

Comhairle Chontae Atha Cliath Theas

PR/0488/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21A/0202

Application Date: 20-Jul-2021

Submission Type: Additional
Information

Registration Date: 14-Mar-2022

Correspondence Name and Address:

ERMS Planning & Development Consultants 34, The
Crescent, Castleoaks, Carlow, Co. Carlow

Proposed Development:

The setback, widening and relocation of a site entrance northwards along the public road, allowing for improved sight lines and it's repositioning, reordering and construction; a new pedestrian entrance; demolition of small shed/garage structure; filling-in of an existing swimming pool; demolition of a portion of the west flanking courtyard wall to re-establish a historic courtyard entrance (as seen on Historic 6 Inch (1837-1842), Historic 25 inch (1888-1913) maps); construction of 11 residential units located surrounding Rookwood House (protected structure) on it's associated grounds, made up of Section 1: The Gate Lodge consisting of Unit 1, [1.5-Storey two bed, 4 person detached dwelling (83.50sq.m); Section 2: Mews Houses consisting of Units 2, 3 & 4, (two storey three bed, four person terraced dwellings (105.10sq.m) and Unit 5 (two Storey, three bed, six person detached dwelling (138.00sq.m) and Section 3: Woodland Houses consisting of Units 6 & 9 (2.5-storey, four bed, six person detached dwellings (152.00sq.m), Units 7 & 10 (2.5-storey, four bed, six person semi-detached dwellings (152.00sq.m) and Units 8 & 11 (2.5-storey, three bed, six person semi-detached dwellings (125.90sq.m) and maintaining the existing Rookwood house (protected structure) as a residential house, as is; 22 car parking spaces, new pedestrian footpaths, internal road network, detailed landscaping, services and all associated works.

Location:

Rookwood, Stocking Lane, Ballyboden, Dublin 16

Applicant Name:

Brenda Weir

Application Type:

Permission

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(BH)

Description of Site and Surroundings

Site Visit: 16/08/2021

Site Area: 1.15 Hectares.

Site Description:

The application site is located on the eastern side of Stocking Lane, R115. The site currently comprises a single detached dwelling known as 'Rookwood Lodge' which is a protected structure (RPS No.327). The site consists of other detached buildings, tennis courts, areas of landscaped open space and mature trees. To the south of the site are two detached dwellings and a large area of open space. To the east, west and north are residential properties in a variety of settings. The area is largely residential in character with the exception of the Ballyboden Water Treatment Plant.

Proposal:

The proposed development comprises:

- The setback, widening and relocation of the site entrance
- Construction of a new pedestrian entrance
- demolition of small shed/garage structure
- filling-in of an existing swimming pool
- demolition of a portion of the west flanking courtyard wall to re-establish a historic courtyard entrance
- Construction of **11 residential units** – gate lodge, mews housing, semi-detached, and detached dwellings.
- 22 car parking spaces
- new pedestrian footpaths and internal road network
- landscaping
- services

Zoning:

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

Consultations:

An Comhairle Ealaíon – no response received

An Taisce – no objection

Architectural Conservation Officer – no objection subject to conditions

County Architect – no response received

Fáilte Ireland – no response received

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Department of Housing, Local Government & Heritage – no response received
EHO – no response received
Heritage Council – no response received
Heritage Officer – no response received
Housing Strategy Unit –
Inland Fisheries Ireland – no response received
Irish Water – No objection
Public Realm – Additional Information
Roads Section – Additional Information
Waste Management – no response received
Water Services – Additional Information

SEA Sensitivity Screening

Rookwood – Protected Structure

Submissions/Observations/Representations

Submission expiry date: 23/08/2021

Submissions/Observations have been received with the following a summary of the main points:

- contrary to SDCC Dev Plan
- Contrary to sustainable development and proper planning
- No EIA
- Contrary to the Architectural Heritage Protection Guidelines
- Removal of trees, impact on trees, and works to trees
- Impact on protected structure
- Inadequate bat survey
- Impact on amenity of area and neighbouring properties
- Overlooking, privacy, prejudicing development, loss of light, overshadowing
- New wall and fence should be constructed
- Traffic, road safety, sightlines
- Flooding and drainage
- Safety of walls
- Boundaries
- Structural stability
- Poor open space
- Lack of sections
- Inadequate site plan

The issues raised in the 3rd party submissions have been taken into account in the assessment of the proposal.

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Relevant Planning History

Application site

No recent relevant applications.

Sites to the south

SD21A/0194

Permission refused for 3 three bedroom, two storey houses of 116sq.m; 1 three bed two storey house of 96sq.m; 5 duplex units in a two storey block, consisting of 2 one bed units and 2 two bed units and a three bed unit; demolition of 14sq.m of conservatory attached to Coolamber House with new vehicular access and associated site works at site adjacent.

SD20A/0002 and ABP-306966-20

Permission refused and refused at appeal for 3 five bedroom, three storey houses of 170sq.m; 1 three bed, two storey house; 5 duplex units in a three storey block consisting of a one bed unit; 3 two bed units and a three bed unit with new vehicular access and associated site works at site adjacent.

The application was refused at appeal by ABP on the 8th of Oct 2020 for the following reasons:

1. Having regard to the provisions of sections 07 (Layout) and 08 (Public Realm) of the Urban Design Manual Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns & Villages) issued by the Department of the Environment, Heritage and Local Government in May 2009, and the provisions of sections 3.40 and 3.41 (Security Considerations), 4.10, 4.11 and 4.12 (Communal Amenity Space) of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities issued by the Department of Housing, Planning and Local Government in March, 2018, it is considered that proposed development would be substandard in its provision of quality public open space and quality communal amenity space. The proposed development would, therefore, seriously injure the amenities of future occupants of the development, would be contrary to the Ministerial Guidelines and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the proximity of the three storey duplex/apartment block, 2.5 metres to the southern boundary, it is considered that the proposed development would lead to significant overlooking of lands to the south that would negatively impact upon the development potential of these residentially zoned lands. The proposed development would be contrary to the RES zoning objective 'to protect and/or improve residential amenity' as set out in the South Dublin County Council Development Plan 2016-2022 and would, therefore, be contrary to the proper planning and sustainable development of the area.

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3. Having regard to the siting and orientation of Units 3 and 4 and the scale and proximity of these units relative to the existing dwelling 'Coolamber', it is considered that the proposed development would have a negative impact on the residential amenity of 'Coolamber' by reason of overlooking, overbearing, visual impact and visual intrusion. The proposed development would, therefore, seriously injure the residential amenity of 'Coolamber', would be contrary to the residential zoning objective of the site, would seriously injure the residential amenity of the area and would be contrary to the proper planning and sustainable development of the area.

SD19A/0058 (ABP-304458-19) – 4 five bedroom, three storey houses of 170sq.m; 5 duplex units in a three storey block, consisting of 1 one bed unit, 3 two bed units and 1 three bed unit; New vehicular access and associated site works at site adjacent to existing 'Coolamber' detached house; All associated site works. South Dublin County Council refused permission, and this decision was appealed. **An Bord Pleanála refused permission** on 3rd September 2019. South Dublin County Council issued the following 7 reasons for refusal:

1. Having regard to the siting and orientation of proposed dwellings, specifically Unit 3 and Unit 4 in relation to existing adjacent residential property 'Coolamber' to the north of the site, the proposed residential development would seriously injure the amenity of property in the vicinity by reason of overshadowing, overlooking and loss of privacy.

- Unit 3 would be situated directly on the site boundary and would be located within 4.3m of the rear (east/southeast) of the existing dwelling, 'Coolamber', 3 Stocking Lane.

- Unit 4 would be located directly in front (west) of the existing house onsite, 'Coolamber'. The eastern gable would be located within 3.8m of the front of the dwelling, inclusive of a 1.2m side passage between the dwelling and site boundary.

The proposed development would therefore contravene the 'RES' zoning of the area (as set out in the South Dublin County Council Development Plan 2016-2022) which seeks to 'protect and/or improve Residential Amenity', and would also be contrary to the proper planning and sustainable development of the area.

2. Drawing Ref. 2258-26-A indicates open access from the private terraces of both Unit 5 and Unit 6 to the public open space which would disregard the privacy elements from both terraces. Furthermore, there would appear to be a throughway from the proposed 'Bikes and Bins' at west elevation through the stated private amenity space of Unit 5 through to the public open space (Refer to Drawing 2258-26-A Ground Floor plan).

Such open access of both terraces would contravene Housing Policy H15 and, specifically, Policy H15 Objective 1 and Policy H15 Objective 3 in the South Dublin County Development Plan 2016 - 2022. Thus, the proposed development would be contrary to the proper planning and sustainable development of the area.

3. The location of the public open space (stated as 200sq.m) is not acceptable having regard to how it is to be accessed and its isolated location to the rear of the apartment block in the

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southwest corner of the site and directly abutting open lands to the south. Having regard to the 'RES' zoning objective of the subject site and pattern of development in the locality, the proposed development would represent substandard development and be unacceptable with regard to the residential amenity of the existing and proposed residential units and would be contrary to the proper planning and sustainable development of the area.

4. The proposed locations of the 'Bin and Bike' stores would impact adversely on the residential amenity of the future occupants of the proposed development by way of location and layout and shared bin and bike nature. Thus, the proposed development would seriously injure the amenities of property in the vicinity.

5. Having regard to the lack of information on the following landscaping related issues:

- No Arborist Report detailing the current conditions of the trees and tree protection measures,
 - Insufficient quantities of street trees have been proposed,
 - Unclear if proposed/existing trees/hedgerows and landscaping areas are in conflict with proposed services,
 - Insufficient boundary treatment details,
 - Unclear what is private, semi-private and public open space,
 - Design has not appropriately accommodated pedestrian accessibility,
 - No play items have been proposed,
 - Drainage scheme does not comply with the objectives of the South Dublin County Development Plan 2016 - 2022 regarding Green Infrastructure or SUDS,
- the proposed development would not accord with the 'RES' zoning of the site which seeks to 'protect and/or improve residential amenity'.

6. Having regard to: (a) Insufficient details submitted on the proposed surface water and drainage systems, specifically, the proposed surface water attenuation of 30cubic metres is undersized by 25% for 1 in 30 year storm and undersized by 80% for 1 in 100 year storm event and there is insufficient SuDS (Sustainable Urban Drainage System) proposed for the development such as detention basin in green area, tree pits, swales filter drains.

It has not been demonstrated by the applicant that the proposed development is consistent with the Greater Dublin Regional Code of Practise for Drainage Works.

Thus, the proposed development would be prejudicial to public health.

7. The development would result in the removal of the majority of existing trees and hedgerows onsite, and most notably, all existing trees and hedgerows along the western boundary of the site would be removed. The trees and hedgerows along the roadside along Stocking Lane contribute significantly to the rural character of Stocking Lane and contribute to the link with the Dublin Mountains. The loss of the existing trees and hedgerows particularly along the western boundary of the site would significantly alter the distinct rural

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streetscape character of Stocking Lane which creates a distinctly scenic entrance to the Dublin Mountains.

The applicant has not demonstrated an attempt to incorporate the existing trees and hedgerows into the proposed new development scheme. Furthermore, no ecological report or Bat Survey has been provided. Having regard to the location of the site and the presence of mature trees and vegetation onsite, there is potential for the presence of bats, a protected species, onsite. The removal of the majority of all trees and hedgerows onsite would directly conflict with the Green Infrastructure policies and objectives of the South Dublin County Development Plan 2016-2022, notably Policy G2 Objective 1, G2 Objective 2, G2 Objective 3, G2 Objective 5, and G2 Objective 9, Policy G6, G6 Objective 1, G6 Objective 2 and HCL15 Objective 2 and would be contrary to the proper planning and sustainable development of the area.

An Bord Pleanála produced **two reasons for refusal**:

1. Having regard to the siting and orientation of Unit numbers 3 and 4 and the scale and proximity of these units relative to the existing adjoining dwelling 'Coolamber', it is considered that the proposed development would constitute overdevelopment of the site and have a negative impact on the amenity of future occupants of 'Coolamber' by reason of overlooking, overbearing visual impact and visual intrusion. The proposed development would, therefore, seriously injure the amenities of property in the vicinity, would be contrary to the residential zoning objective of the site and of the protection of residential amenity and would be contrary to the proper planning and sustainable development of the area.

2. The location of, and access to, the area of public open space at the southern end of the site is such that it would result in a substandard layout and level of residential amenity by virtue of being poorly supervised with a poor distinction between public and private areas and inadequate integration into the overall development. The proposed development would, therefore, seriously injure the amenities of future occupants of the development, would be contrary to the provisions of the "Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns and Villages)", issued by the Department of the Environment, Heritage and Local Government in May, 2009, and particularly section 7 (Layout) and section 8 (Public Realm) of the accompanying Urban Design Manual, and would be contrary to the proper planning and sustainable development of the area.

SD05A/0376 – A new facade to existing house, a two-storey domestic extension, retention of an existing conservatory and retention of 76sq.m. for office use. Decision: **Grant Permission and Grant Retention**

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SHD3ABP-308763-20

131 residential units including: 21 houses, 51 duplex apartment units in seven blocks of up to three-storeys, 59 apartment units in three apartment blocks up to four-storeys; A creche of c. 128sq.m at the ground floor of Block L; A shop of c. 65sq.m at the ground floor of Block G, with associated storage; A total of 167 car parking spaces, of which: 88 are at surface level and 79 in the basement under apartment Blocks F and G, 5 are dedicated visitor parking spaces; A total of 288 cycle parking spaces and 5 motorcycle spaces; A new vehicular access onto Stocking Lane; A new vehicular and pedestrian/cycle access to the Springvale estate to the east; New roads, footpaths and cycle paths and connections within the site; A new pedestrian crossing on Stocking Lane to the north west; The expansion and upgrade of the existing pedestrian crossing on Stocking Lane to the south west; The development also includes landscaped private and public open space, boundary treatment, lighting, play area, an ESB substation, site drainage works and all ancillary site development works above and below ground on a site of c.2.47ha.

Permission was refused by ABP on 25th March 2021 as the proposal was deemed to be a material contravention of Housing (H) Policy 9 – Objective 3 of the South Dublin County Development Plan (2016-2022) in relation to the height of the proposal and distance between existing houses. Further to this, it was deemed that the statutory requirements regarding public notices and the submission of a material contravention statement were not complied with.

SD18A/0225 – Three apartment blocks, two and three storeys in height, providing 46 apartments (36 no. 2-bedroom and 10 no. 1-bedroom); one crèche and one retail unit; 49 houses (8 no. 2-storey semi-detached 3 bedroom houses; 20 no. 3-storey semi-detached 4 bedroom houses; 2 no. 3-storey detached, 5 bedroom houses; 8 no. 2-storey terraced, 2 bedroom houses; 7 no. 3-storey terraced, 3 bedroom houses; 4 no. 3-storey terraced, 4 bedroom houses); new entrance location and design at Stocking Lane with a new access road and pavement to service the development; new separate pedestrian access with cycleway and pavement off Stocking Lane and new pedestrian access to Springvale. The development includes landscaped private and public open space, boundary fencing, lighting, play area, vehicle and cycle parking, site drainage works and all ancillary site development works on a site of c.2.4ha. Decision: Permission **Refused**. There were 8 reasons for refusal, relating to the following:

1. Children's Play/Public Open Space
2. Apartment Block Layout and delineation of Communal/Public Open Space
3. Surface Water and Drainage
4. Minimum Dwelling Sizes
5. Single Aspect Units
6. Urban Design and Residential Amenity
7. Removal of Trees

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S01A/0743 and PL06S.130420 - Rookwood, Stocking Lane, Ballyboden, Dublin 16.

Apartment development comprising 14 2-bedroom units in 3 storey building, 28 car parking spaces and part demolition of front boundary wall, on land within the curtilage of a Protected Structure. Decision: Grant Permission with revised conditions

Relevant Enforcement History

None recorded for subject site

Pre-Planning Consultation

PP001/21

A proposed residential development of 11 houses located adjacent to Rookwood House (a Protected Structure) on its associated grounds made up of Phase 1: Mews Houses consisting of Unit 1: Gate Lodge 2-bed Unit, Unit No.2-4: 3x Mews House 3-bed Units, Unit No 5: 1 Mews House 3-bed Units, and Phase 2 Woodland Houses consisting of Unit No.6,7 & 9, 10: 4x Woodland Houses, 3-bed Units, Unit No.8 & 11: 2x Woodland Houses, 3-bed Units, a revised site entrance, open space, parking and all associated works.

PP138/19

A proposed residential development of 10 no. houses located adjacent to Rookwood House (a Protected Structure) on its associated grounds made up of Phase 1: 'Mews Houses' consisting of Unit 1: 1 no. & 2 no. 3-bed Mews Unit (116m²). Unit 3: 3-bed Mews Unit (121m²), Unit 4: Gate Lodge 2-bed Unit (90m²) and Phase 2 'Woodland Houses' consisting of Units 5: 8 no. 3-bed (117m²) and Units 9 & 10: 4-bed (140m²), a revised site entrance, open space, parking and all associated works.

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

Policy CS1 Consolidation Areas within the Gateway

Policy CS2 Metropolitan Consolidation Towns

Policy CS3 Emerging Moderate Sustainable Growth Town

Policy CS4 Small Towns

Policy CS6 Local Area Plans

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

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

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

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Section 1.10.0 Strategic Development Zones

Policy CS7 Strategic Development Zones

It is the policy of the Council to continue to implement the approved Planning Schemes for Adamstown SDZ and to secure the implementation of an approved Planning Scheme for the Clonburris SDZ.

Section 2.4.0: Residential Consolidation – Infill, Backland, Subdivision & Corner Sites

Policy H3 Housing for Older People

Policy H4 Student Accommodation

Policy H6 Sustainable Communities

It is the policy of the Council to support the development of sustainable communities and to ensure that new housing development is carried out in accordance with Government policy in relation to the development of housing and residential communities.

Policy H7 Urban Design in Residential Developments

It is the policy of the Council to ensure that all new residential development within the County is of high quality design and complies with Government guidance on the design of sustainable residential development and residential streets including that prepared by the Minister under Section 28 of the Planning & Development Act 2000 (as amended).

Policy H8 Residential Densities

It is the policy of the Council to promote higher residential densities at appropriate locations and to ensure that the density of new residential development is appropriate to its location and surrounding context.

Policy H9 Residential Building Heights

It is the policy of the Council to support varied building heights across residential and mixed use areas in South Dublin County.

Policy H10 Mix of Dwelling Types

It is the policy of the Council to ensure that a wide variety of adaptable housing types, sizes and tenures are provided in the County in accordance with the provisions of the Interim South Dublin County Council Housing Strategy 2016-2022.

Section 2.3.0 Quality Of Residential Development

Policy H11 Residential Design and Layout

It is the policy of the Council to promote a high quality of design and layout in new residential development and to ensure a high quality living environment for residents, in terms of the standard of individual dwelling units and the overall layout and appearance of the development.

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Policy H12 Public Open Space

It is the policy of the Council to ensure that all residential development is served by a clear hierarchy and network of high quality public open spaces that provides for active and passive recreation and enhances the visual character, identity and amenity of the area.

Policy H13 Private and Semi-Private Open Space

It is the policy of the Council to ensure that all dwellings have access to high quality private open space (incl. semi-private open space for duplex and apartment units) and that private open space is carefully integrated into the design of new residential developments.

Policy H14 Internal Residential Accommodation

It is the policy of the Council to ensure that all new housing provides a high standard of accommodation that is flexible and adaptable, to meet the long term needs of a variety of household types and sizes.

Policy H15 Privacy and Security

It is the policy of the Council to promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing.

Policy H16 Steep or Varying Topography Sites

It is the policy of the Council to ensure that development on lands with a steep and/or varying topography is designed and sited to minimise impacts on the natural slope of the site.

Policy H17 Residential Consolidation

Policy H17 Objective 3:

To favourably consider proposals for the development of corner or wide garden sites within the curtilage of existing houses in established residential areas, subject to appropriate safeguards and standards identified in Chapter 11 Implementation.

Section 3.2.0 Community Facilities

Policy C1 Community Centres

It is the policy of the Council to ensure that all communities have access to multifunctional community centres that provide a focal point for community activities.

Section 3.13.0 Open Space Management & Use

Policy C12 Open Space

It is the policy of the Council that a hierarchical network of high quality open space is available to those who live, work and visit the County, providing for both passive and active recreation, and that the resource offered by public open spaces, parks and playing fields is maximised through effective management.

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Section 6.3.0 Walking And Cycling

Policy TM3 Walking and Cycling

It is the policy of the Council to re-balance movement priorities towards more sustainable modes of transportation by prioritising

Section 6.4.3 Road and Street Design

Policy H12

It is the policy of Council to ensure that streets and roads within the County are designed to balance the needs of place and movement, to provide a safe traffic-calmed street environment, particularly in sensitive areas and where vulnerable users are present.

Section 6.4.4 Car Parking

Policy TM7 Car Parking

Section 7.1.0 Water Supply & Wastewater

Policy IE1 Water & Wastewater

It is the policy of the Council to work in conjunction with Irish Water to protect existing water and drainage infrastructure and to promote investment in the water and drainage network to support environmental protection and facilitate the sustainable growth of the County

Section 7.2.0 Surface Water & Groundwater

Policy IE2 Surface Water & Groundwater

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

Section 7.3.0 Flood Risk Management

Policy IE3 Flood Risk

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

Section 8.0 Green Infrastructure

Policy G1 Overarching

Policy G1 Green Infrastructure Network

Policy G3 Watercourses Network

Policy G4 Public Open Space and Landscape Setting

Policy G5 Sustainable Urban Drainage Systems

Policy G6 New Development in Urban Areas

Section 9 Heritage, Conservation & Landscapes

Policy HCL1 Overarching

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Policy HCL2 Archaeological Heritage
Policy HCL3 Protected Structures
Policy HCL12 Natura 2000 Sites Non-Designated Areas

Section 10.0 Energy
Policy E4 Energy Performance in New Buildings

Section 11.2.0 Place Making and Urban Design

Section 11.2.1 Design Statements

Section 11.2.2 Masterplans

Table 11.17: Masterplan Considerations

Section 11.2.7 Building Height

Section 11.3.1 Residential

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

Section 11.2.7 Building Height

Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Table 11.20: Minimum Space Standards for Houses

Section 11.3.1 (v) Privacy

Section 11.3.2 Residential Consolidation

Section 11.3.2 (i) Infill Sites

Development on Infill sites should meet the following criteria:

- *Be guided by the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities DEHLG, 2009 and the companion Urban Design Manual.*
- *A site analysis that addresses the scale, siting and layout of new development taking account of the local context should accompany all proposals for infill development. On smaller sites of approximately 0.5 hectares or less a degree of architectural integration with the surrounding built form will be required, through density, features such as roof forms, fenestration patterns and materials and finishes. Larger sites will have more flexibility to define an independent character.*

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- *Significant site features, such as boundary treatments, pillars, gateways and vegetation should be retained, in so far as possible, but not to the detriment of providing an active interface with the street.*
- *Where the proposed height is greater than that of the surrounding area a transition should be provided (see Section 11.2.7 Building Height).*

Section 11.3.2 (ii) Corner/Side Garden Sites

Development on corner and/or side garden sites should meet the criteria for infill development in addition to the following criteria:

- *The site should be of sufficient size to accommodate an additional dwelling(s) and an appropriate set back should be maintained from adjacent dwellings,*
- *The dwelling(s) should generally be designed and sited to match the building line and respond to the roof profile of adjoining dwellings,*
- *The architectural language of the development (including boundary treatments) should respond to the character of adjacent dwellings and create a sense of harmony. Contemporary and innovative proposals that respond to the local context are encouraged, particularly on larger sites which can accommodate multiple dwellings,*
- *Where proposed buildings project forward of the prevailing building line or height, transitional elements should be incorporated into the design to promote a sense of integration with adjoining buildings and*
- *Corner development should provide a dual frontage in order to avoid blank facades and maximise surveillance of the public domain.*

Section 11.3.2 (iii) Backland Development:

- *The design of development on backland sites should meet the criteria for infill development in addition to the following criteria:*
- *Be guided by a site analysis process in regard to the scale, siting and layout of development.*
- *Avoid piecemeal development that adversely impacts on the character of the area and the established pattern of development in the area.*
- *Development that is in close proximity to adjoining residential properties should be limited to a single storey, to reduce overshadowing and overlooking.*
- *Access for pedestrians and vehicles should be clearly legible and, where appropriate, promote mid-block connectivity.*

Table 11.20: Minimum Space Standards for Houses

Table 11.21: Minimum Space Standards for Apartments

Section 11.4.1 Bicycle Parking Standards

Table 11.22: Minimum Bicycle Parking Rates

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Section 11.4.2 Car Parking Standards

Table 11.24: Maximum Parking Rates (Residential Development)

Section 11.4.3 Car Parking for Electric Vehicles

Section 11.4.4 Car Parking Design and Layout

Section 11.4.5 Traffic and Transport Assessments

Section 11.5.2 Protected Structures

Section 11.6.1 (i) Flood Risk Assessment

Section 11.6.1 (ii) Surface Water

Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)

Section 11.6.1 (iv) Groundwater

Section 11.6.1 (v) Rainwater Harvesting

Section 11.6.1 (vi) Water Services

Section 11.7.2 Energy Performance In New Buildings

Section 11.8.1 Environmental Impact Assessment

Section 11.8.2 Appropriate Assessment

Section 11.4.2 Car Parking Standards

Table 11.24 Maximum Parking Rates (Residential Development)

Section 11.4.4 Car Parking Design and Layout

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.2 Appropriate Assessment

Relevant Government Guidelines

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

Rebuilding Ireland: Action Plan for Housing and Homelessness, Government of Ireland (2016).

Regional Spatial and Economic Strategy 2019 – 2025, Eastern & Midlands Regional Assembly, 2019.

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

Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, Department of Housing, Planning and Local Government (2020).

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

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

Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, Department of the Environment, Community and Local Government (2015)

Design Manual for Urban Roads and Streets Department of the Environment, Community and Local Government *and Department of Transport, Tourism and Sport (2013)*

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

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

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

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

Architectural Heritage Protection – Guidelines for Planning Authorities (2011)

Bats & Lighting: Guidance Notes for Planners, Engineers, Architects and Developers, Bat Conservation Trust, (2010).

Assessment

The main issues for assessment are:

- Zoning
- Density
- Impact on Protected Structure
- Unit Mix
- Part V
- Residential Amenity
- Visual Impact and Layout
- Public Realm, Landscaping and Trees

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- Roads and transport
- Drainage and Services
- Ecology
- Screening for Environmental Impact Assessment
- Screening for Appropriate Assessment

Zoning

The site is subject to the land-use zoning objective, 'RES' – *'To protect and improve residential amenity'*. Residential development is permitted in principle under this zoning objective. The proposal is therefore considered to be acceptable in principle but subject to the material planning considerations set out below.

Density

The proposal comprises 11 units on 1.15 hectares, and including the existing dwelling, gives a density of 10.43 units per hectare. Section 5.11 of the Sustainable Residential Developments in Urban Areas - Guidelines for Planning Authorities (2009) recommends that a net density of 35-50 dwellings per hectare be provided in outer suburban sites. Taking the recommended density into account as per the guidelines, the proposed density would be quite low. However, the density proposed needs to be balanced with the potential impact on the protected structure and its setting.

Impact on Protected Structure

The SDCC Architectural Conservation Officer (ACO) has assessed the proposal and provided the following comments:

Protected Structure

Rookwood House is referred to in the Council's Record of Protected Structures - Schedule 2 of the South Dublin County Development Plan 2016-2022 under Map Ref. No. 327. 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.

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Appraisal

The proposed development consists of the following: the setback, widening and relocation of a site entrance northwards along the public road, allowing for improved sight lines and its repositioning, reordering and construction; a new pedestrian entrance; demolition of small shed/garage structure; filling-in of an existing swimming pool; demolition of a portion of the west flanking courtyard wall to re-establish a historic courtyard entrance. Construction of 11 residential units located surrounding Rookwood House (protected structure) on its associated grounds, made up of Section 1: The Gate Lodge consisting of Unit 1, [1.5-Storey two bed, 4 person detached dwelling (83.50sq.m); Section 2: Mews Houses consisting of Units 2, 3 & 4, (two storey three bed, four person terraced dwellings (105.10sq.m) and Unit 5 (two Storey, three bed, six person detached dwelling (138.00sq.m) and Section 3: Woodland Houses consisting of Units 6 & 9 (2.5-storey, four bed, six person detached dwellings (152.00sq.m), Units 7 & 10 (2.5-storey, four bed, six person semi-detached dwellings (152.00sq.m) and Units 8 & 11 (2.5-storey, three bed, six person semi-detached dwellings (125.90sq.m) and maintaining the existing Rookwood house (protected structure) as a residential house, as is; 22 car parking spaces, new pedestrian footpaths, internal road network, detailed landscaping, services and all associated works.

A pre-planning application was submitted and a meeting took place with the Planning Authority on the 14th November 2021. The principle of some development within the curtilage of the Protected Structure Rookwood House was considered to be acceptable if the proposed development could demonstrate its sensitivity to the setting of the Protected Structure and the retention of sufficient setting/grounds to Rookwood House. A number of items were highlighted by the undersigned and the undersigned advised that a design rationale and architectural impact assessment of the proposed development and justification for the alterations and relocation of the existing entrance would be required. Also, it was advised that the proposed new gate lodge should be reduced in height and scale to ensure it reflected a more traditional type of gate lodge structure but should of contemporary design and materials so to read as a new addition to the site.

On foot of the pre-planning meeting the proposals to widen and relocate the existing entrance were discussed in greater detail and 3 sketch options for the treatment of the site entrance were proposed and submitted to the Councils Architectural Conservation Officer for consideration and to aid further discussion. The poor condition of the original wall was noted along with previous bad repairs and inappropriate methods/materials. It was generally agreed that road safety mitigated against retention of the original boundary and that the basic features of the original entrance should be incorporated in any new design i.e. gate piers, wing walls and guard stones.

The basis of the design rationale for the proposed development within the curtilage of Rookwood House has been considered using distinct typologies “woodland houses” reflecting the heavily wooded setting to the north. The “Mews Houses”, reflecting the outbuildings once associated

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with the Main House, and a "Gate lodge" to add interest and a level of surveillance to the main site entrance.

A design statement has been submitted as part of the planning application details, along with an Architectural Impact Assessment. Both look at the site context and setting of the protected structure while providing justification and rationale for the specific location of the proposed new dwellings, design type and materials. In particular a conservation development strategy has been provided as part of the Architectural Impact Assessment in providing an evaluation of the main house and its relationship with its grounds from a historical and contextual perspective. As part of this assessment a landscape capacity study identifies visual zones of influence and defines the boundary protection for the setting of the protected structure.

The enclosure and setting of the Protected Structure maintain sufficient space to provide an appropriate setting to Rookwood House. The design response provided allows distinct character areas within the original grounds that reflect the site context. This has allowed defined areas to be identified in delivering a building types and designs to reflect the site context and provide for a sensitive proposal.

The entrance and avenue will remain as a formal presence and approach to the Main House (Rookwood House), the proposed gate lodge structure was redesigned to be more modest in scale following pre-planning discussions. The undersigned advised that the insertion of the 'Gate Lodge' structure should reinterpret a traditional gate lodge in form with a contemporary finish. The proposed new gate lodge dwelling is two-bedroomed and mainly single-storey with attic space in one and a half storey section.

The proposed 'Mews' type development is a small terrace of three dwellings (Nos.2-4) as it was considered that this would help achieve a greater variety in the proposed house sizes across the site and this type of terrace would be more in keeping with the nature of a mews development as it located to the rear site of the Protected Structure. The design is intended to be simple to reflect the form of outbuildings associated with a larger house. The terrace roof is hipped at one end, in deference to Rookwood lodge and the ground floor is at a lower level. The plan form is double fronted and narrow in depth, allowing rooms to face away from the site of the adjacent house at Coolamber. House type No. 5 has been in a similar form but includes a ground floor bedroom. It has been designed so that it could possibly adapt to suit specific needs and living type.

With regard to materials and finishes it is proposed to finish the new entrance walls, the gate lodge structure and the Mews Houses in lime render in keeping with the Main House, with slate roofs, timber windows and doors and small areas of zinc detailing.

Woodland development was revised after pre-planning discussions and a number of options were considered. The final proposal is considered the best approach given the location of this area to

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the Protected Structure with regard to views and taking account of the existing constraints within the woodland setting. It is proposed to cluster two small groups of houses, one at each end of the woodland area, retaining a large area of communal open space as an amenity area at the centre.

The overall design of the houses provides a wide frontage and shallow plan depth to provide for flexibility in place fenestration. Gables have been designed to act as principal elevations, clad with dark stained timber, 'aluclad' timber windows, slate roofs and zinc cladding to the projecting elements on the gables and entrance canopies provides for a high-quality building type that reflects the location setting reflective of woodland structures.

Where an opening is to be made in the wing wall to the west of the Main House, to create the new access route to the tennis court area, it will be done in the location of an historic opening which has been identified through historic resources/maps. Details of materials and finishes should be submitted for agreement and approval ensuring the overall design and finishes are appropriate at this location.

The proposed development is considered to be a contemporary high-quality proposal and will be executed using materials that reflect the setting of the new dwellings allowing the new build to sit sensitively within the site. It is felt that the proposal has been sensitively designed to minimise any visual impact on the existing Protected Structure. The overall design and use of materials provide architectural interest and quality to the existing site providing contrast with the Georgian House and immediate setting. The new dwellings work well in the overall site context and in contrast to the historic setting and existing house which will remain identifiable as the dominant structure on the site.

Based on the above appraisal of the proposed development within the curtilage of Rookwood House, a Protected Structure, is considered to be a sensitive and high quality new development, which allows the immediate setting of Rookwood House to remain. The proposed development is considered a low density development that has provided a very considered response to maintain the character of the Protected Structure and its landscaped setting.

Conclusion

The comments and appraisal from the SDCC ACO are noted. Importantly it is noted from the comments that the applicant has had regard to the character and setting of the protected structure whilst proposing designs that are sensitive and would fit in well within the site context which is positive. The ACO has recommended that should permission be granted conditions should be attached regarding the completion of the proposal as per the details submitted, the submission of a safety statement, the submission of a schedule of materials and finishes, details of materials and finishes for the opening in the wall, and the submission of a method statement. In the event that permission is granted it is recommended that similar conditions are attached.

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Unit Mix

The application proposes 11 units in total not including the existing house. The unit mix is as follows:

- 1 x 2bed 4 person
- 3 x 3bed 4 person
- 1 x 3bed 6 person
- 2 x 3 bed 6 person
- 4 x 4 bed 6 person

Policy H10 – Mix of Dwelling Types of the CDP seeks to ensure that a wide variety of adaptable housing types, sizes and tenures are provided in the County. The proposed mix would consist of mainly three bed units. However, there would be a variety in terms of the numbers per three bed units. As such, the unit mix proposed is generally considered to be acceptable.

Part V

The proposal consists of 11 residential units and therefore the requirements of Part V apply. The SDCC Housing Strategy Unit have provided the following comments:

I refer to the above application for planning permission, Reg. Ref SD21A/0202 and I wish to advise that a Part V condition should be attached to any grant of permission for the current application. The Developer is encouraged to engage directly with the Housing Department concerning Part V.

South Dublin County Council's preference in respect of Part V is to acquire units on site. The Council is bound by the planning permissions granted. Therefore, South Dublin County Council can only agree in respect of the actual permitted development. In the event of the granting of planning permission the unit type, location and costings in respect of Part V requirement to be agreed with Housing Department subject to approval of the Department of Housing, Planning, Community and Local Government.

These negotiations will commence following any grant of planning permission. Please note that the Council would require a fully completed Part V submission prior to commenting on costs.

Conclusion

In the event that permission is granted a condition to this effect would be recommended to comply with the requirements of Part V.

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Residential Amenity

This section of the report has been split into two: with the first focussing on neighbouring residential amenity and the second on the standard of accommodation that would be afforded to prospective residents.

Neighbouring residential amenity

Existing residential properties are located on all sides of the application site including Rookwood View to the north, Rookwood Lodge, Coolamber, and St Winnows to the west/south-west, Brookwood to the east, and the existing property within the site – Rookwood Lodge.

Given the siting of Units 1-4 (inclusive) in relation to Rookwood Lodge, including separation distances and orientation, it is not considered that the proposal would be materially harmful to the residential amenity of this property.

It is noted that the lands to the west including the 'Coolamber' site and the south have recently been the subject of applications for residential development. Whilst there are no existing permissions in place the prospect of future applications within these residentially zoned lands is a material planning consideration.

Units 2, 3 and 4 would be located quite close to the boundary with the Coolamber site to the west, whilst Units 5 and 9, would be located close to the southern boundary which overlooks the site to the south. As per section 11.3.1(v) of the CDP, generally a separation distance of 22m is required between directly opposing above ground floor windows. With regard to Units 2, 3 and 4, the applicant has proposed windows at first floor level that would be located approximately 7m from the boundary which in normal circumstance could lead to overlooking in a neighbouring site. However, these windows would serve bathrooms and stairways and have been shown as obscure glazed by the applicant which could also be conditioned. This would remove the possibility of any overlooking and also maintain a good internal standard of accommodation as the bedrooms would be located on the opposite side of the building. A similar proposal has been put forward for Unit 5 which would be located in the south-west corner of the site with views from the bedrooms proposed to the north and east to avoid overlooking to the south and west. This is considered to be a sensible design approach and would help to prevent any preclusion of development of the sites to the south and west should they come forward in the future.

Units 6 and 7 & 8 would have bedrooms at first and second floor levels that would overlook the site to the west. However, the separation distances would be in excess of 22m and the windows overlooking the east of the site are proposed to be obscure glazed.

Unit 9 would have bedrooms at first and second floor levels that would overlook the site to the south. However, these windows would be located 11m from the boundary which would allow a

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similar separation distance on the opposite side should that site come forward for development in the future.

Units 10 and 11 would have a similar approach in that the windows to the rear that would overlook Brookwood to the east are proposed to be obscure glazed.

Overall, it is considered that the applicant has had regard to the existing properties surrounding the site. Due to the separation distances proposed, and the use of obscure glazing, it is not considered that the proposal would be harmful to neighbouring residential amenity from overlooking, loss of light, or a sense of being overbearing.

The existing Rookwood Lodge would lose a significant amount of private amenity space. However, given the size of the site, the amount that would be retained would still be well in excess of minimum amenity space standards. Given the separation distances proposed between the existing and proposed dwellings it is not considered that there would be any material loss of amenity to the existing residents.

Private Amenity Space

The private amenity spaces for the proposed houses comply with the standards in Table 11.20 of the South Dublin County Development Plan 2016 – 2022 in terms of the quantity of space proposed. The quality of the space is also considered to be acceptable.

Internal standards

The internal spaces of the houses and apartments comply with the standards in Table 11.20 of the South Dublin County Development Plan 2016 – 2022. The internal layouts are also considered to be of a good standard.

Public Open Space

The applicant has proposed an area of public or communal open space on the western side of the site. Section 11.3.1(iii) requires new residential development sites to include 10% public open space. The applicant has confirmed that the development would be private and as such it is not envisaged that members of the public would be able to use this space. In terms of the actual space itself it would be located on the north-eastern side of the site, between the site boundary, car parking spaces and between Units 8 and 11. There are concerns that the space would feel somewhat disconnected from Units 1-5 (inclusive) on the western side of the site and whilst it is acknowledged that the protected structure and its proposed garden would act as somewhat of a constraint in the middle of the site, it is recommended that the applicant provides a response to this concern by proposing an additional area of open space or a design solution.

Units 8 and 11 would provide views from the east and west of the open space. However, this would be somewhat obscured by the presence of boundaries and hedgerows, with some having

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heights of 5m. The creation of passive surveillance of the open space needs to be balanced with the desire to retain as much natural vegetation as possible. However, it is recommended that the applicant provides a response to this concern as currently the open space would not be overlooked to a satisfactory degree. These matters are recommended to be sought as **additional information**.

Overlooking, Overbearing and Privacy

There are concerns with the relationship between units 6 and 7 and 9 and 10 due to their siting which was an issue that was raised at the pre-planning stage. Whilst the applicant has shown that there would be no direct overlooking between habitable room windows, there are concerns that the units would appear overbearing and on top of each other given their siting.

With regard to Units 6 and 7, whilst the applicant has shown that there would be no direct overlooking between habitable room windows, there are concerns about the relationship between these two units given the separation distance of only 4.8m between the proposed structures. Unit 7 would have habitable windows serving the kitchen and living room that would look out at the side elevation of Unit 6. It is noted that these two rooms would be dual aspect however the windows are proposed to be south facing and there are concerns that this may restrict light as well as reducing the quality of the outlook. This space between the buildings would also be the main access point to Unit 7 and due to the siting of Unit 6 in relation to Unit 7 in terms of distance as well as being at a slightly higher ground level, would result in an area of space that would feel dominated and overbearing.

The proposed sections show that Unit 9 would be sited at a higher ground level than Unit 10. As such Unit 9 would appear quite dominantly when viewed from the front of Unit 10, the amenity space to the side of the site, and when approaching or leaving the house, particularly when the gap between the dwellings is only approximately 5m.

It is considered necessary for the applicant to provide a response to the concerns with the layout and either remove Units 6 and 9 from the proposal or come up with an alternative layout that reduces the potential impact on Units 7 and 10, as currently there are concerns about the residential amenity of prospective residents of both these units. This is recommended to be sought as **additional information**.

Visual Impact and Layout

Visually, the design approach that is proposed is considered to be acceptable with a variety of house types and designs that fit in well with the existing protected structure. The choice of materials is also considered to be acceptable and would complement the protected structure whilst offering some variety in the overall development.

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In terms of the layout proposed, there are concerns about the open space and relationships between two sets of units that have been discussed in the previous section of this report.

Given the location of residential zoned lands adjacent to the site and the planning history of the surrounding area it would be important for the applicant to show whether it would be possible to have connections and permeability with the surrounding area. The applicant is therefore encouraged to provide a response to this matter and to explore the possibility of opening the site and providing connections with the surrounding area which is generally considered to be good planning practice. It is recommended that this is sought as **additional information**.

Public Realm, Landscaping and Trees

The Public Realm Department have assessed the proposal and have no objections subject to conditions with comments provided below:

The Public and communal open spaces for the proposed development should be designed to all relevant qualitative standards, in addition public and communal open spaces should be designed to be usable and functional within the overall proposed development.

Any proposed pedestrian connections to adjoining lands should be clearly indicated on plans. The applicant should show how public open spaces in the wider area will link in and integrate with the proposed development. The public realm should be integrated into the adjacent development areas, creating continuous green infrastructure connections that form both physical and bio-diversity links.

The proposed development should create positive additions to the open spaces of the area in the form of planting, permeability, and usable open space.

Existing Mature Trees and Green Infrastructure

The subject site is an existing large garden which is in the curtilage of a protected structure. The site has a notable sylvan character due to the many existing mature trees on site. The site is located east of Stocking Lane. There are several mature trees within the development site which would be considered of 'high amenity value' due to the nature of the species, maturity and contributions to local ecology and biodiversity. The boundaries of the site in particular; the Northern and Eastern boundaries are densely vegetated and contain mature trees and hedging. This existing boundary planting creates an important green buffer and Green infrastructure link and shall be retained, protected and enhanced as part of the landscape proposals.

Bat Survey

Four species of bat were recorded using Rookwood in September of 2020. Common Pipistrelle, Soprano Pipistrelle, Leisler's bat and Daubenton's bat. Common Pipistrelle was the only bat species found to be roosting at Rookwood. Relevant recommendations to be implemented by the applicant as per the Bat Survey include:

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- i. Areas of new build on the estate will include native planting, to replace removed vegetation and to increase the level of biodiversity. This will provide an increased food source not just for bats but all wildlife
- ii. Re-planting should endeavor to provide maintainable hedge screening for the developments and act as a "green pathway" for bats and other wildlife"
- iii. Appropriate lighting for the new development is crucial in terms of keeping the grounds of Rockwood as dark as possible for foraging and communing bats and for minimizing light pollution in general.

Guidelines for lighting should be used from the following sources:

- Bat Conservation trust
- Bat Conservation Ireland

Tree Survey and Arboricultural Impact

A total of 106 trees were surveyed within the subject site. The trees within the subject area are considered to have a high public visibility and amenity value, especially those around the western and northern boundaries. The tree stock as a whole is important in the wider landscape and character of the area. As part of the development proposals it is proposed to remove 66 no. trees which represents a tree loss of 62%. A consultant arborist should be appointed and retained for the entire construction period.

As per Section 5 of Arboricultural Implications Report; see below Summary of Trees and Anticipated Management

BS 5837:2012 Category	Tree Removal	Retained	
		Tree Pruning	No Pruning
A	11	4	3
B	26	16	8
C	28	3	6
U	1	0	0
TOTAL	66	23	17

As per Section 3 Arboricultural Implication Assessment; see below Table 4: British Standard 5837:2012 Tree Loss & Quality Assessment

BS 5837:2012 Category	Tree Removal
A	11
B	26
C	28
U	1
TOTAL	66

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Landscape Proposals

The landscape proposals prepared by Dermot Foley Landscape Architecture are in principle acceptable to the Public Realm Section. A landscape architect should be appointed and retained for the throughout the life of the site development works in order to ensure that the landscape proposals are implemented in full. The focus of the landscape proposals should be to retain the existing mature trees on site and to protect and enhance existing ecology and biodiversity function of the green infrastructure network within the subject site. As per the submitted landscape rationale, the landscape design objectives are to:

- (i) Retain and protect trees on site where possible
- (ii) Proposed replacement tree planting of substantial size for areas where existing trees are not possible to retain
- (iii) To protect and enhance biodiversity value and ecological function of the green infrastructure network
- (iv) Provide connectivity within the scheme, allowing it to be integrated within the wider context for both future amenity areas and residential developments.
- (v) Cater for creative play opportunities distributed throughout the public open space
- (vi) Integrate public and shared private amenity space
- (vii) Create a safe, diverse, interesting and attractive range of open space with passive surveillance from the surrounding residential development
- (viii) Create an appropriate setting for Rockwood House.

Play

Additional details, specifications and images need to be provided in relation to the proposed playgrounds and play spaces for the development. 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 proposed playground, including the inclusion of universally accessible equipment. The applicant should consider the use of engineered woodchip as playground surfacing material

Conclusion

The comments provided by the Public Realm section are noted. It is noted that Public Realm have raised concerns with some aspects of the proposal and have requested conditions requiring the submission of further details on play provision, green infrastructure, a biodiversity management plan, the extent of the tree removals, and SuDS. Given the site context and policy requirements in relation to green infrastructure and wildlife it is considered reasonable that these matters are attached as **conditions** should permission be granted.

Roads and Transport

The Roads Department has assessed the proposal and has requested additional information with comments provided below:

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Access to the development will be off Stocking Lane by a new road and realignment of the existing access road serving the existing property and the proposed development. The road is straight at this location and the posted speed limit is 50kph.

The layout of the new entrance has been designed to reflect the existing entrance and has been set back 3.0m from the carriageway of Stocking Lane. There is a speed ramp at the proposed new entrance on the Stocking Lane applicant has not shown this speed ramp in their submitted drawings and proposed future relocation of it.

There is a Long-Term Road Objective for Stocking Lane which is for the upgrade of the existing road to enhance pedestrian and cycling facilities in order to exploit the tourist potential of the route. Given this objective of the County Development Plan, Roads recommend that a 3.0m wide shared footpath/cycle track is provided across the frontage of the site.

The maximum parking rate for a development of this size is 21.50 car parking spaces. It is proposed to provide 22 on-street, car parking spaces for the residents and for the visitors at the proposed development, which is acceptable. Provision has been made for 4 EV bays with future provision throughout the site.

There are 3 designated mobility impaired parking spaces 2 of which are also EV charging parking. A bicycle store is proposed to the front of terraced house no.3.

The main proposed access road (Road 1) is 5.0m wide with standard SMA surfacing. There is 1.5m pedestrian footpath continues into the development but terminates approximately 50m into the development along main road on both side of the road connecting the two groups of houses.

Minor access roads no, 2, 3 have a 4.8m width serve the two group of houses it is proposed that these roads are designed to be shared surfaces with pedestrian priority demarcated by a change in surface finish and ramped entrances.

The applicant has submitted drawing which shows only the main new access is proposed for TIC rest of the proposed development will be under a management company.

The Roads Department recommends that a ramp be provided across the entrance to the development and that the finished level of the road is maintained at the level of the ramp.

Sightlines of 49m have been indicated with no set back distance dimensions shown in the submitted drawings. Sightlines of 2.4m x 49m with dimensions are required to comply with DMURS requirements. Sightlines should be shown from the centre of the left lane on exit from the development and should be shown to the centreline of the carriageway to the left and to the nearside kerb edge to the right.

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Swept path analysis has been submitted to show a fire tender and refuse truck accessing the internal main access road. The applicant shall submit revised layout showing Fire tender can access and egress through roadways serving the two groups of houses.

It is noted that the proposed internal road build up does not conform to the SDCC Taking in Charge Standards table in Appendix 6. These details must be agreed with SDCC Roads Department prior to commencement of development.

Roads recommends that additional information be requested from the applicant:

Roads recommends that revised drawings to indicate the following items are requested as additional information from the applicant:

1. The applicant/developer is requested to submit accurate plans demonstrating with dimensions the vision lines of 49 metres shall be provided in each direction, at a point 2.4 metres back from the road edge at location of vehicular entrance. Said vision lines should be based on eye object height equal to 1.06 metres. Documentary evidence of consent for location of vision lines over third-party lands shall be submitted to the planning authority for written agreement prior to commencement of development.
2. A 3.0m wide shared footpath/cycle track across the frontage of the site.
3. The applicant shall submit revised layout showing the minimum width of internal pedestrian footpaths of 1.8m wide to aid mobility impaired users.
4. The applicant shall submit revised layout showing fire tender can access and egress through roadways serving the two groups of houses.
5. The provision of a ramp at the entrance to include the provision of a pedestrian crossing point on the proposed footpath/cycle track and a raised shared surface are within the development using a coloured SMA material.

Conclusion

The comments and request for additional information are noted. Given the site context and desire to create a development that provides a safe environment in terms of traffic and pedestrian safety for residents and people passing by and entering/exiting the site, it is considered reasonable to request that the applicant addresses the concerns raised above through the submission of **additional information**.

Drainage and Services

Water Services has assessed the proposal and has no objections in relation to flooding but has requested additional information on surface water with comments provided below:

1.1 The SAAR (Standard Annual Average Rainfall) value of 1046mm used for Qbar calculations is too high. The SAAR value should be approximately 840mm and not 1046mm.

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1.2 The developer is required to apply Qbar Rural as the maximum discharge rate for all storm events and not 30 year Qbar discharge rate. Water Services calculate Qbar rural to be approximately 1.5 Litres/Second but may accept 2 Litres/Second as a minimum discharge rate. Consultant engineer is to submit revised attenuation proposals based on applying the Qbar rural discharge rate as max discharge from site for all storm events. Water Services will then reassess attenuation volumes.

1.3 Submit MET Eireann rainfall data for site.

1.4 It is unclear how much attenuation in total is provided for the development. Submit a report and drawing showing how much surface water attenuation in m³ is provided for the development. Also submit a drawing showing where the surface water attenuation will be provided for the development.

1.5 Include additional SuDS (Sustainable Drainage System Features) and submit details of same.

Irish Water has assessed the proposal and has no objections subject to standard conditions.

Conclusion

The comments and request for additional information from Water Services is noted. Given the site context it is considered reasonable to address the concerns raised by requesting **additional information**.

Ecology

The applicant has submitted a Bat Assessment report in support of the proposal that has been prepared by WildOnFoot Ecological Services. The report states that surveys were carried out on three dates in Sept 2020 which was over a year ago and using tree survey data from 2019 which is from two years ago. The survey found that bats were roosting and also travelling through and feeding within the site with four species identified. The report recommends further planting to offset the proposed removal of trees/vegetation and that appropriate lighting is used.

Given the requirements of policy HCL15 it is considered that these mitigation measures are **conditioned** should permission be granted.

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 in support of the application. The report concludes that the proposal would not have a direct or indirect impact on the site selection features or conservation objectives of the Natura 2000 sites. Having regard to

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the nature of the development, connection to public services and the distance from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

Conclusion

It is considered that the proposal would have a number of planning merits including the creation of additional residential units within residentially zoned lands as well as importantly, the retention of a protected structure in its original use as a residential building. However, there are a number of concerns in relation to residential amenity, communal open space, parking and access and surface water that are required to be addressed. It is recommended that additional information is sought from the applicant.

Recommendation

Request Additional Information.

Additional Information

The request was issued on 13th September 2021 and was received on 14th March 2022.

Further Consultations

Environmental Services	Requests Clarification of Additional Information.
Irish Water	No objection, subject to conditions.
Public Realm	No objection, subject to conditions.
Roads	No report received.

Further Observations/Submissions/Representations

None.

Assessment of Additional Information

Item 1

There are concerns with the communal open space in the north-east of the site in terms of the lack of passive surveillance and the disconnect from the western part of the site. Whilst the presence of the Protected Structure in the centre of the site is noted, the applicant is requested to provide additional communal open space in another part of the site to compensate for the lack of connection. The applicant is also requested to provide a design response to the lack of passive surveillance of the communal open space in the north-east of the site as currently the space would not be overlooked to a sufficient degree.

Response

The applicant has altered the design, removing a house to the south-west and providing additional communal amenity space there instead. Boundary treatments have been altered around the northern communal amenity space to allow for better surveillance.

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Assessment

The lack of connection between the two areas is still concerning. The indirect pedestrian routes around the internal junction of the development are of a particular concern as pedestrians simply won't use them when crossing the junction north to south or vice versa. The response is partially adequate but a more intuitive and useful pedestrian facility to cross the central junction should be provided. This will have the additional benefit of slowing traffic within the development and creating a pedestrian friendly space. The additional pedestrian space would ideally run up the east side of the junction. This can be ensured by **condition**.

Item 2

There are concerns with the relationship between units 6 and 7 and 9 and 10 due to their siting in relation to each other. Whilst the applicant has shown that there would be no direct overlooking between habitable room windows, there are concerns that the units would appear overbearing and on top of each other given their siting. The applicant is requested to either remove Units 6 and 9 from the proposal or provide a revised layout with greater separation distances and better use of space. This may require a redesign of the layout of these units.

Response

The applicant has shifted the position of units 6 and 9 to respond to this issue.

Assessment

The design response does not adequately address this issue. Unit 9 can be re-orientated by way of a 90 degree turn of the floor plan (with appropriate alterations), thus removing the overbearing impact it would have on No. 10.

In the case of units 6, 7 and 8, it is appropriate that one unit is omitted and a more satisfactory layout is achieved. Unit 6 should be omitted by **condition**.

Item 3

There are concerns with the lack of connections and permeability proposed between the application and neighbouring sites, particularly given the planning history of these sites and the fact that the neighbouring sites are zoned for residential use. The applicant is requested to explore opportunities to create connections between the sites and to use green infrastructure to achieve this where possible.

Response

The applicant has proposed that two connections to sites to the south-west / west could be facilitated in the future and these are somewhat provided for on the plans, with 1 vehicular connection and 1 pedestrian connection.

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Assessment

The realisation of such links would be a matter for another planning application and reliant upon the consent of the landowner/management company/council (if connecting lands are taken in charge). The links are acceptable in principle. The pedestrian link near unit 4 is not adequately provided for and a footpath between the property and the accessible parking space should be inserted into the final layout. This can be achieved by **condition**.

Item 4

The Roads Department has raised concerns in relation to traffic and pedestrian safety that are requested to be addressed. They are as follows:

- (1) The applicant/developer is requested to submit accurate plans demonstrating with dimensions the vision lines of 49 metres shall be provided in each direction, at a point 2.4 metres back from the road edge at location of vehicular entrance. Said vision lines should be based on eye object height equal to 1.06 metres. Documentary evidence of consent for location of vision lines over third-party lands shall be submitted to the planning authority for written agreement prior to commencement of development.
- (2) A 3.0m wide shared footpath/cycle track across the frontage of the site.
- (3) The applicant is requested to submit revised layout showing the minimum width of internal pedestrian footpaths of 1.8m wide to aid mobility impaired users.
- (4) The applicant is requested to submit revised layout showing fire tender can access and egress through roadways serving the two groups of houses.
- (5) The provision of a ramp at the entrance to include the provision of a pedestrian crossing point on the proposed footpath/cycle track and a raised shared surface are within the development using a coloured SMA material.

Response

- (1) Sightlines from the site can only be achieved with the removal of a gate pier on adjoining lands. The applicant is proposing that this be done in agreement with the adjoining land owner and that evidence of consent shall be submitted to the Planning Authority prior to commencement of development.

Other issues have been facilitated or incorporated into the design.

Assessment

The removal of the gate pier on an adjoining site should be guaranteed as part of planning permission. By **condition**, the applicant should guarantee the adjoining landowner at Rookwood Lodge has or will consent to the removal of the pillar being included in this planning application, prior to commencement of development.

The SDCC Roads Department has assessed the response and states no objection, subject to the following conditions:

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The applicant shall implement the layout showing fire tender access and egress through roadway 3 and turning at the turning area as shown on drawing number "PA-015 Site Layout".

1. The applicant shall implement the layout showing fire tender access and egress through roadway 3 and turning at the turning area as shown on drawing number "PA-015 Site Layout".
2. Road builds up shall take account of Appendix 6 of the SDCC taking in charge standards for roads.
3. Prior to the commencement of development, the applicant shall agree in writing a public lighting scheme with South Dublin County Council Lighting Department. Once agreed, the scheme shall be constructed/installed to taking in charge standards at the expense of the developer and to the satisfaction of South Dublin County Council Lighting Department.
4. Prior to commencement of development a developed Construction & Demolition Waste Management Plan shall be agreed with the planning department. The agreed plan, along with the written agreement of the planning department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.
5. Prior to commencement of development a Construction Traffic Management Plan shall be agreed with the planning department. The agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.
6. All items and areas for taking in charge shall be undertaken to a taking in charge standard. Prior to development the applicant shall submit construction details of all items to be taken in charge. No development shall take place until these items have been agreed.
7. The proposed development shall make provision for the charging of electric vehicles. In the case of surface car parking spaces, 100% of spaces must be provided with electrical ducting and termination points to allow for the provision of future charging points, and 10% of surface car parking spaces must be provided with electric vehicle charging points initially.
8. Any road marking proposed and or to be installed shall comply with most up to date Chapter 7 (ROAD MARKINGS) of the Traffic Signs Manual.
9. Any road sign proposed and or to be installed shall comply with most up to date Chapter 6 (WARNING SIGNS) of the Traffic Signs Manual.
10. Any road sign proposed and or to be installed shall comply with most up to date Chapter 5 (REGULATORY SIGNS) of the Traffic Signs Manual.
11. Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department.

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Item 5

Water Services has raised concerns with surface water and have requested that the applicant provides a response to the following matters:

- (1) The SAAR (Standard Annual Average Rainfall) value of 1046mm used for Qbar calculations is too high. The SAAR value should be approximately 840mm and not 1046mm.
- (2) The developer is required to apply Qbar Rural as the maximum discharge rate for all storm events and not 30 year Qbar discharge rate. Water Services calculate Qbar rural to be approximately 1.5 Litres/Second but may accept 2 Litres/Second as a minimum discharge rate. Consultant engineer is to submit revised attenuation proposals based on applying the Qbar rural discharge rate as max discharge from site for all storm events. Water Services will then reassess attenuation volumes.
- (3) Submit MET Eireann rainfall data for site.
- (4) It is unclear how much attenuation in total is provided for the development. Submit a report and drawing showing how much surface water attenuation in m³ is provided for the development. Also submit a drawing showing where the surface water attenuation will be provided for the development.
- (5) Include additional SuDS (Sustainable Drainage System Features) and submit details of same.

Response

The applicant's engineer has provided a response to this.

Assessment

The Environmental Services Department has sought **clarification of additional information**, seeking additional SUDs, attenuation, and seeking additional changes to the design to achieve appropriate run-off rate.

It is also noted that the Public Realm Department has sought, by condition, additional SUDs measures and a final scheme that will achieve maximum re-use, retention or infiltration to ground of rainwater without the use of underground storage.

This issue can be dealt with by condition.

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 in support of the application. The report concludes that the proposal would not have a direct or indirect impact on

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the site selection features or conservation objectives of the Natura 2000 sites. Having regard to the nature of the development, connection to public services and the distance from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

Other Considerations

Bonds & Contributions

The development comprises 9 units as laid out in the table below. The total assessable area is 994.6sq.m.

Unit No.	Beds	Unit Type	Floor Area (sq.m.)
1	2-Bed	House	83.5
2	3-Bed	House	105.1
3	3-Bed	House	105.1
4	3-Bed	House	120.9
5	Omitted as per FI submission.		
6	Omitted as per Condition.		
7	4-Bed	House	120
8	3-Bed	House	110
9	4-Bed	House	120
10	4-Bed	House	120
11	3-Bed	House	110

Car parking is provided in the development but is not in excess of County Development Plan standards.

SEA Monitoring

Development Type: Residential

Floor Area (sq.m.): 994.6

Site Type: Brownfield/Urban Consolidation

Site Area (Ha.): 1.15

Conclusion

Development at the site would be in accordance with the 'RES' land-use zoning objective and would not be seriously injurious to the residential amenities of the area, and would provide adequate amenity for residents to merit a grant of planning permission.

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Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 - 2022 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.
The development at Rokwood House (RPS Ref. 327) shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application as amended by Further Information received on 14th March 2022, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. Vehicular sightlines
No development shall take place until those works identified as necessary in drawing no. G1162-06 have been fully undertaken. Prior to the commencement of the residential units, the applicant shall submit to the Planning Authority for written agreement details of the works identified being fully completed, including the consent of the relevant land owners to the carrying out of such works and their written commitment to maintain the lands in that condition in perpetuity.
REASON: To ensure adequate sightlines can be achieved.
3. Amendments and Details.
Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:
Revised plans that incorporate all of the following amendments and details:
(a) Windows at first floor level to the rear elevation of units 2, 3 and 4 shall be permanently fitted with obscure glazing.
(b) The internal junction shall be amended to provide a strong, direct, pedestrian connection from north to south.

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(c) Unit 6 is omitted from the permission.

(d) Unit 9 shall be turned 90 degrees to minimise impact on units 10 and 11.

(e) Provision of a pedestrian access / footpath (min width of 1.8m) to the potential future access to adjoining lands around unit 4.

REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

4. Architectural Conservation.

Safety measures shall be put in place during the proposed works on site. A Safety Statement shall be provided detailing how the existing structures will be protected during the proposed site works. A safety statement shall be submitted for written agreement with the Planning Authority prior to the commencement of development. Appropriate measures shall be put in place to safeguard and protect the Protected Structure and all associated architectural features and landscape elements. A suitable temporary boundary shall be provided during construction as a buffer zone ensuring no construction machinery goes beyond the areas of proposed development. The applicant shall obtain the written agreement of the Planning Authority to these details prior to the commencement of works.

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.

5. Schedule of Materials and Finishes.

A schedule of materials and finishes shall be provided for the proposed new additions/elements 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 designed elements. This shall include full details on materials and finishes for all elements of the proposed development. The applicant shall obtain the written agreement of the Planning Authority to these details prior to the commencement of works.

REASON: To ensure high quality and appropriate material type throughout the proposed development and new build within the curtilage of a Protected Structure thereby promoting good design and practice.

6. Protected Structure.

It is proposed to reinstate an opening in the wing wall to the west of the Main House (the protected structure), to create the new access route to the tennis court area. It will be done in the location of a previous opening which has been identified on historic maps. The proposed opening is acceptable as it is considered that there are no negative visual impacts. Details of materials and finishes shall be submitted for agreement and approval ensuring the overall design and finishes are appropriate at this location. The applicant shall obtain the written agreement of the Planning Authority to these details prior to the commencement of works.

REASON: To ensure the correct materials and finishes in providing a reinstated entrance

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to the west of the Protected Structure.

7. Architectural Conservation.

A Method statement shall be submitted detailing the works to the front boundary and main entrance detailing the works required and the revisions for the new entrance. Details and samples of the proposed materials shall be included. The applicant shall obtain the written agreement of the Planning Authority to these details prior to the commencement of works.

REASON: To ensure the proposed repairs and redesign element of the main entrance and boundary walls are carried out adhering to best practice using the correct materials.

8. Irish Water Connection Agreement.

Prior to the commencement of development the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

REASON: In the interest of public health and to ensure adequate water/wastewater facilities.

9. Taking in Charge.

Prior to the commencement of development, the applicant/owner shall submit the following for the written agreement of the Planning Authority:

A plan indicating any part of the development, as approved, intended to be offered for Taking-in-Charge to the Planning Authority, such areas shall be fully consistent with the Planning Authority's Taking-in-Charge policy and requirements. The plan shall make provision for all of the following:

(a) All drainage and service ducts including accessories are fully located in, and accessible from, areas to be offered for Taking-in-Charge.

(b) Where applicable any wayleaves in favour of SDCC shall be fully executed prior to being offered for Taking-in-Charge.

(c) Site features to be retained and protected within any part of the approved development intended to be offered for Taking-in-Charge.

(d) Any external common areas of the development as approved that it is intended to be retained in private ownership.

REASON: In the interest of the proper planning and sustainable development of the area and to provide clarity on the nature and extent of areas intended to be offered for Taking-in-Charge to the Planning Authority.

10. Street Naming and Dwelling Numbering.

Prior to the commencement of any works on site the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:

(i) A street naming and dwelling/unit numbering scheme, for the development as approved that is in accordance with the Planning Authority's policy and requirements for such schemes, along with associated proposed signage for the scheme.

The agreed number shall be placed on each house upon completion so as to be clearly legible from the proposed access road or the public realm, and the agreed street name in both Irish and English, or Irish only shall be erected at the beginning of each street in a

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manner to be clearly legible, and in accordance with Planning Authority's requirements. The development name should:

1. Avoid any duplication within the county of existing names, and
2. Reflect the local and historical context of the approved development, and
3. Comply with;
 - (a) Development Plan policy, and
 - (b) The guidelines on naming and numbering of the Department of the Environment, Heritage and Local Government, and
 - (c) Have regard to the Guidelines issued by the Place Names Commission (An Coimisiún Logainmneacha) and
 - (d) Preferably make exclusive use of the Irish language.

Proposals for an apartment name and numbering scheme and associated signage shall be lodged with the Planning Authority prior to the date of any Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any works on site.

The applicant, developer, or owner is advised to consult with Naming and Numbering section of the Planning Authority in advance of lodging the required scheme.

REASON: In the interest of the proper planning and sustainable development of the area and compliance with the South Dublin County Council's Development Plan.

11. Management Company.

A. Prior to the commencement of development the applicant/owner shall submit the following for the written agreement of the Planning Authority:

- (i) A plan clearly identifying and dimensioning the external common areas of the development to be retained in private ownership by an owners' management company (OMC) under the Multi-Unit Developments Act 2011, or other acceptable legal entity prior to the occupation of the [first residential unit], and this plan shall also clearly identify and dimension any areas of the approved development intended to be offered for taking in charge by the Council, and;
- (ii) A detailed building lifecycle report which shall include an assessment of long term running and maintenance costs as they would apply on a per residential unit basis at the time of approval of the development, as well as demonstrating what measures have been specifically considered by the developer to effectively manage and minimise costs for the benefit of all potential residents.

The said external common areas of the development to be retained in private ownership indicated in the plan required shall not be taken in charge by the Council and shall instead be maintained in perpetuity by an Owners' Management Company set up for this purpose pursuant to the Companies Acts, 1963 as amended and the Multi-Unit Developments Act 2011.

B. Continued membership of an Owners' Management Company set up for this purpose pursuant to the Companies Acts, 1963 as amended and the Multi-Unit Developments Act 2011 shall be compulsory for all owners for the time being of property within the

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development.

C. No development shall take place under this permission until the applicant, owner or developer has lodged for the written agreement of the Planning Authority:

(i) A copy of the Certificate of Incorporation of the said Company responsible for the external common areas of the development to be retained in private ownership has been lodged with the Planning Authority in respect of the plan required above.

D. Any changes to the status or nature of the Owners' Management Company shall be notified to the Council forthwith.

E. The Owners' Management Company shall hold insurance for public liability risk at all times for all areas under its control or responsibility.

REASON: To ensure a proper standard of residential development and maintenance of the private areas within the development and compliance with the South Dublin County Council Development Plan.

12. Access, Transport and Parking.

(a) The applicant shall implement the layout showing fire tender access and egress through roadway 3 and turning at the turning area as shown on drawing number 'PA-015 Site Layout'.

(b) Road build ups shall take account of Appendix 6 of the SDCC taking in charge standards for roads.

(d) Prior to commencement of development a developed Construction & Demolition Waste Management Plan shall be agreed in writing with the planning department.

(e) Prior to commencement of development a Construction Traffic Management Plan shall be agreed in writing with the planning department.

(f) All items and areas for taking in charge shall be undertaken to a taking in charge standard. Prior to development the applicant shall submit construction details of all items to be taken in charge. No development shall take place until these items have been agreed.

REASON: in the interest of traffic and pedestrian safety.

13. Public Realm Facilities for Charging Electric Vehicles.

Prior to the commencement of development, the applicant/owner shall submit the following for the written agreement of the Planning Authority:

(i) a revised site layout plan clearly setting out full details of the location of all proposed facilities and equipment in the public realm (whether to be offered for taking in charge or not) for charging electric vehicles, including details of the overall height, design, colour and all safety features of such equipment including isolation of power supply, and measures to provide for suitable pedestrian safety, along with completed Electrical designs to serve the development as approved prepared by competent electrical design consultants all of which have been agreed with the Council's Roads Section, and
(ii) Agreed arrangements for the operation and management of such facilities for charging electric vehicles, along with:

All facilities for charging electric vehicles should be clearly marked as being designated for Electric Vehicle charging. Appropriate signage clearly indicating the presence of a

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Charge Point or Points should also be erected. All Charge Points fitted in publicly accessible areas should be capable of communicating usage data with the National Charge Point Management System and use the latest version of the Open Charge Point Protocol (OCCP). The facilities for charging electric vehicles should also support a user identification system such as Radio Frequency Identification (RFID).

REASON: In the interests of the proper planning and sustainable development of the area, to provide for improved urban air quality, reduced noise pollution and to support the transition to a low carbon future.

14. Residential Waste Management.

Prior to commencement of development, the applicant/owner shall submit the following for the written agreement of the Planning Authority:

A detailed plan providing for the infrastructure and space for the collection of all domestic waste arising, including all recyclable waste from the approved development that fully accords with the Council's policy, standards and requirements, that will be maintained in good condition in perpetuity and,

REASON: In order to ensure that the site is adequately and safely serviced and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

15. Ecology - Mitigation Measures.

The following mitigation measures shall be implemented:

(a) Public lighting in the scheme to shall be limited in brightness, coverage, and times of use, so as to limit or completely mitigate the impact on bats, as per the 'ideals' on p14 of the Bat Survey Report.

(b) Native planting shall be used throughout the scheme where removed vegetation is being replaced, as per the recommendations on p15 of the Bat Survey Report.

REASON: in the interest of biodiversity and to facilitate bats.

16. Landscape Design Proposals.

(a) Prior to the commencement of development, the applicant shall submit a detailed landscape design rationale and comprehensive and detailed landscape proposals prepared by a qualified Landscape Architect, for the written agreement of the Planning Authority. Such proposals shall include a scaled landscape plan(s) with cross- sections, showing the layout and hard and soft treatment of all boundaries, features, external areas and green spaces. The proposals shall be accompanied by specifications for materials, workmanship and maintenance, together with proposed design details. Hard landscape details are to include, where applicable, those for any proposed lighting, seating, kerbing, boundaries, edging, surfacing and water features. Soft landscape details are to include detailed planting plans and planting schedules, stating species/varieties, quantities, sizes, rootball presentation and spacings. The landscape plan shall be accompanied by a timescale for its implementation, including a minimum 18-month landscape maintenance period and defects liability clause.

REASON: To assimilate the development into its surroundings, in accordance with the

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policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting and policies HCL7 Objective 1 and HCL7 Objective 2 and other relevant objectives of the CDP 2016-2022.

(b) Play Provision

Clarification shall be provided as to the total number and location of play opportunities; the age range they are appropriate for and whether they are universally accessible. An emphasis shall be on active, accessible play throughout the development. The applicant is requested to provide fully detailed play proposals as part of the landscape scheme for the proposed development. The applicant shall consider the provision of additional universally accessible equipment within the play proposals for the development. Additional details, specifications and images need to be provided in relation to the proposed playgrounds and play spaces for the development. All play equipment shall be of predominantly natural materials with unstructured play included in the proposed design. The applicant shall consider the use of engineered woodchip as playground surfacing material. The applicant shall provide further details in this regard.

ADDITIONAL INFORMATION.

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

(c) Biodiversity Management Plan

An overarching Biodiversity Management Plan shall be drawn up by the applicant and submitted to the Planning Authority. The BMP is to oversee the various biodiversity mitigation for the site including bats, birds, amphibians, invertebrates, mammals etc. and the provision of a range of appropriate habitat types to mitigate against potential biodiversity impacts.

The plan should indicate how biodiversity and green infrastructure is to be protected, enhanced and developed on this site during construction and into the future, taking into account matters that included the following:

- (i) Protection of existing trees on site
- (ii) Protection and enhancement measures for bats
- (iii) Protection and enhancement of identified habitats
- (iv) The use of SUDS and Climate Adaption Measures

REASON: To protect and enhance areas of biodiversity, in accordance with policies IE7 Objective 5, G3 Objective 2, G4 Objective 2, HCL15 Objective 3, and other policies relating to Biodiversity within the CDP 2016-2022.

(d) Retention and Protection Existing Mature Trees on site

As per the submitted Tree Survey and Arboricultural Implications Assessment by Bartlett Consulting all tree works throughout the site will be carried out by a qualified and

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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:

- (i) all tree pruning & tree felling has been carried out appropriately
- (ii) 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.
- (iii) 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**

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.

(d) 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 €100,000 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

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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.

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.

(e) SuDS.

Prior to commencement of development, a revised surface water management design shall be submitted for the written agreement of the Planning Authority. The revised design shall include natural SuDS features. The SuDS should be an integrated multi-disciplinary approach which locally addresses water quality, water quantity, and provides for amenity and biodiversity enhancement which meets the objectives of South Dublin County Council Development Plan 2016-2022. The applicant shall show further proposed SuDS features for the development such as Green roofs, grass areas, tree pits, channel rills, swales, permeable paving and other such SuDS and show what attenuation capacity is provided by such SuDS. The revised scheme and rationale is required to consider omission and/or significantly reducing the underground attenuation.

REASON: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies under Section 8.4.0 Sustainable Urban Drainage Systems of the CDP 2016-22 in particular G5 Objective 1 and G5 Objective 2

(f) Retention of Landscape Architect.

Prior to the commencement of any permitted development, the developer shall appoint and retain the services of a qualified Landscape Architect (or qualified Landscape Designer) as a Landscape Consultant, throughout the life of the construction works and shall notify the planning authority of that appointment in writing prior to commencement. A Practical Completion Certificate is to be signed off by the Landscape Architect when all landscape works are fully completed to the satisfaction of the planning authority in accordance with the permitted landscape proposals. If attenuation tree pits are proposed, their installation shall be supervised by the project landscape architect.

REASON: To ensure the implementation of the agreed landscape proposals, to assimilate the development into its surroundings and to ensure the longevity of the landscaping scheme, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting 2 of the CDP 2016-2022.

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(g) 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. 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.

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.

17. Street Lighting

Prior to the commencement of development on site the applicant, owner or developer shall obtain the written agreement of the Planning Authority, following consultation with the SDCC Heritage Officer, SDCC Public Realm Department, or SDCC Public Lighting section as might be appropriate, the following:

(a) A Public Lighting Scheme for the development to quality public lighting throughout the public realm of the site, subject to the mitigation ideals outlined on p14 of the Bat Survey Report submitted with the application and prepared by WildOnFoot Ecological Services. Subject to such requirements, the design shall comply with Bat Conservation Ireland guidelines on Lighting and European Lighting Standard EN13201 2013 or the latest NSAI (National Standards Authority of Ireland) versions approved.

(b) Completed Lighting Design and Electrical designs to serve the entire development including details of the overall height of all proposed equipment shall be lodged with the Public Lighting Scheme.

(c) The public lighting scheme shall be contained within the public realm of the development as approved, entirely in areas to be offered for taking in charge or subject to the responsibility in perpetuity of an approved management company.

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(d) Appropriate natural or artificial lighting or both shall be provided and maintained throughout car parking areas.

(e) The external lighting scheme shall be designed to minimise potential glare and light spillage and shall be positioned and/or cowled away from residential properties. No lighting column shall be located within the eventual canopy spread of any proposed street tree or other tree as the case may be.

(f) In addition, no dwelling unit/commercial unit shall be occupied on any street until the public lighting provided for that street is operational fully in accordance with the agreed Public Lighting Scheme for the overall development.

REASON: In the interests of public safety and amenity, to prevent light pollution and in the interests of the proper planning and sustainable development of the area.

18. Regulation of Institutional Investment in Housing - Houses and/or duplex unit-type development.

(a) Prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each housing unit), pursuant to Section 47 of the Planning and Development Act 2000 (as amended), that restricts all residential units permitted to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified residential units, in which case the planning authority shall confirm in writing to the developer or any person with an interest in the land, that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

REASON: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

19. Council Housing Strategy.

The applicant, owner or developer, or any other person with an interest in the land to which the development as approved relates shall, prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations 1997:

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(i) enter into an agreement with the Housing Authority for compliance with the Part V of the Planning and Development Act 2000 (as amended) as referred to in the South Dublin County Council Development Plan 2016-2022, providing, in accordance with that section, for the matters referred to in paragraph (a) or (b) of subsection (3) of section 96, and (ii) when the agreement with the Housing Authority for compliance with the Part V of the Planning and Development Act 2000 is finalised to the satisfaction of the Housing Authority, a certified copy of the agreement shall be lodged with the Planning Authority. REASON: To promote social integration consistent with policies/objectives of the Councils Housing Strategy as contained in the South Dublin County Council Development Plan 2016-2022.

20. Occupation subject to service connection.

No dwelling unit shall be occupied until all the services (drainage, water supply, electricity and or other energy supply, public lighting and roads) for each dwelling unit have been completed thereto and are operational.

REASON: In the interest of the proper planning and sustainable development of the area.

21. Restriction on Use and Occupancy.

Each proposed residential unit shall be used and occupied as a single dwelling unit for residential purposes and shall not be sub-divided or used for any commercial purposes, (including short-term letting).

REASON: To prevent unauthorised development.

22. Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

23. Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of

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noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

24. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €103,925.75 (one hundred and three thousand nine hundred and twenty five euros and seventy five cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing

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customerservice@water.ie.

25. Pursuant to this decision, no development shall be commenced until security for the provision, satisfactory completion and maintenance, to the taking in charge standard of South Dublin County Council (outlined in the Councils Taking in Charge Policy), of roads, open spaces, car parks, sewers, watermains, drains and other publicly accessible services required in connection with the development, has been given by:
- (A) Lodgement of a cash deposit of €62,946.00 (sixty two thousand nine hundred and forty six euros) (amount will be updated at the date of commencement of development in accordance with changes in the Tender Price Index), to be retained by South Dublin County Council and applied by South Dublin County Council at its absolute discretion, if roads, open spaces, car parks, sewers, watermains, drains and other publicly accessible services required in connection with the development are not duly provided, completed and maintained to the taking in charge standard of South Dublin County Council (outlined in the Councils Taking in Charge Policy), or
- (B) By lodgement with South Dublin County Council of an approved Insurance Company Bond or a Bond of any Body approved by the Planning Authority in the sum of €72,387.00 (seventy two thousand three hundred and eighty seven euros) (amount will be updated at the date of commencement of development in accordance with changes in the Tender Price Index) which shall be kept in force until such time as the roads, open spaces, car parks, sewers, watermains, drains and other public services required in connection with the development are provided, completed and maintained to the taking in charge standard of South Dublin County Council (outlined in the Council's Taking in Charge Policy). The bond shall be coupled with an agreement empowering South Dublin County Council to apply such sum or part thereof of said bond to the satisfactory completion of publicly accessible services in the development.
- REASON: To ensure that a ready sanction may be available to South Dublin County Council to induce the provision of public services and safeguard amenity in the development.

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The applicant is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

NOTE: The applicant is advised that, in order to use attic rooms as habitable rooms, each such room must comply with the Building Regulations.

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NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

NOTE: A Roads Opening Licence must be obtained from South Dublin County Council prior to the commencement of any works in the public domain in order to comply with the Roads Act 1993, Section 13, paragraph 10. Under this Act, non-compliance constitutes an offence.

NOTE: The applicant/developer is advised that the most up to date South Dublin County Council Taking in Charge Policy and associated documents can be found at the following location <https://www.sdcc.ie/en/services/planning/commencement-and-completion/completion/taking-in-charge-policy-standards>.

NOTE: The applicant shall notify the Irish Aviation Authority and the Department of Defence regarding any cranes likely to penetrate ICAO surfaces.

NOTE: Notwithstanding any grant of planning permission; if an applicant requires permission to access local authority land (e.g. public footpaths, public open space or roadways) in order to access utilities, or for any other reason; please apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.

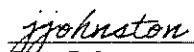
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REG. REF. SD21A/0202

LOCATION: Rookwood, Stocking Lane, Ballyboden, Dublin 16



Jim Johnston,
Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Date: _____

11/4/22



Eoin Burke, Senior Planner