

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

PR/1267/21

Reg. Reference: SD21A/0212 **Application Date:** 29-Jul-2021

Submission Type: New Application **Registration Date:** 29-Jul-2021

Correspondence Name and Address: Steve Barry, CEA Engineers & Architects 15, Mill Road, Midleton, Co. Cork

Proposed Development: Demolition of single storey structures attached to the west and north of the existing building; construction of a single storey (53.1sq.m) extension attached to the east of the existing building; two storey (161sq.m) extension attached to the west of the existing building; three storey (189.2sq.m) extension attached to the north of the existing building; the existing structure is a protected structure (SDCC RPS 285); construction to include all associated site works and enabling works.

Location: Sally Park Nursing Home, Sally Park Close, Firhouse, Dublin 24

Applicant Name: Oaklands Nursing Homes Ltd.

Application Type: Permission

(COS)

Description of Site and Surroundings

Site Area: stated as 0.39 Hectares on the application.

Site Visit: 20th of August and 9th of September 2021

Site Description

The subject site is located to the south of Firhouse Road (R114) and at the end of Sally Park Close. The site consists of a nursing home in the northern part of the site. The site comprises of Protected Structure RPS No. 285 Sally Park House, which is utilised as the nursing home, and Gateway. The nursing home is a two and three storey building with a car parking area to the front (south). The remainder of the site is landscaped with mature vegetation along the west, south and (part) east boundaries. The site adjoins the rear boundaries of residential properties on the west, south and east boundaries.

Proposal

Permission is being sought for the following works:

- Demolition of single storey structures attached to the west and north of the existing building;

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- Construction of a single storey (53.1sq.m) extension attached to the east of the existing building; two storey (161sq.m) extension attached to the west of the existing building; three storey (189.2sq.m) extension attached to the north of the existing building; the existing structure is a protected structure (SDCC RPS 285);
- Construction to include all associated site works and enabling works.

Zoning

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

Consultations

Waste Management – no report received.

H.S.E. Environmental Health Officer – no objections subject to conditions.

Water Services – no objections subject to conditions.

Irish Water – no objections subject to conditions.

Roads Department – further information requested in regard to parking.

Public Realm Department – no objections subject to conditions.

Architectural Conservation Officer – no objections subject to conditions.

Faillte Ireland – no report received.

Heritage Council – no report received.

Department of Housing, Local Government & Heritage – no report received.

An Taisce – no report received.

An Comhairle Ealaíon – no report received.

SEA Sensitivity Screening – the site consists of the following:

- RPS No. 285 Sally Park, Ballycullen Road, Templeogue – House & Gateway.
- DU022-103 Firhouse Road, Firhouse – Dwelling.

Submissions/Observations /Representations

There were two third party submissions received, which raised the following concerns in summary:

- Site notice duration.
- Validity of traffic surveys.
- Car and bicycle parking and electric vehicle/bicycle charging points.
- Errors in submitted documentation.
- Access to site.
- Construction working hours.
- Impact of removal of landscaping at boundaries with residential properties.
- Visually dominant and overbearing on neighbouring properties.

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- Form a visual discord with the Georgian style of the property and detract from the character and setting of the house.
- Removal of vegetation.

These submissions are noted and have been taken into consideration in the assessment of the proposed development.

Subject Site Relevant Planning History

SD19A/0200 & ABP Ref. PL06S.306735

Demolition of modern single storey structure attached to the west of the existing building (Protected Structure); construction of a two storey 131sq.m extension to the west; two storey 1121.7sq.m bedroom wing extension with a link corridor to the south; one storey 32sq.m extension to the north of the existing building (Protected Structure); minor internal alterations to the ground and first floor of the existing building (Protected Structure) and all associated site works. **Permission refused by An Bord Pleanála.** The application was refused for the following reason:

'Sally Park Nursing Home is an 18th-century Georgian country house, a recorded monument, a protected structure, and is listed in the National Inventory of Architectural Heritage where it is identified as being of regional architectural and historic importance.

Having regard to the mass, scale, bulk, height and positioning of the proposed development, in particular the proposed extension to the west and within the grounds to the front and south of this modest in size country house, which is the most intact vantage point from which this structure's architectural and historical merit can be appreciated, it is considered that the proposed development would constitute a dominant and visually discordant feature to the front, which would seriously detract from the intrinsic character and setting of the Protected Structure and Recorded Monument. Moreover, it would diminish the potential for visual appreciation of the Protected Structure from within its limited remaining landscaped curtilage and would result in further and unacceptable loss of the building to space relationship that was one of the defining characteristics of this style of Georgian country house architecture.

The proposed development would, therefore, contravene the policies set out in the South Dublin Development Plan, 2016 to 2022, in relation to the protection of archaeological and architectural heritage, and would, therefore, be contrary to the proper planning and sustainable development of the area.'

SD18A/0153

Demolition of modern single storey structure attached to the west of the existing building, a protected structure; construction of a two storey 134sq.m extension to the west, a two storey 1214sq.m bedroom wing extension with a link corridor to the south, a one storey 32sq.m extension

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to the north of the existing building, a protected structure; minor internal alterations to ground and first floor of the existing building, a protected structure and all associated site works. **Permission refused.** Reasons for refusal were as follows:

'Having regard to the scale, bulk, height and massing of the proposed development, and in particular to its location in close proximity to dwellings and their site boundaries to the west and south, the proposed development would seriously injure the amenity of property in the vicinity by way of perceived overlooking, loss of daylight, overshadowing, overbearing and visually obtrusive impact. The proposed development would, therefore, contravene the residential zoning objective for this area, which seeks to protect and/or improve residential amenity, as set out in the South Dublin County Council Development Plan 2016 - 2022 and would be contrary to the proper planning and sustainable development of the area.

Insufficient details have been lodged with the Planning Authority in relation to the provision of a Landscape Masterplan, a Tree Report, an ecological report and open space which are required to ensure compliance with the objectives, policies and standards of the South Dublin County Development Plan 2016 - 2022, such as Section 11.3.1(iii) Public Open Space, Section 11.5.5(i) Ecological Protection, G2 Objective 9, G2 Objective 13, HCL15 Objective 15 and Policy H11 Objective 1. Additionally, the quality and functionality of the open space as proposed is not considered acceptable, as the proposal fails to create a successful high quality age appropriate outdoor living environment for residents. The proposed development is not in compliance with Policy H11 Objective 1 and would, therefore contravene an objective of the South Dublin County Development Plan 2016 - 2022.

Insufficient details have been lodged with the Planning Authority in relation to surface water layouts which are required to ensure compliance with the objectives and policies of the South Dublin County Development Plan 2016 - 2022, such as Policy 1 Water and Wastewater, Policy 2 Surface Water and Groundwater, Policy 5 Sustainable Urban Systems, Section 11.6.1 (ii) Surface Water, Section 11.6.1 (iii) Sustainable Urban Drainage Systems. The applicant has not demonstrated compliance with the aforementioned policies and objectives of the County Development Plan or demonstrated that the proposed development would not be prejudicial to public health.

Insufficient details have been lodged with the Planning Authority in relation to the provision of a Construction and Demolition Waste Management Plan, which is required to ensure compliance with the objectives, policies and standards of the South Dublin County Development Plan 2016 - 2022, such as Section 11.6.5(iv) Construction and Demolition Waste and Policy 7 Environmental Quality. The applicant has not demonstrated compliance with the aforementioned policies, objectives and standards of the County Development Plan or demonstrated that the proposed development would not be prejudicial to public health.

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Insufficient details have been lodged with the Planning Authority in relation to the provision of an Energy Efficiency and Climate Change Adaptation Statement, which is required to ensure compliance with the objectives, policies and standards of the South Dublin County Development Plan 2016 - 2022, such as Section 11.7.2 Energy Performance in New Buildings and Policy 4 Energy Performance in New Buildings. The applicant has not demonstrated compliance with the aforementioned policies, objectives and standards of the County Development Plan or demonstrated that the proposed development would support climate change resilience.'

SD14A/0096 & ABP Ref. PL06S.243632

Construction of a two storey 475sq.m bedroom wing extension and link corridor to the west and south of the existing building, a Protected Structure, including minor internal alterations to second floor with associated drainage and ancillary site works. **Permission refused by An Bord Pleanála.** Reason for refusal states:

'Having regard to the scale, bulk, height and massing of the proposed development, and in particular to its location in close proximity to site boundaries and to adjoining houses to the east, it is considered that the proposed development would seriously injure the residential amenity of neighbouring property by way of overlooking, loss of daylight, overshadowing and overbearing impact. Furthermore, it is considered that the proposed extension to a recorded monument, by virtue of its bulk, scale, massing, design, materials and, in particular, its location forward of the building line of the 18th-century building, would constitute a dominant and visually discordant feature to the front of the monument, that would be visually obtrusive and would seriously detract from the character and setting of the recorded monument and of the protected structure.

The proposed development would, therefore, contravene the residential zoning objective for this area, which seeks to protect and/or improve residential amenity, as set out in the South Dublin County Council Development Plan 2010 – 2016, would contravene the policies set out in that Plan in relation to the protection of archaeological and architectural heritage, and would be contrary to the proper planning and sustainable development of the area.

Note: The Board had serious concerns in relation to the absence of a conservation architect's report in relation to the potential impact on architectural heritage, and to the inadequacy of information available on file in relation to the proposed internal alterations, and considered that these alterations might not have been justified in terms of their impact on the material and character of the monument/protected structure; neither was the Board satisfied in relation to the potential of the proposed development to affect the gateway that forms part of the monument/protected structure; however, having regard to the substantive reason for refusal, it was decided not to pursue these matters further in the context of the appeal.'

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SD04A/0054

Development at existing Sally Park Nursing Home (a protected structure) to comprise (a) omission of proposed new extension at south west side of original building to accommodate new dining room, office, secondary entrance, lobby, corridor and toilet (b) construction of new single storey extension at rear of existing single storey bedroom block to accommodate new dining room, kitchen, stores and link corridor and (c) omission of proposed internal alterations to existing kitchen, staff rooms and ancillary storage area, forming new emergency staircase at rear of main building from first floor bedroom block to ground level. **Permission granted. Condition No. 2 of this permission stated: 'The applicant shall omit the two bedrooms proposed as part of the extended ground floor footprint and the two first floor bedrooms above'.**

S96A/0295

A single storey extension to contain eleven bedrooms, one sitting room and ancillary accommodation. **Permission granted.**

S93A/0032

A single storey extension incorporating a washroom and stores to the front. **Permission granted.**

Relevant Enforcement History

None recorded for subject site according to APAS.

Pre-Planning Consultation

None recorded for subject site relevant to the current application according to APAS.

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

2 Housing

Section 2.1.2 Housing for Older People

Policy H 3 Housing for Older People

It is the policy of the Council to support the provision of accommodation for older people in established residential and mixed use areas that offer a choice and mix of accommodation types to older people (independent and semi-independent living) within their communities and at locations that are proximate to services and amenities.

H3 Objective 1:

To support housing that is designed for older people (including independent, semi-independent or nursing home accommodation) in residential and mixed use areas, at locations that are proximate to existing services and amenities including pedestrian paths, local shops, parks and public transport.

6 Transport and Mobility

Section 6.4.4 Car Parking

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Policy TM 7 Car Parking

7 Infrastructure & Environmental Quality

Policy IE 1 Water & Wastewater

Policy IE 2 Surface Water & Groundwater

Policy IE 3 Flood Risk

Policy IE 5 Waste Management

Policy IE 7 Environmental Quality

8 Green Infrastructure

Policy G1 Overarching

Policy G5 Sustainable Urban Drainage Systems

9. Heritage, Conservation & Landscapes

Policy HCL 1 Overarching

Policy HCL 2 Archaeological Heritage

Policy HCL 3 Protected Structures

HCL3 Objective 1:

To ensure the protection of all structures (or parts of structures) and the immediate surroundings including the curtilage and attendant grounds of structures contained in the Record of Protected Structures.

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.

Policy HCL 12 Natura 2000 Sites

11 Implementation

Section 11.2.7 Building Height

Section 11.4.1 Bicycle Parking Standards

Table 11.22 Minimum Bicycle Parking Rates

Section 11.4.2 Car Parking Standards

Table 11.23 Maximum Parking Rates (Non-Residential Development)

Section 11.4.4 Car Parking Design and Layout

Section 11.5.2 Protected Structures

Section 11.6.0 Infrastructure and Environmental Quality

Section 11.6.3 Environmental Hazard Management

Section 11.6.5 Waste Management

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Section 11.7.2 Energy Performance in New Buildings

Section 11.8.1 Environmental Impact Assessment

Section 11.8.2 Appropriate Assessment

Relevant Government Guidelines

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

Regional Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, (2019).

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

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

Assessment

The main issues for assessment relate to:

- Zoning and Council Policy;
- Overcoming Previous Reasons for Refusal;
- Architectural and Archaeological Conservation;
- Design, Residential and Visual Amenity;
- Landscape;
- Services and Drainage;
- Access and Parking;
- Environmental Health;
- Environmental Impact Assessment; and
- Appropriate Assessment.

Zoning and Council Policy

The proposed development is consistent in principle with zoning objective RES – *'To protect and/or improve residential amenity'*. Nursing Home is Permitted in Principle under this zoning objective. Having regard to the existing permitted nursing home, extensions to this are acceptable in principle, subject to the zoning objective which seeks to *'To protect and/or improve residential amenity'* and in accordance with the relevant provisions of the County Development Plan and Government policy.

Having regard to the nature of the proposed development and existing use on site, it is considered Policy H3 and H3 Objective 1 of the County Development Plan, pertaining to Housing for Older People, apply in this instance. Given that there is an existing nursing home onsite, the site can be accessed via footpath at Sally Close, the site's proximity to public transport, including bus services on Ballycullen Road and Firhouse Road, the site's proximity to public parks, the site's proximity to

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local services and amenities to the north along Firhouse Road, it is therefore considered that the proposed development complies with Policy H3 and H3 Objective 1.

Overcoming Previous Reasons for Refusal

There are previously refused applications on the site for extensions to the existing nursing home, Reg. Refs. SD19A/0200 & ABP Ref. PL06S.306735, SD18A/0153, and SD14A/0096 & ABP Ref. PL06S.243632. The rationale for an extension to the existing nursing home is to comply with Health Information and Quality Authority requirements. The reasons for refusal for the most recent application, Reg. Ref. SD19A/0200 & ABP Ref. PL06S.306735, was in regard to the impact of the proposed development on the Protected Structure on site: *'Sally Park Nursing Home is an 18th-century Georgian country house, a recorded monument, a protected structure, and is listed in the National Inventory of Architectural Heritage where it is identified as being of regional architectural and historic importance.*

Having regard to the mass, scale, bulk, height and positioning of the proposed development, in particular the proposed extension to the west and within the grounds to the front and south of this modest in size country house, which is the most intact vantage point from which this structure's architectural and historical merit can be appreciated, it is considered that the proposed development would constitute a dominant and visually discordant feature to the front, which would seriously detract from the intrinsic character and setting of the Protected Structure and Recorded Monument. Moreover, it would diminish the potential for visual appreciation of the Protected Structure from within its limited remaining landscaped curtilage and would result in further and unacceptable loss of the building to space relationship that was one of the defining characteristics of this style of Georgian country house architecture.

The proposed development would, therefore, contravene the policies set out in the South Dublin Development Plan, 2016 to 2022, in relation to the protection of archaeological and architectural heritage, and would, therefore, be contrary to the proper planning and sustainable development of the area.'

The differences between the previous proposals and the current proposal are the scale and positioning of the proposed extensions. Compared to the previous applications the current proposal does not include an extension to the south of the existing building, in front of its front building line. The current proposal has also been significantly scaled back in size compared to the previous proposal. The proposed extensions under Reg. Ref. SD19A/0200 & ABP Ref. PL06S.306735 were proposed at approx. 1284.7sq.m in gross floor space. Whereas under the proposed development the proposed extensions would equate to approx. 409.2sq.m.

Under the subject application the proposed extensions would be positioned to the west, north (rear) and east of the existing building and would not sit forward of the existing front building line. It is

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considered that the proposed extensions would not be visually dominant when viewed in the context of the Protected Structure. The area of landscaping to the front of the building and the vantage point of the Protected Structure from within the grounds would be retained. **The proposed development is therefore considered to have addressed the previous reason for refusal.** The impact of the proposed development on Sally Park House is assessed in detail in the following sections.

Architectural and Archaeological Conservation

The existing building includes Protected Structure RPS No. 285 Sally Park, Ballycullen Road, Templeogue – House & Gateway and Recorded Monument DU022-103 Firhouse Road, Firhouse – Dwelling. In relation to the Protected Structure the SDCC Architectural Conservation Officer states in their report that: *‘Under Section 2 of the Planning and Development Act 2000, the term ‘structure’ means “any building, structure, excavation, or other thing constructed or made on, in, or under any land, or any part of a structure so defined, (a) where the context so admits, includes the land on, in or under which the structure is situate, and (b) in relation to a protected structure or proposed protected structure, includes (i) the interior of the structure, (ii) the land lying within the curtilage of the structure, (iii) any other structures lying within that curtilage and their interiors, and (iv) all fixtures and features which form part of the interior or exterior of any structure or structures”’. Therefore, the entire site is a protected structure, including all existing buildings on site including their exteriors, interiors, fixtures and fittings. The Protection also extends to the lands of the site and as such come under the provisions of the Planning and Development Act 2000.’*

The Architectural Conservation Officer has reviewed the proposed development and has no objections subject to conditions: *‘This is an application for Demolition of single storey structures attached to the west and north of the existing building; construction of a single storey (53.1sq.m) extension attached to the east of the existing building; two storey (161sq.m) extension attached to the west of the existing building; three storey (189.2sq.m) extension attached to the north of the existing building; the existing structure is a protected structure (RPS Ref. 285) as detailed above.*

A previous application was granted under SD19A/0200 by SDCC for the construction of a 2-storey extension to the west, with a link corridor to the south, a single-storey extension to the north of the existing building Some minor internal alterations to the ground and first floor of the existing nursing home and the demolition of modern single-storey structures attached to the west of the existing building are also included as part of the previous application.

The current application has been made after a refusal was issued by An Bord Pleanála in 2020 for the previous application (SD19A/0200). The current application provides a modified proposal without development to the front site of the Protected Structure. The revised proposed extension is built to either side and to the rear of the original house. The new building is predominantly a two-storey extension with single-storey in places to address neighbour/boundary concerns.

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The internal alterations are limited to a few rooms in the existing building. The modified position of the extension was determined by analysis of several proposals visual and physical impact on the Protected Structure. The analysis of the sites particular limitations of access and light, and a reflection of the previous decision by ABP and the wish to minimise impacts on the existing garden and the immediate environs. The existing site is enveloped with high walls and planting on each side on approach from the entrance, and there is a large retaining wall and road to the rear. The main viewing position where the main façade of the building becomes available is the existing gates at the vehicular access.

A design rationale and concept has been provided within a Conservation Report which provides a background to the site and the development of the site and how the Protected Structure has been extended throughout the different development stages and use of the site. Under the previous application the approach was to build the main addition to the property to the front site and efforts were made to minimise the impact. The undersigned felt that the contemporary addition at this location achieved a good balance within the site and allowed the proposals to the protected structure to be minimal as the new build would act as the anchor allowing the protected structure to remain in use by providing additional accommodation and services required to bring the nursing home use into line with specific requirements.

The current proposal seeks to fit as much as possible of the essential additional required accommodation to the sides and rear of the structure. There are three areas being proposed; left, right and rear of the Main House. The rear addition will be concealed for the most part by the house itself and the flanking wings will have significant screening due to the existing vegetation thereby minimising the visual impacts.

The proposal is for the new additions to be contemporary and clearly new additions to the existing structures. The detail allows for necessary and vital separation between the new and the old and reflects the original form of the building itself. The minimalistic treatment of the new elevations provides appropriate contrast to the existing and the same contemporary approach is adopted to the rear. It is proposed to finish the extensions in timber cladding this will allow a clear distinction of modern insertions to the site and also allows architectural interest with contrasting materials and elements.

An Energy Efficiency and Climate Adaption Design Statement has been provided as part of the planning application which is very much welcomed. The sustainable strategy includes a number of items, in particular the two items listed below are important in achieving the best environmental approach, these along with the continued and adaptative use of the site and existing building will ensure the long term viability and use of the existing building, therefore contribute to sustainable development.

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The overall design, location, mass and treatment of the proposed new extensions allows the new additions to sit sensitively within the subject site. The proposed extensions will allow for minimal impact on the garden thus minimising the overall impact on the setting of the Protected Structure. It is considered that the proposed design proposals should address the concerns of ABP and also allow the required standards of the existing Nursing Home and operations to be achieved therefore allowing the Nursing Home to remain in use.

It is considered that details of the materials, finishes and planting in providing an overall improved design landscape within the site should be submitted for approval and agreement prior to the commencement of development, thus ensuring the overall landscape design is completed to a high standard.

The proposed interventions within the existing built fabric of the Protected Structure have been given consideration in allowing the extensions to connect and provide the additional accommodation required in a sensitive way, ensuring the protected structure continues to be used long-term. It is considered that a brief Schedule of Works and Method Statement are submitted prior to development detailing the level of works required and how the works will be carried out adhering to best practice and principles. All works should be carried out in accordance with good conservation practice and principles ensuring minimal intervention and no damage or risk to the original built fabric. Those areas being affected by new opes or widening of opes should be made good using the appropriate materials and methods.

Recommendation

It is recommended that the following conditions be attached to a grant of permission:

- *The proposed development shall be carried out in accordance with the details and particulars provided. A Schedule of Works and Method Statement shall be provided detailing the proposed works within the Main House (Protected Structure, RPS Ref. 285). Reason: A Schedule of Works and Method Statement are required to ensure that any works relating to protected structure are carried out using the correct methods and materials.*
- *All works should be carried out in accordance with good conservation practice and principles ensuring minimal intervention and no damage or risk to the original built fabric. Those areas being affected by new opes or widening of new opes should be made good using the appropriate materials and methods. Reason: To ensure works to a Protected Structure are carried out according to good conservation practice and principles.*
- *Safety measures should be put in place during the proposed works on site. A Safety Statement should be provided detailing how the Protected Structure will be protected during demolition of existing modern single-storey structure (west), site clearance/excavation and construction. Reason: To ensure the necessary safety measures are put in place to safeguard the original built fabric of the protected structure and all architectural features.*

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- *A safety statement should be submitted for written agreement with the Councils Architectural Conservation Officer prior to the commencement of development. Once works commence on site the Councils Architectural Conservation Officer should be contacted with regard to inspecting the safety measures put in place to safeguard and protect the Protected Structures to include external and internal features.
Reason: To ensure the Protected Structure and all associated features are being safeguarded during the proposed development and appropriate safety measures are put in place to prevent any possible damage.*
- *A schedule of materials and finishes should be provided for the proposed new extensions prior to commencing development. Although details of materials and finishes have been indicated there are elements which need to be confirmed ensuring the full and proper execution of these high quality designed elements. This should include full details on materials and finishes for all elements of the proposed new extensions and links. Images and samples for the timber cladding and treatment of same should be included. The overall design and location are considered acceptable but further confirmation of finishes is required in order to ensure the proposed design is executed as detailed.
Reason: To ensure the proposed design and materials being proposed are of high quality.*

The above conditions should be submitted to the Councils Architectural Conservation Officer (Ms. Irenie McLoughlin) for agreement and written approval prior to the commencement of development.'

The report from the Architectural Conservation Officer is noted and shall be conditioned as such in the event of a grant of permission. As outlined above it is considered that the proposed development has addressed the previous reason for refusal by An Bord Pleanála.

Design, Residential and Visual Amenity

The proposed development involves extensions to the existing building on its west, north and east. The two storey extension to the west would involve the demolition of the existing single storey extensions. The existing extensions are used as storage and laundry rooms. This extension would accommodate 4 no. bedrooms at ground floor level and 4 bedrooms at first floor level. This extension would be setback approx. 2.7m from the western boundary and approx. 1.6m from the northern boundary. It would be approx. 6.5m in overall height. Given the scale of the proposed extension it is not considered that it would significantly detract from the existing building when viewed from the front elevation. This extension would also be partly screened by existing vegetation when viewed from the front. The proposed window at the first floor level on the western elevation would be to a hallway. This element would not directly face the dwelling at No. 7A Sally Park but does face this dwelling's side/rear garden. It is considered that this first floor window should be conditioned to be made opaque in the event of a grant of permission. This would mitigate any adverse impact in regard to overlooking into the neighbouring garden.

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The two storey extension to the north (rear) would involve the demolition of part of the building on this elevation, including office, boiler, wc and motor room. The new northern extension would have 2 bedrooms at ground floor level and 2 at first floor level. This element would be approx. 8.4m in overall height and would be the most visible extension out of those proposed when viewed from Firhouse Road. The extension would be setback approx. 1 m from the northern boundary and well setback (over 20m) from the western and eastern boundaries. This extension would not be higher in height than the existing building and so would not be visible from the front elevation. The existing wall along the northern boundary would be retained, which would provide some screening of this extension. Given this, it is not considered that the extension would appear visually obtrusive when viewed from Firhouse Road and the surrounding area.

The single storey extension to the east would consist of 2 bedrooms. This extension would be setback approx. 2.0m to 2.5m from the eastern boundary. To allow for the construction of this extension it appears existing vegetation along this boundary would need to be removed. The Planning Authority has concerns in regard to the removal of vegetation along this boundary as it would have contributed to the screening of the nursing home and proposed extension when viewed from the dwellings at Sally Park Close. **The applicant should be requested to address this via Additional Information. Detail in regard to the treatment of the boundary at this location should be provided.**

The applicant has submitted shadow and light analysis drawings for spring, summer, autumn and winter for the proposed development. These drawings illustrate that the proposed development would not have a significant impact in terms of overshadowing on neighbouring properties.

The design of the extensions is modern in form and finish compared to the existing building. All extensions would have a flat roofs. The proposed materials would be vertical timber finish on battens, grey render and windows with grey frames and a light grey glazing finish. The submitted Energy Efficiency and Climate Adaptation Design Statement includes the whole life cycle approach to the selection of materials, which is in line with Council policy. The Architectural Conservation Officer has requested that the details of the materials and finishes be submitted for approval and agreement prior to the commencement of development. This shall be conditioned as such to ensure that the development is completed to a high quality.

Landscape

With the application the applicant has submitted an Arboricultural Assessment, Tree Survey Constraints Plan, and Bat Survey. In regard to landscaping the proposed Site Plan indicates that the trees along the western, southern and eastern boundaries, forward of the existing building, would be maintained as is. The submitted Arboricultural Assessment states that 13 no. trees would be removed as part of the proposal. It is not, however, clear what trees are to be removed. A tree

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survey – constraints plan (Drawing No. 4359/18/001) drawing has been submitted, however, there is no drawing identifying the trees to be retained and removed. **This should be addressed by way of Additional Information. A tree retention and removal drawing illustrating what trees are to be retained or removed should be submitted.**

The submitted bat survey includes surveys conducted on site in October 2018 and May 2019. The survey completed in October 2018 is outside of the bat season and is therefore not appropriate to be relied upon. However, the survey conducted in May 2019 is within the bat season and therefore acceptable. This report recommends mitigation measures such as planting of vegetation and controlling lighting. These measures should be implemented by way of condition. As detailed above the vegetation along the eastern boundary where the new eastern extension is to be located is removed as indicated on the Site Plan drawing. Clarification of the boundary treatment at this location is to be sought via additional information. This should include detail on planting of new vegetation.

The Public Realm Department has reviewed the proposed development and has no objections subject to the following conditions:

1. Retention and Protection Existing Mature Trees on site

As per the submitted Arboricultural Assessment prepared by J M McConville & Associates 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***

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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.

2. 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 €20,578.00 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.

3. 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.

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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.

4. Bats

The proposed recommendations and mitigation measures contained within the submitted Bat Assessment Report prepared by Brian Keeley shall be implemented in full by the applicant.

REASON: To protect and enhance species in accordance with policies, in accordance with policies IE7 Objective 5, G2 Objective, G3 Objective 2, G4 Objective 2, HCL15 Objective 3, and other policies relating to Biodiversity within 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 that the existing mature trees on site are retained and protected.

The report from the Public Realm Section is noted. However, further information is needed in regard to what trees are to be retained or removed and vegetation along the eastern boundary.

Services and Drainage

The proposed development involves a 38sq.m attenuation system in the grassed area in the south of the subject site. Water Services have reviewed the proposed development and have no objections subject to the following conditions:

1.1 The surface water attenuation of 38m³ for 1 in 100 year storm event is undersized by approximately 18%.

Prior to commencement of development submit a report to show surface water attenuation calculations that include the site area, area of different surface types in m² such as buildings, roads, pathways, permeable paving grass areas, and their respective run off coefficients. Include the SAAR value and site specific rainfall levels.

1.2 Prior to commencement of development submit a revised surface water layout drawing showing increased surface water attenuation of the proposed development for a 1 in 100 year storm event.

1.3 Prior to commencement of development submit a drawing showing what SuDS (Sustainable Drainage System) are proposed for the development. Show what surface water attenuation capacity proposed SuDS has for the site. Example of SuDS include filter drains, permeable paving, swales, green area detention basins, tree pits, channel rills and other such SuDS.

1.4 Include water butts in proposed development as part of SuDS (Sustainable Drainage System).

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Irish Water has reviewed the proposed development and has no objections subject to standard conditions. This and the Water Services report are noted and shall be conditioned as such in the event of a grant of permission.

Access and Parking

The proposed development would involve the addition of 14 bedrooms. Under Table 11.23 of the County Development Plan the maximum car parking rates for a nursing home within Zone 2 is 1 parking space per 8 residents. Table 11.22 outlines the minimum bicycle parking rates for a nursing home as 1 long term park per 5 staff and 1 short term park per 10 residents. The submitted Mobility Management Plan states that the proposed development (with amendments to the capacity of the existing building) would raise the number of residents to 63. The number of staff would increase from 11 to 15. At shift change there would be approx. 20 staff onsite.

The application cover letter states that the development would accommodate 11 car parking spaces onsite. However, the Mobility Management Plan states that 12 car parking spaces would be provided. It is also stated that 4 preferential parking spaces dedicated for car sharers will be set out in the main car parking area. The existing site plan attached to the Mobility Management Plan is not considered to accurately represent the current layout. **The applicant should be requested via Additional Information to revise the application and site plans to accurately reflect the existing and proposed car parking layouts.**

The Roads Department has reviewed the proposed development and requests further information:

1. *The applicant is requested to submit a revised layout showing the car parking layout with the additional 4no. spaces, additional bicycle parking within the development. Please refer to Table 11.22: Minimum Bicycle Parking Rates– SDCC County Development Plan 2016-2022.*
 - *All external bicycle parking spaces shall be covered.*
2. *The applicant shall provide 5% of vehicular parking spaces for mobility impaired users, and 10% vehicular parking spaces to be equipped with electrical charging points, REASON: In the interest of sustainable transport.*

The report from the Roads Department is noted and should be addressed by way of additional information as outlined above.

Environmental Health

The H.S.E. Environmental Health Officer has reviewed the proposed development and has no objections subject to conditions. The conditions recommended are standard and relate to noise and air quality. This report is noted and shall be conditioned as such.

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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 provided an Appropriate Assessment Screening Report. This report states that based on the available information and data it is not expected that the proposed project will cause any impact on the SAC's or SPA's located within 15 km of the project site. It states that the project is of such a minor scale, and within an existing serviced area that will cause neither changes nor have any significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites within the threshold distance. They conclude that the project poses no potential for significant effects and as such requires no further appropriate assessment.

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established area and has an existing use on site with existing service connections. Having regard to the scale and nature of the proposed development, the location of the development within a serviced urban area so that any construction surface water runoff will be managed via the existing drainage system, the consequent absence of a pathway to a European site, it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

Conclusion

Having regard to the:

- provisions of the South Dublin County Development Plan 2016-2022,
- the established character of the area, and
- the scale, design and standard of the proposed development,

it is considered that **Additional Information** is required to ensure that the proposed development would be in compliance with Council policy, would not seriously injure residential, visual and landscape amenity, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Recommendation

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

1. To allow for the construction of the eastern single storey extension it appears existing vegetation along the eastern boundary would need to be removed. The Planning Authority

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has concerns in regard to the removal of vegetation along this boundary as it would have contributed to the screening of the nursing home and proposed extension when viewed from the dwellings at Sally Park Close. The applicant is requested to submit detail in regard to the treatment of the boundary at this location. If vegetation is to be removed on the boundary at this location the applicant should submit mitigation measures, including new landscaping, to address any negative visual impact this may have on adjoining residential properties.

2. In regard to landscaping the proposed Site Plan indicates that the trees along the western, southern and eastern boundaries, forward of the existing building, would be maintained as is. The submitted Arboricultural Assessment states that 13 no. trees would be removed as part of the proposal. It is not, however, clear what trees are to be removed. A Tree Survey – Constraints Clan (Drawing No. 4359/18/001) drawing has been submitted, however, there is no drawing identifying the trees to be retained or removed. The applicant is requested to submit further information including a tree retention and removal drawing illustrating what trees are to be retained or removed.
3. There are some differences in reference to the car parking layout in the application documentation and drawings to what is on site. The application cover letter states that the development would accommodate 11 no. car parking spaces onsite. However, the Mobility Management Plan states that 12 no. car parking spaces would be provided. It is also stated that 4 no. preferential parking spaces dedicated for car sharers will be set out in the main car parking area, the location of which are not indicated. The existing site plan attached to the Mobility Management Plan is not considered to accurately represent the current layout. The applicant is requested to revise the application documentation and submit revised site plans showing the existing and proposed car parking layouts. The applicant should also demonstrate the location of bicycle parking spaces in line with Table 11.22: Minimum Bicycle Parking Rates of the South Dublin County Development Plan 2016-2022. All external bicycle parking spaces shall be covered. The applicant shall also provide 5% of vehicular parking spaces for mobility impaired users and 10% vehicular parking spaces to be equipped with electrical charging points.

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REG. REF. SD21A/0212

LOCATION: Sally Park Nursing Home, Sally Park Close, Firhouse, Dublin 24

Johnston
John 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: 22/9/21

Eoin Burke
Eoin Burke, Senior Planner