche c. 609sq. m at ground and first floor as well as play area; Block B (6 storeys with undercroft) comprises 77 apartments consisting of 44 one bedroom apartments, 28 two room apartments and 5 three bedroom apartments; Block D (5 and 7 storeys with undercroft) comprises 71 apartments consisting of 39 one bedroom apartments and 32 two bedroom apartments; Block E (6 storeys with undercroft) comprises 100 apartments consisting of 47 one bedroom apartments, 48 two bedroom apartments and 5 three bedroom apartments; Block F (5 and 7 storeys with undercroft) comprises 124 apartments consisting of 57 one bedroom apartments, 61 two bedroom apartments and 6 three bedroom apartments; Block G (1, 2 and 4 storeys with undercroft) comprises 65 apartments consisting of 16 one bedroom apartments, 45 two bedroom apartments and 4 three bedroom apartments; Block H (4 storeys with undercroft) comprises 61 apartments consisting of 16 one bedroom apartments and 45 two bedroom apartments; Mixed use development comprising, commercial office development in Block C of 6 storeys with parapet above to 7 storey equivalent on elevations (c. 4, 516sq.m), 1 retail unit at ground floor of Block B (c.147.5sq. m) and 3 retail units at ground floor of Block E as follows (c.106.2sq.m, c.141.6sq.m and c.492.2sq.m respectively) as well as a creche (c. 609sq. m) at ground floor and first floor of Block A; Vehicular access will be from the permitted Clonburris Southern Link Street (SDZ20A/0021) and R 113 to the east; Public Open Space/landscaping of c. 0.52 hectares (urban square) and linear open space (0.72 hectares) as well as a series of communal open spaces to

serve apartments over undercroft level (and internal communal open space c. 685 sq.m; The development will also provide for all associated works and infrastructure to facilitate the development to include all ancillary site development works including footpaths, landscaping boundary treatments, public, private open space areas, car parking (396 no. spaces in a mixture of undercroft spaces Block A, Block B&D and Block E&F) and bicycle parking (1, 232 spaces at undercroft and surface levels), single storey ESB substations/bike/bin stores, green roofs, solar panels at roof level of apartments, plant areas within blocks and all ancillary site development/construction works; Permission is also sought for connection to water supply, and provision of foul drainage infrastructure.

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; An Environmental Impact Assessment Report accompanies this planning application.

**Location:** Within the townland of Cappagh, Clonburris, Dublin 22

**Application Type:** SDZ Application - Clonburris

Dear Sir /Madam,

With reference to your planning application, received on 15-Dec-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. In order to ensure compliance with the scheme, the applicant is requested to provide the following detail:
  - a. The applicant has summarised the phasing requirements applicable up to Phase 1A 0-1, 000 units. There are a total of 1, 989 units either granted permission or included in planning applications currently under consideration. If all of these units were granted, constructed and occupied, they would take up the vast majority of the phasing allowance up to 2, 000 units when the Phase 1B (1, 001-2, 000 units) requirements are required to be delivered. The applicant is requested to provide details on Phase 1B.
  - b. The applicant is requested to set out the net development area for CUC-S3 and the net development area for CSW-S3. The applicant is requested to detail how the total net development area for CSW-S3 is met through applications SDZ21A/0022, SDZ22A/0017 and SDZ22A/0018.
  - c. The applicant is requested to demonstrate that the strategic pedestrian / cycle route to the north of the site, along the railway, links to the cycle track proposed on the adjacent sites.
  - d. Street design: The applicant is requested to provide a clear layout plan indicating:
    - The road typology
    - Width between building frontages (including areas with planning permission or under consideration applications)
    - Carriageway width
    - Footpath width

- Privacy strip width (if present)
- Location of street trees.

Cross sections should also be provided where relevant.

## 2. Design

- a. It is noted that the scheme envisages a perimeter block to the south, where blocks E and F are located. It is noted that there is a break in this frontage at present and also that Block F is set off the southern link road. There do not appear to be any physical constraints to providing a strong frontage at this location. The applicant is requested to redesign this area to provide building frontage to the link street.
- b. The applicant is requested to provide a layout plan indicating how the proposed street network, frontage distances and heights fit with the permitted context or that which is in development.
- c. There are concerns with the level of active uses provided along secondary shopping frontage areas and also along the southern link street frontage. The applicant is requested to provide a revised layout, which provides more appropriate uses along the secondary retail frontage and also activates the area along the link street.
- d. There are concerns regarding the street between Blocks A and B, where there are few ground floor units and a significant level of plant / cycle storage etc. There are also concerns regarding the level of active uses along the pedestrianised street. The applicant is requested to consider more active uses (including the provision of more apartments) along this street.
- e. The applicant is requested to give further consideration to the design of the ground floors of Blocks B, D, E and F and articulate the ground floor main façade, including in terms of shopfront design where areas of retail are proposed and articulation of the main entrances.
- f. Access to private waste storage in residential schemes should be restricted to residents only - the applicant is requested to confirm that the scheme meets this requirement.

## 3. Retail.

- a. It is noted that, whilst some retail is provided at ground floor, a significant portion of the shopping streets (secondary retail frontage in this instance) are not retail use. Whilst the provision of other uses, such as the creche is welcomed, it is apparent that a significant portion of shopping frontage is dedicated to residential amenities and areas for plant or cycle storage. The applicant is requested to provide more active / flexible space along the secondary frontages.
- b. In accordance with Section 2.5.7 Planning applications for retail development shall provide a general breakdown of retail floorspace to be provided and should have regard to the accompanying Retail Study and the indicative breakdown of floorspace into convenience, comparison and retail services. The applicant is requested to provide this information.
- c. The applicant is requested to provide a statement that indicated compliance with the 10 design criteria contained within the Retail Design Manual (2012).

## 4. Economic Development.

- a. In accordance with Section 2.6.3 As a minimum, 10% of the employment floorspace provided in the Urban Centres shall be in the form of small-medium sized units/ incubation units of between 100 – 300sq.m. It is noted that the commercial building generally provides large open plan office space in excess of this. The applicant is requested to indicate that 10% of the proposed floorspace meets the above requirement.
- b. Commercial uses such as hotels, hostels, bed and breakfast, funeral homes, public houses, nursing homes, garden centres, conference centres and healthcare facilities etc are generally permitted in

principle in the Urban Centres and will form part of meeting the minimum employment floorspace in the Planning Scheme. The applicant is requested to consider if a wider range of uses could be provided in this instance.

5. Creche.

a. Table 2.7.2. requires 200 childcare places for Clonburris Urban Centre. The applicant is requested to set out the approximate number of childcare spaces created and how the remaining spaces could be delivered within the remainder of the CUC Development Area.

b. The applicant is requested to address the following observations made by the SDCC childcare committee:

- The plans are unclear as to the location of the outdoor space for the proposed creche. Please note that per the 2016 Childcare Regulations, all new childcare services should have access to an outdoor play space.
- Universal design would indicate babies would have A small covered outdoor space that is separate but adjacent to the main outdoor area.
- We are concerned about the fire safety implications of the creche not being on the ground floor, especially in the event of a fire or fire drill.
- The proposed room for the 0-1 years is relatively small. There is a considerable demand already in the area for baby childcare spaces. The Clonburris development is highly likely to increase this demand. The toilet would not be required because the baby area has a designated nappy changing area. While we recognise removing the toilets reduces the opportunity for a change of use, we feel that it would increase the space available for babies in the 0-1 age group
- We could not view the Ground floor floor plans; therefore, we cannot determine if there is suitable space for storage, an office, or facilities for staff.
- Are there dedicated parking spaces for the creche?
- Can you clarify the function of the milk area in the rooms designed for 2-3 year olds?
- Natural light is advisable in all rooms. However, will there be sufficient natural light with only one window in the baby room and windows on one side of Homebase 3?
- In relation to the sleep rooms, Homebase will need the space to cater for 7 cots or 5 cots if all children are over 9 months. Homebase 2 if catering for 18 children will required a sleep room size to accommodate 9 cots.
- As the plans indicate a full daycare service, it would be required to serve hot meals. The plans do not show Kitchen facilities.
- We have also observed that there are none of the following indicated in the plans:
  - Separate laundry facilities to avoid cross-contamination
  - Staff toilets and a disability toilet
  - Chef should have separate toilet facilities.
  - The rooms for the 2-3-year-olds should also have changing facilities

6. Landmark Building.

a. The applicant is requested to detail the design evolution of the landmark building and how the current proposal was deemed the most acceptable design. The applicant should set out details of any design competitions.

b. Landmark Buildings should be designed in a manner that is distinctive from surrounding buildings both in terms of architectural treatment and use of materials. To further emphasise their place-making function, Landmark Buildings shall incorporate high quality public realm treatment in terms of surrounding street planting, furniture, lighting and materials etc.

The design of such buildings shall therefore be based on a coherent design concept that is clearly

communicated via a Design Statement and Landscape Plan. In addition to the above and the requirement of Section 2.8.2, Design Statements for Landmark Buildings shall also analyse and illustrate the impact of the proposed development in relation to its immediate and wider context including views/vistas within and beyond the SDZ lands and in terms of sunlight and daylight effects. The applicant is requested to demonstrate compliance with the above

7. Sunlight and Daylight.

a. Sunlight to amenity – 2 hours of sunlight on March 21st over 50% standard met for existing amenity spaces. Only 92% of proposed amenity spaces meet the requirement. The applicant states all amenity areas will be quality spaces in terms of sunlight, however, no justification is proposed for this deviation, nor is any mitigation proposed. The applicant is requested to provide further justification / mitigation.

b. Daylight existing buildings – neighbouring dwellings of Phase 1A and 3 assessed. 97% have a proposed VSC not less than 0.8 times their former value. 3 points drop below this value. The justification provided states 2 are dual aspect apartments and have large windows and have windows on a secondary elevation. Also, Phase 1A was tested with a future massing for Phase 2 in place. The applicant is requested to set out the details of the third property that falls below the standard.

8. Aviation.

No comments have been received from the Department of Defence. No large water bodies are proposed and it is not considered any element of the proposal would attract birds. The highest building appears to be approx. 85 OD. The applicant is requested to confirm that none of the DoD surfaces would be breached.

9. Roads.

1. The applicant is requested to submit construction/loading specifications for the reinforced grass strip along Block D and F east facades.

2. The applicant should provide justification for the inclusion of Local Streets to South and West of Block G as the SDZ plan designates these streets as a Homezones.

3. The applicant is requested to submit a revised layout showing adequate sightlines for the development's junctions.

4. The applicant shall submit a Stage 1 Road Safety Audit

5. The applicant is requested to submit a revised layout showing a minimum Bicycle Parking total of 1362 no. Bicycle Parking spaces as per Table 12.23 of the SDCC Development Plan 2022-2028.

6. The applicant is requested to submit a revised drawing showing the proposed Bin Collection Points located in areas that can be easily accessed at any time by refuse collectors. Bin Collection Points should not be located behind parking bays. This should be accompanied by a swept path analysis showing the collection route of a refuse vehicle.

7. The applicant is requested to clarify the road surface materials at the junction between Blocks A, B & E, which is part of the Main Street Axis. All items and areas for taking in charge shall be undertaken to a taking in charge standard.

10. Water Services.

a. The proposed local surface water attenuation of 975m<sup>3</sup> is undersized by approximately 85% for urban areas for a 1 in 100 year storm event. The applicant is requested to submit a report to show revised attenuation calculations use for proposed site at Clonburris.

b. The applicant is requested submit a drawing with increased surface water attenuation and show the surface water layout to include connection to main surface water sewer in spine road. Clarify on drawing where proposed subsequent surface water attenuation systems will be.

- c. The applicant is requested submit up to date surface water drawings. Show how surface water layout drawings compare to drawings at pre designed stage of Clonburris Site.
- d. The applicant is requested include SuDS (Sustainable Drainage Systems) in proposed development such as a Green Roof, Swales, permeable paving and other such SuDS. Examples of SuDS can be found in the SDCC SuDS Guide.
- e. The applicant is requested contact water services in SDCC to discuss above issues before resubmitting additional information required.

#### 11. Archaeology.

- a. The applicant's archaeologist is requested to submit the Archaeological Testing Report, to include a detailed Archaeological Impact Assessment, for Licence No. 22E0719 to the Department and the Planning Authority.
- b. No further sub-surface work shall be undertaken in the absence of the archaeologist without his/her express consent.
- c. The report should describe the results of the Archaeological Test Excavation that have been carried out under Licence No. 22E0719 and the findings of the AIA. The report should detail the proposed development site (PDS, the historical and archaeological background of the site and the boundary walls (consulting appropriate documentary sources) and review all cartographic sources and aerial photographs for the area.
- d. The report should comment on the degree to which the extent, location and levels of all proposed foundations, service trenches and other sub-surface works required for the development will affect the archaeological remains. This shall be illustrated with appropriate plans, sections, etc.
- e. Where archaeological material is shown to be present, further mitigation measures will be required; these may include refusal, redesign to allow for preservation in situ, excavation and/or monitoring as deemed appropriate. This Department will advise the Local Authority with regard to these matters. No decision should be made on this application until this Department and the Local Authority have had the opportunity to fully evaluate the findings of the AIA.

#### 12. Parks.

The applicant is requested to address the following:

- a. Impact on existing hedgerows and biodiversity: Given the removal of hedgerows across this site additional efforts are required to maximise the ecological potential of the retained green corridors especially along the railway line where insufficient space has been allocated. The applicant is requested to submit 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 strengthen the northern railway corridor. Currently the Strategic Green Corridor stops at Block H but it is required to continue to Block B. Parking should be removed from this area. Improved accessibility to the main open space is required and further details are required regarding the play provision.
- b. the applicant is requested to set out measures to strengthen Strategic and Local Green Infrastructure connections within the site and to clearly identify links to adjacent existing / approved corridors.
- c. Modifications are required to comply with SDCC's Guidance. These changes include swale widths, driveway details and water flow into tree pits. The applicant is requested to submit revised details that indicate compliance.
- d. The concept of using natural play and equipment is acceptable, however, the applicant is requested

to provide further details.

e. Accessibility of main open space/park: Wheelchair access from the main street axis/multi function plaza into the park is by a very indirect

13. EIAR

Further information is required relating to a number of matters that may impact the EIAR. As such, where relevant an update to the EIAR should be provided via additional information

**NOTE:** The applicant should note that any submission made in response to requests for additional information will be examined by the Planning Authority and may be deemed to be significant additional information. The applicant will be contacted by the Planning Authority if the additional information submission is deemed significant. In this event the applicant(s) will be 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/0018

**Date:** 21-Feb-2023

Yours faithfully,

*Pamela Hughes*  
for **Senior Planner**