



8<sup>th</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. 17 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. 17 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.** The subject compliance submission relates to **Condition No. 17** of the grant of permission received i.e., the submitted Whitton Avenue details for the permitted development. The details of our compliance submission in relation to **Condition No. 17** 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. 17)

2.1. Condition No. 17 of the grant of permission received relates to submitted Whitton Avenue details for the permitted development. Condition No.17 reads as follows:

*“Prior to the commencement of development, the applicant/developer shall submit for the written agreement of the Planning Authority, revised plans/drawings for the end of the street adjacent to Whitton Avenue showing the layout that will be in place prior to the connection to Whitton Avenue being facilitated on the adjacent lands. Unless otherwise agreed, the plans/drawings shall include:*

- (a) The omission of car parking spaces number 25 to 28 (inclusive) and provision for turning at the end of the street (site boundary) for vehicles including a refuse collection vehicle.*
- (b) A swept path analysis (Autotrack or similar) to demonstrate turning movements.*
- (c) The plans shall provide for green infrastructure/landscaping to improve the link between the southern hedgerow and the central north-south hedgerow.*
- (d) No ransom strip shall be left between the end of the street and the site boundary.”*

### Compliance Submission for Condition No. 17

In compliance with Condition No. 17 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.

We received non-compliance from the Planning Authority dated 16<sup>th</sup> August 2023 stating that submission for condition no. 17 has not been agreed with. The comments provided from the Council includes:

- *“With regards part (a) the applicant has removed parking spaces 16-28 (which run along the east of the road) and replaced them with 3 parking spaces on the east of the road and 6 on the south. The bin store has also been relocated.*
- *With regards Part (b) the Roads Department has raised no objections, however, the proposed layout of the Road is not acceptable to the Planning Authority and this information should be resubmitted when a compliant layout is provided.*
- *With regards parts (c) and (d) it appears that the applicant has created a ransom strip, through the insertion of green infrastructure at the boundary.*
- *Overall, the compliance submission does provide for a future connection with Whitton Avenue and the applicant is requested to contact the Roads and Planning Departments, prior to resubmission.”*

2.2. Taking the above condition and comments from the council, we wish to submit the following in compliance with **condition no. 17 (a)**. We enclose Drawing No. 2004- PL 006 “proposed site plan” prepared by Davey + Smith Architects which demonstrates the overall layout of the permitted development. The enclosed drawing shows the omission of car parking spaces 25- 28 inclusive. A hammerhead is provided for refuse collection vehicles and / or fire tender vehicles.

2.3. In relation to **condition no. 17 (b)**, we enclose updated Drawing No. P200306-PIN-XX-DR-D-0006 and Drawing No. P200306-PIN-XX-DR-D-0007 “General Layout Whitton Avenue” prepared by Pinnacle Consulting Engineers which illustrates a swept path analysis to demonstrate turning movements of refuse vehicles and fire tender auto track for permitted road located near existing Whitton avenue. We refer the planning authority to the enclosed updated drawing in compliance with Condition No. 17 (b).

2.4. In compliance with **condition no. 17 (c)**, we refer the planning authority to the enclosed compliance response document and Drawing No. 01 prepared by Ronan Mac Diarmada Associates (RMDA). The document demonstrates the provision of native hedge mix which will be planted to mitigate any loss to existing hedgerows and wildflower meadows. Whip planting will also be provided to enhance the existing biodiversity and central



hedgerow. The document also highlights the provision of SuDS features including urban tree pits to the parking bays and drop kerbs to allow for water run-off. The enclosed document provides details of tree pits, fencing details to biodiversity strip and whip planting lists.

2.5. In compliance with **condition no. 17(d)**, we ensure that no ransom strip will be left between the end of the street and site boundary.

### 3.0. Conclusions & Enclosures

3.1. We fully consider the submitted Whitton Avenue 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 Whitton Avenue 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 Whitton Avenue details are acceptable and in compliance with **Condition No. 17** of the grant of permission received.

Yours Sincerely,

**Alison Nash**

**Planner**

**Armstrong Fenton Associates**

**Full List of Enclosures****Prepared by Armstrong Fenton Associates:**

Drawing no.	Title	Scale
N/A	Compliance <b>Condition No. 17</b> Cover Letter	A4 Letter

**Prepared by Davey + Smith Architects:**

Drawing no.	Title	Scale
2004-PL-006	Proposed Site Plan	1:100

**Prepared by Pinnacle Consulting Engineers:**

Drawing no.	Title	Scale
P200306-PIN-XX-DR-D-0006-SI-P03	General Layout Whitton Avenue	1:200
P200306-PIN-XX-DR-D-0007-SI-P03	General Layout Whitton Avenue	1:200

**Prepared by Ronan Mac Diarmada Associates:**

Drawing no.	Title	Scale
N/A	Compliance Condition Response 17	A4 Document
01 LP	Landscape Masterplan	1:500 @ A0

