

The Secretary,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1,
D01V902.

Date: 22nd December 2020

Dear Sir / Madam,

RE: SHD APPLICATION IN RESPECT OF A PROPOSED STRATEGIC HOUSING DEVELOPMENT CONSISTING OF 482 NO. APARTMENTS, A CHILDCARE FACILITY, GYM, LOCAL SHOP, RESIDENTIAL AMENITY SPACE, OPEN SPACE AND ALL ASSOCIATED INFRASTRUCTURE ON A SITE AT GOLF LANE, CARRICKMINES, DUBLIN 18

Introduction

On behalf of the applicant, Bowbeck DAC, we hereby submit this Strategic Housing Development application to An Bord Pleanála in respect of a proposed SHD residential development on lands at.

This proposal falls under the definition of Strategic Housing Development as set out under Section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended) as it is a proposed development 'of 100 or more houses on land zoned for residential use or for a mixture of residential and other uses'.

Proposed Development

The proposed development comprises a residential development of 482 no. units (all apartments), along with ancillary residential amenities, and provision of a childcare facility, gym, and local shop. The proposed residential units comprise 31 no. studio units, 183 no. 1-bedroom units, 229 no. 2-bedroom units, and 39 no. 3-bedroom units (including 2 no. duplex type units).

The proposed development is set out in 7 no. blocks which comprise the following:

- Block A1 comprises 62. no. apartments within a part four, part six storey building, including 10 no. studio units, 7 no. 1-bedroom units, 41 no. 2 bedroom units, and 4 no. 3-bedroom units. An ESB substation is provided at ground floor level.
- Block A2 comprises 85 no. apartments within a part four, part eight storey building, including 25 no. 1-bedroom units, 45 no. 2-bedroom units, and 15 no. 3-bedroom units.

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John Spain Associates Ltd. trading as John Spain Associates. Directors: J. Spain, S. Spain.
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- Block A3 comprises 79 no. apartments within a part four, part twelve storey building, including 21 no. studio units, 19 no. 1-bedroom units, 28 no. 2-bedroom units, and 11 no. 3-bedroom units.
- Block B0 comprises 150 no. apartments and resident's amenities within a part four, part eighteen, part twenty-one and part twenty-two storey building. The apartments include 76 no. 1-bedroom units, 68 no. 2-bedroom units, and 6 no. 3-bedroom units (including 2 no. duplex type units). An ESB substation, resident's concierge area and amenity space (171 sq.m sq.m) are provided at ground floor level. A further resident's amenity / event space is provided at the twentieth and twenty-first floor levels (83 sq.m).
- Block B1 comprises 8 no. apartments and is four storeys in height, directly abutting Block B0. The apartments include 4 no. 1-bedroom units, and 4 no. 2-bedroom units.
- Block C comprises 42 no. apartments and a local shop within a part five, part seven storey building. The apartments include 30 no. 1-bedroom units, 9 no. 2-bedroom units, and 3 no. 3-bedroom units. A local shop (154 sq.m) and an ESB substation are provided at ground floor level.
- Block D comprises 56 no. apartments, a commercial gym, resident's concierge area, resident's lounge, and a childcare facility in a part four, part seven storey building. The apartments include 22 no. 1-bedroom units, and 34 no. 2-bedroom units. The resident's concierge area (99 sq.m), commercial gym (340 sq.m), and childcare facility (300 sq.m) units are located at ground floor level. The resident's lounge (292 sq.m) is located at first floor level.

Two basement levels are proposed, providing car parking spaces (299 no.), bin stores, plant rooms, bicycle parking (1,000 no. spaces), and circulation areas. A further 240 no. bicycle parking spaces and 4 no. car parking spaces are provided at ground level. The proposed development includes landscaping, boundary treatments, public, private and communal open space (including roof terraces), two cycle / pedestrian crossings over the stream at the western side of the site, along with a new pedestrian and cycle crossing of Glenamuck Road South at the west of the site, cycle and pedestrian facilities, play facilities, and lighting. The proposed buildings include the provision of private open space in the form of balconies and winter gardens to all elevations of the proposed buildings. The development also includes vehicular, pedestrian, and cycle accesses, drop off areas, boundary treatments, services, and all associated ancillary and site development works.

Location

The site of the proposed strategic housing development has an area of c. 2.56 hectares and is bound to the north by the M50 motorway, to the east by Golf Lane, to the west by Glenamuck Road, and to the south by several properties comprising residential dwellings set in large sites.

The site itself slopes from south to north, towards the M50 motorway, and accommodates stands of trees and areas of scrub and grassland. The site was previously occupied by the former residential properties of 'Tintagel', 'Auburn', 'Keelogue', 'Villa Nova', and 'Arda Lodge'. These dwellings were previously demolished several years ago. Retention permission for the demolition of the dwellings was granted under Reg. Ref.: D20A/0152 to regularise their removal.

The lands are less than 500 metres from the Ballyogan Wood Luas Stop (to the west) and opposite The Park Carrickmines, which is a major mixed-use area comprising office and commercial uses, retail and retail warehousing uses and restaurant / café facilities. A new mixed-use neighbourhood centre, commercial, residential, and leisure scheme has recently been subject to a grant of permission from An Bord Pleanála opposite the subject site at Quadrant 3 in The Park Carrickmines.

In addition to the proximate Luas stop, the site is also located in close proximity to bus routes operating along Ballyogan Road and Glenamuck Road. The 63 bus route provides services from Dun Laoghaire to Kiltiernan, with c. 20 minute frequencies. Glenamuck Road is well served by existing pedestrian and cycle facilities, with Ballyogan Road also benefiting from good quality facilities. The nearby Luas stop provides an opportunity to avail of high capacity, high frequency services between Brides Glen to the City Centre and onwards to Broombridge in the north of the city.

To the east / southeast of the subject site, on the opposite side of Golf Lane, is an area of existing residential development comprising semi-detached, two and three storey dwellings, with an area of existing apartment development located further to the south.

The subject site occupies a prominent location and is considered to constitute a gateway site into the Carrickmines and Ballyogan area along the M50. The site character and context calls for a landmark architectural design response (as previously identified by An Bord Pleanála and in the Ballyogan and Environs LAP) to provide for an appropriate proportional framing of adjoining major routes and to acknowledge the prominent location of these lands.

Land Use Zoning

This site on which the proposed development is located is zoned objective 'A' in the Dun Laoghaire-Rathdown Development Plan 2010-2016. The objective of this land use zoning is *"to protect and / or improve residential amenity"*.

Residential development is permitted in principle under this zoning objective. Childcare Facility, Sports Facility, and Neighbourhood Shop uses are also open for consideration under this zoning objective. Thus, the proposed development accords with and does not materially contravene the zoning objective for the subject site, as required for submission of an application as a Strategic Housing Development.

Consultation with Planning Authority under Section 247

The SHD process comprises three mandatory stages including Stage 1 which is a consultation with the Planning Authority (under section 247 of the Planning & Development Act, 2000, as amended).

A formal pre-application meeting was held at the offices of Dun Laoghaire Rathdown County Council on the 12th of January 2020. It is considered that the comprehensive suite of documents submitted with this pre-application consultation request address the matters raised by Dun Laoghaire Rathdown County Council at the Section 247 meeting.

A summary of the pre-application consultation undertaken by the Applicant with Dun Laoghaire Rathdown County Council under Section 247 has been included in this consultation request in the accompanying Statement of Consistency and Planning Report.

Further discussions were undertaken with the DLR Drainage Department by DBFL Consulting Engineers. A further site visit and meeting was also undertaken with the Parks Department.

ABP's Consultation Opinion & Section 5 SHD - Pre-Application Consultation Meeting with the Board (Tri-Partite Meeting)

A tripartite pre-application meeting with representatives of the Board and the local Planning Authority was undertaken 22nd of July 2020. The discussions during the course of the meeting focused primarily on the response of the current proposals to the previous refusal on the

subject site, matters relating to height, density, core strategy allocation, tree loss, and open space. The discussions during the course of the tripartite meeting have informed the final application, with a range of design responses included in the final scheme, and robust justification provided for aspects of the scheme which were discussed.

The Opinion of An Bord Pleanála issued on the 31st of July 2020. The Board's Opinion stated that having regard to the consultation meeting, the submission of the Planning Authority, and the documentation submitted with the pre-application request, the pre-application request represented a reasonable basis for an application for strategic housing development.

The Opinion also set out nine items of specific information which should be submitted with any application for permission. In this regard, we refer the Board to the Statement of Response to the Board's Opinion prepared by John Spain Associates, which sets out a concise response to each of the items of specific information requested, and directs the reader to the relevant documents in the application pack, which respond in full to the requirements set out by the Board at pre-application stage.

Drawings, Plans and Particulars

This SHD application is accompanied by architectural, landscape, civil engineering and public lighting drawings. The full list of enclosures is set out below. Each drawing pack is accompanied by a schedule of drawings as required under the SHD application form.

Statement of Consistency with Planning Policy

A stand-alone Statement of Consistency with Planning Policy and Planning Report, prepared by John Spain Associates, accompanies this application, demonstrating that the proposal is consistent with the relevant guidelines issued under Section 28 of the Planning and Development Act 2000 (as amended), the Dun Laoghaire Rathdown Development Plan 2016-2022 and the Ballyogan and Environs LAP 2019-2025.

Having regard to the location of a small portion of the application site within the Cherrywood SDZ, the Statement of Consistency and Planning Report also sets out the consistency of the scheme with the Cherrywood SDZ Planning Scheme 2014, as amended.

Material Contravention Statement

As set out within the public notices for the application, the application contains a statement indicating why permission should be granted for the proposed development, having regard to a consideration specified in Section 37(2)(b) of the Planning and Development Act, 2000, as amended, notwithstanding that the proposed development materially contravenes a relevant development plan or local area plan other than in relation to the zoning of the land.

As set out within the Material Contravention Statement submitted herewith, it is considered that the proposed development may represent a material contravention of Policy UD6 of the Dun Laoghaire Rathdown County Development Plan, pertaining to building height. It is further considered that a material contravention may arise in relation to Section 8.2.3.3 (iii) of the Development Plan which relates to unit mix and that the specific omission of Section 8.2.3.3 (iii) from an advisory note to the Development Plan (confirming relevant parts that have been superseded by the Apartment Guidelines) could be interpreted as a Material Contravention. Finally the Material Contravention statement provides a justification under Section 37(2)(b) in the event that the Board consider the density of the scheme materially contravenes Policy BELAP RES2 of the Ballyogan and Environs Local Area Plan 2019-2025.

The Material Contravention Statement provides a justification that the Board may have regard to in the event that the development is considered to represent a Material Contravention of the County Development Plan or the Local Area Plan for the area.

The proposed development does not represent a material contravention in relation to the zoning of land, as the subject site is zoned to facilitate the proposed uses.

Environmental Impact Assessment Report

An Environmental Impact Assessment Report and a Non-Technical Summary have been prepared for and accompany this planning application.

In this context the following topics/issues have been reviewed and addressed in the context of the proposed development:

- Introduction and Methodology,
- Project Description and Alternatives Examined,
- Population and Human Health,
- Archaeology and Cultural Heritage,
- Biodiversity,
- Landscape and Visual Impact, including Photomontages,
- Land and Soils,
- Water,
- Air Quality and Climate,
- Noise and Vibration,
- Wind;
- Material Assets,
- Transportation;
- Interactions,
- Principle Mitigation and Monitoring Measures,
- Non-Technical Summary.

In accordance with the requirements of the Regulations the following copies have been provided to the relevant parties:

- 2 no. hard and 3 no. soft copies to An Bord Pleanála
- 6 no. hard and 3 no. soft copies to the Planning Authority

Copies to the 8 no. prescribed authorities listed in the Board's Opinion on the proposed application, noting that some prescribed bodies requested soft copies only. A copy of the notification letters issued to the prescribed bodies is included for information purposes.

EIA Portal

Appendix 1 of this cover letter comprises of a copy of a confirmation notice email from the Department of Housing, Planning and Local Government EIA Portal, stating that the information provided to the portal has been uploaded to the EIA Portal on the 18th of December 2020 under Portal ID number 2020226.

Application Site Boundary

Please note that the application site boundary has been provided in .dwg format on CD ROM with all geometry referenced to ITM as specified in the SHD Application Form.

Irish Water Requirements

The applicant, and the project Consulting Engineer DBFL, have undertaken consultation with Irish Water prior to the lodgement of this application. A Confirmation of Feasibility has been received from Irish Water following the Pre-Connection Enquiry (PCE) in relation to the proposed development which states that “*Based upon the details that you have provided with your pre-connection enquiry and on the capacity currently available in the network(s), as assessed by Irish Water, we wish to advise you that, subject to a valid connection agreement being put in place, your proposed connection to the Irish Water network(s) can be facilitated*”.

The Applicant confirms that all water and foul drainage services will be designed and installed in accordance with Irish Water standards.

A Statement of Design Acceptance has also been received from Irish Water in respect of the proposed development. A copy of the Statement of Design Assessment correspondence is included as part of the application.

Prescribed Bodies

As required in the Board’s Consultation Opinion a copy of the application has been sent to the prescribed bodies set out below. Several prescribed bodies have stated that they would prefer to receive a soft copy of the planning application documentation only. These are noted below.

1. Irish Water (Soft Copy Only)
2. Department of Culture, Heritage and the Gaeltacht (Soft Copy Only)¹
3. Transport Infrastructure Ireland (TII) (Soft Copy Only)
4. National Transport Authority (NTA) (Soft Copy Only)
5. An Taisce (Soft Copy Only)
6. The Heritage Council (Soft Copy Only)
7. Dun Laoghaire Rathdown County Childcare Committee (Soft Copy Only)
8. Irish Aviation Authority (Soft Copy Only)

Fee

Please find enclosed fee of **€78,376** (including EIAR fee), made payable to An Bord Pleanála for a proposed Strategic Housing Development application as prescribed in the Strategic Housing Development Fee Schedule on the website of the Board.

The fee has been calculated on the basis of the 482 no. residential units proposed, and the 794 sq.m of commercial floorspace (the gym, childcare facility, and local shop) forming part of the development. The resident’s amenities are ancillary to the residential element of the scheme, and do not constitute a separate use.

¹ Due to the re-structuring of Government departments since the issuing of the Board’s pre-application Opinion, the Department of Housing, Local Government and Heritage have advised that copies of applications should now be sent care of that department, as the Development Applications Unit (formerly part of the Department of Culture, Heritage and the Gaeltacht) now falls under the remit of Housing, Local Government and Heritage.

Enclosures

The following documentation accompanies this SHD application in accordance with the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended and the Planning and Development (Strategic Housing Development) Regulations 2017:

- 1 no. SHD application fee confirmation of payment by EFT;
- 2 no. copies of the completed Application Form in respect of a Strategic Housing Development and attachment (letters from Irish Water, letter of consent from Dun Laoghaire Rathdown County Council);
- 3 no. soft copies of application documentation (disc);
- .DWG file of the application site boundary (on disc);
- 2 no. copies of this cover letter prepared by John Spain Associates (JSA);
- 2 no. copies of Planning Report/Statement of Consistency with Planning Policy prepared by John Spain Associates (JSA);
- 2 no. copies of a Statement of Response to the Opinion of the Board, prepared by John Spain Associates (JSA);
- 2 no. copies of a Material Contravention Statement prepared by John Spain Associates (JSA);
- 2 no. copies of a Social and Community Infrastructure Audit Report prepared by John Spain Associates (JSA);
- 2 no. copies of Environmental Impact Assessment Report and Non Technical Summary(prepared by John Spain Associates (JSA), and other consultants:
- 2 no. copies of Architectural Drawings, Architectural Design Statement, HQA, Materials Brochure, and Drawing Register prepared by HJL Architects;
- 2 no. copies of Part V proposals including a Part V drawings and Brochure prepared by HJL Architects, a Part V Cover Letter, DLR Part V letter, and an Estimate of Costs prepared by the Applicant;
- 2 no. copies of a Sunlight and Daylight Analysis Report prepared by JAK Consulting;
- 2 no. copies of a Glare and Artificial Light Reflectivity Analysis report prepared by JAK Consulting;
- 2 no. copies of a Building Lifecycle Report prepared by JAK Consulting;
- 2 no. copies of Engineering Drawings and Drawing Schedule prepared by DBFL Consulting Engineers;
- 2 no. copies of an Engineering Services Report, Site Specific Flood Risk Assessment Report, Construction and Environmental Management Plan, and a Traffic and Transport Assessment Report prepared by DBFL Consulting Engineers;
- 2 no. copies of a DMURS Compliance Statement prepared by DBFL Consulting Engineers;
- 2 no. copies of a Mobility Management Plan prepared by DBFL Consulting Engineers;
- 2 no. copies of a Quality Audit prepared by Bruton Consulting Engineers;
- 2 no. copies of a Surface Water Audit Report prepared by Punch Consulting Engineers;
- 2 no. copies of Landscape Architecture Drawings, Drawing Schedule, and Landscape Design and Access Statement prepared by Cameo Landscape Architects;
- 2 no. copies of a detailed Tree Strategy Report prepared by Cameo Landscape Architects;
- 2 no. copies of a Tree Survey / Arboricultural Report and Drawings prepared by CMK Arborists;

- 2 no. copies of an Energy and Sustainability Statement prepared by JAK Consulting;
- 2 no. copies of a Public Lighting Report and Drawings prepared by JAK Consulting;
- 2 no. copies of an Appropriate Assessment Screening Report prepared by Scott Cawley;
- 2 no. copies of a Hydrological and Hydrogeological Quantitative Risk Assessment Report prepared by AWN Consulting;
- 2 no. copies of a Telecommunications Assessment Report prepared by Charterhouse;
- 2 no. copies of an Aviation Compliance note prepared by DBFL Consulting Engineers;
- 2 no. copies of Operational and Construction and Demolition Waste Management Plans prepared by AWN Consulting.

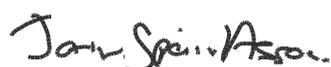
We trust that the documentation as submitted meets the requirements of the Planning and Development (Housing) and Residential Tenancies Act 2016, and specifically the Planning and Development (Strategic Housing Development) Regulations 2017 as they relate to SHD applications, and the guidance documents issued by An Bord Pleanála.

In preparing this application we have had regard to the issues raised during pre-application consultation with Dun Laoghaire Rathdown County Council, the Opinion of An Bord Pleanála, and the requirements of relevant Section 28 Guidelines, the Dun Laoghaire Rathdown Development Plan 2016-2022 and Ballyogan and Environs LAP 2019-2025.

Six no. hard copies, and three no. soft copies, of this application have been sent to Dun Laoghaire Rathdown County Council as the appropriate planning authority in which the proposed Strategic Housing Development (SHD) is located.

If you require any additional information, please do not hesitate to contact us.

Yours faithfully,



John Spain Associates

APPENDIX 1 – EIA PORTAL CONFIRMATION

EIA Portal Confirmation notice Portal ID 2020226



Housing Eiaportal <EIAportal@housing.gov.ie>
To Luke Wymer



Fri 13:33

Follow up. Start by Friday 18 December 2020. Due by Friday 18 December 2020.
You replied to this message on 18/12/2020 15:32.

A Chara,

An EIA Portal notification was received on 17/12/20 in respect of this proposed application. The information provided has been uploaded to the EIA Portal on 18/12/2020 under EIA Portal ID number **2020226** and is available to view at <http://housinggovie.maps.arcgis.com/apps/webappviewer/index.html?id=d7d5a3d48f104ecbb206e7e5f84b71f1>.

Portal ID: 2020226

Competent Authority: An Bord Pleanála

Applicant Name: Bowbeck DAC

Location: Golf Lane, Carrickmines, Dublin 18

Description: Strategic Housing Development of 482 no. units (all apartments), along with a childcare facility, gym, local shop, and all associated development.

Linear Development: No

Date Uploaded to Portal: 18/12/2020

Kind regards

Margaret Killeen
EIA Portal team

An Roinn Tithíochta, Pleanála agus Rialtais Áitiúil
Department of Housing, Planning and Local Government

Teach an Chustaim, Baile Átha Cliath 1, D01 W6X0
Custom House, Dublin 1, D01 W6X0