

SOUTH DUBLIN COUNTY COUNCIL



INTERNAL MEMORANDUM

Public Realm Planning Report

Development:	The refurbishment of Katherine Tynan House, or 'Whitehall', a Protected Structure (RPS ref.197), with change of use from disused dwelling to community centre. Works will entail refurbishment of the roof and external walls; reinstatement of windows and external doors; ceilings and floors; reinstatement of a conservatory and glazed porch (10sq.m and 5sq.m respectively); new internal stairs and doors; new services and sanitary accommodation; two new single storey open-fronted structures on part of the footprint earlier outbuildings with an enclosed area for toilets (534sq.m); refurbishment of historic garden walls and gates; upgrading of the existing non historic entrance and approach from the Ballymount Road; and provision for parking on site.
Location:	The Katerine Tynan House, Ballymount Road, Kingswood, Dublin 24
Applicant:	Hibernia REIT Holdco Two Limited
Reg. Ref:	SD21A/0148
Report Date:	28/07/2021
Recommendation:	Grant with Conditions

Site Area

2.875 ha

Zoning

The site is zoned Objective RU – “To protect and improve rural amenity and to provide for the development of agriculture”

Protected Structure:

MAP REF	RPS REF.	ADDRESS/LOCATION	DESCRIPTION
197	197	Whitehall, Ballymount Road, Kingswood	House (Two Storey & Single Storey)

Relevant Sections, Policies and Objectives of the SDCC Development Plan 2016-2022:**11.5.2 PROTECTED STRUCTURES****(i) General**

Works that would materially affect the character of a Protected Structure require planning permission. A declaration can be sought from the Planning Authority to list the type of works that would not affect the character of a Protected Structure and do not require planning permission.

(ii) Works to a Protected Structure

The Planning Authority 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).

Development proposals for works to a Protected Structure or within the curtilage of a Protected Structure 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. Assessments should be prepared by a conservation specialist in accordance with the requirements of the Architectural Heritage Protection Guidelines for Planning Authorities, DAHG (2011) and shall assess the likely effects of the proposed development on the special character of the Protected Structure and its setting. For all works to a Protected Structure, the Planning Authority will seek to ensure that:

- 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.

(iii) Change of Use

The Planning Authority will consider proposals for the change of use or re-use of a Protected Structure based on the policies and objectives outlined in this Plan, but may operate a level of flexibility to help safeguard the ongoing use and preservation of the structure.

(iv) Development in Proximity to a Protected Structure

Planning applications for development in proximity to a Protected Structure may require a design statement to outline how the proposal responds to the setting and special interest of the Protected Structure and its curtilage. Pastiche designs that confuse new features/structures with older and original features/structures should be avoided

DP 2016-22 Section 8.3.0 Public Open Space Hierarchy and Landscape Setting

It is the policy of the Council to provide a hierarchy of high quality and multi-functional public parks and open spaces.

G4 Objective 1: To support and facilitate the provision of a network of high quality, well located and multifunctional public parks and open spaces throughout the County and to protect and enhance the environmental capacity and ecological function of these spaces.

G4 Objective 2: To connect parks and areas of open space with ecological and recreational corridors to aid the movement of biodiversity and people and to strengthen the overall Green Infrastructure network.

DP 2016-22 Section 8.1.0 Green Infrastructure Network

G2 Objective 1: To reduce fragmentation of the Green Infrastructure network and strengthen ecological links between urban areas, Natura 2000 sites, proposed Natural Heritage Areas, parks and open spaces and the wider regional Green Infrastructure network

G2 Objective 2: To protect and enhance the biodiversity value and ecological function of the Green Infrastructure network.

G2 Objective 5: To integrate Green Infrastructure as an essential component of all new developments.

G2 Objective 9: To preserve, protect and augment trees, groups of trees, woodlands and hedgerows within the County by increasing tree canopy coverage using locally native species and by incorporating them within the design proposals and supporting their integration into the Green Infrastructure Network.

G2 objective 11: To incorporate appropriate elements of Green Infrastructure e.g. new tree planting etc. into existing areas of hard infrastructure wherever possible.

G2 Objective 13: To seek to prevent the loss of woodlands, hedgerows, aquatic habitats and wetlands wherever possible including requiring a programme to monitor and restrict the spread of invasive species

DP 2016-22 Section 8.5.0 Green Infrastructure within Urban Areas

G6 Objective 1: To protect and enhance existing ecological features including tree stands, woodlands, hedgerows and watercourses in all new developments as an essential part of the design process.

DP 2016-22 Section 9 Heritage Conservation and Landscapes

HCL15 Objective 3: To protect existing trees, hedgerows, and woodlands which are of amenity or biodiversity value and/ or contribute to landscape character and ensure that proper provision is made for their protection and management in accordance with Living with Trees: South Dublin County Council's Tree Management Policy 2015-2020.

DP 2016-22 Section 8.4.0 Sustainable Urban Drainage Systems

Sustainable Urban Drainage Systems (SUDS) drain surface water in an environmentally friendly way by replicating natural systems in managed environments. SUDS systems seek to collect, store and clean surface water using natural systems and to release it back into the environment in a slow and controlled way, thereby reducing the risk of fluvial and pluvial flooding. Key features, such as integrated constructed wetlands, permeable surfaces, filter strips, ponds, swales and basins are easy to manage, environmentally friendly and aesthetically attractive.

G5 Objective 1: To promote and support the development of Sustainable Urban Drainage Systems (SUDS) at a local, district and county level and to maximise the amenity and biodiversity value of these systems

G5 Objective 2: To promote the provision of Green Roofs and/or Living Walls in developments where expansive roofs are proposed such as industrial, retail and civic developments

Living with Trees – Tree Management Policy 2015 – 2020

South Dublin County Council's Tree Management Policy 'Living with Trees' 2015-2020 contains information within Chapter 7 Trees and Development that relates to the retention, protection and planting of trees on development sites. Relevant points within this section include:

- The Council will use its powers to ensure that where it is conducive with the objectives of the County Development Plan, and other planning objectives there is maximum retention of trees on new development sites.

- In the processing of planning applications, the Council will seek the retention of trees of high amenity / environmental value taking consideration of both their individual merit and their interaction as part of a group or broader landscape feature.
- On construction sites all work must be in accordance with British Standard 5837 (2012): Trees in Relation to Design, Demolition and Construction – Recommendations.
- The Council will promote the replacement of trees removed to facilitate approved planning and development of urban spaces, buildings, streets, roads, infrastructural projects and private development sites.

Public Open Space Provision

The Planning Authority will require public open space to be provided as an integral part of the design of new residential and mixed use developments.

In areas that are designated Zoning Objective RES-N all new residential development shall be required to incorporate a minimum of 14% of the total site area as public open space;

In all other zones all new residential development shall be required to incorporate a minimum of 10% of the total site area as public open space.

Public Realm Comments:

In relation to the above proposed development, this section has reviewed the application and has the following comments.

The Public and communal open spaces for the proposed development should be designed to all relevant qualitative standards, in addition public and communal open spaces should be designed to be usable and functional within the overall proposed development.

Any proposed pedestrian connections to adjoining lands should be clearly indicated on plans. The applicant should show how public open spaces in the wider area will link in and integrate with the proposed development. The public realm should be integrated into the adjacent development areas, creating continuous green infrastructure connections that form both physical and bio-diversity links. The proposed development should create positive additions to the open spaces of the area in the form of planting, permeability, and usable open space.

Existing Mature Trees and Green Infrastructure

The site known as Newlands Farm is a greenfield site including fields of arable crop and pasture grazed by Cattle. Coolfan Stream runs through the centre of the site in a west to east direction, Belgard Road borders the site to the west, Ballymount Road Borders the site to the South. The derelict Katherine Tynan House is located in the south of Newlands Farm. Trees of Historic Quality are contained within the site and should be retained. Habitats recorded on site as per the submitted Screening for Appropriate Assessment Report include:

Habitat	Code (Fossitt, 2000)
Buildings and artificial surfaces	BL3
Stone Walls and other stone work	BL1
Improved agricultural grassland	GA1

Existing Green infrastructure links should be strengthen through the implementation of the landscape proposals and new GI links created which link in with adjoining farm and in particular Ballymount Park so that new wildlife corridors are created and existing wildlife corridors are protected and enhanced.

Tree Survey and Arboricultural Impact

As per the submitted Arboricultural Impact Assessment and Tree Protection Strategy; the trees within the site area in a fair to good condition.

The main group of trees are the black Pines to the north of the existing house and the Beech along the main driveway and also along the boundary. All of these trees are category A.

Tree Survey Results on page 7 of submitted report:

Category	Number of Trees	Trees to be Removed
A	10	1
B	8	3
C	9	4
U	0	0

The submitted Arboricultural Method Statement and Tree Protection Strategy shall be implemented in full by the applicant.

Landscape Proposals

The landscape proposals submitted lack detail and are not to the required scale. The applicant shall submit a detailed landscape design rationale and comprehensive and detailed landscape proposals prepared by a qualified Landscape Architect. The landscape proposals should include:

- Sections/Elevations
- Detailed Planting Plan
- Hard and Soft Landscape Details

The landscape proposals should follow the proposed sensitive restoration of Whitehall (Protected Structure, RPS ref. 197). In keeping with the historic nature of the site, the landscape proposals could include tree planting proposals trees along either side of the original avenue as can be seen in the 1837 OSI Map in order to recreate the original approach to the house. With regard to the proposals for the walled fruit and vegetable garden, all fruit should be of heritage varieties such as those available from Irish Seed Savers. There should be an emphasis on heritage fruit and vegetable varieties being grown. A survey of the ground sand walled gardens should be carried out to see if there are any remnants of old plant varieties and these should be saved for reuse or similar varieties used if not salvageable. As per condition 4 below a Biodiversity Plan should be developed for the entire site, there should be an emphasis on pollinator planting and on providing habitats and or food flowers for wild bees.

The Public Realm Section has assessed the proposed development in accordance with the policies and objectives of the County Development Plan 2016-2022 and with best practice guidelines and recommends the following:

1. Landscape Design Proposals

The applicant shall submit a detailed landscape design rationale and comprehensive and detailed landscape proposals prepared by a qualified Landscape Architect, for the written agreement of the Public Realm Section. Such proposals shall include a scaled landscape plan(s) with cross-sections, showing the layout and hard and soft treatment of all boundaries, features, external areas and green spaces. The proposals shall be accompanied by specifications for materials, workmanship and maintenance, together with proposed design details. Hard landscape details are to include, where applicable, those for any proposed lighting, seating, kerbing, boundaries, edging, surfacing and water features. Soft landscape details are to include detailed planting plans and planting schedules, stating species/varieties, quantities, sizes, rootball presentation and spacings. The landscape plan shall be accompanied by a timescale for its implementation, including a minimum 18-month landscape maintenance period and defects liability clause. **CONDITON**

REASON: To assimilate the development into its surroundings, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting and policies HCL7 Objective 1 and HCL7 Objective 2 of the CDP 2016-2022.

2. Green Infrastructure

The applicant shall submit green infrastructure proposals that will mitigate and compensate for the impact of the proposed development on this existing mature parkland site. These proposals should include additional landscaping, SUDS measures (such as permeable paving, green roofs, filtration planting, above ground attenuation ponds etc) and planting for carbon sequestration and pollination to support the local Bat population. Response should include revised layout and drawings.

CONDITON

REASON: To ensure satisfactory landscape treatment of the site which will enhance and improve the character and Green Infrastructure of the site and local area, in accordance with the policies and objectives contained within Section 8 Green Infrastructure of the CDP 2016-2022.

4. Biodiversity Management Plan

Given the numerous policies and objectives regarding Green Infrastructure in the County Development Plan 2106-2022 and given the sensitive nature of the site it is requested that an overarching Biodiversity Management Plan be drawn up by the applicant to oversee the various biodiversity issues on the site including bats, birds, amphibians, invertebrates, mammals etc. and the provision of a range of appropriate habitat types to mitigate against potential biodiversity impacts. The plan should indicate how biodiversity and green infrastructure is to be protected, enhanced and developed on this site during construction and into the future, taking into account matters that included the following:

- i. Protection of existing trees on site
- ii. Protection and enhancement measures for bats
- iii. Protection and enhancement of identified habitats
- iv. The use of SUDS and Climate Adaption Measures

CONDITION

REASON: To protect and enhance areas of biodiversity, in accordance with policies IE7 Objective 5, G3 Objective 2, G4 Objective 2, HCL15 Objective 3, and other policies relating to Biodiversity within the CDP 2016-2022.

5. Bat survey

The applicant is requested to submit A bat survey for bat usage carried out across the entire site and immediately adjoining sites to assess roosting and feeding/foraging activities and assessing potential impact on these species arising from the proposed development. This is to be undertaken by a qualified and experienced bat expert at the appropriate time of the year for the survey of species.

The requirement of the Heritage Officer shall be ascertained in this regard prior to the commencement of development. If bats are found to be present on the site or immediately sites, no development shall take place until the necessary permission/derogation license has been obtained from the National Parks and Wildlife Service. **CONDITION**

Reason: To ensure the protection of the natural Heritage of the site in accordance with policies IE7 Objective 5, G3 Objective 2, G4 Objective 2, HCL15 Objective 3, and other policies relating to Biodiversity and natural Heritage within the CDP 2016-2022.

6. Retention and Protection Existing Mature Trees on site

As per the submitted Arboricultural Impact Assessment & Tree Protection Strategy all tree works throughout the site will be carried out by a qualified and experienced tree surgery contractor in accordance with *BS3998 (2010) Tree Work – Recommendations* before commencement of any other site operations including the erection of protective barriers.

Prior to the commencement of construction works on site, a meeting with the Project Landscape Architect, Site Foremen, the appointed Arborist and the Parks Supervisor from the Public Realm shall take place on-site to inspect that:

- a) all tree pruning & tree felling has been carried out appropriately
- b) that the protective fencing has been erected prior as per the submitted Arboricultural Impact Assessment & Tree Protection Strategy and the Arboricultural Protection Plan (1860_PL_TS_02). This fencing is to remain in place for the duration of the project.

- c) All measures outlined in the submitted Arboricultural Method Statement are adhered to.

All tree felling, surgery and remedial works shall be completed upon completion of the works. All works on retained trees shall comply with proper arboricultural techniques conforming to BS 3998:2010 Tree Work – Recommendations. The clearance of any vegetation including trees and scrub shall be carried out outside the bird-breeding season (1st day of March to the 31st day of August inclusive) or as stipulated under the Wildlife Acts 1976 and 2000.

The arborist shall carry out a post construction tree survey and assessment on the condition of the retained trees. A completion certificate is to be signed off by the arborist when all permitted development works are completed and in line with the recommendations of the tree report. The

certificate shall be submitted to the planning authority for written agreement upon completion of the works. **CONDITION**

REASON: To provide for the retention and protection of existing trees in the interests of visual amenity and biodiversity, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

7. Tree Bond and Arboricultural Agreement

Prior to the commencement of any permitted development or any related construction activity or tree felling on the site, the applicant shall lodge a Tree and Hedgerow Bond to the value of **€56,000** with the Planning Authority. This is to ensure the protection of trees on and immediately adjacent to the site to make good any damage caused during the construction period. The bond lodgement shall be coupled with *an Arboricultural Agreement*, with the developer, empowering the planning authority to apply such security, or part thereof, to the satisfactory protection of any tree/hedgerow or trees/hedgerows on or immediately adjoining the site, or the appropriate and reasonable replacement of any such trees/hedgerows which die, are removed or become seriously damaged or diseased within a period of three years from the substantial completion of the development. Any replacement planting shall use large semi-mature tree size(s) and species or similar as may be stipulated by the planning authority.

An Arboricultural Assessment Report and Certificate is to be signed off by a qualified Arborist after the period of 3 years of completion of the works. Any remedial tree surgery, tree felling works recommended in that Report and Certificate shall be undertaken by the developer, under the supervision of the Arborist. The bond will only be refunded upon receipt by SDCC Public Realm Section of a satisfactory post-construction arboricultural assessment, carried out by a qualified arborist and provided that the hedges/trees proposed for retention are alive, in good condition with a useful life expectancy. **CONDITION**

REASON: to ensure the protection, safety, prudent retention and long-term viability of trees to be retained on and immediately adjacent to the site in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

8. SUDS

A comprehensive SUDS Management Plan shall be submitted to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A

maintenance plan shall also be included as a demonstration of how the system will function following implementation.

Additional natural SUDS features should be incorporated into the proposed drainage system for the development such as bio-retention/constructed tree pits. In addition, the applicant should provide the following:

- Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development.
- Street Trees shall be planted in public open space with suitable tree pits that incorporates SuDS features in accordance with SDCC Adamstown Street Design Guide, Section 6.3 Side Street Design.
- Tree pit incorporating SUDS features should include a deep cellular water storage/attenuation area below the surface which acts as a soak away allowing surface water to infiltrate into the ground

CONDITION

REASON: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal, in accordance with policies under Section 8.4.0 Sustainable Urban Drainage Systems of the CDP 2016-22 in particular G5 Objective 1 and G5 Objective 2

9. Retention of Landscape Architect

Prior to the commencement of any permitted development, the developer shall appoint and retain the services of a qualified Landscape Architect (or qualified Landscape Designer) as a Landscape Consultant, throughout the life of the construction works and shall notify the planning authority of that appointment in writing prior to commencement. A Practical Completion Certificate is to be signed off by the Landscape Architect when all landscape works are fully completed to the satisfaction of the planning authority in accordance with the permitted landscape proposals. If attenuation tree pits are proposed, their installation shall be supervised by the project landscape architect. **CONDITION**

REASON: To ensure the implementation of the agreed landscape proposals, to assimilate the development into its surroundings and to ensure the longevity of the landscaping scheme, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting 2 of the CDP 2016-2022.

10. Retention of Arborist

Prior to the commencement of any permitted development, the developer shall engage the services of a Professional Member of Arboricultural Association who is an independent, qualified arborist, for the entire period of construction activity. The applicant shall inform the planning authority in writing of the appointment and name of the consultant, prior to commencement of development. The consultant shall visit the site at a minimum on a monthly basis, to ensure the implementation of all of the recommendations in the tree reports and plans.

To ensure the protection of trees to be retained with the site the applicant shall implement all the recommendations pertaining to tree retention, tree protection and tree works, as detailed in the Tree Survey and Tree Protection Plan in the submitted tree report. All tree felling, surgery and remedial works shall be completed upon completion of the works. All works on retained trees shall comply with proper arboricultural techniques conforming to BS 3998:2010 Tree Work – Recommendations. The clearance of any vegetation including trees and scrub shall be carried out outside the bird-breeding season (1st day of March to the 31st day of August inclusive) or as stipulated under the Wildlife Acts 1976 and 2000.

The arborist shall carry out a post construction tree survey and assessment on the condition of the retained trees. A completion certificate is to be signed off by the arborist when all permitted development works are completed and in line with the recommendations of the tree report. The certificate shall be submitted to the planning authority for written agreement upon completion of the works. **CONDITION**

REASON: To provide for the retention and protection of existing trees in the interests of visual amenity and biodiversity, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

Summary

The Public Realm Section has no objections to this proposed development provided the above conditions are applied in the event of planning permission being granted. These conditions shall be applied in order to ensure that the historic mature nature of the house and grounds are persevered and enhanced and that the existing mature trees on site are retained and protected. In addition, the application of these conditions will ensure that the proposed development receives an appropriate landscape treatment which will enhance and improve the historic character and green Infrastructure of the site.

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