



## Kilternan Village SHD

### Response to ABP Opinion

In respect of a Strategic Housing Development comprising 383 No. residential units and a Neighbourhood Centre

At lands at Wayside, Enniskerry Road and Glenamuck Road, Kilternan, Dublin 18

Submitted on Behalf of Liscove Limited



## 1.0 INTRODUCTION

On 22<sup>nd</sup> November 2021, Thornton O'Connor Town Planning on behalf of Liscove Limited submitted a pre-application consultation request to An Bord Pleanála. The purpose of this document is to respond to the specific information requested by An Bord Pleanála in their Notice of Pre-Application Consultation Opinion (ABP-312007-21), dated 11<sup>th</sup> March 2022, further to a meeting held on 24<sup>th</sup> February 2022, with An Bord Pleanála, Dún Laoghaire-Rathdown County Council and the Applicant/Design Team.

This Notice states that it is the Board's determination that the documents submitted with the request to enter into consultations constitute a reasonable basis for an application for strategic housing development.

In addition, An Bord Pleanála have also requested that specific information should be submitted with any application for permission (response outlined in Section 3.0) and that 4 No. Statutory Consultees should be notified in the event of making an application (outlined in Section 4.0).



## 2.0    **RESPONSE TO KEY POINTS RAISED BY AN BORD PLEANÁLA**

This section will provide a response to the specific information requested by An Bord Pleanála in their Opinion

These 13 No. items are set out as follows:

### 2.1    **An Bord Pleanála Item No. 1 – Land Parcel No. 22 Objectives**

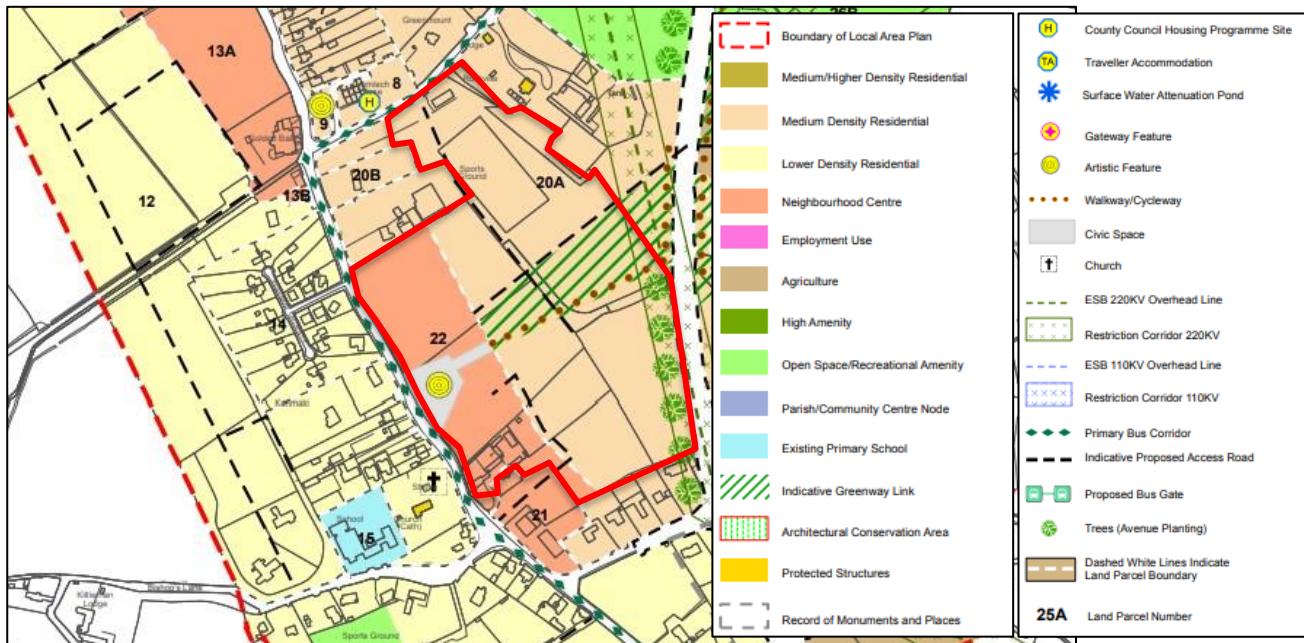
An Bord Pleanála stated the following:

*'In accordance with section 5(5)(b) of the Act of 2016, as amended, any application made on foot of this opinion should be accompanied by a statement that in the prospective applicant's opinion the proposal is consistent with specific objectives of the Kiltiernan LAP 2023 for Land Parcel 22. Such statement should have regard to the development plan and or local area plan in place or, likely to be in place, at the date of the decision of the Board in respect of any application for permission under section 4 of the Act.'*

#### 2.1.1    **Applicant's Response**

The Planning Report & Statement of Consistency prepared by Thornton O'Connor Town Planning fully details the scheme's compliance with the requirements for Land Parcel 22 set out in the *Kiltiernan-Glenamuck Local Area Plan 2013-2019 [extended to September 2023]* ("Kiltiernan LAP"). The scheme's compliance with Land Parcel 22 is detailed below for ease of reference. We note that both Land Parcels 20A and 22 pertain to the subject site and as such, a response to both Land Parcels is included for robustness.

Please see below the adopted map of the *Kiltiernan LAP* which highlights the site's location within Land Parcels 20A and 22:



**Figure 2.1: Zoning Map from *Kilternan LAP* with Subject Site<sup>1</sup> Outlined Indicatively in Red**

(Source: *Kilternan LAP*, annotated by Thornton O'Connor Town Planning, 2022)

As per Figure 2.1, the adopted map of the *Kilternan LAP* designates the site as follows:

- Neighbourhood Centre
- Medium Density Residential

As also demonstrated in Figure 2.1, the site is located within Land Parcels 20A and 22 and we have demonstrated compliance with requirements of these land parcels below:

<sup>1</sup> Redline also extends to the north-east into Rockville to incorporate drainage works. Red line throughout images in this report will relate to the developable site area and doesn't include infrastructure spurs etc.

Item	Parcel 20A	Response	Parcel 22	Response
Zoning	Objective A	The development is in accordance with the zoning objectives for the lands as detailed in the Planning Report & Statement of Consistency enclosed separately.	Objective NC	The development is in accordance with the zoning objectives for the lands as detailed in the Planning Report & Statement of Consistency enclosed separately.
Type of Development	Medium density residential – apartments, duplex, terrace/courtyard.  zob - Currently houses Kilternan Country Market. In the longer-term, though medium density residential development (apartments, duplex, terrace) would be appropriate. Country Market use could re-locate to a facility within the NC. (The community use and the tradition of a market in this local area is important, not necessarily the building per se.)	<p>The scheme provides a medium density development on the lands including apartments, duplexes and houses.</p> <p>It is noted that the Neighbourhood Centre will be partly located on Parcel 20a (all uses in accordance with the zoning objective as outlined in this report). It is considered that the proposed layout of the Neighbourhood Centre comprises an appropriate layout and will provide a permeable and legible development. For example, the Dingle Way will be passively overlooked by the entire south-eastern boundary of the Neighbourhood Centre. We reiterate that all uses are in accordance with the zoning objectives. The proposed development includes a community facility which will encourage local gatherings.</p> <p>zob is not included in the development lands. Kilternan Country Market is located outside of the application lands.</p>	<p>Residential, commercial, retail and community services.</p> <ul style="list-style-type: none"> <li>• This to be the 'heart' of Kilternan, i.e. this will be the primary centre.</li> <li>• Emphasis should be on providing facilities for locals, i.e. not to include businesses that 'attract' outside business, although it is acknowledged that may be used by passing through traffic on Link Distributor Road, who may deviate to make use of the facilities.</li> <li>• Design of Centre – need for an integrated development, not piecemeal. This is achievable since all in one ownership.</li> <li>• Could include residential (1/3), commercial/office (1/3) and retail. Office use to include doctors and dentists, etc. rooms</li> <li>• Could potentially include a cultural facility.</li> <li>• Should include an anchor retail facility to provide a much needed retail facility for current and future residents. This anchor store must however be appropriately integrated into the development.</li> <li>• In due course could include accommodation for Kilternan Country Market.</li> <li>• Could also accommodate community facilities – health related, post office (no PO in the area).</li> <li>• Potential for accommodating an open air/partially covered market in the central plaza area.</li> </ul>	<p>The proposed Neighbourhood Centre will be the heart and community hub of Kilternan. The frontage provided onto Enniskerry Road, through a combination of buildings and open spaces, will enliven the streetscape and will provide a meeting point for the local community.</p> <p>The development of the Neighbourhood Centre will be integrated into the local community, and includes the following (in addition to some residential units):</p> <ul style="list-style-type: none"> <li>• Retail (857 sq m)</li> <li>• Retail (convenience) (431 sq m)</li> <li>• Creche (439 sq m)</li> <li>• Office (317 sq m)</li> <li>• Medical (147 sq m)</li> <li>• Community Facility (321 sq m)</li> </ul> <p>There will also be residential units proposed in Land Parcel No. 22. The total Neighbourhood Centre commercial floor area will be 2,512 sq m and includes a community facility. The scheme also includes an anchor convenience retail store integrated into the Neighbourhood Centre, and this, in addition to the other retail units, will serve the future residents and the community of Kilternan, which will be a great benefit for the area.</p> <p>There will be a Village Green provided fronting Enniskerry Road and a plaza area surrounding the Neighbourhood Centre. This area could accommodate an open air/partially covered market. It is clear that the proposed Neighbourhood Centre and open spaces will be the heart of the village.</p>
Uses to be specifically encouraged	-		Facilities to serve the local community.	As noted above, the Neighbourhood Centre will make a positive contribution to the services available for the local community, including a specific community facility.
Uses to be specifically discouraged	Use of houses for doctor's rooms, office etc. i.e. 'conversion of residential use'. These type of facilities should locate within NC zoning.	There is currently no active use on the lands and thus this criteria is not applicable.	Facilities that attract non-local users	As well as serving the future residents of the scheme, the Neighbourhood Centre and amenity spaces within the scheme will provide services, facilities and amenities for the wider village.

<b>Density / Plot Ratio</b>	40-45 du/ha	The density of the development will be 44.5 No. units per hectare.	40 – 45 units/ha for res. Offices: 1:0.5	The density of the residential development will be 44.55 No. units per hectare.  The proposed office space is 317 sq m, with 199 sq m at ground floor and 119 sq m at first floor. We note that the first floor is not directly over the ground floor office, it is located above the retail unit. To achieve a ratio of 1:0.5 with the provision of 317 sq m of office space, this would require a footprint of 159 sq m. The footprint at ground floor is 199 sq m which is slightly in excess of the ratio provision. We have included this in the Material Contravention Statement enclosed.
<b>Height</b>	2-4 storeys. Four storey elements to be at locations on road frontages, adjacent to NC <sup>2</sup>	The scheme principally provides heights of 2 to 3 No. storeys, with the 4 No. storey Neighbourhood Centre and 2 No. apartment blocks to the north of the site providing heights of 5 No. storeys. This is covered in the Material Contravention Statement.	2-4 storeys.	Development on the Neighbourhood Centre lands is in accordance with the height parameters.
<b>Building Materials</b>	To incorporate an element of granite	The material palette currently comprises brick, cladding, render and stone. An element of granite will be incorporated into the boundary walls.	Incorporate element of granite	The material palette currently comprises brick, cladding, render and stone. An element of granite will be incorporated into the boundary walls.
<b>Architectural Style Specifications</b>	Development abutting NC to complement design.  Development to have regard for the protected structure 'Rockville' and its associated curtilage.	The scheme design has been considered coherently across the entire development lands to ensure a high-quality development is provided.  In relation to the Rockville Protected Structure, there is a 4 No. storey block already existing between the subject lands and the Protected Structure (located in the neighbouring development on the boundary with the subject lands). Sufficient separation distances are provided from the boundary with the neighbouring Rockville development.	Can be contemporary, but including 'vernacular' elements. No 'themed' development.  • To include an appropriate water feature, sculpture or the like in the central civic space.	According to MCORM Architects, the Neighbourhood Centre proposes a contemporary language with a rational rhythm of openings combining with vernacular elements that resonate with the special character of the Kilternan traditional built fabric. A sculpture will be provided in the central civic space (Village Green), in addition to 3 No. other sculptures throughout the site. Please see the <i>Landscape Rationale</i> enclosed for typical examples.
<b>Special Conditions</b>	-		Any development proposals shall be guided by the general design principles of the Kilternan Neighbourhood Framework Plan.	The development has considered the design principles of the <i>Kilternan Neighbourhood Framework Plan</i> as detailed further below this table.
<b>Other Comments</b>	<ul style="list-style-type: none"> <li>• Alignment of internal loop and other roads will inform the edge treatment.</li> <li>• Issue of height differential of western portion of land parcel 20a to Glenamuck Road.</li> <li>• Retention in some form of the street furniture at the northern boundary of 20b including the Victorian wall mounted postbox</li> </ul>	<p>The topography of the site has been fully considered in the scheme design. The road layout has been appropriately considered especially with respect to the connection to the future Glenamuck Link Distributor Road (GLDR) and Enniskerry Road and</p>	<ul style="list-style-type: none"> <li>• Importance of permeability through plaza area from north-east to south-west.</li> <li>• Needs to include recycling facilities.</li> <li>• Parking facilities to be undergrounded or peripheral and/or placed to the 'rear'.</li> </ul>	There are many permeable connections provided through the site from Enniskerry Road and Glenamuck Road through the site to Rockville and to the future GLDR, including the Dingle Way. Bin storage on site will include recycling facilities. Parking is well integrated within the

<sup>22</sup> Section 2.2.2 of the *Kilternan LAP* also notes that 'the proposed residential density for Parcel Nos. 20 a & b is 40-50 du/ha, with any higher density to be located proximate to the NC development. Permitted heights would range from 2-4 storeys. An additional access loop road will be required to service these lands'. The justification for providing the 5 No. storeys at the Glenamuck Road entrance away from the Neighbourhood Centre and in proximity to the existing apartment block in the neighbouring Rockville development is outlined in the Material Contravention Statement.

	<p>and the built-in stile in the stone boundary wall on Glenamuck Road.</p> <ul style="list-style-type: none"> <li>Importance of pedestrian &amp; cycle permeability between 'G' and 'B' zonings to the east through 20a (residential) to the NC use to the west and then across Enniskerry Road to the education and other community uses to the west</li> </ul>	<p>Glenamuck Road. The scheme has also comprehensively considered permeable connections through the site from Enniskerry Road and Glenamuck Road and through the site to the Rockville residential development and to the future GLDR, including the Dingle Way for example. The provision of the Dingle Way is in accordance with the adopted map for the <i>Kilternan LAP</i>. Tree planting is also proposed along the site's boundary with the future GLDR in accordance with the adopted map.</p>		<p>scheme into a well landscaped streetscape, with some spaces provided in an undercroft in the Neighbourhood Centre and in the apartment blocks.</p>
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Therefore it is clear that the subject proposal is consistent with specific objectives of the *Kiltiernan LAP* for Land Parcel 22 (and 20A).

## **2.2 An Bord Pleanála Item No. 2 – ‘NC’ Zoning**

An Bord Pleanála stated the following:

*‘A detailed statement demonstrating how the mix and quantum of non-residential use proposed within the Neighbourhood Centre is appropriate, given the ‘NC’ zoning and associated specific objectives set out in the Kiltiernan LAP 2023 and the level of residential development permitted to date and proposed for the wider Kiltiernan area.’*

### **2.2.1 Applicant’s Response**

## **2.2 An Bord Pleanála Item No. 2 – ‘NC’ Zoning**

An Bord Pleanála stated the following:

*‘A detailed statement demonstrating how the mix and quantum of non-residential use proposed within the Neighbourhood Centre is appropriate, given the ‘NC’ zoning and associated specific objectives set out in the Kiltiernan LAP 2023 and the level of residential development permitted to date and proposed for the wider Kiltiernan area.’*

### **2.2.1 Applicant’s Response**

At the outset, we note that the provision of non-residential uses has increased by 866 sq m since the pre-planning scheme lodged to An Bord Pleanála (and commented upon in the An Bord Pleanála Opinion), principally provided with a significant increase in the quantum of retail floor area and the provision of a new community facility.

	<b>Pre-Planning</b>	<b>Current Submitted Scheme</b>	<b>Total</b>
<b>Creche</b>	400 sq m	439 sq m	+39 sq m
<b>Office</b>	364 sq m	317 sq m	-47 sq m
<b>Medical</b>	158 sq m	147 sq m	-11 sq m
<b>Retail</b>	274 sq m	857 sq m	+583 sq m
<b>Retail (convenience)</b>	450 sq m	431 sq m	-19 sq m
<b>Community</b>	0 sq m	321 sq m	+321 sq m
<b>Total</b>	<b>1,646 sq m</b>	<b>2,512 sq m</b>	<b>+866 sq m</b>

A full response to the relevant policies of the *Dún Laoghaire-Rathdown County Development Plan 2022-2028 (“Development Plan”)* and the *Kiltiernan-Glenamuck Local Area Plan 2013-2019 [extended to September 2023] (“Kiltiernan LAP”)* is provided in the Planning Report & Statement of Consistency prepared by Thornton O’Connor Town Planning.

In relation to the provision of non-residential floorspace, we would like to refer An Bord Pleanála to the *Social Infrastructure Audit and Retail Services Assessment* prepared by KPMG Future Analytics. The Report notes:

*‘The subject proposal includes the provision of a neighbourhood centre (c.2,512 sqm) comprising retail space (c.431 sqm convenience and 857 sqm retail), office space (c.317*

*sqm), a medical facility (c.147 sqm), a community facility (c.321 sqm) and a creche (c.439 sqm). The size provided for the neighbourhood centre (which has a combined retail floor area of 1,288 sq m, an increase of 564 sq m since the tripartite meeting during Stage 2) in conjunction with the existing and pipeline retail facilities is sufficient to cater for additional demand generated by the proposed scheme, which has further been detailed below. Therefore, the proposed development would be considered to be well within the requirements of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 (and the Retail Strategy for Greater Dublin Area)<sup>3</sup>. [Our Emphasis]*

The Report details nearby commercial floorspace with a focus on Belarmine Plaza and Aiken's Village, given their proximity to the subject proposal. The assessment details the retail floor space provided per person in these locations in addition to the current vacancy levels.

The Report notes the following:

*'As shown in Table 6.3 above, Cluain Shee in Aikens Village and Belarmine Plaza contain a total of c. 3,320 sqm of commercial floor space, c.1,714.1 sqm of which is retail floor space. This equates to a ratio of c.0.31 sqm of retail space per person. Of the total retail floor space contained in this area, a total of c.1,130 sqm (66%) is estimated to be vacant (survey of each unit contained in Appendix D).*

*In contrast, the offering of retail development for the proposed development at Kilternan Village will equate to c.0.66 sqm per person. This is more than the current offering at Cluain Shee and Belarmine Plaza, which as demonstrated above, is currently experiencing vacancy of over 50%. It is considered that the current offering of retail within the proposed development is a sustainable option for the subject site given all the units will be occupied with none remaining vacant.'*

The Report further notes that shopping behaviours have changed and the '*retail landscape is facing a new reality as one of the sectors most disrupted by the global pandemic*'.

The Report ultimately concludes:

*'If the subject proposal were to deliver a neighbourhood centre in line with the objectives of the Dun Laoghaire County Development Plan 2022-2028 (1,000-2,500 sq.m. convenience retail) in conjunction with additional commercial uses, the offering of the retail floor space per person would be significantly higher than what is currently proposed. In that regard, it is noted that the retail offering within the proposed scheme has been increased to 1,288 sq. m., since the pre-planning stage. The development also now, includes a community facility, an addition in response to Dún Laoghaire-Rathdown County Council's opinions during the pre-planning stage.'*

*...The subject proposal includes the provision of a neighbourhood centre comprising retail space (c.1,288 sqm), office space (c.317 sqm), a community facility (321 sqm) and a medical facility (c.147 sqm), in line with the 'Neighbourhood Centre' zoning designation within the Kilternan Glenamuck Local Area Plan (LAP). This offering is considered to be appropriate for the subject site given the general patterns of vacancy of retail units*

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<sup>3</sup> Section 7.5.4 of the Development Plan notes the following: 'The RSGDA [Retail Strategy for the Greater Dublin Area] explains that Neighbourhood Centres usually contain convenience retail ranging in size from 1,000-2,500 sq. m. with a limited range of supporting shops and retail services and possibly other services such as post offices, community centres or health clinics grouped together to create a focus for the local population.'



*within nearby areas of Stepaside and Belarmine to the north and the existing provision of facilities.'*

Therefore, it is considered that the provision of non-residential floorspace in the proposed Neighbourhood Centre including the significant additional floorspace provided since the pre-application stage is appropriate and will adequately serve the existing and future population in the Kilternan area without causing concern in relation to the potential for significant vacancies in the proposed units given the challenging retail environment. In addition, we note that there is a current planning application pending a decision for 2 No. supermarkets in The Park Carrickmines (DLR Reg. Ref. D21A/1145 - ABP-313127-22) and if permitted, we assume this would replace the current extant permission for 2 No. supermarkets the Park Carrickmines (DLR Reg. Ref. D18A/0257 – ABP-304396-19). Therefore, there will be sufficient larger supermarket units located in the vicinity of the subject site (c. 1.9km – c.2.3 km away).

Overall, the additional services provided within the Neighbourhood Centre will be a significant benefit for the future residents of the proposed development and the wider Kilternan community.

## 2.3 An Bord Pleanála Item No. 3 – Phasing Strategy

An Bord Pleanála stated the following:

*'A detailed statement demonstrating how the proposed development ties in with the wider development strategy for the landholding and the overall Kiltiernan Area, with regard to a phasing strategy.'*

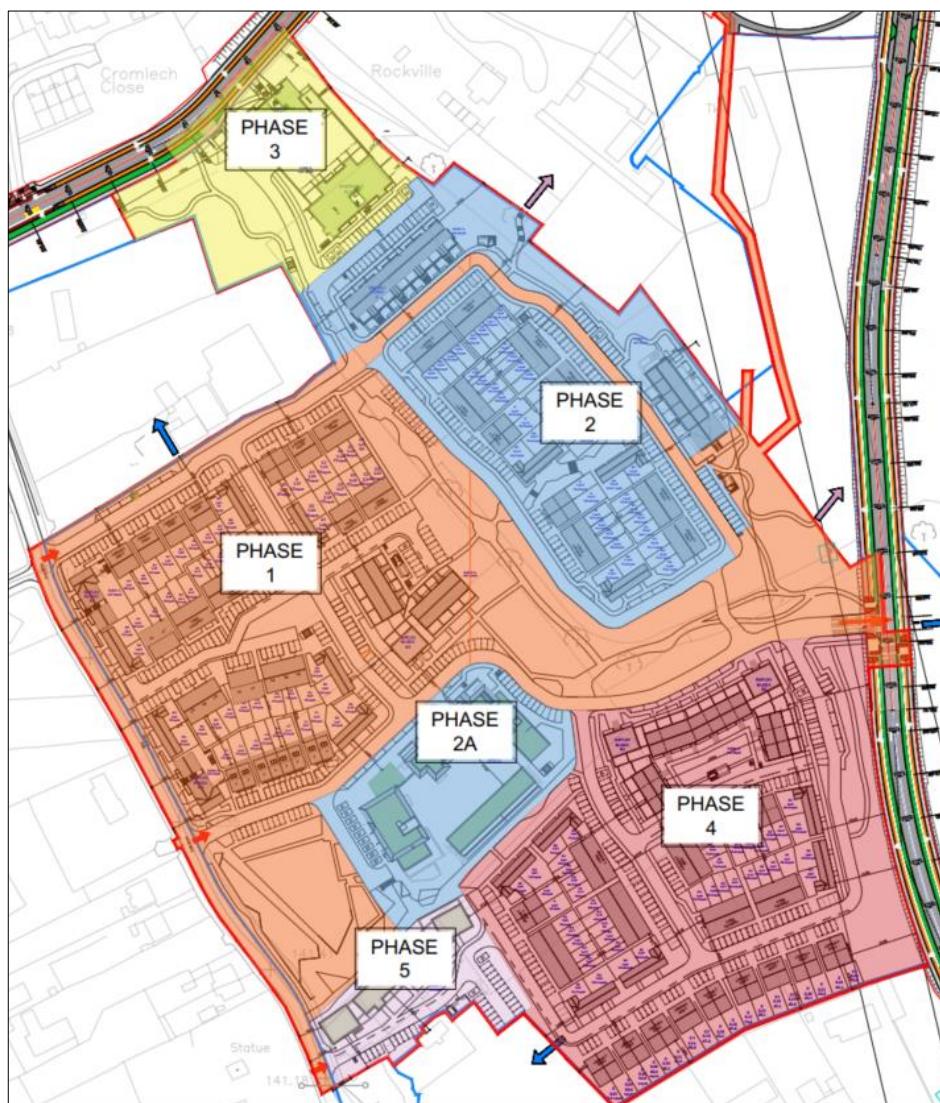
### **2.3.1      Applicant's Response**

This item has been responded to in conjunction with Atkins.

Please see below the proposed phasing timelines for the proposed development which demonstrates the timeline for development on site and how it ties into the overall Kilternan Area:

Phase	Units	Months	Start Month	Completion
Phase 1	91	18	Apr-23	Sep-24
Phase 2	73	24	Apr-24	Mar-26
Phase 2a (Neighbourhood Centre)	53			
Phase 3	59	12	Aug-25	Jul-26
Phase 4	97	18	Feb-26	Apr-28
Phase 5 (Retail & Community)	10	8	Sep-27	Apr-28
<b>Total</b>	<b>383</b>	<b>80</b>		
Total Build period		5.0	Years	

Phase	Other works in Phase
Phase 1	Including Associated drainage, Main Public Open Space, Central Green Way Link, Dingle Way, Off-Site Drainage through Southern Lands - Form Access to GLDR in this phase if GLDR in place. Demolition works.
Phase 2	Form Access to new GLDR (if not completed in Phase 1) - Associated Drainage for Phase
Phase 2a (Neighbourhood Centre)	
Phase 3	Access to Glenamuck Road, and Drainage for Phase
Phase 4	Associated Drainage for Phase
Phase 5 (Retail & Community)	Associated Drainage for Phase



**Figure 2.2: Proposed Phasing Plan for the Proposed Development**

(Source: MCORM Architects Dwg. PL105, 2022)



In addition, we refer to the phasing strategy for the delivery of housing in Kilternan set out in Chapter 10 of the *Kilternan LAP*. This phasing strategy represents an interim proposal to accommodate development in advance of the delivery of the Glenamuck District Roads Scheme (GDRS), which includes the Glenamuck District Distributor Road (GDDR) and Glenamuck Link Distributor Road (GLDR). The interim proposal set out by the *Kilternan LAP* is that 700 No. dwellings could be accommodated on the existing road network (noted as Phase 1), which is broken down into the following sub-phases:

Phase 1 (a) to comprise c. 350 dwelling units:

**A. GLENAMUCK ROAD UPPER/NORTH PORTION (c. 200 dwelling units)**

This area encompasses the lands designated as 'medium-higher density residential' at the northern section of Glenamuck Road (referred to as Phase 1 (a)(A) where relevant in this document).

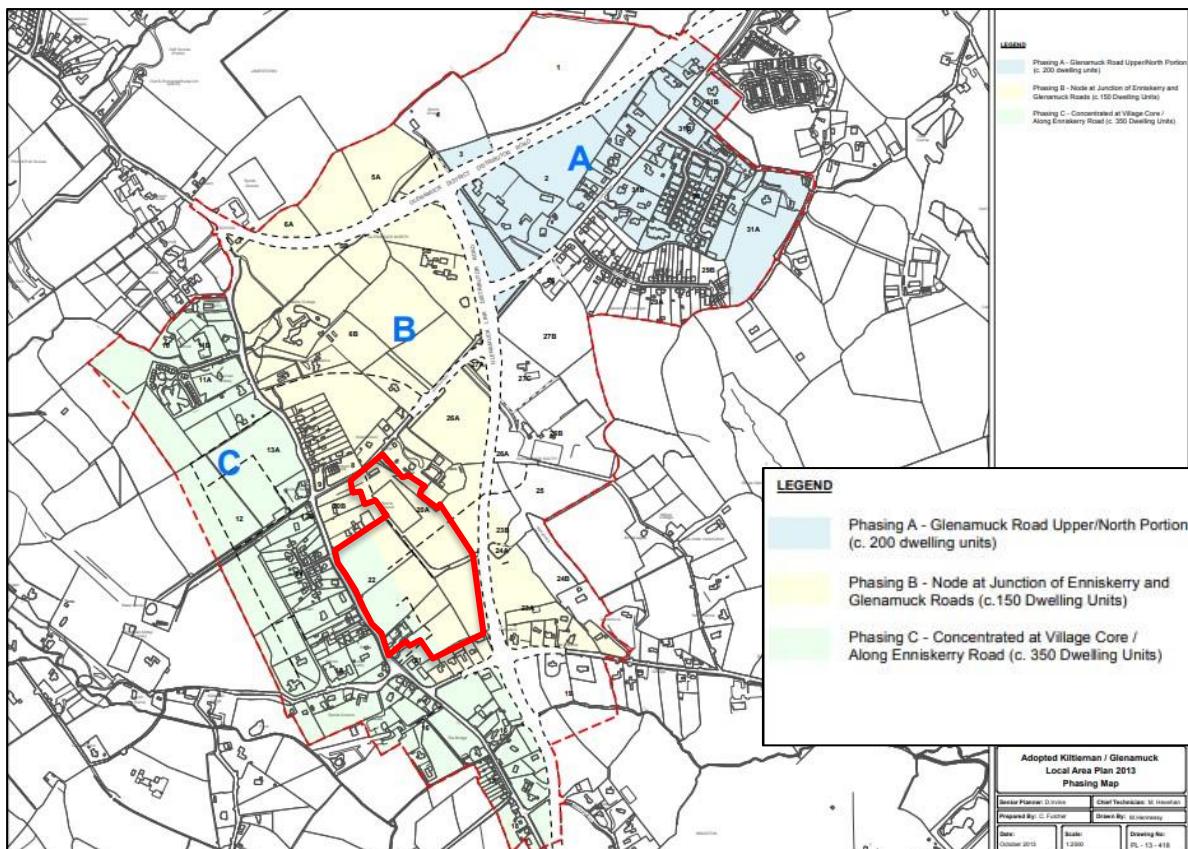
**B. NODE AT JUNCTION OF ENNISKERRY AND GLENAMUCK ROADS (c. 150 dwelling units)**

This area includes the lands designated as 'medium density residential' to the east of the Enniskerry Road. Any proposed developments must include the improvement of Glenamuck Road (referred to as Phase 1 (a)(B) where relevant in this document).

Phase 1 (b) to comprise c. 350 dwelling units:

**C. CONCENTRATED AT VILLAGE CORE / ALONG ENNISKERRY ROAD**

These lands include the lands zoned as 'Neighbourhood Centre' and 'Residential' along the Enniskerry Road. Development is dependent on the delivery of the Traffic Calming Scheme and must include the improvement of the Enniskerry Road through the 'Village Core' (referred to as Phase 1 (b)(C) where relevant in this document).



**Figure 2.3:** *Kilternan LAP Phasing Map with Developable Site Outlined Indicatively in Red*

(Source: *Kilternan LAP, annotated by Thornton O'Connor Town Planning, 2022*)

We note that the Glenamuck District Roads Scheme (GDRS) was granted permission by An Bord Pleanála on 18<sup>th</sup> December 2019 (ABP-303945-19) and is projected to begin construction in Q3/Q4 2022, with completion estimated for Q3/Q4 2024 (as advised by email by Gerry D'Arcy (Dun Laoghaire -Rathdown County Council) on 25<sup>th</sup> May 2022 – see below).



**From:** D'Arcy Gerry <[REDACTED]>  
**Sent:** Wednesday 25 May 2022 12:11  
**To:** Foley, Peter <[REDACTED]>; John Carr - DBFL Consulting Engineers <[REDACTED]>  
**Cc:** Neil Durkan <[REDACTED]>; Patricia Thornton <[REDACTED]>  
**Subject:** RE: GDRS - current status

Hi Peter,

I am pleased to confirm the following relating to the GDRS :

The GDRS shall be delivered as one scheme under a single tender.

The GDRS has all necessary statutory consents.

The GDRS has funding for its delivery in place.

DLRCC shall go to tender in Q2 or early Q3 2022.

DLRCC expect to be on site Q3/Q4 2022.

Construction Program estimated 18 -24 months

Scheme Completed estimated Q3/Q4 2024.

Regards,  
Gerry.

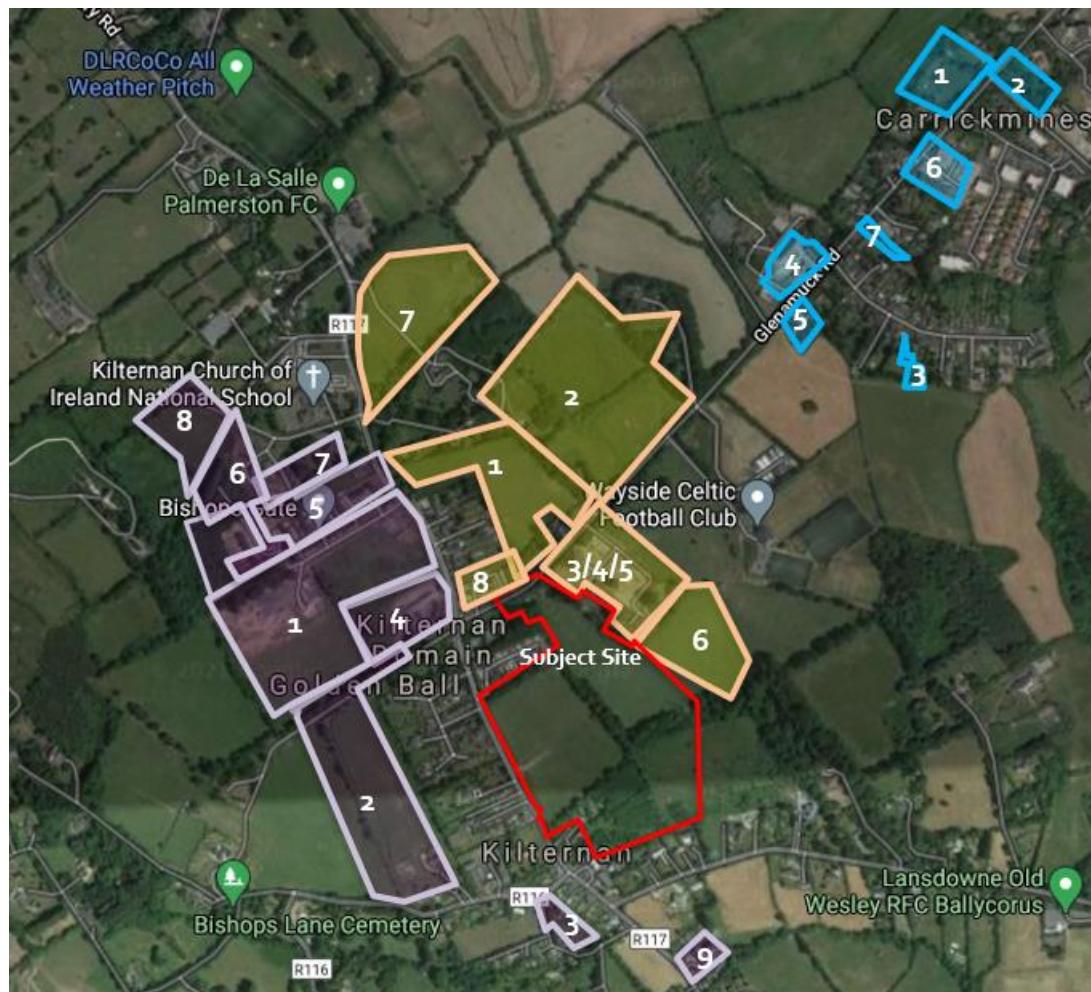
**Figure 2.4: Email Correspondence in Relation to the GDRS**

**(Source: Email Correspondence Between Peter Foley (Atkins) and Gerry D'Arcy (Dun Laoghaire-Rathdown County Council, May 2022)**

Since the publication of the *Kilternan LAP*, a Part 8 application for the Glenamuck Road upgrade was permitted in 2017 (Ref. PC/IC/01/17), which will facilitate an additional 50% of units to be allowed in the *Kilternan LAP* area, up to a total of 1,050 No. units. This Part 8 is intended to be constructed at the same time as the GDRS.

As demonstrated in Figure 2.3 above, the subject site is located within both Phase 1 (a)(B) and Phase 1 (b)(C) on the Phasing Map (B and C on the map above). As detailed in the table accompanying Figure 2.5 below, planning permission has been granted for 657 No. dwellings within Phase 1 (a)(B) and for 565 No. dwellings within Phase 1 (b)(C) to date, which is a total of 1,222 No. dwellings. In addition, some 148 No. dwellings have been granted permission in Phase 1 (a)(A) with permission pending for 3 No. additional dwellings.

In total, there are c. 1,370 No. dwellings granted permission in the 3 No. Phases and an additional 3 No. units pending a decision. If permission is granted for the subject development of 383 No. units, this will bring the total to c. 1,753 No. dwellings (plus 3 No. dwellings pending) if the Board is minded to grant planning permission.



**Figure 2.5: Planning Applications in Kilternan Village in the Vicinity of the Subject Site (Red Line is indicative Only)**

(Source: Google Maps, annotated by Thornton O'Connor Town Planning, 2022)

The Table below lists the granted planning applications in Kilternan and relates to the numbered sites in the map (Figure 2.5) above.

Map Ref	Phasing Zone (LAP)	Site Location	Reg. Ref.	No. of Units	Final Grant Date	Commenced?	Live Permission or Expired
1.	A	The Leys, Glenamuck Road South	D21A/0100 [ABP-310089-21]	61 No. units	12 <sup>th</sup> November 2021	Yes	Live
2.	A	Drumkeen, Glenamuck Road	D17A/0520 [ABP-249144-17]	15 No. units	7 <sup>th</sup> February 2018	No	Live
3.	A	No. 13 Glenamuck Cottages	D16A/0154	2 No. units	29 <sup>th</sup> November 2016	Yes [complete]	Expired
4.	A	Willow Glen, Glenamuck Road	D15A/0443	31 No. units	1 <sup>st</sup> June 2016	Yes [complete]	Expired
5.	A	Brambledown, Glenamuck Road	D14A/0766	11 No. units	6 <sup>th</sup> May 2015	Yes [complete]	Expired
6.	A	Saxaroon and Inglenook, Glenamuck Road	D14A/0765 [ABP-244520-15]	28 No. units	1 <sup>st</sup> July 2015	Yes [complete]	Expired
7.	A	Tandesann, Glenamuck Road South	D21A/1002	3 No. additional units	Granted by Dun Laoghaire-Rathdown County Council on 15 <sup>th</sup> June 2022. Application in the Appeal period at time of lodging this planning application.	N/A	N/A
1.	B	Glenamuck Road/ Enniskerry Road SHD	ABP-306160-19	197 No. units	6 <sup>th</sup> April 2020	Yes	Live
2.	B	Glenamuck Road SHD	ABP-303978-19	203 No. units	26 <sup>th</sup> June 2019	Yes	Live
3.	B	Rockville Phase 1	D17A/0793	49 No. units	25 <sup>th</sup> January 2018	Yes [complete]	Live
4.	B	Rockville Phase 1	D19A/0242 [amendment to D17A/0793]	2 No. units	13 <sup>th</sup> November 2019	Yes [complete]	Live
5.	B	Rockville Phase 2A	D18A/0566 amended by D18A/1191 [ABP-303871-19]	5 No. units	8 <sup>th</sup> November 2018 / 24 <sup>th</sup> June 2019	Yes	Live
6.	B	Rockville Phase 2B	D20A/0015 [ABP-306999-20]	56 No. units	2 <sup>nd</sup> September 2020	No	Live
7.	B	Shaldon Grange SHD	Permission refused under ABP-307506-20 on Material Contravention technicality. Permission granted for relodged application under ABP-312214-21	130 No. units	11 <sup>th</sup> April 2022	No	Live
8.	A	Cromlech Close	PC/01/07 [Part 8 application]	15 No. units	11 <sup>th</sup> June 2007	Yes [complete]	Expired
1.	C	Enniskerry Road SHD [Adjoining Bishop's Gate]	ABP-309846-21	203 No. units	15 <sup>th</sup> July 2021	No – Due to commence in the Summer 2022	Live
2.	C	Suttons Field SHD	ABP-307043-20	116 No. units	28 <sup>th</sup> August 2020	Yes	Live
3.	C	Slievenamon	D18A/0347 [ABP-303491-19]	22 No. units	28 <sup>th</sup> June 2019	Yes	Live
4.	C	Golden Ball Pub	D16A/0090 [ABP Ref.PLo6D.246537] D17A/1022 D18A/1133 D18A/1239	61 No. units	Parent permission 27 <sup>th</sup> October 2016 [Extension of Duration Granted on 15 <sup>th</sup> November 2021 (D16A/0090/E)]	Yes	Live
5.	C	Bishop's Gate Phase 1	D10A/0716 [ABP Ref. PLo6D.239662]	68 No. units	31 <sup>st</sup> October 2012	Yes [complete]	Live (EOD Granted 6 <sup>th</sup> November 2017)

6.	C	Bishop's Gate Phase 2	D18A/0083	27 No. units	13 <sup>th</sup> September 2018	Yes [complete]	Live
7.	C	Rockhurst	D18A/0137 [ABP-303753-19]	18 No. units	15 <sup>th</sup> August 2019	No	Live
8.	C	Glebe Road	D16A/0586	38 No. units	24 <sup>th</sup> February 2017	Yes [near completion]	Live
9.	C	Kingston	D07A/0899 [ABP Ref. PLo6D.227440] [extension of permission granted to 2018]	12 No. units	31 <sup>st</sup> October 2008	Yes [complete]	Expired



It can be seen from Figure 2.5 and the accompanying Table set out above, out of the 1,370 No. units granted permission, some 1,136 No. residential units have either commenced or completed construction at the time of writing this report (133 No. in Phase 1 (a)(A), 456 No. in Phase 1 (a)(B) and 547 No. in Phase 1 (b)(C)).

However as the GDRS is projected to begin construction in Q3/Q4 2022 and estimated to be completed by Q3/Q4 2024, this lines up with the estimated opening of Phase 1 of the subject development (Q3 2024). Therefore, the proposed development will not give rise to any planning difficulties as the infrastructure is soon to be constructed.

In their assessment of the Enniskerry Road SHD (ABP Reg. Ref. ABP-309846-19), which was granted permission on 15<sup>th</sup> July 2021, the following was stated in An Bord Pleanála's Order in relation to phasing:

*'The Board considered that the proposed development is, apart from the phasing parameters of the Kilternan-Glenamuck Local Area Plan 2013, as extended to 2023, broadly compliant with the Dún Laoghaire-Rathdown County Development Plan 2016-2022 and the Kilternan- Glenamuck Local Area Plan 2013, as extended to 2023, and would, therefore, be in accordance with the proper planning and sustainable development of the area.'*

*The Board considered that, while a grant of permission for the proposed Strategic Housing Development would not materially contravene a zoning objective of the Development Plan, it would materially contravene the Local Area Plan with respect to the programme and phasing of development. The Board considers that, having regard to the provisions of section 37(2) of the Planning and Development Act, 2000, as amended, a grant of permission in material contravention of the Local Area Plan would be justified for the following reasons and considerations:*

*In relation to section 37 (2)(b)(i) of the Planning and Development Act 2000, as amended, the proposed development is in accordance with the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, and complies with the Government's policy to increase the delivery of housing as set out in Rebuilding Ireland Action Plan for Housing and Homelessness 2016.*

*In relation to section 37 (2)(b)(iii) of the Planning and Development Act 2000, as amended, the proposed development is in accordance with national policy as set out in the Project Ireland 2040 National Planning Framework, specifically, National Policy Objective 3(b) which seeks to deliver at least 50% of all new homes targeted in the five cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built up footprints. The proposed development would also supply 94 number high quality apartment units in compliance with the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities issued by the Department of Housing, Planning and Local Government in December 2020.*

*In relation to section 37 (2)(b)(iv) of the Planning and Development Act 2000, as amended, the Board has previously granted planning permission for residential schemes in the immediate vicinity of the subject site, including 197 number residential units (An Bord Pleanála Reference Number ABP-306160-19) and 203*



number residential units (An Bord Pleanála Reference Number ABP-307043-20). The proposed development will reflect the pattern of these permitted developments.

Furthermore, the Bord considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable quantum and density of development in this location, would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of urban design, height, density and quantum of development and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.' [Our Emphasis]

In their assessment of the Shaldon Grange SHD (ABP Reg. Ref. ABP-312214-21), which was very recently granted permission on 11<sup>th</sup> April 2022 (130 No. units), the following was stated in An Bord Pleanála Inspector's Report in relation to phasing:

**'To conclude, I do not have undue concerns in relation to traffic or transportation issues. As dealt with above, in the previous section on phasing, I am satisfied that the proposed development can be accommodated on the existing road network until such time as the GDDRS is completed and operational. I note that the Transport Division of the planning authority recommend refusal of permission in relation to phasing/prematurity (this matter is dealt with above), however as stated elsewhere within my assessment, it appears that works to begin construction of the GDDRS are imminent and that the timelines in relation to the construction of this proposed development and the roads scheme would be similar'. [Our Emphasis]**

The An Bord Pleanála Order stated the following:

**'The Board considered that a grant of permission could material contravene section 10 of the Kilternan-Glenamuck Local Area Plan 2013 in relation to phasing, which applies to the site, would be justified in accordance with sections 37(2)(b)(i),(iii) and (iv) of the Planning and Development Act 2000, as amended having regard to:**

- (a) **The proposed development is considered to be of strategic or national importance by reason of its potential to contribute to the achievement of the Government's Policy to increase delivery of housing set out in the Rebuilding Ireland Action Plan for Housing and Homelessness 2016, and to facilitate residential development in an urban centre close to public transport and centres of employment.**
- (b) **It is considered that permission for the proposal should be granted having regard to Government policies as set out in the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031 which includes the Metropolitan Area Strategic Plan which identifies strategic residential and employment corridors.**
- (c) **It is considered that permission for the proposal should be granted having regard to the Project Ireland 2040 National Planning Framework, National Policy Objective 3b which seeks to 'deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints'.**

(d) It is considered that permission for the proposal should be granted having regard to the pattern of development and permissions in the vicinity since the adoption of the Kiltiernan-Glenamuck Local Area Plan 2013.

*In accordance with section 37(2)(b)(i)(iii) and (iv) of the Planning and Development Act 2000, as amended, was satisfied for the reasons and considerations set out in the decision.' [Our Emphasis]*

Therefore, having regard to this recent grant of permission and the earlier precedents which were considered in assessing this more recent application, it is clear that a material contravention of the phasing of development in Kiltiernan has been accepted and the same parameters pertain to the subject lands.

In addition, the *Kiltiernan LAP* sets out that precedence will be given to applications for planning permission which best achieve and satisfy 13 No. criteria, which are detailed and responded to below:

Criteria	Response
1. Conformity with the Kiltiernan / Glenamuck Local Area Plan, 2013-2019 [now extended to 2023], and which promote and facilitate the achievement of its vision and objectives.	Please see Section 8.0 of the Planning Report & Statement of Consistency prepared by Thornton O'Connor Town Planning, which details how the proposed development is consistent with the <i>Kiltiernan LAP</i> , which has been extended until 2023. Other than as detailed in the Material Contravention Statement, the scheme is in accordance with the <i>Kiltiernan LAP</i> .
2. Demonstration of a high level of architectural quality and urban design and are sympathetic to the special character of Kiltiernan / Glenamuck.	<p>As demonstrated in the enclosed Design Statement prepared by McCrossan O'Rourke Manning Architects, the subject scheme represents a high-quality scheme which will contribute to the special character of Kiltiernan. In particular the proposed Neighbourhood Centre and new Village Green fronting onto Enniskerry Road will activate the street frontage and will be a positive addition to the streetscape and form a new focal point for the Village. The Dingle Way Greenway link will also enhance permeability for the area.</p> <p>As detailed in the Landscape Rationale by RMDA Landscape Architecture, the proposed Dingle Way connection through the site is '<i>a crucial design feature in making this a livable community, enhancing the marketability of the scheme, improving the quality of residents' lives, and providing space for sustainable drainage...Areas of</i></p>

	<i>congregation, informal recreation, and exercise provide a varied experience along the greenway, creating a sense of place'.</i>
3. Achievement of local road / footpath improvement and traffic management measures.	The scheme will improve pedestrian facilities along Enniskerry Road by narrowing the carriageway down to 6.5 metres (i.e. a 3.25 metres running lane in each direction) from the front of the kerb on western side of Enniskerry Road. The remaining former carriageway, which varies in width of c. 2 metres, will be reallocated for other road users and will include the introduction of a widened pedestrian footpath and landscaped buffer on the eastern side of the road adjoining the proposed development. There will be a permeable connection from Enniskerry Road through to the future GLDR via the Dingle Way. Pedestrian connections will also be provided to the neighbouring Rockville developments and throughout the site.
4. Consolidation of the existing development node at Glenamuck Road (northern section), including 'The Park' development at Carrickmines.	The subject site is not located within the existing development node at Glenamuck Road (northern section), including 'The Park' development at Carrickmines. However, we submit that the proposed development will contribute towards the consolidation of Kilternan Village as noted in No. 5 below, due to the site's location in the centre of the village and the provision of a new Neighbourhood Centre for the area.
5. Consolidation of Kilternan Village.	As the subject site is located in the centre of Kilternan Village and will provide the new Neighbourhood Centre for the village, the proposed development represents the sustainable and sequential consolidation of the village, in accordance with the proper planning and sustainable development of the area.  The scheme can be appropriately assimilated into the village having regard to the heights and scale proposed and the opening of the site onto Enniskerry Road which includes a Neighbourhood Centre and public open space for the village, which will enliven the streetscape and will

	improve legibility and permeability and will provide a focus and meeting point for the entire village.
6. Planned within the context of an overall outline Master Plan for individual and affiliated land holdings (in order to prevent piecemeal development).	The enclosed Site Layout Plan prepared by McCrossan O'Rourke Manning Architects, demonstrates how the proposed development will sit in the context of the surrounding environment and how the development will connect into the surrounding lands. In particular we note the connections into the neighbouring Rockville development to the north-east and the future Glenamuck Link Distributor Road to the east. As noted above, the development, which is located in the centre of the village, represents the consolidation of Kiltarnan Village and will fill in a gap between the Rockville development and Enniskerry Road. Therefore, it is clear that the subject development represents a logical, sequential and sustainable insertion to the village and avoids piecemeal development.
7. Compatibility with later phases of development.	The subject development will not prejudice the development of future schemes in Kiltarnan. Please see enclosed Landscape Rationale prepared by RMDA Landscape Architects, which demonstrates linkages to surrounding developments, i.e. Rockville and the future Glenamuck Link Distributor Road in particular, and Enniskerry Road/Glenamuck Road.  The subject scheme will sit comfortably in its context and will not impact on the deliverability of surrounding developments. The Neighbourhood Centre will also contribute towards allowing further phases of development to progress, as more services will be provided in the village.
8. Facilitation of the orderly development of adjoining property/land holdings.	As noted under Nos. 6 and 7, the proposed development represents the sustainable development of lands in the centre of Kiltarnan Village which will appropriately consolidate the village, and avoids urban sprawl. The proposed development will contribute towards delivering compact growth, especially as some of the recently

	granted developments in Kilternan are located further from the village core. Various linkages are provided from the site to the surrounding areas. Therefore, the subject development facilitates orderly development of adjoining landholdings.
9. Proximity to the Luas Line B1 and within the catchment area for the Section 49 Supplementary Development Contribution Scheme for Luas Line B1.	The subject site is outside of the catchment area of the Section 49 Supplementary Development Contribution Scheme for Luas Line B1. However the subject site is located within Kilternan Village and will provide a new Neighbourhood Centre and Village Green for the entire area, representing the consolidation of sustainable infill lands.
10. Availability of environmental services. Specifically, the Council will monitor and have regard to capacity at the Shanganagh Wastewater Treatment Works to ensure that wastewater from any proposed development in the LAP area can be accommodated in accordance with the Wastewater Discharge License for the Works.	A Confirmation of Feasibility has been received from Irish Water on 30 <sup>th</sup> May 2022, and no issues were raised.
11. Incorporation of acceptable Sustainable Drainage System (SUDS) measures on each development site.	<p>The following SUDS measures have been incorporated into the development as set out in the Engineering Infrastructure Report by Roger Mullankey &amp; Associates:</p> <ul style="list-style-type: none"> <li>• Green roofs</li> <li>• Permeable paving</li> <li>• Filter drains,</li> <li>• Rainwater butts</li> <li>• Swales</li> <li>• Tree pits</li> <li>• Bio-retention area</li> <li>• Silt-trap / catchpit manholes hydrobrakes</li> <li>• Petrol interceptor; and</li> <li>• Stone lined voided arch retention storage devices.</li> </ul>
12. Likelihood of early construction.	The Applicant, Liscove Limited, is committed to developing the subject scheme as soon as possible after receipt of planning permission in relation to the proposed development. The Applicant and

	their associated family operations have a positive track record of developing sites shortly after receiving planning permission such as the nearby attractive Bishop's Gate development.
13. Provision of an appropriate level of active and passive open space and community facilities. Specifically, the Council, in conjunction with the Department of Education and Skills, will have regard to the capacity of local schools to accommodate development, in accordance with the "Code of Practice on the Provision of Schools and the Planning System"	The subject scheme provides c. 18,879 sq m of public open space and c. 2,934 sq m of communal open space, which will greatly enhance the open space provision for the area including the provision of a new Village Green and a connection through the site (the Dingle Way) from the Enniskerry Road to the GLDR. The provision of a Neighbourhood Centre containing a creche, medical facilities, office, retail and a community facility will also greatly enhance the community facilities for Kilternan. In addition, please see enclosed <i>Social Infrastructure Report and Retail Services Assessment</i> by KPMG Future Analytics which demonstrates that local schools will have sufficient capacity to accommodate the proposed development.

To conclude this section, it is clear that permission can be granted for the subject development, especially having regard to recent precedents in Kilternan and the fact that the GDRS scheme will be commencing construction this year as confirmed by Dun Laoghaire-Rathdown County Council. It is considered that the addition of 383 No. units and Neighbourhood Centre will not give rise to any significant planning difficulties. Notwithstanding the detail provided in this section, this has been included in the Material Contravention Statement as it could be considered that the proposed development may represent a material contravention of the phasing set out in the *Kilternan LAP*.

## 2.4 An Bord Pleanála Item No. 4 – Material Contravention Statement

An Bord Pleanála stated the following:

*'A detailed statement, which should provide adequate identification of all such elements and justification as applicable, where/if the proposed development materially contravenes the statutory Plan for the area other than in relation to the zoning of the land, indicating why permission should, nonetheless, be granted, having regard to a consideration specified in section 37(2)(b) of the Act of 2000.'*

### 2.4.1 Applicant's Response

Thornton O'Connor Town Planning have prepared a *Material Contravention Statement* which is enclosed separately.

## 2.5 An Bord Pleanála Item No. 5 – Open Space Provision

An Bord Pleanála stated the following:

*'Justification of tree loss, hierarchy, and quantum of open space provision, both communal and public open space (POS). Clarity with regard to compliance with Development Plan standards.'*

### 2.5.1 Applicant's Response

A full response to this item has been prepared by Ronan MacDiarmada and Associates Landscape Architect & Consultants (RMDA) in a separate document entitled *Response to An Bord Pleanála and Dun Laoghaire-Rathdown County Council Opinion*.

In summary, the scheme provides a large quantum of public and communal open spaces (c. 18,879 sq m and 2,934 sq m). The Dingle Way greenway link also provides an additional c. 1,572 sq m of public open space which will be a significant amenity for the area. Please see below table which demonstrates compliance with *Development Plan* standards:

Open Space	Development Plan Requirement	Scheme Requirement	Provided
<b>Public Open Space</b>	15% (of site area)	16,144 sq m	18,879 sq m + Dingle Way of 1,572 sq m
<b>Communal Open Space</b>	<ul style="list-style-type: none"> <li>• One Bed-5 sq m</li> <li>• Two Bedrooms – 7 sq m</li> <li>• Three bedrooms – 9 sq m</li> <li>• Four (+) – 12 sq m</li> </ul>	1,598 sq m	2,934 sq m

In addition, the RMDA document provides justification for the removal of trees and we note that the scheme retains a larger quantum of trees than the previous scheme at the subject site (DLR Reg. Ref. DogA/0471 [ABP Reg. Ref. PLo6D.236630]) which is a positive aspect associated with the proposed development. Please see below the breakdown of tree retention and removal in addition to the quantum of new trees proposed:

<b>Existing</b>	<b>186 No.</b>
<b>Retained</b>	<b>120 No. (64.5%)</b>
<b>Removed</b>	<b>66 No. (35.5%)</b>
<b>Proposed</b>	<b>659 No.</b>

As demonstrated above, the scheme retains 120 No. trees (64.5%) and removes 66 No. trees (35.5%) and an additional 659 No. trees are proposed on site. It is considered that the proposal represents a high level of tree retention and planting and we note that in order to appropriately densify these underutilised and strategically located lands, some removal of trees is required. With the addition of a significant number of trees (659 No.) and the retention of 120 No. trees on site, it is considered that the proposal strikes a balance between



tree retention and allowing the densification of this underutilised site having regard to the express requirement in National level policy to achieve compact growth.

## **2.6 An Bord Pleanála Item No. 6 – Bat Survey and Updated Ecological Assessment**

An Bord Pleanála stated the following:

*'An up-to-date Ecological Assessment, inclusive of a Bat Survey.'*

### **2.6.1 Applicant's Response**

A full Biodiversity Chapter (Chapter 5) has been prepared by Scott Cawley Limited and is enclosed as part of the Environmental Impact Assessment Report (which has been prepared and collated by Enviroguide Consulting). Bat activity surveys were carried out in July and August 2021 as noted in the Biodiversity Chapter.

## **2.7 An Bord Pleanála Item No. 7 – Landscape Drawings**

An Bord Pleanála stated the following:

*'Detailed landscape drawings that illustrate hard and soft landscaping, useable communal open space, meaningful public open space, quality audit and way finding. The public open space shall be usable space, accessible and overlooked to provide a degree of natural supervision. Details of play equipment, street furniture including public lighting and boundary treatments should be submitted.'*

### **2.7.1 Applicant's Response**

A full response to this item has been prepared by Ronan MacDiarmada and Associates Landscape Architect & Consultants (RMDA) in a separate document entitled *Response to An Bord Pleanála and Dun Laoghaire-Rathdown County Council Opinion*. A Quality Audit was also carried out by Atkins and is enclosed separately.

The planning application is accompanied by a range of landscape drawings which detail all elements highlighted in the ABP Opinion item. The items are summarised below.

The scheme provides 18,879 sq m of public open space (+Dingle Way of 1,572 sq m) and 2,934 sq m of communal open space, as detailed in Section 2.5.1 above. The open spaces will be useable and will include a range of activities for all age groups. Details of the play equipment are set out in the Landscape Rationale by RMDA. Play equipment includes various structured and natural play spaces including elements such as wooden logs, stepping logs, balance beam, mound and slide and rope nest swing, which will provide a natural character to the open spaces. The scheme also includes calisthenics equipment including incline press, decline bench, dip bench etc. which will encourage exercise in the open spaces.

The outdoor spaces will be subject to a high level of passive surveillance as they will be overlooked by the residential units and/or the Neighbourhood Centre, ensuring that these areas are safe and secure. The Village Green will provide a new area for the residents of the subject scheme and wider community to enjoy.

The Landscape Rationale also details the furniture palette which will include wooden seating and logs as natural seating. Sabre Electrical Services Limited have prepared a lighting layout for the development (Dwg Nos. SES05822 Sheet 1, Sheet 2 and Sheet 3). A Boundary Treatment Drawing prepared by RMDA (Dwg No. 3) is also included with the planning application.

## **2.8 An Bord Pleanála Item No. 8 – Daylight/Shadow Assessment**

An Bord Pleanála stated the following:

*'A Daylight and Shadow Impact Assessment of the proposed development, specifically with regard to:*

- *Impact upon adequate daylight and sunlight for individual units, public open space, courtyards, communal areas, private amenity spaces and balconies.*
- *Impact to any neighbouring properties devoid of proposed and existing landscaping and trees.'*

### **2.8.1 Applicant's Response**

A Daylight and Sunlight Assessment Report has been prepared by 3D Design Bureau and is enclosed separately. The report considers the Average Daylight Factor (ADF) of the proposed apartments and duplexes, the sun on ground that will be provided to the proposed public and communal open spaces, the sunlight that will be provided to the private amenity spaces of the proposed apartments and duplexes, and considers impacts of the proposed development on neighbouring properties in terms of Vertical Sky Component (VSC), Annual Probable Sunlight Hours (APSH), Winter Probable Sunlight Hours (WPSH) and effect to sun on ground in existing neighbouring gardens/amenity areas.

The Report concludes that:

*'This assessment has studied the effect the proposed development would have on the level of daylight and sunlight received by the neighbouring residential properties that are in close proximity to the proposed development. That the majority of which would receive an imperceptible level of effect is evidence of the proposed development having adequate separation from the surrounding properties.*

*The proposed development will be capable of receiving excellent levels of sunlight throughout the proposed public open spaces with the vast majority of communal and private amenity areas also receiving sufficient levels of sunlight.*

*Finally, an excellent of compliance has been achieved regarding the internal daylight of the proposed duplex and apartment units.'*

Please refer to the Daylight and Sunlight Assessment Report enclosed separately for full details.



## 2.9 An Bord Pleanála Item No. 9 – Visual Impact Assessment

An Bord Pleanála stated the following:

*'A visual impact assessment. Long range views / photomontages of the proposed development from the surrounding area.'*

### 2.9.1 Applicant's Response

Chapter 10 of the Environmental Impact Assessment Report prepared by Enviroguide Consulting is enclosed separately. This Chapter assesses the photomontages prepared by 3D Design Bureau and includes 20 No. short and long range views.

## 2.10 An Bord Pleanála Item No. 10 – Response to PA Opinion 6/01/2022

An Bord Pleanála stated the following:

*'A response to matters raised within the PA Opinion submitted to ABP on the 6th January 2022.'*

### 2.10.1 Applicant's Response

A response to all relevant issues raised by the various Departments of the Planning Authority are provided as follows:

- Architectural items – Section 5.0 of the *Design Statement* by McCrossan O'Rourke Manning Architects.
- Drainage items – Section 6.1 of the *Engineering Infrastructure Report & Stormwater Impact Assessment* by Roger Mullarkey & Associates.
- Traffic items – Appendix F of the *Traffic and Transport Assessment* by Atkins.
- Landscape items – Document prepared by Ronan MacDiarmada and Associates Landscape Architect & Consultants entitled *Response to An Bord Pleanála and Dun Laoghaire-Rathdown County Council Opinion*

Thornton O'Connor Town Planning have also provided a response to key items raised by the Planning Department below:

Planning Authority Item	Response
As per the main map of the Kilternan LAP a civic space, including an artistic feature should be provided off Enniskerry Road within the lands with the NC zoning objective.	A Village Green, including a sculpture, will be provided off Enniskerry Road, which will complement the proposed Neighbourhood Centre. There are also 3 No. additional sculptures proposed to be provided throughout the site.
Planning Authority raised concerns with the quantum of non-residential uses proposed and	Please see response to ABP Item in Section 2.2 above for information.

<p><b>whether sufficient floor space is provided for services to meet the needs of the existing and future community</b></p>	
<p><b>Compliance with Land Parcel No. 22 should be provided.</b></p>	<p>Please see response to ABP Item in Section 2.1 above for information.</p>
<p><b>The Planning Authority would like the Applicant to consider the provision of a cultural facility or space for commensurate non-residential use.</b></p>	<p>A large community facility is now proposed as part of the proposed development.</p>
<p><b>The Planning Authority seeks the delivery of the Neighbourhood Centre in Phase 1 of the development.</b></p> <p><b>The Applicant should consider revisiting the phasing strategy with a view to deliver the Neighbourhood Centre in Phase 1 as well as delivering pedestrian and cycle connections to Glenamuck Road and to the GLDR; including associated taking in charge and wayleave agreements. The reason behind this lies in that the Neighbourhood Centre would provide services that are key not only for the future residents of the proposed development but also for the wider community in Kiltiernan. These services should be accessible by active transport means as a priority of Phase 1.</b></p>	<p>The majority of the Neighbourhood Centre is proposed in Phase 2A i.e. post the construction of 91 No. units of Phase 1. This is to ensure economic viability of the Neighbourhood Centre and a reasonable quantum of housing will be provided before commencement of the Neighbourhood Centre. The community facility and final retail units in the Neighbourhood Centre duplex block will be provided in Phase 5.</p> <p>As set out in Section 2.3.1 above, the phasing plan proposes access to GLDR in Phase 1 if GLDR is in place. If the GLDR is not in place when Phase 1 is complete, access can be incorporated in Phase 2.</p>
<p><b>The development description states that demolition relates to derelict farmyard buildings only, however it would appear that the demolition of the dwelling would also be carried out (Rockville – D18Y199). Clarity should be provided in any future application.</b></p>	<p>The derelict house 'Rockville' together with its outbuildings will be demolished as part of this planning application. This is referenced in the Statutory Notices.</p>
<p><b>There is no certainty that the Glenamuck Distributor Road Scheme (GDRS) will commence this year and referenced delays with other projects. The scheme is premature pending the commencement of construction of the GDRS given there is no space in the road network to accommodate further movements generated from new residential units. If the project progresses, the application should include the delivery of access roads to the Glenamuck Link Distributor Road (GLDR) to the east of the site (part of the GDRS), this should be delivered in Phase 1 of the project.</b></p>	<p>As set out in Section 2.3 above in response to an ABP item, the scheme is projected to begin construction in Q3/Q4 2022, with completion estimated for Q3/Q4 2024 (as advised by email by Gerry D'Arcy (Dun Laoghaire - Rathdown County Council) on 25<sup>th</sup> May 2022).</p>

<p><b>The Applicant should consider the provision of cultural and community uses in line with LAP Objectives SDC01 and No1 and also Section 11 of the LAP. There is also the objective to relocate the Country Market from its current location to Land Parcel 22, potentially within a civic plaza area.</b></p>	<p>A large community facility is now proposed as part of the proposed development. A Village Green area is provided to compliment the Neighbourhood Centre fronting Enniskerry Road.</p>
<p><b>The Applicant is advised to consider increasing the quantum of retail provided and the quantum of non-residential uses overall, having regard to the requirements for Land Parcel 22 and Section 11 of the LAP. The Retail Assessment rely on retail areas between 1.5 and 2 km from the site which would necessitate people accessing these mainly by car.</b></p>	<p>Please see response to ABP Item in Section 2.2 above for information.</p>
<p><b>Any future connections with adjoining lands shall be built up to the boundary with no ransom strips and should be given to the Council for taking in charge.</b></p>	<p>All connections to adjoining lands have been taken up to the boundaries. Please see Dwg Nos. PL101-105 prepared by McCrossan O'Rourke Manning Architects (MCORM) for further details. Taking in Charge drawings have also been prepared by MCORM (see Dwg Nos. PL600, 600.1, 600.2 and 600.3).</p>
<p><b>The relationship between the neighbourhood Centre and the Village Green is deemed to be a key aspect. The Applicant should consider the removal of car parking spaces and vehicular traffic in between both elements to improve the relationship between them.</b></p>	<p>Some 7 No. car parking spaces have been removed from in front of the village green, however due to the nature of the commercial uses of the Neighbourhood Centre, some accessible and parent and child parking is needed on surface in a convenient and safe location. This area will be landscaped appropriately to ensure that relationship is not hindered.</p>
<p><b>The Applicant should ensure that density if as much as possible evenly distributed across the site rather than creating pockets of higher density (north portion of the site for instance) compared with other areas where density appears to be substantially lower (from a cursory examination the south part of the site appears to have much lower density).</b></p>	<p>We consider the height, layout and density of the development to be appropriate, providing the two 5 No. storey apartment blocks at the Glenamuck Road entrance, near the adjacent taller elements in the neighbouring Rockville development. As the site abuts lower density housing to the south (located along Ballycorus Road), it is considered appropriate to provide lower density housing along this southern boundary.</p>
<p><b>A maximum of 4 storeys is established by the LAP as maximum height for this site. The proposed Apartment Blocks C and D to the north-east of the site rise to 5 No. storeys including podium level. The proposal, therefore,</b></p>	<p>A strong case for the increase in height in 1 No. location (adjacent to Glenamuck Road) is provided in the <i>Planning Report &amp; Statement of Consistency</i> and <i>Material Contravention Statement</i> prepared by Thornton O'Connor</p>

<p><b>does not accord with the provisions of the Local Area Plan. However, given that the deviation of the LAP parameters in terms of height is only of 1 additional storey, it is considered that the Applicant is in a position to make a strong case on the basis of the Urban Development and Building Height Guidelines 2020. In that regard the Applicant is advised to provide detailed elevations and sections drawings showing the relationship of the proposed blocks with surrounding existing and proposed structures and also a set of photomontages (which should include winter views) illustrating what the visual impact of the proposed development would be.</b></p>	<p>Town Planning. The heights range from predominately 2-3 No. storeys throughout the site, with the 4 No. storey Neighbourhood Centre and the 5 No. storey apartment blocks, and we consider this to be an appropriate height strategy for the site, which is detailed in the <i>Planning Report &amp; Statement of Consistency</i> and <i>Material Contravention Statement</i>.</p> <p>MCORM have prepared a drawing pack showing the relationship of the proposed blocks to the surrounding area and internally within the scheme. Photomontages have been prepared by 3D Design Bureau which are included in a separate booklet. Chapter 10 of the Environmental Impact Assessment Report prepared by Enviroguide Consulting includes a Landscape and Visual Impact Assessment.</p>
<p><b>Submit a daylight and sunlight assessment.</b></p>	<p>A Daylight and Sunlight Assessment Report has been prepared by 3D Design Bureau and is enclosed separately with this planning application.</p>
<p><b>Impacts on existing hedgerows should also be detailed.</b></p>	<p>Impact on trees and hedgerows has been considered as part of the Arboricultural Assessment prepared by Arborist Associates Limited.</p>

## 2.11 An Bord Pleanála Item No. 11 – Sustainable Urban Housing: Design Standards for New Apartments (2020)

An Bord Pleanála stated the following:

*'A life cycle report shall be submitted in accordance with section 6.13 of the Sustainable Urban housing: Design Standards for New Apartments (2020). The report should have regard to the long-term management and maintenance of the proposed development. The applicant should consider the proposed materials and finishes to the scheme including specific detailing of finishes, the treatment of balconies in the apartment buildings, landscaped areas, child friendly spaces, pathways, and all boundary treatments. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinctive character for the development.'*



#### **2.11.1 Applicant's Response**

McCrossan O'Rourke Manning Architects have prepared a Lifecycle and Management Report to accompany this planning application. The Report includes an assessment of the long term running and maintenance costs associates on a per residential unit basis at the time of this planning application. The Report also includes measures specifically considered to effectively manage and reduce the costs for the benefit of residents. The Report duly considers all element outline in the An Bord Pleanála Opinion as detailed throughout the Lifecycle and Management Report.

#### **2.12 An Bord Pleanála Item No. 12 – Identify Areas to be Taken-In-Charge**

An Bord Pleanála stated the following:

*'A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority.'*

#### **2.12.1 Applicant's Response**

McCrossan O'Rourke Manning Architects have prepared Taking In Charge Drawings (Dwg Nos. PL600, PL600.1, PL600.2 and PL600.3), which demonstrate the areas proposed to be taken in charge (i.e. the roads and streets).

#### **2.13 An Bord Pleanála Item No. 13 – Construction and Demolition Waste Management Plan**

An Bord Pleanála stated the following:

*'Site Specific Construction and Demolition Waste Management Plan.'*

#### **2.13.1 Applicant's Response**

A Construction and Demolition Waste Management Plan prepared by Enviroguide Consulting is enclosed separately with this planning application.



#### **4.0 STATUTORY CONSULTEES**

As requested, the Applicant has issued a copy of the application documentation to the following Statutory Consultees:

- 1. Irish Water**
- 2. Transport Infrastructure Ireland**
- 3. National Transport Authority**
- 4. Dún Laoghaire-Rathdown County Childcare Committee**



## 5.0 CONCLUSION

It is our professional planning opinion that the aforementioned responses with the supporting technical reports address the specific items raised in An Bord Pleanála's Opinion. We trust that this document fully responds to all of the points raised by An Bord Pleanála in their Opinion and we submit that the proposed development represents the proper planning and sustainable development of this currently underutilised site.

Yours sincerely

*Patricia Thornton*

**Patricia Thornton**  
**Director**  
**Thornton O'Connor Town Planning**

