

Planning Compliance
Land Use, Planning & Transportation Department
South Dublin County Council
County Hall
Tallaght
Dublin 24

By email

9th October 2023

Dear Sir/Madam,

RE: CONDITION 9 – DEVELOPMENT OF 569 DWELLINGS AT CLONBURRIS SOUTH WEST DEVELOPMENT AREA WITHIN THE CLONBURRIS SDZ AT TOWNLANDS OF CAPPAGH, CLONBURRIS LITTLE AND KISHOGE, CO. DUBLIN.

REG REF: SDZ21A/0022

I write on behalf of Cairn Homes Properties Ltd in respect of Reg Ref: SDZ21A/0022 and to discharge the following condition as required.

Condition 9:

Tree and Hedgerow Bond and Arboricultural Agreement

a) Prior to the submission of the Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any works on site including any related construction activity or tree felling, the applicant shall lodge a Tree and Hedgerow Bond to the value of €858,250 or as otherwise agreed by the Council, subject to a minimum bond to ensure adequate protection of existing trees on site. Any reduction in the tree bond shall be considered in relation to compensatory measures regarding tree and hedgerow protection implemented on the subject site or/and on lands across the SDZ that the applicant can demonstrate sufficient legal interest towards.

b) The bond lodgement shall be coupled with an Arboricultural Agreement, with the developer, empowering the planning authority to apply such security, or part thereof, to the satisfactory protection of any tree/hedgerow or trees/hedgerows on or immediately adjoining the site, or the appropriate and reasonable replacement of any such trees/hedgerows which die, are removed or become seriously damaged or diseased within a period of three years from the substantial completion of the development. Any replacement planting shall use large semi-mature tree size(s) and species or similar as may be stipulated by the planning authority.

c) An Arboricultural Assessment Report and Certificate is to be signed off by a qualified Arborist after the period of 3 years of completion of the works. Any remedial tree surgery, tree felling works recommended in that Report and Certificate shall be undertaken by the developer, under the supervision of the Arborist. The bond will only be refunded upon receipt by SDCC Public Realm Section of a satisfactory post-construction

arboricultural assessment, carried out by a qualified arborist and provided that the hedges/trees proposed for retention are alive, in good condition with a useful life expectancy.

Response

John Ward, ISA Certified Arborist of Murray & Associates Landscape Architecture has been appointed as arboricultural consultant for the duration of construction works on the permitted development site. A robust range of tree and hedgerow protection, management and mitigation measures have been put in place on the permitted development site in compliance with conditions 8 and 10 of the permitted development. Letters of compliance dated 19th January 2023 and 23rd January 2023 in respect of conditions 8 and 10 are enclosed for ease of reference. A copy of the following documentation and drawings prepared by Murray & Associate Landscape Architecture, was submitted and deemed in compliance in respect of conditions 8 and 10:

- Tree & Hedgerow Management Plan
- 1738_PLC_P_00 Masterplan;
- 1738_PLC_P_01.1 Masterplan - 01/02;
- 1738_PLC_P_01.2 Masterplan - 02/02;
- 1738_PLC_P_02.1 Boundary Treatment Plan & Details | Residential Boundaries;
- 1738_PLC_P_02.2 Boundary Treatment Plan & Details | Open Space Boundaries;
- 1738_PLC_P_03 Play Areas;
- 1738_PLC_P_04.1 Soft Landscape Plan - 01/02;
- 1738_PLC_P_04.2 Soft Landscape Plan - 02/02;
- 1738_PLC_P_05 Removed/Retained/Compensatory Planting Plan;
- 1738_PLC_D_01 Soft Landscape and SuDS | Details;
- 1738_PLC_TPP_01 Hedgerow & Tree Protection Plan;
- 1738_PLC_TPP_01.1 Hedgerow & Tree Protection Plan Zoom Area;
- 1738_PLC_ExViews_01 Pre Development Photos and Location Map.

Following ongoing discussions between Laurence Colleran, SDCC Senior Executive Parks Superintendent, project arborist John Ward, Murray & Associates Landscape Architecture and Cairn Homes Construction site team, we respectfully submit that the tree and hedgerow bond under condition 9 is satisfied by way of the implementation of a robust range of tree and hedgerow protection and mitigation measures on the permitted development site in compliance with conditions 8 and 10. The project arborist, John Ward of Murray & Associate Landscape Architecture will continue to inspect the tree and hedgerow protection measures at regular intervals throughout the construction period and will issue a completion certificate on completion of the permitted works.

We trust that this proposal is satisfactory to comply with the requirements of condition 9 of the permitted development.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'L. Slowey', with a large, sweeping flourish at the end.

Lianna Slowey
Town Planner