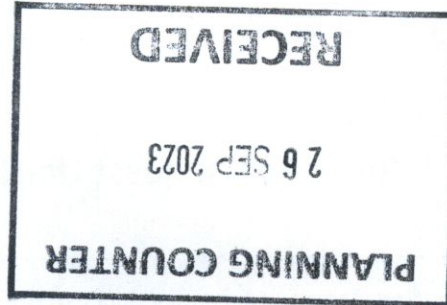


Senior Executive Planner  
Planning Department,  
South Dublin County Council,  
County Hall,  
Tallaght,  
Co. Dublin



25<sup>th</sup> September 2023

**RE: Additional Information Response – Planning Application Reg. Ref. SD22A/0412  
Lands at Old Nangor Road, Clondalkin, Dublin 22**

**SDCC Reg. Ref. SD22A/0412**

Dear Sir/Madam,

DOWNEY, Chartered Town Planners, 29 Merrion Square, Dublin 2, D02RW64, on behalf of the applicant, Dublin Simon Community, hereby wish to respond to South Dublin County Council's request for additional information in relation to a planning application lodged under Reg. Ref. SD22A/0412 for planning permission for the development of 10 social housing residential apartment units at Old Nangor Road, Clondalkin, Dublin 22. The proposed development, as per the description contained within the statutory planning notice, provides for:

*"Planning permission is sought by Dublin Simon Community for a proposed social housing development on lands at Old Nangor Road, Clondalkin, Dublin 22. The proposed development will consist of 10 no. one bed units in a two-to-three storey apartment building, associated car parking and bicycle parking, bin store, water pump house, new vehicular access onto Old Nangor Road, new pedestrian access onto Old Nangor Road, landscaping, boundary treatments, public lighting, and all associated site and engineering works necessary to facilitate the development."*

The preparation of this response commenced following the Council's request for additional information on the 20<sup>th</sup> of December 2022. Please note that this additional information response document should be read in conjunction with all drawings, plans and documentation submitted by the relevant consultant teams in response to the additional information request.

The period for submitting a response to the request for Further Information was extended up to and including 28/09/2023 in accordance with the provisions of Article 33 (3) of the Planning and Development Regulations, 2001 (as amended).

The items contained within the Additional Information request are addressed below: -

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## 1.0 Additional Information Request No. 1

*“The Planning Authority has concerns regarding the proposed development located directly over an existing culverted stream. It is council policy to open culverted streams where possible and to require a minimum setback distance of 10m to a structure. (i) the applicant is required to investigate the culvert and to provide further details with relation to its location, quality, flow and course. (ii) the applicant is required to explore alternative design solutions to provide for a minimum 10m setback from the culvert or alternatively demonstrate that development as proposed is appropriate by including all necessary mitigation measures or engineering details / design solutions to ensure that the proposal would not result in an unacceptable impact on the culverted stream or riparian zones. The applicant shall and also address the following points: 1. Details of compliance with the Greater Dublin Regional Code of Practice for Drainage works. 2. Details of SuDS proposed in the development to attenuate surface water. 3. Details of surface water attenuation calculations to determine what attenuation in m3 is required for the site. 4. Clarification and provide details of the existence of a public surface water sewer northeast of site. The applicant is advised to consult with the Water Services Section prior to responding.”*

### **Applicant’s Response No. 1**

In response to this item, please refer to the enclosed drawings and documentation prepared by Hayes Higgins Partnership for further details. A full report of the culvert investigations has been submitted as part of the documentation compiled by Haynes Higgins Partnership, with the culvert survey and design report carried out by *IE Consulting*. South Dublin County Council are invited to review this documentation for further details regarding the location, quality, flow, and course of the culvert.

Hayes Higgins Partnership have also prepared documentation on the details of compliance with the Greater Dublin Regional Code of Practice for drainage works, which includes further details on the SuDs proposed throughout the development and the required attenuation for the subject site. Further clarifications have been made regarding the public surface water sewer to the northeast of the site.

With regards to the culvert, it has been confirmed by the extensive reports and surveys conducted to date, by the applicant and the design team, that the culvert is in fact a manmade drain with the purpose of providing an overflow from the mill pond via a concrete tank with a controlled flow into a stone channel leading to a sump manhole to the level of the culvert. These are all manmade structures.

DOWNEY submit to South Dublin County Council that setbacks to the proposed culvert is not possible due to significant site constraints regarding the site's configuration and it being an urban infill development. Various alternative options were explored by the design team over the past number of months including discussions between IE Consulting and Hayes Higgins Partnership. The least onerous proposal was agreed which included 3 no. 900mm pipes in lieu of the existing culvert. This is further supported by an enclosed letter from OPENFIELD ecological services, who have stated the following:

*"It is my view that daylighting the culvert through which the mill race runs would provide minimal ecological benefit for aquatic species and would provide no benefit at all in terms of reaching the aims of the Water Framework Directive. It is also my view that because it is not a water course, GI3 Objective 3 of the County Development Plan does not apply."*

Dublin Simon Community sought a legal opinion on the culvert and the Council are invited to refer to the letters prepared by Peter Bland SC in this regard. A significant amount of work has been carried out on this matter since the previous planning permission was secured for the same development on this site (granted in 2016) including hydraulic engineering reports prepared following the discovery of the culvert in 2018, the compliance information on that permission and design solutions, and the feasibility of other design options. The legal opinion has been attached as part of the overall documentation to support this AI request response, and we invite South Dublin County Council to refer to this for further details.

DOWNEY submit that the design team has carried out significant studies on the culvert and exhausted all alternative solutions and assessed the viability of same. It has been deemed that the chosen methodology as now presented and justified within this response is the most appropriate for the subject site, and the applicant will ensure that all mitigation measures that have been identified by Hayes Higgins Partnership be implemented and maintained as part of the development.

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## 2.0 Additional Information Request No. 2

*"An Irish Water pipe intersects directly through the site from west to east, and there should be a 3m setback distance from the existing water main. (i) The applicant is requested to liaise with Irish Water regarding the provision of a 3m setback distance from the existing water main or with regards to an alternative solution, which could include relocating the pipe, details of which should be provided to the Planning Authority. (ii) The applicant shall obtain confirmation of feasibility letter from Irish Water for the proposed development and submit a pre-connection enquiry with Irish Water for proposed development for both Water and foul."*

## **Applicants Response to No. 2**

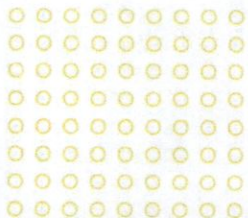
In response to this request, please refer to the drawings and documentation prepared by Hayes Higgins Partnership which accompany this additional information response for further details. Hayes Higgins Partnership have noted within their submitted documentation that *“the existing 100mm diameter cast iron water main traversing the site from west to east will be diverted around the building as required. Agreement with Irish Water on these works will be in place prior to any works taking place”*.

Enclosed with this Additional Information response is correspondence of confirmation of feasibility from Irish Water regarding the drainage of the proposed development in the previous planning application that was granted permission on site. The letter confirms the acceptance of Irish Water of the proposed arrangements for the drainage of the site. Hayes Higgins Partnership engaged with Irish Water for additional information correspondence, and it was recommended that a new application be submitted. Hayes Higgins Partnership do not anticipate any issues concerning this development considering the previous communication from Irish Water.

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## **3.0 Additional Information Request No. 3**

1. **“Landscape Design Proposals:** *There are concerns with the lack of information submitted in relation to the landscape scheme for the proposed development. The applicant is requested to provide detailed landscape design for the proposed development. The applicant shall provide a fully detailed landscape plan with full works specification, that accords with the specifications and requirements of the Council’s Public Realm Section. The applicant shall provide the following additional information:*
  - (i) *The applicant shall submit a comprehensive Landscape Design Rationale, the objective of this report is to describe the proposed landscape and external works as part of this proposed housing development.*
  - (ii) *The applicant is requested to submit a fully detailed Planting Plan to accompany the landscape proposals for the entire development. The applicant should propose native species where possible to encourage biodiversity and support pollinators within the landscape.*
  - (iii) *The Landscape Plan shall include hard and soft landscape details; including levels, sections and elevations, detailed design of SUDs features including swales and integrated/bioretention tree pits.*
  - (iv) *Significantly reduce the impacts of the development on existing green infrastructure within and adjacent to the proposed development site.*



- (v) *Demonstrate how natural SUDs features can be incorporated into the design of the proposed development.*
- (vi) *Submit green infrastructure proposals and a green infrastructure plan that will mitigate and compensate for the impact of the proposed development on this existing site and show connections to the wider GI Network. These proposals should include additional landscaping, SUDs measures (such as permeable paving, green roofs, filtration planting, above ground attenuation ponds etc) and planting for carbon sequestration.*

**2. Provision of Public Open Space:** *No public open space is proposed onsite in accordance with COS5 Objective 4 with the CDP 2022 – 2028. Should the proposal be considered infill development, an omission/reduction in the required public open space may be appropriate. However, a clear justification for this should be provided, including in the context of the quality and quantum of private open space and the proximity of a public park.*

**3. Sustainable Drainage Systems:**

- A) *The applicant should demonstrate compliance with the SDCC SUDS Design Guide 2022, and Policies G13, G14, G15, IE3, SM2, SM7 and sections 4.3.1, 12.7.6, 12.11.1 and 12.11.3 of the South Dublin County Development Plan 2022 – 2028 in relation to sustainable drainage systems.*
- B) *In relation to SUDs, the applicant is requested to submit plans showing how surface water shall be attenuated to greenfield run off rates and showing what SuDS (Sustainable Drainage Systems) are proposed.*
- C) *SUDs Management - The applicant is requested to submit a comprehensive SUDS Management Plan to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan should also be included as a demonstration of how the system will function following implementation.*
- D) *Natural SUDS features should be incorporated into the proposed drainage system for the development such as bio-retention/constructed tree pits, permeable paving, green roofs, filtration planting, filter strip etc. In addition, the applicant should demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development. The applicant is requested to refer to the recently published 'SDCC Sustainable Drainage Explanatory, Design and Evaluation Guide 2022' for acceptable SUDS tree pit details.*
- E) *The applicant is requested to submit a report to show surface water attenuation calculations for proposed development. Show on a report and drawing what surface water attenuation capacity each SuDS (Sustainable Drainage System) system has in m3 . Show*

*in report what surface water attenuation capacity is required for proposed development. Show what different surface types, areas in m2 are proposed such as, green roofs, permeable paving, buildings, roads and their respective run off coefficients. Submit a drawing showing the treatment train of SuDS and proposed natural flow controls for each SuDS system.*

4. **Green Infrastructure and Green Space Factor (GSF):** *The applicant is requested to provide additional information as follows and in accordance with the quoted policies and sections of the South Dublin County Development Plan 2022 – 2028:*
  - a) *To demonstrate how they intend to reduce fragmentation of existing green infrastructure. The applicant should provide a green infrastructure plan showing connections through the site and connections to wider GI network.*
  - b) *To demonstrate how the appropriate Greening Factor will be achieved for the relevant land-use zoning objective. See link to the Green Space Factor Worksheet: Related Documents – SDCC*
  
5. **Boundary Treatment:** *The applicant is requested to submit elevation drawings specifying the proposed boundary treatment to the front of the site.”*

### **Applicants Response to No. 3**

Please refer to the drawings and documentation prepared by AIT Urbanism accompanying this additional information response for further details of the landscaping proposals. The drawings and documentation have been revised to provide further details on the proposed landscaping and green infrastructure proposals on the subject site.

Please refer to AIT Landscaping and Hayes Higgins Consulting Engineers for cover letter responses to items 3.1 (i,ii,iv,v & vi), 3.2, 3.3 (A,B,C,D,E) and 3.4 (a,b).

Please refer to Walsh Associates Drawings D-707 (Wall Type C) and D-708 (Street Elevation of rebuilt 800-900mm high wall), for revised boundary treatment to front of the site as response to item 3.5.

In regard to item no. 2, the proposed development can be considered as infill development, in which there is significant limited capacity to provide for public open space within the development as well as green infrastructure proposals. **Policy H8 Objective 3** states the following:

*“To enhance the recreational value of open spaces that serve existing residential areas as part of any future infill developments or where appropriate provide for the upgrade of other parks in the immediate area (applying the 10-minute concept) through a financial contribution in*



lieu, where a proposed development is not capable of providing the full open space standards on site.”

Section 12.6.10 states the following:

“Student accommodation, housing for older persons and one-bedroom units are excluded from the requirements in relation to children’s play.”

The shortfall has been compensated by the provision of semi-private and private open spaces that are included within the proposed development, and the proximity of public open spaces to the subject site. This follows Section 8.7.4 and COS5 Objective 5 of the South Dublin Development Plan 2022 – 2028 which identifies circumstances in which open space cannot be provided for.

The surrounding area is rich in green space provision, which also includes for Corkagh Park which is a 120 hectares regional park situated to the south-west of the subject site at a distance of 1 kilometre (13-minute walk distance). *Figure 1* illustrates the extent of the public parks, leisure centres and outdoor activities that are within walking distance from the subject site (no. 4 within a 15-minute walking distance):



Figure 1: Open spaces / Public parks / Leisure amenities that are within walking distance of the subject site.

The proposed 10 residential units each have their own private open space amenities, which include for the provision of open space patios to the ground level units. The first and second floors consist of balcony private open spaces for the residents. The proposed private open spaces and semi-private



communal space exceed the minimum standards set out within the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (December 2022).

AIT Urbanism have included for a response to the Green Infrastructure of the proposed development, in which it has been determined that the proposed developments green infrastructure will not pass the Green Space Factor score (GSF). We wish to submit that due to the infill nature of the subject site, in conjunction with its poor provision of existing green infrastructure, the proposed development has incorporated as much natural planting features that were feasible for the subject site. The applicant has indicated that they are open to further liaising with South Dublin County Council under Section 12.4.2 in which the following is stated:

*“Where site-specific constraints do not allow for adequate landscaping features in line with minimum requirements (**for example, for infill development or certain brownfield sites**) a developer will be permitted to provide alternative GI interventions or contributions to make up for this shortcoming, see below. Those GI measures ultimately chosen will be indicated by the site-specific context and will be subject to agreement with Council”.*

DOWNEY submit that under Section 12.6.8 of the South Dublin County Development Plan, as the subject site can be identified as infill development which is zoned as ‘TC – Town Centre’ in close proximity to Clondalkin Town Centre, and noting the provision of semi-private and private open spaces for the residents and the high-quality provision of open spaces and public parks within walking vicinity of the site, an omission in the requirement for a public open space in this instance would be deemed as appropriate regarding COS5 Objective 4 within the South Dublin County Development Plan 2022 – 2028.

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## 4.0 Additional Information Request No. 4

- “1. The applicant shall submit a revised layout of not less than 1:200 scale, showing boundary walls at vehicle access points limited to a maximum height of 0.9m, and any boundary pillars limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.*
- 2. The applicant shall submit a revised layout of not less than 1:200 scale showing the location and number of Bicycle parking spaces to be provided at the development. Please refer to Table 12.23: Minimum Parking/Storage Rates – from the SDCC County Development Plan 2022-2028.*
- 3. The applicant shall submit accurate plans demonstrating the provision of a visibility splay with a 2.4 meter set back at a 1.05-meter height from ground level and 49 meters sight lines in both directions from the entrance. Sight lines should be shown to the near side edge of the*

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road to the righthand side of entrance and to the centreline of the road to the left-hand side of the entrance (when exiting).

4. The applicant is requested to submit a revised layout not less than 1:200 scale showing the car parking, bicycle parking and pedestrian routes within the development. Please refer to Table 12.23 Minimum Bicycle Parking Rates– SDCC County Development Plan 2022-2028. - The minimum width of footpaths shall be 2.0m wide to aid mobility impaired users. - All external bicycle parking spaces shall be covered. - Footpath layout shall provide adequate connectivity around the development and to footpaths on the main road.

5. The applicant shall submit a revised layout of not less than 1:200 scale, showing a swept path analysis drawing (i.e. Autotrack or similar) demonstrating that fire tenders and large refuse vehicles can access/egress the site. The drawing should also show how vehicles can access the parking spaces.”

#### **Applicants Response to No. 4.**

Please refer to the cover letter, drawings and documentation prepared by Walsh Associates and Hayes Higgins Partnership accompanying this additional information response for further details addressing the contents of the additional information request no. 4.

Refer to Walsh Associates Drawing D-708 (Plan & Elevation of rebuilt 900mm high wall illustrated at 1/50) for details into boundary walls at vehicle access points.

Refer to Walsh Associates Drawing P-002A rev 01 for a revised overall site plan reflecting the revised front boundary wall arrangement illustrated at 1/100.

Refer to Walsh Associates Drawing P-002A rev 01 (scale 1/100) for the location of a proposed covered bike parking area. The bike parking consists of a Galvanised steel rack with a proprietary galvanised steel frame and polycarbonate shelter. The proposed development has provided for 15 bicycle parking covered storage spaces, which is in accordance with Section 12.7.1 of the South Dublin County Development Plan 2022 – 2028 with a long-term bicycle storage spot provided per bedroom unit plus 5 short-term visitor spots. All footpaths serving the development are of a minimum 2 metres wide to facilitate mobility impaired users.

The development has provided for a turn spot situated to the north-east of the parking area to enable the access/egress of the site for fire tenders and large refuse vehicles. Please also refer to Hayes Higgins Consulting Engineers visibility splay drawing indicating the required visibility splay.



DOWNEY submit that the proposed development is in accordance with the revisions to transport related infrastructure and has sufficiently responded to the additional information request and ensured that the proposed development is now complies with these requirements.

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## 5.0 Additional Information Request No. 5

*“The drawings submitted regarding the boundary of the site need more detail regarding the existing retained and proposed built front boundary wall for a full assessment. The Planning Authority considers that the applicant must demonstrate further that the proposed development will not adversely impact the nearby Architectural Conservation Area.*

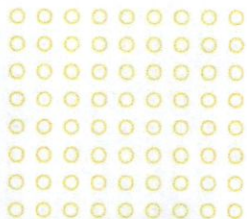
- (i) *The applicant shall submit a revised detail of the works involved in the boundary wall and include colour hatching of the proposed and retained elements; in contiguous and sectional drawings.”*

### **Applicants Response to No. 5**

Please refer to the drawings and documentation prepared by Walsh Associates accompanying this additional information response for further details into the proposed boundary wall treatments and the retention of the existing wall. Refer to Walsh Associates Drawings D-707 and D-708 boundary treatments to front of the site and cover letter for additional information into the methodology.

DOWNEY submit that the proposed boundary wall treatments has had regard to the sensitivity of the surrounding area, and the proposed boundary treatments has been designed to be consciously aware of the adjacent Clondalkin Village ACA. The proposed building has been set-back at an appropriate distance from the main road to sensitively integrate into the environment in context of the Leinster Terraces and the adjacent protected structure, which are part of the Clondalkin Village ACA.

The built wall is to be retained in accordance with details submitted within continuous and sectional drawings submitted by Walsh Associates, and a section of the wall is to be rebuilt to upkeep with the surrounding profile of the area particularly the Clondalkin Village ACA. The proposed development therefore will not adversely impact the nearby Architectural Conservation Area through a proportionate and sympathetic design.



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## 6.0 Additional Information Request No. 6

*“There are concerns with the layout of the proposed development regarding the private amenity space of the future occupiers of ground floor apartments 3 and 4. The area of private space appears to be open and contributes to communal open space given its shape and use as circulation space. The proposed development boundary treatment and/or ‘privacy strip’ should be revised to provide distinctly private and usable communal open space in accordance with the Sustainable Urban Housing: Design Standards for New Apartments (2020) and South Dublin County Development Plan 2022-2028.*

*The applicant is requested to submit the following:*

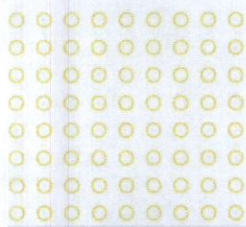
- (a) *revised section and elevational drawings that illustrate that a sufficient level of privacy is afforded to the habitable rooms of ground floor apartments 3 and 4, including the bedrooms.”*

### **Applicant’s Response to No. 6**

Further drawings have been prepared by Walsh Associates submitted with this additional information response, in which revised section and elevation drawings illustrating the ground floor of units 3 and 4 can be seen in further detail. Refer to Walsh Associates Drawing P-002A rev 01 site plan and D-708 Boundary Details drawing for clear demonstration of proposed railings forming the individual apartment private external spaces and providing a physical separate from the communal amenity space. The revised AIT Landscaping revised plan for soft landscaping screening in coordination with the railings detailed.

DOWNEY submit to the Council that the revised drawings show that an affordable level of privacy has been achieved in conjunction with the updates in the landscaping plans, which show a comprehensive planting schedule for the proposed development of the site. The proposed front entrance to the residential apartment, situated near to the bedroom window of unit 4, has been adjusted to the right corner to ensure that planting screening can be implemented between the public footpath and the window of unit 4 in the form of shade tolerant planting and small flowering trees.

The main building entrance door to the north-east elevation of the building has been revised to relocate the door further away from apartment no. 4 window, in order to ensure for additional privacy to this habitable room.



DOWNEY submit that the revised design of the site has ensured for a sufficient level of privacy for units 3 and 4, including the bedrooms, through minor changes that enable for a higher quality of a design that provides for clear open space distinctive boundaries and screening measures.

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## 7.0 Conclusion

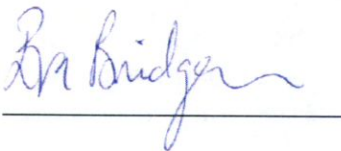
The applicant has sought to address in full the additional information requested by South Dublin County Council and has submitted a comprehensive response to the request. Accordingly, we respectfully request that planning permission is granted, subject to appropriate conditions, for the proposed development at the application site.

For clarity, please note the following list of documents which have been submitted with this response, as follows: -

- 6 no. copies of architectural drawings and documentation prepared by Walsh Associates;
- 6 no. copies of the engineering drawings and documentation prepared by Hayes Higgins Partnership;
- 6 no. copies of the Proposed Culvert Hydraulic Design Report prepared by IE Consulting;
- 6 no. copies of landscape drawings and documentation prepared by AIT Urbanism;
- 6 no. copies of the ecological letter prepared by OPENFIELD Ecological Services;
- 6 no. copies of Dublin Simon Community senior counsel legal opinion regarding the culvert;
- 6 no. copies of the AI response letter prepared by DOWNEY.

We look forward to a favourable decision from South Dublin County Council in due course.

Yours sincerely,



Eva Bridgeman MIPI  
Director  
*For and on behalf of DOWNEY*



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