



ARMSTRONG FENTON

ASSOCIATES

PROJECT:

Proposed Large-scale Residential Development (LRD) in the townland of Boherboy, Saggart, Dublin 24.

APPLICANTS:

Kelland Homes Ltd & Evara Developments Ltd.

REPORT:

**Statement of Response to South Dublin County Council
LRD Opinion Ref. LRDOP003/25.**

DATE: **December 2025.**

**Planning &
Development
Consultants**



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1.0. Introduction

1.1. On 24th April 2025, Armstrong Fenton Associates, Planning Consultants, on behalf of The Applicants submitted a pre-application consultation request to South Dublin County Council (hereafter “SDCC”). The purpose of this document is to respond to the specific information requested by SDCC in their Notice of Pre-Application Consultation Opinion (Ref. LRDOP003/25), further to a meeting held on 20th May 2025 with SDCC and the Applicants/Design Team.

1.2. This Notice, received on 17th June 2025, states that it is the opinion of the Planning Authority that *“Taking into account the discussion held at the s32C LRD Meeting, and the particulars received for the purpose of that meeting, it is the conclusion of the Planning Authority that the submitted particulars alone and in their present form **do constitute a reasonable basis** for making an LRD planning application, subject to further consideration and amendment based on the recommendations and assessment contained in this report”*.

1.3. The Planning Authority has set out key issues / areas that must be addressed in the application documents that could result in the proposal constituting a reasonable basis for making an application, and advised that the LRD application be accompanied by:

- *“A statement of response to the issues in the LRD Opinion*
- *A statement that in the applicant’s opinion, the proposal is consistent with the relevant objectives of the development plan”*.

1.4. A response to the items raised in the Planning Authority’s Opinion is set out throughout this document. This LRD application is also accompanied by a Statement of Consistency (submitted as a separate document) which outlines the proposed development’s compliance with national, regional and local planning policy, including the relevant South Dublin County Development Plan, 2022-2028. In addition, a detailed Planning Statement is submitted which provides background information on the site, a description of the proposed development, compliance with various development management standards, policies and objectives, and addresses many of the issues/items raised in the aforementioned LRD Opinion.



2.0. Response to South Dublin County Council LRD Opinion Ref. LRDOP003/25.

The detailed assessment within the LRD Opinion identifies areas in which the particulars submitted under S.32B of the Act are lacking or those issues which remain to be reconsidered or addressed by the applicant in any documents submitted in a future planning application. These items are summarised as follows:

2.1 Item 1. Procedural

A number of the larger architectural drawings (such as full site plans and contiguous elevations) are very slow to load and difficult to navigate due to their large file sizes. To support efficient review, the applicant is requested to provide a second, low-resolution version of all large-format plans as part of the final application. In addition, the applicant is strongly encouraged to submit one hard copy of all documents to the Planning Authority to further facilitate assessment

Response:

We have submitted, via the planning portal, all drawings and documentation, with each drawing / document not exceeding 20mb. We have also submitted a number of lower resolution versions of various drawings / documents. One hard copy of all of the enclosures included in this LRD planning application is submitted separately to South Dublin County Council. In addition, all documents can be viewed on the website set up by the Applicant: www.boherboyldr.ie.

2.2 Item 2. Urban Design and General Layout

For the final application, the following additional documentation and clarifications are required to support a comprehensive assessment of the proposed development:

- *Additional standalone contiguous elevations must be provided across key parts of the site. This is particularly important for visually prominent areas such as along Boherboy Road, the entire length of the Spine Road (both sides), and the northern boundary adjacent to the open space.*
- *The Accessibility Audit within the Design Statement should be expanded to include the full Boherboy Road interface. The relevant elevation should also be rechecked for accuracy to ensure alignment with the submitted floor plans and building elevations.*
- *A proposed site layout plan shall be included, clearly labelling all proposed contours and structural features such as retaining walls, gabion walls, and other site infrastructure. Elevations for each of these structural elements should also be submitted to allow for proper visual and technical assessment.*
- *The applicant must provide longitudinal cross-sections extending across the entire site, with particular focus on areas where significant cut and fill is proposed. These sections are essential to allow the Planning Authority to fully assess the topographical and visual impacts of the development.*
- *The Planning Authority supports a residential density range of 40 to 80 units per hectare (uph) for this site. The final application must include a clearly defined and consistently applied net site area, which should be verified and cross-referenced across all submitted documentation.*

**Response:**

Please refer to the following enclosed drawings that provide details of contiguous elevations / sections of the site as follows:

Prepared by MCORM Architecture:

- Drawing No. BHBV-MRM-AR-XX-DR-P4-XX-XX-0030 "Contiguous Sections – Sheet 1"
- Drawing No. BHBV-MRM-AR-XX-DR-P4-XX-XX-0031 "Contiguous Sections – Sheet 2"
- Drawing No. BHBV-MRM-AR-XX-DR-P4-XX-XX-0032 "Contiguous Sections – Sheet 3"
- Drawing No. BHBV-MRM-AR-XX-DR-P4-XX-XX-0033 "Contiguous Sections – Sheet 4"
- Drawing No. BHBV-MRM-AR-XX-DR-P4-XX-XX-0034 "Contiguous Sections – Sheet 5"

Prepared by Davey + Smith Architects:

- Drawing No. 2314-D2314-PL- 01 "Site Elevation 1"
- Drawing No. 2314-D2314-PL- 02 "Site Elevation 2"
- Drawing No. 2314-D2314-PL- 03 "Site Elevation 3"
- Drawing No. 2314-D2314-PL- 04 "Nort & South Elevations"
- Drawing No. 2314-D2314-PL- 05 "Site Section"

Prepared by Gannon & Associates Landscape Architects:

- Drawing No. 24212_Boherboy_PA_B_D01 "Detail Area 1"
- Drawing No. 24212_Boherboy_PA_B_D02 "Detail Area 2"
- Drawing No. 24212_Boherboy_PA_C_CH "Central Hedgerow & Ditch"
- Drawing No. 24212_Boherboy_PA_C_EWH "East & West Hedgerow & Ditch"
- Drawing No. 24212_Boherboy_PA_A_FP "Flooding Plan POS"
- Drawing No. 24212_Boherboy_PA_A_RW "Retaining Wall Locations".

Site sections are also provided in the enclosed Architectural and Urban Design Statement prepared by MCORM & Davey + Smith Architects (section 3.5.7).

Gannon & Associates, Landscape Architects have also prepared a series of "Accessibility Plans" for each of the open spaces to demonstrate how they can be accessed, their useability and where the ground is level and sloped in each space – for details of same, please refer to the following drawings:

- Drawing No. 24212_Boherboy_PA_A_AP1 "Accessibility Plan POS Area 1",
- Drawing No. 24212_Boherboy_PA_A_AP2 "Accessibility Plan POS Area 2",
- Drawing No. 24212_Boherboy_PA_A_AP3 "Accessibility Plan POS Area 3",
- Drawing No. 24212_Boherboy_PA_A_AP4 "Accessibility Plan POS Area 4".

Please refer to the enclosed Site Universal Access Statement prepared by OHAC which has been prepared in conjunction with the architects and landscape architects. This Access Statement has reviewed the site sections and confirms that the proposed development is accessible. This statement is in addition to the enclosed Architectural and Urban Design Statement prepared by MCORM & Davey + Smith Architects.

The enclosed site layout plan by MCORM Architects (drawing no. HBY-MRM-AR-ZZ-DR-P4-XX-XX-0012 Overall Site Layout Plan) at a scale of 1:1000, illustrates all proposed contours and structural features. In addition, two no. part site plans at a scale of 1:500 are also submitted, refer to the enclosed MCORM drawing no.s (drawing no.s 0013 & 0014 Site Layout Plan Part 1 of 2 and Part 2 of 2).



Details of the proposed density and the areas of the site that have been discounted for density purposes / to calculate the net developed area are outlined in sections 2.3 and 3.1 of the enclosed Architectural and Urban Design Statement and section 7.6 of the submitted Planning Statement – please refer to same. We confirm that the gross site area is c.18.7Ha with c.6.45Ha of the site discounted as undevelopable areas within the site, thus the net development area is c.12.2Ha. The proposed development of 611 no. dwellings produces a net density of 50 units per hectare across the entire site which is in accordance with the appropriate density range of 40 – 80 units per hectare for a site like this.

2.3 Item 3. Housing and Residential Amenity

The applicant shall submit a detailed Housing Quality Assessment (HQA) demonstrating full compliance with the County Development Plan and relevant Guidelines in relating to the design and amenity of each of the units on site. In particular those standards in relation to dual aspect, minimum storage sizes, minimum private open space etc. No single aspect north facing units should be provided - the use of such is unacceptable to the Planning Authority. The orientation of any single aspect apartment should be detailed. In addition, the applicant shall submit a complete Daylight & Sunlight Analysis Report confirming that all habitable rooms meet the necessary requirements in terms of Daylight & Sunlight and that the proposal will not cause any significant material impacts on existing development within the area

Response:

Please refer to the enclosed Housing Quality Assessment (HQA) which demonstrates the proposed development's compliance with the following:

Houses: Standards based on the South Dublin County Development Plan 2022-2028 - Residential Standards - (Table 3.20; page 476). Rear Gardens of Houses based upon the standards of the Sustainable Residential Development and Compact Settlements Guidelines, 2024.

Apartments: Standards based on both the "Sustainable Urban Housing Design Standards for New Apartments – Guidelines for Planning Authorities (2023)" and the Planning Design Standards for Apartments Guidelines for Planning Authorities, 2025.

The enclosed HQA provides details of the area of the units, room widths, storage, aspect etc. There are no north facing, single aspect units in the proposed development.

Please also refer to the submitted Daylight and Sunlight Assessment prepared by Digital Dimensions which confirms that all habitable rooms meet the minimum standard for daylight provision as per BS EN 17037:2018+A1:2021 as referred to in the BRE guidelines BR209:2022 (third edition). The enclosed assessment also states that the assessment of daylight is in accordance with IS EN 17037:2018, shown for supplementary information, the vast majority of habitable rooms achieve daylight provision as set out in IS EN 17037:2018. The assessment also states that all habitable rooms within the proposed development achieve the minimum target daylight levels set out in BS EN 17037:2018+A1:2021, as referred to in the BRE guidelines BR209:2022 (third edition) and no compensatory measures are required. We refer the reader to the enclosed Daylight/Sunlight Assessment for full details.



2.4 Item 4. Public Housing / Part V

The applicant to confirm the dates they purchased the sites and shall continue to liaise with the SDCC Housing Team with regards to the final Part V offer.

Response:

Based on the date of purchase of the subject site and the requirements of Affordable Housing Act 2021, the Applicants acknowledge there is a requirement to put forward 20% of the total number of dwellings proposed as Social and Affordable Housing, dependent on the date of purchase of the various land parcels that comprise the entire application site. Evara Developments Ltd purchased the land in 2025, while Kelland Homes Ltd owns the land since 2006. Please note that where the 10 no. houses are proposed in the south-east corner, this piece of the application site was purchased in 2023.

To that end, we enclose MCORM drawing no. BHBV-MRM-AR-ZZ-DR-P4-XX-XX-0015 "Site Plan – Part V" which identifies the location of the units that are proposed to satisfy the Part V obligation associated with the proposed development. The Applicant's propose to provide a total of 123 no. units as Social and Affordable Housing. This consists of the following breakdown:

- A. Kelland Homes Ltd proposes 71 no. units, comprised of 5 no. houses, 40 no. duplex units and 26 no. apartments. Out of this, 42 no. units are proposed as Social Housing Units and 29 no. are proposed as Affordable Housing Units.
- B. Evara Developments Ltd proposes 52 no. units, comprised of 4 no. houses and 48 no. duplex units. Out of this, 16 no. units are proposed as Social Housing Units and 36 no. are proposed as Affordable Housing Units.

Please refer to the submitted details and costs of the proposed 123 no. Part V units that has been prepared by the Applicants. The enclosed Part V proposal was submitted to the Housing Department of South Dublin County Council and a letter confirming the Applicants' engagement with the Housing Department of SDCC was received on 18th November 2025 confirming same – please also refer to same enclosed.

Item 5. Childcare Provision

Clarity shall be provided on the total number of places being provided and all documentation should reflect this figure.

Response:

The proposed childcare facility / crèche measures c.630.1sq.m, in a standalone 2 storey dedicated facility, located in north-eastern part of the site, south of Apartment Block C1. Please refer to the submitted Davey + Smith drawing no. D2314-CR-01 "Creche" for details.

Based on the proposed development of 611 no. residential dwellings and the requirements of the "Childcare Facilities Guidelines for Planning Authorities" (2001), which state provision should be made in new developments for 20 no. childcare places for every 75 no. dwellings, the proposed development would have a requirement to provide for a childcare facility catering for 163 no. childcare places. It is noted; however, that section 4.7 of the Apartment Guidelines states, in relation to childcare facilities: "One-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in



part or whole, to units with two or more bedrooms". The proposed development includes 57 no. one bed units.

Discounting the 57 no. proposed one bed units, the proposed development caters for 554 no. dwellings for the purposes of assessing the childcare requirements and based on the provision of 20 no. childcare places for every 75 no. dwellings, the development therefore has a requirement to provide for a childcare facility catering for 148 no. childcare places.

The proposed childcare facility has been designed to be of a size capable of catering for 148 no. childcare places. The 2001 Guidelines apply a minimum floor space per child of 2.32sq.m, exclusive of kitchen, bathroom and hall, furniture or permanent fixtures. Applying that standard, a childcare facility to serve the proposed development and meeting the requirement for c. 148 childcare spaces would need to be a minimum of c. 343sq.m net floor area.

The proposed floor area of the crèche i.e. 630sq.m therefore exceeds the minimum requirement as set out in the 2001 Childcare Facilities – Guidelines for Planning Authorities by c.286sq.m, and includes sufficient additional floorspace to accommodate toilets, sleep room, reception, staff area, circulation and escape route spaces, furniture and permanent fixtures as required, and can adequately cater for the required 148no. childcare spaces.

2.5 Item 6. School Site

As per discussion with the Department of Education and Skills, the site, as detailed, is the preferred location for a new school.

Response:

In accordance with the Development Plan (and previous Fortunestown LAP) the Applicants have reserved a site in the north-west part of the overall Boherboy lands for future use as a school site, should the Department of Education and Skills. The Applicants engaged with the Department and submitted a final indicative design proposals to demonstrate that on the reserved site, a potential 8-16 classroom primary school can be accommodated on same. An indicative site layout plan for the school site was submitted to the Department of Education by the applicants on 27th February 2025, with a snapshot of same shown in Fig. 1 overleaf.

The footprint of the school building shown in Fig. 1 is based upon a permitted primary school. There is a wayleave traversing the southern part of the "school site", however, no buildings are proposed on the wayleave.

There are no public paths/routes through the site, and it is a self-contained site for the potential, future needs/use of the school.

The site layout plan for the school accommodates the 10m biodiversity buffer from the western boundary of the site.

Play facilities associated with the needs of the school are also accommodated within the site, as is car and bicycle parking – the numbers of same are indicative.

The Department of Education replied via email on 11th April 2025 stating: *"These changes as per the attached document work better and therefore the new proposed layout is agreeable to us".* A copy of this email is set out in Appendix 1 of the enclosed Planning Statement as is a copy of the layout plan submitted to them, which includes the image in Fig. 1.

Taking into account this agreed principle, the enclosed site layout plan reserve a site for a potential, future school, should the Department of Education confirm their need of same.

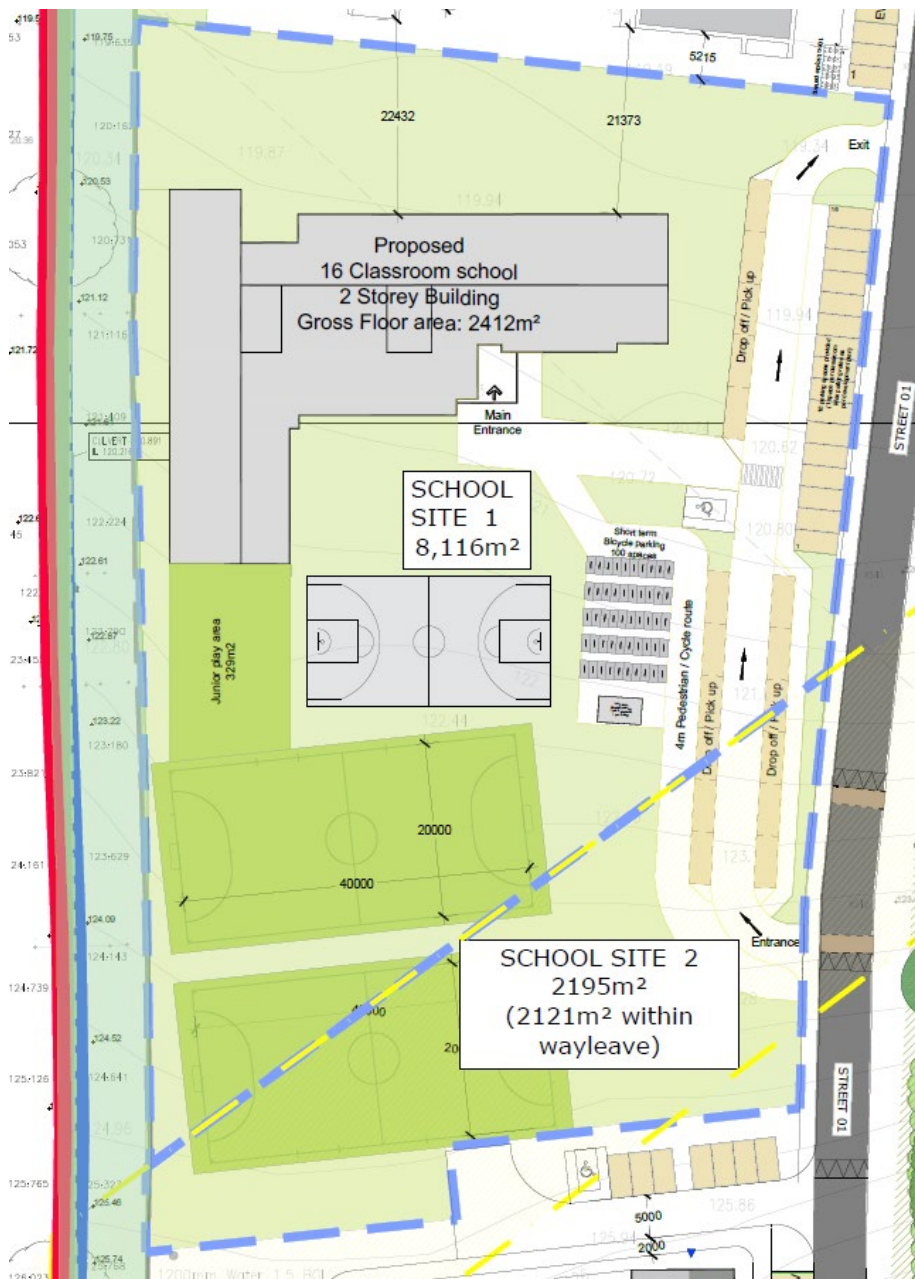


Fig. 1 – Indicative site layout plan for school site illustrating the accommodation of a 16 classroom primary school on same

2.6 Item 7. Community Infrastructure

The applicant is strongly encouraged to engage with the SDCC Planning Delivery Team regarding the provision of community floorspace prior to submitting the final planning application, with the aim of reaching agreement on the quantum to be levied in lieu of on-site delivery.

Response:

The Applicants have engaged with the Planning Authority regarding the provision of community floorspace as part of the proposed development. It has been agreed in principle that the preference is to pay a development contribution in lieu of same, and we refer the reader to section 7.15 “Community Facilities” in the enclosed Planning Statement for full details.



The Applicants and their representatives have held discussions with Eoin Burke, Director of Planning and Transport in South Dublin County Council (SDCC) in order to agree a financial contribution in lieu of the provision of community floorspace within the proposed development. The outcome of these discussions has resulted in a financial contribution figure being agreed in principle between the Applicants and SDCC, based on the estimated cost of constructing a new community facility in Citywest, which is the preference of SDCC. We understand that the planned Citywest Community Space will be 1,026.9sq.m in floor area, and SDCC has informed us that the rate of constructing same per square metre is €2,921.40 per sq.m.

Given the previous objective in the now expired Fortunestown LAP, i.e. *“Provide community facilities, which shall include youth specific facilities, across the Plan Lands at a rate of 300 sq.m per 1,000 dwellings. (Objective LUD1)”*, the proposed development of 611 no. dwellings equates to 61% of this requirement, which would also equate to a community facility of c.183sq.m required to serve the proposed development of 611 no. units. In applying the current rate of €2,921.40 per sq.m to the provision of a facility of 183sq.m, equates to €534,616.20.

In line with the aforementioned policy and objectives of the CDP, i.e. Policy COS 3, Objective COS3 Objective 1, Objective 2 and Objective 3, the Applicants are satisfied to pay the above cost of **€534,616.20** by way of a financial contribution(s) attached to a grant of permission for the proposed LRD. We confirm that the Applicants have no objection to such a condition being attached to a decision to grant permission for the proposed LRD, should the Planning Authority be minded to do so, and it is respectfully suggested that such a condition may be worded as follows:

“In lieu of the provision of community floorspace as referenced in the 2022-2028 South Dublin County Development Plan in relation to same, the developer(s) shall pay to the Planning Authority a financial contribution of €534,616.20 towards the delivery of a new community centre in the area. The financial contribution is in lieu of the provision of community floorspace on-site. REASON: To provide for community floorspace in accordance with Policy COS 3, Objective COS3 Objective 1, Objective 2 and Objective 3 of the South Dublin County Development Plan 2022 – 2028”.

Notwithstanding the above, for the avoidance of doubt and in the interests of clarity, we wish to state the Applicants are fully satisfied to pay a financial contribution in lieu (of €534,616.20) of the provision of community floorspace within the proposed development, to be put towards the cost of providing a community centre in the area, in accordance with the objectives of the South Dublin County Development Plan, 2022-2028, should the Planning Authority require same. The Applicants will adhere to any such condition relating to a financial contribution for community floorspace attached to a forthcoming grant of permission attached to this LRD and **that the payment of such a contribution of €534,616.20 represents the full and final payment of such a contribution in relation to the provision of a community facility for the subject site at Boherboy.**



2.7 Item 8. Phasing

The final application must set out a clear phasing strategy that ensures open spaces are delivered in tandem with each stage of residential development, promoting a balanced and cohesive progression of the site throughout the build-out. The phasing plan shall also be updated to show the timing of the embankment works and the delivery of the northern open space area. The timing for these areas shall be informed by the SSFRA.

Response:

Please refer to section 11 in the enclosed Planning Statement and drawing no. BHBV-MRM-AR-ZZ-DR-P4-XX-XX-0016 “Site Plan – Phasing” which set out that the proposed development will be carried out over three phases and that each phase will include the necessary and associated infrastructure and open spaces. Notably, Phase One will include *inter alia* the delivery of the connections to Carrigmore Park to the northwest, all along the eastern boundary of the site, the delivery of the vehicular connection to Carrigmore to the north, Corbally to the east and the access to serve the proposed 10 houses in the south-eastern corner of the site, and the embankment works proposed on the north-eastern corner of the site, are proposed to be constructed prior to occupation of the adjacent buildings/roads and can be constructed concurrently with any adjacent development, which has been confirmed by Kilgallen & Partners who prepared the submitted Site-Specific Flood Risk Assessment (SSFRA).

2.8 Item 9. Infrastructure and Environmental Services

*The final application must adequately address all concerns raised by the SDCC Water Services Section, as outlined in **Appendix 05** of this report [our emphasis added].*

Note: the remainder of this item is detailed further on under section 2.9.

Response:

In response to the items/matter raised by the SDCC Water Services Section, as outlined in Appendix 05 of the subject LRD Opinion, please note the following:

Section 1.1 - Water services estimate that the proposed surface water attenuation is undersized by between 21% and 82%. The overall attenuation of 4,905m³ for the site is undersized by 41%. The following catchments are estimated to have surface water attenuation undersized as follows: This is based on 1:100 year flood risk event only. (Table not reproduced here).

Response:

Subsequent to the issuing of the LRD opinion, discussions were held between the project Consulting Civil Engineer, Roger Mullarkey & Associates and the Water Services Department to explain and agree the design approach undertaken as part of the proposed development. The conclusion of those discussions was to provide in tabular form the attenuated volume available in each of the S/W catchments. Notwithstanding the provided drainage modelling results, additional storage capacity has been provided on the site to significantly align with the volumes specifically requested by the Water Services Department. Table 3 in the enclosed Drainage & Water Infrastructure Engineering Report summarizes the available attenuated storage volumes in each catchment and Appendix 11.13 provides detail in the determination of same - please refer to same.



Section 1.2 - *Submit a drawing in plan and cross sectional view to show the slope and setback distance between Pumping station and Corbally stream east of same. Is there a 10m setback distance and riparian strip and is there a suitable slope angle not more than 45 degree to base of proposed pumping station.*

Response:

Please refer to the following submitted drawings, prepared by Roger Mullarkey & Associates, Consulting Engineers for details of the pumping station and plan and cross section indicating the requested setback distances

- 1324B/402 "Road and Block Levels – Sheet 2,
- 1324B/410 "Foul Water Drainage – Sheet 2"
- 1324D/421 "Foul Water Drainage – Sheet 3"
- 1324B/417 "Drainage & SuDS Details – Sheet 2"
- 1324B/421 "Foul Pumping Station GA"

Section 1.3 - *Provide tree pits and ensure that tree pits do not have road gullies in front of same because this would prevent surface water reaching same. Also, the surface of tree pits should be lower than the level of the road so that surface water run off can flow to same.*

Response:

Roger Mullarkey & Associates confirm that no gullies are proposed in front of tree pits. Tree pit surfaces have been lowered to promote inflow as agreed by SDCC Water Services Department and are shown in detail on their enclosed drawing no. 1324B/416 "Drainage & SuDS Details – Sheet 2".

Section 1.4 - *Provide SuDS (Sustainable Drainage Systems) such that surface water is conveyed across site on SUDS systems as much as possible.*

Response:

Roger Mullarkey & Associates confirm that a comprehensive SuDS treatment train has been applied across the entire development incorporating permeable paving, tree pits, swales, bio-retention areas, rain garden planters, usage of the central open watercourse, green roofs and landscaped detention basins as agreed with the SDCC Water Services Department.

Section 1.5 - *The setback distance to watercourses are unclear. Submit a drawing to show the setback distance to all water courses. This include watercourses where the setback distance is less than 10m to the top of bank of watercourse/stream.*

Response:

Roger Mullarkey & Associates confirm that the setback distances have been dimensioned on the submitted surface water general arrangement drainage drawing no.s:

- 1324B/404 "Surface Water Drainage - Sheet 1",
- 1324B/405 "Surface Water Drainage - Sheet 2",
- 1324B/406 "Surface Water Drainage - Sheet 3",
- 1324B/407 "Surface Water Drainage – Full Site".



Section 1.6 - *Submit separate drawing showing all setback distance from buildings to all watercourses. If there are areas where stream is less than 10m setback distance this is also to be shown on a drawing with a justification for same for review. Water services look for a 10m setback distance to all water courses.*

Response:

Roger Mullarkey & Associates confirm that the set back to buildings from all watercourses has been shown on the Gannon Landscape Architecture drawing No. 24212_Boherbpy_PA_C_RBZ entitled “*Riparian Buffer Zone*” which is included as part of this LRD planning application – please refer to same.

Section 1.7 - *It is unclear where sections on storage areas are. For example, sections are shown for each storage attenuation area but its is unclear where the storage area is. Submit a drawing showing where all the storage area are and where the sections are that correspond to each storage area.*

Response:

The enclosed drawing no. 1324B/425 “Detention Basin Sections” prepared by Roger Mullarkey & Associates shows the detention basin sections and section marks – please refer to same.

FRA - *Submit a drawing showing the ground levels of proposed pumping station location predevelopment and post development. Show in plan and cross sectional view the levels and setback distance of location of pumping station pre-development and post development and include site location and levels of riparian strip adjacent to Corbally stream pre and post development.*

Response:

A cross-section showing the pumping station relative to the Corbally Stream is shown on the enclosed drawings prepared by Roger Mullarkey & Associates, Consulting Engineers – please refer to same:

- 1324B/402 “Road and Block Levels – Sheet 2,
- 1324B/410 “Foul Water Drainage – Sheet 2”
- 1324B/417 “Drainage & SuDS Details – Sheet 2”
- 1324B/421 “Foul Pumping Station”.

2.9

Item 9. Infrastructure and Environmental Services

*In addition, the applicant must respond in full to the requirements set out in the report submitted by Uisce Éireann, detailed in **Appendix 06**, including the provision of a Confirmation of Feasibility that meets the satisfaction of Uisce Éireann. Addressing these matters in a comprehensive and coordinated manner will be essential to facilitate a full and proper assessment of the proposed development.*

Response:

A “*Confirmation of Feasibility*” (CDS24005491) letter has been obtained from Uisce Éireann (UÉ) and is included in Appendix 11.11 of the enclosed Drainage & Water Infrastructure Engineering Report prepared by Roger Mullarkey & Associates, Consulting Engineers. Also included in Appendix 11.1 is a 2nd “*Confirmation of Feasibility*” letter (Ref. DIV25342) from the Diversions section of UÉ confirming that the build over/near and crossings of the existing water



infrastructure “*can be facilitated*”. A submission of drawings was made, and discussions were held with UÉ based on the current design and subject to a successful planning outcome, at connection application stage any further requirements of UÉ will be ascertained and agreed in advance of construction.

2.10

Item 10. Natural Heritage

The applicant shall address the concerns raised by the SDCC Conservation Officer in the Natural Heritage section of this report. Particular attention should be paid to the hydrogeological assessment, to fully ascertain the subsurface factors governing water volume, water emergence patterns, and water flow/seepage off this sloping site. The final submission should include all relevant and up-to-date environmental and ecological surveys required to facilitate a thorough assessment of the potential impacts on the site's biodiversity and ecological value.

Response:

Scott Cawley are the appointed ecologists for the proposed development and have prepared the submitted Appropriate Assessment Screening Report. In addition, they have also prepared Chapter 5 – “Biodiversity” in the enclosed EIAR, which provides details of all of the ecological surveys carried out on the subject site prior to the submission of this LRD application for permission. Please refer to both documents. Scott Cawley has also liaised with Inland Fisheries Ireland (IFI) and based upon same, the mitigation measures to protect water quality included in the enclosed EIAR address any concerns of IFI.

An EIAR is submitted which provides an assessment of the impacts of the proposed development on soils, hydrology and hydrogeology as well as the landscape – please refer to Chapters 6, 7 and 11 respectively of same for more details.

In addition, DNV has prepared the submitted Hydrological and Hydrogeological Risk Assessment Report which is enclosed as Appendix 6.1 in Volume 3 of the submitted, and we refer the reader to same for full details. The enclosed risk-based hydrological and hydrogeological impact assessment was undertaken to evaluate potential effects of the proposed development on groundwater, surface water, and Natura 2000 sites. The assessment concludes that, with mitigation measures in place, there will be no significant impact on the Kilcullen Groundwater Body (GWB), Dublin GWB, Camac_020 (Corbally Stream, Coldwater Stream, Cooldown Stream), Camac_030, Camac_040, or downstream transitional and coastal waterbodies, including the Liffey Estuary Upper, Liffey Estuary Lower, and Dublin Bay. Furthermore, due to distance downstream, significant dilution, and tidal attenuation, the enclosed report asserts that there will be no adverse effect on any Natura 2000 sites, either individually or in combination with other plans or projects.

The enclosed risk assessment incorporates robust design and mitigation measures, including perimeter drainage, groundwater interception systems, Sustainable Drainage Systems (SuDS), and implementation of a robust Construction Environmental Management Plan (CEMP). These measures will ensure no significant risk to water quality or WFD status during both construction and operational phases. The drainage network will maintain hydrological connectivity, manage approximately 26.07m³/day of shallow groundwater, and support the ecological viability of the translocated wetland. Overall, with these measures in place, the enclosed risk assessment concludes that the proposed development will preserve the hydrogeological regime, minimise flood risk, and ensure sustained baseflow to the translocated wetland.



In relation to the comments received regarding the marsh habitat on site, and subsequent to the receipt of the subject LRD Opinion, the SDCC Heritage Officer met some of the project design team on site (16th July 2025). In response to that on-site meeting, Gannon & Associates Landscape Architects have prepared the submitted “Marsh Translocation Report”, due to the proposal to translocate the existing marsh. The enclosed Marsh Translocation Report outlines the strategy, methodology, and environmental considerations involved in the proposed translocation. It is important to note that translocation is key to preserving the ecological value of the existing marsh, which is currently located within the footprint of the planned development. The information compiled in the Marsh Translocation Report has been drawn from the Boherboy LRD design team, with input from a range of respected disciplines, including ecology, hydrology, landscape architecture, and civil engineering. Their combined expertise has informed a comprehensive approach to translocation that considers habitat integrity, long-term sustainability, and alignment with relevant environmental policy and regulation. The goal is to ensure that the relocated marsh continues to support the same ecological functions, species diversity, and natural processes as the original site. Within the submitted Marsh Translocation Report, details include the step-by-step process for translocation, including site selection criteria, soil and vegetation handling protocols, water management strategies, and post relocation monitoring plans. The report also details anticipated challenges and mitigation responses to reduce potential risks to biodiversity. We refer the reader to same.

The submitted Marsh Translocation Report confirms that a review of Ordnance Survey maps from 1829 to 1900 shows no evidence of historic marshland at the site. The area is consistently depicted as agricultural fields, with no cartographic symbols indicating wetland features. The current marsh aligns with a historic field boundary, suggesting it likely formed more recently due to land use or drainage changes. This supports the conclusion that the marsh is a modern, not historic, environmental feature. By 2009, there is no evidence of Marsh, no darkening that would indicate levels of wetness in the area and no difference in vegetation type. Aerial photographs from 2009 to 2025 show the gradual development of marsh-like features at the site. From 2009 to around 2015, the area resembled surrounding grassland or farmland, with no signs of wetland characteristics. Starting around 2016, signs of poor drainage, darker vegetation, and surface wetness began to appear. These features intensified over time, and by 2020–2025, the imagery provided on pages 4 and 5 of the submitted Marsh Translocation Report reveals a well-defined marsh with dense hydrophilic vegetation and altered land texture. This progression suggests the marsh is a recent development, likely driven by changes in land use, or drainage. The various ecological / habitat surveys carried out on the site, that along with the absence of marsh indicators on historic maps, support the conclusion that the marsh is a recent development rather than a historic site feature.

The proposed development provides for c.3Ha of the site that will be free from development due to environmental sensitivities, including the biodiversity / riparian buffers created along the eastern and western boundaries of the site. The required 10m minimum setbacks from the top of the banks of the stream along these boundaries is adhered to. We confirm that no development will occur within these buffers. In addition, these buffers are not proposed as open space nor are the areas of same used in the calculation of open space in the proposed development. The central hedgerow is also retained. Please refer to the submitted drawing no. 24212_Boherboy_PA_C_RBZ “Riparian Buffer Zone” prepared by Gannon & Associates Landscape Architects which clearly illustrates the aforementioned biodiversity / riparian buffers.



2.11 Item 11. Open Space and Green Infrastructure

The applicant is required to address the issues raised by SDCC's Public Realm Section, as summarised in the Open Space and Green Infrastructure section of this report. Particular attention must be given to the northern portion of the site, where existing access is significantly constrained by embankments and steep gradients, including level differences of up to 3m, which hinder inclusive and universal access. Concerns have also been raised regarding the location of play areas within low-lying sections, specifically relating to their usability and functionality during and after rainfall events. In addition, the final proposal should demonstrate the integration of active play elements that cater to a wider age range, promoting inclusive, long-term use of these recreational spaces. The Public Realm Section remains available for further engagement and is open to offline discussions to assist in resolving these matters and support the refinement of the proposal prior to the submission of the final application.

Response:

We refer the reader to the submitted Statement of Consistency (Section 7.2) which provides details of the proposed development's compliance with relevant policies, objectives, and guidance on open space and accessibility, as set out in Chapters 8 and 12 of the existing South Dublin County Development Plan, 2022-2028.

We refer the reader to the submitted Landscape Design Rationale prepared by Gannon & Associates Landscape Architects which provides details of the proposed play areas, the design of and type of play / equipment being provided in same. In the northern most open space, details and sections of how this space are provided (section 4.3). Section 5.2 of the enclosed Landscape Design Rationale provides details of how this northern most open space will be accessible. The proposed landscaping design has been fully coordinated with the proposed SuDS strategy for the site – refer to section 5.4.

In terms of play the proposed development accommodates 4 no. fitness areas, 16 no. equipped and natural play areas and 10 no. spaces where one can relax and have picnics. Drawing no. 24212_Boherboy_PA_B_PP "Play Provision" by Gannon & Associates provides details of all of the proposed play equipment, what age groups they cater for and where they are to be provided on the site.

Roger Mullarkey & Associates confirm that no gullies are proposed in front of tree pits.

Please refer to all of the above mentioned enclosed documents for full details, as well as the following drawings which provide sections through the site/spaces:

- Drawing No. 24212_Boherboy_PA_B_D01 "Detail Area 1"
- Drawing No. 24212_Boherboy_PA_B_D02 "Detail Area 2"
- Drawing No. 24212_Boherboy_PA_C_CH "Central Hedgerow & Ditch"
- Drawing No. 24212_Boherboy_PA_C_EWH "East & West Hedgerow & Ditch"
- Drawing No. 24212_Boherboy_PA_A_FP "Flooding Plan POS"
- Drawing No. 24212_Boherboy_PA_A_RW "Retaining Wall Locations".



2.12 Item 12. Sustainable Movement (Roads)

Further consideration shall be given to the report provided by the SDCC Roads Department. Particular attention should be given to the Accessibility Audit requested.

Response:

Having read the LRD Opinion and Appendix 8 of same, the following is our response:

O'Herlihy Access Consultancy (OHAC) has prepared the submitted Site Universal Access Statement which confirms that they have been liaising with the design team during the planning stages of this project and are satisfied that the proposed site works will meet the requirements of Part M of the Second Schedule of the Building Regulations and consider a Universal Design Approach looking towards best practice as far as practicable. The enclosed Access Statement also confirms that *inter alia*:

- The various landscaped areas provided throughout the site are designed to meet the guidance in Section 1.1 of TGD M 2022 as far as practicable or exceed it where possible;
- All level access routes throughout the site are design to be no less than 1.5m wide with most areas achieving at least 2m in width;
- Due to the nature of the site, there is a large variation in height from one side of the site to the other. At least 1 No. designated route will be provided through the site that aligns with the requirements of Part M / TGD M 2022 in relation to level, sloped and ramped access to ensure that all users will be able to traverse and access as much of the development as possible;
- As far as practicable level routes have been provided across the site, however, there are a number of sloped areas which have been designed to be as shallow as possible. Gently sloped routes are provided to achieve a gradient of less than 1:20, while still achieving a large width;
- Where gently sloped routes cannot be achieved due to site specific conditions ramps have been provided with a max gradient of 1:12 over a short 2m distance. Where ramps are provided, they will be as shallow as possible and consideration for handrails will be incorporated into the design where it is practicable to do so.

We refer the reader to the enclosed Site Universal Access Statement.

In terms of proposed car parking, we refer the reader to section 7.16 of the submitted Planning Statement and the Traffic and Transport Assessment (section 3.4) for details of the proposed car parking. In summary, 861 no. car parking spaces provided for in a mix of on-street and on-curtilage parking. Parking provision for the houses does not exceed the requirements set out Table 12.26: Maximum Parking Rates (Residential Development)' of South Dublin County Development Plan 2022-2028.

For the proposed 306 no. houses, 584 no. spaces are proposed.

For the 305 no. duplex units and apartments, 270 no. spaces are proposed (c. 1 space per unit).

In total, for the 611 no. residential units proposed, 854 no. spaces are provided, equating to c.1.4 spaces per unit.

Please refer to the submitted MCORM drawing no. BHBV-MRM-AR-ZZ-DR-P4-XX-XX-0018 "Taking In Charge" for details of the areas of the proposed development that are proposed to be taken in charge upon completion and those areas that will be in the charge of a management company.

Pinnacle Consulting Engineers have prepared the submitted Construction Management Traffic Plan – please refer to same. Please also refer to the submitted public lighting plans and details prepared by Fallon Design.



2.13 Item 13. Environmental Considerations

An EIAR, AA screening assessment, and NIS, if required, shall be submitted with the final application, along with all relevant and up-to-date environmental and ecological surveys required.

Response:

This LRD Planning Application includes an Environmental Impact Assessment (EIAR) and an Appropriate Assessment Screening Report which confirms that a Natura Impact Statement (NIS) is not required. Within the submitted EIAR, Chapter 5 of same “Biodiversity” provides details of all of the ecological surveys undertaken on the subject site prior to the lodgement of this application for permission – please refer to all of the aforementioned enclosures.

2.14 The LRD Opinion also notes that prior to commencement the following ought to be addressed:

- *Public Lighting Design*
- *Taking In Charge*
- *Construction Traffic Management Plan*
- *Community Space – Contribution in-lieu*

Response:

We confirm that the following required documents are also enclosed as part of this LRD planning application:

- **Public Lighting Design** – refer to the submitted plans and details prepared by Fallon Design.
- **Taking In Charge** - refer to the submitted MCORM drawing no. BHBV-MRM-AR-ZZ-DR-P4-XX-XX-0018 “Taking In Charge” for details of the areas of the proposed development that are proposed to be taken in charge upon completion and those areas that will be in the charge of a management company.
- **Construction Traffic Management Plan** - Pinnacle Consulting Engineers have prepared the submitted Construction Management Traffic Plan – please refer to same.
- **Community Space – Contribution in-lieu** – refer to the preceding section 2.14 (Item 7. Community Infrastructure) and to section 7.15 “Community Facilities” in the enclosed Planning Statement for full details of the Applicants’ intention to pay a development contribution in lieu of the provision of community infrastructure on site.



2.15 Throughout the LRD opinion there are various mentions of information to be submitted as part of the “**final application**”. In response to same, the following (set out in no particular order) sets out a summary of how this LRD planning application is addressing / satisfying the relevant points raised, that have not already been addressed above:

- *Roof space in the dwellings to be designed to accommodate future conversion to habitable accommodation*

Response:

Please refer to the submitted Architectural & Urban Design Statement prepared by MCORM & Davey + Smith Architects which illustrate samples of how (a) the principles of universal design and (b) how the attic space can be converted into habitable space in the future, if required. We also refer to the submitted plans of the proposed house types which illustrate which unit types may have their attic space converted in the future.

- *In relation to flood risk, the report also requests a drawing showing ground levels at the location of the proposed pumping station, both pre- and post-development. This drawing should include plan and cross-sectional views illustrating levels, slope gradients, and the setback distance to Corbally Stream, along with the existing and proposed levels of the adjacent riparian strip. These requirements (refer to Appendix 05) should be clearly addressed and integrated into the **final application** documentation*

Response:

Please refer to the following submitted drawings, prepared by Roger Mullarkey & Associates, Consulting Engineers for details of the pumping station and plan and cross section indicating the requested setback distances

- 1324B/402 “Road and Block Levels – Sheet 2,
- 1324B/410 “Foul Water Drainage – Sheet 2”
- 1324D/421 “Foul Water Drainage – Sheet 3”
- 1324B/417 “Drainage & SuDS Details – Sheet 2”
- 1324B/421 “Foul Pumping Station GA”

Furthermore, section 5.4 of the submitted Site Specific Flood Risk Assessment (SSFRA) states that “*The stream was found to overtop its western bank at the northeast corner of the Site, with the resulting overflow continuing downhill as sheet flow (i.e. shallow overland flow) and flowing back into the stream channel slightly further downstream. Further upstream, peak water levels were found to be close to the bank levels to the point where appropriate freeboard was not being provided.*

To provide this freeboard generally the finished level adjacent to the stream has been raised along the eastern boundary as shown in Figure 5.5 to provide a minimum 750mm freeboard above the 1% AEP water level in the stream.

This measure also eliminates the risk of overland flow at the northeast corner, ensuring that flow remains within the channel through this area. Sections showing the 1% AEP flow levels at the east boundary are provided in Figure 5-6. The proposed pump station location was within this overland flow area, with the proposed embankment that is no longer the case, and the proposed pump station location is protected by the embankment and is no longer within an overland flow area”.



- *The final application must clearly demonstrate full compliance with the relevant policies, objectives, and guidance on open space and accessibility, as set out in Chapters 8 and 12 of the CDP.*

Response:

Please refer to the submitted Statement of Consistency and section 7.2 of same for details of how the proposed development is complying with the relevant policies, objectives, and guidance on open space and accessibility, as set out in Chapters 8 and 12 of the CDP.

- *The Public Realm section has also observed that the northern open space area is expected to accommodate surface water during a 1-in-100-year storm event. The final application must include clear and detailed information illustrating this flood risk, including how it will be managed. The implications for the usability of this space, particularly during and after such events, should be carefully considered and addressed within the landscape design strategy.*

Response:

We refer the reader to section 4.3 of the submitted Landscape Design Rationale prepared by Gannon & Associates, Landscape Architects, as well as their submitted drawing no. 24212_Boherboy_PA_B_D02 "Detail Area 2" which provide details of the levels and usability of the northern most open space.

- *The final application should explicitly address and reflect the RES-N zoning objectives, the applicant should review the recent An Bord Pleanála decision relating to the Oldcourt LRD application (LRD24A/0007) for context.*

Response:

Refer to section 7.2.3 of the submitted Statement of Consistency and section 4.1.3 of the submitted Planning Statement for details of the proposed development's compliance with the current land use zoning objective "RES-N" attached to the site and the now expired Fortunestown Local Area Plan, 2012.

- *Details on the proposed diversion of overhead pylons must be included in the submission.*

Response:

Please refer to the enclosed Utility Report and drawing no. 3357-ENX-XXXX-XX-DR-E01-006004 "Site Services Layouts – Electrical ESB Layout" prepared by ENX.

- *It is important to note that, as part of the Strategic Housing Development (SHD) application currently under consideration by An Bord Pleanála, Inland Fisheries Ireland (IFI) has provided the following comment: "Fish recorded on-site in Corbally Stream. Construction process must protect fish, and water should not be discharged into stream during construction." This issue must be comprehensively addressed by the applicant within the EIAR and any other relevant documentation submitted as part of the final application. It is also advised that the applicant liaise directly with the IFI.*

Response:

Scott Cawley, the project ecologists, confirm in their Biodiversity Chapter of the EIAR (Chapter 5) that they have consulted with Inland Fisheries Ireland (IFI). They confirm that white clawed crayfish and brown trout are known to be present in the downstream environment in the River Camac.



In relation to fauna surveys undertaken (section 5.2.4.2 of Chapter 5 of the EIAR), Scott Cawley confirm that “White-clawed crayfish (*Austropotamobius pallipes*) surveys were undertaken at the aquatic survey sites on the 26th July 2023 by Scott Cawley Ltd. ecologists under the NPWS licences C01/2023 and C02/2023 to capture and release crayfish to their site of capture, under condition no. 5 of the licence. As per Inland Fisheries Ireland recommendations, the crayfish licence sampling started at the uppermost site of the survey area to minimise the risk of transfer invasive propagules (including crayfish plague) in an upstream direction. Hand-searching of instream refugia and sweep netting was undertaken according to Reynolds et al. (2010). Trapping of crayfish was not feasible given the small nature of the watercourses surveyed. An appraisal of white-clawed crayfish habitat at each site was conducted based on physical channel attributes. Additionally, a desktop review of crayfish records within the wider survey area was undertaken. A subsequent survey was undertaken conducted on the 9th July 2025 by suitably licensed Scott Cawley Ltd. ecologists following the methodology described above”.

Section 5.3.4 of the EIAR Biodiversity Chapter provides details of the existing and receiving environment (Baseline Situation) and states the following in relation to Crayfish:

“One record for freshwater white-clawed crayfish *Austropotamobius pallipes* within c. 2km of the proposed development site from 2013. This record was located c. 1.2km west of the proposed development, along the Camac River. The record was located c. 2.5km upstream of the confluence of the Camac and the Corbally Stream. The proposed development site is therefore hydrologically connected to white-clawed crayfish habitat.

The Corbally Stream within the proposed development provides limited suitable habitat for white-clawed crayfish, with limited rocks present instream, and heavily silted and muddy substratum for the majority of its length within the proposed development site. There is a higher cover of stones at the southern part of the site (sampling site 1), which is more suitable habitat for white-clawed crayfish than elsewhere within the site, as they require a high cover of cobbles and gravel. However, the shallow nature of the stream (approximately 10-30cm maximum depth), and evidence of cattle poaching and dumping in-stream greatly reduces the suitability of the watercourse for white-clawed crayfish. Furthermore, the Corbally stream is culverted immediately north of the proposed development. The results of the hand-searches confirmed white-clawed crayfish are absent from the Corbally Stream within the proposed development site.

The closest river station to the proposed development is along the Camac River, located c. 3km downstream of the site, and has ‘moderate’ ecological status or potential, however is ‘at risk’ of not achieving good water quality status. The most recent EPA risk score for the Corbally Stream was ‘at risk’ from 2021. The results of the SSRS from the Corbally Stream in 2025 indicated that the watercourse within the site is ‘at risk’, with a low diversity of macroinvertebrates recorded at sampling sites 2 and 3 (Appendix 5.5). There was a higher macroinvertebrate diversity sampled at sampling site 1, with an SSR score indicating that the stream is ‘Probably not at risk’, indicating that water quality upstream is of better quality. It is likely that nutrient input from the site’s agricultural use impacts the change in water quality on site.

It is unlikely that the Corbally, Coldwater and Cooldown Streams within the proposed development would support white-clawed crayfish populations given the survey results from the Corbally Stream, the lack of suitable refugia and poor ecological status of the watercourses on the site.

Nevertheless, as the proposed development is connected hydrologically to white-clawed crayfish habitat and due to the presence of downstream records of the species within c. 2km, the white-clawed crayfish is of local importance (higher value) and is included as a KER” [our emphasis added].

In terms of the potential impacts of the proposed development, at construction stage, section 5.5.1 of the Biodiversity Chapter states that “White-clawed crayfish were not identified within the proposed development site during aquatic surveys in July 2023, however the NBDC database search identified records within c. 2km of the proposed development site. Whilst the habitat within the site is deemed unsuitable for this species, an accidental pollution event resulting in degradation of water quality downstream to areas of suitable habitat, could result in a significant effect on white-clawed crayfish at a local geographic scale”.



Section 5.6 “Avoidance, Remedial & Mitigation Measures” and particularly section 5.6.1 “Construction Phase” provides mitigation measures for habitats during construction stage and states that *“the mitigation measures as described above in Section 5.6.1 to protect water quality within the local receiving environment, will also mitigate for habitat degradation impacts on white-clawed crayfish”*.

The Biodiversity Chapter states that assuming the full and successful implementation of the mitigation measures outlined within this Chapter, no residual impacts are predicted on white-clawed crayfish. The Chapter concludes that *“The proposed development does have the potential to result in significant negative effects on habitats, birds, white-clawed crayfish, amphibians and bats at local geographic levels and on otter at a county geographic scale prior to mitigation. Following the implementation of mitigation measures, no residual impacts on any key ecological receptors is predicted”*.

We refer the reader to Chapter 5 “Biodiversity” of the submitted EIAR for full details.

3.0 Conclusion

3.1 It is considered that the LRD planning application now submitted to South Dublin County Council for assessment appropriately addresses all the issues raised in the SDCC LRD Opinion (Ref. LRDOP003/25) and contains all of the requested items of specific information as appropriate.

3.2 Having regard to relevant national, regional, and local planning policy, the zoning objectives attached to the site and the contextual location of the site, the development now put forward for permission is considered to represent a sustainable development and efficient use of zoned lands for new residential development, and therefore we request that the permission being sought is granted.

Yours sincerely,

Tracy Armstrong, BA, MRUP, MIPI, MRTPI
Managing Director
Armstrong Fenton Associates.

