



1<sup>st</sup> December 2023

Land Use, Planning & Transportation Department,  
South Dublin City Council,  
County Hall,  
Tallaght,  
Dublin 24,  
D24 A3XC

**Re:**

**Compliance with Planning Condition No. 24 of  
Grant of Permission Ref. SDZ22A/0010.  
Permitted development in the  
Clonburris Urban Centre (CUC-S4)  
and Clonburris South East (CSE-S1 & CSE-S2)  
of the Clonburris Strategic Development Zone (SDZ).**

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Dear Sir/ Madam,

## **1.0. Introduction**

- 1.1.** On behalf of our client, Kelland Homes Ltd., we, Armstrong Fenton Associates, of 13 The Seapoint Building, 44/45 Clontarf Road, Clontarf, Dublin 3, D03 A0H3, wish to submit the following and enclosed details of compliance with the planning condition no. 24 attached to the grant of permission under Ref. SDZ22A/0010
- 1.2.** An order to grant permission under Ref. SDZ22A/0010 was issued by South Dublin County Council on 3<sup>rd</sup> April 2023. The permitted 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)
- 1.3.** The development, as applied for, consisted of, *inter alia*, 294 no. dwellings, creche and retail / commercial unit. It should be noted that the grant of permission received includes for 32 no. conditions which have appropriately amended the development as applied for. These amendments are detailed in the various individual compliance submissions being issued to the Planning Authority for agreement.
- 1.4.** Further our submission of condition no. 24 dated 10<sup>th</sup> July 2023, of the grant of permission received, we wish to resubmit compliance materials in relation to condition no. 24(iii). It should be noted that the following response is in compliance with the first phase "Phase K1" of the permitted development. The details of our compliance submission in relation to **Condition No. 24 (iii)** can be found in section 2 below. Appendix A of this compliance letter details the full list of enclosures which accompany this compliance submission – please refer to same in conjunction with the reminder of this compliance letter.



## 2.0. Compliance Submission

### Subject Condition (Condition No. 24)

2.1. Condition No. 24 of the grant of permission received relates to submitted green infrastructure details for the permitted development. Condition No. 24 reads as follows:

*“Prior to the commencement of development, the applicant shall agree and submit redesigned proposals with the Planning Authority that demonstrate unless otherwise agreed:*

- i. A Strategic Green Corridor along the northern boundary of the site adjacent to the Dublin-Cork Railway including natural SUDs and planting along length of boundary (planting options might include Miyawaki style).*
- ii. A Local Green Corridor approximately N-S along the eastern boundary incorporating nature based SuDS and planting along length of boundary.*
- iii. A Local Green Corridor approximately N-S and E-W along the westernmost local street south of Clonburris Link Street incorporating nature based SuDS: such as bioretention raingardens and additional planting.*
- iv. A Local Green Corridor approximately N-S through the centre of the development increasing the tree planting and providing above ground SUDS.*
- v. Retention of trees and hedgerow along southern boundary as shown in SDZ. Where hedgerow was removed this is to be replaced with fast growing planting, such as Miyawaki-style planting. No tree works/removals or pruning to take place prior to a site meeting with Public Realm to agree extent of works. No works to take place within the root protection zone/drip line of trees. An area of Public Open Space is required between the hedgerow and the development to allow proper setback for residential amenity and to allow for the Taking in Charge and maintenance of the trees and hedgerow in the future (space for tractor and flail required- minimum space required 6m from base of hedgerow). This should involve either changing the house/dwelling-unit type or omitting House Nos. 01, 25, 26 and 46. The ESB substation adjacent to the southern hedgerow shall be moved elsewhere in the scheme.”*

### Compliance Submission for Condition No. 24

In compliance with Condition No. 24 of the grant of permission received, Appendix A at the end of this compliance letter provides for a full list of enclosures submitted as part of the subject compliance submission - please refer to the submitted drawings for full details - however, for convenience, the following sub-subsections refer the reader to the relevant drawings for each part of the condition of the grant of permission received.

2.2. Further our submission made on the 10<sup>th</sup> July 2023, we received a non -compliance decision from the council dated 5<sup>th</sup> September 2023 providing comments from the SDCC Parks department. These include:

- (i) **Not in compliance-** insufficient level of detail provided in drawings to demonstrate compliance- no details provided for swale- no cross sections, no planting details, no specifications provided, no details of headwalls or indication of how they function for water attenuation, amenity, biodiversity or water cleansing, no details of water inlets/outlets. Planting includes inappropriate species for GI corridor. No planting densities provided. Very low plant diversity in GI corridor. Mounding indicated however no levels on drawing.*
- (ii) **Not in Compliance.** insufficient level of detail provided in drawings to demonstrate compliance- no details provided for swale- no cross sections, no planting details, no specifications provided, no details of headwalls or indication of how they function for water attenuation, amenity, biodiversity or water cleansing, no details of headwalls/ water inlets/outlets. Planting includes inappropriate species for GI corridor. No planting densities provided. Very low plant diversity in GI corridor.*
- (iii) **Not in compliance.** This does not meet the minimum standards for street design, and it lacks features required to establish the route as a local Green corridor. No street trees, no bioretention areas.*
- (iv) **Not in compliance-** insufficient detail on SUDS. Inappropriate use of non-native trees in the hedgerow.*
- (v) **Not in compliance,** works proposed within the root protection zone. Insufficient planting proposed. Inappropriate planting proposed. Insufficient setback from protected GI corridor. Car parking and lighting proposed in GI corridor.*



- 2.3. Taking the above comments from SDCC Parks Department above, we wish to resubmit the following in compliance with **Condition No. 24** of the grant of permission received. We refer the planning authority to Document “Compliance Condition Response 24 & 25” and drawing no. 01 LP prepared by Ronan Mac Diarmada Associate (RMDA) which provides details in relation to condition no. 24 (i) – (v) green infrastructure for the permitted development.
- 2.4. In compliance with condition no. 24 (i), RMDA provides details relating to the strategic green corridor along the northern boundary of the site, adjacent to the Dublin- Cork Railway. We refer the Planning Authority to the provided whip planting using Miyawaki style and swale details with sections that has been provided along the northern boundary. Native hedging and wildflower planting will be provided to further enhance the green corridor located at the northern boundary, in compliance with the condition above.
- 2.5. Condition No. 24 (ii) includes details of a local green corridor N – S along the eastern boundary of the permitted development. As detailed in the document provided by RMDA, the eastern boundary will provide wildflower meadow planting and swales along the roadside as well as street planting that will line the open space. Swales and drop kerbs are proposed to ensure run-off from the road is cleaned and infiltrated into the ground, in accordance with SuDS measures. We refer the Planning Authority to the provided swale sections and details and Drawing No. 05 PLSDKP(II) in compliance with condition no. 24 (ii).
- 2.6. In compliance with condition no. 24 (iii), we refer the Planning authority to document provided by RMDA which details a Local Green Corridor approx. N-S and E-W along the westernmost street south of the Clonburris Linkstreet which incorporates natural based SuDS. Native hedge planting, wildflower meadow planting and swales along the roadside has been provided in compliance with the condition. Street tree planting has been incorporated where possible to enhance the green link running N-S and E-W along the westernmost street south of the Clonburris Link street. This should be read in conjunction with the diagrams titled “western green corridor”, “constraints”, “planting and SuDS features” and “rain garden details”.
- 2.7. Condition No. 24 (iv) includes details of a *“Local Green Corridor approximately N-S through the centre of the development increasing the tree planting and providing above ground SUDS”*. The enclosed document provided by RMDA has provided wildflower meadow planting and swales along the roadside in compliance with the above condition. The existing hedge has been supplemented with semi-mature native tree species and native hedge mix planting to enhance the natural elements of the permitted development. Swales have also been provided within the open space along the Local Green Corridor (N-S) through the centre of the development. Please refer to the “central green corridor” diagram provided by RMDA in compliance with condition no. 24 (iv).
- 2.8. In compliance with condition. 24 (v), the southern boundary hedgerow and existing trees has been retained in its majority as agreed with SDCC. RMDA provides diagrams which should be read in conjunction with further details regarding condition no. 24(v), we refer the planning authority to the enclosed document and Drawing no. 02 with the relevant information in compliance with 24 (v).

The above is considered compliant with condition no. 24 which illustrates adequate green infrastructure in accordance with the Clonburris SDZ Planning Scheme.

### 3.0. Conclusions & Enclosures

- 3.1. We fully consider the submitted green infrastructure details showing compliance for the permitted development to be appropriate and in compliance with the grant of permission received. For clarity we confirm that, once agreed, all units will be provided in accordance with the agreed scheme, as per condition of the grant of permission.
- 3.2. We respectfully request that the Planning Authority assess the submitted green infrastructure details for the permitted development in a judicious manner so development can progress as soon as possible, and much needed housing be provided on the subject site.



- 3.3. This compliance submission has been sent electronically via email to the Planning Authority as requested by the compliance section of South Dublin County Council. Should circumstances have changed and printed hard copies of this compliance submission now be required please do not hesitate to contact us at [alison@armstrongfenton.com](mailto:alison@armstrongfenton.com) or by telephone number on (01) 47 93 140. Appendix A below provides for a full list of enclosures forming part of the subject compliance submission – please refer to same for details.
- 3.4. We trust all the above and submitted are in order and we look forward to hearing back from the Planning Authority confirming that the submitted green infrastructure details are acceptable and in compliance with **Condition No. 24** of the grant of permission received.

Yours Sincerely,

**Alison Nash**

**Planner**

**Armstrong Fenton Associates**

#### Appendix A: Full List of Enclosures

Prepared by Armstrong Fenton Associates:

Drawing no.	Title	Scale
N/A	Compliance <b>Condition No. 24</b> Cover Letter	A4 Letter

Prepared by Ronan Mac Diarmada Associates:

Drawing no.	Title	Scale
N/A	Landscape Rationale Document 24 & 25	A3 Document
01 LP	Landscape Plan	1:500 @ A0
02 BP	Boundary Plan	1:1000 @ A1
05 PLSDKP(II)	Proposed Landscape, Swales & Drop kerb Location Plan	1:500

