



**Proposed Building Heights and  
Density Review Amendment  
(Amendment No. 8) of the adopted  
Cherrywood Strategic Development  
(SDZ) Planning Scheme, 2014, as  
amended**

**Proposed Modifications/  
Material Alterations to Proposed  
Amendment No. 8**





## **Part 1 : Purpose of this Document and the Relevant Legislative Requirements**



## **1.1 Introduction**

### **1.1.1 Re-Cap of Process to Date & Receipt of Submissions during Public Display**

Proposed Amendment No. 8 (Building Heights and Density Review) of the adopted Cherrywood Strategic Development Zone (SDZ) Planning Scheme, 2014, as amended, was placed on public display for a period of 6 weeks from 26 July to 7 September 2022. At the end of the display period, a total of 32 submissions (plus two submissions from prescribed statutory bodies) were received in response to that consultation process. No submissions were received on the Report to inform Strategic Environmental Assessment (SEA) Screening, SEA Determination, Report to inform Appropriate Assessment (AA) Screening, and AA Determination.

### **1.1.2 Consideration by Elected Members & Motions from Elected Members**

In accordance with Section 169 (4) (a) of the Planning and Development Act, 2000, as amended, the Elected Members considered the Proposed Amendment No. 8 (Building Heights and Density Review) of the adopted Cherrywood SDZ Planning Scheme, 2014, as amended, the Chief Executive's Report on Submissions Received and the subsequent recommendations and the SEA and AA Screening Reports (all of which were submitted to the Elected Members on 6 October 2022). These Reports were noted for consideration by the Elected Members at the monthly County Council Meeting on 10 October 2022.

At this meeting on 10 October 2022, the Elected Members were invited to submit written Motions, with accompanying reasons, by Friday 21 October 2022. Further, as referenced by the Cathaoirleach at the meeting of the 10 October, it was proposed to convene a Special County Council on Thursday 10 November 2022 for the Members to consider the Proposed Amendment No. 8, the Chief Executive's Report and Recommendations on the submitted Motions, and the accompanying SEA and AA Screening Reports.

Thirteen Motions were received and were accordingly considered by the Chief Executive, as well as assessed for the purposes of screening for both Strategic Environmental Assessment and Appropriate Assessment (SEA & AA). The Chief Executive's Report and accompanying Screening Reports on the Motions received from Elected Members were circulated to the Elected Members on 8 November 2022.

### **1.1.3 Variations and Modifications made by Elected Members**

In accordance with Section 169 (4) (b) (i) of the Planning and Development Act, 2000, as amended, having considered the Proposed Amendment No. 8 (Building Heights and Density Review) of the adopted Cherrywood SDZ Planning Scheme, 2014, as amended, the Chief Executive's Report on Submissions Received (submitted to the Elected Members on 6 October 2022), the Chief Executive's Report on the Motions Received and the subsequent recommendations, the SEA and AA Screening Reports, and further to the withdrawal of certain Motions and then the submission of Motions from the floor, the Elected Members resolved that the Proposed Amendment No. 8 to the Cherrywood Strategic Development Zone Planning Scheme, 2014, as amended, in relation to Building Heights and Density Review be made subject to variations and modifications. The applicable proposed modifications/material alterations are hereby a subject of public display.

### **1.1.4 Second Public Display**

Thus, pursuant to Section 169 (4) of the Planning and Development Act, 2000 as amended, Article 179 of the Planning and Development (Strategic Environmental Assessment) Regulations, 2004, and Habitats Directive 92/43/EEC, a copy of the Proposed Modifications/Material Alterations to Proposed Amendment No. 8 to the Cherrywood Strategic Development Zone Planning Scheme, 2014, as amended, in relation to Building Heights and Density Review, along with the reports to inform screening for Strategic Environmental Assessment and Appropriate Assessment and

associated Determinations on the proposed material alterations/modifications are placed on public display for a period of not less than four (4) weeks.

## **1.2 Purpose of this Document**

The purpose of this Report is to help inform and assist the public and other interested parties in consideration of the proposed modifications/material alterations to the proposed Amendment No. 8 (Building Heights and Density Review) of the adopted Cherrywood SDZ Planning Scheme, 2014, as amended.

Dún Laoghaire-Rathdown County Council has screened all of the Proposed Material Alterations/Modifications and determined that neither a full Strategic Environmental Assessment (SEA) nor a Stage 2 Appropriate Assessment (AA) is required to be undertaken. Included in the display documentation are Strategic Environmental Assessment and Appropriate Assessment Screening Reports and all applicable SEA and AA Determinations. All of the display Reports and documentation will be available for public inspection from Thursday 5 January to Tuesday 7 February 2023 inclusive.

Written submissions or observations on the proposed modifications/material alterations and accompanying environmental Screening Reports and Determinations must be received between Thursday 5 January and Tuesday 7 February 2023 inclusive. It is advised that submissions at this stage are restricted to the specific material the subject of this second public display.

The Chief Executive will then prepare a report on all submissions or observations received on the Modifications/Material Alterations during the above time period. It is intended to complete this Report within four weeks of the closing date for submissions, and subsequently submit this to the Elected Members for their consideration. Having considered the modifications to proposed Amendment No. 8 (Building Heights and Density Review), and the Chief Executive's Report on submissions received on the modifications, Members may make Amendment No. 8 (Building Heights and Density Review) of the adopted Cherrywood SDZ Planning Scheme, 2014, as amended. This Amendment will come into effect four weeks from the date of making said, unless appealed to An Bord Pleanála.

## **1.3 How this Document is Organised**

The proposed Modifications/Material alterations are set out in the table under Part 2 below. There are nine proposed Modifications/Material Alterations.

For the purposes of this Modifications Report, further additions to the text of the proposed Amendment, as applicable, and text in the adopted Cherrywood SDZ Planning Scheme, 2014, as amended, Written Statement (latest version April 2021) are identified through the use of (bold underlined) **blue print**.

**Part 2 : Proposed Modifications / Material  
Alterations to proposed Amendment No. 8 of  
the adopted Cherrywood SDZ Planning Scheme,  
2014, as amended.**

## MODIFICATIONS / MATERIAL ALTERATIONS

No.	Proposed Modification /Material Alteration
1.	<p>Add a 4<sup>th</sup> bullet point to Section 2.9 Building Heights as follows:</p> <p><u>For the Commercial Plots, in instances where buildings do not follow the normal pattern of floors/storeys, consideration may be given to such uses based on the equivalent building height in metres. This relates specifically to the Commercial Uses (CU) plots only. In such instances, the Applicant shall set out a rationale for same having regard to the nature of the uses. The onus shall be on the Applicant to adequately detail the rationale and to demonstrate that visually the proposal will not have an undue overbearing impact, and/or to introduce design elements to reduce the appearance of the resultant massing and scale.</u></p>
2.	<p><u>In Appendix H : Indicative Street Sections showing Proposed Maximum Building Heights, on page 38, for the drawing for Section 6: Indicative Cross Section of Beckett Road, change the wording '2m-4m Setback/Privacy Strip to '2m-4m Physical Infrastructure zone', and shade light grey.</u></p>
3.	<p>With regard to, Insert New Appendix I Guidance with regard to Sunlight and Daylight Assessment of Proposed Developments at the end of the Cherrywood Planning Scheme Document -</p> <p><b>Appendix I</b></p> <p><b>Guidance with regard to Sunlight and Daylight Assessment of Proposed Developments</b></p> <p>Delete the following text :</p> <p><del>Proposals for development should include technical assessments in accordance with BR209 Site Layout Planning for Daylight &amp; Sunlight A Guide to Good Practice Second Edition 2011 and BS 8206-2: 2008 Lighting for Buildings Part 2: Code of Practice for Daylighting. Assessments should include the following:-</del></p> <p><del>With regard to neighbouring developments:</del></p> <ul style="list-style-type: none"> <li><del>• Shadow Impact/ Sunlight levels on private gardens, balconies, communal and public spaces to the 2hr on the 21st March test.</del></li> <li><del>• Impact on habitable windows Skylight — Vertical Sky Component (VSC) test.</del></li> <li><del>• Impact on living room windows Sunlight — Annual and Winter Probable Sunlight Hours (APSH &amp; WPSH) tests.</del></li> </ul> <p><del>With regard to the proposed development itself:</del></p> <ul style="list-style-type: none"> <li><del>• Sunlight levels on private gardens, balconies, communal and public spaces to the 2hr on the 21st March test.</del></li> <li><del>• Light distribution within habitable rooms — Average Daylight Factor (ADF) levels with particular regard to units at the ground and lower floor levels and at corner locations.</del></li> <li><del>• Sunlight availability for living room windows — Annual and Winter Annual Probable Sunlight Hours (APSH &amp; WPSH) tests.</del></li> </ul> <p>And replace with the following text :</p> <p><u>Proposals for development should include technical assessments in accordance with BR209 Site Layout Planning for Daylight &amp; Sunlight A Guide to Good Practice Third Edition – 2022 and the Irish Standard IS EN 17037:2018 which differs from BS EN 17037.</u></p>



No.	Proposed Modification /Material Alteration
	<p><u>The above should be used to frame their technical assessments in relation to light under the headings of:</u></p> <ul style="list-style-type: none"> <li>• <u>Impact on Neighbours</u></li> <li>• <u>Development Performance</u></li> </ul> <p><u>The tests required are detailed in the guidelines.</u></p> <p><u>There is cognisance of the fact that IS EN 17037 does not currently include a localising National Annex. An Applicant may wish to additionally provide results in terms of the BS EN 17037 National Annex NA and should support this with commentary for consideration.</u></p> <p><u>The above documents replace the now withdrawn BR209 Site Layout Planning for Daylight &amp; Sunlight A Guide to Good Practice Second Edition – 2011 and the also withdrawn BS 8206- 2: 2008 Lighting for Buildings Part 2: Code of Practice for Daylighting.</u></p>
4.	<p><i>To insert a new bullet point into Section 2.9.1 as Bullet Point 4</i></p> <p><u>All planning applications shall demonstrate how the proposal achieves an appropriate balance between height and scale, contributes to variety in design, incorporates an element of finer grain at the street level and prominent elevations, and includes design elements to safeguard against monolithic and monotonous buildings. Proposals shall demonstrate visual variety across a plot where appropriate, neighbouring plots or development areas and also along the streetscape frontage.</u></p>
5.	<p>Insert the following additional paragraph as a sixth and final paragraph under Table 2.9 Residential Development Density Ranges and Development Yield (on page 15 of the Cherrywood Planning Scheme document),</p> <p><u>'The current number of dwelling units that have been completed within the Planning Scheme area on Res 1, 2, 3 and 4 lands from the date of the adoption of the Planning Scheme in April 2014 to 17 October 2022, is 210 no. dwelling units. A further circa 369 no. dwelling units are under active construction.</u></p> <p><u>The total number of permitted dwellings units across all the Res 1, Res, 2, Res 3 and Res 4 lands is 1,212 no. dwellings to date, as of October 2022.</u></p> <p><u>It is relevant that 1,508 no. dwelling units have been permitted in the Town Centre, 431 no. of which have been completed and a further 520 no. are under construction, as of October 2022.'</u></p>

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6.	<p data-bbox="261 264 1436 331"><i>To take account of proposed physical infrastructure lands not utilised for the approved Regional Pond 5A system in Development Area 6 as follows :</i></p> <p data-bbox="261 371 1436 439"><b>Proposed</b> Table 6.6.1 Development Type and Quantum for Development Area 6 Brides Glen, Sub Heading Residential Development</p> <table border="1" data-bbox="264 479 1350 887"> <thead> <tr> <th colspan="3" data-bbox="264 479 1350 551">RESIDENTIAL DEVELOPMENT</th> </tr> <tr> <th data-bbox="264 551 587 622">Total Residential Lands HA</th> <td colspan="2" data-bbox="587 551 1350 622"> <del>2.2</del>  <b>2.5</b> </td> </tr> <tr> <td></td> <th data-bbox="587 622 951 698">Land Area HA</th> <th data-bbox="951 622 1350 698">Density Range</th> </tr> <tr> <th data-bbox="264 698 587 734">Res 1</th> <td data-bbox="587 698 951 734">0.7</td> <td data-bbox="951 698 1350 734">35-55</td> </tr> <tr> <th data-bbox="264 734 587 770">Res 2</th> <td data-bbox="587 734 951 770"><del>1.5</del> <b>1.8*</b></td> <td data-bbox="951 734 1350 770">45-75</td> </tr> <tr> <th data-bbox="264 770 587 887" rowspan="2">Total No. of Residential Dwellings</th> <th data-bbox="587 770 951 806">Min</th> <th data-bbox="951 770 1350 806">Max</th> </tr> <tr> <td data-bbox="587 806 951 887"><del>Circa 93</del> <b>Circa 106</b></td> <td data-bbox="951 806 1350 887"><del>Circa 151</del> <b>174</b></td> </tr> </thead></table> <p data-bbox="261 891 1436 958"><i>*Includes an allowance of circa 0.3ha of land zoned Physical Infrastructure but that may not be utilised for the Regional Pond 5A system, and which may be used for residential development.</i></p>	RESIDENTIAL DEVELOPMENT			Total Residential Lands HA	<del>2.2</del> <b>2.5</b>			Land Area HA	Density Range	Res 1	0.7	35-55	Res 2	<del>1.5</del> <b>1.8*</b>	45-75	Total No. of Residential Dwellings	Min	Max	<del>Circa 93</del> <b>Circa 106</b>	<del>Circa 151</del> <b>174</b>
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7.	<p data-bbox="248 1019 983 1055">To insert as an additional Specific Objective DA 40 (b)</p> <p data-bbox="248 1081 1449 1211"><b><u>A building of appropriate scale, massing, design and quality should be located at the interface of the Town Centre, Brides Glen Square, the Luas line and Green Linear Park, south of the Brides Glen Square on HIE2 lands, to provide a visual focal point at these key public realm and civic spaces.</u></b></p> <p data-bbox="248 1243 1449 1373"><b><u>*There is an allowance of a transfer of 3,000 sqm of floorspace between HIE 1 and HIE 2 whilst maintaining the overall area permissible in HIE 1 &amp; HIE 2 combined (Refer to Table 6.6.1). (This transfer between the HIE 1 and HIE 2 plots is subject to the agreement between the HIE 1 and HIE 2 landowners)</u></b></p>																				
8.	<p data-bbox="248 1440 1382 1476">Insert New Specific Objective DA 48 (b) into Development Area 8 Tully as follows :</p> <p data-bbox="248 1503 1449 1762"><b><u>With regard to the built form of the Tully Village Centre, urban scale and variation in building height shall contribute to a well-designed, high quality development, with elements of fine grain. Extensive monolithic blocks should be avoided, and in this regard, the design shall incorporate a roofscape and building form that presents with visual and architectural variety, including for example, set-backs, breaks in form, sections which emphasise verticality, and roofscape articulation. The built form shall reflect the civic nature of a village centre as a focal point for the neighbourhood.</u></b></p>																				
9.	<p data-bbox="248 1830 1086 1865">Insert Text to Section 7.4 of the Planning Scheme as follows :</p> <p data-bbox="248 1892 1449 2022"><b><u>"The Local Authority will also undertake a plan led review of the Town Centre and Environs having regard to the overall Vision and Principles for Cherrywood and appropriate Government policy, to ensure that the Town Centre functions as a vibrant, mixed use sustainable District Centre at the heart of Cherrywood.</u></b></p>																				

No.	<b>Proposed Modification /Material Alteration</b>
	<p><u><b>This review will seek to ensure an appropriate mix, quantum and phasing of uses to secure a balance of employment, commercial, retail, residential, community and social uses. It is an objective of the Council to use its best endeavours to undertake this plan lead review within twelve months from the date that the proposed Amendment No. 8 comes into effect."</b></u></p>