

Senior Executive Officer
Forward Planning Section
Land Use Planning and Transportation Department
South Dublin County Council
County Hall
Tallaght D24 A3XC

15 September 2021

Re: Submission in respect of the Draft South Dublin County Development Plan 2022–2028 relating to lands at Kiltipper Road, Dublin 24

Dear Sir/Madam,

(1) Introduction

This submission and associated observations are made on behalf of the Byrne Family, formerly of Glenville House, Kiltipper Road who are the owners of lands shown in Green and identified by the Numbers 5A and 5B on the map below. The submission is made with the support of adjoining landowners.



The lands identified in Green (the “Subject Lands”) on the said map comprise approximately 21 acres and have the following key characteristics:

- Zoned high amenity under the SDCC Development Plan 2016 to 2022

- The Subject Lands enjoy a legal right of way over the lands marked in orange (numbered 6) in the ownership of Thomas Davis GAA club and enabling full access to the Subject land via a new road as provided for.
- The Subject Lands include over 500 metres of Riverbank lands along the River Dodder extending from the main body of the holding via the rear of Glenville Pitch and Putt Club to the Skin & Hide lands – taken together with the Skin and Hide Lands and lands in the ownership of Contorus Limited and SDCC, the lands afford accessibility from the Old Bawn Road & Bridge through to Kiltipper Woods Nursing Home and Kiltipper Park.
- The Subject Lands are traversed by an overhead electricity line below which any development is restricted by wayleave.
- The Southern boundary of the site is comprised of the River Dodder in respect of which planning would otherwise be restricted for at least 30 metres.
- Finally, all necessary services are available to the site including potable water, foul and surface water, as well as other utilities.

In the diagram above the Subject Lands have been divided into two parcels as follows:

- No 5A – comprising approximately 12.5 acres of Riverside land located to the South of the overhead power lines (and wayleave), where relevant and approximately 40m from the River Dodder otherwise. It is respectfully submitted that this parcel of the Subject Lands is currently underutilised and affords no community value but could provide significant value if incorporated within an extended linear park along the Dodder incorporating a best in class Greenway for the last mile of the Dodder Greenway from the Old Bawn Road to Kiltipper Park, and
- No 5B – comprising approximately 8.5 acres and marked with hashed lines in the above map which are located to the north of parcel 5A and of the overhead power lines (and wayleave) and which are more than 40 meters from the River Dodder. This parcel is also underutilised affording no community value but could provide significant community value if rezoned for a residential development which could be progressed immediately given that it has road accessibility and all required services available.

The Subject Lands form a principal part of the lands totalling approximately 80 acres on the southern boundary of the Tallaght neighbourhood area of South Dublin which are bounded by Kiltipper Woods Nursing Home to the West, Kiltipper Road to the North, Old Bawn Road to the East and the R114 to the South, and are collectively referred to as the “**Extended Lands**”)

Other significant landowners within the Extended Lands in the area include Thomas Davis GAA Club, SDCC, Contorus Ltd, John Rohan Limited (in liquidation) and Glenville Pitch & Putt Club. This submission is made with the explicit support of Stanford Woods Care Centre Limited (owners of Kiltipper Woods Nursing Home) and Ballymount Homes Limited (the owner of the residential development currently ongoing on the land marked in blue (Number 7) on the above map.

The Extended Lands comprise a mix of neighbourhood centre lands at the Old Mill Pub, Sporting amenity lands at Glenville and Thomas Davis, limited one off residential lands, recently built residential on lands owned by Ballymount Properties Ltd and the Kiltipper Woods Nursing Home. More than half of the Extended Lands comprise disused former agricultural and amenity lands and brownfield former industrial lands at the now derelict Skin and Hide factory. These are overgrown, including un-kept amenity lands largely along the River Dodder but they incorporate over 1.2 kilometres of River frontage, which flows through the Extended Lands and which is currently entirely inaccessible to the public.

We note that a submission as part of the consultation on the Draft SDCC Development Plan 2022 to 2028 has been made by Downey Planning and Architecture in respect of the lands owned by Contorus to the east of the Subject Lands and comprised within the Extended Lands. This calls for rezoning of parts of the lands owned by Contorus Ltd and confirms that significant further lands owned by Contorus could be made available for the development of a linear park along the banks of the River Dodder to the east of the Subject Lands. Taken together, it is clear that there is immediate opportunity to create a significantly enhanced last mile of the Dodder Greenway through the Extended Lands.

(2) Opportunity represented by the Subject Lands

Substantial tracts of the Extended Lands have been allowed to become overgrown, and / or derelict over many years and regularly attract anti-social activity. As noted above they provide no community value in their current form. However, the natural contours of the land, coupled with the opportunity to provide access to the River Dodder offers huge opportunity to substantially enhance public infrastructure and public realm, whilst simultaneously enhancing the *Green Infrastructure* and Sustainability of the immediate area and the county overall.

Specifically, we submit that the Subject Lands, either on their own, or in conjunction with the remainder of the Extended Lands, if properly planned via collaboration between the landowners and SDCC, have the potential to deliver the following significant planning gains for the county/community:

- To open up the vista of more than 1.2 kilometres of the River Dodder to public access in a manner that can serve as a Flagship Gateway to the Dublin Mountains in this strategically pivotal location;
- The lands also afford opportunity to ensure that the last mile of the Dodder Greenway can be re-imagined as a Best in Class Greenway facility rather than the extraordinarily compromised Greenway Proposal currently contemplated along the Kiltipper Road;
- The lands have been identified by the National Transport Authority as suitable for a new road/bridge known as the *South Tallaght Link Road* from Old Court Road to Kiltipper Road and traversing the River Dodder over the Subject Lands which would generally alleviate traffic congestion, particularly with regard to access to/from the Ballycullen Old Court LAP Area and as between that LAP area and Tallaght Town Centre and the R181 in particular;
- Parts of both the Subject Lands and the Extended Lands have immediate access to all the requisite services to enable the accelerated development of limited residential capacity and could include, in particular, provision for public and private housing including for the elderly via a model designed to provide for varying levels of care close to and in conjunction with Kiltipper Woods Nursing Home, and
- Enhanced sporting facilities for the several sports clubs that serve the Tallaght community generally from their bases on the Kiltipper Road.

(3) Proposal

This submission calls for:-

- (i) The rezoning of that part of the Subject Lands marked in hashed lines in the map and marked as Parcel 5B and/or

- (ii) The introduction of a **Special Local Objective** for the Subject Lands as noted below, and
- (iii) The re-instatement of the **Tallaght South Link Road** to ensure adherence to National Transport Authority Requirements

(i) Rezoning

As noted above, Parcel 5B comprises approximately 8.5 acres of land currently zoned as high amenity but which has immediate access to all services and direct road access from the Kiltipper Road. Its rezoning as residential, could enable a mix of public and private housing to be developed part of which could be earmarked for use by elderly, incorporating varying levels of care being available in conjunction with Kiltipper Woods Nursing Home.

The recent Government Report entitled “Housing for All” recognised the inherent benefit for landowners from achieving enhanced zoning of lands by providing for a means through which the uplift in value achieved from development and/or planning gains could be shared with the relevant local authority and the community through a system of **Land Value Sharing**. Many of the opportunities provided by the Subject Lands and the Extended Lands seek to substantially enhance the Public Infrastructure in a Green and Sustainable way or otherwise extend community gain by improving local community sporting facilities.

(ii) Special Local Objective

Taking account of the foregoing and in the alternative to a rezoning of part of the Subject Lands, we respectively submit that a similar outcome may be achieved via a Special Local Objective (“SLO”) in relation to the Subject Lands along the following lines:-

“To support residential development of the lands abounded by the Thomas Davis All Weather Pitch, Glenville Pitch and Putt Course and the River Dodder provided that:-

- *Development is restricted to lands to the north of the overhead power lines and no less than 30m from the River Dodder;*
- *Approved development to include units provided for older persons and supported living;*
- *Development to be conditional on reaching agreement with the Local Authority through which an appropriate percentage of any value increment consequent on the planning approval accrues to either the Local Authority / Public Realm or to Local Sports Clubs including inter alia by transferring land to the Local Authority to facilitate either the South Tallaght Link Road or the last mile of the Enhanced Dodder Greenway or otherwise, and / or by providing for enhanced sporting facilities for Local Sports Clubs”*

The SLO should apply principally to the lands identified with the number 5 in the above map but could extend to adjoining lands to the extent warranted to ensure cohesive development of the Subject Land and the Extended Lands.

(iii) Re-instatement of South Tallaght Link Road

In addition to the SLO, we submit that the re-instatement of the South Tallaght Link Road from Old Court Road to Kiltipper Road is now provided for in the South Dublin Development Plan 2022 to 2026. As noted in Appendix 2, this infrastructure is critical to ensuring the accelerated delivery of badly needed housing in the Ballycullen Old Court LAP Area. Continuing to omit the said road from the development plan would represent a contravention of the requirement to ensure that NTA requirements are embedded in development plans and would almost certainly be upheld as such by the Planning Regulator.

(4) Additional Community Benefit from Residential Zoning/SLO

Based on the criteria noted above it can be expected that approximately 8.5 acres of the Subject Lands would be developed which based on density levels of 20 per acre would limit the total incremental development on the Subject Lands would be approximately 170 units. The Local Authority / Public Realm and Local Sports Clubs would benefit through some combination of the following:

- (i) The transfer of lands to the Local Authority to enable the South Tallaght Link Road;
- (ii) The transfer of lands to the Local Authority to facilitate a Best in Class Enhanced Dodder Greenway (including up to 500m of direct frontage to the River Dodder);
- (iii) The transfer of amenity lands along the Dodder to accommodate an extension of Kiltipper Park;
- (iv) The transfer of 10% of all residential units forming part of the approval in fulfilment of Part V obligations;
- (v) The transfer of additional sites / units to the local authority to accommodate additional cost and/or affordable rental, including an allocation of units earmarked for the elderly / supported living offering varying levels of care choice in conjunction with Kiltipper Woods Nursing Home, including in such manner as may enable SDCC to free up public housing for the elderly in the community for broader public use, and
- (vi) Commitments to provide facilities or undertake substantial enhancement works for local sport clubs in the Kiltipper Road Area – for example, the adjoining All Weather Pitch operated by Thomas Davis was developed in 2005 and the surface has now reached the end of its useful life requiring replacement with new State of the Art 5G synthetic field-turf. This could be conditioned as part of any planning approval as a means of sharing the development gains with local community / sports groups.

(5) Additional Background Material

Additional background material in relation to the potential enhancements to the Dodder Greenway and provision of the South Tallaght Link Roads is contained in Appendices 1 and 2 respectively.

Yours sincerely

David Kennedy

Appendix 1 – Enhanced Dodder Greenway

As noted in the body of this submission, the development plan process affords an opportunity to re-evaluate the potential for the Subject Lands and or the Extended Lands and to ensure that they are cohesively planned to meet multiple objectives.

With specific regard to enhancing the Dodder Greenway to ensure Best in Class outcomes, it is suggested that the lands have the following potential at a minimum:

- The lands between the Old Bawn Bridge at the Old Mill and Kiltipper Park could be viewed as the most appropriate Gateway from the built-up areas of Tallaght to the lower parts of the Dublin Mountains. Their development could recognise this by supporting a landmark transitional area or **Flagship Gateway** to the Dublin Mountain Region.
- The lands entail over 1.5 kilometres of riverbank along the River Dodder which could be capitalised on to comprise a safer and more viable route for the Dodder Greenway than the current proposal along the Kiltipper Road;
- The Greenway Route along the Kiltipper Road is completely unsuited as a Greenway as it definitively cannot safely accommodate vehicular, cyclist and pedestrian traffic given the narrowness of the road. In the alternative, a Greenway route along the banks of the Dodder could enable separate off-road pedestrian and cycling routes through the Extended Land's whilst separately enable a widening of the Kiltipper Road to enhance its permeability and enable Dublin Bus routes that are planned but not currently feasible on the Kiltipper Road to progress. For example, the Busconnects strategy published in Q1 2021 contemplates a doubling of buses on the Old Bawn Bridge including a new No. 85 bus serving Ballycullen/Old Court via the Kiltipper Road. As the Kiltipper Road is currently only 5.5m wide with a 1.5m pedestrian pathway on one side only, it is impossible to safely accommodate bus traffic as planned today quite apart from under the increased constraints associated with the currently planned Greenway Route. An integrated plan for the future evolution of the Subject Lands and Extended Lands could alleviate these concerns.
- Notably, the Original Dodder Greenway Feasibility Study 2013 noted the following with regard to that part of the proposed Greenway route between Old Bawn Bridge and Kiltipper Park:

"There are large tracts of privately-owned land abutting the river corridor. The Greenway route should continue along the northern bank of the River as far as the Kiltipper Woods Café. This will require land acquisition from a small number of private landowners along Kiltipper Road"

- This report acknowledged that the recommended route for the Greenway in this area should traverse private lands rather than along the Kiltipper Road. This is now possible and should be evaluated by SDCC as part of the development plan process. The availability of an alternative route without impacting on ecologically sensitive parts of the relevant lands is supported by ecological reports that have already been prepared on behalf of SDCC. As noted above, adopting the alternative route through the said lands between Old Bawn Bridge and Kiltipper Park has the potential to truly serve as a **Flagship Gateway Project** linking the City and the communities it serves on the one hand with the *Dublin Mountain Region* and the reservoir and valleys at Glenasmole.

- The benefits of the Alternative Greenway Route via the Extended Lands are summarised in the following table;

Benefits of Alternative Greenway Route along Kiltipper Road																	
Disadvantages of Kiltipper Road Route	Advantages of Alternative Route																
<p>(1) The minimum requirements for properly segregated pedestrian, cycling and motorised traffic is:</p> <table> <tr> <td>- Road</td><td>- 6m (6.5m to accommodate buses)</td></tr> <tr> <td>- 2 way cycling</td><td>- 3m</td></tr> <tr> <td>- Pedestrian path</td><td>- 1.8m</td></tr> <tr> <td>- Total</td><td>- 10.8m</td></tr> </table> <p>For much of Kiltipper Road the total width available is 7.1m (comprising existing 5.3m road and 1.8m footpath) - Hence a segregated greenway simply isn't possible leaving the existing proposal burdened with compromises</p> <p>As a consequence of the above, none of the 4 basic requirements of a Greenway can be achieved</p>	- Road	- 6m (6.5m to accommodate buses)	- 2 way cycling	- 3m	- Pedestrian path	- 1.8m	- Total	- 10.8m	<p>(1) An alternative route via the Extended and or Subject Lands enables "FULL" segregation of pedestrian and cycling traffic from motorised traffic along the entire of the route:</p> <table> <tr> <td>- Road</td><td>- up to 6.5m</td></tr> <tr> <td>- 2 way cycling</td><td>- 4m +</td></tr> <tr> <td>- Pedestrian Path</td><td>- 2m +</td></tr> <tr> <td>- Total</td><td>- as much as is required</td></tr> </table> <p>As a consequence, full segregation is possible without requiring any compromises</p>	- Road	- up to 6.5m	- 2 way cycling	- 4m +	- Pedestrian Path	- 2m +	- Total	- as much as is required
- Road	- 6m (6.5m to accommodate buses)																
- 2 way cycling	- 3m																
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- Total	- 10.8m																
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- 2 way cycling	- 4m +																
- Pedestrian Path	- 2m +																
- Total	- as much as is required																
<p>(2) There would be no substantive segregation of motorised and non-motorised traffic resulting in significantly increased health and safety concerns particularly in the context of the large number of children that use the Kiltipper Road to access local sports clubs</p>	<p>The alternative route ensures that all of the 4 key requirements for a Greenway can be met</p> <p>(2) Full segregation would be achieved eliminating the significant health and safety concerns with the existing route</p>																
<p>(3) The current route entails no material encouragement towards healthy lifestyles</p>	<p>(3) The alternative route offers full encouragement for users to adopt healthy lifestyles</p>																
<p>(4) The current route doesn't integrate the adjacent amenity value of the River Dodder</p>	<p>(4) The alternative route fully integrates the adjacent amenity value of the River Dodder</p>																
<p>(5) As a consequence of expected materially increased traffic congestion, the current route compromises rather than supports the social and economic development of the local community</p>	<p>(5) The alternative route would serve as an attractive "Gateway" to the Dublin Mountains from the built up areas in Tallaght, and consequently integrates the Greenway with local communities and businesses</p>																
<p>(6) The 2013 Dodder Greenway Feasibility Study recognised that the "ideal" route for the Greenway was along the northern boundary of the Rover to Kiltipper Woods Café. While Kiltipper Road was identified as a temporary route pending agreement on the preferred route, at the time, the above mentioned compromised positions were not identified</p>	<p>(6) The alternative route was identified as far back as 2013 as the "Preferred Route" for the Greenway. This route can now be made available negating the clear disadvantage of the envisaged temporary solution</p>																
<p>(7) The above issues have been further exacerbated by the September 2020 Busconnects confirmation through the National Transportation Authority that a new Route 85 is to be introduced which will use Kiltipper Road. This further compromises both the technical ability of the Kiltipper Road to achieve the Greenway objectives and the health and safety standards being applied at this part of the Greenway Route.</p>	<p>(7) An alternative route via the Extended or Subject Lands fully supports the National Transport Authorities Busconnects plans for the Kiltipper Road and enables it to progress in a manner which minimises health and safety concerns and eliminates the escalated health and safety risks arising from targeting Busconnects and Greenway objectives along an already compromised route.</p>																

The current plans for the Greenway envisage a shared cycling and motorist route along the Kiltipper Road to the Kiltipper Woods Nursing Home and Café. This shared route has always been considered as a temporary route. Recent commentary from SDCC executives noted the sub-optimal nature of the shared motor and cycling route along Monastery Road in Clondalkin and related comments to

the effect that shared routes are *"not ideal"* and that SDCC *"definitely would not like to bring that approach to new schemes"* as *"at all times SDCC wants to segregate cycling tracks from roads"*. In the case of the last mile of the Dodder Greenway an infinitely better solution is possible along the Kiltipper Road part of the Greenway route, by embracing an alternative route for the Greenway along the northern bank of the Dodder River which comprise a key element of the Subject Lands and the Extended Lands.

The alternative Greenway proposal also affords significantly improved safe routes to school for children walking and cycling to school in the Tallaght neighbourhood in line with stated objectives in this area.

Noting the submission made on 9 September by Contorus Limited clearly indicates that substantial lands could be made available to SDCC to facilitate Riverside linear park and Greenway in conjunction with the residential development of lands otherwise in the ownership of Contorus Limited and that a similar outcome is plausible in connection with the Subject Lands, it is clear that the preferred Dodder Greenway route is achievable and executable during the currency of the SDCC Development Plan 2022 to 2028. We respectfully submit that given that the only remaining lands required to complete a Greenway across the entire area comprising the Extended Lands from Old Bawn Bridge to Kiltipper Park (being the former Skin and Hide Facility) is in the ownership of a company that is in liquidation, a wholistic solution to create a Best in Class Enhanced Dodder Greenway is possible.

Appendix 2 - South Tallaght Link Road

The additional housing stock contemplated in the Ballycullen / Old Court Local Area Plan (The "LAP") is badly needed and comprises a significant part of the planned future housing stock in the SDCC development plan area. However, progress on actual development has been substantially slowed down by a general failure to recognise and progress the associated infrastructural requirements for such development and in particular to embrace the enhanced road infrastructure which is required to open up the LAP lands for development.

We request SDCC to ensure that commitments to enhanced road infrastructure in the area is given further additional prominence in the new development plan to enable the accelerated delivery of the residential units planned for the LAP area to progress as quickly as possible. Specifically, we note the following:

- The NTA strategy for the greater Dublin area was adopted by the Minister and laid before the Dail in April 2016. This details that:

"two new roads are to be built within Corridor E outside the Metropolitan Area, a South Tallaght Link Road from Old Court Road to Kiltipper Road and a public transport bridge over the Dodder to the east of Tallaght from Firhouse Road to the N81 to address localised access and congestion issues"
- Section 9(6A) and 11(1A) of the Planning and Development Act 2000 requires Local Authorities to ensure their Development Plan is consistent with the transport strategy for the Greater Dublin Area.
- Provision had been made for the South Tallaght Link Road in the draft SDCC Development Plan for 2016 to 2022 but this was removed from the final plan despite the protestations of the County Chief Executive who argued that *"The removal of these bridges from the (2016) Plan will inhibit the ability of the Council and other service providers (such as the National Transport Authority), to manage traffic congestion in the area and provide viable alternatives to private vehicle usage"*.
- The Chief Executive has consistently referred to associated traffic congestion at numerous Council meetings since 2016 but despite this no material plans have been brought forward to improve the road network in the Ballycullen / Old Court / Bohernabreena area. This has caused delays to the planning approval and delivery of the principal arterial road through the LAP area and resulted in otherwise acceptable residential planning applications in the LAP area being overturned and rejected.
- Reinstating the South Tallaght Link Road would serve as the single largest accelerator to enable the delivery of the residential units earmarked for development of in the Ballycullen Old Court LAP Area and ensure that they are built during the timeframe of the South Dublin Development Plan 2022 to 2026.
- The 2022 to 2028 SDCC development plan should prioritise improvement to the road network and in so doing enable the acceleration of residential delivery on the LAP lands. In particular provision should be made to re-instate the South Tallaght Link Road from Old Court Road to Kiltipper Road as required by the NTA Strategy. We suggest that the most viable route for this road is through the Subject Lands as originally envisaged by the first draft of the SDCC Development plan 2016 to 2022. The County Chief Executive has already recognised that this road is needed. The required improvements to the relevant road's

infrastructure must be viewed as an essential element of the need to deliver additional residential development on the LAP lands. It seems likely that if provision for the South Tallaght Link Road is not included in the SDCC Development plan that the plan will be contrary to the NTA requirements and likely to be upheld as such by the planning regulator.

- The re-instatement of the South Tallaght Link Road and associated bridge over the Dodder also serves to materially reduce traffic on Old Bawn Bridge where bus traffic is set to more than double under the bus-connects programme. It also enables the possible long term extension of the Luas from Tallaght to Firhouse, Ballyculen, Ballinteer and UCD, which would be consistent with recent County Counsel aspirations.
- In summary, whereas the South Tallaght Link Road required to substantially enhance access to the Ballyculen/Old Court LAP Area forms part of the NTA roads strategy for SDCC area but was withdrawn from the SDCC Development plan 2016 to 2028, its reinstatement would:-
 - o Ensure that the SDCC Development Plan 2022 to 2028 is consistent with NTA strategy;
 - o Afford significantly enhanced access to the Ballyculen Old Court LAP Area and thus ensure the accelerated delivery of housing in that area;
 - o Enable such housing delivery with least adverse impact on traffic congestion the area, and
 - o In addition, apart from just re-instating the plans of the road in the new development plan, in conjunction with the rezoning and or SLO proposed above, the lands required for the South Tallaght Link Road that form part of the Subject Lands could be transferred to South Dublin County Counsel to facilitate the future development of the said road.

***Ballymount Properties Limited
34 William Street, Limerick, Ireland***

**South Dublin County Council
County Hall
Tallaght
Dublin 24**

14 September 2021

**Draft Development Plan 2022 to 2028
Submission**

Dear Sirs,

As owners of the land marked "7" on the attached map, we hereby confirm our support for the submission made by David Kennedy proposing the introduction of a special local objective in relation to the lands forming the Subject Lands in the said submission.

Yours sincerely

[Redacted Signature]

**Patrick Kennedy
Director**



*Fergus Byrne, as personal representative of James Byrne
Late of Glenville House, Kiltipper Road, Tallaght, Dublin 24*

South Dublin County Council
County Hall
Tallaght
Dublin 24

14 September 2021

Draft Development Plan 2022 to 2028
Submission

Dear Sirs,

As owners of the land marked "5" on the attached map, we hereby confirm our support for the submission made by David Kennedy proposing the introduction of a special local objective in relation to the lands forming the Subject Lands in the said submission.

Yours sincerely

[Redacted Signature]

Fergus Byrne
(on behalf of Byrne Family)

