

SOUTH DUBLIN COUNTY COUNCIL



INTERNAL MEMORANDUM

Department: Parks & Landscape Services / Public Realm Date: 21/02/2022

Sarah Watson
Planning Officer
Planning Department

Development: 455 residential units (including a mixture of 2 and 3 storey semi-detached and terraced houses, and duplex units and apartments in 3 and 4 storey blocks), new internal roads and footpaths, site access, public open space, car parking, cycle stores, landscaping, bin stores, foul and surface water drainage, boundary walls and fences, ESB substations and all associated site development works. Private and semi-private open space to serve the proposed units will be provided in the form of balconies, terraces and gardens; including revisions to the permitted / under construction Celbridge Link Road (part of Loop Road 3), permitted under Reg. Ref SDZ17Af0009, associated with the provision of access to the development, parallel parking bays, and public lighting; 58 two bed, two storey, terraced houses (Type E1, E2, E3, J1 & J2); 6 three bed, two storey, semi-detached houses (Type 11); 190 three bed, two storey, terraced houses (Type A 1, A2, A3, B1, 82, C1, C2, C3, D1, D2, F1, F2, 11 & 12); 5 three bed, three storey, terraced houses (Type H); 6 four bed, two storey, terraced houses (Type K1, K2); 7 apartment Blocks (Blocks B, D, E, G, H, I & K) containing 111 apartments/duplexes including 32 one bed apartments, 22 two bed and 57 three bed duplex apartments over 3

storeys; 4 apartment Blocks (Blocks A, C, J & L) containing 37 apartments/duplexes including 8 no. one bed apartments, 29 three bed duplex apartments over 4 storeys; 1 apartment Block (Block F) containing 42 apartments including 2 one bed apartments and 40 two bed apartments over 4 storeys on a site located to the south of Tubber Lane, in the north-west of the Adamstown SDZ lands and to the west and south-west of the permitted/under construction Tubber Lane Phase 2 development (Reg. Ref: SDZ19Af0008, as amended under Reg. Ref: SDZ20Af0014).

Location: Tubber Lane, Adamstown, Lucan, Co. Dublin.
Applicant: Hugh McGreevy & Sons Ltd
Reg. Ref: SDZ21A/0023
Zoning: Adamstown Strategic Development Zone, Development Area 5:Tubber Lane
Site Area: 9.95 ha
Recommendation: **Significant Additional Information** to deliver an integrated approach to public lighting, movement, blue/green infrastructure and biodiversity and adequate delivery of Public Open Space .

MAIN CONCERNS

1. Impact on existing trees, hedgerows and local biodiversity:

- a) **Location of Site Compound NE:** The proposed site compound at the northeast of the site is too close to the existing hedgerow which is to be retained (poga Construction, Waste and Environmental Management Plan Ref 20065_CMP/CWEMP_R2 December 2021 Appendix A, Site Plan)
- b) **Location of Site Compound SW:** The proposed site compound at the southwest of the site shows an entrance through hedgerow and badger protected area. (poga Construction, Waste and Environmental Management Plan Ref 20065_CMP/CWEMP_R2 December 2021, Appendix A, Site Plan)

The site compounds should be moved away from these areas as they are too close to the existing hedgerows. Refer poga Construction, Waste and Environmental Management Plan Ref 20065_CMP/CWEMP_R2 December 2021 Appendix A Site Plan for proposed compound locations.

- c) **Public Lighting:** Public lighting is shown next to hedgerows (refer McElligott Phase 3 Public Lighting Layout Dwg No E013-016). Public lighting must be kept on the opposite

side of roads to retained hedgerows. Hedgerows should be retained as dark corridors and should not be lit. This is a recommendation of the Ecological Impact Assessment (EclA) (Faith Wilson, 15th December 2021) (page 30 Item 10 and 13), i.e. *'any lighting used in the development should not overspill onto the adjoining trees and woodland thereby ensuring that a dark corridor for foraging and commuting bats and movement for other wildlife is maintained'* and *'ensure that there is no light spill from the proposed development onto the retained areas of linear vegetation and boundary features'*. Open Spaces should not be lit.

d) **Access roads through hedgerows proposed for retention**

The layout drawings and Landscape Rationale (RMDA, Dec 2021, P. 20) show access points through hedgerows along the rural western boundary which are to be retained. These access routes through hedgerows should be removed.

e) **Removal of boundary hedgerow in northwest corner (Hedge No. 2) regarded as a key green infrastructural connection.** The removal of boundary hedgerow at this location to facilitate one house and a cycle path that is not required is contrary to sustainable development and SDCC Green Infrastructure Policies and Objectives.

f) **Impact on Bats**

Threats to bats, protected species under the Wildlife Act 1976 and Wildlife Amendment Act 2000 and the Bern (1982) and Bonn (1979) conventions, identified in the EclA (Faith Wilson, 15th December 2021) include:

- i. Light pollution (inappropriate lighting)
- ii. Loss of potential Tree Roosts
- iii. Loss of foraging areas – removal of hedges and scrub)
- iv. Water pollution
- v. Infilling of ditches

Despite this:

- i. Lighting has been proposed alongside hedgerow to be retained (refer 1 (iii) above)
- ii. Trees identified in the northwest corner of the site as potential bat roosts have been proposed for removal

- iii. Willow and ash along the southern ditch of the northern field was completely removed in between the ecologists visits to make way for the development.
- iv. Large amounts of the western boundary hedgerow to the northern field were removed between site ecologists visits to make way for the development (EclA page 15).
- v. The deep drainage ditch along the wet of the site is being infilled for conversion to a swale. The network of drainage ditches link into the Tobermaclugg and Lucan Streams.

g) **Impact on Badgers**

The badger is an internationally protected species under the Wildlife Act 1976 (Amended 2000) and the Bern (1982) convention. The EclA (Faith Wilson, 15th December 2021 - page 20) identified a badger sett on the southeastern boundary of the site for which remedial measures are proposed in the form of an ecological corridor and badger protective fencing. The report identified other badger setts within the wider area (Page 26). The report stated that habitat connectivity between these setts must be protected and enhanced. This would require a badger pass beneath the Cellbridge Link Road (SDZ17A/0009). The applicant is requested to review the badger protection measures in the context of adjoining approved development and revise their approach to badger protection accordingly.

ADDITIONAL INFORMATION

2. Street trees are severely lacking.

A major redesign of the streets throughout the development is required to provide street trees. Trees that are integral to the street need to be in public ownership and comply with the requirements of Adamstown SDZ (2014), Adamstown Street Design Guide (2014) and DMURS (2019). **ADDITIONAL INFORMATION**

1. **Insufficient SuDS Tree Pits.** All trees within/adjacent to hard surface areas should be in SuDS tree pits. The applicant is requested to refer to the recently published '*SDCC Sustainable Drainage Explanatory, Design and Evaluation Guide 2022*' **ADDITIONAL INFORMATION**

2. Boundaries

Badger-Resistant fencing is proposed outside swales which prevents the required maintenance operations. Timber post and rail fencing is not suitably robust for this boundary. Paladin type fencing with buried mesh is appropriate and details are required.

ADDITIONAL INFORMATION

3. Public Open Space

- a) There is only one small area of public open space for the entire development, i.e. a pocket park in the southeast of approximately 0.2ha or 2% of the development. Development Area 5 is required to provide 0.67 hectares of Public Open space. The applicant is required to demonstrate that this has been provided. The Landscape Rationale includes areas in the public open space calculation that cannot be considered as public open space, i.e.:
- i. An ecological corridor, constituting a linear network of scrub planting and retained trees, hedgerows and native vegetation with badger proof fencing that will be *'allowed to develop and mature without trampling impacts and also reduce human disturbance'* (P33 EclA, Dec 2021).
 - ii. Cycle paths – the perimeter cycle path is not deemed necessary and should be removed. The home-zone/back streets are designed as shared surfaces for pedestrians, cyclists and vehicles. The applicant is requested to integrate cycle path proposals with those in the adjoining development areas to avoid over-provision.
 - iii. Boundary Trees and Hedgerows

ADDITIONAL INFORMATION

4. Play

Play Provision is totally inadequate. Access to play is poor. There are no kick about areas.

Relevant Sections, Policies and Objectives of the Adamstown Strategic Development Zone (SDZ) Planning Scheme, Adamstown Street Design Guide (2010), DMURS (2019) and SDCC Development Plan 2016-2022:

Adamstown SDZ (2014)

2.3 (vii) Road/Street Width

Regard should also be had to ADSG, and in particular the Street Typologies and Accepted Standards contained within Part B of the document.'

2.4 (vii) Car Parking

2.4.21 *It is an objective that Adamstown is designed to accommodate but not be dominated by the car. Car-parking provision shall be carefully integrated in terms of layout, surface treatment and screen planting. Shared on street and communal car parking shall be optimised.*

2.4.22 *Properly marked car parking spaces shall be provided on all roads and streets throughout Adamstown, with the exception of main access and busway distributor roads, certain sections of residential distributor roads, and in close proximity to junctions. In addition, **no more than 60% of residential car parking spaces shall be provided as private in-curtilage parking spaces** in any development area.*

2.4.23 *Where on-street car parking is provided in a road corridor outside but adjoining a net development area, it may contribute towards residential and/or non-residential car parking requirements in the net development area.*

2.4.24 *On-street car parking shall be combined with regular tree planting and a high standard of kerbing and paving. It is a general objective that not more than five perpendicular or two parallel car parking spaces be allowed between trees.*

2.5 (v) Environmental Sustainability and Sustainable Design

'2.5.23 Promoting and supporting improvements in the public realm which ... support Sustainable Urban Drainage Systems (SUDS), increase carbon sequestering...'

2.6 (ii) Green Infrastructure

'2.6.7 Public open spaces shall be linked by a network of 'green' routes that retain and enhance existing landscape and ecological features such as trees, hedgerows and watercourses and incorporate new elements such as street planting and sustainable urban drainage systems.'

ADAMSTOWN STREET DESIGN GUIDE 2014 Part A (See also Part B Section 6 Street Typologies and accepted standards for side streets (6.3) and back streets (6.4).

3.11 Street Trees

'3.11.3 Street trees should be provided at regular intervals along Side Streets and Back Streets. The placement of trees will be dependent on on-street parking. Placement should be maximised by opportunistic placements in areas such as between sections of parking bays and within verges.'

DMURS (2019)

4.2.2 Street Trees

Street trees are an integral part of street design as they contribute to the sense of enclosure, act as a buffer to traffic noise/pollution and enhance place. A traffic calming effect can also be achieved,

where trees are planted in continuous rows and their canopies overhang, at least in part, the vehicular carriageway. Street trees can also be used to enhance legibility by highlighting the importance of connecting routes and distinguishing one area from another through variations in size and species selection. The planting of trees should be considered as an integral part of street design''

‘4.2.7 Planting

In Neighbourhoods and Suburbs a greater emphasis may be placed on the use of planted materials to promote ‘softer’ landscape elements to promote a greener ‘living’ character. Streets also support an important drainage function within built-up areas. The shift toward sustainable forms of development has seen the emergence of Sustainable Urban Drainage (SUDs) systems. SUDs consist of a range of measures that emulate a natural drainage process to reduce the concentration of pollutants and reduce the rate and volume of urban run-off into natural water systems (and thus the pollutants it carries). The incorporation of SUDs elements into the fabric of the street itself can also serve to increase legibility and add value to place (see Figure 4.29). Further advice with regard to the use of SUDs may be found in the Greater Dublin Strategic Drainage Study (2005).

CHAPTER 6 ROAD AND STREET DESIGN

6.4.3 ROAD AND STREET DESIGN (i) Design of Urban Roads and Streets: *Harsh measures such as bare concrete walls will not be permitted, and alternative landscape measures such as street trees, screen planting and planted verges should be provided.*

CHAPTER 7 INFRASTRUCTURE & ENVIRONMENTAL QUALITY (IE) Policy 2 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.

IE2 Objective 3: *To maintain and enhance existing surface water drainage systems in the County and promote and facilitate the development of Sustainable Urban Drainage Systems (SUDS), including integrated constructed wetlands, at a local, district and County level, to control surface water outfall and protect water quality.*

IE2 Objective 5: *To limit surface water run-off from new developments through the use of Sustainable Urban Drainage Systems (SUDS) and avoid the use of underground attenuation and storage tanks.*

IE2 Objective 9: *To protect water bodies and watercourses, including rivers, streams, associated undeveloped riparian strips, wetlands and natural floodplains, within the County from inappropriate development. This will include protection buffers in riverine and wetland areas as appropriate (see also Policy G3 Objective 2 – Biodiversity Protection Zone).*

CHAPTER 8 GREEN INFRASTRUCTURE

GREEN INFRASTRUCTURE (G) Policy 2 Green Infrastructure Network

It is the policy of the Council to promote and develop a coherent, integrated and evolving Green

Infrastructure network in South Dublin County that can connect to the regional network, secure and enhance biodiversity, provide readily accessible parks, open spaces and recreational facilities.

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 3: *To restrict development that would fragment or prejudice the Green Infrastructure network.*

G2 Objective 4: *To repair habitat fragmentation and provide for regeneration of flora and fauna where weaknesses are identified in the network.*

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

G2 Objective 6: *To protect and enhance the County's hedgerow network, in particular hedgerows that form townland, parish and barony boundaries, and increase hedgerow coverage using locally native species.*

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 design proposals and supporting their integration into the Green Infrastructure network.*

G2 Objective 10: *To promote a network of paths and cycle tracks to enhance accessibility to the Green Infrastructure network, while ensuring that the design and operation of the routes responds to the ecological needs of each site.*

G2 Objective 12: *To seek to control and manage non-native invasive species and to develop strategies with relevant stakeholders to assist in the control of these species throughout the County.*

G2 Objective 13: *To seek to prevent the loss of woodlands, hedgerows, aquatic habitats and wetlands wherever possible including requiring a programme to monitor and restrict the spread of invasive species.*

GREEN INFRASTRUCTURE (G) Policy 3 Watercourses Network

G3 Objective 1: *To promote the natural, historical and amenity value of the County's watercourses and address the long term management and protection of these corridors in the South Dublin Green Infrastructure Strategy.*

G3 Objective 2: *To maintain a biodiversity protection zone of not less than 10 metres from the top of the bank of all watercourses in the County, with the full extent of the protection zone to be determined on a case by case basis by the Planning Authority, based on site specific characteristics and sensitivities.*

G3 Objective 3: *To ensure the protection, improvement or restoration of riverine floodplains and to promote strategic measures to accommodate flooding at appropriate locations, to protect ground and surface water quality and build resilience to climate change.*

G3 Objective 5: *To restrict the encroachment of development on watercourses, and provide for protection measures to watercourses and their banks, including but not limited to: the prevention of pollution of the watercourse, the protection of the river bank from erosion, the retention and/or provision of wildlife corridors and the protection from light spill in sensitive locations, including during construction of permitted development.*

GREEN INFRASTRUCTURE (G) Policy 4 Public Open Space and Landscape Setting

G4 Objective 1: *To support and facilitate the provision of a network of high quality, well located and multifunctional public parks and open spaces throughout the County and to protect and enhance the environmental capacity and ecological function of these spaces.*

G4 Objective 2: *To connect parks and areas of open space with ecological and recreational corridors to aid the movement of biodiversity and people and to strengthen the overall Green Infrastructure network.*

G4 Objective 3: *To enhance and diversify the outdoor recreational potential of public open spaces and parks, subject to the protection of the natural environment.*

G4 Objective 4: *To minimise the environmental impact of external lighting at sensitive locations within the Green Infrastructure network to achieve a sustainable balance between the recreational needs of an area, the safety of walking and cycling routes and the protection of light sensitive species such as bats.*

G4 Objective 5: *To promote the planting of woodlands, forestry, community gardens, allotments and parkland meadows within the County's open spaces and parks.*

G4 Objective 6: *To take steps, in conjunction with communities and businesses, to plant existing areas of grassed open space to promote the development of multifunctional amenity areas with enhanced biodiversity value.*

G4 Objective 7: *To avoid the cumulative fragmentation and loss of ecologically sensitive areas of the Green Infrastructure network to artificial surfaces and to position recreational facilities that incorporate artificial surfaces at appropriate community-based locations.*

GREEN INFRASTRUCTURE (G) Policy 5 Sustainable Urban Drainage Systems

G5 Objective 1: *To promote and support the development of Sustainable Urban Drainage Systems (SUDS) at a local, district and county level and to maximise the amenity and biodiversity value of these systems.*

G5 Objective 2: *To promote the provision of Green Roofs and/or Living Walls in developments where expansive roofs are proposed such as industrial, retail and civic developments.*

GREEN INFRASTRUCTURE (G) Policy 6 New Development in Urban Areas

It is the policy of the Council to support the protection and enhancement of Green Infrastructure in all new development in urban areas, to strengthen Green Infrastructure linkage across the wider urban network and to achieve the highest standards of living and working environments.

G6 Objective 1: *To protect and enhance existing ecological features including tree stands, woodlands, hedgerows and watercourses in all new developments as an essential part of the design process.*

G6 Objective 2: *To require new development to provide links into the wider Green Infrastructure network, in particular where similar features exist on adjoining sites.*

G6 Objective 3: *To require multifunctional open space provision within all new developments that includes provision for ecology and sustainable water management.*

CHAPTER 9 . HERITAGE, CONSERVATION AND LANDSCAPES (HCL) Policy 1 Overarching

HERITAGE, CONSERVATION AND LANDSCAPES (HCL) Policy 15 Non-Designated Areas

It is the policy of the Council to protect and promote the conservation of biodiversity outside of designated areas and to ensure that species and habitats that are protected under the Wildlife Acts 1976 and 2000, the Birds Directive 1979 and the Habitats Directive 1992 are adequately protected.

HCL15 Objective 1:

To ensure that development does not have a significant adverse impact on rare and threatened species, including those protected under the Wildlife Acts 1976 and 2000, the Birds Directive 1979 and the Habitats Directive 1992.

HCL15 Objective 2:

To ensure that, where evidence of species that are protected under the Wildlife Acts 1976 and 2000, the Birds Directive 1979 and the Habitats Directive 1992 exists, appropriate avoidance and mitigation measures are incorporated into development proposals as part of any ecological impact assessment.

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.*

CHAPTER 11 IMPLEMENTATION

11.6.1 Water Management

(ii) Surface Water

Development proposals should provide suitable drainage measures in compliance with the Greater Dublin Strategic Drainage Study (GDSDS) and Greater Dublin Regional Code of Practice for Drainage Works. The maximum permitted surface water outflow from any new development should not exceed the existing situation. On greenfield lands the permitted outflow of a development should be the equivalent to a greenfield Site. All new development must allow for climate change as set out in the GDSDS Technical Document, Volume 5 Climate Change.

Development proposals should not give rise to the pollution of ground or surface waters either during construction phases or subsequent operation. This will be achieved through the adherence to best practice in the design, installation and management of systems for the interception, collection and appropriate disposal or treatment of all surface water and effluents.

(iii) Sustainable Urban Drainage System (SUDS)

In general, all new developments will be required to incorporate Sustainable Urban Drainage Systems (SUDS). SUDS include devices such as swales, permeable pavements, filter drains, storage ponds, constructed wetlands, soakways and green roofs. In some exceptional cases and at the discretion of the Planning Authority, where it is demonstrated that SUDS devices are not feasible, approval may be given to install underground attenuation tanks or enlarged pipes in conjunction with other devices to achieve the required water quality. Such alternative measures will only be considered as a last resort. Watercourses should remain open in their natural valley and culverting shall be confined to road crossings. In exceptional circumstances and at the discretion of the Planning Authority, approval may be given to install a culvert within a development where it is demonstrated that this is the most appropriate design response based on site specific constraints/circumstances.

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 ensure that tree planting on development sites is adequate and appropriate by requesting that landscaping proposals and plans to include tree planting proposals are submitted as part of a planning application. Careful consideration is given to the proposed tree planting for new developments, to ensure that they do not block light into existing dwellings/buildings, to ensure that they enhance the local ecology and add to biodiversity as appropriate to the site and also to ensure that they enhance the aesthetics of the site.

The Public Realm Section recommends the following significant additional information is sought:

1. General.

Public Realm require a major redesign of the development to address the issues outlined above related to a lack of integrated design both within the development and with its context. All relevant submitted plan and details, drawings and reports should be revised accordingly.

ADDITIONAL INFORMATION

2. Play

Additional details, specifications and images shall be provided in relation to the proposed play areas included as part of the landscape proposals. Where possible all play equipment should be of predominantly natural materials with unstructured play included in the proposed design. The playground designer/landscape architect can contact SDCC public realm section to discuss the play items proposed including the inclusion of universally accessible equipment. Where possible the applicant should consider the use of engineered woodchip as playground surfacing material.

The applicant shall submit for the written agreement of the Public Realm Section:

- (a)** Details of play items to be agreed with the Public Realm Section. **Play proposals should include accessible features.**
- (b)** Details of all play equipment, and safety surface, along with specifications and proof that all equipment conforms to **European Standards EN 1176-1-11 and EN 1177 Playground equipment and surfacing** shall be submitted prior to the commencement of development.

- (c) Post installation certification by the Royal Society for the Prevention of Accidents will be a requirement.
- (d) An **Indicative Play Map** showing types of play and age groups catered for shall also be submitted.

ADDITIONAL INFORMATION

REASON: To uphold the policies of the South Dublin County Development Plan 2016 - 2022 relating to children's play, and to provide for the proper planning and sustainable development of the area.

Mitigation measures required:

1. The mitigation measures proposed in section 7 of the EclA (Wilson, December 2021) shall be implemented in full, i.e.:
 - i. Maximum retention of existing trees and hedgerows no construction activity to take place on site until tree and hedgerow protection measures have been implemented. A tree bond will be required to be agreed with SDCC Public Realm.
 - ii. Sediment Control practices.
 - iii. Contactors briefing prior to the commencement of construction
 - iv. Protection measures for birds
 - v. Protection measures for Bats – further bat inspections to be submitted prior to the commencement of development (EclA page 29).
 - vi. Recommendations regarding reduction of light disturbance to be implemented. There shall be no light spill from the proposed dev into the retained areas of linear vegetation.

CONDITION

2. The appointed Ecological Clerk of Works to contact SDCC Parks Superintendent prior to commencement of works to attend a site visit and demonstrate all measures have been implemented.

CONDITION

Summary

There are conflicts between the public lighting proposals, provision of an ecological corridor, the hedgerow retention strategy and public open space provision. There is a substantial lack of street trees, poor Public Open Space provision; lack of accessible play and lack of compliance with the requirements of Adamstown SDZ Planning Scheme (2014), Adamstown Street Design Guide (2014) and DMURS (2019). The applicant has not considered the adjacent developments and zonings in their movement and ecological strategies.

Public Realm Dept are seeking significant additional information that will involve a major redesign of the development to address the lack of integrated design both within the development and with its context.

Fionnuala Collins
Assistant Parks Superintendent

Endorsed By: Laurence Colleran
Senior Executive Parks Superintendent