

Cairn Home Properties Limited
45, Mespil Road
Dublin 4

Date : 30-Nov-2023

Reg. Ref. : SDZ21A/0022/C9

Proposal : The construction of 569 dwellings, a creche, innovation hub and open space in the Clonburris South West Development Area of the Clonburris SDZ Planning Scheme 2019 as follows: 173 houses comprising 8 two bedroom houses, 153 three bedroom houses and 12 four bedroom houses (147 dwellings in CSW-S4 consisting of 8 two bedroom houses, 127 three bedroom houses & 12 four bedroom houses & 26 three bedroom dwellings in CSW-S3}, all 2 storey comprising semi-detached, terraced, end terrace units (with parking and private open space); (B) 148 duplex apartments/apartments {88 in CSW-S4 & 60 in CSW-S3} comprising 74 two bedroom units and 74 three bedroom units, in 16 three storey buildings. In CSW-S4 Duplex Blocks A, B, C, D, E, F, G, J, K, comprise 8 units (4 two bed & 4 three bed units), Duplex Block H comprises 16 units (8 two bed & 8 three bed units), In CSW-S3 Blocks L, N & O comprise 8 units (4 two bed & 4 three bed units), Block M comprises 14 units (7 two bed & 7 three bed units), Block P comprises 10 units (5 two bed & 5 three bed units), Block Q comprises 12 units {6 two bed & 6 three bed units}, all to have terraces/pitched roof; (C) 396 apartments as follows: within CSW-S4, Block 1 consists of 172 apartments (76 one bedroom, 91 two bedroom and 5 three bedroom apartments), in a 2-building arrangement both 6 storeys in height. Within CSW-S3, Block 2 {4 storeys} comprises 16 one bedroom apartments and 22 two bedroom apartments, Block 3 (4 storeys) comprises 16 one bedroom apartments and 22 two bedroom apartments (all apartments to have terrace or balcony); (D) Provision of an innovation hub (626sq.m) and creche (c. 547sq.m) in a part 3/4 storey 'local node' building in CSWS4; (E) Vehicular access will be from the permitted Clonburris Southern Link Street (SDZ20A/0021) and R113 to the east {along with provision of internal haul routes {for construction} to connect to the R136 to the west); (F) Public Open Space/landscaping of c. 4.1 hectares (to include Local Park and MUGA in CSW-S3, Grand Canal Park, along the southern and eastern boundaries of the site to connect to

existing Grand Canal towpath) as well as a series of communal open spaces to serve apartments and duplex units (c. 0.39 ha); (G) all ancillary development works including footpaths, landscaping boundary treatments, public, private open space areas, car parking (656 spaces) and bicycle parking (672 spaces), single storey ESB substations/bike/bin stores, 'Gateway' entrance signage (2), solar panels at roof level of apartments, and all ancillary site development/construction works; (H) Permission is also sought for revisions to attenuation permitted under SDZ20A/0021 as well as 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; the application applies for 7-year planning permission for development at this site of c. 17 .02 hectares (on two parcels of land to include entrance area) within the townlands of Cappagh, Clonburris Little & Kishoge, Co. Dublin all on wider lands bounded generally by undeveloped lands and the Dublin-Cork railway line to the north, undeveloped lands and the Grand Canal to the south, the R113 (Fonthill Road) to the east and the R136 to the west.

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.

REASON: to ensure the protection, safety, prudent retention and long-term viability of trees to be retained on and immediately adjacent to the site.

Location : Within the Townlands of Cappagh, Clonburriss Little & Kishoge, Co. Dublin
Applicant : Lianna Slowey, Cairn Homes Properties Ltd.
Application Type: Compliance with Conditions

Dear Sir/Madam,

I refer to your submission received on 09-Oct-2023 to comply with Condition No 9 of Grant of Permission No. SDZ21A/0022, in connection with the above.

In this regard I wish to inform you that the submission received is deemed **partially** compliant.

Comments:

“With regard to the details submitted including;

- Cover Letter, Cairn

The submission is considered to be:

Part compliant with condition 9

The applicant states that 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. Following ongoing discussions with Parks, the applicant states 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 report from the Parks Department states they are satisfied that robust fencing is in place on the site and the proposal is in compliance.

The proposal is in compliance with parts (a) and (b).

With regards part (c), the applicant states *“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”*.

Part (c) is therefore not in compliance at this time, as details will be submitted at a later date.

Recommendation: Part compliant with Condition 9

I recommend that the applicant be informed as set out in the above report. “

Yours faithfully,

M.C.

for Senior Planner