

# **Ballycullen - Oldcourt Draft Local Area Plan**

## **Manager's Report on Submissions Received on Proposed Material Alterations to Draft Local Area Plan**

## 1.0 Introduction

The purpose of this Manager's Report is to present the outcome of the recent public consultation programme carried out on the proposed Material Alterations to the Ballycullen – Oldcourt Draft Local Area Plan, to respond to submissions made during the consultation period and to make recommendations in relation to the proposed Material Alterations where appropriate. Consultation on the proposed Material Alterations comprised a third and final stage in the making of the Ballycullen - Oldcourt Local Area Plan having previously gone through pre-draft consultation and draft plan consultation.

### 1.1 Environmental Report

An Environmental Report that assesses the recommendations of the Manager in relation to the proposed Material Alterations (i.e. this Document) has been prepared separately and accompanies this Report. The Environmental Report also includes summaries of the environmental issues raised under the submissions on the Material Alterations together with responses.

### 1.2 Appropriate Assessment Report

A screening report on the Manager's Responses to the proposed Material Alterations for Appropriate Assessment as required under the EU Habitats Directive 92/43/EEC has also been undertaken and prepared as a separate Report that accompanies this Document.

### 1.3 Outline of Public Consultation at Pre-Draft and Draft Stages

A pre-draft consultation programme undertaken prior to the preparation of the Draft Ballycullen - Oldcourt Local Area Plan was carried out between April and May 2013.

Taking the pre-draft submissions and feedback into consideration, the Draft Ballycullen – Oldcourt Local Area Plan (LAP) was prepared and then placed on public display between October and November 2013. The public consultation programme took place over a six week period during which time information on the Draft LAP and environmental reports (SEA and Appropriate Assessment) was disseminated and submissions were invited. The total number of people that attended one-to-one public information sessions under the Draft Plan consultation programme came to 107. The number of submissions that were received came to 186.

### 1.4 Outline of Public Consultation on Proposed Material Alterations

At a Special Meeting of South Dublin County Council on the 28<sup>th</sup> of January, 2014, the Council resolved to make Material Alterations to the Draft Ballycullen Oldcourt Local Area Plan as follows:

- i) **Deletion of Objective SSP35 (Stocking Wood Permeability) resulting in the removal of the vehicular and pedestrian/cyclist access between Stocking Wood Drive and the lands zoned for new residential communities to the south.**
- ii) **Amend Section 5.4.8, Objective LUD12 and Objective SSP15 (School Provision) to increase the Oldcourt/Gunny Hill school site (south of OLDCOURT ROAD and west of HUNTER'S WOOD) by approximately 1.2 acres to allow for two primary schools on the site i.e. the provision of a third school on the Plan Lands. This was accompanied by a map outlining two alternative sites A & B, adjoining the school site.**

The public consultation programme for the proposed Material Alterations took place over a four week period between the 13<sup>th</sup> of February 2014 and the 13<sup>th</sup> of March 2014 as follows:

- Notifications of the display of the proposed Material Alterations and accompanying Environmental Reports for the purpose of public consultation were placed both in the *Irish Times* and in the *Tallaght Echo* on the 13<sup>th</sup> of February 2013. The notifications included an invite for submissions.
- Letters that provided further notification of the display of the proposed Material Alterations and an invitation for submissions were posted to, inter alia, the Minister for the Environment, Community and Local Government; public sector agencies; non

governmental agencies; and a variety of stakeholders including local residents' groups, local community groups and commercial and business interests within the area. This included those that made submissions during the pre-draft and draft consultation programmes, all South Dublin County Council Elected Members and prescribed bodies.

- Copies of the Material Alterations (in CD format) were sent to all South Dublin County Council Elected Representatives and prescribed bodies.
- Permanent information displays together with details of the proposed Material Alterations (Material Alterations document) and accompanying Environmental Reports were placed in County Hall Tallaght, County Library Tallaght and in the Park Community Centre.
- The Material Alterations document, the SEA Environmental Report and the Appropriate Assessment Screening Report documents were also placed on the Council's website. Information on the Material Alterations consultation programme together with an invitation for submissions and a press release was placed on the South Dublin County Council website. Details were also placed on the Council's Facebook and Twitter pages with updates.
- Council staff were available to answer queries on a one-to-one basis at County Hall Tallaght every Wednesday afternoon during the consultation period on the proposed Material Alterations. Direct contact information for making additional queries during the consultation period was provided on public notices and letters.

## 2.0 Outcome of Consultation Programme on Proposed Material Alterations

The number of submissions that were received during the prescribed public consultation period on the proposed Material Alterations came to 153. One such submission included an attachment of 18 identical letters signed by members of the public. An additional 7 late submission were received.

A list of all the persons/bodies that made submissions within the prescribed public consultation period is provided in Table 1 below together with a reference number that can be clicked as a link (on electronic copies of this Manager's Report) to a database containing scanned or uploaded copies of each submission. For reasons of data protection, these links can only be accessed by Elected Members of South Dublin County Council. Full summaries of the issues raised in the submissions are provided further below.

**TABLE1: PERSONS/BODIES THAT MADE SUBMISSIONS**

Person	Company/Body ( if applicable)	Body/Person Represented (if applicable)	Reference
Shai Meyer			<a href="#">BOLAPMA0001</a>
Raymond O'Malley	Kieran O'Malley & Co. Ltd, Town Planning Consultants	Ballyboden St.Endas GAA Camogie & Ladies Football Club.	<a href="#">BOLAPMA0002</a>
Michael McCormack	National Roads Authority		<a href="#">BOLAPMA0003</a>
Fiona Hanaphy			<a href="#">BOLAPMA0004</a>
Cian O'Mahony	Environmental Protection Agency		<a href="#">BOLAPMA0005</a>
Caitríona Ní Mhurchú			<a href="#">BOLAPMA0006</a>
Julie Tyrrell			<a href="#">BOLAPMA0007</a>
Ivers Desilva			<a href="#">BOLAPMA0008</a>
Aisling Breathnach			<a href="#">BOLAPMA0009</a>
Michael Tolan			<a href="#">BOLAPMA0010</a>
Kim Tyrrell			<a href="#">BOLAPMA0011</a>
Melissa Lawlor			<a href="#">BOLAPMA0012</a>
Joanna Uí Chúláin			<a href="#">BOLAPMA0013</a>
Deirdre Forrest	Irish Aviation Authority		<a href="#">BOLAPMA0014</a>
Clodagh O'Griofa			<a href="#">BOLAPMA0015</a>
Ciaran Fortune			<a href="#">BOLAPMA0016</a>
Aidan Colreavy			<a href="#">BOLAPMA0017</a>
Paula Bates			<a href="#">BOLAPMA0018</a>
Georgina Bateman			<a href="#">BOLAPMA0019</a>
Kieran Browne			<a href="#">BOLAPMA0020</a>
Donal McGrath			<a href="#">BOLAPMA0021</a>
Rebecca Cooley			<a href="#">BOLAPMA0022</a>
Fiona Bean Uí Chadhla			<a href="#">BOLAPMA0023</a>
Seán Ó Cadhla			<a href="#">BOLAPMA0024</a>
Laura Campbell			<a href="#">BOLAPMA0025</a>
Sean O'Griofa			<a href="#">BOLAPMA0026</a>
Henry O'Reilly			<a href="#">BOLAPMA0027</a>
Tony O'Grady			<a href="#">BOLAPMA0028</a>
Ruth Meehan			<a href="#">BOLAPMA0029</a>
Michael Mackey	Department of Agriculture, Food and the Marine		<a href="#">BOLAPMA0030</a>
Ruth Cooley			<a href="#">BOLAPMA0031</a>
Sinéad Curley			<a href="#">BOLAPMA0032</a>
Daithí Mac Lochlainn			<a href="#">BOLAPMA0033</a>
John Cronin			<a href="#">BOLAPMA0034</a>
Nicola Lundberg			<a href="#">BOLAPMA0035</a>
Debbie McCoy			<a href="#">BOLAPMA0036</a>
Dónal Ó Muircheartaigh			<a href="#">BOLAPMA0037</a>
Yvonne Dalton	Dublin Airport Authority plc		<a href="#">BOLAPMA0038</a>
Rachel Uí Mhuircheartaigh			<a href="#">BOLAPMA0039</a>
Eva Farrell			<a href="#">BOLAPMA0040</a>
David McCoy			<a href="#">BOLAPMA0041</a>
Sean Forde			<a href="#">BOLAPMA0042</a>
Carlos G. Egerton			<a href="#">BOLAPMA0043</a>
David McCrossan			<a href="#">BOLAPMA0044</a>

Audrai Nic Lochlainn			<a href="#">BOLAPMA0045</a>
Olivia Hassett			<a href="#">BOLAPMA0046</a>
Theresa Lynch			<a href="#">BOLAPMA0047</a>
Roberta McCrossan			<a href="#">BOLAPMA0048</a>
Jennifer McCormack			<a href="#">BOLAPMA0049</a>
Catherine Joyce			<a href="#">BOLAPMA0050</a>
John Egan			<a href="#">BOLAPMA0051</a>
Keith Barry			<a href="#">BOLAPMA0052</a>
Alan Divan			<a href="#">BOLAPMA0053</a>
David Daly			<a href="#">BOLAPMA0054</a>
Ian Grimson			<a href="#">BOLAPMA0055</a>
Valerie Hewson			<a href="#">BOLAPMA0056</a>
Karen Duggan			<a href="#">BOLAPMA0057</a>
Cathy Murray			<a href="#">BOLAPMA0058</a>
Susan Disein			<a href="#">BOLAPMA0059</a>
Ann-Marie Caden			<a href="#">BOLAPMA0060</a>
SP Leahy			<a href="#">BOLAPMA0061</a>
Vanessa Goldwater			<a href="#">BOLAPMA0062</a>
Jim Browne			<a href="#">BOLAPMA0063</a>
Bing Bing Wang			<a href="#">BOLAPMA0064</a>
Ben Wang			<a href="#">BOLAPMA0065</a>
Sandys Rusike			<a href="#">BOLAPMA0066</a>
Celine Conway Wisely			<a href="#">BOLAPMA0067</a>
Maurice Mahon			<a href="#">BOLAPMA0068</a>
Chun Lin Luo			<a href="#">BOLAPMA0069</a>
Stephen Callaghan			<a href="#">BOLAPMA0070</a>
Oisín Murphy			<a href="#">BOLAPMA0071</a>
Aoife Murray			<a href="#">BOLAPMA0072</a>
Anne Doyle			<a href="#">BOLAPMA0073</a>
Mary Glynn			<a href="#">BOLAPMA0074</a>
Brendan Glynn			<a href="#">BOLAPMA0075</a>
Mrs Danli			<a href="#">BOLAPMA0076</a>
Colum Reade			<a href="#">BOLAPMA0077</a>
David Murray			<a href="#">BOLAPMA0078</a>
Clare Connolly	The Department of Education and Skills, Forward Planning Section		<a href="#">BOLAPMA0079</a>
Anne Katrin Bohlig			<a href="#">BOLAPMA0080</a>
Denise McGhee			<a href="#">BOLAPMA0081</a>
Michelle Connellan			<a href="#">BOLAPMA0082</a>
Carla mc Elwee			<a href="#">BOLAPMA0083</a>
Sarah Finneran			<a href="#">BOLAPMA0084</a>
Éamonn Young			<a href="#">BOLAPMA0085</a>
Hazel Walshe			<a href="#">BOLAPMA0086</a>
Linda Cunningham			<a href="#">BOLAPMA0087</a>
Ciara Hennessy			<a href="#">BOLAPMA0088</a>
Ciara McKenna			<a href="#">BOLAPMA0089</a>
Jonathan Lundberg			<a href="#">BOLAPMA0090</a>
Cumann Tuismitheoirí Gaelscoil na Giúise			<a href="#">BOLAPMA0091</a>
Sarah Conroy			<a href="#">BOLAPMA0092</a>
Hugh Creegan	National Transport Authority		<a href="#">BOLAPMA0093</a>
Bord Bainistíochta Gaelscoil na Giúise			<a href="#">BOLAPMA0094</a>
Patrick O'Sullivan	Department of Environment, Community and Local Government	Minister for Environment, Community and Local Government	<a href="#">BOLAPMA0095</a>
Geraldine Mahon			<a href="#">BOLAPMA0096</a>
Anne Marie Aarlit Jensen			<a href="#">BOLAPMA0097</a>
Sinead Nugent			<a href="#">BOLAPMA0098</a>
Michael Kinsella			<a href="#">BOLAPMA0099</a>
Neil Brennan			<a href="#">BOLAPMA0100</a>
Sinead Fitzgerald			<a href="#">BOLAPMA0101</a>
Frank Columb			<a href="#">BOLAPMA0102</a>
Rita Kelly			<a href="#">BOLAPMA0103</a>
Declan Burke, CEng MIEI, MIGEM	Bord Gáis Networks		<a href="#">BOLAPMA0104</a>
Lisa McCarthy			<a href="#">BOLAPMA0105</a>

Una Uí Aonghusa			<a href="#">BOLAPMA0106</a>
Shane Devlin			<a href="#">BOLAPMA0107</a>
Yvonne Glavey			<a href="#">BOLAPMA0108</a>
Fionnuala Ní Riain		Coisde na dTuistí, Gaelscoil na Giúise	<a href="#">BOLAPMA0109</a>
Miriam Sharkey		Shane & Olive Kenna, Breda Corrigan Des Snr, Des Jnr, Alec, Ruth, Sean Leeanne, Paul, Elizabeth & Stephen Sharkey, Ayelet Lalor-Sharkey, J Keeley, Frances O'Keeffe, Ann Aherne, Olive Kenna, Ailish & Fergus & Breda Curran	<a href="#">BOLAPMA0110</a>
Mary Doyle			<a href="#">BOLAPMA0111</a>
Debbie Byrne			<a href="#">BOLAPMA0112</a>
Trevor Sadler	McGill Planning Ltd, Chartered Town Planners	Ballycullen Limited Partnership	<a href="#">BOLAPMA0113</a>
Peter Dwan			<a href="#">BOLAPMA0114</a>
Dorota Orłowska			<a href="#">BOLAPMA0115</a>
Sinead O'Connor	Ryan Nowlan Consulting	Simon Davidson and Michael Coyle, HWBC Allsop	<a href="#">BOLAPMA0116</a>
Triona Ní Léanacháin			<a href="#">BOLAPMA0117</a>
Ruairi Campbell			<a href="#">BOLAPMA0118</a>
Iseult Clark			<a href="#">BOLAPMA0119</a>
Sean Byrne			<a href="#">BOLAPMA0120</a>
Paul Nolan			<a href="#">BOLAPMA0121</a>
Ann Cullen			<a href="#">BOLAPMA0122</a>
Dr Declan Fahie	Board of Management of Firhouse Educate Together		<a href="#">BOLAPMA0123</a>
Shirley Crosbie	OPW		<a href="#">BOLAPMA0124</a>
Seamus Carty			<a href="#">BOLAPMA0125</a>
Mary Burke			<a href="#">BOLAPMA0126</a>
Mary Burke		Patrick Burke	<a href="#">BOLAPMA0127</a>
Mary Burke		John Burke	<a href="#">BOLAPMA0128</a>
Sharon Ni Nialliús			<a href="#">BOLAPMA0129</a>
Seán Glavey			<a href="#">BOLAPMA0130</a>
Zuzana Rajtarova			<a href="#">BOLAPMA0131</a>
Colin Doherty			<a href="#">BOLAPMA0132</a>
Rachel Freeman			<a href="#">BOLAPMA0133</a>
Natalya Solovyeva			<a href="#">BOLAPMA0134</a>
James Robertson			<a href="#">BOLAPMA0135</a>
Allister Gerrard			<a href="#">BOLAPMA0136</a>
Patricia McManus			<a href="#">BOLAPMA0137</a>
Heidi McWeeney			<a href="#">BOLAPMA0138</a>
Rosemarie Lalor			<a href="#">BOLAPMA0139</a>
Edmund Lalor			<a href="#">BOLAPMA0140</a>
Emmett O'Brien			<a href="#">BOLAPMA0141</a>
Rachel Byrne			<a href="#">BOLAPMA0142</a>
Kate Soloviena			<a href="#">BOLAPMA0143</a>
Maura Tarrant			<a href="#">BOLAPMA0144</a>
Brian Buckley			<a href="#">BOLAPMA0145</a>
Laura Flynn			<a href="#">BOLAPMA0146</a>
Sean Goan			<a href="#">BOLAPMA0147</a>
David Delaney			<a href="#">BOLAPMA0148</a>
Sharon Delaney			<a href="#">BOLAPMA0149</a>
Margaret McKeon			<a href="#">BOLAPMA0150</a>
Cllr. Brian Lawlor		Paul Campbell	<a href="#">BOLAPMA0151</a>
Cllr. Brian Lawlor			<a href="#">BOLAPMA0152</a>
Mary Burke		Patrick Burke	<a href="#">BOLAPMA0153</a>

## 2.1 Issues Raised under Submissions

The two Material Alterations proposed at the January 2014 Special Meeting of the County Council affect six sections/maps of the Draft Local Area Plan. The effect on each of the six section/maps was detailed in the Material Alterations document placed on public display together with a reference number for each section/map affected.

Two of the sections/maps affected (Material Alteration Doc. Ref Nos. PA02 & PA06) relate to the proposal to remove vehicular, pedestrian and cyclist through access between Stocking

Wood Drive and lands zoned for new residential communities to the south (Material Alteration 1). Three of the sections/maps affected (Material Alteration Doc. Ref Nos. PA01, PA04 & PA05) relate to the proposed additional school site at Gunny Hill/Oldcourt Lane (Material Alteration 2). Alteration Ref. No. PA03 relates to Fig 5.3 of the Draft LAP (Land Use and Density Strategy), which is affected by both of the proposed Material Alterations.

All 153 of the submissions received by the Council during the prescribed public consultation time period were read, analysed and summarised. Issues raised in each of the summaries were distilled and collated under an issue heading. A total of 50 issues were identified of which 28 related to the proposed Material Alterations.

Other issues related to Strategic Environmental Assessment of the Material Alterations, acknowledgement of receipt of an invite for submissions and issues that were not subject to the proposed Material Alterations.

Table 2 below details the number of times that issues were raised in relation to (inter alia) the proposed Material Alterations.

**TABLE 2: Breakdown of Issues Raised Under Written Submissions**

<b>Proposed Material Alteration/Issue</b>	<b>Number of Times Issue Raised under Heading</b>	<b>% of Issues Raised under Headings</b>
Material Alteration 1 - Stocking Wood Permeability	8	16%
Material Alteration 2 - Proposed Additional School Site	20	40%
Strategic Environmental Assessment (SEA)	2	4%
Acknowledgement of Receipt of Invite for Submissions	3	6%
Issues not subject to proposed Material Alterations	17	34%

Full summaries of each of the issues raised in relation to the Material Alterations and Strategic Environmental Assessment are set out below together with the corresponding opinions and recommendations of the Manager. Issues raised that were not subject to the proposed Material Alterations are summarised in Appendix 1.

### 3.0 Summaries, Responses and Recommendations

This section presents a summary of each of the issues raised by those that made submissions, the responses of the Manager and recommendations in relation to the proposed Material Alteration. These are collated under the relevant headings to which each issue relates. The Manager's proposed amendments to Material Alterations are identified as follows:

- Proposed alterations involving additional text are shown in **green**.
- Proposed alterations involving deletion of text are shown in **red-strikethrough**.

Each of the issues listed includes a submission reference that can be clicked as a link (on electronic copies of this Manager's Report) to a database containing scanned copies of each submission. For reasons of data protection, these links can only be accessed by Elected Members of South Dublin County Council.

The responses of the Manager have been framed taking account of the statutory obligations of the local authority, relevant Government and Ministerial guidelines and the proper planning and sustainable development of the area.

#### 3.1 MATERIAL ALTERATION 1 - Stocking Wood Permeability (MA Ref. PA02, PA03 & PA06)

##### Summary of Issues

- Stocking Wood Resident supports deletion of SSP35 (Stocking Wood Permeability) and the subsequent removal of vehicular, pedestrian and cyclist access between Stocking Wood Drive and lands zoned for new residential communities to the south. ([Kieran Browne](#))
- Stocking Wood Resident supports deletion of SSP35 (Stocking Wood Permeability) and the subsequent removal of vehicular, pedestrian and cyclist access between Stocking Wood Drive and lands zoned for new residential communities to the south. ([Henry O'Reilly](#) [Sinéad Curley](#) [Stephen Callaghan](#) [Jennifer McCormack](#) [Oisin Murphy](#) [Aoife Murray](#) [Anne Doyle](#) [Catherine Joyce](#) [Mary Glynn](#) [Brendan Glynn](#) [John Egan](#) [Danli Keith Barry](#) [Colum Reade](#) [Alan Divan](#) [David Daly](#) [Ian Grimson](#) [Valerie Hewson](#) [Sandys Rusike](#) [Karen Duggan](#) [Ben Wang](#) [Cathy Murray](#) [Celine Conway](#) [Wisely Maurice Mahon](#) [Susan Disein](#) [Ann-Marie Caden](#) [SP Leahy](#) [Vanessa Goldwater](#) [Jim Browne](#) [Bing Bing Wang](#) [Chun Lin Luo](#) [Geraldine Mahon](#) [Lisa McCarthy](#) [Maura Tarrant](#))
- The National Transport Authority does not support the proposal to entirely remove the link with Stocking Wood Drive for all modes of transport. It is recommended that a link for pedestrians and cyclists only be inserted into the plan. ([Hugh Creegan](#))
- The decision to omit pedestrian and cyclist access is contrary to the Section 28 Local Area Plan Guidelines and the Design Manual for Urban Roads and Streets. ([Department of Environment, Community and Local Government](#))
- Submission on behalf of owners of lands zoned for new residential communities to the south of Stocking Wood (Ballycullen Partnership Lands) advise that the development strategy for the overall Stocking Wood and Ballycullen Lands as originally set down on the Ballycullen – Oldcourt Action Area Plan (2000) provided common access through the lands from several points along Stocking Avenue and it was never intended that stand-alone isolated residential estates would be developed. It was intended to provide for a fully integrated new residential community with high levels of permeability in all directions by a range of modes of transport including foot, cycle and car. Multiple links in a north-south configuration was particularly important given the need to provide short convenient routes to public transport and Stocking Avenue to the north. The original Stocking Wood Development granted in September 2005 (SD04A/0393) clearly indicated that future access to the residential lands to the south would be facilitated and this was reflected in the conditions attached to the permission. Subsequent permissions to alter the Stocking Wood Development (SD05A/1013 & SD08A/105) and for residential development on the Ballycullen Partnership Lands (SD07A/1035) also provides for these accesses. The claim that the Stocking Wood estate was designed as a stand alone estate is incorrect and this was reflected in the Draft Ballycullen – Oldcourt Local Area Plan, which reflected and reconfirmed the past 14 years of planning policy for the area and the planning permissions in place to provide access from the Ballycullen Partnership Lands through Stocking Wood. ([Ballycullen Limited Partnership](#))



- Access from the Ballycullen Partnership Lands through the Stocking Wood Estate is the subject of a Deed of Grant of Easement dated February 2006 and the owners of the Ballycullen Partnership lands entered into a legal agreement with the owners and developers of Stocking Wood to access Stocking Avenue through Stocking Wood. This is confirmed in an attached letter and map from legal representatives. The map provides for vehicular access between the Ballycullen Partnership Lands and Stocking Avenue via Stocking Wood Drive and Stocking Wood Copse. It is submitted that this map formed part of the contract of sale for the Ballycullen Partnership Lands and a Deed of Easement provides a right of access. ([Ballycullen Limited Partnership](#))
- Providing permeability through Stocking Wood will allow the Ballycullen Partnership Lands to be developed in accordance with local and national policy with regards sustainable residential and design and place making as set out under the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), the Design Manual for Urban Roads and Streets (2013) and Smarter Travel (2009), which all promote permeability between residential estates in order to maximise accessibility to local services, open space and public transport. This was reflected in the Accessibility and Movement Strategy of the Draft Ballycullen – Oldcourt Local Area Plan. ([Ballycullen Limited Partnership](#))
- The Ballycullen Partnership Lands run some 800 metres from east to west and the provision of two access points would result in the isolation of dwellings at the centre of the site from the public road, public transport, local services and amenities. These dwellings would therefore become heavily car dependent. It is requested that the planning authority reinstates the objective to allow for a through street to be created between Stocking Wood Drive and lands zoned for residential development to the south. ([Ballycullen Limited Partnership](#))

## **Manager's Responses**

### *Introduction*

Submissions received from Stocking Wood residents support the proposed material alteration to remove the proposed pedestrian, vehicular and cyclist access between Stocking Wood and lands zoned for new residential communities. The submission of the landowner affected by the Material Alteration objects to the Material Alteration on the basis of a reduction of access and permeability.

It is accepted that Stocking Wood has become an established housing area and that the provision of vehicular access to lands to the south via Stocking Wood Drive would increase vehicular traffic through this established residential area with associated issues in terms of noise and parking.

Should the Members proceed with adopting the subject Material Alteration, it is advised that the reduction in pedestrian and cyclist permeability would be at variance with the principles of sustainability, planning precedence, the accessibility and movement strategy of the LAP and guidelines on transport and sustainable residential development. These concerns are outlined below.

### *Accessibility and Movement Strategy & Guidelines*

The Accessibility and Movement Strategy of the Draft Ballycullen – Oldcourt LAP sets out to (inter alia) reduce car dependency and the impact of development on traffic volumes by way of providing for a choice of convenient and direct pedestrian and cyclist movement between residential development, community facilities, open space (including parks and playgrounds), local shopping facilities, schools and public transport. This complies with the requirements on sustainability, land use and transport planning and street design as set out under (inter alia) the *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas* (2009), the *Design Manual for Urban Roads and Streets* (2013) and *Smarter Travel* (2009).

The proposed removal of pedestrian and cyclist links between Stocking Wood and the lands zoned for residential communities to the south (Objective A1) would be at variance with said guidelines. This is confirmed in the submission from the Department of the Environment, Community and Local Government, which states that consideration should be given:

*“To incorporating a pedestrian and cyclist access in line with both DMURS and the LAP Guidelines because the decision to omit pedestrian and cyclist access from this location is contrary to the core principles of the S28 Local Area Plan Guidelines and the Design Manual for Urban Roads and Streets.”*

#### *Precedence for Permeability via Stocking Wood*

Access via Stocking Wood Drive to the lands zoned for new residential communities to the south was annotated and provided for on the permitted layout plans for the Stocking Wood Development (Planning Permission Reg. Refs. SD04A/0393, SD05A/1013, SD08A/0105 including amendment permissions) and on the layout plans for the residential development that was permitted on the lands to the south (Reg. Ref. SD07A/1035). This is noted in the submission made on behalf of the landowners affected by the proposed Material Alteration. The submission states:

*“Access from the Ballycullen land through Stocking Wood estates to Stocking Avenue are also the subject of Deed of Grant of Easement dated 20 February 2006 (See Appendix A below). Our client has legal agreement with the owner and developers of Stocking Wood to access the public road through the residential estate. We note the estate roads have not been taken in charge.*

*The claim that Stocking Wood is, and was designed as a stand-alone estate, is not correct given the above. The inclusion of the Site Specific Objective for “Stocking Wood Permeability” in the draft Plan reflected and re-confirmed the past 14 years of established planning policy for the area and the planning permission in place, all of which confirm that access to our client’s residential zoned lands to the south is to be facilitated through Stocking Wood.”*

The removal of pedestrian and cyclist access between Stocking Wood Drive and the lands zoned for new residential communities to the south (Objective A1) would therefore be at variance with established planning precedence.

#### *Pedestrian and Cyclist Permeability*

The Draft Plan promotes cycling and walking at a local level by providing integrated streets for convenient vehicular, pedestrian and cyclist movement that will link existing and planned housing with schools, community facilities, shops and bus stops. The Draft Plan also sets out to maximise public transport accessibility in order to help sustain, improve and support the viability of bus services.

As stated above, it is accepted that Stocking Wood has become an established housing area and that the provision of vehicular access to lands to the south via Stocking Wood Drive would increase vehicular traffic through this established residential area. The provision of pedestrian and cyclist access to the lands to the south of Stocking Wood is supported in the submission of the National Transport Authority on the proposed Material Alterations, which states:

*“As such, the proposal to remove entirely, for all modes, the link into Stocking Wood Drive, is not supported. The Authority recommends that a link for pedestrians and cyclists only is inserted into the plan, in accordance with the recommendations contained in the Manager’s Report.”*

The removal of pedestrian and cyclist access between Stocking Wood Drive and the lands to the south would increase walking and cycling distances to proposed recreational and education amenities including the Knocklyon Park Extension, recreational facilities and the Stocking Avenue School site. Walking distances to the proposed green buffer with the Dublin Mountains including proposed tracks and trails and links towards the Dublin Mountains would also be increased for residents of Stocking Wood. (See distances indicated on images below). This is recognised in the submission made on behalf of the landowners affected:

*“Our client’s lands run some 800m from east to west. Provision of only two future access points, effectively one at either end of the lands, means that residential areas within the heart of the future scheme will be at some remove from the public road, public transport and local services and amenities. A future development with such limited accessibility will therefore become heavily car dependent.”*

#### *Sustainable Residential Development Guidelines*

A reduction in choice of pedestrian and cyclist routes and reduction in permeability including for those with disabilities would be at variance with the principles of proper planning and sustainable development as set out under the County Development Plan and the *Guidelines for Planning Authorities Sustainable Residential Development in Urban Areas* in terms of promoting sustainable communities, promoting sustainable travel patterns, limiting the need for car parking, integrating communities and directing walking and cycle routes between housing, shopping, public transport and schools and parks.

This would also be at variance with specific requirements of the guidelines that set out to:

- Provide access for people with disabilities and maximise permeability for pedestrians and cyclists.
- Ensure that designs for the development of backlands seek to maximise permeability for pedestrians and connectivity to existing streets and roads rather than creating cul-de-sacs and dead-ends.
- Ensure good pedestrian and cycle facilities within residential areas to facilitate higher levels of physical activity among young people, particularly in relation to school trips, where perceptions about traffic safety among parents and children are a key factor.
- Provide convenient access between and within areas with routes that are accessible for everyone and are as direct as possible with permeability for pedestrians and cyclists taking precedence over permeability for vehicles.
- Provide greater consideration of pedestrians, cyclists and public transport users where all users can comfortably share the same street network.
- Provide direct walking and cycling routes to local facilities such as shops, schools, public transport and open spaces.
- Prioritise connectivity for pedestrians and cyclists and the potential for car-free developments. (DoECLG, 2009)

#### *Conclusion*

It is accepted that Stocking Wood has become an established housing area and that the concerns of existing residents should be given due consideration. Should the Member's proceed with adopting the subject Material Alteration, it is advised that the reduction in pedestrian and cyclist access would:

- Significantly increase walking and cycling distances to proposed recreational amenities, the Stocking Avenue School site and towards the Dublin Mountains for residents of Stocking Wood and new residential areas. This would increase car dependency, contribute to traffic congestion, disenfranchise older people, children and people with disabilities and create a division between new and established residential communities.
- Contravene the *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas* (2009), the *Design Manual for Urban Roads and Streets* (2013) and *Smarter Travel* (2009) in a manner that would be at variance with the submissions of the Department of the Environment, Community and Local Government and the National Transport Authority.
- Be at variance with precedence established for access via Stocking Wood under recent and current planning permission(s) for Stocking Wood and lands zoned for residential communities to the south.
- Be at variance with the wishes of the landowner affected by the proposed Material Alteration.

#### **Manager's Recommendation**

Should the Members proceed with adopting the subject Material Alteration to Objective SSP35 (Stocking Wood Permeability – Material Alteration Doc. Ref. Nos. PA02 & PA06), it is recommended that the Material Alteration be amended as follows:

‘Stocking Wood Permeability

- It is an objective of this Local Area Plan to require ~~a through-street~~ **pedestrian and cycle links** to be created between Stocking Wood Drive and lands zoned for residential development to the south (in accordance with extant permissions) as part of the development of said lands. ~~This local access-street~~ **Pedestrian and cyclist links** should be carefully designed with emphasis on pedestrian movement, **passive surveillance**, activity and good place making. (**Objective SSP35**)’











### **3.2 MATERIAL ALTERATION 2 - Proposed Additional School Site (MA REFS. PA01, PA03, PA04 & PA05)**

#### **Summary of Issues**

- Submission in favour of additional schools ([Shai Meyer](#))
- Parking provision, access routes/roads and pedestrian crossings for schools queried. It is advised that realistic parking provision and good traffic management is required for children's safety. ([Shai Meyer](#))
- Submission supports proposed material alteration to increase the school site at Oldcourt/Gunny Hill. ([Raymond O'Malley](#))
- With reference to classroom sizes in Gaelscoil Cnoc Liamhna, a more co-ordinated strategy for the provision of schools is suggested to include the option of a consolidated school for two Gaelscoil schools. ([Fiona Hanaphy](#))
- Submission from the EPA notes the proposal to provide an additional school and advises that consideration should be given in relation to: - the provision of adequate and appropriate critical service infrastructure for waste, wastewater and drinking water - ensuring that traffic management plans are robust enough to facilitate additional increase in vehicular traffic - minimising traffic related emissions and maintaining local air quality - supporting public transport services and walking/cycling ([Environmental Protection Agency](#))
- Interested party in Gaelscoil na Giúise (Firhouse) states that the Department of Education have identified an urgent need for two new Primary Schools for the area and the Draft Local Area Plan indicates that almost half of children of primary school going age in Firhouse and Oldcourt/Allenton attend primary schools outside of the area. The submission states that the Department of Education and Skills have already created two new primary schools in the Firhouse area even in the absence of a site on which to construct permanent school buildings. The first classes of Junior Infants started in August 2013 and enrolments are open for future years with additional classes starting in August 2014. The Council is urged to adopt a Local Area Plan that provides adequate space on the Oldcourt site for Firhouse's two new primary schools. ([Caitríona Ní Mhurchú](#) [Julie Tyrrell](#) [Ivers Desilva](#) [Aisling Breathnach](#) [Michael Tolan](#) [Kim Tyrrell](#) [Melissa Lawlor](#) [Joanna Uí Chúláin](#) [Clodagh O'Griofa](#) [Ciaran Fortune](#) [Aidan Colreavy](#) [Paula Bates](#) [Georgina Bateman](#) [Rebecca Cooley](#) [Donal McGrath](#) [Fiona Bean Uí Chadhlá](#) [Seán Ó Cadhlá](#) [Laura Campbell](#) [Sean O'Griofa](#) [Tony O'Grady](#) [Ruth Cooley](#) [Daithi Mac Lochlainn](#) [John Cronin](#) [Rachel Uí Mhuircheartaigh](#) [Eva Farrell](#) [Sean Forde](#) [Carlos G. Egerton](#) [David McCrossan](#) [Audrai Nic Lochlainn](#) [Olivia Hassett](#) [Roberta McCrossan](#) [David Murray](#) [Sarah Finneran](#) [Hazel Walshe](#) [Ciara Hennessy](#) [Ciara McKenna](#) [Sarah Conroy](#) [Bord Bainistíochta Gaelscoil na Giúise](#) [Fionnuala Ní Riain](#) [Miriam Sharkey](#) [Sharon Ni Nialliús](#) [Úna Uí Aonghusa](#) [Dónal Ó Muircheartaigh](#))
- Objection to building of any primary school on lands at Old Court/Gunny Hill, which will increase noise and traffic pollution in the area. It is advised that there are three primary schools in the area, a large primary school in Knocklyon and plans to develop an educate together school. The area has two infrequent and oversubscribed bus routes (15 and 15B), no traffic management and half finished dwellings in Dalriada. ([Ruth Meehan](#))
- Interested party in Gaelscoil na Giúise supports amendment to include a larger site to facilitate 2 schools on Gunny Hill. The schools are needed in the area and the co-location of two schools on one campus would allow for the sharing of facilities and economies of scale. ([Nicola Lundberg](#))
- Submission supports location of school on Ballycullen/Oldcourt site. ([Theresa Lynch](#))
- The Department of Education and Skills advise that no explanation is given for the proposal to increase land available for primary schools to serve the area and the proposed material alteration does not include any reference to increased demographics under the Local Area Plan. Therefore, the need for the reservation of extra land for further primary school educational infrastructure to serve the Ballycullen – Oldcourt area does not appear to arise. ([Department of Education and Skills](#))
- The Department of Education and Skills will not be delivering educational infrastructure in the Ballycullen –Oldcourt beyond the need generated by housing development in that area. Based on the demographic projections under the Draft Local Area Plan there would appear to be no requirement to expand on the primary school reservations originally sought under the Draft Local Area Plan. ([Department of Education and Skills](#))



- Submission supports Material Alterations to Section 5.4.8, Objective LUD12 and Objective SSP15 (school provision) in relation to the proposal to increase the Oldcourt/Gunny Hill Site by approximately 1.2 Acres to allow for two primary schools on the site. ([Anne Katrin Bohlig](#) [Denise McGhee](#) [Michelle Connellan](#) [Carla mc Elwee](#) [Linda Cunningham](#) [Jonathan Lundberg](#) [Cumann Tuismitheoirí Gaelscoil na Giúise](#) [Ane Marie Aarlit Jensen](#) [Sinead Nugent](#) [Michael Kinsella](#) [Neil Brennan](#) [Sinead Fitzgerald](#) [Frank Columb](#) [Shane Devlin](#) [Yvonne Glavey](#) [Mary Doyle](#) [Debbie Byrne](#) [Peter Dwan](#) [Dorota Orłowska](#) [Triona Ní Léanacháin](#) [Ruairi Campbell](#) [Iseult Clark](#) [Sean Byrne](#) [Paul Nolan](#) [Ann Cullen](#) [Dr Declan Fahie](#) [Mary Burke](#) [Mary Burke](#) [Seamus Carty](#) [Mary Burke](#) [Seán Glavey](#) [Zuzana Rajtarova](#) [Colin Doherty](#) [Rachel Freeman](#) [Natalya Solovyeva](#) [Patricia McManus](#) [Heidi McWeeney](#) [Rosemarie Lalor](#) [Edmund Lalor](#) [Emmett O'Brien](#) [Rachel Byrne](#) [Kate Soloviena](#) [Brian Buckley](#) [Laura Flynn](#) [Sean Goan](#) [David Delaney](#) [Sharon Delaney](#) [Margaret McKeon](#) [Paul Campbell](#) [Cllr Brian Lawlor](#))
- Consideration should be given to addressing biodiversity issues indicated in the SEA when considering school sites. ([Department of Environment, Community and Local Government](#))
- Submission indicates that the proposed additional school site is needed, has good roads access and good access for children. ([Rita Kelly](#))
- Submission from Bord Gáis advises that there is existing gas infrastructure in the area of school sites A and B and that there would be a requirement to extend this infrastructure to serve said sites. ([Bord Gáis](#))
- Submission accompanied by 18 identical attached letters that are similar to the submission letter, which supports the provision of school sites for Firhouse's two new primary schools. ([Shane & Olive Kenna](#), [Breda Corrigan](#) [Des Snr](#), [Des Jnr](#), [Alec](#), [Ruth](#), [Sean LEEANNE](#), [Paul](#), [Elizabeth & Stephen Sharkey](#), [Ayelet Lalor-Sharkey](#), [J Keeley](#), [Frances O'Keeffe](#), [Ann Aherne](#), [Olive Kenna](#), [Ailish & Fergus & Breda Curran](#))
- Submission on behalf of landowners of proposed additional Oldcourt/Gunny Hill School 'Site A' strongly objects to the designation of a superfluous school on lands zoned for residential development. It is advised that this will artificially reserve lands for a school that has been deemed unnecessary. The material alteration will have the effect of sterilising both identified sites until such time as a second school is required at Gunny Hill, for which the Department of Education have indicated no medium term requirement. The designation and effective sterilisation of Site A is directly in contravention of the intention of the existing Development Plan, the Draft LAP and the proper planning and sustainable development of the area. It is therefore requested that Site A and Site B be omitted from the Material Alterations. ([HWBC Allsop](#))
- It is advised that the statement of the material alterations is at odds with its accompanying maps. The written description allows for the expansion of an existing primary school site yet 'Site A' as indicated on maps is located separate from the school site on the opposite side of a planned street. ([HWBC Allsop](#))
- The Department of Education have identified an urgent need for two new Primary Schools for the area and the Draft Local Area Plan indicates that almost half of children of primary school going age in Firhouse and Oldcourt/Allenton attend primary schools outside of the area. The submission states that the Department of Education and Skills have already created two new primary schools in the Firhouse area even in the absence of a site on which to construct permanent school buildings. ([Dr Declan Fahie](#))
- Luann páirtí ag a bhfuil leas i nGaelscoil na Giúise (Teach na Giúise) go bhfuil sé sainaitheanta ag an Roinn Oideachais go dteastaíonn dhá Bhunscoil nua go práinneach don limistéar agus tugtar le fios sa Dréachtphlean Limistéir Áitiúil go bhfreastalaíonn beagnach leath de na leanaí atá in aois bunscoile i dTeach na Giúise agus sa tSeanchúirt/Baile Ailín ar bhunscoileanna atá taobh amuigh den limistéar. Luaitear san aighneacht go bhfuil dhá bhunscoil nua cruthaithe ag an Roinn Oideachais agus Scileanna i limistéar Theach na Giúise fiú is gan suíomh ann ar a dtógfaí foirgnimh scoile bhuana. Moltar go láidir don Chomhairle go nglacfaí Plean Limistéir Áitiúil a chuirfeadh spás leordhóthanach ar fáil ar an suíomh atá sa tSeanchúirt don dá bhunscoil nua do Theach na Giúise. ([Seán Ó Cadhla](#))

## Manager's Responses

### Introduction

It is noted that a significant number of submissions have been received in support of the subject material alteration to serve schools established for the Firhouse area. Most of these submissions have little regard to the peripheral location of the subject sites and the best practise policy and guidelines at a local and national level to locate schools within the catchment that they are intended to serve.

The submission from the Department of Education and Skills on the subject Material Alteration confirms that they will not pursue additional schools on the Plan Lands to serve a catchment/school stream outside of the Plan Lands. This is also noted in the submission made on behalf of the landowner of Alternative School Site A who objects strongly to the proposed material alteration on the basis that it will effectively sterilise their lands for a school site that will not be pursued by the Department of Education.

It is therefore advised that the subject material alteration is unnecessary as it will not be possible to secure additional schools on the Plan Lands other than those initially designated to serve the Plan Lands under the Draft Local Area Plan in consultation with the Department of Education and Skills. The responses to the proposed Material Alteration are further detailed and supported below.

### Rationale for Two School Sites

During the making of the Draft Local Area Plan (LAP), the Department of Education and Skills was consulted with regard to the requirements for school sites both in the immediate areas of Oldcourt and Ballycullen and within the Plan Lands themselves. The initial submission of the Department of Education on the Draft LAP confirmed the need for two primary school sites on the Plan Lands. This has been further confirmed under the Department of the Education's submission on the subject Material Alterations, which states:

*"Prior to its original submission to the Local Authority in this matter, the Department carefully examined and considered the projected demographics under the draft Plan and it requested the Local Authority to make site reservations for primary schools commensurate with these projections."*

Within this context, the Draft LAP included the primary school site designated under the *South Dublin County Council Development Plan 2010 -2016* on the eastern side of the Plan Lands off Stocking Avenue and designated a second school site at Oldcourt in accordance with the requirements of the Department of Education and Skills. Further to the submissions from the Department of the Education, there is no requirement for a third primary school site within the Plan Lands. The combined capacity of the two designated school sites alone is likely to exceed the future population needs of the Plan Lands and there is no need for a third school site. This is further confirmed under the submission from the Department of the Education on the subject Material Alterations, which states:

*"While no explanation is given for the proposal to increase the land being made available for primary schools to serve the area, the Department notes that the current proposed material alteration in this regard does not include any reference to increased demographics under the draft Plan. Therefore, the need for the reservation of extra land for further primary educational infrastructure to serve this specific area does not appear to arise."*

### Site Selection

The proposed additional alternative school sites that are the subject of the Material Alterations are located in a peripheral semi-rural area off a narrow and winding rural road (Gunny Hill) and not off the Oldcourt Road or in a readily accessible location as suggested in many of the submissions.

The standalone Oldcourt School Site initially designated under the Draft LAP was selected to serve existing and future residents of Oldcourt and its environs on the basis of (inter alia) its flat topography, its location within the same field boundary and ownership of adjacent lands

zoned for residential development (Objective A1) and its ability to accommodate a school with level playing pitches. The site designated on the eastern side of the Plan Lands off Stocking Avenue under the Draft LAP is also well placed to serve existing and future residents of Ballycullen and Stocking Avenue. Both school sites initially designated under the Draft LAP were therefore selected to serve the existing or planned residential areas of the Plan Lands.

The provision of a second school site at Oldcourt/Gunny Hill (third on Plan Lands), that is surplus to the needs of the Plan Lands, would serve a catchment that goes beyond the environs of Ballycullen, Stocking Avenue and Oldcourt from a semi-rural and peripheral area. The Department of the Education has stated in its submission on the Material Alterations that it does not intend to pursue a school site that will serve communities outside of the Plan Lands. Their submission reads as follows:

*“The Local Authority is aware that the Department will not be delivering educational infrastructure in Ballycullen-Oldcourt beyond the need generated specifically by housing developments in that area because it will be a separate and distinct school feeder area within its own right and having its own needs. This remains the Department’s position. Consequently, based on the demographic projections under the draft Plan there would appear to be no requirement to expand on the primary school reservations originally sought.”*

#### *Access & Sustainability*

In the context that the additional alternative school sites proposed under the Material Alterations are surplus to the requirements of existing and proposed housing in Ballycullen, Stocking Avenue and Oldcourt, these sites would be isolated beyond the walking and cycling distances from their catchment/school feeder areas and would therefore be heavily car dependent. This would encourage extensive cross suburban car trips and would place the semi-rural road network in around Gunny Hill under pressure thereby exacerbating traffic generation in the area especially during peak commuter hours. Submissions from local residents on the Draft Plan and the Material Alterations have raised concerns in relation to the exacerbation of peak hour traffic congestion in the area including those from residents that support the additional school.

The designation of a third school site that would be surplus to the needs of the Plan Lands at Gunny Hill would be at variance with the principles of proper planning and sustainable development as set out under the County Development Plan and the *Guidelines for Planning Authorities Sustainable Residential Development in Urban Areas* (2009) in terms of promoting sustainable communities, promoting sustainable travel patterns, integrating schools with housing development and directing walking and cycle routes between housing and schools.

The provision of a school site that is isolated from its intended catchment/school feeder area would also be at variance with *The Provision of Schools and the Planning System: A Code of Practice For Planning Authorities* (2008) in terms of the requirements for Planning Authorities to ensure that:

- school sites are fit for purpose in terms of location and access to services
- schools are situated within an existing/proposed catchment that will aid ease of access from surrounding areas and encourage sustainable mobility by walking, cycling and public transport
- lands reserved for educational purposes are located close to the areas of greatest residential expansion

#### *Development Plan Zoning and Sterilization of Lands*

The two alternative additional school sites (Site A and Site B) proposed under the Material Alterations are located on lands that are subject to two different zoning objectives and two different site ownerships.

Proposed Site A is located on lands zoned for new residential communities (Objective A1) and is within the same ownership of adjoining lands within the boundary of the Plan Lands including the Oldcourt/Gunny Hill School Site initially designated under the Draft LAP. Proposed Site B is located on lands zoned for agriculture and rural amenity (Objective B) and

is within an ownership outside the boundary of the Plan Lands that would not be the subject of the Phasing Strategy of the Plan Lands.

The 'Objective B' zoning of Site B and the Oldcourt/Gunny Hill School Site designated under the Draft LAP seeks to protect and improve rural amenity and provide for the development of agriculture. Educational uses are not listed as 'permitted in principle' and are listed as 'open for consideration' in terms of proper planning and sustainable development. It is considered that the cumulative provision of two school sites on such lands would be excessive and would no longer be in keeping with the spirit of the zoning objective.

Within the context that the Department of Education have indicated that there is no need for a third school site and that they do not intend to pursue such a site, the designation of Site A would effectively result in the sterilisation of 1.2 acres of lands zoned for new residential communities (Objective A1). This could adversely impact on the viability of developing surrounding lands owned by the same land owner including the Oldcourt/Gunny Hill School Site initially designated under the Draft LAP. This issue is raised in the submission of the landowners for Site A who recognise that the proposed school site is surplus to the needs of the Plan Lands. Their submission reads as follows:

*"... we object most strongly to the indication of an additional alternative site for this second superfluous school within the above Site no. 1 on lands which are already indicated in the county Development Plan and LAP to hold residential development. We feel that this designation will artificially reserve lands for a school which is not identified as necessary..."*

#### *Impact on Biodiversity, Hedgerows & Flooding*

The Plan Lands are traversed and bound by hedgerows and field boundaries that form part of a network of historic parish and townland boundaries. These hedgerow boundaries are considered to be of historical significance and potentially rich in biodiversity. Article 10 of the EU Habitats Directive recognises the importance of such ecological networks as corridors and stepping stones for the movement of wildlife.

The hedgerows located within the Plan Lands form part of an uninterrupted network that continues into the Dublin Mountains and into forested lands. Such corridors are particularly important for mammals and small birds and provide foraging routes for bats. Hedgerow and ditch field boundaries also act as important water channels that help intercept, absorb and direct run-off especially along hillsides. The County Development Plan sets out to ensure that the Council will endeavour to prevent the loss of such woodland and hedgerow networks.

The Green Infrastructure Strategy formulated under the Draft Local Area Plan utilises and preserves this network and includes objectives to protect, augment and utilise hedgerows. The proposed Land Use Framework Plan responds to this by focusing development around these biodiversity features and incorporating them fully within streets and spaces. This has been informed by the Strategic Environmental Assessment of the Draft Plan.

Alternative School site B is located well beyond the 120 metre contour and boundary of the Plan Lands on a sloping site bound by mature hedgerow field boundaries on two sides. The site is also located adjacent to a section of Gunny Hill Road that recently flooded and was impassable after heavy rain in February 2014 (see Photo below). It appears that Alternative Site B drains onto Gunny Hill and is likely to have contributed to the flooding event.

The construction of a school on Alternative Site B would require the removal of approximately 350 metres of hedgerow and physical engineering solutions to cut and fill a sloping site that drains towards Gunny Hill. Such a development would significantly detract from the visual setting of the surrounding area, would interrupt the green infrastructure and biodiversity network for the Plan Lands and disturb existing natural drainage features. The removal of hedgerows and associated ditches and the development of this steep site could exacerbate future flood events along Gunny Hill.

Such a development would be at variance with the EU Habitats Directive, *The Planning System and Flood Risk management Guidelines for Planning Authorities* (2009) and the Green Infrastructure policies and objective contained in the *South Dublin County Council Development Plan, 2010 – 2016* and the Draft Local Area Plan. This was noted in the SEA Environmental Report on the proposed Material Alterations (dated January 2014). The report stated:

*“The use of Site B would result in the removal of a significant portion of hedgerow, B3, and as the site is located on an elevated site, above the 120m contour, its development would have a negative impact on the amenity of the Dublin Mountains, L1.*

*The hedgerow, which would have to be removed, forms part of the existing natural drainage network that carries surface water from the Dublin Mountains and exists throughout the Plan Lands. This would be contrary to the Plan’s objectives which seek to enhance and augment the existing natural drainage network by intercepting, absorbing and slowing down the flow of surface water emanating from the foothills of the Dublin Mountains W1.”*

Within this context, the submission from the Department of the Environment, Community and Local Government on the proposed Material Alterations advises that consideration should be given to the following:

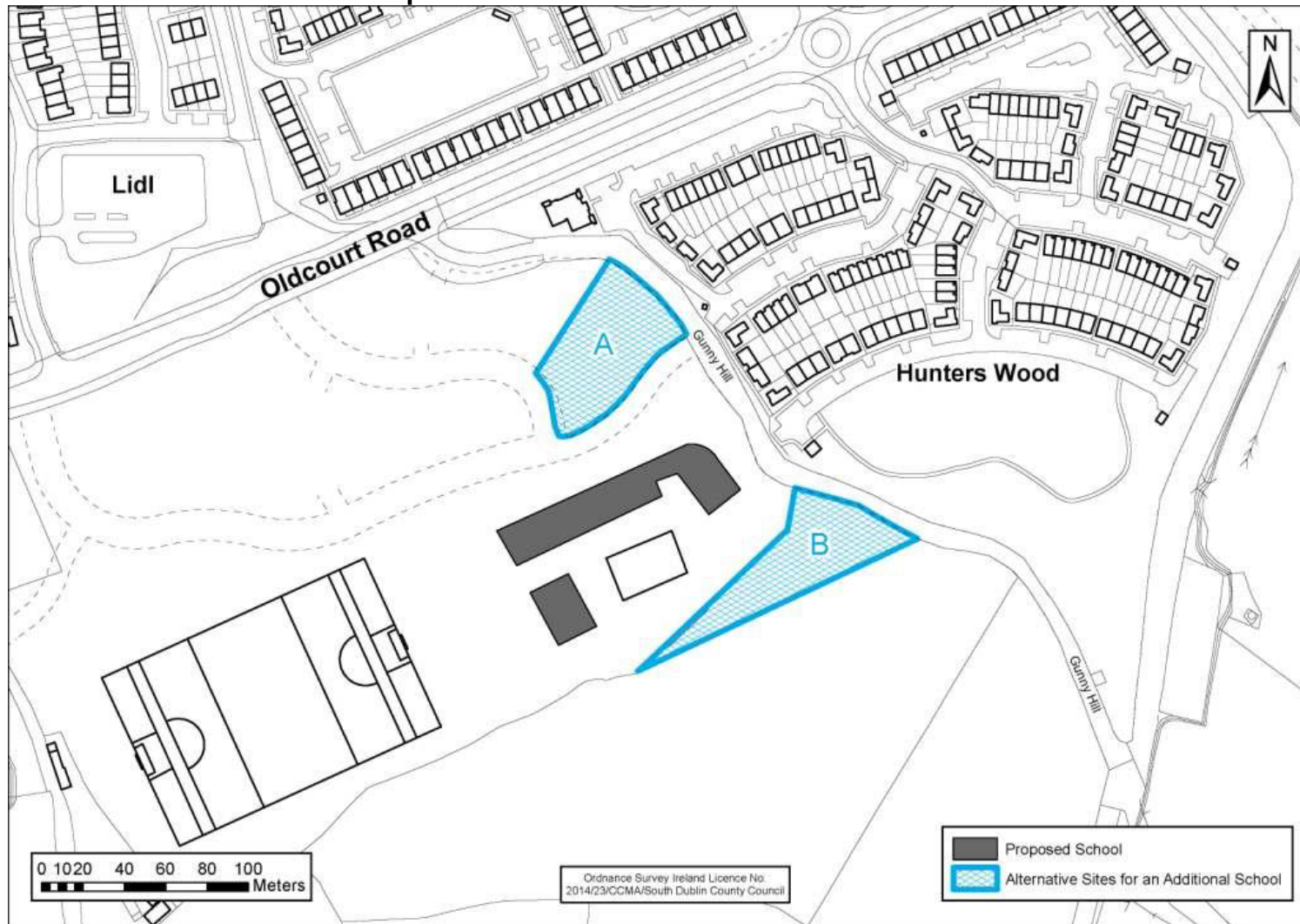
*“To addressing the biodiversity issues that are indicated in the SEA, when considering the school sites in greater detail.”*

**Flooded Section of Gunny Hill Adjacent to Alternative School Site B & Hedgerow Affected by Material Alteration (rhs) – February 2014**





### Proposed Additional Alternative School Sites



### Conclusion

It is recommended that the Draft Local Area Plan be adopted without proposed Material Alteration 2 (MA REFS. PA01, PA03, PA04 & PA05) in relation to the provision of an additional school site at Oldcourt/Gunny Hill (Site A and B) by reason of:

- The absence of a rationale or demographic need for a third school site to serve the Plan Lands;
- The indication from the Department of the Environment and Skills that there is no need for a third school site on the Plan Lands and the indication that they do not intend to pursue such a site;
- The peripheral and semi-rural location of the proposed third school sites (Alternative Site A or B) off a rural road, which would serve a catchment/school stream beyond its walking and cycling distance and exacerbate cross suburban and peak hour traffic in the area.
- Contravention of the *Guidelines for Planning Authorities Sustainable Residential Development in Urban Areas* (2009) and *The Provision of Schools and the Planning System: A Code of Practice For Planning Authorities* (2008), which seek to achieve sustainable development through (inter alia) locating schools within the area that they are intended to serve and within walking and cycling distances of their communities.
- The location of Site B on lands not bound by the Phasing Strategy of the LAP and on lands zoned Objective B (rural amenity and agriculture) which, in combination to the adjacent Oldcourt/Gunny Hill school site designated under the Draft LAP, would not be in keeping with the zoning objective of the County Development Plan.
- The effective sterilisation of 1.2 acres of lands zoned for new residential communities (Objective A1), which could adversely impact on the viability of developing surrounding lands owned by the same land owner including the Oldcourt/Gunny Hill School Site initially designated under the Draft LAP.
- The sloping topography of Alternative Site B above the 120 metre contour and on a site bound by significant and historic hedgerows that contribute to the green infrastructure, flora and fauna and drainage of the Plan Lands and the potential of development to exacerbate flooding along Gunny Hill and adversely impact on biodiversity in a manner that would be at variance with (inter alia) the EU Habitats Directive, *The Planning System and Flood Risk management Guidelines for Planning Authorities* (2009), the submission of the Department of the Environment, Community and Local Government, and the Green Infrastructure policies and objective contained in the *South Dublin County Council Development Plan, 2010 – 2016* and the Draft Local Area Plan.

### Manager's Recommendation

The subject material alteration is unnecessary as it will not be possible to secure additional schools on the Plan Lands other than those initially designated to serve the Plan Lands and environs in consultation with the Department of Education and Skills.

The Local Area Plan should therefore be adopted **without** proposed amendment of Section 5.4.8, Objective LUD12 and Objective SSP15 (Material Alterations Doc. Refs. PA01, PA03, PA04 & PA05) to increase the Oldcourt/Gunny Hill school site (south of OLDCOURT ROAD and west of HUNTER'S WOOD) by approximately 1.2 acres to allow for two primary schools on the site i.e. the provision of a third school on the Plan Lands.

### 3.3 Strategic Environmental Assessment (SEA)

#### Summary of Issues Raised under Submissions

- Attention brought to recent DoECLG Circular on SEA assessment and recommendations made in relation to the content and procedure for SEA statements. ([Environmental Protection Agency](#))
- The proposed Material Alterations to the Draft Ballycullen Oldcourt Local Area Plan requires a Stage 2 FRA, while Mapping is included highlighting indicative flood risk area they are not to the expected detail of a Stage 2 FRA. It is recommended that a Stage 2 FRA be carried out for historically zoned areas as well as those under consideration for future development. ([Office of Public Works](#))

### **Manager's Responses**

The EPA's referral to the Department of Environment Community and Local Government's Circular on SEA assessment is noted.

Further to the submission from the OPW, an Initial Strategic Flood Risk Assessment of the Draft Ballycullen Oldcourt Local Area Plan (dated September 2013) was undertaken by South Dublin County Council in parallel to the production of the LAP. It is noted that this assessment is a requirement for Local Area Plans as set out in *The Planning System and Flood Risk Management – Guidelines for Planning Authorities* (2009).

The SFRA prepared by the Council reviews the requirements of the Guidelines, the existing policies of the Regional Authority and *South Dublin County Council Development Plan 2010 – 2016*. All available information on potential Flood Risk i.e. the OPW's Preliminary Flood Risk Assessment modelling, the stream catchments, flooding events and site walkthrough were outlined. Local area flood reports available on the OPW's National Flood Mapping website were also reviewed. This constitutes a Stage 2 Flood Risk Assessment.

All of this information was also utilised in drawing up a Sustainable Urban Drainage, Green Infrastructure, Land Use/Density strategies for the Plan Lands and in formulating a series of objectives embedded within the LAP including that which requires all planning applications in areas at risk of potential flooding to be accompanied by a Flood Risk Assessment carried out at site specific level in accordance with Flood Risk Management Guidelines.

The Initial SFRA was updated (SFRA Addendum – December 2013) to incorporate information on flooding events submitted by residents following public consultation on the Draft Ballycullen – Oldcourt Local Area Plan. The utilisation of local knowledge further augments Stage 2 Flood Risk Assessment. These lands will subsequently be identified as being at flood risk in the adopted LAP. The OPW's Preliminary Flood Risk Assessment modelling includes the lands that are subject to the Material Alterations and provides no further flood risk information other than that detailed in the SFRA and addendum.

The approach that will be adopted under the Local Area Plan is precautionary and will involve the designation of particular zones that will require Site Specific Stage 3 Detailed Flood Risk Assessment including the likely impact of any displaced flood water on third parties. If it cannot be demonstrated that both the actual and residual flooding issues can be dealt with in an acceptable manner including the impact of any displaced flood water on third parties, then it will be a requirement for development to be confined to water compatible uses only (in accordance with the precautionary approach), i.e. amenity space, outdoor sports and recreation etc.

### **Manager's Recommendations**

The approach that will be adopted under the Local Area Plan is precautionary and requires further flood risk assessment of lands that are at risk of flooding. Irrespective of whether or not historically zoned areas that are identified as moderate to high risk of flooding (based on the OPW preliminary Flood Risk Assessment PFRA) would pass the Plan Justification Test, it is not possible to rezone or downzone land under the local area plan process as this can only happen as part of the County Development Plan process.



## 4.0 Summary of Recommendations

The Manager's recommendations in relation to the proposed Material Alterations as detailed in Section 3 of this report are set out in Table 3 below. Proposed alterations involving additional text are shown in **green**. Proposed alterations involving deletion of text are shown in **red strikethrough**.

TABLE 3: RECOMMENDATIONS IN RELATION TO PROPOSED MATERIAL ALTERATIONS

Proposed Material Alteration/Issue	Recommendation
Material Alteration 1 - Stocking Wood Permeability (MA Ref. PA02, PA03 & PA06)	<p>Should the Members proceed with adopting the subject Material Alteration to Objective SSP35 (Stocking Wood Permeability – Material Alteration Doc. Ref. Nos. PA02 &amp; PA06), it is recommended that the Material Alteration be amended as follows:</p> <p>Stocking Wood Permeability</p> <ul style="list-style-type: none"><li>It is an objective of this Local Area Plan to require <b>a through-street pedestrian and cycle links</b> to be created between Stocking Wood Drive and lands zoned for residential development to the south (in accordance with extant permissions) as part of the development of said lands. <b><del>This local access street</del> Pedestrian and cyclist links</b> should be carefully designed with emphasis on pedestrian movement, <b>passive surveillance</b>, activity and good place making. <b>(Objective SSP35)</b></li></ul>
Material Alteration 2 - Proposed Additional School Site (MA Refs. PA01, PA03, PA04 & PA05)	<p>The subject material alteration is unnecessary as it will not be possible to secure additional schools on the Plan Lands other than those initially designated to serve the Plan Lands and environs in consultation with the Department of Education and Skills.</p> <p>The Local Area Plan should therefore be adopted <b>without</b> proposed amendment of Section 5.4.8, Objective LUD12 and Objective SSP15 (Material Alterations Doc. Refs. PA01, PA03, PA04 &amp; PA05) to increase the Oldcourt/Gunny Hill school site (south of OLDCOURT ROAD and west of HUNTER'S WOOD) by approximately 1.2 acres to allow for two primary schools on the site i.e. the provision of a third school on the Plan Lands.</p>

## 4.1 Next Steps - Legislative Background

In accordance with Section 20(3)(q), a further modification to a material alteration:

- may be made where it is minor in nature and therefore not likely to have significant effects on the environment or adversely affect the integrity of a European site;
- shall not be made where it refers to an increase in the area of land zoned for any purpose, or an addition to or deletion from the record of protected structures.

Section 20(3)(r) of the Act states that in making a local area plan, members shall be restricted to considering:

- the proper planning and sustainable development of the area;
- the statutory obligations of any local authority in the area;
- any relevant policies or objectives for the time being of the Government or of any Minister of the Government.

Within this context, Section 19(2) of the Act states that a local area plan shall be consistent with the objectives of the development plan, its core strategy, and any regional planning guidelines that apply to the area of the plan.

A local area plan shall take effect 4 weeks from the day that it is made.

## 4.2 Conclusion

Taking account of the proper planning and sustainable development of the area, it is recommended that the proposed Material Alterations to the Ballycullen – Oldcourt Draft Local Area Plan be amended/omitted in accordance with the recommendations of this report.



County Manager

2<sup>nd</sup> April 2014

Date

## Appendix 1

### Issues Not Subject to Proposed Material Alterations

#### *Summary of Issues*

- NRA advises that it appears that proposed alterations recommended in Manager's Report have not been placed on display as Material Alterations such as issues that related to clarification of costs and construction of green buffers and reference to National Roads Guidelines and the Draft GDA Cycle Network Plan in the Appendix of the LAP. It is stated that the NRA has no specific observations in relation to the proposed Material Alterations placed on display. ([Michael McCormack](#))
- Concern raised in relation to the provision of duplexes and apartments in terms of social issues, potential visual impact and pressure to allow high density development on zoned lands. ([Fiona Hanaphy](#))
- Concern raised in relation to the limited carrying capacity of the local road network, the provision of additional dwellings in the area, the quality of planned local amenities and the quality of local public transport services. ([Fiona Hanaphy](#))
- It is requested that the phasing requirements of the Local Area Plan should require the construction of schools on the Oldcourt/Gunny Hill site without delay and that provision for temporary accommodation is made either close to or adjoining the permanent school site. ([Melissa Lawlor Bord Bainistíochta Gaelscoil na Giúise](#))
- It is requested that the phasing requirements of the Local Area Plan should require the construction of schools on the Oldcourt/Gunny Hill site without delay. ([Joanna Uí Chúláin](#) [Caitríona Ní Mhurchú](#) [Julie Tyrrell](#) [Ivers Desilva](#) [Aisling Breathnach](#) [Michael Tolan](#) [Kim Tyrell](#) [Clodagh O'Gríofa](#) [Ciaran Fortune](#) [Aidan Colreavy](#) [Paula Bates](#) [Georgina Bateman](#) [Rebecca Cooley](#) [Donal McGrath](#) [Fiona Bean Uí Chadhlá](#) [Seán Ó Cadhlá](#) [Laura Campbell](#) [Sean O'Gríofa](#) [Tony O'Grady](#) [Ruth Cooley](#) [Daithí Mac Lochlainn](#) [John Cronin](#) [Rachel Uí Mhuircheartaigh](#) [Eva Farrell](#) [Sean Forde](#) [Carlos G. Egerton](#) [David McCrossan](#) [Audrai Nic Lochlainn](#) [Olivia Hassett](#) [Roberta McCrossan](#) [David Murray](#) [Sarah Finneran](#) [Hazel Walshe](#) [Ciara Hennessy](#) [Ciara McKenna](#) [Sarah Conroy](#) [Fionnuala Ní Riain](#) [Miriam Sharkey](#) [Sharon Ní Nialliús](#) [Úna Uí Aonghusa](#) [Dónal Ó Muircheartaigh](#))
- Submission urges the Council to begin building a school for Gaelscoil na Giúise in the Ballycullen/Old court area. ([Debbie McCoy](#) [David McCoy](#))
- The addition of 1600 further houses and two schools without further adequate plans for public transport will congest the area further. ([Eva Farrell](#))
- Concerns raised in relation to drainage of fields above Stocking Wood, the construction of more houses, dirt on roads and single lane traffic. ([Keith Barry](#))
- Submission urges South Dublin County Council to lobby the Department of Education in relation to the selection of a suitable site for temporary and permanent for Firhouse Educate Together National School. ([Éamonn Young](#))
- Consideration should be given to changing the zoning of undeveloped residentially zoned lands located within flood zones A and B and where the lands have been developed, the inclusion of a specific objective requiring a Flood Risk Assessment ongoing liaison with the OPW. ([Department of Environment, Community and Local Government](#))
- In the context of the recommendation in the Manager's Report on the Draft Local Area in relation to drainage within the catchment of the Ballycullen Stream, it is advised that surface water from the Ballycullen Partnership Lands do not drain towards the Ballycullen Stream, the previous permission on the lands included connection to Stocking Wood and any application would seek to maximise use of SUDS features. ([Ballycullen Limited Partnership](#))
- Request for provision for temporary accommodation either close to or adjoining the permanent school site. ([Dr Declan Fahie](#))
- The Greater Dublin Strategic Drainage Study (GDSDS) identified the Ballycullen Stream as having a number of hydraulic deficiencies at Glenvara Park. The GDSDS recommended that the existing 1050mm trunk sewer from the Ballycullen View Link Road to Ballycullen Road via Castlefield Manor will require duplicating and the sewer along the Ballycullen View Link Road to the trunk sewer required upgrading. This should be further investigated as part of the Stage 2 FRA along with any further proposed culverting. ([Shirley Crosbie](#))

- Owners of Green Acres House and Rostellan Mews object to any proposed roadway ruining through their property and seek assurance that no such roadway could be imposed via compulsory purchase. ([James Robertson](#))
- Request that a playground be put in Ballycragh Park, more cycle lanes be provided, play spaces and open fields be provided and traffic congestion getting onto and off the M50 be addressed. ([Allister Gerrard](#))
- Request that development should occur alongside Stocking Avenue and Hunters Road and no development be allowed at a higher elevation than Stocking Wood. ([Maura Tarrant](#))
- Iarrtar gur cheart do na ceanglais maidir le céimniú a ghabhann leis an bPlean Limistéir Áitiúil a cheangal go dtógfaí scoileanna ar an suíomh atá sa tSeanchúirt/Cnoch Theach gConaigh gan mhoill. ([Seán Ó Cadhla](#))

#### *Manager's Responses*

Alterations made to the Ballycullen – Oldcourt Draft Local Area Plan that were deemed to be a matter of clarification such as the funding of green buffers and reference to existing guidelines were not considered to be material and did not require further public consultation. Significant issues that affected third party land owners, extended proposed development beyond the boundary of the Plan Lands or altered the main strategies of the Draft Plan such as the Land Use and Accessibility Strategy were considered to be material and were therefore placed on display for public consultation.

Issues that were considered at the Draft Consultation Stage of the Ballycullen Draft Local Area Plan and that were not amended at the January 2014 Special Council Meeting of South Dublin County Council include those that relate to dwelling mix, dwelling numbers, residential densities, building heights, traffic, amenity spaces (including playgrounds), identification of river/stream catchments, drainage/SUDS measures, the indicative street network, cycle routes and the Plan's phasing strategy. In accordance with Section 20(3)(m) of the Planning and Development Act 2000 (as amended), these issues were not placed on public display for further public consultation and cannot be reconsidered at Material Alteration Stage.

#### **Acknowledgement of Receipt of Invite for Submissions**

##### *Summary of Issues*

- The Irish Aviation Authority indicates that they have no observations to make with regards to the proposed Material Alterations. ([Deirdre Forrest](#))
- Department of Agriculture, Food and Marine acknowledges notice of Material Alterations and has no submission or observation to make. ([Michael Mackey](#))
- Submission from DAA indicates no comment on proposed Material Alterations. ([Yvonne Dalton](#))