

SOUTH DUBLIN COUNTY COUNCIL



INTERNAL MEMORANDUM

Department: **Parks & Landscape Services / Public Realm**

Date: **15/10/2021**

Donal Farrelly
Area Planner
Planning Department

Development: Demolition of existing converted garage structure to the side; demolition of existing garden wall to the side; construction to the side of 1 semi-detached two storey two bedroom house with home office and 1 semi-detached two storey two bedroom house with home office with bay windows to front and side; new vehicular entrances to Woodview Heights to serve existing and proposed dwellings; all associated site, boundaries, landscaping, drainage and ancillary works.

Location: **15, Woodview Heights, Lucan, Co. Dublin**

Applicant: **John Bonass**

Reg. Ref: **SD21A/0015**

Recommendation: **Refusal**

Main Concerns

1. Impact on mature street trees, green infrastructure and biodiversity. There are three mature street trees in the grass verge outside the site boundary at risk as a result of the development proposals.

The Public Realm section has reviewed the application and has the following comments:

1. Proposed Site Layout Plan A

- i. This layout proposal ***is not acceptable to the Public Realm*** as the creation of a new 9.695m wide vehicular entrance along the southern boundary would require cars driving across the root protection zone of a mature street tree. Removal of the existing grass verge and construction of a dished kerb within the root protection zone would be required. This would result in the loss of this mature street tree.
- ii. The arborists report has failed to demonstrate that the existing mature street trees in the grass verge outside the site will not be impacted by the proposed development.

2. Proposed Site Layout Plan B

- i. Public Realm recommends **refusal** as the arborists report has failed to demonstrate that the existing mature trees in the grass verge outside the southern and eastern boundaries can be protected both during and after construction. The proposed new 3.525m wide entrance along the eastern boundary would appear to result in cars driving over the root zone of a mature street tree.

Should clarification of additional information for Layout Plan B be requested, Public Realm would require:

1. Protection and Retention of Existing Street Trees

- a) Submission and agreement of an updated comprehensive Tree Report with SDCC Public Realm Section. This shall comprise 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 update shall include a full survey of all three street trees including their root protection areas and the impact of the proposed development, particularly the new entranceways shall be fully assessed. The report shall be carried out by an independent, qualified Arborist and shall include all of the following:

- i. 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
- ii. 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.
- iii. 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).
- iv. 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
- v. 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.
- vi. 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.
- vii. 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.
- viii. Summary Table: Summary of all trees and hedgerow proposed for removal and retention to include numbers and percentages.
- ix. Pre Development Photo's: Prior to the commencement of works the applicant shall submit pictures of the existing trees/hedgerows before works commence with the tree protective fencing. This shall include a location map of where each picture was taken from.

- x. Arborist's name, arboricultural qualifications and contact details.
- xi. Date that the survey was carried out (surveys > 12 months are unacceptable).

Reason: To protect trees and planting during the construction period in the interest of visual amenity.

Should clarification of further information prove acceptable and the development be granted permission, Public Realm section would require the following conditions:

1. Protection and Retention of Existing Street Trees

- a) Prior to the commencement of any permitted development or any related construction activity or tree felling on the site:
 - i. All trees, groups of trees, hedging and shrubs which are to be retained, **including the street trees**, shall be enclosed within stout tree protection fencing in accordance with BS 5837: 2012. This protective fencing shall enclose an area covered by the crown spread of the branches, or at a minimum a radius of two meters on each side of the hedge for its full length, and shall be maintained until the development has been completed.
 - ii. No construction equipment, machinery or material shall be brought onto the site for the purpose of the development until all the trees which are to be retained have been protected by this fencing.
 - iii. No work shall be carried out within the area enclosed by this fencing, and in particular, there shall be no parking of vehicles, placing of site huts, storage compounds or topsoil heaps, storage of oil, chemicals or other substances, and no lighting of fires, over the root spread of any tree/hedge to be retained. Fencing to be in accordance with BS 5837: 2012 and as specified.

2. Tree Bond

- a) 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 **€4,500** 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.

- b) 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.
- c) Any replacement planting shall use large semi-mature tree size(s) and species or similar as may be stipulated by the planning authority.
- d) *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.
- e) 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.
- f) 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.

REASON: to ensure the protection, safety, prudent retention and long-term viability of trees to be retained on and immediately adjacent to the site.

3. Landscape & Boundary Treatment

- a) A detailed landscape plan should be submitted that clearly outlines any proposed tree planting.
- b) Boundary details should be submitted and agreed with SDCC Public Realm Section. Boundary treatment shall be reinstalled similar to existing and neighbouring boundaries.
- c) Planting to mitigate the loss of trees on site to include native and pollinator friendly species.

RELEVANT SDCC COUNTY DEVELOPMENT PLAN POLICIES

Green Infrastructure Policy 2

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

- **G2 Objective 2:** To protect and enhance the biodiversity value and ecological function of the Green Infrastructure network.
- **G2 Objective 9:** To preserve, protect and augment trees, groups of trees, woodlands and hedgerows within the County
- **HCL15 Objective 3:** To protect existing trees, hedgerows, and woodlands which are of amenity or biodiversity value and/ or contribute to landscape character and ensure that proper provision is made for their protection and management in accordance with Living with Trees: South Dublin County Council’s Tree Management Policy 2015-2020.

Living with Trees – Tree Management Policy 2015 – 2020

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

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

Fionnuala Collins

Assistant Parks Superintendent

Endorsed By: Laurence Colleran

Senior Executive Parks Superintendent