

Comhairle Chontae Atha Cliath Theas

PR/1127/21

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21A/0175 **Application Date:** 29-Jun-2021
Submission Type: New Application **Registration Date:** 29-Jun-2021

Correspondence Name and Address: Linda McEllin, Brock McClure Planning & Development Consultants 63, York Road, Dun Laoghaire, Co. Dublin

Proposed Development: Revisions to development previously permitted under Reg. Ref. SD17A/0064 and ABP Ref. PL06S.249209 (referred to as Watson's Place) and shall consist of the replacement of 3 previously permitted house units (House Types A, A1 and A2) comprising 1 one bed house, 1 three bed house and 1 four bed house with a new proposal for 8 apartments comprising 2 one bed units and 6 two bed units, all located within 2-3 storey Ballyroan House (A Protected Structure); the replacement of 2 one previously permitted semi-detached house units (House Types D) comprising 2 four bed house units (2 storeys) with a new proposal for 3 two bed terraced house units (2 storeys); the new works to Ballyroan House (A Protected Structure) shall comprise of the refurbishment and subdivision of the existing building (approx. 761sq.m); demolition of extensions to the building including a two storey block work extension and a single storey extension to the rear (total demolition approx. 53sq.m); (c) the removal of an old ruin to the gable; extension to the rear of the building at ground and first floor level (approx. 36sq.m); removal of internal walls and partitions; modifications to elevations including the removal of windows and the provision of new window and door openings; and provision of new private open space terraces/balconies to the rear/side of the building; the revised proposal shall also provide for a total of 43 car parking spaces; public and communal open space areas; 18 secure bicycle parking spaces; new bin storage area (approx. 23sq.m); all other development within the site remains as previously permitted under Reg. Ref. SD17A/0064 and ABP Ref. PL06S.249209.

Location: Ballyroan House, Ballyroan Heights, Dublin 16

Applicant Name: Homeland BRH Limited

Application Type: Permission

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(CM)

Description of Site and Surroundings:

Site Description:

The subject site, consists of Ballyroan House, a Protected Structure RPS Ref 275 of Schedule 2 of the South Dublin County Development Plan 2016-2022, a three storey house, built c. 1850, its associated outbuildings, a large detached stable block and a modern single storey print works building. The site is accessed from Ballyroan Heights, and is bounded by Ballyroan Heights to the front and side (north and east) and Elkwood Estate to the front (north), Templeroan Park and Downs to the rear (south) and Ashton Avenue and Knockcullen Drive to the side (west). All established residential areas. The site has a level difference of approx. 10m in total, falling from south to north.

Site Area: 0.0139 Ha.

Site Visit: 2/8/2021

Proposal:

Revisions to development previously permitted under Reg. Ref. SD17A/0064 and ABP Ref. PL06S.249209 (referred to as Watson's Place) and shall consist of:

- the **replacement of 3 previously permitted house units** (House Types A, A1 and A2) comprising 1 one bed house, 1 three bed house and 1 four bed house **with a new proposal for 8 apartments** comprising 2 one bed units and 6 two bed units, **all located within 2-3 storey Ballyroan House** (A Protected Structure);
- the **replacement of 2 previously permitted semi-detached house units (House Types D)** comprising 2 four bed house units (2 storeys) **with** a new proposal for **3 two bed terraced house units (2 storeys) (Block D)**;
- the new works to Ballyroan House (A Protected Structure) shall comprise of the refurbishment and subdivision of the existing building (approx. 761sq.m); demolition of extensions to the building including a two storey block work extension and a single storey extension to the rear (total demolition approx. 53sq.m); the removal of an old ruin to the gable;
- extension to the rear of the building at ground and first floor level (approx. 36sq.m); removal of internal walls and partitions; modifications to elevations including the removal

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of windows and the provision of new window and door openings; and provision of new private open space terraces/balconies to the rear/side of the building;

- the revised proposal shall also provide for a total of 43 car parking spaces; public and communal open space areas; 18 secure bicycle parking spaces; new bin storage area (approx. 23sq.m); all other development within the site remains as previously permitted under Reg. Ref. SD17A/0064 and ABP Ref. PL06S.249209.

The proposal would be **an increase of six extra units on site.**

Zoning:

The subject site is subject to zoning objective 'RES' - '*To improve and/or protect residential amenity.*'

Consultations:

Environmental Services (Surface Water)	No objection, subject to conditions.
Irish Water	No objection, subject to conditions.
Public Realm	Requests Additional Information.
Roads	No objection, subject to conditions.
Housing	No objection, subject to conditions.
Waste Management	No objection.
Heritage Officer	No reply
An Taisce	Recommends consideration of certain issues.
Architectural Conservation Officer	No reply
Housing Strategy Unit	No objection subject to conditions.

Strategic Environmental Assessment Screening

Indicates no overlap with the relevant environmental layers.

Submissions/Observations /Representations

None.

Relevant Planning History

SD17A/0064 – Permission **granted** by An Bord Pleanála (upholding a decision of South Dublin County Council), and following a request for additional information. The grant of permission subject to omission of 3 no. units as originally proposed. The original description of development was:

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A residential scheme (total GFA c.8,704.4sq.m) on a site at Ballyroan House (a Protected Structure) to provide for 23 residential units (ranging in size from 83.9sq.m - 348.4sq.m) in the form of 21 houses and 2 apartments, all in an overall proposal of 1 - 3 storeys in height. The development shall comprise: (a) The demolition of an existing 2 storey stable block in use as a garage/former office accommodation (c.587.72sq.m) and the demolition of single storey print shop on site (c.150.12sq.m); (b) The vertical separation and restoration of Ballyroan House (c.710.2sq.m) in to 3 residential units (2 - 3 storeys in height) in the form of House Types A, A1 and A2, the demolition of extensions to the original Protected Structure including a two storey block work extension and a single storey extension to the rear and the removal of an old ruin (total demolition of extensions/old ruin c.170.8sq.m), the removal of internal walls and partitions, modifications to elevations including the removal of windows, the provision of new window and door openings, the construction of a modern glass and metal entrance to the fore of the protected structure and the construction of a modern glass and metal extension to the rear, and (c) the construction of 18 house units on site in the form of Types B, B1, B2, C, C1, C2, C3, D, F1 and F2 (varying in height from 1 - 3 storeys) and 2 apartment units in Block E/Type E units (2 storeys). There are options to provide for a number of variations to Unit Types B, B1, B2, C, C1 and C2 and permission is sought to implement a combination of these options within the scheme. These options will determine development mix with provision made for accommodation generally in the form of 1 - 4 bedroom units in a combination of detached, semi-detached, terraced and apartment units across the site. Type F units are single storey in nature with split level access and associated courtyards (Type F1 - entrance FFL 70.81, ground FFL67.81; Type F2 - entrance FFL 71.26, ground FFL 68.26). The proposal shall also provide for 43 car parking spaces, vehicular and pedestrian access via existing access point from Ballyroan Heights; new pedestrian access to adjoining park; private open space areas in the form of side/rear gardens, courtyards and balcony/terrace spaces; public open space areas, new boundary treatments, public lighting and all associated site development, site services and landscape works.

Relevant Enforcement History

None

Pre-Planning Consultation

None

Relevant Policy in South Dublin County Council Development Plan 2016 - 2022

Policy H6 Sustainable Communities

It is the policy of the Council to support the development of sustainable communities and to ensure that new housing development is carried out in accordance with Government policy in relation to the development of housing and residential communities.

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Policy H7 Urban Design in Residential Developments

It is the policy of the Council to ensure that all new residential development within the County is of high quality design and complies with Government guidance on the design of sustainable residential development and residential streets including that prepared by the Minister under Section 28 of the Planning & Development Act 2000 (as amended).

Policy H8 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.

Policy H9 Residential Building Heights

It is the policy of the Council to support varied building heights across residential and mixed use areas in South Dublin County.

Policy H10 Mix of Dwelling Types

It is the policy of the Council to ensure that a wide variety of adaptable housing types, sizes and tenures are provided in the County in accordance with the provisions of the Interim South Dublin County Council Housing Strategy 2016-2022.

Section 2.3.0 Quality Of Residential Development

Policy H11 Residential Design and Layout

It is the policy of the Council to promote a high quality of design and layout in new residential development and to ensure a high quality living environment for residents, in terms of the standard of individual dwelling units and the overall layout and appearance of the development.

Policy H12 Public Open Space

It is the policy of the Council to ensure that all residential development is served by a clear hierarchy and network of high quality public open spaces that provides for active and passive recreation and enhances the visual character, identity and amenity of the area.

Policy H13 Private and Semi-Private Open Space

It is the policy of the Council to ensure that all dwellings have access to high quality private open space (inc. semi-private open space for duplex and apartment units) and that private open space is carefully integrated into the design of new residential developments.

Policy H14 Internal Residential Accommodation

It is the policy of the Council to ensure that all new housing provides a high standard of accommodation that is flexible and adaptable, to meet the long term needs of a variety of household types and sizes.

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Policy H15 Privacy and Security

It is the policy of the Council to promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing.

Policy H16 Steep or Varying Topography Sites

It is the policy of the Council to ensure that development on lands with a steep and/or varying topography is designed and sited to minimise impacts on the natural slope of the site.

Section 3.2.0 Community Facilities

Policy C1 Community Centres

It is the policy of the Council to ensure that all communities have access to multifunctional community centres that provide a focal point for community activities.

Section 3.13.0 Open Space Management & Use

Policy C12 Open Space

It is the policy of the Council that a hierarchical network of high quality open space is available to those who live, work and visit the County, providing for both passive and active recreation, and that the resource offered by public open spaces, parks and playing fields is maximised through effective management.

Section 4.3.2 Employment and Residential in Regeneration Zones

Policy ET2 Enterprise and/or Residential Led Development in Regeneration Zones.

It is the policy of the Council to facilitate and support the regeneration of underutilised industrial areas that are proximate to urban centres and transport nodes and to promote and support more intensive compatible employment and/or residential led development in regeneration zones.

Policy UC6 Building Heights

It is the policy of the Council to support varied building heights across town, district, village and local centres and regeneration areas in South Dublin County.

Section 6.3.0 Walking And Cycling

Policy TM3 Walking and Cycling

It is the policy of the Council to re-balance movement priorities towards more sustainable modes of transportation by prioritising

Section 6.4.3 Road and Street Design

Policy H12

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It is the policy of Council to ensure that streets and roads within the County are designed to balance the needs of place and movement, to provide a safe traffic-calmed street environment, particularly in sensitive areas and where vulnerable users are present.

Section 6.4.4 Car Parking
Policy TM7 Car Parking

Section 7.1.0 Water Supply & Wastewater
Policy IE1 Water & Wastewater

It is the policy of the Council to work in conjunction with Irish Water to protect existing water and drainage infrastructure and to promote investment in the water and drainage network to support environmental protection and facilitate the sustainable growth of the County

Section 7.2.0 Surface Water & Groundwater
Section 7.3.0 Flood Risk Management

Section 8.0 Green Infrastructure
Policy G1 Overarching
Policy G1 Green Infrastructure Network
Policy G3 Watercourses Network
Policy G4 Public Open Space and Landscape Setting
Policy G5 Sustainable Urban Drainage Systems
Policy G6 New Development in Urban Areas

Chapter 9 Heritage, Conservation and Landscapes
Policy HCL 1 Overarching
Policy HCL 2 Architectural Heritage
Policy HCL 3 Protected Structures

Section 9.3.1 Natura 2000 Sites
Policy HCL12 Natura 2000 Sites

Section 10.0 Energy
Policy E4 Energy Performance in New Buildings

Section 11.2.0 Place Making and Urban Design
Section 11.2.1 Design Statements
Section 11.3.1 Residential

Table 11.20: Minimum Space Standards for Houses

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Table 11.21: Minimum Space Standards for Apartments

Section 11.4.1 Bicycle Parking Standards

Table 11.22: Minimum Bicycle Parking Rates

Section 11.4.2 Car Parking Standards

Table 11.24: Maximum Parking Rates (Residential Development)

Section 11.4.3 Car Parking for Electric Vehicles

Section 11.4.4 Car Parking Design and Layout

Section 11.4.5 Traffic and Transport Assessments

Section 11.6.1 (i) Flood Risk Assessment

Section 11.6.1 (ii) Surface Water

Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)

Section 11.6.1 (iv) Groundwater

Section 11.6.1 (v) Rainwater Harvesting

Section 11.6.1 (vi) Water Services

Section 11.8.0 Environmental Assessment

Relevant Government Guidelines

Ministerial Guidelines and Policy

Project Ireland 2040 National Planning Framework, Government of Ireland (2018).

Regional, Spatial & Economic Strategy 2020-2032 (RSES), Eastern & Midlands Regional Assembly (2019)

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

Urban Design Manual, Department of the Environment, Heritage and Local Government, (2008).

Design Manual for Urban Roads and Streets Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport (2013).

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).

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The Planning System and Flood Risk Management - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government & OPW, (2009).

Departmental Circulars, Department of Housing, Planning and Local Government (2020) – as listed:

- PL02/2020: Covid-19 Measures
- PL03/2020: Planning Time Periods
- PL04/2020: Event Licensing
- PL05/2020: Planning Time Periods
- PL06/2020: Working Hours Planning Conditions
- PL07/2020: Public Access to Scanned Documents
- PL08/2020: Vacant Site Levy
- Circular NRUP 02/2021 - Residential Densities in Towns and Villages

Assessment

The main issues for assessment are:

- Zoning and Council Policy
- Architectural Conservation
- Residential amenity
- Access, Transport and Parking
- Public Realm
- Water
- Public Housing (Part V)
- Screening for Environmental Impact Assessment
- Screening for Appropriate Assessment

Zoning and Council Policy

Principle of Development already confirmed with original grant of permission.

Architectural Conservation

Objective HCL3 Objective 3 seeks to ensure that all development proposed that affect a Protected Structure and its setting are sympathetic to its special character and integrity and are appropriate in terms of architectural treatment, character, scale and form. Policy HCL3 and its other objectives seek the protection of protected structures and their curtilage and attendant grounds.

The proposed development would provide for alterations to the permitted development and the setting that would arise from that development taking place. The various elements can be broken down thus:

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- Change to new building D;
- Change to streetscape / landscape to front of Ballyroan House and Block D arising mostly from intensification of parking;
- Internal changes to Ballyroan House and increase in residential density;
- External changes to Ballyroan House consisting of rear extension, new opes to rear and side and new balconies to rear at 1st and 2nd floor level;
- Changes to landscape to the rear arising from intensification of car parking.

Block D

Block D is permitted as two semi-detached houses with building line level with the rear building line of the protected structure's eastern wing. The permitted buildings would be accessed via driveways either side of a prominent open space dominated by the existing mature tree on-site.

The proposed development brings Block D forward and reconfigures it as 3 no. 2-bed terraced dwellings. The driveways are omitted and the prominent open space is reconfigured to accommodate a bank of 4 no. parking spaces on the bend in the road. The block is shorter in depth but of equal width, and is positioned slightly further to the north than previously permitted.

The relocation of the Block to the north facilitates the provision of larger gardens to the rear – however it should be noted that SDCC sought alignment with the rear building line of the protected structure in their decision under SD17A/0064. The rear gardens do not appear to be as large as is labelled in the Site Layout Plan.

Overall, the additional unit in Block D is judged to have a detrimental visual impact particularly on the setting of the protected structure, due to the changes required to the front, the installation of a bank of parking in place of two driveways. It is considered that this change would present a different character for those entering the grounds. It was noted by SDCC in the assessment of SD17A/0064 that this location is the first part of the site that can be seen by those entering. The proposed change is considered to detract from the provision of open space to the front. The impact of additional car parking and the layout of that car parking would be to detract from the character of the protected structure and the attendant grounds. The resulting layout is not sensitive to the prominent location and proximity to the protected structure. It is considered that the additional unit in Block D should be **refused** or omitted by **condition** from any grant of permission.

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Setting of the Protected Structure

Additional parking is also proposed directly in front of Ballyroan House to facilitate the intensification of development within the building and Block D. This is proposed to be provided in a bank of 8 no. parking spaces and a separate accessible parking space. It is a concern that the proposed additional parking to the front would undermine the setting of the protected structure. The bank of 8 no. spaces in an unbroken bank does not accord with DMURS guidance on perpendicular parking.

Changes to Ballyroan House

The proposed additional division of Ballyroan House is not objectionable in principle. Internal additions of dividing walls are acceptable subject to appropriate construction methods. Additionally, the layouts of the proposed units are generally acceptable. The proposed works to the rear façade includes the provision of balconies at first and second floor level, and a larger rear extension than previously permitted. The proposed rear extension would be finished in painted render whereas the permitted extension was to be finished in glass and metal. The proposed extension is also larger, and would align with the rear building line of the central section of the house, rather than the directly adjoining section. The proposed balconies would be steel framed and would be accessed by new door opens in the rear wall of the protected structure.

The proposed works to the rear façade are considered not to be sensitive or sympathetic to the character and architectural treatment of the building. In particular, the proposed rear extension with its solid appearance and larger footprint represents a major intervention in comparison to what was previously permitted. The steel frame balconies would mark a serious intervention to the rear façade.

Setting of the Protected Structure (Rear)

Additional parking is also proposed to the rear of Ballyroan House. This is considered to be a less sensitive area, although the overall parking provision would appear dominant in the streetscape. Prior to the submission of SD17A/0064, the applicant was advised in pre-planning consultation about the need to reduce car parking dominance of the proposed layout.

For the reasons noted above, it is considered that **additional information** should be sought from the applicant on how the objective of the application (additional residential development) can be met without harming the character and integrity of the protected structure and its attendant grounds.

Residential Amenity

The proposed terraced units adhere to the standards provided for in the 'Quality Housing for Sustainable Communities - Best Practice Guidelines' (2007). In terms of the proposed apartment units, the layouts are constrained by the nature of the project, but are acceptable in the context of infill development.

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Access, Transport and Parking

As noted above, the provision of parking is considered to be excessive in terms of its visual impact, particularly to the front of the protected structure. The Roads Department has assessed the quantum of provision and states no objection, subject to standard conditions relating to public lighting, electric vehicular charging, construction management and waste management plans. The Roads report also recommends that the conditions previously attached to SD17A/0064 would continue to apply. This is acceptable.

Public Realm

The Public Realm Department has noted the lack of play provision, green infrastructure or biodiversity management proposals in the proposed development. The department recommends a request for additional information covering play, green infrastructure, biodiversity management, arboricultural impact and natural SUDs.

It is considered that much of this is outside the scope of an application for limited alterations, however, given the intensification of the residential development envisaged, it is considered that play provision and natural SUDs are relevant items for a request for additional information.

In terms of arboricultural impact, the proposed development would reconfigure the open space in proximity to one of the mature trees on-site. This reconfiguration is recommended to be omitted from any grant of permission and so additional arboricultural assessment is not required.

Water

The Water Services Report seeks only that previous conditions to SD17A/0064 continue to apply regarding agreement of water supply and drainage arrangement. Considering this issue in tandem with the comments of the Public Realm Department, it is considered appropriate to seek **additional information** on the inclusion of natural SUDs features in the development.

Irish Water has stated no objection subject to the agreement of connection agreements, which can be required by **condition**.

Public Housing (Part V)

The Housing Department has provided a report confirming that its preference is to obtain houses on site for fulfilment of the Part V requirement for social and affordable housing. An appropriate **condition** can be applied to a grant of permission.

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Screening for Environmental Impact Assessment

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Screening for Appropriate Assessment

The applicant has not provided information to assist the screening for Appropriate Assessment. Having regard to the nature of the development, connection to public services and the distance from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

Conclusion

The proposed development represents a risk to the integrity and character of the protected structure, by virtue of additional hard landscaping and parking to the front, reconfiguration of the open space in the prominent location in front of Block D, and the addition of steel frame balconies and a larger scale rear extension with a solid appearance. The applicant should be requested to revise the proposed development to show how the character and integrity of the protected structure and its setting can be maintained. It appears possible from the plans provided that the prospect of intensifying the proposed residential density of the development is incompatible with the adequate protection of the protected structure and its attendant grounds. The applicant should consult with SDCC's Architectural Conservation Officer.

Recommendation

I recommend that **ADDITIONAL INFORMATION** be requested from the applicant with regard to the following:

1. Conservation.

The proposed development represents a risk to the integrity and character of the protected structure, by virtue of additional hard landscaping and parking to the front, reconfiguration of the open space in the prominent location in front of Block D, and the addition of steel frame balconies and a larger scale rear extension with a solid appearance. The applicant is requested to revise the proposed development to show how the character and integrity of the protected structure and its setting can be maintained. It appears possible from the plans provided that the prospect of intensifying the proposed residential density of the development is incompatible with the adequate protection of the protected structure and its attendant grounds. As per the Chief Executive Order, it is recommended that proposed alterations to Block D be omitted from any eventual grant of permission.

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The applicant should consult with SDCC's Architectural Conservation Officer in advance of responding to the request for further information.

2. Sustainable Drainage Systems.

There is a lack of SuDS (Sustainable Drainage System) shown for the proposed development. Natural SUDS features should be incorporated into the proposed drainage system. The SUDS should be an integrated multi-disciplinary approach which locally addresses water quality, water quantity, and provides for amenity and biodiversity enhancement which meets the objectives of South Dublin County Council Development Plan 2016-2022. The applicant shall show further proposed SuDS features for the development such as Green roofs, grass areas, tree pits, channel rills, swales, permeable paving and other such SuDS and show what attenuation capacity is provided by such SuDS.

3. Play Provision.

The applicant is requested to provide clarity as to the total number and location of play opportunities; the age range they are appropriate for and whether they are universally accessible. An emphasis should be on active, accessible play throughout the development. The applicant is requested to provide fully detailed play proposals as part of the landscape scheme for the proposed development. The applicant should consider the provision of additional universally accessible equipment within the play proposals for the development. Additional details, specifications and images need to be provided in relation to the proposed playgrounds and play spaces for the development. All play equipment should be of predominantly natural materials with unstructured play included in the proposed design. The applicant should consider the use of engineered woodchip as playground surfacing material.

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REG. REF. SD21A/0175

LOCATION: Ballyroan House, Ballyroan Heights, Dublin 16



Jim Johnston
Senior Executive Planner

ORDER: I direct that **ADDITIONAL INFORMATION** be requested from the applicant as set out in the above report and that notice thereof be served on the applicant.

Date: 23rd August 2021



Eoin Burke, Senior Planner