

SOUTH DUBLIN COUNTY COUNCIL



INTERNAL MEMORANDUM

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

Date: **04/11/2021**

CAITLIN O SHEA

Area Planner

Planning Department

Development: Construction of extension to existing warehouse premises; erection of 2.4m high palisade fencing including entrance gates to front boundary.

Location: Unit 78, Cherry Orchard Industrial Estate, Ballyfermot Road, Ballyfermot, Dublin 10

Applicant: Premium Facades Ltd.

Reg. Ref: **SD21A/0257**

Recommendation: **Grant with condition**

Main Concerns

1. Impact on semi mature street tree, green infrastructure and biodiversity. There is a semi mature street tree in the grass verge within the red line boundary at risk as a result of the development proposals. A tree bond is required in order to ensure the tree does not get damaged during construction.

Zoning

Objective REGEN - To facilitate enterprise and/or residential led regeneration

Relevant Sections, Policies and Objectives of the SDCC Development Plan 2016-2022:

DP 2016-22 Section 8.1.0 Green Infrastructure Network

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

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

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

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

DP 2016-22 Section 9 Heritage Conservation and Landscapes

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

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.

The Public Realm Section has assessed the proposed development in accordance with the County Development Plan and best practice guidelines. Should planning permission be granted we recommend 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 on the site:
 - i. All trees, groups of trees, hedging and shrubs which are to be retained, **including 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 Bond to the value of **€1,500** 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.

Fionnuala Collins

Assistant Parks Superintendent

Endorsed By: Laurence Colleran

Senior Executive Parks Superintendent