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Senior Executive Officer,
Planning Department,
South Dublin County Council,
County Hall Tallaght, Dublin 24
D24 A3XC

2nd October 2024

Re: Compliance Submission Regarding Condition No. 19 of Reg. Ref. SD22A/0342

Address: Lands located to the east of Tay Lane, Newcastle Road, Rathcoole, Dublin 24.

Applicant: Riverside Projects Limited

Description: Construction of a four-storey apartment block (4224 sq.m) consisting of 58 age friendly residential units comprising 20 one bedroom units and 38 two bedroom units with associated private balconies, associated lift and stair cores, entrance lobby, and circulation space; Provision of a community facility (99.3 sq.m) and ancillary accommodation including refuse store (26.9 sq.m), cycle store (36 sq.m), plant room (46.2 sq.m), sub-station (14 sq.m), switch room (16 sq.m), landscaped public open space (907.4 sq.m) and communal open space (1225.6 sq.m), and 30 car parking spaces and 80no. cycle parking spaces to serve the development; Vehicular access to the development will be provided via an upgraded entrance from Tay Lane with a minor pedestrian access provided from Eaton Drive to facilitate direct linkages to the town centre; Planning permission is also sought for all ancillary site and development works above and below ground to facilitate the development including the provision of internal access roads and pedestrian / cycle pathways and linkages, boundary treatment, public lighting, hard and soft landscaping, services, rooftop PV panels and associated signage.

Dear Sir/Madam,

Hughes Planning and Development Consultants, 85 Merrion Square, Dublin 2, have been instructed by our client, Riverside Projects Limited, to write to South Dublin County Council with respect to Reg. Ref. SD22A/0342, for which permission was granted by the Planning Authority on 24th April 2024. In this regard, on behalf of our client, we make this submission regarding compliance with Condition No. 19 as attached to the permission.



Figure 1.0 Site Location Map showing the extent of 'Lands located to the east of Tay Lane, Newcastle Road, Rathcoole, Dublin'

The following aerial image shows the approximate location of the application site, outlined in red, in relation to the surrounding roads.



Figure 2.0 Aerial Image of the site (approximate location outlined in red), showing neighbouring infrastructure.

For ease of reference, Condition No. 19 reads as follows:

19. Roads – Pedestrian Arrangements

A. Prior to commencement of development, the location, design, and construction details of the pedestrian crossings to be constructed by the applicant/developer and at their own expense shall be submitted for the written agreement of the Planning Authority and such agree details shall be fully implemented on site.

B. Prior to commencement of development, the design and construction details of the footpath/road resurfacing of the entire Tay Lane from the development access connecting to Rathcoole Main Street, to be constructed by the applicant/developer and at their own expense shall be submitted to the Planning Authority for written agreement and such agreed details shall be fully implemented on site.

REASON: In the interest of the proper planning and sustainable development of the area

In satisfaction of the above condition, we enclose the following drawings, as prepared by Studio 4 Design and CORA Consulting Engineers, for agreement with South Dublin County Council:

- Site Location Map – Drawing No. TAY-S4D-ST-XX-DR-A-0001
- Proposed Site Plan & Boundary Treatment – Drawing No. TAY-S4D-ST-XX-DR-A-0002
- Proposed Site Plan & Boundary Treatment – Drawing No. TAY-S4D-ST-XX-DR-A-0003 P03
- Existing and Proposed Laneway Layout – Drawing No. 006 P 03
- Proposed Pedestrian Crossing General Arrangement – Drawing No. 007 D 01

In response to part A of Condition 19, there are 2 no. pedestrian crossings proposed as part of the development. One of which connects the development to Eaton Drive to the southeast and the other, to the southwest, provides a connection from one side of Tay Lane to the other.



Figure 3.0 Streetview Image of Eaton Drive, located off Main Street



Figure 4.0 Streetview Image of Eaton Drive showing the location of the proposed pedestrian crossing.

With regards to the crossing proposed to the southeast, connecting the development with Eaton Drive, this will be an uncontrolled pedestrian crossing and the materiality includes tactile paving with local dishing of the kerb.

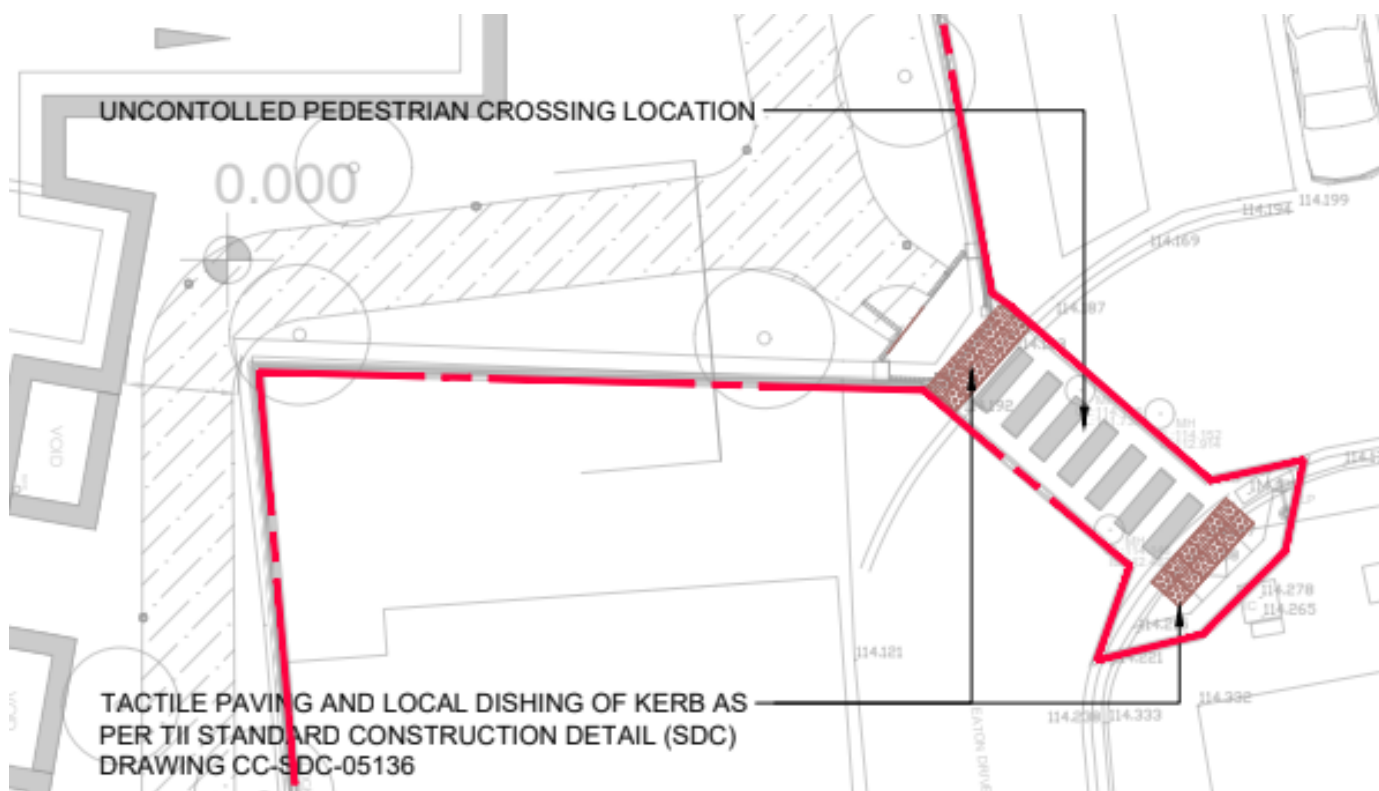


Figure 5.0 Excerpt from 'Proposed Pedestrian Crossing General Arrangement' drawing showing the proposed uncontrolled pedestrian crossing between the application site and Eaton Drive.

However, it is important to note that much of the land that will accommodate the proposed crossing is not within the Applicant's ownership. The Applicant is willing and able to construct the proposed crossing up to the point of which they control, as demonstrated in the below drawings. They are also able to include all preparatory works required for future third parties to finalise and complete the crossing.

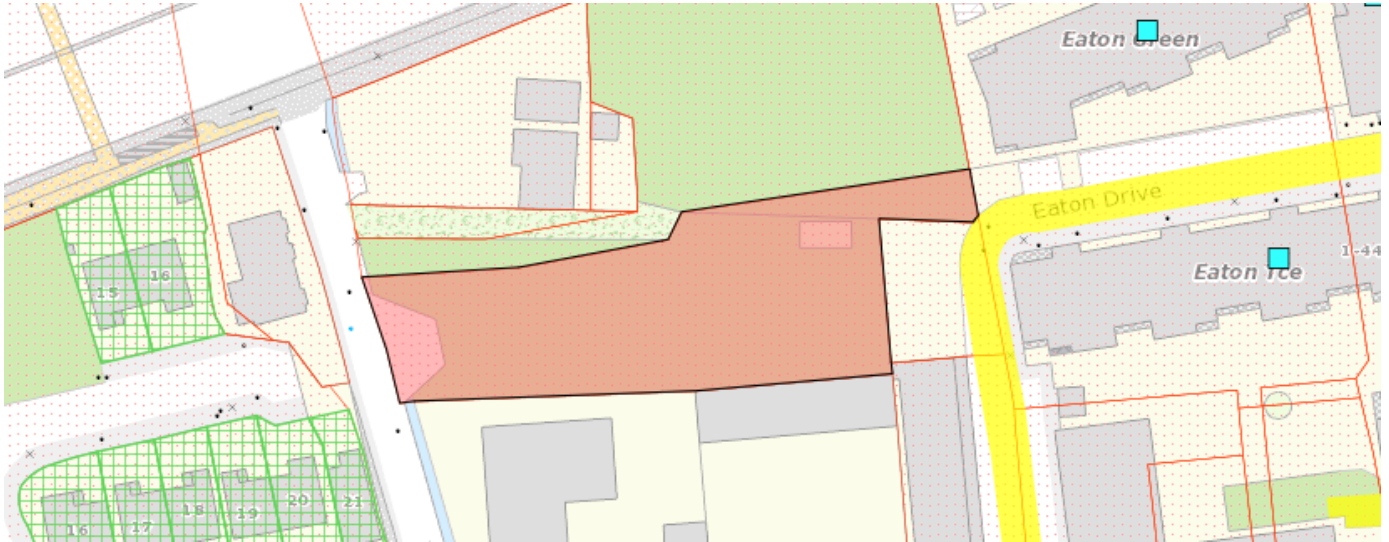


Figure 6.0 Excerpt of Folio Number DN7864F, Plan Number 640 showing the southern portion of the Application Site is in separate ownership to Eaton Drive.

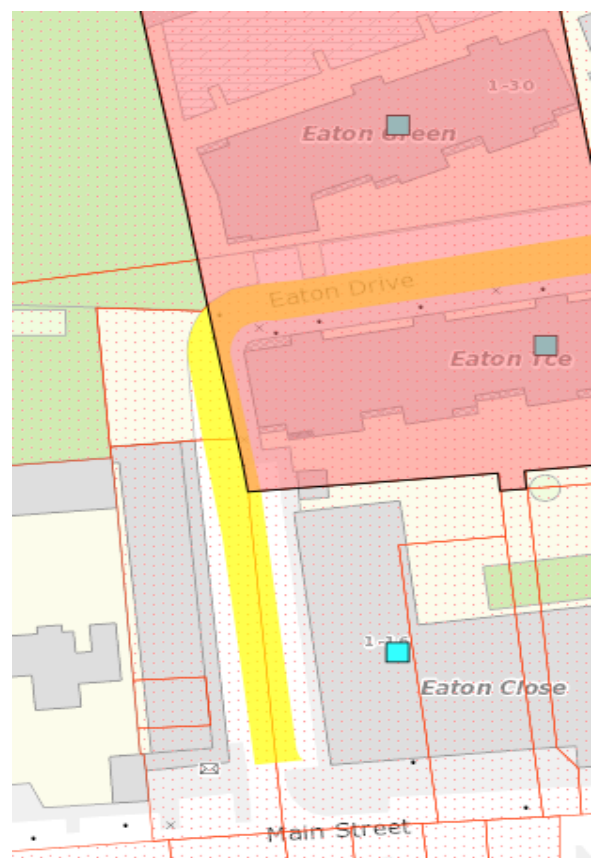


Figure 7.0 Excerpts of Folios DN31595F (left) and DN129371F (right) showing the location of the proposed pedestrian crossing on Eaton Drive is in separate ownership to the Applicant.

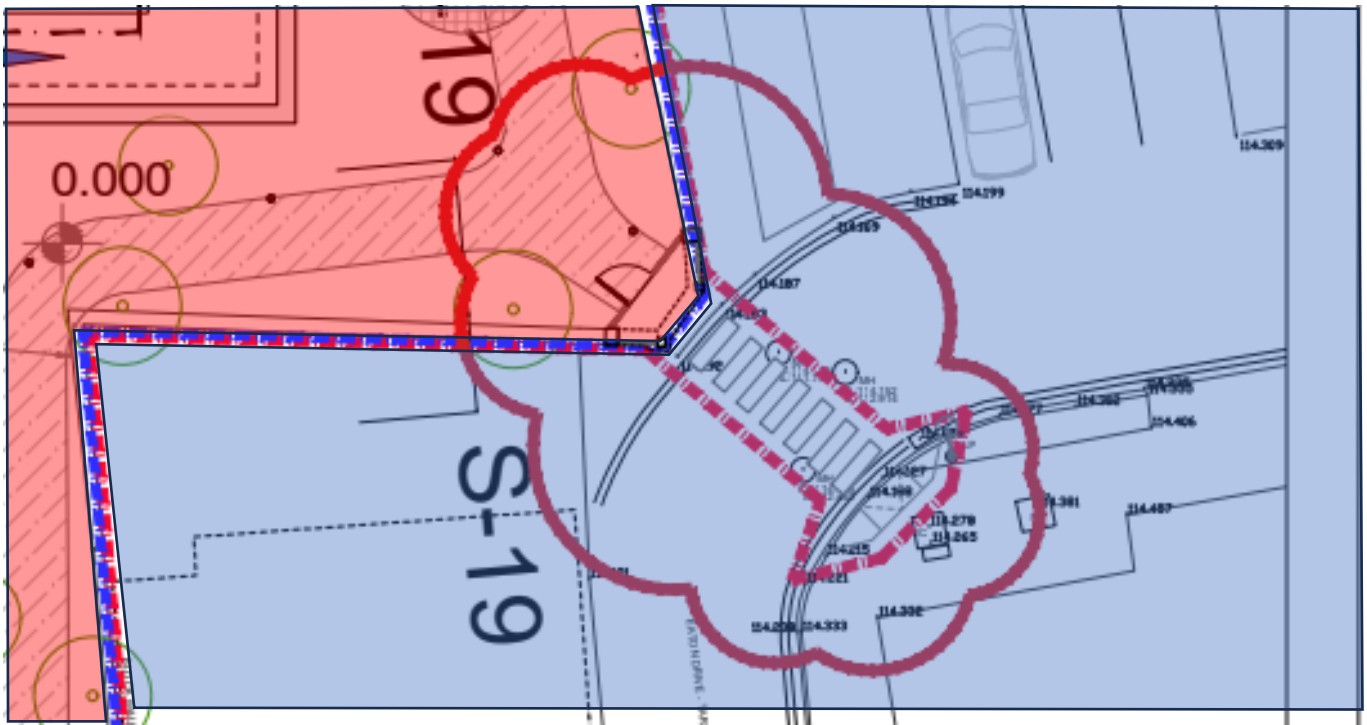


Figure 8.0 An extract from the Proposed Site Plan drawing which demonstrates the land in the Applicant's ownership (shaded red) and in third party ownership (shaded blue).

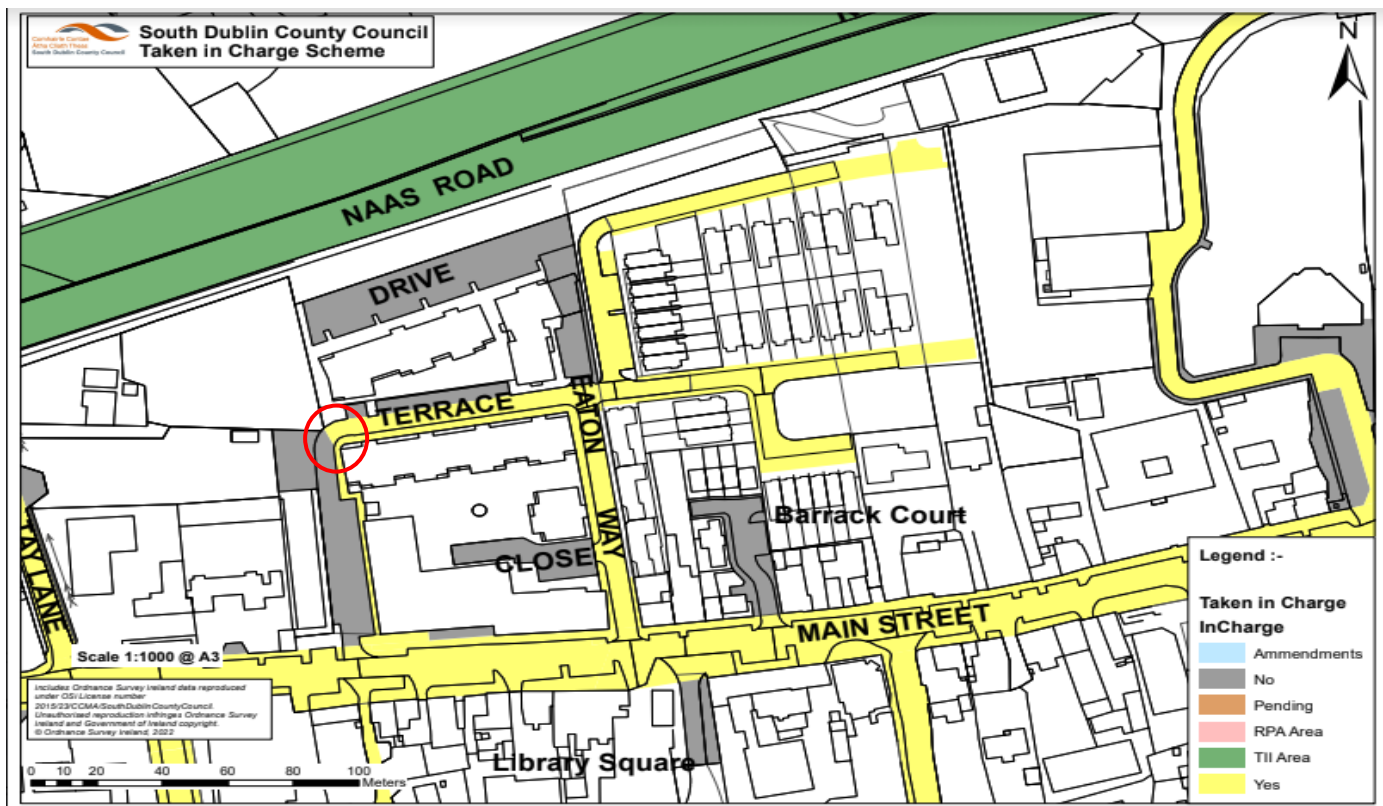


Figure 9.0 An extract from the South Dublin County Council Taken in Charge Scheme which demonstrates the land for the southeast pedestrian crossing (circled red) is both taken in charge (shaded yellow) and not taken in charge (shaded grey).

Part 4, Article 22 of the Planning Development Regulations 2001 (as amended) states that

“A planning application referred to in sub-articles (1) and (1A) shall be accompanied by –

b) 6 copies of a location map of sufficient size and containing details of features in the vicinity such as to permit the identification of the site to which the application relates, to a scale (which shall be identified thereon) of not less than 1:1000 in built up areas and 1:2500 in all other areas, or such other scale as may be agreed with the planning authority prior to the submission of the application, in any particular case and marked so as to identify clearly:

- (i) the land or structure to which the application relates and the boundaries thereof in red,*
- (ii) **any land which adjoins, abuts or is adjacent to the land to be developed and which is under the control of the applicant or the person who owns the land which is the subject of the application in blue.***
- (iii) any wayleaves in yellow, and*
- (iv) the position of the site notice or notices erected or fixed to the land or structure pursuant to article 17(1)(b)”*

The Applicant did not outline the lands which would contain the Eaton Drive pedestrian crossing, in either red or blue, on the location map submitted under Reg. Ref. SD22A/0342. Therefore, it was clear from the outset that such lands were not in the ownership of the Applicant.

Therefore, as part of this compliance submission, we submit the ‘*location, design and construction details of the pedestrian crossings*’, as demonstrated in the drawing pack and as requested by Part A of Condition 19. We trust that these details are sufficient to demonstrate compliance with this section of Condition 19. The Applicant is able to comply with the ‘*to be constructed by the applicant/developer*’ requirement of Condition 19 but only pertaining to the lands in their ownership.

In the event that the Council deem the above information to be insufficient in order to comply with Part A of Condition 19, **the Applicant is willing to pay a levy to ‘reserve’ the aforementioned lands** in order for South Dublin County Council to provide the pedestrian crossing in a future scenario. This levy could be in the form of a financial contribution which would be held in a bond until needed.



Figure 10.0 Streetview Image of Tay Lane, off Main Street.

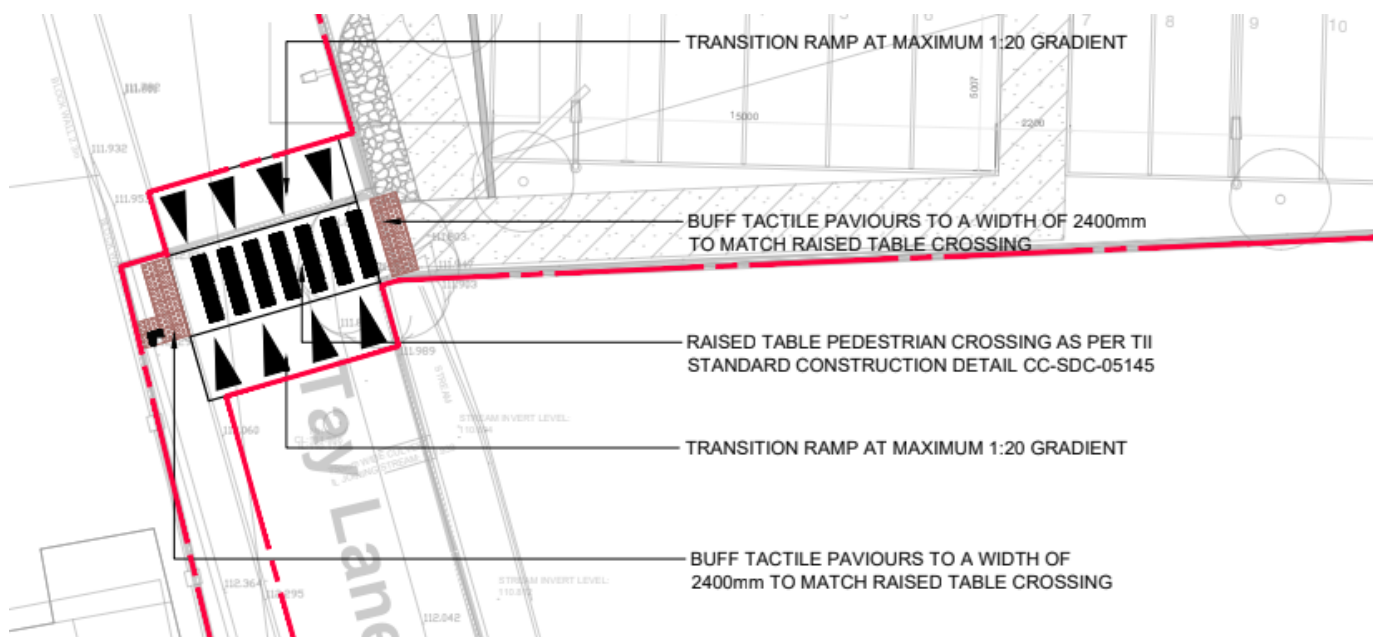


Figure 11.0 Excerpt from 'Proposed Pedestrian Crossing General Arrangement' drawing showing the proposed raised table pedestrian crossing between the application site and Tay Lane.

The crossing to the southwest of the development will contain transition ramps at a maximum 1:20 gradient with 2400mm buff tactile pavements to match the raised table crossing.

In response to part B of Condition 19, in order to upgrade Tay Lane, a new 1800mm pathway from the Main Street to the site entrance will be provided. Tay Lane will be predominantly re-surfaced. An uncontrolled pedestrian crossing with buff, tactile paving will be provided at the junction of Tay Lane and Main Street.



Figure 12.0 Excerpt from 'Existing and Proposed Laneway Layout' drawing showing the proposed improvements to Tay Lane.

Hughes Planning and Development Consultants

We trust that the contents of same are acceptable to South Dublin County Council. We look forward to receiving written confirmation of same in due course.

Should you require any further information or clarification, please do not hesitate to contact the undersigned.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'KH', with a long horizontal flourish extending to the right.

Kevin Hughes MIPI MRTPI
Director For HPDC Ltd.