CHERRYWOOD PLANNING SCHEME SEA STATEMENT

SEA STATEMENT

FOR THE

CHERRYWOOD PLANNING SCHEME STRATEGIC ENVIRONMENTAL ASSESSMENT

for: Dún Laoghaire-Rathdown County Council

County Hall

Marine Road

Dún Laoghaire



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APRIL 2014

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Section 1 Introduction

1.1 Terms of Reference

This is the SEA Statement of the Cherrywood Strategic Development Zone (SDZ) Planning Scheme Strategic Environmental Assessment (SEA).

1.2 SEA Definition

SEA is a systematic process of predicting and evaluating the likely environmental effects of implementing a plan, or other strategic action, in order to ensure that these effects are appropriately addressed at the earliest appropriate stage of decision-making on a par with economic and social considerations.

1.3 Legislative Context

Directive 2001/42/EC of the European Parliament and of the Council, of 27 June 2001, on the assessment of the effects of certain plans and programmes on the environment, referred to hereafter as the SEA Directive, introduced the requirement that SEA be carried out on plans and programmes which are prepared for a number of sectors, including land use planning.

The SEA Directive was transposed into Irish Law European Communities through the (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (Statutory Instrument Number (SI No. 435 of 2004) and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SI No. 436 of 2004). Both sets of Regulations became operational on 21 July 2004. The Regulations have been amended by the European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011 (SI No. 200 of 2011) and the Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011 (SI No. 201 of 2011).

The SEA Directive and the instruments transposing it into Irish Law require that after the making of a Planning Scheme, the plan or programme making authority is required to make a Statement available to the public and

the competent environmental authorities. This Statement is referred to as an SEA Statement (DEHLG, 2004)¹.

1.4 Content of the SEA Statement

The SEA Statement is required to include information summarising:

- a) how environmental considerations have been integrated into the Planning Scheme:
- b) how the following have been taken into account during the Council's consideration of the draft Planning Scheme:
 - the environmental report,
 - submissions and observations made to the planning authority on the Planning Scheme and Environmental Report, and
 - any transboundary consultations [this is not relevant to this SEA]
- c) the reasons for choosing the Planning Scheme in the light of the other reasonable alternatives dealt with; and
- d) the measures decided upon to monitor the significant environmental effects of implementation of the Planning Scheme.

1.5 Implications of SEA for the Planning Scheme

Article 11 of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SI No. 436 of 2004) as amended requires that SEA is undertaken for the preparation of Planning Schemes.

The findings of the SEA are expressed in an Environmental Report, the first published version of which accompanied the Draft Planning Scheme on public display – this Environmental Report was updated in order to take account of:

¹ Department of Environment, Heritage and Local Government (2004) *Implementation of SEA Directive* (2001/42/EC): Guidelines for Regional Authorities and Planning Authorities Dublin: Government of Ireland.

The Environmental Report was updated in order to take account of:

- recommendations contained in submissions;
- changes to the Draft Planning Scheme which were made on foot of submissions; and
- changes to the Planning Scheme which were made in response to An Bord Pleanala's specified modifications.

Members of the planning authority have taken into account the findings of all relevant SEA output during their consideration of the Draft Planning Scheme and before its adoption.

The An Bord Pleanála's Inspector's Report (2014) recommended that the Board approve the making of the Scheme, subject to a number of modifications. The Board subsequently approved the Scheme subject to modifications. Importantly, the Inspector in his report stated that "I am of the opinion that the contents of the Environmental Report comply with the requirements of article 179C of the Regulations.

Section 2 How Environmental Considerations were integrated into the Planning Scheme

2.1 Introduction

Environmental considerations were integrated into the Planning Scheme through:

- Consultations with environmental authorities;
- Communication of environmental considerations and integration of these considerations into the Planning Scheme Land Uses Layout Map; and
- Integration of environmental measures into the Planning Scheme.

2.2 Consultations

As environmental authorities identified under the SEA Regulations, the EPA, Department of the Environment, Heritage and Local Government (DEHLG) and the Department of Communications, Energy and Natural Resources (DCENR)² were all sent SEA scoping notices by the Council indicating that submissions or observations in relation to the scope and level of detail of the information to be included in the environmental report could be made to the Council.

The Council also consulted with the Office of Public Works with regard to surface water and flooding issues.

Written submissions on the scope of the SEA were received from each of the environmental authorities and these were taken into account during the formulation of the scope of the SEA. Further detail on these submissions is provided under Section 3.2.

On 16th November 2011 an SEA meeting was held between the EPA, Dún Laoghaire-Rathdown County Council, CAAS, and Scott Cawley (AA consultants) at which the EPA made a number of suggestions which were taken into account by the SEA.

In addition, submissions were made on the Planning Scheme and Environmental Report while they were on public display (see Section 3.3).

2.3 Communication of environmental considerations and integration into the Planning Scheme Land Uses Layout Map³

Environmental considerations were communicated to the Planning team throughout the process of preparing the Planning Scheme. This allowed them to integrate these considerations into the Primary Land Uses Map (Map 2.1 in the Planning Scheme). A number of these environmental considerations are mapped on Figure 2.1 and Figure 2.2.

There have been various iterations of the Primary Land Uses Map each of which has been informed by environmental considerations highlighted by the SEA and other processes such as the AA. Specifically, the final map (see Figure 2.3) has been informed as follows:

1. A Green Infrastructure Use⁴ has been provided in stream valleys along the northern, eastern and south-eastern boundaries of the site. The selection of this use has been informed by flooding. ecological, water and visual considerations and will contribute towards the protection management of these sensitivities.

² Formally the Department of Communications, Marine and Natural Resources

³ The Planning Scheme boundary shown on maps on Figures 2.1 and 2.2 is that which was placed on public display as part of the Draft Planning Scheme. This boundary was slightly amended in the south-western corner before the Scheme was adopted. The adopted Planning Scheme boundary is shown on Figure 2.3.

⁴ Green Infrastructure Use Objective: 'A network and hierarchy of green infrastructure will be incorporated throughout the area to form a legible, contemporary and pleasant outdoor environment.'

- The Uses, Densities and Access and Movement (Planning Scheme Maps 2.1, 2.2 and 2.5) throughout the site have been informed by sustainable mobility considerations and will contribute towards the achievement of sustainable mobility patterns.
- 3. Building Heights and Frontages (Planning Scheme Maps 2.3 and 2.4) throughout the site have been informed by visual considerations and will contribute towards the mitigation of visual effects.
- 4. Protected Structures Designations have been identified across the site. These will contribute towards the protection of architectural heritage.
- A Green Infrastructure Use has been provided within the centre of the site, informed by and contributing towards the protection of archaeological and visual sensitivities.
- Commercial and Employment Uses have been generally provided along the M50, informed by the Noise Assessment that was undertaken as part of the SEA and contributing towards the protection of human health.
- 7. The provision of Greenways throughout the Planning Scheme area has been informed by sustainable mobility and ecological considerations and will contribute towards the achievement of sustainable mobility patterns and ecological connectivity.

The identification of environmental considerations was done using existing data sources as well as the following studies which were commissioned by the Council:

- Baseline Hydrogeological Assessment⁵;
- Baseline Noise Assessment⁶:
- Biodiversity Plan⁷;
- Appropriate Assessment⁸;

⁵ RPS for Dún Laoghaire-Rathdown County Council (2011) *Cherrywood Hydrology - Phase 1*

Hydrogeology Assessment of the Cherrywood SDZ ⁶ AWN Consulting for CAAS Ltd. (2011) Cherrywood SDZ Noise Report

⁷ Scott Cawley for Dún Laoghaire-Rathdown County Council (2012) *Biodiversity Plan*

- Flood Study for lands at Priorsland⁹;
- Baseline Visual Impact Assessment, undertaken as part of the SEA;
- Baseline Visual Impact Assessment, undertaken as part of this SEA; and
- Archaeological Studies¹⁰.

2.4 Integration of environmental measures into the Planning Scheme

Table 2.1 links key mitigation measure(s) - which have been integrated into the Planning Scheme to the likely significant effects of implementing the Planning Scheme - if unmitigated. The integration of these measures into the Planning Scheme occurred over a number of iterations and was informed by, inter alia, various communications through the SEA process.

The measures generally benefit multiple environmental components i.e. a measure providing for the protection of biodiversity, flora and fauna could beneficially impact upon the minimisation of flood risk and the protection of human health, for example.

The reference codes are those which accompany the relevant measures in the Planning Scheme.

In addition to the mitigation measures that have been integrated into the Planning Scheme, Section 2.2.1 of the Planning Scheme states that 'Where the Planning Scheme does not address an aspect of a development proposal the assessment will revert to the policies and objectives of the current County Development Plan.'

Policy LHB27 from the County Development Plan (CDP) 2010-2016 integrates a number of SEA mitigation measures into CDP and is as follows:

⁹ RPS for Dún Laoghaire-Rathdown County Council (2011) *Flood Risk Assessment and Management Study at Priorsland, Carrickmines*

¹⁰ Including Margaret Gowen & Co. Ltd (2010) Cherrywood Strategic Development Zone Archaeological Study

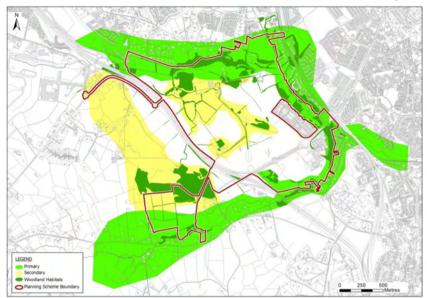
For RMP DU026-127, Cherrywood, Co. Dublin

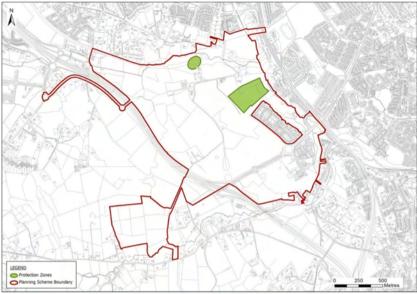
⁸ Scott Cawley for Dún Laoghaire-Rathdown County Council (2012) *Appropriate Assessment for the Cherrywood Strategic Development Zone Planning Scheme*

It is Council policy to implement the mitigation measures as set out in Section 9.3 of the Environmental Report accompanying the Development Plan, which are envisaged to prevent, reduce and, as fully as possible, offset any significant adverse impacts on the environment of implementing the County Development Plan.

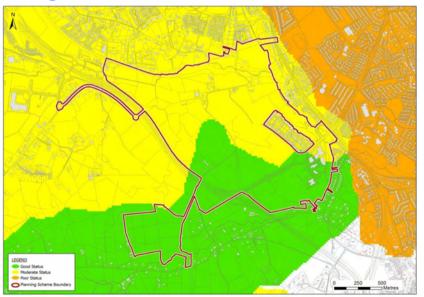
Applicable mitigation measures detailed in the Environmental Report for the CDP 2010-2016 and referred to in CDP 2010-2016 Policy LHB27 are detailed on Table 2.1.

These measures are likely to change on the review of the current County Development Plan which will be subject to its own SEA process.





Ecological Corridors



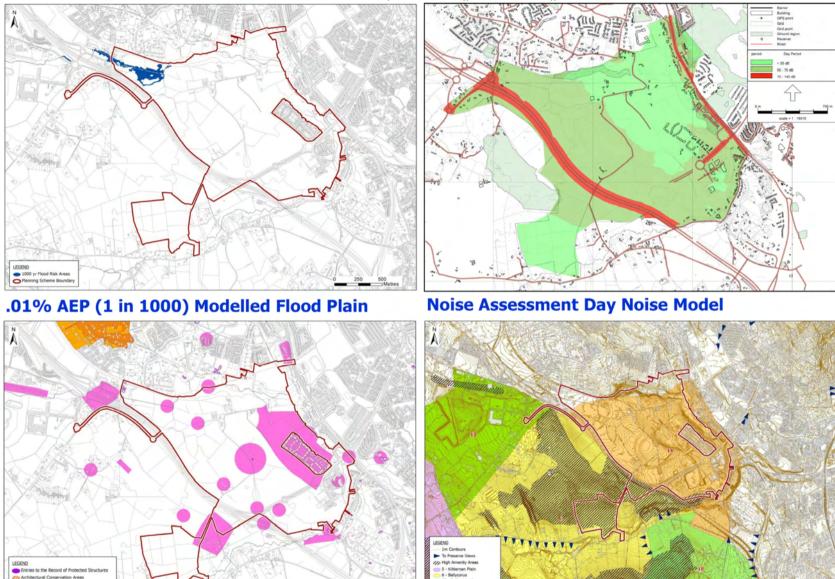
Tuffa Spring Protection Areas



WFD Status of Surface Waters

Figure 2.1 Selection of Environmental Sensitivities (Set 1 of 2)

CAAS Ltd. for Dún Laoghaire-Rathdown County Council



Cultural Heritage Designations

OPlanning Scheme Boundary

County Dev. Plan Landscape Designations

Figure 2.2 Selection of Environmental Sensitivities (Set 2 of 2)

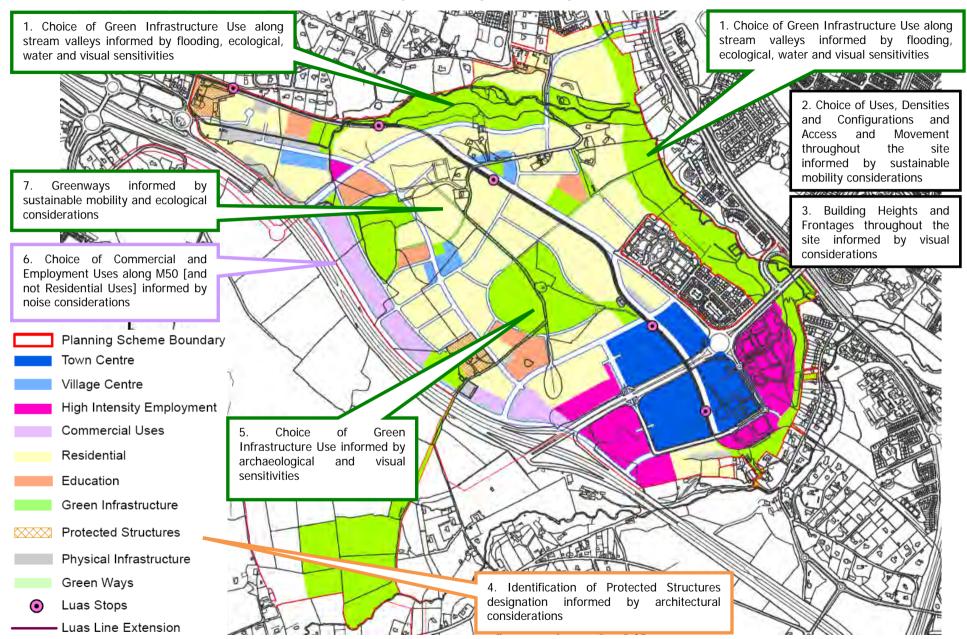


Figure 2.3 Integration of Environmental Considerations into the Planning Scheme Primary Land Uses Map

Table 2.1 Integration of environmental measures into the Planning Scheme

Likely Significant Effect, if unmitigated	Mitigation Measure Reference(s) from Planning Scheme and CDP 2010-2016
Loss of biodiversity with regard to Natura 2000 Sites	CDP Policy LHB27 (Biodiversity and Flora and Fauna I, II and III)
Loss of biodiversity with regard to ecological connectivity	Objectives: PD 17, GI 3, GI 9, GI 10, GI 15, GI 16, GI 19, GI 20, GI 21, GI 22, GI 30, GI 35, GI 36, GI 38, GI 39, GI 40, GI 41, GI 42, GI 46 to GI 52, GI 54 to GI 70, GI 75, GI 76 and DA 30
Loss of biodiversity with regard to Wildlife Sites and species listed on Schedule 5 of the Wildlife Act 1976	Objectives: PD 17, GI 3, GI 9, GI 10, GI 15, GI 16, GI 19, GI 20, GI 21, GI 22, GI 30, GI 35, GI 36, GI 38, GI 39, GI 40, GI 41, GI 42, GI 46 to GI 52, GI 54 to GI 70, GI 75, GI 76 and DA 30
Spatially concentrated deterioration in human health	Objectives: PD 31, GI 40, DA 20 and DA 42 CDP Policy LHB27 (Air and Noise I)
Damage to the hydrogeological and ecological function of the soil resource	Objectives: GI 63 and GI 64
Adverse impacts upon the status of water bodies	Objectives: GI 16, GI 30, GI 61, GI 63 to GI 67, GI 70 and DA 30 CDP Policy LHB27 (Water Protection II and IV)
Increase in the risk of flooding	Objectives: PD 17, PD 20, PI 7 to PI 11, GI 10, GI 15, GI 16, GI 21, GI 40, GI 57 to GI 61 CDP Policy LHB27 (Flooding III)
Failure to provide adequate and appropriate waste water treatment	Objective: PI 12 CDP Policy LHB27 (Waste Water I)
Failure to comply with drinking water regulations and serve new development with adequate drinking water that is both wholesome and clean	Objectives: PI 1 to PI 5 CDP Policy LHB27 (Drinking Water II)
Failure to contribute towards sustainable transport and associated impacts	Objectives: PD 10, PD 24, PD 25, PD 26, PI 13, PI 14, PI 16, PI 17 to PI 19, PI 20, PI 21, PI 22, PI 23, PI 24, GI 1, GI 3, GI 15, GI 17, GI 20, GI 21, GI 23 to GI 29, GI 31 to GI 33, GI 35, GI 40, GI 41, GI 74 to GI 78, DA 1, DA 10, DA 13, DA 19, DA 36, DA 43, DA 46 and DA 47
Effects on entries to the Record of Monuments and Places and other archaeological heritage	Objectives: H 1 to H 12, GI 38
Effects on entries to the Records of Protected Structures and other architectural heritage	Objectives: H 13 to H 66, DA 34
Occurrence of adverse visual impacts	Objectives: PD 21, PD 27, PD28, PD29, GI 9, GI 19, GI 22, GI 37, GI 38, GI 39, GI 40, GI 41, GI 42, GI 43, GI 44 to GI 48, GI 78, DA 3, DA 12, DA 34 and DA 38

Section 3 Environmental Report and Submissions & Observations

3.1 Introduction

This section details how both the Environmental Report and submissions and observations made to the planning authority on the Environmental Report and SEA process have been taken into account during the preparation of the Planning Scheme.

3.2 SEA Scoping Submissions

3.2.1 Introduction

As environmental authorities identified under the SEA Regulations, the EPA, Department of the Environment, Heritage and Local Government (DEHLG) and the Department of Communications, Energy and Natural Resources (DCENR)¹¹ were all sent SEA scoping notices by the Council indicating that submissions or observations in relation to the scope and level of detail of the information to be included in the environmental report could be made to the Council.

Written submissions on the scope of the SEA were received from each of the environmental authorities and these were taken into account and these were taken into account during the formulation of the scope of the SEA.

3.2.2 Environmental Protection Agency

A submission was received from the EPA dated 5th March 2011. This submission included information under the following headings:

- EPA SEA Pack;
- Up-to-date Environmental Monitoring Data etc.;
- Geographical Information Systems;
- Appropriate Assessment;
- Scoping Meetings/Workshops;
- Alternatives;

11 Formally the Department of Communications, Marine and Natural Resources

- Consultation;
- Assessment of Likely Significant Effects;
- Mitigation of Significant Effects;
- Monitoring Proposals;
- Process and SEA-Environmental Report Compliance;
- Integration of SEA and Plan/Programme;
- Documentation of the SEA Process;
- Possible Proposed Amendments to the Draft Plan:
- Information on the Decision/SEA Statement;
- SEA Guidance /Methodology;
- Environmental Authorities;
- Integration of Environmental Considerations in the Land Use Plans.

Also provided were supporting documents including an 'SEA Pack' which included information on various SEA related topics, an 'SEA Process Guidance' document and an 'Draft Scoping Checklist'.

On 16th November 2011 an SEA meeting was held between the EPA, Dún Laoghaire-Rathdown County Council, CAAS, and Scott Cawley (AA consultants) at which the EPA were presented with progress made on the SEA and the EPA made a number of suggestions with regard to the undertaking of the SEA.

3.2.3 Department of the Environment, Heritage and Local Government

The submission from the DEHLG dated 5th April 2011 included the following:

Natural Heritage

- Recommendation that the SEOs in the SEA cover habitats and species;
- o Information on Wildlife Acts of 1976 and 2000 and the European Communities (Natural Habitats) Regulations 1997 and amendments and Habitats Directive;

- Recommendation that water SEOs are compatible with the relevant River Basin Management Plans;
- Need to take account of the guidelines for Planning Authorities entitled "The Planning System and Flood Risk Management";
- Information sources for natural heritage;
- Need to screen for Appropriate Assessment;
- International Conventions, National Policies, Plans and Programmes and Relevant Policies and Plans at County Level on archaeology;
- Information sources for archaeological heritage;
- Development Issues in relation to archaeological heritage; and
- Liaison with National Monuments Section.

3.2.4 Department of the Communication, Energy and Natural Resources

The submission from the DCENR dated 11th April 2011 comprised a copy of comments made by Inland Fisheries Ireland at an earlier date on the scope of the Appropriate Assessment of the Planning Scheme. These comments related to topics including fisheries, drainage and waste water treatment.

3.3 Submissions and Observations on the Environmental Report

A number of submissions were made on the Planning Scheme and associated documents while they were on public display that made reference to the SEA Environmental Report. These issues contained within the submissions were responded to in a Manager's Report which was submitted to the Council for consideration. The following submissions made specific reference to the SEA:

- Health Service Executive (Submission No. 17);
- Environmental Protection Agency (Submission No. 25);

- Brock McClure on behalf of Friends First Holdings and Subsidiaries (Submission No. 40);
- McGill Planning on behalf of Cherrywood Properties (Submission No. 55); and,
- Tom Phillips Town Planning and Associates Limited on behalf of Pecan Properties Limited (Submission No. 69).

The submission from the EPA resulted in the following updates being made to the Environmental Report [new text in **green**]:

(i) To insert into Section 7.2.2 of the SEA Environmental Report, the following sentence:

Cumulative effects include those which could arise in combination with other strategic actions including those identified in Sections 2 and 5 of this Report.

(ii) To amend the last sentence in Section 10.4 of the SEA Environmental Report as follows:

The Council is responsible for the ongoing review of indicators and targets, collating existing relevant monitored data, the preparation of monitoring evaluation report(s), the publication of these reports and, if necessary, the carrying out of corrective action.

(iii) To insert the following sentence into Section 2.2 of the Non-Technical Summary:

The above policies, plans and programmes influenced the various provisions of the Planning Scheme which are detailed within Section 8 of the main SEA Environmental Report and within the Scheme itself.

One submission was made on the Material Alterations to the Planning Scheme and associated documents while they were on public display that made reference to the SEA of the Material Alterations. The issues contained within this submission were responded to in a Manager's Report which was submitted to the Council for consideration.

3.4 Submissions and Observations on the Draft Planning Scheme and Material Amendments

The following provides a summary of how submissions and observations made to the planning authority on the Draft Scheme/ Amendments have been taken into account during the planning authority's consideration of the draft scheme.

Following an assessment of the 73 submissions received on the Draft Planning Scheme, the Planning Authority made two significant changes to the scheme. The first change was in the overall population proposed as this was revised downwards, due to revisions to the density ranges proposed. The original population range proposed in the Draft Planning Scheme was 17,980 - 25,182 persons. The revised population range is 14,600 - 20,795 persons. The retail provision in the planning scheme is directly related to the projected population. Accordingly, this revised population projection has had a resultant impact on the quantum of retail provision in both the town and village centres, with a reduction in the quantum proposed in both.

The second significant change to the planning scheme was on the sequencing of development throughout the overall site. Originally, it had been proposed that development would occur from the town and village centres outwards, towards the edges of the site. This would have brought infrastructure into the areas of higher density first. Following consideration of the submissions, this was amended so that development would occur sequentially from existing development and from the edges of the site, inwards. This approach will use existing infrastructure first, and bring development into the areas of lower density first.

3.5 Environmental Report

The Environmental Report and the Planning Scheme were placed on public display in February 2012. The recommendations of the SEA with regard to the Primary Land Uses Map and individual environmental related provisions are provided under Section 9 'Mitigation'

Measures' in the Environmental Report. These recommendations were fully integrated into the Planning Scheme.

The SEA response to submissions on the Environmental Report which were made during the period of public display of the Planning Scheme and the Environmental Report was integrated into the Manager's Report circulated to Elected Members. This proposed updates to the Environmental Report as a result of submissions, as detailed under Section 3.3.

The Environmental Report was also updated in order to take account of changes which were made to the original, Draft Planning Scheme that was placed on public display. Changes which were Material Alterations underwent SEA, the findings of which were placed on public display alongside the Material Alterations.

Members of the planning authority have taken into account the findings of all relevant SEA output during their consideration of the Draft Planning Scheme and before its adoption.

On making of the Scheme, the original Environmental Report which had been placed on public display alongside the Draft Planning Scheme was updated to become a final Environmental Report which is consistent with the adopted Scheme.

Section 4 Alternatives and the Planning Scheme

4.1 Introduction

One of the critical roles of the SEA was to facilitate an evaluation of the likely environmental consequences of a range of alternative scenarios for accommodating future growth at the Planning Scheme lands in Cherrywood. 4 Alternative Scenarios for Cherrywood were considered and these are described below.

4.2 Description of the Alternative Plan Scenarios

Alternative Scenario 1: The Cherrywood Common Infrastructure Implementation Plan

Following the adoption of the County Development Plan 2004-2010, a Master Plan was devised for Cherrywood in 2007. At that time, it was decided to examine the feasibility of this plan in terms of the infrastructural requirements and phasing of development. This became the Cherrywood Common Infrastructure Implementation Plan 2008. This plan formed the basis of the County Council's request to the Government for the SDZ designation in 2008.

The Plan envisaged a new Town of c. 34,300 resident population, and an employment population of c. 17,600, with the masterplan area divided into ten development zones for a progressive phased development of the area. Having regard to the phased and considered approach to the development of Cherrywood as laid out in the Implementation Plan, it is a realistic option to examine.

The Block Plan map from the Plan is shown provided as Figure 4.1.

Alternative Scenario 2: 2010-2016 County Development Plan zonings

This alternative involves reproducing the current 2010-2016 County Development Plan zonings. The lands within the SDZ boundary are currently covered by the following zoning provisions:

- Objective DC: To protect, provide for and/or improve mixed-use district centre facilities.
- Objective E: To provide for economic development and employment.
- Objective F: To preserve and provide for open space with ancillary active recreational amenities.
- Objective A: To protect and/or improve residential amenity.
- Objective A1: To provide for new residential communities in accordance with approved local area plans.
- Objective B: To protect and improve rural amenity and to provide for the development of agriculture.
- Objective G: To protect and improve high amenity areas.

The current 2010-2016 County Development Plan zonings generally provide for a mixed use district centre, supported by extensive employment, residential and open space areas. There is one area, the A1 zoned lands, which require the provision of an approved local area plan. Other than these A1 lands, all other lands within the SDZ area are capable of being utilised, in accordance with their current zoning. This is therefore a realistic option for the Planning Scheme.

Current 2010-2016 County Development Plan zonings are shown on Figure 4.2.

Alternative Scenario 3: Developers'/Landowners' submissions, January 2011

Cherrywood Common Infrastructure Implementation Plan was written and submitted to the DEHLG in 2008. The SDZ designation was signed in 2010. Having regard to this time span, Planning Authority invited the developers/landowners to make a written submission setting out any new issues they wished to have considered in the Planning Scheme. Their submissions were received in January 2011. These submissions suggested a lower density focus for the plan area, a reduced infrastructure provision due to the reduced level of growth in the surrounding areas and a revised phasing of development. New land uses were also proposed. The combined landowners'

submissions are therefore a realistic alternative proposal for the Planning Scheme.

It was not appropriate to prepare a map for this scenario due to both the inconsistent coverage of lands referred to in the submissions across the SDZ lands and the varying levels of detail provided with regard to these lands.

Alternative Scenario 4: The Planning Scheme

This alternative (see Figure 4.3¹²) sets out the form, scale and nature of development and supporting infrastructure to enable the delivery of growth that is economically sound, environmentally friendly, and supportive of healthy communities - growth that enhances quality of life.

Central to the alternative is Cherrywood Town Centre which was designated as a District Centre under the Retail Strategy for the Greater Dublin Area 2008-2016, providing up to 35,000sq.m of net lettable retail floorspace. There are also three Village Centres: Priorsland, Tully Village and Lehaunstown, each with an appropriate range and scale of retail, commercial, community and other facilities.

The proposed infrastructure within Cherrywood has the potential to accommodate a resident population of 20,800¹³ and a working population of 17,500.

A change to the boundary of the Draft Planning Scheme was made in the south-western corner of the SDZ before the Scheme was adopted. This change would not be likely to result in significant environmental effects.

A change to the land uses of the Draft Planning Scheme was made in the south of the SDZ before the Scheme was adopted (an area of High Intensity Employment Uses was changed to Residential). This change would not be likely to result in significant environmental effects.

A number of changes were made to the Planning Scheme on foot of modifications specified by An Bord Pleanála on approval of the Scheme. These changes would not be likely to result in significant environmental effects.

¹² The boundary and land uses shown on Figure 4.3 in this section are that which were adopted as part of the Planning Scheme.

¹³ Note that this figure was reduced from the Draft Planning Scheme figure of 25,000.

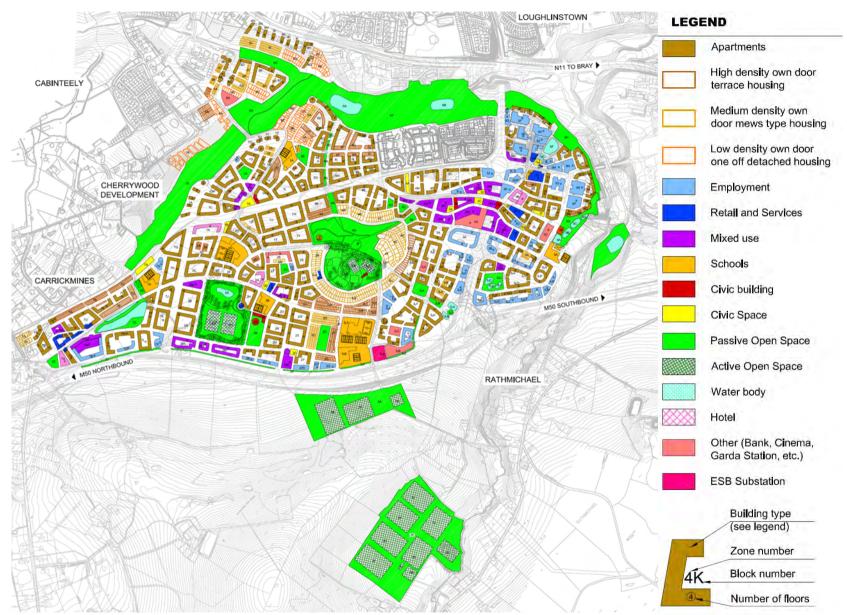


Figure 4.1 Alternative Scenario 1: The Cherrywood Common Infrastructure Implementation Plan - Block Plan

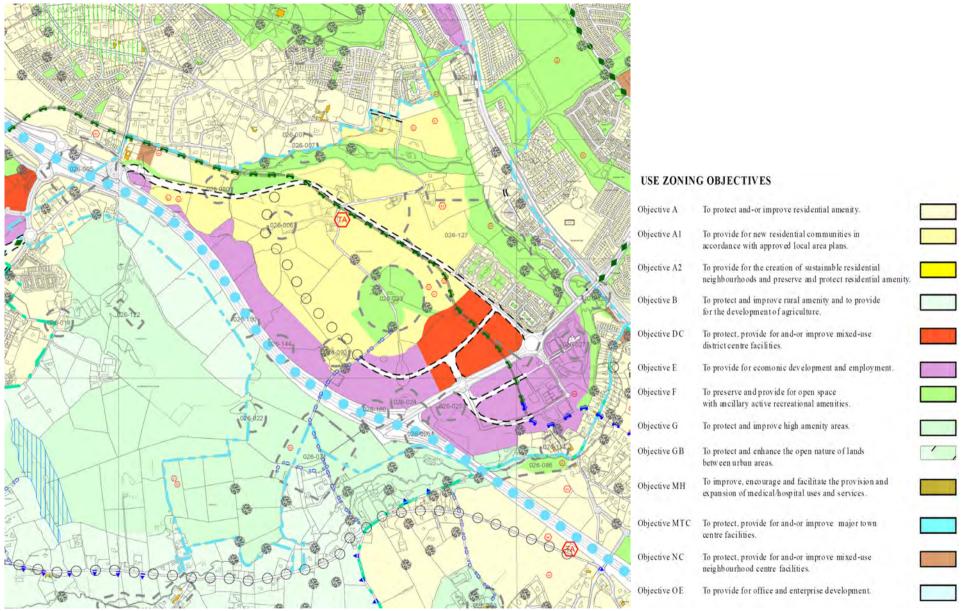


Figure 4.2 Alternative Scenario 2: 2010-2016 County Development Plan zonings

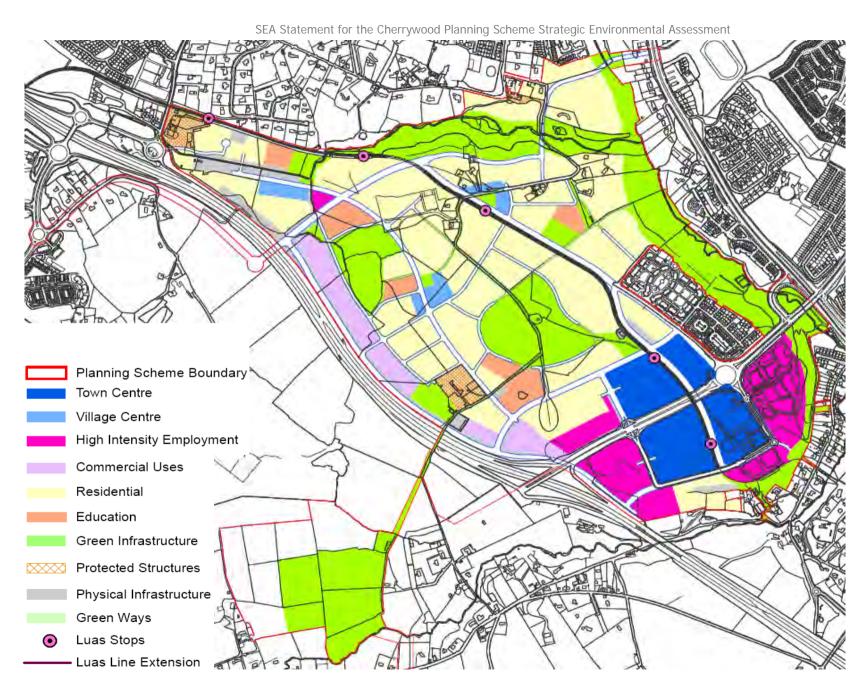


Figure 4.3 Alternative Scenario 4: The Planning Scheme Primary Land Uses Map

4.3 Evaluation of Alternative Scenarios

This section summarises the evaluation of the Alternative Scenarios that is found in Section 7 of the Environmental Report which provides a detailed description of the evaluation of Scenarios against both the existing environment and Strategic Environmental Objectives.

Alternative Scenario 1: The Cherrywood Common Infrastructure Implementation Plan

Environmental Effects

Likely to Improve Status of SEOs

By providing 'Passive Open Space' zoning in certain locations Scenario 1 would improve the status of habitats, species, ecological connectivity and water quality protection as well as facilitating flood risk management. This zoning would also contribute towards the minimisation of impacts upon visual sensitivities and archaeological heritage.

This Scenario contributes towards maximising the uptake in smarter, more sustainable modes of transport by providing for development adjacent to the Luas and other public transport routes and by providing for social infrastructure.

Potential Conflict with status of SEOs

Scenario 1 potentially conflicts with the status of habitats, species and ecological connectivity because of the population provided for by this scenario. In addition potential conflicts would arise due to the footprint of development.

This Scenario potentially conflicts with water services provision due to the magnitude of development proposed.

Due to the mix and extent of uses this Scenario potentially conflicts with efforts to achieve sustainable mobility.

Archaeological, architectural and landscape considerations would be

considered on a site by site, application by application basis under this Scenario thereby providing the potential for cumulative adverse effects upon these environmental components.

There would be potential conflicts with flood risk management and water quality due to new development in areas such as the north western corner of the SDZ lands.

There would be potential conflicts with the status of groundwater and the function of soil.

There would be potential conflicts with human health as a result of exposure to noise levels along the M50.

• Planning Effects

Pros

- This plan sets out the required infrastructure for the area based on a master plan, which transcended land ownership and is cognisant of the principles of good urban design and planning.
- Carrying capacity of the lands and the required infrastructure set out.
- Clear vision provides certainty to the markets.
- Scale and form of the proposed development area is set out in detail.
- Provides for schools, open space and other social infrastructure.
- Phased approach based on the infrastructure required for each zone.

Cons

- Excessive retail provision in the form of showrooms and retail services which are contrary to the Retail Strategy for the Greater Dublin Area 2008-2016 and the County Development Plan 2010-2016.
- > Excessive focus on apartments.
- Plan was made at the peak of the property boom and infrastructure requirements reflect this.

Alternative Scenario 2: 2010-2016 County Development Plan zonings

• Environmental Effects

Likely to Improve Status of SEOs

By providing 'Objective G' zoning in certain locations Scenario 2 would improve the status of habitats, species, ecological connectivity and water quality protection as well as facilitating flood risk management. This zoning would also contribute towards the minimisation of impacts upon visual sensitivities and archaeological heritage.

This Scenario contributes towards maximising the uptake in smarter, more sustainable modes of transport by providing for development adjacent to the Luas and other public transport routes.

Potential Conflict with status of SEOs

Scenario 2 potentially conflicts with the status of habitats, species and ecological connectivity because of the footprint of development provided - less conflict than Scenario 1 as likely population would be lower.

This Scenario potentially conflicts with water services provision and water services infrastructure and capacity would be needed to ensure the mitigation of potential conflicts.

Due to potentially fragmented or isolated development which has inadequate connectivity and legibility and the lack of planned social aspects, this Scenario potentially conflicts with efforts to achieve sustainable mobility.

Archaeological, architectural and landscape considerations would be considered on a site by site, application by application basis under this scenario thereby providing the potential for cumulative adverse effects upon these environmental components.

There would be potential conflicts with flood risk management and water quality due to new development in areas such as the north western corner of the SDZ lands.

There would be potential conflicts with the status of groundwater and the function of soil.

There would be potential conflicts with human health as a result of exposure to noise levels along the M50.

• Planning Effects

Pros

Development on all the SDZ lands except A1 zone can go ahead assessed on a case-by-case basis.

Cons

- No overall vision for the future of the SDZ development lands, this may reduce the market confidence in the area and discourage investment.
- Development will continue to be assessed on a site-by-site basis without an agreed masterplan, potentially leading to fragmented or isolated development, which has connectivity inadequate legibility. Although cumulative environmental effects were considered at a county level as part of the Dún Laoghaire-Rathdown County Development Plan 2010-2016, cumulative effects would have the potential to occur at the Cherrywood lands.
- Lack of planning of social infrastructure including schools and public open space.

Alternative Scenario 3: Developers'/Landowners' submissions, January 2011

Environmental Effects

Likely to Improve Status of SEOs

By providing for a reduced quantum of development in certain locations Scenario 3 would improve the status of habitats, species, ecological connectivity and water quality protection as well as facilitating flood risk management. This quantum would also contribute towards

the minimisation of impacts upon visual sensitivities and archaeological heritage.

This Scenario contributes towards maximising the uptake in smarter, more sustainable modes of transport by providing for development adjacent to the Luas and other public transport routes.

Potential Conflict with status of SEOs

Scenario 3 potentially conflicts with the status of habitats, species, ecological connectivity and water quality protection as well as flood risk management because of the footprint of development especially in certain areas adjacent to the Carrickmines / Loughlinstown Rivers.

This Scenario potentially conflicts with water services provision and water services infrastructure and capacity would be needed to ensure the mitigation of potential conflicts.

By providing for a reduced quantum of development in certain locations this scenario would reduce the viability of the Luas, which was planned on higher residential figures, this Scenario potentially conflicts with efforts to achieve sustainable mobility.

Archaeological, architectural and landscape considerations would be considered on a site by site, application by application basis under this scenario thereby providing the potential for cumulative adverse effects upon these environmental components.

There would be potential conflicts with the status of groundwater and the function of soil.

There would be potential conflicts with human health as a result of exposure to noise levels along the M50.

• Planning Effects

Pros

Flexible plan responsive to markets, particularly in terms of provision of more suburban type residential developments. Many developments are ready to go based on existing infrastructure and lower growth projections for neighbouring areas and this existing infrastructure should be used to capacity in order to kick start development.

Cons

- Lack of agreement among developers as to the type of plan they want some prefer an LAP, others Planning Scheme and others multiple Planning Schemes.
- Don't want to invest in further infrastructure and each developer argues that they are ready to go based on existing infrastructure already in place. If each developer started immediately there would not be enough infrastructure to accommodate this.
- Many of the developers' submissions lack planning of social infrastructure including schools and public open space.
- Preduced quantum of residential provided while on the other hand increased quantum of retail development, such that the quantum is excessive and as there is a mismatch between population and retail provision. Not an efficient use of the SDZ lands and this would impact on the viability of the Luas, which was planned based on higher residential figures.
- Lack of road link above grade between north and south of Wyattville Link Road, which will reduce connectivity between both sides and put pressure on at grade junctions.
- Provision of a large quantum of retail warehousing, retail club and sports retail proposed would impact on established retail warehousing at the Park Carrickmines, contrary to County Development Plan 2010-2016 Policy (Section 7.3.11) and regional policy.

- Development of an office based business park without any residential development would mean that one area would be dead after 6 p.m. and at weekends.
- ➤ There is an inadequate provision of houses and duplexes across the plan area. By removing residential development in the proposed town centre this will reduce the capacity of lands in other parts of the plan area to provide for these typologies.
- ➤ A reduction of the provision of residential development across land holdings and the provision of more suburban typologies would reduce the carrying capacity of the lands overall and therefore shrink the size of the town centre and other village centres.
- The RPA have indicated that a significant reduction in residential numbers will impact on the viability of the Luas.

Alternative Scenario 4: The Planning Scheme

Environmental Effects

Likely to Improve Status of SEOs

By providing Green Infrastructure uses in stream valleys along the northern, eastern and south-eastern boundaries of the site, Scenario 4 would improve the status of habitats, species, ecological connectivity and water quality protection as well as facilitating flood risk management. The Green Infrastructure uses would also contribute towards the minimisation of impacts upon visual sensitivities, archaeological heritage and groundwater status and the protection of soil functions.

This Scenario contributes towards maximising the uptake in smarter, more sustainable modes of transport by providing for: considered uses, densities and configurations and development adjacent to the Luas and other public transport routes; Greenways; and social and physical infrastructure.

Commercial and Employment Uses along the M50 contribute towards the protection of human health.

Protected Structures Designations have been identified across the site. These will contribute towards the protection of architectural heritage.

Potential Conflict with status of SEOs

Although under Scenario 4 potential conflicts exist, the integration of environmental considerations into the Planning Scheme minimises conflicts with the status of habitats, species, ecological connectivity, water quality protection, groundwater status and soil function as well as flood risk management and visual and cultural sensitivities.

This Scenario potentially conflicts with water services provision and water services infrastructure and capacity would be needed to ensure the mitigation of potential conflicts.

There would be potential conflicts with the status of groundwater and the function of soil.

Scenario 4 would result in the least amount of potential conflicts with human health as a result of exposure to noise levels and these would be likely to be localised.

• Planning Effects

Pros

- The Planning Scheme accords with higher level Plans/Strategies with regard to strategic development that is coordinated with local authorities, public authorities and other bodies as appropriate.
- ➤ The plan accords with the hierarchy set out in the County Development Plan 2010-2016.
- ➤ The plan is informed by the natural and man-made heritage, topography, views, flooding issues, and this is married with an appropriate open space network, appropriate buffering

of sensitive areas to form a plan for a sustainable town.

- The Plan is based on infrastructural capacity studies, which shows that the lands have the capacity to carry the proposed development.
- Clear policies and objectives are provided which indicates overall quantum of development, land uses, maximum and minimum densities and plot ratios.
- ➤ The Planning Scheme provides policies and objectives in relation to the overall design of the proposed development, including the maximum heights, the external finishes of structures and the general appearance and design.
- The Planning Scheme provides coherent policies and objective relating to transportation, including public transportation, the roads layout, the provision of parking spaces and traffic management.
- ➤ The Planning Scheme provides policies and objective relating to the provision of services on the lands, including the provision of waste and sewerage facilities and water, electricity and telecommunications services and gas infrastructure.
- ➤ The Planning Scheme provides policies and objective relating to minimising any adverse effects on the environment, including the natural and built environment, and on the amenities of the area.
- The Planning Scheme provides policies and objective relating to the provision of amenities, facilities and services for the community, including schools, crèches and other education and childcare services.
- ➤ The provision of social and physical infrastructure is phased with development.
- Fast track of planning applications once the Final Planning Scheme is adopted.
- Clarity on long term vision as the life of a Planning Scheme is

different to County Development Plan.

Cons

- Due to the statutory process, the Planning Scheme cannot facilitate development immediately.
- Amendments to the approved Planning Scheme are time consuming.

4.4 Reasons for choosing the Planning Scheme, as adopted, in light of the other reasonable alternatives dealt with

The Alternative Scenario for the development of Cherrywood which emerged from the planning process is Scenario 4 – this Scenario contributes towards the protection of the environment and conforms with high level planning objectives.

By complying with appropriate mitigation measures - including those which have been integrated into the Planning Scheme - potential adverse environmental effects which could arise as a result of implementing this scenario would be likely to be avoided, reduced or offset.

Alternative Scenario 4 was developed by the Planning Team and made as the Planning Scheme by the Elected Members having regard to both:

- The environmental effects which were identified by the SEA and are detailed above; and
- 2. Planning including social and economic effects which are identified alongside environmental effects above.

In April 2014, An Bord Pleanála decided to approve the Planning Scheme for a variety of reasons, subject to a number of modifications – none of these modifications would be likely to result in significant environmental effects above those envisaged by the original assessment.

The text of Section 2.3 and Figure 2.3 captures how the development of the Primary Land Uses Map for the Planning Scheme was informed by environmental sensitivities.

Section 5 Monitoring Measures

5.1 Introduction

The SEA Directive requires that the significant environmental effects of the implementation of plans and programmes are monitored. This section and Section 9 of the Environmental Report contain proposals for monitoring the likely significant effects of implementing the Planning Scheme.

Monitoring enables, at an early stage, the identification of unforeseen adverse effects and the undertaking of appropriate remedial action. In addition to this, monitoring can also play an important role in assessing whether the Planning Scheme is achieving its environmental objectives and targets - measures which the Plan can help work towards - whether these need to be reexamined and whether the proposed mitigation measures are being implemented.

5.2 Indicators and Targets

Monitoring is based around indicators which allow quantitative measures of trends and progress over time relating to the Strategic Environmental Objectives identified in the SEA Environmental Report and used in the assessment. Each indicator to be monitored is accompanied by the target(s) which were identified with regard to the relevant strategic actions.

Table 5.1 overleaf shows the indicators and targets which have been selected for monitoring the likely significant environmental effects of implementing the Planning Scheme, if unmitigated.

The Monitoring Programme may be updated to deal with specific environmental issues - including unforeseen effects - as they arise. Such issues may be identified by the Council or identified to the Council by other agencies.

5.3 Sources

Measurements for indicators generally come from existing monitoring sources. Existing monitoring sources include those maintained by the Council and the relevant authorities e.g. the

Environmental Protection Agency, the National Parks and Wildlife Service and the Central Statistics Office.

The *Development Management Process* in the Council will provide passive monitoring of various indicators and targets on an application by application basis. Where significant adverse effects - including positive, negative, cumulative and indirect - have the potential to occur upon, for example, entries to the RMP, entries to the RPS or ecological networks as a result of the undertaking of individual projects or multiple individual projects such instances should be identified and recorded and should feed into the monitoring evaluation.

5.4 Reporting

A stand-alone Monitoring Report on the significant environmental effects implementing the Planning Scheme will prepared before development is commenced in the Second Growth Area (Development Areas 1. 3) and. subsequently, development is commenced in the Third Growth Area (Development Areas 6, 7 and 8) (for the sequencing and phasing of development see Chapter 7 in the Planning Scheme). This report should address the indicators set out below.

The Council is responsible for the ongoing review of indicators and targets, collating existing relevant monitored data, the preparation of monitoring evaluation report(s), the publication of these reports and, if necessary, the carrying out of corrective action.

5.5 Thresholds

Thresholds at which corrective action will be considered include:

- The occurrence of flood events;
- Court cases taken by the Department of Arts, Heritage and the Gaeltacht regarding impacts upon archaeological heritage including entries to the RMP;
- Complaints received from statutory consultees regarding avoidable environmental impacts resulting from

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development which is granted permission under the Planning Scheme;

- Boil notices on drinking water; and
- Fish kills.

Table 5.1 Selected Indicators, Targets and Monitoring Sources

Environmental	Selected	Selected	Source	Monitoring
Biodiversity, Flora and Fauna	Indicator(s) B1i: Conservation status of habitats and species as assessed under Article 17 of the Habitats Directive	B1i: Maintenance of favourable conservation status for all habitats and species protected under national and international legislation to be unaffected by implementation of the Planning Scheme ¹⁴	a) Department of Arts, Heritage and the Gaeltacht report of the implementation of the measures contained in the Habitats Directive - as required by Article 17 of the Directive b) Consultations with the NPWS.	a) Every 6 years b) At monitoring evaluation - see Section 5.4
	B1ii: Conservation status of relevant Tuffa springs	B1ii: Maintenance of favourable conservation status of relevant Tuffa springs	To be coordinated and carried out jointly by developers within catchment of springs	At 5 yearly intervals
	B2i: Percentage loss of functional connectivity without remediation resulting from development provided for in the Planning Scheme	B2i: No significant ecological networks or parts thereof which provide functional connectivity to be lost without remediation resulting from development provided for in the Planning Scheme	a) CORINE mapping resurvey b) Development Management Process in the Council	a) Unknown b) Per granted permission; compile at monitoring evaluation - see Section 5.4
	B2ii: Status and relevance of biodiversity related measures contained within the Planning Scheme and the Biodiversity Plan	B2ii: Ensure continuing compliance with and relevance of, as appropriate, biodiversity related measures contained within the Planning Scheme and the Biodiversity Plan	To be assessed by the Council	After commencement of development

 $^{^{\}rm 14}$ Except as provided for in Section 6(4) of the Habitats Directive, viz. There must be:

⁽a) no alternative solution available;

⁽b) imperative reasons of overriding public interest for the plan to proceed; and

⁽c) adequate compensatory measures in place.

Environmental Component	Selected Indicator(s)	Selected Target(s)	Source	Monitoring Frequency
Biodiversity, Flora and Fauna (continued)	B3i: Number of significant impacts on relevant habitats, species, environmental features or other sustaining resources in Wildlife Sites resulting from development provided for in the Planning Scheme	B3i: Avoid significant impacts on relevant habitats, species, environmental features or other sustaining resources in Wildlife Sites resulting from development provided for in the Planning Scheme	a) CORINE mapping resurvey b) Development Management Process in the Council c) Consultations with the NPWS.	a) Unknown b) Per granted permission; compile at monitoring evaluation - see Section 5.4 c) At monitoring evaluation - see Section 5.4
	B3ii: Number of significant impacts on the protection of species listed on Schedule 5 of the Wildlife Act 1976.	B3ii: No significant impacts on the protection of species listed on Schedule 5 of the Wildlife Act 1976	a) CORINE mapping resurvey b) Development Management Process in the Council c) Consultations with the NPWS.	a) Unknown b) Per granted permission; compile at monitoring evaluation - see Section 5.4 c) At monitoring evaluation - see Section 5.4
	B3iii: Population and spatial extent of bats/bryophytes in Druids Glen	B3iii: Maintain population and spatial extent of bats/bryophytes in Druids Glen	Data to be collected by the Council	At 5 yearly intervals
Population and Human Health	HH1: Occurrence (any) of a spatially concentrated deterioration in human health arising from environmental factors resulting from development provided for in the Planning Scheme, as identified by the Health Service Executive and Environmental Protection Agency	HH1: No spatial concentrations of health problems arising from environmental factors as a result of implementing the Planning Scheme	Consultations with EPA and Health Service Executive	At monitoring evaluation - see Section 5.4
Soil	S1: Soil extent and hydraulic connectivity	S1: To minimise reductions in soil extent and hydraulic connectivity	Development Management Process in the Council	Per granted permission; compile at monitoring evaluation - see Section 5.4

Environmental Component	Selected Indicator(s)	Selected Target(s)	Source	Monitoring Frequency
Water	W1: Classification of Overall Status (comprised of ecological and chemical status) under the European Communities Environmental Objectives (Surface Waters) Regulations 2009 (SI No. 272 of 2009)	W1: Not to cause deterioration in the status of any surface water or affect the ability of any surface water to achieve 'good status' by 2015	Data issued under the Water Framework Directive Monitoring Programme for Ireland (EPA, 2006)	Unknown
	W2: Groundwater Quality Standards and Threshold Values under Directive 2006/118/EC	W2: Not to affect the ability of groundwaters to comply with Groundwater Quality Standards and Threshold Values under Directive 2006/118/EC	Data issued under the Water Framework Directive Monitoring Programme for Ireland (EPA, 2006)	Unknown
	W3: Number of incompatible developments granted permission on lands which pose - or are likely to pose in the future - a significant flood risk	W3: Minimise developments granted permission on lands which pose - or are likely to pose in the future - a significant flood risk in compliance with The Planning System and Flood Risk Management Guidelines for Planning Authorities	Development Management Process in the Council	Per granted permission; compile at preliminary monitoring evaluation - see Section 5.4
Material Assets	M1i: Number of new developments granted permission which can be adequately and appropriately served with waste water treatment over the lifetime of the Planning Scheme	M1i: All new developments granted permission to be connected to and adequately and appropriately served by waste water treatment over the lifetime of the Planning Scheme	Development Management Process in the Council	Per granted permission; compile at monitoring evaluation - see Section 5.4

 $^{^{15}}$ Good status as defined by the WFD equates to approximately the following in the current national schemes of classification as set out by the EPA:

Q4 in the biological classification of rivers;

Mesotrophic in the classification of lakes; and

[•] Unpolluted status in the Assessment of Trophic Status of Estuaries and Bays in Ireland (ATSEBI).

Environmental Component	Selected Indicator(s)	Selected Target(s)	Source	Monitoring Frequency
Material Assets (continued)	M1ii: Preparation of a Water Services Strategic Plan - in compliance with the Water Services Act - for the functional area of the Council	M1ii: For the Council to prepare a Water Services Strategic Plan in compliance with the Water Services Act	Dún Laoghaire- Rathdown County Council Water Services Department	Council's Water Services Department to detail status of Plan preparation at monitoring evaluation - see Section 5.4
	M2i: Number of non-compliances with the 48 parameters identified in the European Communities (Drinking Water) Regulations (No. 2) 2007 which present a potential danger to human health as a result of implementing the Planning Scheme	M2i: No non-compliances with the 48 parameters identified in the European Communities (Drinking Water) Regulations (No. 2) 2007 which present a potential danger to human health as a result of implementing the Planning Scheme	a) EPA The Provision and Quality of Drinking Water in Ireland reports (EPA); b) EPA Remedial Action List; and c) Dún Laoghaire-Rathdown County Council Water Services Department	a) Annual/biannual; b) Annual/biannual; c) Council's Water Services Department to detail status of supplies listed on Remedial Action List.
	M2ii ¹⁶ : Preparation of a Water Services Strategic Plan - in compliance with the Water Services Act - for the functional area of the Council	M2ii: For the Council to prepare a Water Services Strategic Plan in compliance with the Water Services Act	Dún Laoghaire- Rathdown County Council Water Services Department	Council's Water Services Department to detail status of Plan preparation at monitoring evaluation - see Section 5.4
Air and Climatic Factors	C1: Percentage of population working within the Planning Scheme area travelling to work by public transport or non-mechanical means	C1: An increase in the percentage of the population travelling to work by public transport or non-mechanical means	Central Statistics Office	Next Census

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 $^{^{\}rm 16}$ Indicator and Target M2i are the same as Indicator and Target M1

Environmental Component	Selected Indicator(s)	Selected Target(s)	Source	Monitoring Frequency
Cultural Heritage	CH1: Percentage of entries to the Record of Monuments and Places - including Zones of Archaeological Potential (and the context of the above within the surrounding landscape where relevant) - protected	CH1: Protect entries to the Record of Monuments and Places - including Zones of Archaeological Potential (and their context of the above within the surrounding landscape where relevant)	a) Development Management/ Enforcement Processes in the Council; and b) Consultation with Department of Arts, Heritage and the Gaeltacht.	a) Per granted permission/ enforcement action; compile at monitoring evaluation - see Section 5.4 b) Compile at monitoring evaluation - see Section 5.4
			a) Development Management/ Enforcement Processes in the Council; and b) Consultation with Department of Arts, Heritage and the Gaeltacht.	a) Per granted permission/ enforcement action; compile at monitoring evaluation - see Section 5.4 b) Compile at monitoring evaluation - see Section 5.4

Environmental Component	Selected Indicator(s)	Selected Target(s)	Source	Monitoring Frequency
Landscape	L1: The protection and enhancement of all key vistas and views designated by the Dún Laoghaire-Rathdown County Development Plan 2010-2016	L1: The successful implementation of the Planning Scheme will result in the Indicators L1	Assessment by the Council	a) Per granted permission; compile at monitoring evaluation - see Section 5.4
	L2: The protection and enhancement of all views and panoramas to key local vantage points and civic buildings in the surrounding area, and within the Planning Scheme itself as identified in Chapter 2 of the Planning Scheme	L2: No contraventions of the landscape provisions of the Dún Laoghaire-Rathdown County Development Plan 2010-2016		
	L3: The incorporation of key vantage points/panoramas within core areas of new development			
	L4: The creation of a sense of place and coherence/ appreciation for the overall setting and context of Cherrywood			
	L5: The establishment of principal visual axes of the public realm incorporate vistas towards significant external landscape features that enhance the character and distinctiveness of the Planning Scheme Area			
	L6: The protection and enhancement of views towards local skylines formed by the enclosing ridges of the deeply incised stream corridors adjacent to and within the Planning Scheme			