

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

PR/1145/21

Reg. Reference: SD21A/0179 **Application Date:** 01-Jul-2021
Submission Type: New Application **Registration Date:** 01-Jul-2021

Correspondence Name and Address: Louise Connolly, CDP Architecture 4, The Mall, Main Street, Lucan, Co. Dublin

Proposed Development: Removal of selected hedging, the removal of the existing 52 car parking spaces and the construction of a 4-storey apartment building with setbacks at third floor level, total 14 apartments comprising of 1 one-bedroom, 11 two bedroom; 2 three bedroom apartments, all with associated private open spaces areas in the form of balconies; access to the development from existing vehicular and pedestrian entrance from Leixlip Road (R835) and from proposed new vehicular and pedestrian access from Ardeevin Drive; all with associated landscaped courtyard at ground floor level, sedum roof (main roof), bicycle storage, bin storage, signage, associated drainage and site development works (Protected Structure RPS No. 094).

Location: Ball Alley House, Leixlip Road, Lucan, Co. Dublin

Applicant Name: Gerry Teague

Application Type: Permission

(DF)

Description of Site and Surroundings

Site Area 0.168 hectares

Site Description

The subject site is located on the southern side of Leixlip Road and contains contains a protected structure REF:094 Ball Alley House Lucan- Detached Eight Bay Two Storey Public House under the South Dublin County Development Plan record of protected structures. Car park is located to the rear. To the east of the site is a medical centre and apartments, with residential houses located to the west and south. Lucan Demesne is located to the north.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

Proposal

The proposal comprises the following:

- Removal of selected hedging, the removal of the existing 52 car parking spaces and the construction of a 4-storey apartment building with setbacks at third floor level, total 14 apartments comprising of 1 one-bedroom, 11 two bedroom;
- 2 three bedroom apartments, all with associated private open spaces areas in the form of balconies;
- access to the development from existing vehicular and pedestrian entrance from Leixlip Road (R835) and from proposed new vehicular and pedestrian access from Ardeevin Drive;
- all with associated landscaped courtyard at ground floor level, sedum roof (main roof), bicycle storage, bin storage, signage, associated drainage and site development works (Protected Structure RPS No. 094).

Zoning

The site is zoned Objective RES 'to protect and/or improve Residential Amenity'.

Consultations

Water Services- Additional Information Requested

Roads- Additional Information Requested

Parks and Public Realm- Additional Information Requested

Irish Water-Additional Information Requested

Heritage Officer- No Response

Architectural Conservation Officer- No Response

County Architect- No Response

EHO-No response

Housing-No response

Sustainable Energy Ireland- No Response

NTA- No Response

Chief Fire Officer-No Response

An Taisce-Object to the development

Submissions/Representations

Last date for submissions 04/08/21. A number of submissions have been received. Main concerns relate to the following:

- Increased footfall and traffic
- Increased traffic and parking with adjacent care home
- Anti social behaviour associated with the pub
- Concerns regarding the close proximity of the apartments, houses, and adjacent boundary wall
- Impact on green area to rear of pub
- Impact on heritage building
- Overlooking of private space and adjacent properties

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

- Out of character with the adjoining buildings, height excessive
- Inconvenience of road and construction works
- Excessive car parking and safety concerns in the area
- Devalue properties in the area
- Access for emergency vehicles
- Impact on existing community activities
- Concerns on access from Ardeevin Drive
- Increase in density of area not appropriate, and overdevelopment of the site
- Visual impact on the area, and vistas
- Access for people from back of the pub will increase noise and antisocial behaviour
- Number of proposed car parking spaces is not realistic
- Removal of parking to rear of pub will cause parking issues in Lucan village
- Housing should be directed to Clonburris and Adamstown
- Not sufficient details on bin stores and plant associated with the development
- Concerns regarding safety for children playing in the area
- Does green roof reduce run-off
- Profit driven development
- Built for rental purposes
- Inaccurate site layout plan regarding the southern boundary
- No roads and parking assessment report included
- Right to light and privacy concerns
- Biodiversity and protection of wildlife is important
- Concerns regarding delivery to building-groceries etc
- Previous reasons for refusal on older applications on adjacent sites
- On-site parking spaces need to be confirmed

Relevant Planning History

SD08A/0162. Removal of existing stone fireplace at ground floor level only and extension of existing bar counter and all associated works. (Ball Alley is a Protected Structure, RPS-094).
Refuse Permission

SD07A/0208. To convert portion of existing open area to semi covered area to rear at Ball Alley House, Leixlip Road, Lucan, County Dublin. (Ball Alley House is a protected structure, (RPS-094).
Grant Permission

SD06A/0749. To use the existing smoking area to rear as a beer garden, with the erection of retractable awning over section of area, together with the change of use of existing first floor rooms from storage to offices and conference room. (Ball Alley House is a protected structure, RPS-094)
Grant Permission and Refuse Permission

SD06A/0201. Convert existing car spaces located to the front of the premises into an outdoor seating area together with the erection of a 1.37m high painted galvanized steel safety barrier and

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

the affixing of 3 no. retractable awnings to the front of the building in addition to re-painting the exterior of the building with colours to match existing and associated site works all at Ball Alley House (Ball Alley house is a protected structure, RPS-094).

Refuse Permission

SD04A/0958. Retention permission for (1) external seating to rear forming smoking area;(2) perimeter walls, railings and bench seating; (3) open compound storage area; (4) gable window to rear of building; (5) window to rear west elevation; (6) gable window in south elevation in storage area of first floor; (7) internal alterations incorporating relocation of ladies toilet into storage area and extension of lounge bar into storage area on ground floor; (8) retractable canopy on side east elevation. (The Ball Alley House is a Protected Structure).

Grant Permission for Retention

SD03A/0192. Slightly change plans for already approved and commenced application Reg. Ref. S01A/0351 incorporating 4 additional windows, enlarging basement and relocation of internal stairs.

Grant Permission

S01A/0351. To reconstruct and extend licenced premises, incorporating demolition of existing toilet block, construction of new toilet block, stores and extension to lounge.

Grant Permission

Adjacent Sites

SD19A/0297. Demolition of the existing house, existing shed; removal of the existing portacabin; removal of selected hedging and the modification of the northern boundary wall along Leixlip Road; proposal includes the construction of 6 2-bed apartments, with all associated site development works; private open space areas; public open space areas; signage; bin storage; cycle parking; car parking; drainage and landscaping.

Refuse Permission

SD16A/0005. (1) Change of use from existing office use to a surgery for medical practitioners; (2) alterations to existing entrance to create new doorway, ramp and handrail; (3) external signage; (4) all associated site works, internal alterations and bin storage area.

Grant Permission

SD03A/0115- Permission for retention granted by SDCC for Porta-Cabin used as a dental surgery to the side.

Relevant Enforcement History

None recorded.

Pre-planning consultation

None recorded

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

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

Policy CS1 *Consolidation Areas within the Gateway*

Policy CS2 *Metropolitan Consolidation Towns*

Policy CS3 *Emerging Moderate Sustainable Growth Town*

Policy CS4 *Small Towns*

Policy CS6 *Local Area Plans*

It is the policy of the Council to prepare Local Area Plans as appropriate, and to prioritise areas that are likely to experience large scale residential or commercial development or regeneration.

Policy CS6 Objective 1: To prepare Local Area Plans for areas that are likely to experience large scale residential or commercial development or regeneration.

Policy CS6 Objective 2: To support a plan led approach in Local Area Plan areas by ensuring that development complies with the specific local requirements of the Local Area Plan, in addition to the policies and objectives contained in this Development Plan.

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.

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

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

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 (incl. 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.

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.

H17 Residential Consolidation

It is the policy of the Council to support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County.

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.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

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

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

Policy IE2 Surface Water & Groundwater

It is the policy of the Council to manage surface water and to protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Section 7.3.0 Flood Risk Management

Policy IE3 Flood Risk

It is the policy of the Council to continue to incorporate Flood Risk Management into the spatial planning of the County, to meet the requirements of the EU Floods Directive and the EU Water Framework Directive.

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

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

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 11.2.2 Masterplans

Table 11.17: Masterplan Considerations

Section 11.2.7 Building Height

Section 11.3.1 Residential

- (i) Mix of Dwelling Types*
- (ii) Residential Density*
- (iii) Public Open Space/Children's Play*
- (iv) Dwelling Standards*
- (v) Privacy*
- (vi) Dual Aspect*
- (vii) Access Cores and Communal Areas*
- (viii) Clothes Drying Facilities*

Table 11.20: Minimum Space Standards for Houses

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 11.7.2 Energy Performance In New Buildings

Section 11.8.1 Environmental Impact Assessment

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

Section 11.8.2 Appropriate Assessment

(HCL) Policy 1 Overarching

It is the policy of the Council to protect, conserve and enhance natural, built and cultural heritage features, and to support the objectives and actions of the County Heritage Plan.

(HCL) Policy 3 Protected Structures

It is the policy of the Council to conserve and protect buildings, structures and sites contained in the Record of Protected Structures and to carefully consider any proposals for development that would affect the special character or appearance of a Protected Structure including its historic curtilage, both directly and indirectly.

HCL5 Objective 1:

To retain existing houses that, while not listed as Protected Structures, are considered to contribute to historic character, local character, visual setting, rural amenity or streetscape value within the County.

HCL5 Objective 4:

To ensure that infill development is sympathetic to the architectural interest, character and visual amenity of the area.

Relevant Government Policy

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

Design Standards for New Apartments – Guidelines for Planning Authorities

Quality Housing for Sustainable Communities-Best Practice Guidelines, Department of the Environment, Heritage and Local Government, 2007.

Sustainable Residential Development In Urban Areas - Guidelines for Planning Authorities, Department of Environment, Heritage and Local Government (December 2008).

Urban Development and Building Heights -Guidelines for Planning Authorities 2018

Urban Design Manual; A Best Practice Guide, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government, (2008).

Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, Department of the Housing, Planning and Local Government (2018).

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).

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

Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice, Building Research Establishment, (1991).

Smarter Travel – A Sustainable Transport Future. A New Transport Policy for Ireland 2009 – 2020, Department of Transport, (2009).

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

National Cycle Manual, National Transport Authority (June 2011).

Towards Nearly Zero Energy Building in Ireland – Planning for 2020 and Beyond, Department of the Environment, Community and Local Government (2012).

Assessment

The main issues for consideration are

- zoning, Council policy,
- visual and residential amenity,
- impact on Protected Structure,
- landscaping and open space,
- access and parking,
- water supply and drainage,
- An Taisce
- appropriate assessment and
- EIA screening.

Zoning and Council Policy

The site of proposed residential development is located within lands which are subject to the zoning objective, 'RES'- to protect and/or improve residential amenity

Residential development would be acceptable in principle subject to the relevant policies, objectives and standards set out in the County Development Plan 2016-2022. The proposal does not include development to the Protected Structure 094.

Density

The proposed density is approximately 83 units per hectare, based on the site area of 0.168ha. The site is located within a low density suburban area however having regard to the policies and objectives of the SDCC County Development Plan 2016-2022 to make effective use of zoned lands and existing and planned infrastructure and services in close proximity to town, district or local centres it is considered that the proposed density would be acceptable in principle subject to the relevant safeguards of the County Development Plan.

Visual and Residential Amenity

The proposed development comprises 14 apartments comprising of 1 one-bedroom, 11 two bedroom; 2 three bedroom apartments. 28% are proposed to be dual aspect which is below the 33% threshold of SPPR4 of the CDP as an intermediate off street development. This is not acceptable to the Planning Authority.

The legend on the floor plans does not match the layout. The applicant shall provide an updated drawing to ensure legend is correct.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

Apartment	Size	10% additional floor space
1-1 bed	53.8m ²	Yes
2-2 bed	85.2m ²	Yes
3-2 bed	79.9m ²	
4-2 bed	72.3m ²	
5-2 bed	79.3m ²	
6-2 bed	80.1m ²	
7-2 bed	79.9m ²	
8-2 bed	81.4m ²	Yes
9-2 bed	79.3m ²	
10-2 bed	80.1m ²	
11-2 bed	79.9m ²	
12-2 bed	81.4m ²	
13-3 bed	109.5m ²	Yes
14-3 bed	111.1m ²	Yes

Apartment Guidelines 2020 Minimum sizes

- 1 bed. 45m²
- 2 bed. 73m²
- 3 bed. 90m²

29% of the units provided 10% additional floor space above the minimum requirements with a number of units close to the 10% threshold. This is noted and acceptable to the planning authority. The internal layout of the units meet the requirements of the 2020 Guidelines.

The proposal is four storeys in height with the top floor stepped back a further 5.5m at minimum, and flat roof profile at a max ridge height of 12.7m. Section 11.2.1 Design Statements of the County Development Plan 2016-2022 states:

All medium to large scale development proposals (10 dwellings and above and/or commercial, retail or community developments of 1,000sq. metres and above, or as otherwise required), shall be accompanied by a Design Statement.

Section 11.2.7 Building Height of the County Development Plan states

Development proposals that include 'higher buildings' that are greater than the prevailing building height in the area should be supported by a strong urban design rationale (as part of a Design Statement) and provide an appropriate series of measures that promote the transition to a higher building.

Proposals for higher buildings of over three storeys in residential areas should be accompanied by a site analysis (including character appraisal) and statement that addresses the impact of the development (see also Section 11.2.1 – Design Statements).

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

Notwithstanding the proposal for 14 units, the applicant has submitted a Design Statement which addresses issues such as site and policy context, site statistics, design strategy, and provides 3D visualisations.

The site is located adjacent to single storey bungalows with max ridge height of 7.1m and a two-storey public house which is a Protected Structure Map. Ref 094 under the County Development Plan 2016-2022 with a max ridge height of 7.6m (this information is known from a previous application unrelated to this one). The applicant has provided contiguous elevations which is welcomed but they are requested to include exact heights of adjacent buildings for clarity, including the adjacent medical centre and apartment block, pub and residential buildings.

The submitted drawing outlines the proposed development being located as follows:

- 31.4m from the pub to the north
- 6-8m from the adjacent apartment building to the east
- 11-12m from the rear boundary line, and 33m to the rear of the residential houses to the south (No's 18 and 20)
- 11-13m from No.21 Ardeevin Drive located to the west.

Section 11.2.7 of the South Dublin County Development Plan 2016-2022 states with regard to Building Height:

Development proposals that include 'higher buildings' that are greater than the prevailing building height in the area should be supported by a strong urban design rationale (as part of a Design Statement) and provide an appropriate series of measures that promote the transition to a higher building.

The appropriate maximum or minimum height of any building will be determined by:

- ***The prevailing building height in the surrounding area.***
- ***The proximity of existing housing - new residential development that adjoins existing one and/or two storey housing (backs or sides onto or faces) shall be no more than two storeys in height, unless a separation distance of 35 metres or greater is achieved.***

Section 3.2 of the Urban Development and Building Heights Guidelines for Planning Authorities 2020 sets out criteria to which an application for buildings of increased heights in town/city cores and other urban locations with good public transport shall be assessed against. *In the event of making a planning application, the applicant shall demonstrate to the satisfaction of the Planning Authority/An Bord Pleanala, that the proposed development satisfies the following criteria; the criteria includes;*

- Site is well served by high capacity public transport and good links to modes of transport
- Successful integration into the character and public realm of the area
- Positive contribution to the urban neighbourhood
- Proposal is not monolithic and avoids long uninterrupted walls of building

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

- Makes positive contribution to improvement of legibility through the site or wider urban area
- Form, massing and height should be carefully modulated to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light
- An urban design statement including, as appropriate, impact on the historic built environment.

Specific Planning Policy Requirement 3 of the Urban Development and Building Heights Guidelines for Planning Authorities 2020 states:

It is a specific planning policy requirement that where;

- A) *1. An application for planning permission sets out how a development proposal complies with the criteria above; and*
- 2. the assessment of the planning authority concurs taking account of the wider strategic and national policy parameters set out in the National Planning Framework and these guidelines;*
- Then the planning authority may approve such development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise.***

The site is in close proximity to QBC bus route to and from the City Centre. The development is in close proximity to the services and facilities provided in Lucan Village. The proposed development is set back from the existing residential development to the east and west and the existing building line of the Protected Structure to the north.

The applicant has not submitted a shadow analysis to indicate impacts with regard to daylighting of individual apartments and overshadowing of adjacent properties and open space areas. This shall be provided by way of additional information.

Having regard to the overall scale and massing of the proposed development and to the character and design of the existing residential development, adjacent Protected Structure and to the character of the existing streetscape of Leixlip Road, which comprises the original boundary walls and mature tree line of Lucan Demesne it is considered that the proposed development would appear overly dominant, out of character and would be visually incongruous and would fail to make a positive contribution to the urban neighbourhood.

The 35m separation distance from adjacent two storey dwellings to the east and west is not met and thus the proposal is not in accordance with Council Policy in relation to building height. Although the 35m setback is not met to the north and south, these set back distances are just short of 35m and would be acceptable to the Planning Authority.

Whilst a Design Statement has been submitted with the application, it is noted that a more detailed Urban Design Statement setting out how the development proposal complies with the criteria set out in the Guidelines is required in accordance with SPPR 3. It is considered that the proposed development does not sufficiently comply with the criteria in the Building Height guidelines to grant permission, where the provision of the County Development Plan 2016-2022 with regard to

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

building height indicates otherwise, and therefore additional information should be sought to reduce the height of the proposal and more detailed urban design statement to be included.

Housing (H) Policy 17 Residential Consolidation Objective 7 of the County Development Plan 2016-2022 states:

To support and facilitate the replacement of existing dwellings with one or more replacement dwellings, subject to the protection of existing residential amenities and the preservation of the established character (including historic character and visual setting) of the area (see Section 9.1.4 Older Buildings, Estates and Streetscapes).

Having regard to the overall height, scale and massing of the proposed development it is considered that the proposal would result in a significantly overbearing impact on the residential developments to the west and east, and protected structure to the north. The proposed development would significantly affect the residential amenity of the existing dwellings and the established residential character and visual setting of the area. The proposed would not be in compliance with policies and objectives of the County Development Plan and therefore a redesign should be requested by way of additional information.

Impact on the Protected Structure

The public house located to the immediate north of the proposed development is a Protected Structure under Schedule 2 of the County Development Plan 2016-2022 under Map. Ref 094- Ball-Alley House, Lucan, Detached Eight-Bay Two Storey Public House.

Section 9.1.2 of the County Development Plan - Protected Structures states:

HCL3 Objective 2

To ensure that all development proposals that affect a Protected Structure and its setting including proposals to extend, alter or refurbish any Protected Structure are sympathetic to its special character and integrity and are appropriate in terms of architectural treatment, character, scale and form. All such proposals shall be consistent with the Architectural Heritage Guidelines for Planning Authorities, DAHG (2011) including the principles of conservation.

Section 9.1.4 of the County Development Plan- Heritage, Conservation and Landscapes (HCL) Policy 5 Older Buildings, Estates and Streetscapes states:

HCL5 Objective 1:

To retain existing houses that, while not listed as Protected Structures, are considered to contribute to historic character, local character, visual setting, rural amenity or streetscape value within the County.

HCL5 Objective 4:

To ensure that infill development is sympathetic to the architectural interest, character and visual amenity of the area.

As stated above, the proposed development is located 31.4m from the Protected Structure. There is a difference in height of 5.6m between the proposed development (12.7m) and the protected structure (7.1m). Having regard to the overall scale, height and mass of the development it is considered that the proposed structure would appear excessively dominant. Whilst the proposal is not relating directly to the Protected Structure, having regard to the close proximity of the proposed

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

development to the Structure it is considered that the proposal is not sympathetic to the scale or architectural interest of the two storey structure and would impact on the integrity of the Protected Structure. The proposal is therefore not in compliance with the Policies of the County Development Plan and a redesign should be requested by way of additional information to reduce the height of the building. It is also noted that there are no windows proposed above the ground floor on the east and western elevations. This will help to protect the amenity and against overlooking of adjacent properties and is welcomed.

Materials

It is noted that the use of light coloured brick and cladding is to help reduce the visual impact on the adjacent Protected Structure. This is welcomed and noted.

Landscaping and Open Space

The applicant has submitted a landscape plan which does not delineate the amount of public and private open space, or communal space areas if applicable. It would appear that all the open space is private due to the presence of pedestrian access points into the development. Private space has been provided for the proposed development in the form of balconies, with an open space play area located to the west of the proposed apartment structure. The landscape plan identifies the retention of the eastern and western boundary walls and the removal of a number of trees and hedgerows.

The applicant shall by way of additional information provide clarity on the amount of public and private open space, and if no public open space is proposed rationale also to be provided for this. A tree survey and arboricultural assessment is also requested to outline the existing trees and vegetation, proposed trees and vegetation to be removed, and proposed mitigation measures.

A proposed 244.3m² green roof is proposed. Additional information is requested on this. A report from the Parks Department requests additional information regarding a number of items which include:

- the provision of an Arboricultural Impact Assessment including tree survey details, and a revised site layout to factor in results of surveys to minimise the impact on existing trees.
- Inclusion of more extensive SUDs features.
- Details on public open space

The above will be requested as additional information.

Access & Parking

The autotracking shows access to the southern parking spaces from Ardeevin Drive. The proposed parking spaces located to north of the proposed apartment building are accessed from the existing pub access road. Southern access from Ardeevin Drive would not be ideal but considering this is for 7 car parking spaces and not refuse lorries, it is deemed acceptable in this instance. It will also help create a more visually pleasing design to the end of the Ardeevin cul de sac which is currently an overgrown hedge and an aesthetically unpleasing boundary wall. 14 car parking spaces are

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

proposed at a rate of 1 per unit, which meets the requirements of the CDP. The existing 51 car parking spaces are to be removed.

The development is considered to be Zone 2

	CDP Parking Rates	Total
1-1	0.75	0.75
2-11	1	11
3-2	1.25	2.5
		14

8 bicycle parking spaces are proposed. As per CDP 1 per 5 apartments long term and 1 space per 10 apartments short term are required. The provision of bicycle parking satisfies the requirements of the CDP.

It would appear that 5 spaces of the existing pub to be retained. The applicant to confirm the number of parking spaces to be retained with the pub and rationale for a reduction beyond the requirements of the CDP. This is requested by way of additional information.

The Roads Department has requested additional information regarding a number of items including visibility splays; car and bicycle parking and pedestrian route details; surface details; and autotracking. This will be requested as additional information.

Bins

The 3.0m high Bin Store is located to the northeast corner of the apartment building. This is a wooden structure and is c10.7m². This design is deemed acceptable to the Planning Authority.

Drainage & Water Supply

Irish Water has requested additional information. Their report states *'The applicant has proposed to locate a watermain directly above a proposed underground surface water attenuation system. This is not acceptable as watermains must be a minimum setback distance of 3m from any surface water attenuation systems. The applicant is required to submit a revised site services layout drawing showing that proposed watermains are a minimum of 3m away from proposed surface water attenuation systems.'* Further information is also requested regarding Confirmation of Feasibility from Irish Water regarding water and foul water drainage. Additional information will address the above.

Water Services have no objection subject to the submission *'of a drawing showing cross sectional details of all proposed SuDS (Sustainable Drainage Systems) features i.e.. Green roofs and Permeable Paving.'* This will be requested as additional information.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

An Taisce

An Taisce object to the development due to the height of the proposed building and the impact on the adjacent protected structure. The Planning Authority requests the applicant to reduce the height of the building through additional information.

AA Screening

The applicant has not provided information to allow the Planning Authority to carry out Appropriate Assessment Screening. However, having regard to the nature of the development, and the distance from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

Screening for Environmental Impact Assessment

Having regard to the nature and scale of the proposal, it is considered that an EIA can be ruled out at preliminary assessment stage.

Conclusion

The Planning Authority has significant concerns with regard to the proposed development.

- Having regard to the overall height, scale and massing of the proposed development it is considered that the proposal would result in a significantly overbearing impact on the adjacent residential dwellings. The proposed development would significantly affect the residential amenity of the existing dwellings and the established residential character and visual setting of the area. The proposed would not be in compliance with Housing (H) Policy 17 Objective 7 of the County Development Plan and would materially contravene the zoning objective for the area which seeks 'to protect/and or improve residential amenity' and would therefore contravene the South Dublin County Development Plan 2016 - 2022 and the proper planning and sustainable development of the area.
- Having regard to the close proximity of the proposed development to Protected Structure Map. Ref 094- Ball-Alley House, Lucan, Detached Eight-Bay Two Storey Public House and the overall scale, height and mass of the development it is considered that the proposed structure would appear excessively dominant and would fail to be sympathetic to the scale or architectural interest of the two storey structure. The proposed development would therefore impact on the integrity of the Protected Structure and would therefore contravene Policies HCL3 Objective 2 and HCL5 Objective 4 of the South Dublin County Development Plan 2016 - 2022.
- Insufficient information was provided in relation to SUDs and landscaping.
- The proposed development would set an undesirable precedent for other similar developments, which would in themselves and cumulatively be harmful to the residential and visual amenities of the area and be contrary to the proper planning and sustainable development of the area.

It is therefore recommended that additional information should be requested.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

Recommendation

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

1. Having regard to the overall height, scale and massing of the proposed development it is considered that the proposal would result in a significantly overbearing impact on the residential developments to the west and east, and protected structure to the north. The proposed development would significantly affect the residential amenity of the existing dwellings and the established residential character and visual setting of the area. The proposed is not in compliance with policies and objectives of the County Development Plan and therefore a redesign shall be provided by the applicant by way of additional information to significantly reduce the height of the building.
2. It is proposed that 28% of the apartments are to be dual aspect which is below the 33% threshold of SPPR4 of the CDP as an intermediate off street development. Furthermore one of the two bedroom apartments is below the minimum standards. This is not acceptable to the Planning Authority. The applicant is requested to submit a revised proposals meeting all minimum national and County Development Plan standards.
3. There appears to be a lack of Public Open Space. The applicant is requested to demonstrate that the proposal meets the requirement of a minimum 10% Public Open Space as required by SDCC County Development Plan 2016-2022. Details of play space proposals to be agreed with the Planning Authority prior to submission. Play Proposals shall include assessable play features. Details of play equipment, and safety surfacing, along with specifications and proof that all play equipment conforms to European Standards EN 1176-1-11 and EN 1177 Playground Equipment and Surfacing shall be submitted as additional information. Confirmation is required on the amount of private open space.
4. The applicant has not submitted a shadow analysis to indicate impacts with regard to daylighting of individual apartments and overshadowing of adjacent properties and open space areas. This shall be submitted as additional information.
5. Whilst a Design Statement has been submitted with the application, it is noted that a more detailed Urban Design Statement setting out how the development proposal complies with the criteria set out in the 2020 Apartment Guidelines is required in accordance with SPPR 3. It is considered that the proposed development does not sufficiently comply with the criteria in the Building Height guidelines to grant permission, where the provision of the County Development Plan 2016-2022 with regard to building height indicates otherwise, and therefore additional information is requested to reduce the height of the proposal and to include a more detailed urban design statement.
6. The applicant shall liaise directly with South Dublin County Council's Architectural Conservation Officer to discuss a revised proposed design that will address and mitigate the impact on, the Protected Structure. A written statement detailing the discussion to be submitted.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

7. It appears that the development requires the removal of street trees in SDCC ownership. A Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan have not been provided.

The applicant is requested to submit and agree a comprehensive Tree Report with SDCC Public Realm Section. This shall comprise of a detailed Tree Survey and Arboricultural Impact Assessment, Tree Constraints Plan, Tree Protection Plan and Arboricultural Method Statement, all in accordance with, BS 5837: 2012 Trees in relation to design, demolition and construction – recommendations. The report shall be carried out by a Professional Member of Arboricultural Association who is an independent, qualified Arborist and shall include all of the following:

- Tree Survey Plan: all trees and hedges on and adjacent to the subject site (i.e. within falling distance thereof) shall be accurately plotted, tagged and shown on a scaled drawing of a topographical survey of the site
- Tree Survey Schedule: a summary of the surveyed trees and hedges, giving a breakdown of their tag nos., species, size, age, condition and useful life expectancy.
- Arboricultural Impact Assessment: a thorough, detailed and realistic analysis and assessment of the likely impacts of the proposed development on the surveyed trees and hedges; along with a summary table of the tree population and quantification of impacts/losses etc. (total number surveyed and total numbers/percentage to be retained and felled respectively).
- Design Iteration- Adjustments, Revisions to Proposed Site Layout: subsequent to and arising from the Impacts Assessment, the applicant's design team [especially arborist, consulting architect(s) and engineer(s)] shall demonstrate in their submission, that it has sufficiently explored and investigated layout alternatives, to achieve an optimal solution that meets South Dublin County Councils Tree Strategy and its Development Plan standards in respect of tree preservation and tree retentions, as appropriate
- Tree Constraints Plan: a scaled site plan (1:500@A1) showing the impacts of all surveyed trees in relation to the site layout of the proposed development.
- Tree Protection Plan: a scaled site plan (1:500@A1) of the proposed development, clearly showing and distinguishing (by colour coding) those trees and hedges to be retained and protected and those to be removed ; showing alignments of Tree Protection Fencing and areas to be excluded from construction activities and compound(s), site office(s), plant, equipment and materials storage. Root Protection Areas (RPAs') of all trees and hedgerows to be clearly shown on this drawing.
- Arboricultural Method Statement: clear and practically-achievable measures to be used during the construction period, for the protection and management of all trees and hedges that are to be retained, as shown in the Tree Protection Plan.
- Summary Table: Summary of all trees and hedgerow proposed for removal and retention to include numbers and percentages. Provide a summary in table format of the trees to be lost as result of the proposed development and numbers of new trees to be planted as part of the landscape proposals in order to mitigate against this tree loss.

8. The applicant has proposed to locate a watermain directly above a proposed underground surface water attenuation system. This is not acceptable as watermains must be a

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

minimum setback distance of 3m from any surface water attenuation systems. The applicant is requested to submit a revised site services layout drawing showing that proposed watermains are a minimum of 3m away from proposed surface water attenuation systems.

9. The applicant shall engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public wastewater infrastructure for both water and foul drainage. The Confirmation of Feasibility (COF) must be submitted to the planning department as the response to this further information request. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.
10. The applicant is requested to submit a drawing showing cross sectional details of all proposed SuDS (Sustainable Drainage Systems) features including Green roofs and Permeable Paving
11. The Planning Authority welcomes the green roof, permeable paving and SuDS tree pits in the drainage proposals. However, overall there is a lack of SuDS (Sustainable Drainage System) for the proposed development. The Public Realm Section consider that the proposed development is contrary to Policy IE2 Objective 5, Policy G5 -Sustainable Urban Drainage Systems and Objectives G5 1 in the County Development Plan. SDCC do not approve of using underground tanks as part of SuDS schemes where the full potential for the natural drainage features has not been explored. Further, natural SUDS features should be incorporated into the proposed drainage system.
The applicant is requested to by way of additional information:
 - (1) revisit the design and layout of the proposed development and demonstrate how the development will comply with these policies and objectives.
 - (2) submit revised plans and particulars addressing item 1 and demonstrate how further natural SUDS features can be incorporated into the design of the proposed development. The SuDS shall 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.
 - (3) The applicant shall show further proposed SuDS features for the development such as SuDS tree pits in all new trees adjacent to hardstanding including replacement street trees, channel rills, swales, and other such SuDS and show what attenuation capacity is provided by such SuDS.
 - (4) All SuDS should be incorporated into the landscape proposals.
 - (5) Details to be provided and a SuDS strategy demonstrating how the SuDS features work, including for the SuDS 'planters'.
12. The applicant/developer is requested to submit accurate plans demonstrating the provision of a visibility splay of 2.0m x 45m in both directions from the entrance. Sightlines should be shown to the near side edge of the road to the right-hand side of entrance and to the centreline of the road to the left-hand side of the entrance (when exiting).

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

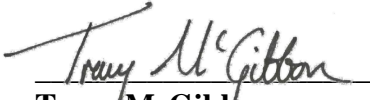
13. The applicant is requested to submit the following as additional information:
 - (a) A layout showing the access road marked with cycling/pedestrian markings to indicate the shared surface designation of this road.
 - (b) A swept path analysis drawing (i.e. Autotrack or similar) demonstrating that fire tenders and large refuse vehicles can access/egress the site.
 - (c) Submit details on location and number of parking spaces to be provided at the development. Please refer to Table 11.23: Maximum Parking Rates (Non-Residential) - from the SDCC County Development Plan 2016-2022.
 - (d) A revised layout showing the car parking, bicycle parking and pedestrian routes within the development. Please refer to Table 11.22: Minimum Bicycle Parking Rates- SDCC County Development Plan 2016-2022.
 - (i) The minimum width of footpaths shall be 1.8m wide to aid mobility impaired users.
 - (ii) All external bicycle parking spaces shall be covered.
 - (iii) Footpath layout shall provide adequate connectivity around the development and footpaths on the main road particularly Ardeevin Drive.
 - (e) Confirm the number of parking spaces to be retained with the pub and rationale for a reduction beyond the requirements of the CDP.
14. The applicant is requested to submit the following as additional information:
 - (1) The legend on the floor plans does not match the layout. The applicant shall provide an updated drawing to ensure legend is correct.
 - (2) The applicant has provided contiguous elevations which is welcomed but they are requested to include exact heights of adjacent buildings for clarity, including the adjacent medical centre and apartment block, pub and residential buildings.

Comhairle Chontae Atha Cliath Theas


Record of Executive Business and Chief Executive's Order

REG. REF. SD21A/0179

LOCATION: Ball Alley House, Leixlip Road, Lucan, Co. Dublin



**Tracy McGibbon,
A/Senior Executive Planner**



**Eoin Burke,
Senior 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: 25th August 2021



**Mick Mulhern, Director of Land Use,
Planning & Transportation**