SUPPORTING PLANNING STATEMENT

In respect of

Proposed Residential Development of 11 No. Units (Houses)

On behalf of

Brenda Weir
Rookwood
Stocking Lane
Ballyboden
Dublin 16

ERMS Planning & Development Consultants

Energy, Renewable, Marine, Spatial - Specialists

34 The Crescent, Castle Oaks, Co. Carlow.

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EXECUTIVE SUMMARY

This report has been prepared by ERMS Planning and Development Consultants, 34 The Crescent, Castleoaks, Carlow, Co. Carlow, on behalf of the applicant, Brenda Weir, Rookwood, Stocking Lane, Ballyboden, Dublin 16, to accompany the planning application for a development consisting of the setback, widening and relocation of a site entrance along the public road; a new pedestrian entrance; demolition of small shed/garage structure and filling-in of existing swimming pool; demolition of a portion of the west flanking courtyard wall to re-establish a historic courtyard entrance and construction of 11 No. residential units located surrounding Rookwood House (a protected structure) and maintaining the existing Rookwood House (a protected structure) as a residential house, 22 No. car parking spaces, new pedestrian footpaths, internal road network, detailed landscaping, services and all associated works at Rookwood, Stocking Lane, Ballyboden, Dublin 16.

The proposed development scheme also provides for an urban design concept that reflects three character areas consisting of "the Gate lodge area" - re-establishing the concept of a historic gate lodge, proposed to be modest in scale, and to reinterpret a traditional gate lodge in form; the "Woodland Houses area" - a cluster of two small groups of houses, one at each end of the woodland area, retaining a large area of communal open space as an amenity area at the centre, thus addressing both the main house and the open space; and the "Mews Houses area" - consisting of a small terrace of three houses and one detached house, all of which achieve a good variety in the house sizes across the site.

This report outlines the planning and development context for the proposed development and addresses the requirements of the relevant national and local planning policies in respect of development at this location.

1.0 INTRODUCTION

1.1 This report has been prepared by ERMS Planning and Development Consultants, 34 The Crescent, Castleoaks, Carlow, Co. Carlow on behalf of the applicant Brenda Weir. Rookwood, Stocking Lane, Ballyboden, Dublin 16. The purpose of the report is to outline the planning and development rationale for the proposed residential development at Rookwood, Stocking Lane, Ballyboden, Dublin 16.

1.2 The proposed development will comprise of development consisting of the setback, widening and relocation of a site entrance along the public road; a new pedestrian entrance; demolition of small shed/ garage structure and filling-in of the existing swimming pool; demolition of a portion of the west flanking courtyard wall to re-establish a historic courtyard entrance and construction of 11 No. residential units located surrounding Rookwood House (a protected structure) and maintaining the existing Rookwood House (a protected structure) as a residential house, 22 No. car parking spaces, new pedestrian footpaths, internal road network, detailed landscaping, services and all associated works at Rookwood, Stocking Lane, Ballyboden, Dublin 16.

2.0 SITE LOCATION AND DESCRIPTION

2.1 The subject site consists of 1.15 ha (2.84 acres), and the subject lands and Rookwood House (a protected structure) are located directly south of Rathfarnham, on the eastern side of Stocking Lane, the regional road, R115. The site is located within the M50 metropolitan ring road. The eastern and western side of Stocking Lane in the vicinity of the application site is characterized by existing and new suburban housing.

2.2 Further to the north is the Brookwood residential estate, while adjacent to the north, there is the Rookwood View apartment development. Across Stocking Lane to the north west lies the final phases of the 315 No. unit Scholarstown Wood estate. Adjacent to the south and south west is an open agricultural field, adjacent to the east is a house called Rookwood Lodge with two more detached dwellings located to the south east. Further to the south and east, are the housing estates of Prospect and Springvale.

2.3 Rookwood House and associated lands consist of a Georgian Country House, i.e. Rookwood, an outbuilding and small shed structure with privately landscaping and tree planting developed on the grounds by the owner, an experienced dendrologist. Rookwood House is a protected structure and consists of a five-bay two-storey country house with hipped slate roof and parapet flanked by chimney stacks and accessed through a stone gateway, and a tree-lined access lane. In addition to the main house, there is a single storey outbuilding and some small shed structures and modern swimming pool adjacent to the east of the house.

Fig. 1: Subject Lands Spatial Location

Fig. 2: Rookwood House and Lands

2.4 The subject site is the site of Rookwood House (a protected structure) and grounds. The house is currently in use by the applicant/owner and her family as a private residential house which has been kept in very good condition by the applicant/owner over many decades through significant investment in its upkeep and maintenance.

Fig. 3: Rookwood House open field front garden area, in before 1960s.

2.5 The house is in private residential use, and the grounds are subject to modern landscaping and tree planting that was newly planted and established when the owner bought and moved onto the site in the 1960s. Prior to1960 the front garden did not exist but were instead an open field with an occasional tree to the north of Rookwood House's front elevation, as can be seen from Fig.3.

2.6 Further to the north of the subject lands is Brookwood residential estate, while directly adjacent to the north is the Rookwood View apartment development. Across Stocking Lane to the north west is the final phases of the 315 No. unit Scholarstown Wood estate, located on the historic Hayfield House's eastern field and currently under construction. To the south east is Springvale Residential estate and further to the south, Prospect Hill House and the large Prospect Manor residential estate. To the south west and adjacent to the west of Stocking Lane, is the Ballyboden Waterworks.

2.7 Historically Rookwood was originally called Springfield from 1800 to around 1842/1881. The house and estate were renamed to Rookwood circa 1842/1881 which it is known as to the present day. Historically, the house formed one of a number of estate houses to the north of the country house was Boden Park, country house and estate, and Boden Bridge, crossing the river and leading to Ballyboden Village further to the north. To the east was Somerville, country house and estate, while directly to the south was a smaller house called Springvale and further to the south Prospect Hill, country house and estate, and at a distance to the west were Hayfield, country house and estate.

Fig. 4: Subject lands, conceptual spatial location in the Neighbourhood Context

3.0 PROPOSED DEVELOPMENT

3.1 The proposed sensitive development design and layout have been a product of, working within the constraints of the existing site and landscape features, the topography and sensitive consideration of the overall spatial relationship of the proposed development scheme with the protected structure, along with detailed discussions with the council in more than one pre-planning meetings over a two year period, as supported by detailed discussions and input from the council's heritage officer.

3.2 As part of this careful consideration, it was concluded that the site lends itself to three character areas consisting of a Gate lodge area, re-establishing the concept of a historic gate lodge, proposed to be modest in scale, and to reinterpret a traditional gate lodge in form; the Woodland Houses area approached by clustering two small groups of houses, one at each end of the woodland area, retaining a large area of communal open space as an amenity area at the centre, thus addressing both the main house and the open space; and Mews Houses area - consisting of a small terrace of three houses and one detached house, which achieves a greater variety in the house sizes across the site and is more in keeping with the nature of a mews development.

3.3 The proposed development consisting of the setback, widening and relocation of a site entrance northwards along the public road, allowing for improved sight lines and its repositioning, reordering and construction; a new pedestrian entrance; demolition of small shed/ garage structure; filling-in of an existing swimming pool; demolition of a portion of the west flanking courtyard wall to re-establish a historic courtyard entrance (as seen on Historic 6 Inch (1837-1842), Historic 25 inch (1888-1913) maps); and for the construction of 11 No. residential units located surrounding Rookwood House (a protected structure) on its associated grounds, made up of Section 1: "The Gate Lodge" consisting of Unit No.1, [1.5-Storey 2-Bed, 4-Person Detached Dwelling (83.50 m²)], Section 2: "Mews Houses" consisting of Units No.2, No.3 & No.4: [2 Storey 3-Bed, 4-Person Terraced Dwellings (105.10m²)], and Unit 5: [2 Storey, 3-bed, 6-Person Detached Dwelling (138.00m²)], and Section 3: "Woodland Houses" consisting of Units No.6 & No.9: [2.5-storey, 4-Bed, 6-Person Detached Dwellings (152.00m²)] ,Units No.7 & No.10: [2.5-storey, 4-Bed, 6-Person Semi-Detached Dwellings (152.00m²)] and Units No.8 & No.11: [2.5-storey, 3-Bed, 6-Person Semi-Detached Dwellings (125.90m²) and maintaining the existing Rookwood House (a protected structure) as a residential house, as is; 22 No. car parking spaces, new pedestrian footpaths, internal road network, detailed landscaping, services and all associated works.

3.4 Rookwood House building will be maintained as is, and will continue to be used as a private residential house by the applicant/owner and her family. No works are proposed to Rookwood. The architectural heritage impact assessment and heritage strategy, submitted with this application confirm that "*No works are proposed to Rookwood House. The house remains in continued residential use and is adequately maintained by the current owner in good condition.*"

Fig. 5 Rookwood House, Woodland lands area, Former Tennis Court Area, Existing Entrance Gate Area.

Fig. 6 Sensitive site layout, set out within identified character areas that relates to the history, topography and character of the site and Rookwood House.

3.5 The entrance to the subject lands and Rookwood House, is proposed will be relocated northwards on the site frontage along the public road to improve sight lines and accessibility, and will be supplemented by a separate pedestrian entrance and consequently, will be repositioned, reordered and newly constructed.

3.6 The existing poor condition of the original entrance wall was surveyed and discussed with the council and council heritage officer and it was agreed that

i. Road safety mitigated against retention of the original boundary.

ii. The two storey gate lodge should be modest in scale.

iii. The basic features of the original entrance should be incorporated in any new design i.e. gate piers, wing walls and guard stones.

3.7 The submitted Architectural Heritage Impact Assessment (AHIA) indicates.

"Relocating and reordering the entrance is considered acceptable as original piers are retained with extant architectural expression and characteristics maintained. "

3.8 It is further proposed to demolish a small shed/garage structure. and to demolish a portion of the west flanking court yard wall leading west of the house to re-establish a historic yard entrance (as seen on Historic 6 Inch (1837-1842), Historic 25 inch (1888-1913) maps). The AHIA confirms that the small shed/garage structure.

"...of no architectural heritage value, abutting the flanking wall to the west side of Rookwood House will be removed to facilitate a new opening to provide access to the new Mews cluster development. The new opening corresponds to a historic access point to the outbuilding complex."

3.9 The subject site's main access road leading to the woodland houses has been rerouted around the mature oak tree which is a feature of the main entrance.

3.10 A pedestrian entrance is proposed off the public road, formed in the northern wing wall of the new entrance, connecting the existing footpath in front of Rookwood View to the path serving its new entrance road.

3.11 From the subject site main entrance the footpath leads along the main site access road to the shared surface areas and has been designed to ensure a gentle gradient despite the significant changes in level. A stepped path will also be provided along the desire line to the north of the oak tree. The footpath continues through the site responding to contours, tree locations and linking communal - and private open spaces and accesses.

3.12 The proposal also provides for urban designs to reflect three character areas: the Gate Lodge; the Woodland Houses and Mews Houses areas located in carefully selected areas based on the site survey, tree survey, heritage assessment strategy, topography and form of the subject site.

Fig. 7: 3D Photomontage Renders, of reconstructed entrance, main roadway, Woodland houses, re-established historic entrance and Mews Houses

3.13 The Gate lodge - re-establishing the concept of a historic gate lodge, is proposed to be modest in scale, and to reinterpret a traditional gate lodge in form. The gate lodge is intended to be set within an open landscape with low level planting surrounding it, without high boundaries other than the new site boundary wall.

3.14 The Woodland Houses area has been designed within the constraints of the existing site and landscape features, the topography and the over-riding relationship of any development with the protected structure. It was concluded that the best approach was to cluster two small groups of houses, one at each end of the woodland area, retaining a large area of communal open space as an amenity area at the center. Each of the houses addresses the main house with entrance doors and living areas overlooking the lawn towards Rookwood.

3.15 Each of these clusters was designed as an entity in order to ensure that the proximity of the houses to each other did not impact on their residential amenity. Each floor plan is unique and responds to the relationship of the house to the other two houses, to its orientation and to the site contours and boundaries. Where the houses overlap windows has been carefully placed to ensure no overlooking and no opposing windows. The wide frontage and shallow plan depth have allowed for flexibility in placing fenestration.

3.16 Gables have been designed to act as principal elevations facing private rear gardens, front gardens or communal open space. The detached houses, No's 6 and 9 open to the private gardens to either south or west and addresses the communal areas to the north and east with open plan landscaped front gardens.

3.17 Mews Houses area (former tennis court area) - consists of a small terrace of three houses and one detached house. It achieves a greater variety in the house sizes across the site and is more in keeping with the nature of a mews development.

3.18 The design is intended to be simple to reflect the form of outbuildings associated with a larger house. The terrace roof is hipped at one end, in deference to Rookwood Lodge, the ground floor of which is at a lower level. The plan form is again double fronted and narrow in depth allowing all habitable rooms to face away from the site of the adjacent house at Coolamber. The windows at first floor level serve bathrooms only and have opaque glass.

3.19 Mews house No 5, is similar in form but includes a ground floor bedroom. It has been designed so that it could possibly suit a family member or carer providing further housing variety, The dwelling could potentially in future link through the garden to Rookwood House. There are no windows at first floor level which could overlook the field to the south of the site.

3.20 With regard to accessible and adaptable house types, it is submitted that all house types have been designed to be either adaptable or fully wheelchair accessible. Both the gate lodge and Mews House 5 are wheelchair accessible with a ground floor bedroom and level access shower room with good circulation space throughout the ground floor area and an accessible private garden area.

3.21 House units No's. 2, 3, 4, 6, 8, 9 and 11 have each been designed so that the living area can be divided in two, to create either a small single bedroom or study / homework area, independently accessed from either the hallway or dining area, with access to a ground floor WC which is large enough to take the future installation of a shower.

3.22 House unit No's. 7 and 10 have a living area which could be converted to a temporary bedroom with a ground floor shower room. In addition a straight-flight staircase in Unit No. 4 of the 6 woodland houses will enable easy provision of chair lifts should they be required.

3.23 By providing a bedroom at second floor level within the roof void of each of the woodland houses it has been possible to minimize the footprint of the houses thereby facilitating greater retention of existing landscape features as well as making provision for good quality storage.

3.24 The landscape design objectives have been:

i. Retain and protect existing trees on site where possible and to base the design of various interventions to allow for this;

ii. Propose replacement tree planting of substantial size for areas where existing trees are not possible to retain to transplant any younger trees affected by the development where possible;

iii. Protect and enhance the biodiversity value and ecological function of the Green Infrastructure network;

iv. Cater for creative play opportunities distributed throughout the communal open space;

v. Integrate communal and shared private amenity space within the existing setting in a subtle and non-intrusive manner;

vi. Create a safe, diverse, interesting and attractive range of open spaces with passive surveillance from the surrounding residential development:

vii. Create an appropriate setting for Rookwood House.

Fig. 8: 3D Render of proposed organic woodland, mews layout around Rookwood house

3.25 Emphasis has been placed on retaining the maximum number of existing trees and preserving the sylvan setting, with extensive new planting to replace any removed vegetation and to increase the level of biodiversity. New hedge planting is proposed to augment the existing hedgerows which are being retained. Native species such as yew, elder, holly and hazel will be both retained and introduced. Low level planting will include viburnum and euonymus amongst others under-planted with bulbs and a mix of ground cover .

3.26 The communal open space in the woodland area will be accessed via compacted gravel paths leading to informal play areas in the trees with seating areas near the southern edge to maximize light and sun. Low planting will be utilized to create and reinforce sub-spaces within the larger landscape; for visual interest, ecological purposes and to guide or direct people's movement.

3.27 A comprehensive Architectural Design Statement, outlining the design rationale for the proposed development, has been prepared by Fionnuala Rogerson Architects which sets out the primary design objectives as:

i. To consider a low density development as the appropriate response to the constraints of the existing site, the protected structure and the landscape features.

ii. To maintain the character of the house and its garden without diminishing its setting.

iii. To retain the sense of arrival to Rookwood via a tree lined driveway and to a front lawn surrounded by trees.

iv. To maintain the aspect from the house both to the north and to the south to include the screening of development through retention of existing trees and new landscape features.

v. To retain the view from the south towards the Dublin mountains.

vi. To limit development to the north and ensure that all houses respect the grain, landscape and topography of the adjoining development.

vii. To develop the site of the existing tennis court with dwellings reflecting the form and scale of the original outbuildings and Rookwood Lodge.

viii. To consider the development using three distinct typologies - "Woodland Houses" reflecting the heavily wooded setting to the north, "Mews Houses", reflecting the outbuildings once associated with the main house, and a "Gate Lodge" to add interest and a level of surveillance to the main site entrance.

ix. To ensure each typology was flexible enough to be located reasonably close to site boundaries without overlooking adjoining properties.

3.28 An Architectural Heritage Impact Assessment (AHIA) report and strategy in respect of the proposed development has been prepared by Shaffrey Architects RIAI Grade 1 Conservation Architects. The site layout and residential scheme design have been informed by both the Conservation Development Strategy (See Chapter 5, AHIA)) and a detailed Tree Constraints Plan. The Conservation Development strategy provided a framework to ensure the appropriate protection, conservation and enhancement of all elements of the historic environment and allow the impact of proposed development on the historic environment and its setting to be assessed.

3.29 The Heritage Assessment and Conservation Development Strategy set out through analysis and understanding of the historical development of the site the significance of 'garden landscape' setting to the house, assess its capacity to absorb change, potential impacts and mitigation to avoid, reduce or compensate for potential adverse impacts, and to enhance positive benefits. The conservation development strategy has been approached as an active and evolving strategy during the design development process and addresses the following objectives:

i. Assessment of special heritage significance value of the site and buildings.

ii. Assessment of the development capacity of site without adversely impacting the interest value.

iii. Provide guidance framework for development.

iv. Framework for historic environmental protection constraints

v. Assess impact of design on heritage structures

vi. Provide guidance to enhance and provide a new contextual setting for retained buildings to ensure a coherence between the historic and new interventions.

vii. Provide guidance to managing change to the historic environment landscape.

viii. Provide guidance to the design to limit the impact on the existing buildings of historic value

3.30 The assessment and strategy conclude that urban landscape is a diverse environment that is constantly evolving. Such change does not necessary diminish its contributing heritage value. The design response to the integration of development at Rookwood House has successfully managed the necessary alteration to the landscaped setting, by careful location and integration of the housing clusters of an appropriate scale and density, whilst providing sufficient landscaped spatial separation around Rookwood house, ensuring than an appropriate setting is provided that protects the special heritage interest values of Rookwood House.

4.0 LOCATIONAL CONTEXT

4.1 ERMS Planning and Development Consultants has carried out a detailed examination of the planning history pertaining to the subject site and the immediate surrounding area. The relevant planning history is detailed below:

RELEVANT PLANNING HISTORY

Subject site:

4.2 There is no planning history on the subject site.

Surrounding Area:

Site further to the north,

4.3 **Register Reference: P.A. Ref. SD15A/0390**

Subject: "Subdivision of Boden Park House (a Protected Structure RPS 301) and Farm Lodge into two independent dwellings and the associated internal works necessary to effect this all as described in the drawings, along with the construction of a new 2.1m high boundary wall to sperate the gardens of the two properties. Other works to Boden House include the reinstatement of some windows on the side elevation, the creation of new openings to the rear, southwest elevation at ground level only and modifications to the internal plans to provide for the clean subdivision. new ensuite bathrooms and to relocate the kitchen to its original location. The works also include the demolition and rebuilding of a lean-to, 1970's structure (16sq.m.) to the rear of Boden Park House and the development of a new detached pool house (23sq.m.). The works to Farm Lodge include rearrangement of the stairs and moving a second-floor window to the west elevation to the east elevation".

Submission Date:	23/12/2015
Decision Date:	12/04/2016
Decision:	Granted
Reasons:	
Conditions:	Subject to 9 No. Planning

Boden Park House is a protected structure and the planning application was submitted along with an architectural heritage assessment and a tree survey. It was granted among others subject to the Architectural Heritage Assessment Report's recommendations.

Site adjacent to the north

4.4 **Register Reference: P.A. Ref. S00A/0580 and Appeal Ref. PL06S.122164**

Subject: "12 No. two bedroom and 4 No. one bedroom apartments in a two storey plus penthouse block, ancillary works and 29 parking spaces, Rookwood, Stocking Lane, Ballyboden, Dublin 16."

4.4 (cont'd)

Submission Date: 15/08/2000
Decision Date: 12/10/2000
Decision: Refused, and Refusal upheld on Appeal by ABP.
Reasons: Subject to four reason for refusal

- Inappropriate to the setting of Rookwood House and injury to the amenities of property in the vicinity.
- Second floor level balcony would result in overlooking.
- Roofing materials and horizontal emphasis conferred by the balconies would be inappropriate to the setting of Rookwood House.
- Lack of tree survey.

The Direction of ABP indicates that the Board concluded that the site is within the curtilage of Rookwood House. The Inspector's report recommended that the development be reduced to two storeys by the omission of the first floor and that permission be PL 06S.130420 An Bord Pleanála Page 4 of 10 granted. In addition it was recommended that the development be re-orientated in a north-westerly direction. Measures to eliminate overlooking and to reduce parking and other matters were also recommended.

Site adjacent to the north.

4.5 **Register Reference: P.A. SD15A/0390**

Subject: "Apartment development comprising 14 No. 2 bedroom units in 3 storey building, 28 car parking spaces and part demolition of front boundary wall, on land within the curtilage of a Protected Structure."

Submission Date: 09/11/2001
Decision Date: 28/06/2002
Decision: Granted and Upheld on Appeal by the Board.
Reasons: Subject to 9No. Planning Conditions

4.6 Site adjacent and across the road to the west.

Register Reference: P.A. Ref. SD15A/0017

Subject:"10 year permission for a residential development consisting of 317 dwelling units (247 houses and 70 apartments) and 223sq.m. crèche including two vehicular accesses from Scholarstown Road and one vehicular access from Stocking Lane, all associated site and infrastructural works including foul and surface water drainage, 599 car parking spaces (534 surface and 65 underground), landscaping and public open space, boundary walls and fences, roads, cycle paths and footpaths. The development consists of 247 houses (detached, semi-detached, terraced and end-terrace two and three storey units) and 70 apartments (Block A, B and C) to be provided as follows: (i) 6no. 2 bed terrace and end terrace houses (Type 3C and 3D), (ii) 124 3 bed terrace, end-terrace and semi-detached houses (Type 1A, B & C, 3A, B & E and 4A, B & C); (iii) 102 4 bed terrace, end-terrace, semi-detached and detached houses (Type 2A, B, C, D & E and Type 5); (iv) 15 5 bed detached houses (Type 6); (v) 14 1-bed apartments, 51 2-bed apartments and 5 2-bed with study apartments in 3 4 storey apartment blocks (Block A, B [both over basement] & C); (vi) a ground floor crèche with a gross floor area of 223sq.m. within Block C all on a site of approx. 9.77 hectares located south of Scholarstown Road, west of Stocking Lane, north of Ballyboden Waterworks and east of Woodfield Ballyboden."

Submission Date: 26/01/2015
Decision Date: 20/03/2015
Decision: Granted and upheld on appeal PL06S.244732
Reasons: Subject to No. Planning Conditions

4.7 On a site adjacent to the south,

Register Reference: P.A. Ref. SD18A/0225

Subject: "Three apartment blocks, two and three storeys in height, providing 46 apartments (36 no. 2-bedroom and 10 no. 1-bedroom); one crèche and one retail unit; 49 houses (8 no. 2-storey semi-detached 3 bedroom houses; 20 no. 3-storey semi-detached 4 bedroom houses; 2 no. 3-storey detached, 5 bedroom houses; 8 no. 2-storey terraced, 2 bedroom houses; 7 no. 3-storey terraced, 3 bedroom houses; 4 no. 3-storey terraced, 4 bedroom houses); new entrance location and design at Stocking Lane with a new access road and pavement to service the development; new separate pedestrian access with cycleway and pavement off Stocking Lane and new pedestrian access to Springvale. The development includes landscaped private and public open space, boundary fencing, lighting, play area, vehicle and cycle parking, site drainage works and all ancillary site development works on a site of c.2.4ha., at Stocking Lane, Dublin 16 by MacCabe Durney Barnes Limited.

Submission Date: 20/06/2018
Decision Date: 13/08/2018
Decision: Refused
Reasons: 8 No. Reasons for refusal

The reasons for refusal of permission generally related to the proposed layout not providing for perimeter apartment blocks, the poor provision of public open space, the failure to provide a children's play area, non-compliance with the Design Manual for Urban Roads and Streets (DMURS) regarding carriageway and pathway widths, insufficient detail regarding surface water management, the provision of six single-aspect north-facing apartments, various design flaws, the failure to meet minimum housing standards and an inadequate provision of tree planting.

4.8 **Register Reference**: P.A. Ref. PL06S. 308763

Subject: P.A. Ref: PL06S. 308763: Strategic Housing Development Application to An Bord Pleanála: 131 No. residential units (21 no. houses, 110 no. apartments), creche and associated site works, on c.2.47 ha on lands at Stocking Lane, Dublin 16 by MacCabe Durney Barnes Limited

Submission Date: 26/11/2020
Decision Date: 25/03/2021
Decision: Refused
Reasons: 2 No. Reasons for refusal

1. Having regard to the provisions of the South Dublin County Development Plan 2016-2022, specifically Housing (H) Policy 9 – Objective 3 requiring proposals to comply with Section 11.2.7 of the South Dublin County Development Plan 2016-2022, which states that new residential development that would adjoin existing one and/or two-storey housing, shall

be no more than two storeys in height, unless a separation distance of 35m or greater is achieved, and to the form, height and layout of the proposed development, it is considered that the proposed development materially contravenes the Housing (H) Policy 9 – Objective 3 of the South Dublin County Development Plan 2016-2022.

4.8(cont'd) 2. Furthermore, the statutory requirements relating to public notices and the submission of a material contravention statement have not been complied with by the applicant. Accordingly, the Board is precluded from granting permission in circumstances where the application is in material contravention of the development plan and where the statutory requirements referred to above have not been complied with.

4.9 Site adjacent to the west and south west

Register Reference: P.A. Ref. ABP-304458-19 (SDCC reg. ref. SD19A/0058)

Subject: 4 houses and 5 apartments, new vehicular access and associated site works

Submission Date: 14/05/2019
Decision Date: 03/09/2019
Decision: Refused
Reasons: Reasons for refusal

Permission was refused by An Bord Pleanála in September 2019 for the construction of four houses and five apartments, due to the impact of this development on the amenities of residents of Coolamber, the inadequate integration of public open space into the development and the potential for overlooking of the lands to the south;

4.10 **Register Reference:** P.A. Ref. ABP-306966-20 (SDCC reg. ref. SD20A/0002)

Subject: 4 houses and 5 apartments, new vehicular access and associated site works

Submission Date: 08/10/2020
Decision Date: 23/03/2020
Decision: Refused
Reasons: Reasons for refusal

Permission was refused by An Bord Pleanála in October 2020 for the construction of four houses and five apartments, due to the substandard provision of public and communal ABP-308763-20 Inspector's Report Page 10 of 85 amenity space on site, the potential for overlooking of the undeveloped lands to the south and the impact of the development on the residential amenities of Coolamber;

4.11 Site further North, Taylor's Lane (located 250m to the northeast on Edmondstown Road)

Register Reference: P.A. Ref. ABP-307222-20

Subject: Demolition of existing structures, construction of 496 no. apartments, creche and associated site works.

Submission Date: 25/05/2020
Decision Date: 14/09/2020
Decision: Granted
Conditions: 26No. conditions

A strategic housing development was granted permission by An Bord Pleanála in September 2020 for the demolition of former institutional buildings and the construction of 496 residential units within three blocks (over basement car parks) ranging in height from two to seven storeys. This permission is currently understood to be subject of legal proceedings;.

RELEVANT PRE-PLANNING HISTORY

4.12 On 14th November 2019, a pre-planning meeting was held with South Dublin County Council to discuss a proposed development of 9 houses and two apartments. Attended by Council was represented at the meeting by Jim Johnston, Senior Executive Planner, Hazel Craigie, Senior Planner, Irenie McLoughlin, Architectural Conservation Officer, Laurence Colleran, Senior Executive Parks Superintendent, Ronan Toft Assistant Engineer and Colm Maguire. Fionnuala Rogerson Architects attended, together with Louis Wildenboer of ERMS Planning Consultants, Gordon White, GWCE Consulting Engineers and Eamonn Kehoe of Shaffrey Architects, Conservation Consultants.

4.13 The following issues raised at this meeting included:

- The impact of the required sight lines at the entrance and the loss of the existing gate and wing walls,
- The impact of the proposed two storey gate lodge with the apartments,
- The potential for loss of trees proposed for retention within garden boundaries,
- The orientation of house entrances and impact of gables on approach,
- The impact of the proposed houses, roadway and parking to the north of Rookwood on the quality of the landscape.

The design team were requested to:

- Review the layout of the houses to the north,
- Consider options for the treatment of the site entrance,
- Explore minimum standards for the site roads, parking and turning areas to minimize their impact on the site,
- Ensure passive surveillance of the access roadway to the north,
- Obtain a bat survey and ensure site lighting was designed to minimize any impact,
- Develop on-site attenuation through use of swales, tree pits and filter drains,
- Ensure replacement planting was selected for its bio-diversity,
- Show other current developments in the vicinity on the site plan.

4.14 The following issues raised at this meeting included:

In view of the changes that had been made to the original scheme, an application was made in December 2020 for a second pre-planning meeting to review the amended proposals. On the 12th March 2021, South Dublin County Council (SDCoCo) arranged a virtual meeting via Microsoft Teams. Present on behalf of SDCoCo were: Jim Johnston, senior planner (JJ), Brian Harkin, Drainage (BH), Graham Murphy, Roads (GM) and Irenie McLaughlin Architectural Conservation Officer (IM). The design team was represented by ERMS Planning consultant, Fionnuala Rogerson Architects, GWCSE, Shaffrey Architects and DFLA.

The feed-back was that, in principle, the amendments to the proposed development were very positive; improvements noted by SDCoCo:included:

- The relocation of parking from the southern to the northern side of the access road serving houses 6-11
- the reduction in extent of roadway
- greater separation of houses to the north from Rookwood
- well-designed units responsive to their setting
- reduction in scale of the gate lodge
- the proposed treatment of the entrance

CURRENT DEVELOPMENT TRENDS

4.15 The application site is located along Stocking Lane at Rookwood House, the surrounding area to the north, east, to the west, south east and further south have been subject to residential development as part of the change character of the overall area, which have moved from a peripheral urban area to a central urban area over the fifty years or so. More recently two new development proposals were lodged on the open agricultural field directly to the south of the subject site as well as further to the south at Proposed House. Relevant planning applications in the immediate area are listed below:

4.16 It should be recognised that the area has undergone significant changes over time, as younger and new generations have moved into the area and that this has served to revitalise the area and addressed the changing needs of the community.

4.17 In resent times, large scale residential developments have been granted directly adjacent to the west at Scholarstown Wood (317 No. housing units) and to the south west at White Pines (174+ housing units and to the north east at Taylor's Lane (496 no. housing units) which are representing the front end of a trend of sustainable densification of the area, filling in open, vacant and low density sites.

5.0 RELEVANT PLANNING POLICY

THE NATIONAL PLANNING FRAMEWORK

5.1 The National Planning Framework (NPF) is the Government's high-level strategic plan for shaping the future growth and development of our country out to the year 2040. The framework guides public and private investment, to create and promote opportunities for the population and to protect and enhance the environment, including villages to cities and every settlement in between.

5.2 The framework targets more balanced growth, which also means more concentrated growth in the five main cities of Ireland of population size more than 50,000 people, i.e. Dublin, Cork, Limerick, Galway and Waterford. It targets these five cities for 50% of overall national growth between them, with Ireland's large and smaller towns, villages and rural areas accommodating the other 50% of growth.

5.3 This national statutory planning policy indicates a significant need for residential densification within "existing built-up areas of cities" on "infill and/or Brownfield sites," to achieve this it indicates that a major new emphasis will need to be taken by policy developers such as **South Dublin County Council** toward renewing and developing existing settlements.

"*A major new policy emphasis on renewing and developing existing settlements will be required, rather than continual expansion and sprawl of cities and towns out into the countryside, at the expense of town centres and smaller villages. The target is for at least 40% of all new housing to be delivered within the existing built-up areas of cities, towns and villages on infill and/or brownfield sites*" (Section 1.2 Making the Vision a Reality - A New Strategy for Managing Growth, Project Ireland 2040 - National Planning Framework, 2018, p.11).

5.4 The framework specifically indicates the need for better use of under-utilized land and buildings "*including 'infill', 'Brownfield" and publicly owned sites and vacant and under-occupied buildings, with higher housing and jobs densities, better serviced by existing facilities and public transport,"* (Section 2.2 Overview of the NPF Strategy-Compact Growth, Project Ireland 2040 - National Planning Framework, 2018, p.28).

5.5 Specific to the Dublin City and Metropolitan area it states that in addition to large residential regeneration and redevelopment projects, that densification will also be achieved by realising smaller-scale infill and Brownfield opportunities with regard to underutilised land within the canals and the M50 ring through well-designed high-density development.

"*It also means ensuring that smaller scale opportunities for infill and brownfield development are realised*" (Section 3.2 Eastern and Midland Region - Dublin City and Metropolitan Area, Project Ireland 2040 - National Planning Framework, 2018, p.36).

5.6 The framework adopts a national policy objective, that firmly establishes a presumption in favour of residential development in cities and towns,

"*National Policy Objective 11: In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth*", (Section 4.5 Achieving Urban Infill/Brownfield Development, Project Ireland 2040 - National Planning Framework, 2018, p.65).

5.7 Importantly, it recognises that the development of infill and Brownfield developments are more challenging to deliver than Greenfield development due to land management and community resistance against new developments. In this context, it is important that flexible "Design-led Standards" and "Performance-based outcomes" should be applied to these types of developments.

"*To enable brownfield development, planning policies and standards need to be flexible, focusing on design led and performance-based outcomes, rather than specifying absolute requirements in all cases. …. planning standards should be flexibly applied in response to well-designed development proposals that can achieve urban infill and brownfield development objectives in settlements of all sizes. … general restrictions on building height or general restrictions… should be replaced by performance-based criteria … e.g. city/town centre, public transport hub, inner suburban, public transport corridor, outer suburban, town, village etc*" (Section 4.5 Achieving Urban Infill/ Brownfield Development, Project Ireland 2040 - National Planning Framework, 2018, p.65).

5.8 The framework, specifically set out a National Policy Objective to allow for the flexibility required to develop Infill or Brownfield sites in "city/town centre," "inner suburban" or "outer suburban" areas, which will allow for a range of tolerances that will enable alternative solutions.

"**National Policy Objective 13**

In urban areas, planning and related standards, including, in particular, building height and carparking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected" (Section 4.5 Achieving Urban Infill/ Brownfield Development, Project Ireland 2040- National Planning Framework, 2018, p.65).

5.9 Crucially the framework identifies that this more dynamic and flexible approach will also be applicable to urban land use where the existing character of the land use in an urban area is subject to change. It qualifies how development proposals in such a changing area should be addressed through the application of an "overall area" plan or "master plan" and be suitable for application on an incremental basis.

"This more dynamic approach will also be applied to urban land use, where the existing character of land use in an urban area may be subject to change. This should generally be as part of an overall area or master plan and/or be suitable for application on an incremental basis," (Section 4.5 Achieving Urban Infill/Brownfield Development, Project Ireland 2040 - National Planning Framework, 2018, p.65).

EASTERN & MIDLAND REGION, REGIONAL SPATIAL AND ECONOMIC STRATEGY (RSES)

5.10 This national statutory planning policy indicates a significant need for residential densification within "existing built-up areas of cities" on "infill and/or Brownfield sites," to achieve this it indicates that a major new emphasis will need to be taken by policy developers such as the County Council toward renewing and developing existing settlements.

"*A major new policy emphasis on renewing and developing existing settlements will be required, rather than continual expansion and sprawl of cities and towns out into the countryside, at the expense of town centres and smaller villages. The target is for at least 40% of all new housing to be delivered within the existing built-up areas of cities, towns and villages on infill and/or brownfield sites*" (Section 1.2 Making the Vision a Reality - A New Strategy for Managing Growth, Project Ireland 2040- National Planning Framework, 2018, p.11).

5.11 The framework specifically highlights the need for better use of under-utilized land and buildings "including 'infill', 'Brownfield" and publicly owned sites and vacant and under-occupied buildings, with higher housing and job densities, better serviced by existing facilities and public transport" (Section 2.2 Overview of the NPF Strategy-Compact Growth, Project Ireland 2040- National Planning Framework, 2018, p.28).

5.12 The framework adopts a national policy objective which firmly establishes a presumption in favour of residential development in cities and towns,

"*National Policy Objective 11: In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth*", (Section 4.5 Achieving Urban Infill/ Brownfield Development, Project Ireland 2040 - National Planning Framework, 2018, p.65)

5.13 It recognises that the development of infill and Brownfield developments are more challenging to deliver than Greenfield development due to land management and community resistance against new developments. In this context, it is important that flexible "Design-led Standards" and "Performance-based outcomes" should be applied to these types of developments.

"*To enable brownfield development, planning policies and standards need to be flexible, focusing on design led and performance-based outcomes, rather than specifying absolute requirements in all cases. …. planning standards should be flexibly applied in response to well-designed development proposals that can achieve urban infill and brownfield development objectives in settlements of all sizes. … general restrictions on building height or general restrictions… should be replaced by performance-based criteria … e.g. city/town centre, public transport hub, inner suburban, public transport corridor, outer suburban, town, village etc"* (Section 4.5 Achieving Urban Infill/ Brownfield Development, Project Ireland 2040- National Planning Framework, 2018, p.65).

5.14 The framework specifically set out a National Policy Objective to allow for the flexibility required to develop infill or Brownfield sites in "city/ town centre," "inner suburban" or "outer suburban" areas, which will allow for a range of tolerances that will enable alternative solutions.

"*National Policy Objective 13*

In urban areas, planning and related standards, including in particular building height and carparking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range

of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected" (Section 4.5 Achieving Urban Infill/Brownfield Development, Project Ireland 2040 - National Planning Framework, 2018, p.65).

The proposed development conforms to and is directly consistent with regional RSES objective referenced above.

SOUTH DUBLIN COUNTY DEVELOPMENT PLAN 2016-2022

Settlement Strategy

5.15 The South Dublin County Development Plan sets out policies designed to accommodate growth in reference to the former Regional Planning Guidelines. The development plan identifies Rathfarnham as a development area second only to the Gateway's Core as part of the "Consolidation Areas within the Gateway." This type of urban areas is considered priority areas that need to be addressed for development in support of the Gateway (Dublin City) Core development area. Among others, Rathfarnham is identified as an area where opportunities should be sought to strengthen and consolidate the Gateway through infill and Brownfield redevelopment.

5.16 In particular, the settlements of Palmerstown, Naas Road, Templeogue, Ballyroan, Ballyboden, Knocklyon, Firhouse, Ballycullen and parts of Greenhills, Walkinstown, Terenure and Rathfarnham have been identified as Consolidation Areas within the Dublin Gateway. The development plan identifies these established areas as being located to the east of the M50 and south of the River Dodder. They are considered to be suburban areas with established identities and communities with distinct heritage and character and have a range of urban services such as transport, retail, medical and community facilities. The development plans the aging population and stagnation and therefore, a falling population as a serious risk for the viability of services and facilities provided for the future.

5.17 The development plan under its Settlement Strategy identifies it as a priority to,

"... *to promote the consolidation and sustainable intensification of the existing urban/suburban built form to the east of the M50 and south of the River Dodder, thereby maximising efficiencies from established physical and social infrastructure (South*" (South Dublin CDP 2016-2022, 2016, p.20)

Table: 5.19 Consolidation Areas within the Gateway

CORE STRATEGY (CS) Policy 1 Consolidation Areas within the Gateway
It is the policy of the Council to promote the consolidation and sustainable intensification of development to the east of the M50 and south of the River Dodder.
CS1 Objective 1: To promote and support high quality infill development.
CS1 Objective 2: To promote and support the regeneration of underutilised industrial areas in areas designated with Zoning Objective Regeneration 'REGEN' (to facilitate enterprise and/or residential led development).
CS1 Objective 3: To promote and support the development of undeveloped zoned lands and promote pre-application consultation in accordance with Section 247 of the Planning and Development Act 2000 (as amended).

Source: (South Dublin CDP, 2016-2022, Section 1.7.1, p.20)

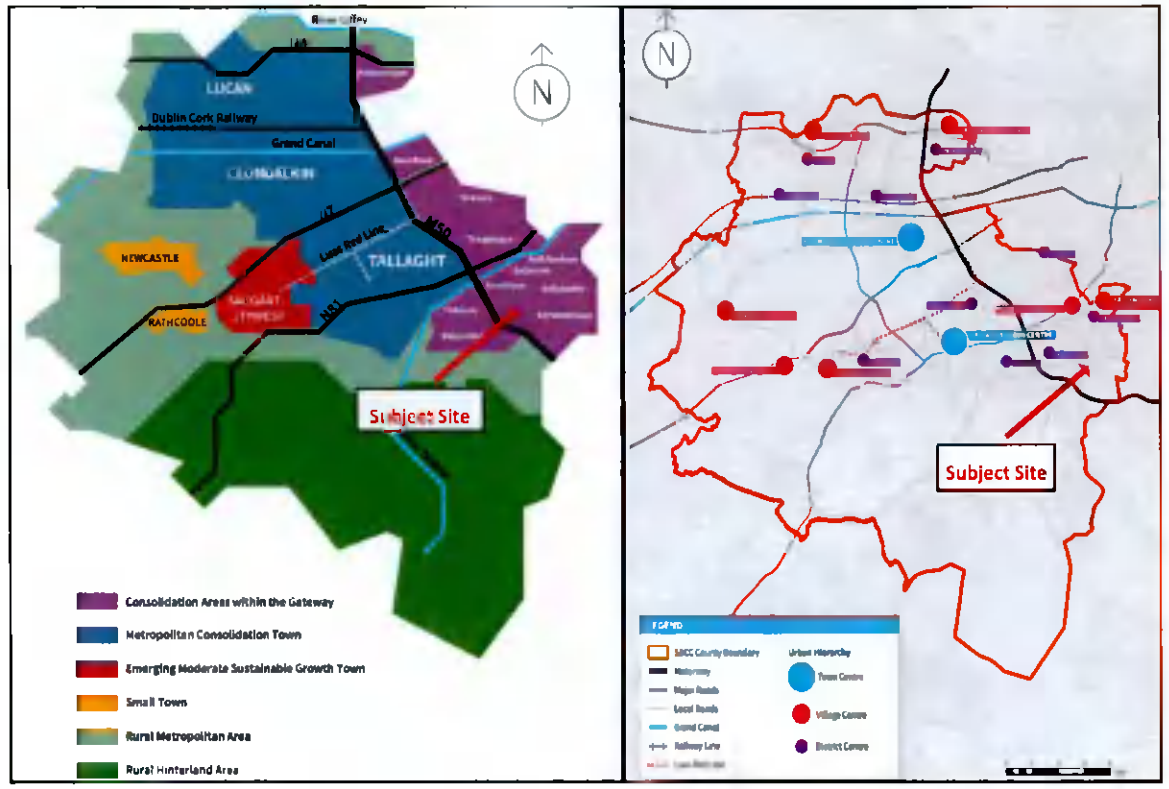

Fig. 9 & 10: South Dublin County Core Strategy Map & Urban Hierarchy

5.18 The objectives of consolidation and sustainable intensification of development in this area are confirmed by Policy CS1, which directly supports high-quality infill development and the development of undeveloped zoned lands.

Housing Land Capacity

5.19 Under the Housing Land Capacity analysis of the development plan, it indicates that Remaining Residential Capacity for the Consolidated Areas with the Gateway, including Ballyboden with the total of available regeneration lands is a total of 78ha.

5.20 It further indicates that 24% of the total housing capacity and population growth under its core settlement strategy should be accommodated within these "Consolidation Areas within the Gateway."

Protected Structures

5.21 The SDCDP 2016-2022, makes specific provision in policy for the treatment of protected structures and indicates that the council will consider proposals for development or alterations to a Protected Structure based on the conservation principles set out in the Architectural Heritage Protection Guidelines for Planning Authorities, DAHG (2011).

5.22 The plan specifies for development proposals for works to a Protected Structure or within the curtilage of a Protected Structure that it,

"...may require a method statement that describes the proposed works in appropriate detail. An Architectural Heritage Impact Assessment may also be required in the case of applications for extensive or complex works that have the potential to have a significant impact on a Protected Structure ... shall assess the likely effects of the proposed development on the special character of the Protected Structure and its setting," (Section 11.5.2 Protected Structures. SDCD 2016-2022. 2016, p.221).

5.23 The development plan specifies that the Council will apply the following criteria in assessing works or development proposals associated with a protected structure:

- Alterations and interventions do not detract from the significance or value of the structure,
- Original features of architectural and historic interest are retained and that new features are not presented as original or older features,
- Extensions are appropriately scaled, complement and are subsidiary to the main structure, and,
- The special interest of the structure is not compromised when adhering to the requirements of Building Regulations. Regard should be had to the Advice Series on historic buildings published by the DEHLG.

5.24 Specific development in proximity to a Protected Structure it notes that planning applications may require a design statement (see attached along with a Conservation Development Strategy) to outline how the proposal responds to the setting and special interest of the Protected Structure and its curtilage, while it warns against pastiche designs that cause design confusion between new structures and original structures.

Zoning

5.25 In terms of zoning, the subject lands are zoned for "Existing Residential (RES) with the zoning objectives of "*To protect and/or improve residential amenity*" is the permitted, in principle, uses, open for consideration and not permitted uses are set out in the development plan as follows:

Table: 5.11 Zoning Objective 'RES': 'To protect and/or improve residential amenity'

Use Classes Related to Zoning Objective	
Permitted in Principle	Housing for Older People, Nursing Home, Open Space, Public Services, Residential, Residential Institution, Retirement Home, Shop-Local, Traveller Accommodation.
Open for Consideration	Advertisements and Advertising Structures, Allotments, Agriculture, Bed & Breakfast, Betting Office, Camp Site, Car Park, Caravan Park-Residential, Cemetery, Childcare Facilities, Community Centre, Crematorium, Cultural Use, Doctor/Dentist, Education, Embassy, Enterprise Centre, Funeral Home, Garden Centre, Guest House, Health Centre, Hotel/Hostel, Home Based Economic Activities, Industry-Light, Live-Work Units, Motor Sales Outlet, Office-Based Industry, Offices less than 100 sq.m, Offices 100 sq.m - 1,000 sq.m, Off-Licence, Petrol Station, Place of Worship, Primary Health Care Centre, Public House, Recreational Facility, Recycling Facility, Restaurant/Café, Service Garage, Shop-Neighbourhood, Sports Club/Facility, Stadium, Veterinary Surgery.
Not Permitted	Abattoir, Aerodrome/Airfield, Boarding Kennels, Concrete/Asphalt Plant in or adjacent to a Quarry, Conference Centre, Fuel Depot, Heavy Vehicle Park, Hospital, Industry-Extractive, Industry-General, Industry-Special, Nightclub, Offices over 1,000 sq.m, Outdoor Entertainment Park, Refuse Landfill/Tip, Refuse Transfer Station, Retail Warehouse, Rural Industry-Food, Science and Technology Based Enterprise, Scrap Yard, Shop-Major Sales Outlet, Social Club, Transport Depot, Warehousing, Wholesale Outlet, Wind Farm.

Source: SDCD 2016-2022, Table 11.2

Residential Density

5.26 The development plan indicates specific policies in support of higher-density development and residential densities appropriate to their locations surrounding context. Importantly, the plan indicates support for the development of institutional land while encouraging that they should be developed while retaining their open [space] character with

HOUSING (H) Policy 8 Residential Densities	
It is the policy of the Council to promote higher residential densities at appropriate locations and to ensure that the density of new residential development is appropriate to its location and surrounding context.	
H8 Objective 3:	
Permitted in Principle	Housing for Older People, Nursing Home, Open Space, Public Services, Residential, Residential Institution, Retirement Home, Shop-Local, Traveller Accommodation.
H8 Objective 3:	To encourage the development of institutional lands subject to the retention of their open character and the provision of quality public open space in accordance with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009).
H8 Objective 6:	To apply the provisions contained in the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas. DEHLG (2009) relating to Outer Suburban locations, including a density range of 35-50 units per hectare, to greenfield sites that are zoned residential (RES or RES-N) and are not subject to a SDZ designation, a Local Area Plan and/or an approved plan, excluding lands within the M50 and lands on the edge or within the Small Towns/ Villages in the County.

Source: Source: SDCD 2016-2022, Housing (H) Policy 8 Residential Densities, 2016, p.340

Fig.11– Land Use Zoning Existing Residential (RES)

the provision of high-quality open space. It is important to recognise that institutional land by definition, often consist of historic buildings and their associated open space lands and therefore, have significant similarities with the subject lands addressed by this report.

Protected Structure:

5.27 Rookwood is noted and listed in the development plan as a protected

Table: 5.28 Extracted from Protected Structure List

AP REF.	RPS REF.	ADDRESS/LOCATION	DESCRIPTION
327	327	Rookwood, Stocking Lane, Rathfarnham	Two Storey Georgian Style House

structure under the CDP's Protected Structures List, see below

5.28 The building is listed as protected structure no.327 under the County Development Plan and the National Inventory of Architectural Heritage which describes it as:

"*Detached five-bay two-storey country house, c.1810. Roughcast rendered walls. Timber sash windows. Double leaf timber panelled door with flanking Composite columns and elaborate radial fanlight. Approached by flight of steps. Hipped slate roof behind parapet, with two flanking chimney stacks. Inside gateway entrances two large classical urns on plinths*"

Compliance with Development Standards

Residential Density:

5.29 The South Dublin County Council Development Plan aims to provide a mix of dwelling types, sizes and tenures to support the development of a balanced community and meet the changing needs of residents. The proposed development density is considered be appropriate for its context and constraints, and has been a result of the careful consideration of heritage, trees and environmental landscape, site form and context and constitute a low-density infill residential development consisting of 10.43 units / Hectare, (See Fig. 13)

	Total	Description	Notes
Total Site Area	11,501m2 (1.15ha. 2.84 acres)		
Residential Units	11no. Proposed houses • Existing house	Proposed houses (Total 58no. bedspaces) 1no. 2-Bed/4-Person (1.5-storey) 3no. 3-Bed/4-Person (2-storey) 1no. 3-Bed/6-Person (2 storey) 2no. 3-Bed/6-Person (2.5-storey) 4no. 4-Bed/6-Person (2.5-storey)	
Density	10.43 Units / ha (4.22 Units / acre)		Incl. existing house
Communal Open Space	1,254m2 (0.12ha. 0.30 acres)	"Woodland" communal open space and incidental amenity spaces	10.9% of total site area
Car Parking	22no. Proposed spaces • 2no. Existing house spaces	Proposed spaces incl. 2no. standard designated EV charging bays & 3no. designated accessible bays of which 2no. are also EV charging bays	

Fig.13– Residential Compliance and Accommodation Schedule

Dwelling Mix

5.30 The dwelling mix of the application is set out in the table below. The dwellings proposed are a mix of 9% 2-bed dwellings, 54% 3-bed dwellings (differing in number of persons, and height), 36% 4-bed dwellings, see Table 5.30.

Table 5.30 : Proposed Developments Dwelling Mix

Proposed 11No. houses (Total 58no. bedspaces):	No. of Dwellings	%
1 Bed Dwelling	-	-
2-Bed/4-Person (1.5-storey)	1	9%
3-Bed/4-Person (2-storey)	3	27%
3-Bed/6-Person (2-storey)	1	9%
3-Bed/6-Person (2.5-storey)	2	18%
4-Bed/6-Person (2.5-storey)	4	36%
Total	11	100%

Part V

5.31 The proposed planning application is for 11 No. units. The proposed development is one unit above the threshold of 10 units, above which Part V applies. In this context, the applicant calculates that the local authority is entitled to 1No. unit or an appropriate financial contribution. On enquiry with the Council's housing officer, it was indicated that it would be dealt with during the planning application process. It is assumed that in the event that permission is granted that it would likely be conditioned.

Open Space

5.32 A total of 1254m² or 10.9% of communal open space has been provided.

Car Parking

5.33 The car spaces are as per the maximum parking rates for residential development (Zone 1) set out in the 2016-2022 Development Plan, i.e. 1.5 spaces for 2-bedroom houses and 2.0 spaces for 3+ bedroom houses. Excluding the existing house and its parking, there are 22No. Spaces in total—4No. visitors' spaces, 4No.EV charging points, and 3No. are designated accessible. In accordance with the Development Plan, up to 10% of spaces are to have EV charge points, and the remainder of parking spaces

are to be constructed to be capable of accommodating future charge points. Note there is a 6m minimum distance provided for turning into perpendicular parking spaces along the shared surface.

Minimum floor areas and standards.

5.34 All houses and apartments have been designed in accordance with South Dublin County Council Development Plan and Sustainable Urban Housing: Design Standards for New Apartments complying with or exceeding the minimum standards.

Estate Management

5.35 The proposed housing estate is proposed to be managed by an Estate Management Company that shall be created after the completion of construction and before the occupation of the estate,

Unit No.	House Type	G.I.A. (m2)		Storage (m2)		Aggregate Living Area (m2)		Aggregate Bedroom Area (m2)		Private Open Space (m2)
		Target	Provided	Min.	Provided	Min	Provided	Min.	Provided	
Gate Lodge 1	2-Bed, 4-Person Detached, 1.5-Storey	80.00	83.50	4.00	5.70	30.00	30.00	25.00	27.90	102.00
Mews House 2	3-Bed, 4-Person Terraced, 2-Storey	83.00	105.10	4.00	4.00	30.00	36.90	28.00	31.20	115.00
Mews House 3	3-Bed, 4-Person Terraced, 2-Storey	83.00	105.10	4.00	4.00	30.00	36.90	28.00	31.20	60.00
Mews House 4	3-Bed, 4-Person Terraced, 2-Storey	83.00	105.10	4.00	4.00	30.00	36.90	28.00	31.20	60.00
Mews House 5	3-Bed, 6-Person Detached, 2-Storey	100.00	138.00	6.00	6.60	37.00	47.90	36.00	43.20	204.00
Woodland House 6	4-Bed, 6-Pers Detached, 2.5-Storey	120.00	152.00	6.00	13.40	40.00	49.90	43.00	47.50	133.00
Woodland House 7	4-Bed, 6-Pers Semi-Detached, 2.5-Storey	120.00	152.00	6.00	13.40	40.00	49.90	43.00	47.50	251.00
Woodland House 8	3-Bed, 6-Pers Semi-Detached, 2.5-Storey	110.00	125.90	6.00	7.00	37.00	39.90	36.00	40.70	166.00
Woodland House 9	4-Bed, 6-Pers Detached, 2.5-Storey	120.00	152.00	6.00	13.40	40.00	49.90	43.00	47.50	178.00
Woodland House 10	4-Bed, 6-Pers Semi-Detached, 2.5-Storey	120.00	152.00	6.00	13.40	40.00	49.90	43.00	47.50	180.00
Woodland House 11	3-Bed, 6-Pers Semi-Detached, 2.5-Storey	110.00	125.90	6.00	7.00	37.00	39.90	36.00	40.70	102.00
Rookwood House	*No works to existing protected structure & associated outbuildings and parking area*									
TOTAL *(Excl. Rookwood)*	11no. Houses, 58no. Bedspaces	N/A								

Fig.14– Schedule of Accommodation

and/or in accordance with council's requirements, as maybe conditioned.

6.0 ENVIRONMENTAL CONSIDERATIONS

BAT SURVEY:

6.1 In the interest of best practice, environmental sustainability and in the context of existing privately planted trees a bat survey was carried out by an environmental specialist, Barbara McInerney, Bat Licence No: DER/BAT 2019-42 from Wildfoot Ecology, 10, Cooldrumman, Carney, Co Sligo.

6.2 Four species of bat were recorded using Rookwood in September of 2020. Common Pipistrelle, Soprano Pipistrelle, Leisler's bat and Daubenton's bat. These were observed during the dawn and dusk surveys and transects of the property. No signs of bats were noted during the tree or building inspections.

6.3 Common Pipistrelle was the only bat species found to be roosting at Rookwood. The roost was located on the west aspect of Rookwood House in a crevice.

6.4 The environmental specialist recommendations are:

i. "The areas which are being proposed for future housing development lie in four distinct parts of the gardens at Rookwood. All these areas had bat activity of some description, but no roost point was identified in any of the vegetation. It is not considered that any development on site will affect this Common Pipistrelle bat if lighting and future landscaping on site is set out as outlined below."

ii. "While the removal of trees and hedges for the proposed developments will reduce the density of vegetation in places, it will not leave such substantial blanks in connectivity that cannot be bridged by new planting. With new native planting, insect biodiversity should be increased, thereby providing increased foraging prospects for the bat fauna on site.

iii. "Appropriate lighting for the new development is crucial in terms of keeping the grounds of Rookwood as dark as possible for foraging and commuting bats and for minimising light pollution in general."

iv. "It is proposed that areas of new build in the gardens will include extensive native planting, to replace removed vegetation and to increase the level biodiversity. This will provide an increased food source not just for bats, but all wildlife."

v. "Re-planting should endeavour to provide maintainable hedge screening for the developments and act as a "green pathway" for bats and other wildlife."

6.5 The specialist concludes indicating that with suitable native species landscaping and use of appropriate lighting, the proposed development should not have any adverse effect on the four bat species found at Rookwood. Apart from future native planting, bat boxes could be erected on some trees which will continue to grow at Rookwood, providing intermediate roosting spots for these mammals.

TREE SURVEY, 'BRITISH STANDARD 5837:2012 ARBORICULTURAL IMPLICATIONS ASSESSMENT'

6.6 In the interest of best practice, environmental sustainability and in the context of a mature privately planted trees and garden by the applicant/owner of Rookwood, Brenda Weir since the 1961, a competent and keen dendrologist, a detailed tree survey, "British Standard 5837:2012 Arboricultural Implications Assessment" assessment and tree protection recommendations have been undertaken by a specialist arborist, by Jason Hasaka HNDArb TechArborA Principal Arboricultural Consultant from Bartlett Tree Experts Ltd, Clifton Farm, Colmanstown, Rathcoole, Dublin D24 K907.

6.7 In the context of the proposed development, the assessment makes the following conclusions:

ARBORICULTURAL IMPACT ASSESSMENT, CONCLUSIONS

i. Tree removal is reasonable to balance the competing needs of development with tree retention and protection. Proposed development has been designed, which should not result in too much post-development pressure on the retained trees.

ii. Whilst there is a risk of cumulative damaging impacts, these can be addressed through careful project planning and detailed working methodologies. Furthermore, an initial plan for tree compensation and mitigation due to works within root protection areas has been provided.

iii. These proactive and reactive tree and soil health care programmes will help the affected trees remain viable due to these impacts, as well as improve their growing environment.

iv. The proximity to retained trees to proposed development will likely result in a constrained site for development. However, through the installation of robust tree protection measures and an overall construction management plan, the scheme should be able to be deliverable.

v. Overall, the proposed layout has achieved many of the initial aims and recommendations of the Bartlett Consulting Tree Survey and Tree Constraints Plan report, dated 01st March 2019.

vi. An Arboricultural Method Statement will need to be written detailing (but not limited to) tree protection measures; hard surfacing within root protection areas; installation of services; foundation design and installation for dwellings as well as other structures (walls. paths, garages, etc.) to ensure future direct damage does not occur.

LOCAL PLANNING POLICY ASSESSMENT, CONCLUSIONS

i. The proposed layout has worked to protect the existing tree population as much as possible, whilst achieving the aims of site development. The landscape will be enhanced through the retention and transplanting of existing trees, as well as replacement tree planting following any approved development.

ii. The proposed development has also included a provision for open space, as per the original Bartlett Consulting recommendation, through retention and 'protection' of the tree area to the northeast of the application site.

6.8 The proposed development will be carried out in accordance with the recommendations outlined within assessment report.

TREE COMPENSATION & MITIGATION

6.8.1 As there is proposed development within the root protection area of retained trees, following the guidance of Clause 5.3.1 of British Standard 5837:2012, a series of compensation and mitigation measures needs to be applied subject to approved development.

6.8.2 A series of soil samples will need to be collected ahead of any approved development, leading to a tree and site specific fertilisation programme. This will improve tree health prior to commencement of approved development, and tree stresses.

6.8.3 Trees which have excavations and ground works in their root protection area, and trees, which are subject to root pruning will have additional health care such as the treatment of pruned roots by an arborist, as well as additional tree and soil ameliorants to compensate for root pruning.

6.8.4 Upon completion of development, these additional treatments should include soil de-compaction works; tree fertilisation and soil health care; and the creation of mulch rings around those retained and important landscape trees.

6.8.5 These can be detailed and specified in an Arboricultural Method Statement.

POTENTIAL TREE "NUISANCE":

6.8.6 Where proposed dwellings are sited near to retained trees, common 'nuisance' issues such as leaf litter, flowers and sap can be addressed through installation of filtration for rainwater guttering via mesh or "bristle" inserts; the incorporation of discreet ladder attachment points under the eaves; sufficient clearance between the edge of the roof and the guttering to facilitate ease of maintenance; fitting the downpipes with easily cleanable traps.

6.8.7 For those dwellings which will be in a tree's shade and shadow pattern, we would suggest design features such as roof lighting, wider bay windows and doors, or reviewing the orientation of floor plans and living spaces where sunlight is more desirable. These steps can reduce the post-development pressure to prune or remove retained and protected trees.

BS 5837:2012 Category	Tree Removal	Retained	
		Tree Pruning	No Pruning
A	11	4	3
B	26	16	8
C	28	3	6
U	1	0	0
Total	66	23	17

Fig.15 – Summary of Trees and Anticipated Management

TREE PROTECTION PLANNING

6.9 A draft Tree Protection Plan (TPPd) is included as part of the 'British Standard 5837:2012 Arboricultural Implications Assessment' at which has been prepared within the guidance of Clause 7.1 of British Standard 5837:2012. Given the intensity and proximity of proposed development to the retained trees, both vertical tree protection barriers and ground protection will be required to safe-guard the trees against damage, which may be sustained throughout redevelopment of the site.

6.10 **VERTICAL BARRIERS**

6.10.1 Physical protection measures for the retained trees. which will ensure that the designated root protection area (RPA) becomes an exclusion zone during any stage of development. Fencing will prevent machinery, men, materials, and other site activities from occurring within the RPA or damaging the tree crown.

6.10.2 Vertical barriers should be fit for the purpose of excluding construction activities, and appropriate to the degree and proximity of the site operations. An illustration has been included below for reference, however.

6.10.3 The vertical barriers shall completely exclude access during all phases of site operations. The protected areas shall not be used for the storage of materials or spoil, nor for the mixing of substances or the disposal of any residues.

6.10.4 A4 sized Notice Signs must be laminated and attached to the vertical barrier at regular intervals so that all visitors and operatives are aware of the tree protection requirements.

GROUND PROTECTION

6.10.5 Non-compacting ground protection will be required where the vertical barriers have been off-set to allow for the 'working zone' and site traffic during demolition and construction.

6.10.6 Ground protection must be retained on site until there is no risk of any damage from demolition and construction works.

6.10.7 No mixing of cement or other chemicals must take place atop the ground protection, nor should any storage of oils, fuels, chemicals or cement take place atop the ground protection.

LANDSCAPING

6.11 The submitted Architects' Design Statement, sets out the landscaping strategy and approach:

<u>THE LANDSCAPE DESIGN OBJECTIVES</u>

i. Propose replacement tree planting of substantial size for areas where existing trees are not possible to retain to transplant any younger trees affected by the development where possible;

ii. Protect and enhance the biodiversity value and ecological function of the Green Infrastructure network;

iii. Cater for creative play opportunities distributed throughout the communal open space;

iv. Integrate communal and shared private amenity space within the existing setting in a subtle and non-intrusive manner;

v. Create a safe, diverse, interesting and attractive range of open spaces with passive surveillance from the surrounding residential development;

vi. Create an appropriate setting for Rookwood House;

vii. Retain and protect existing trees on site where possible and to base the design of various interventions to allow for this.

6.12 Emphasis in design, layout and landscaping has been placed on retaining the maximum number of existing trees and preserving the sylvan setting, with extensive new planting to replace any removed vegetation and to increase the level of biodiversity. New hedge planting is proposed to augment the existing hedgerows which are being retained. Native species such as yew, elder, holly and hazel will be both retained and introduced. Low level planting will include viburnum and euonymus amongst others under-planted with bulbs and a mix of ground cover.

<u>TREE RETENTION</u>

6.13 Existing ground levels will be retained as necessary within the Root Protection Areas (RPAs) of trees impacted by roads or footpaths. It is proposed to use Cellweb above existing levels as a sub-base replacement system.

6.14 Where services require to pass within RPAs, microboring will be used to avoid root damage. Air spading will also be used to determine the extent of roots for constrained areas.

6.15 All principal trees have been retained outside garden boundaries. Every effort will be made to save trees and hedgerow within gardens also.

<u>BOUNDARY TREATMENTS</u>

6.16 Details of boundary treatment is set out in the submitted Architects' Design Statement, Section 10.0, Boundary Treatments.

Appropriate Assessment Stage I

6.17 Further in accordance with best practices and as required under the regulations, Screening for Appropriate Assessment, Stage I was undertaken in accordance with Article 6 of the 'Habitats' Directive 92/43/EEC and Article 6(3) and (4) of the Habitats Directive 92/43/EEC.

6.18 Stage I: An AA Screening was undertaken it indicates that there is one Natura 2000 by Dr James K O'Neill the Principal of James O'Neill Associates, a specialist HRA/EIA advisory service operating throughout the EU.
He holds a first-class honours degree in Zoology from the University

of Aberdeen and a Ph.D. in ecology and conservation from the Queen's University of Belfast.

6.19 The finding on the Assessment of Significance of Effects, from the environment specialist is that :

"... following a stage one Test of Likely Significance, as follows:

i. The proposals will have no direct impacts on the site selection features and conservation objectives of the Natura 2000 sites.
ii. The proposals (in the absence of mitigation) do not have the potential to give rise to adverse indirect impacts upon the site selection features and conservation objectives of the Natura 2000 sites.

Stage 2 Appropriate Assessment is not required."

7.0 ENGINEERING SERVICES

7.1 All engineering services are dealt with in detail by the engineering reports, designs and details submitted along with this planning application.

ACCESS, ROADS /TRAFFIC AND CAR PARKING:

ACCESS, ROADS/TRAFFIC:

7.2 Sightlines at the existing access are extremely poor due to the location of the gate and the existing curved walls at the gate leading to piers that are at the edge of the carriageway at Stocking Lane. Therefor it is proposed to relocate further north along the public road to provide for a safer and improved access road access widening, sightline improvement and amended design to the existing access.

7.3 The following consultation with South Dublin County Council the layout of the new entrance has been designed to reflect the existing entrance and has been set back 3.0m from the carriageway of Stocking Lane to allow for a future footpath and / or cycle-path here. (Note: last mentioned is an objective of South Dublin County Council for access to the Dublin Mountains). Further more the location has been adjusted in order to allow the required sightlines without the need to modify the existing frontages of either of the properties on either side.

7.4 The main internal access road, road serving the existing house and the two areas of the proposed development are proposed as a 5m wide access road with standard SMA surfacing. While it is a priority of the proposed development approach to preserve the existing mature trees within the grounds and the layout, levels and construction of the proposed roads take this into account.

7.5 The road design rises at a steady gradient of 1:50 from the junction with Stocking Lane, then at an increased gradient of 1:12.5 (8%) to bring the level up to above the existing ground level. From there the gradient approximately follows the existing topography with levels set somewhat above the existing ground level to allow for the road to be constructed over the existing topsoil layer without disturbing the roots of the large oak tree at the top of the road.

7.6 The road will be generally of standard construction however in areas where the roots of large mature trees, which are to be preserved as part of the works pass below the proposed road it is proposed that a cell-web sub-base be used to allow the road to be constructed over the roots and topsoil.

7.7 In order to provide for accessible pedestrian access working alongside this road, and most particularly with respect to the section at the 1:12.5 gradient, the footpath is decoupled from the roadway in order that it can follow a shallower gradient over a more circuitous route.

7.8 A swept path analysis of the main internal access road confirms that a fire tender and a refuge truck can enter, turn and leave within the constraints of the main access road.

7.9 The minor internal roads (named Roads 2 & 3 on submitted drawings), serve houses No's. 2-5 and No's. 6-10 respectively. It is proposed that these be of a different appearance and character to that of the main access road, i.e. via coloured macadam, a black macadam with a coloured chip or mastic-applied surface coloured grit materials. It is not proposed that these roads be taken in charge.

FLOODING

7.10 The site in question is covered by the corners of OPW Flood Extents Mapping maps OSWS/EXT/EXT/UA/CURS/103 and falls well above the 1000-year EAP Level. There are no recorded past flood levels on the site and it is concluded by the project civil engineer, that there are no significant risk of the flooding of the subject site.

FOUL WATER DRAINAGE

7.11 It should be noted that under the existing situation the foul drainage line from the existing residence, Rookwood House, discharges by way of 100mm private drain to an existing private sewer within the Rookwood View apartment development, to the north west.

7.12 A New Foul Sewer Outfall is proposed. It is proposed that the foul drainage from the proposed new development, including the connection from the existing Rookwood House, be discharged from the point of exit from the development to a new connection to the existing public sewer at an existing manhole at the bottom of Stocking Lane by way of a new 225mm sewer within Stocking Lane.

7.13 It should be noted that Irish Water has confirmed, by way of confirmation of feasibility, that there is capacity in the drainage network to provide drainage for these proposed houses (see attached to the Civil Engineering Report, Gordon White Consulting Engineers).

7.14 It is proposed that new foul drainage within the development be of 150mm sewers at the minimum gradients set out in the table

in Section 3.6 of The Irish Water Code of Practice for Wastewater Infrastructure.

7.15 Similarly to the roads, it was a priority in design that the layout and design that the new foul sewers take into account of the objective to retain and preserve existing trees where possible. The layout design took account of the Irish Water drawing STD-WW-06 Rev 2 – "Restrictions on Wastewater Infrastructure Works Adjacent to Trees."

No new sewer is proposed within 1m of the external face of a tree trunk,

- New sewers are kept to a practical minimum within the "precaution area" of radius 4 times that of the girth of an existing tree.
- Where sewers are to be laid within the "precaution area" they are to be:
  - ⇒ Of welded polyethylene pipes to prevent root ingress at joints and
  - ⇒ Excavated by air-spade or trenchless technology, or a combination of both to avoid damage to existing roots.

POTABLE WATER

7.16 The potable water supply for the development is proposed to be taken from a number of existing watermains in Stocking Lane at the proposed development access. It is proposed to connect to whichever one of these, Irish Water considers to be appropriate. The proposed layout of watermain network is shown on drawing G1162-13 Rev B and is based on Irish Water Standards. As noted in the Civil Engineering Report of this report the retention of existing mature trees as part of this proposed development is an objective of the design. It is proposed that the relationship of watermains to the existing trees be in accordance with the principles set out on Irish Water drawing STD-W-12 Rev 2.

Additional protections to the watermains within the "Precaution" area, where such a location is unavoidable, will be agreed with Irish Water. Similar to the wastewater design process, Irish Water has issued a "Pre-connection Application – Confirmation of Feasibility" confirming feasibility of the site for water servicing. Final details will be agreed as part of the connection application process should the scheme proceed to construction.

STORM WATER

7.17 It is proposed that the discharge to the existing surface water sewer in Stocking Lane be attenuated to assessed green-field flow with balancing storage being provided within an underground surface water storage and soakage system within the main green.

7.18 In order to provide balancing storage to the attenuated discharge it is proposed to provide StormTech system attenuation storage areas below the main green area of the development. The location and layout of this attention storage system has been set in order that it not interfere with the roots of trees which are to be protected and retained.

7.19 It is considered that the StormTech System provides a number of advantages over other systems, the most notable to the current context is -"The modular system is flexible and can be laid out to suit landscaping," etc. (see submitted Access and Services Report from Gordon White Engineers).

CONSTRUCTION AND DEMOLITION WASTE

Construction Waste:

7.20 Construction management and construction waste management will be undertaken in accordance with all current legal and industrial standards including;

- Waste Management Act 1996 & associated regulations
- Litter Act 1997
- Packaging Regulations 2003
- Waste Management Plan for Dublin Region 2005-2010.

7.21 This is anticipated to consist of surplus of materials arising from cut-offs of various materials, including; concrete blocks, bricks, tiles, etc. Waste from packaging and oversupply of materials might also be expected to some degree.

7.22 Priority will be given to promote recycling, reuse and recovery of waste and diversion from land fill where ever possible. While guidance will also be given to the construction team, to ensure the appropriate method of transportation of Waste is used to prevent littering or other serious environmental pollution.

Demolition Waste Produced

7.23 The site is a residential property, and as such there will be waste associated with the demolition and partial demolition of small structures on as indicated in the project description that exists on the overall site. Waste will be segregated and recycled as appropriate, while materials will also be subject to a reuse consideration philosophy to reduce waste quantum's and with respect to any specialist conservationist's advice in this regard.

7.24 Best practice is proposed regarding the provision and implementation of environmental management of i.e. dust, dirt, noise, vibration and any harmful materials as may be required.

7.25 In conclusion, it can be stated that in relation to access, and services that the proposed development can be readily facilitated by existing available roads and services and developed in accordance with the current council guidelines.

8.0 CONCLUSIONS

8.1 This report accompanies a planning application for a proposed residential development at Rookwood, Stocking Lane. Ballyboden. Dublin 16, which will comprise of development consisting of the setback, widening and relocation of a site entrance along the public road; a new pedestrian entrance; demolition of small shed/garage structure and filling-in of existing swimming pool; demolition of a portion of the west flanking courtyard wall to re-establish a historic courtyard entrance and construction of 11 No. residential units located surrounding Rookwood House (a protected structure) and maintaining the existing Rookwood House (a protected structure) as a residential house, 22 No. car parking spaces, new pedestrian footpaths, internal road network, detailed landscaping, services and all associated works set in a privately well-landscaped site grounds setting, sensitively integrated through an organic layout with the existing protected structure, and facilitating an internal network of communal pedestrian and cycle way linkage carefully integrated with retained privately planted trees and garden, as recommend by a sophisticated professional design team consisting of an arborist, landscape architect, Grade-I conservation architect, acclaimed architect and environmental, planning and engineering design team.

8.2 The proposed residential landscaped parkland development on the associated grounds of a protected structure will include:

i. Maintaining the existing Rookwood House (protected structure) as a residential house, occupied and in use by the applicant and owner and her family, the structure will be kept as is, without change, maintained as the primary focal point and setting within the landscaped parkland setting. Rookwood House has been very well maintained and conserved by the applicant and owner who personally intends to remain living there. Both a daughter and grand-daughter live nearby, and the intention is that the house should continue to remain in family ownership into the future, while some family members may seek to occupy some of the newly planned units, which could also serve as a step down or retirement units for family members in the future.

ii. The proposed new residential units in the parkland-and-heritage-setting's', individual sittings and their spatial locations have been a product of the combination an integration of an architectural heritage strategy and architectural heritage assessment, a detailed tree and tree health survey and landscaping design layout and sophisticated urban and spatial planning with the architectural design of each unit individually responding to its spatial location and relationship to the grounds and existing Rookwood House and the retained landscaping and trees, to sensitively set them in the grounds from a heritage conservation. tree and landscaping and sophisticated urban design point of view, in a parkland setting with a design approach to receding the new residential units into the healthy and retained trees.

iii. Essentially creating three character areas, with Rookwood House as the focal point, consistent with a detailed Planning Spatial Planning Constraint by ERMS and a subsequent Conservation Development Strategy by Shaffrey Architects formed by the reestablishment of the principle of a gate lodge through a representative new Gate Lode residential unit, followed by the "woodlands" in the northern portion of the site on boundary with the adjoining housing and apartment developments to the north and north east and a "mews" area (former tennis court area) in the south-west in the south west portion of the site.

iv. An In-principle, 'Environmental Heritage and Landscaping Focussed Approach' was adopted to retain and protect existing trees on site where possible and to base the design responses and various proposed design interventions to facilitate this outcome.

v. These three character areas were further informed by the retention of trees based on the amenity and landscape value of the trees as well as their useful life expectancies, on foot of a detailed tree survey from Bartlett Consulting. A tree constraints plan further informed the above and below ground constraints and their spatial requirements, this was followed by detailed civil engineering design to design around and taking account of the above and below ground requirement of the healthy trees to be retained.

vi. This resulted in adopting the, in principle concept, of the development as a low-density residential infill development, as the appropriate response to the constraints of the existing site, the protected structure and the landscape features and planning land-se sustainability of the "Existing Residential (RES)" zoned land of the subject site. This approach was adopted, while maintaining the character of the house and its garden without diminishing its setting and maintaining the protected structure's northern and southern aspect and a long-distance view along the entrance lane way to culminate in a sense of arrival at Rookwood House.

vii. Extensive discussions were undertaken in two separate and detailed pre-planning meetings, a site inspection by the heritage officer and ongoing discussion over a period of time, with the design team responding to the council's advice and guidance.

viii. This sequence of constraints-analysis, adoption of principles, events and design iteration lead to the conclusion that the optimum landuse, heritage and environmental approach are to present clusters of two small groups of houses, one at each end of the woodland area, retaining a large area of communal open space as an amenity area at the centre.

8.3 In the above context the three character areas were resolved as follows:

i. The Gate Lodge Area: To re-establish the concept of a historic gate lodge while it is designed to be modest in scale, and to reinterpret a traditional gate lodge in form and set within an open landscape with low level planting surrounding it.

ii. Woodlands Area: from the analysis and consensus, it was concluded that the best approach for the "Woodlands Area" was to cluster two small groups of houses, one at each end of the woodland area, retaining a large area of communal open space as an amenity area at the centre. Each cluster was designed as an entity in order to ensure that their proximity to each other did not impact on their residential amenity, while each floor plan is unique and responds to the relationship of the house to the other two houses, to its orientations and to the site contours and boundaries and it relationship to Rookwood House.

iii. Mews Houses Area: To consist of a small terrace of three houses and one detached house to achieving a greater variety in the house sizes across the site and is more in keeping with the simple form and nature of a mews houses or historic outbuildings development associated with the larger main house, Rookwood house. The design is discreet with the form is again double fronted and narrow in depth allowing all habitable rooms to face away from the site of the adjacent house at Coolamber while windows at first floor level, serve bathrooms only and have opaque glass.

8.4 Critically in keeping with the road safety, environmental and heritage principles adopted in the design process, the access road leading to the woodland houses has been rerouted around an existing mature oak tree which the design team considered an environmental and

heritage feature of the entrance and site. As a consequence and design response, footpaths along this access road leading to the shared surface areas have been designed to ensure a gentle gradient despite the significant changes in level, while a stepped path is also provided along the desire line to the north of the mature oak tree.

8.5 It is important to note all the house types have been designed to be either adaptable or fully wheelchair accessible. The majority of house units have been designed so that the living area can be divided into two to create either a small single bedroom or study / homework area, independently accessed from either the hallway or dining area, with access to a ground floor WC which is also large enough to take the future installation of a shower.

8.6 As a further innovative and proactive design response to the to the site layout and design and to specifically facilitate the retention of trees and a greater retention of existing landscape features the "woodland houses " provide for a bedroom at second floor level within the roof void of and in doing so it has been possible to minimise the footprint of the houses thereby and therefore, for reducing their physical foot print.

8.7 Consistent with the adopted site layout and design, principle to retain and protect existing trees by the project team, emphasis has been placed on retaining the maximum number of existing trees and preserving the sylvan setting (woodlands/parkland setting), with extensive new planting to replace any removed vegetation and to increase the level of biodiversity.

8.8 In the above context, all principal trees have been retained outside residential garden boundary areas, while every effort has been made to retain trees and hedgerow within gardens as far as practical.

8.9 The site layout and design also retain existing ground levels as necessary within the Root Protection Areas (RPAs) of trees impacted by roads or footpaths. It is proposed to use Cellweb above existing levels as a sub-base replacement system and where services require to pass within RPAs, to use microboring to avoid root damage. Air spading will also be used to determine the extent of roots for constrained areas.

8.10 Consistent with the existing and proposed parkland, sylvan character of the site it is proposed that house boundaries adjacent to communal open space will consist of 1.8m high railings to match those of Rookwood view with hedge, either new or existing. Internal rear garden boundaries will be treated timber hit and miss fencing 1. 8m high, while front gardens will be open plan, marked with pegs only, with no physical boundaries.

8.11 Pedestrian and spatial linkages are established through a network of pedestrian pathways, crossing and shared surface spaces linked with private and communal open spaces within the proposed site layout.

8.12 It is significant and commendable to recognise that Rookwood has been well maintained and conserved by its current owners and as mentioned the applicant, owner and her family intend to remain living there.

8.13 The proposed development for low density infill residential development, in an environmentally and heritage constrained site is consistent with the ""Existing Residential (RES)" zoning and with the zoning objectives "To protect and/or improve residential amenity" :" under which residential is a Permitted, in Principle, use."

8.14 It is submitted that the subject site's spatial location and as further defined by its RES residential zoning has been identified by this analysis and should be recognised as "Consolidation Areas within the Gateway [Dublin City]" where the national and regional/local policy objectives are to consolidate and sustainably intensify the existing urban/suburban built form located east of the M50 in order to maximise efficiencies from established physical and social infrastructure.

8.15 It is further submitted that in order to achieve these statutory policy objectives of consolidation and intensification the subject site needs to be correctly identified as a medium to smaller scale "residential infill development" and treated equivalently to infill development on institutional lands, given its equivalent context of a protected structure set within (in this case a non-historic privately developed garden), open character context located in urban area subject to change as provided directly for under the South Dublin County Development Plan 2016-2022 and overseen by the National Planning Framework 2040.

8.16 Directly consequent upon this identification of the subject lands as a "Consolidation, Residential Infill Development" located on an Institutional-land Equivalent Site with an Open [space] Character is the, in principle, recognition of the subject site as being appropriate for residential consolidation and intensification on a medium to small infill-development site at a lower density with an open-space site character, in the presence of heritage and environmental landscaping constraints is firmly established.

8.17 The project team have identified the subject site following an original detailed planning constraints study and analysis as Consolidation, Residential Infill Development and once identified has applied the statutory policy approach to site layout and design which includes the prescribed need for "site analysis" which was undertaken in detail by the project planners, followed by a design led and performance-based criteria, statutory flexible design standards/range of tolerance, overall area/master plan, conservation method statements or Conservation Plan [proposed Architectural Conservation Assessment and Strategy], well-designed development proposals, etc.

8.18 It is contended that the project team has gone out of their way to meet these criteria in detail as far as practical and have significantly front-loaded the future pre-planning application preparation and design phase. The design led approach followed a best-practice approach of a full planning site constraints analysis, architectural heritage assessment and a detailed heritage strategy, a unique bespoke architectural design, a detailed ecological bat survey, tree survey and tree protection impact assessment and tree protection plans and two formal pre-planning

meetings with the planning authority, planners, council's heritage section and associated service and environmental engineers.

8.19 This approach was lead by an iterative architectural site layout and unit design, tree conservation, detailed landscaping and engineering services site layout plans which have responded to the potential for impact by mitigation through avoidance, where the designs have responded to avoid impacts by amendments to design such that impacts largely do not arise in the first place.

8.20 This resulted in a sensitive and organic layout, a low-density residential development sensitively located in relation to Rookwood House, (Protected Structure) existing healthy mature trees and views into the development from the north and south in the proposed development set in a park land/woodland landscape with the focal point of Rookwood House, and a network of pedestrian and linkage, communal and provide open spaces internal to the development providing an optimum design solution.

8.21 Following recognition of the In-Principle Position and subsequent to the planning gain of high-quality development, higher suitability of vacant lands, improved local service connections and the increased land-use suitability of a protected structure into the long-term future offered by the proposed development, that the application of planning policies and development standards focused on design led, and performance-based criteria will need to be applied by the applicant and considered by the decision maker as prescribed by the National Planning Framework 2040, the County Development Plan 2016-2022 and the Architectural Heritage Protection Guidelines 2011.

8.22 The Council is requested to apply flexible standards as applicable, and, which is an important approach applicable to medium to small residential infill-developments as well as on Institutional land-equivalent sites to allow for a range of tolerances that enables alternative solutions to be proposed, so as to achieve and facilitate high-quality design and residential consolidation outcomes with an open character subject in the interest of public safety and environmental sustainability.

8.23 This design led, and performance-based criteria approach along with the planning and heritage gain planning principle can allow for the planning mechanism under which the proposed development's road access, heritage treatment, service constraints and tree-scape issues could be made more flexible and suitably addressed subject to the decision makers' agreements. It can be confirmed that the approach of the project and design team has been exactly that of a design led, high quality, heritage, environment, land use and architectural design approach that has resulted in a high quality and well balanced scheme that has sought to balance competing values relevant to the subject site and Rookwood House.

8.24 It is submitted that planning policy makes direct provision for the sensitive development of historic houses and their associated curtilage and attendant grounds, which are typically referred to in policy as institutional lands given that many of these ownerships are in state ownership. The typical history of these properties is that they were either originally actual government buildings, or that they were privately owned large residences, estate houses or castles and their associated grounds that at some point in the past where taken into state ownership and put to state usage thus becoming institutional lands. The majority of these buildings and grounds are also registered protected structures.

8.25 In other cases, these large residences, estate houses or castles and their associate grounds remain in private ownership, and more often than not their buildings are also registered protected structures. The building and site context of these historic properties in public or private context are therefore, very similar with regard to built form, grounds and the issues relevant to infill developments on their grounds. Rookwood House and associated grounds is just such a historic property.

8.26 The Architectural Heritage Protection Guidelines as mentioned, also recognises this equivalence and makes reference in the same breath to both "large houses" and "institutional buildings" it is submitted that the principle of facilitating sensitive development of the attendance grounds of a protected structure is directly applicable to the subject site.

8.27 In the above context, it has been considered appropriate to apply the planning policy guidance and criteria for institutional grounds to Rookwood House and its associated grounds given that it can be described as an Institutional-land Equivalent Site. Typically, these guidances make provision for infill development at a lower density with an open-space character and taking account of the setting and character of the protected structure, while seeking the provision of sensitive architectural design and high-quality open space, subject to a Design Framework Plan.

8.28 It is submitted that the Architectural Heritage Assessment and detailed Heritage Strategy assessed the projected structure and its associated grounds in detail, and identified and determined those characteristic and heritage values that needed to be protected and reflected in the project approach, site layout and design of the proposed infill-development on the site. This was successfully integrated and then executed in the development schemes site layout, architectural design and landscaping as illustrated by the detailed design plans.

8.29 It is submitted that the proposed high quality and sensitively design, low density residential scheme, will significantly contribute to the future land use sustainability of the immediate residential urban area, by the continuation of high quality architectural designed residential units, that continued the trend of the award-winning Brookwood estate (from the same architect), adding to the housing stock, mix of houses and flexibility of units. The scheme further provides for the filling in of vacant and unused parcels of land with much needed high quality livening units, while at the same time increasing the land use and economic sustainability and continuance of Rookwood House into the future, by ensuring its continued residential occupation, bringing in a new small community set in a high-quality landscape and heritage environment that will serve to sure-up the sustainability of Rookwood House and the functionality of its specialised land-use of a protected structure in direct residential use, thereby avoiding its likely decline and falling into disrepair over time. It is effectively heritage conservation by land use and economic sustainability.