

DOWNEY

29 Merrion Square, D02RW64

SUPPORTING PLANNING STATEMENT

**Muldowney's Pub,
Main Street,
Rathcoole,
Co. Dublin**

Applicant: Lorat Trading Ltd.

April 2022

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	Name	Date	Version
Prepared by			
Approved by			

1.0 INTRODUCTION

Downey Planning, Chartered Town Planners, 29 Merrion Square, Dublin 2, have been retained by our clients, Lorat Trading Ltd., Muldowney's Pub, Main Street, Rathcoole, Co. Dublin, to prepare this supporting planning statement in respect of the proposed application to demolish some of the existing structures on site and construct a development comprising of 21 no. residential units within 2 no. 3-storey blocks and the reconfiguration and renovation of existing cottages on site and renovation of Muldowney's Pub, as per the description contained within the statutory planning notices, provides for:

"The proposed development will consist (a) the demolition of some of the existing structures on site to include: a portion of an existing rubble wall; the rear extension of an existing cottage; existing structures, storerooms, and sheds to the west and north of Muldowney's Pub. (b) The reconfiguration, renovation, and extension of the existing cottages on site to provide for 2 no. 2-bedroom units. (c) The reconfiguration and renovation of Muldowney's Pub and storage yard. (d) The construction of 21 residential units within 2 no, 3-storey blocks to the rear and side of Muldowney's Pub as follows: Block A will provide 6 no. 1-bedroom units, giving a total of 6 no. apartments in this building. Block B will provide for a mix of 3 no. 1-bedroom and 12 no. 2-bedroom units, giving a total of 15 units within this Block.

Private open space will be provided in the form of balconies with communal open space provided in the centre of the site. The development will also include the provision of a pedestrian access from Main Street and a pedestrian and vehicular access via the existing car-park entrance to the rear of Muldowney's Pub. Provision of 32 carparking spaces and 44 bicycle spaces, all ancillary hard and soft landscaping, boundary treatment, ESB sub-station, signage, bin and bike stores and all engineering and site development works necessary to facilitate the development".

This document sets out the justification for the proposed development and how it accords with the proper planning and sustainable development of the area. This planning application follows a pre-planning consultation with the Planning & Roads Department of South Dublin County Council, which has informed the overall design approach taken.

2.0 SITE LOCATION AND DESCRIPTION

The subject site, is located on the northern side of Main Street, Rathcoole, adjoining the western boundary of Muldowney's Pub. The site which extends to approximately 0.57 hectares, comprises of three vacant single storey cottages with associated outbuildings and the carpark of Muldowney's Pub.

Access to the site is via 'Eaton Way', a cul-de-sac which bounds the western boundary of the site. This cul-de-sac currently serves the carpark of Muldowney's Pub, the Church of the Holy Family and Scoil Chronain's National School. Along the northern boundary of this cul-de-sac, perpendicular to the subject site are 15 off-street parking spaces. Given the location of the site on Main Street, Rathcoole,

it is in close proximity to a number of village amenities and services. Rathcoole Shopping Centre is located to the south-east and Tesco Express is south-west of the site.



Fig. 1. Location of the subject site (subject site outlined in red)

Additionally, the site is facilitated by the number 69 and 69X which serve Rathcoole from Hawkins Street on an hourly basis, the bus stop is located 100m from the subject site. The N7 Naas Dual carriageway is located 200m to the rear of the site. Access to the N7 Naas Dual carriageway is via a roundabout located approximately 300 to the east of the subject site. (See Figure 2).

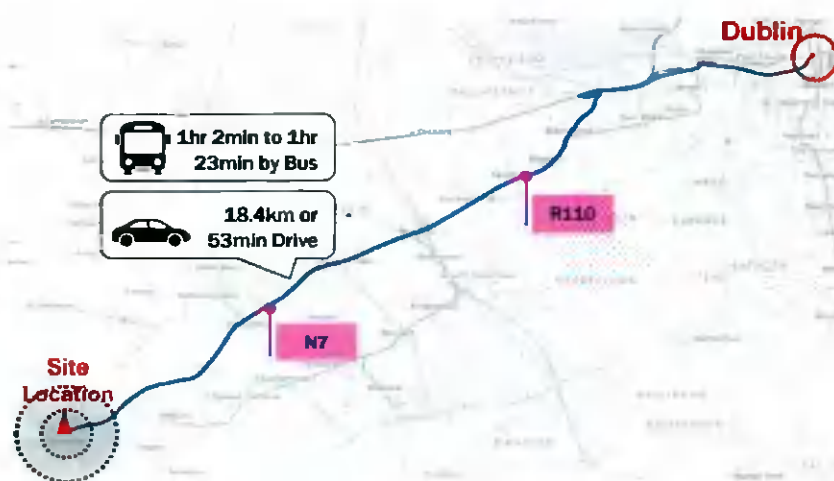


Fig. 2. Location of the Subject Site within Existing Network of Urban Streets and Public Transportation

The subject site is located within an Architectural Conservation Area (ACA) under the South Dublin County Development Plan 2016-2022. As stated in the Development Plan, an ACA is “a place, area, group of structures or townscape that is of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest or value or that contributes to the appreciation of Protected Structures”.



South Dublin County Development Plan 2016-2022 – Site outlined in red

Fig. 3. Location and Orientation of the Site within ACA zone.

Policy 4 Architectural Conservation Areas, states: "It is the policy of the Council to preserve and enhance the historic character and visual setting of Architectural Conservation Areas and to carefully consider any proposals for development that would affect the special value of such areas".

Objective 2 of this Policy states: "To ensure that new development, including infill development, extensions and renovation works within or adjacent to an Architectural Conservation Area (ACA) preserves or enhances the special character and visual setting of the ACA including vistas, streetscapes and roofscapes".

Objective 3 of this Policy states: "To address dereliction and promote appropriate and sensitive reuse and rehabilitation of buildings, building features and sites within Architectural Conservation Areas".



Figure 4. Area of proposed site.

Muldowney's Public House is situated on Main Street Rathcoole with car parking to the rear of the property on an L shaped plot of land. There is secondary access to the Public House, Keg Store and its outdoor smoking shelter from this car park. The vehicular access is via a secondary road off main street. The secondary spur road off Main Street provides access to the main community facilities within the village, namely the Catholic Church, the Community Centre and Scoil Chrónáin playing field.

There are three houses in the southwest corner of the site with only the corner house being occupied presently. The other two buildings are smaller single storey and one room deep without external amenity space. The existing house in the southwest corner of the subject site addresses the main street to the south only and presents a blank boundary wall façade to this road and the car parking on the west of it.

The ancillary storage areas of the public house are immediately to the north of these two buildings limiting the possibility to redevelop them separately to the public house. The identity of the two small houses on main street are compromised by the sprawl of pub buildings to the rear which in turn present an unattractive view of the pub to the car park.

There are two gated access points off main street at either side of the main pub building, neither of which are exploited at present. The car park to the rear, is poorly defined and the long narrow portion of the site is overgrown and underutilised.

An access road continues in a circuitous fashion to the north and continues around and parallel to the N7 terminating at a single house in a manner that exposes the community centre and school playing pitch to the busy N7.

The provision of a new building in the car park along with the reorganisation of the existing buildings and car parking on the site will give this site definition and identity. It will further enhance the legibility of the public house and its ancillary accommodation.

A three-storey apartment building is proposed to be constructed behind the cottages fronting onto Main Street allowing for a set back from the street, in turn, keeping with the surrounding built environment. The second three storey apartment block is proposed to be built towards the rear of the site.

Car parking is proposed to the side and rear of apartment Block B. The existing cottages along Main Street are proposed to be partially demolished, reconfigured and extended in order to create 2 no. 2 bed units. An existing storage building that is disused will be demolished to open up the rear of this corner site and to facilitate this new elevational emphasis.

There are 4 parking bays on main street in front of the pub that could be granted loading bay status for periods of the day to facilitate pub deliveries.

The redevelopment of the site will create greater clarity between the residential element of the site which will primarily face north and the Public House which will have its primary focus on main street to the south. The existing outdoor space to the north of the pub will be developed to become a clearly defined secondary entrance from the car parking to the north and in line with the pedestrian route from the car park. Car parking will no longer be the primary use on the site and all the land will be more clearly delineated and used efficiently.



Fig. 5. Precise Boundaries of the Subject Site (subject site outlined in red)

3.0 PLANNING HISTORY

3.1 Planning History of Subject Site

Downey Planning have carried out an examination of the planning history of the subject site, which determined that there has been numerous planning application made on the site for which this planning assessment relates. The planning history on the site is as follows:

Reg. Ref. S99A/0067:

Planning permission was refused by south Dublin County Council on the 26th of April 1999 for (1) Demolition of adjoining dwelling and building of two storey extension to side of existing lounge bar including carvery counter, kitchenette and dining area, seating area, ladies and gent's toilets at ground floor level with restaurant, gallery, kitchen, ladies and gent's toilets, staff kitchen and changing area, office at first floor level. Plus ancillary work to front elevation of existing lounge bar. (2) Extension of existing car park and extension of existing boundary wall around car park to rear and side. (3) Installation of Biocycle Wastewater treatment plant. This application relates to a portion of the site to the rear of Muldowney's Pub.

Our client is proposing to demolish the existing structures on site and construct a development comprising of 30 no. residential apartments within 2 no. 3-storey blocks. Access to the proposed development is to be obtained via the existing access point onto 'Eaton way', which runs parallel to the western boundary of the site. Figure 4 – Proposed Site Layout All apartments have been designed in accordance with the 'Sustainable Urban Housing: Standards for New Apartments', Guidelines for Planning Authorities 2018'.

Reg. Ref. SD07A/0867/PL06s.230468:

Planning was granted by South Dublin County Council on the 16th of July 2008 for the demolition of the existing pub, business centre, cottages & outbuildings and their replacement with a mixed use residential and retail development consisting of 4 blocks: Block A being 3 floors comprising 26 x 2 bed apartments and 6 x 3 bed apartments on first and second floor over a pub and 2 retail/food stores at ground floor over basement car parking; Block B1 being 3 floors comprising 6 x 3 bed duplex apartments and 6 x 2 bed apartments; Block B2 being 3 floors comprising 7 x 4 bed houses; Block C being 4 floors comprising 18 x 2 bed apartments and 6 x 3 bed apartments above basement car parking; basement parking for 184 cars and surface parking for 57 cars and associated site works.

This application included the subject site, the adjoining Public House and lands to the rear of both. The density as permitted is 62 dwellings per hectare. Access to this site was via 'Eaton Way'.

The Minister for Defence appealed this application to An Bord Pleanála, who refused permission for the following two reasons:

"Having regard to the policy of the Minister for Defence in relation to Casement Aerodrome and the location of the site within the safety zone for Runway 05 as defined by the Minister for Defence, it is considered that the proposed development would interfere with the safety of aircraft and the safe and efficient navigation thereof. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area".

"The proposed development by reason of its height, scale, mass, excessive density and poor elevational treatment would be seriously out of character with the scale and pattern of development in the area and would seriously injure the amenity and depreciate the value of property in the vicinity".

The reasons for refusal from the previous scheme have been addressed within this application as follows, the overall height and scale of the development has been reduced in order for the scheme to be sensitive towards the surrounding area as it is acknowledged that its close proximity to the airport creates a need for a height limit to be set in order to guarantee safety. The reduction and scale of the current development also takes into consideration the surrounding context of the development site being located within an ACA, it was the aim of this development to be sympathetic to the surrounding area, it is believed this had been achieved through the reduction of scale of the development as well as the renovation of existing cottages currently present on site.

Reg. Ref. SD11A/0275:

Planning was granted by South Dublin County Council on the 18th of January 2012 for the change of use of part of the existing public housing to a restaurant unit as well as elevation changes and signage to the entrance and shopfront.

Reg. Ref. SD11A/0276:

Planning permission was granted by South Dublin County Council on the 23rd of May 2012 for the demolition of existing structures on site and the construction of new two storey mixed use shop and office development totalling 923sqm comprising of: (1) street level shop unit; (2) first level office accommodation; (3) circulation areas; (4) covered yard to rear; (5) ancillary surface car-parking to rear & (6) all ancillary site works & services.

3.2 Relevant Planning History of Adjoining Properties**Reg. Ref. SD21A/0231**

Planning Permission was granted by South Dublin County Council of the 12th of October 2021 for the removal of all existing temporary accommodation and construction of a new 16 classroom part three storey, part two storey primary school (Roll No 19503H); including GP Hall, 2 classrooms Special Educational Needs Unit and all ancillary works. The project also incorporates associated staff car parking, delivery aces, drops off areas, pedestrian/bicycle access, construction of 2 external ball courts, acoustic boundary wall plus additional boundary treatments, landscaping, connection to public services an all-associated site works.

4.0 PRE-PLANNING CONSULTATION

Prior to lodging this planning application, Downey Planning engaged with South Dublin County Councils Planning and Conservation Department as part of a Section 247 pre-planning. This was carried out by way of a meeting on the 2nd of March 2020 between Donna Ryan & Jennifer Mills (Downey Planning), Paul McDonnell (Client Rep.) and Fiona Redmond & Sarah Watson of South Dublin County Council's Planning Department as well as Irenie McLoughlin of South Dublin County Councils Architectural Conservation Officer, John Joe Hegarty for the Roads Department, Brian Harkin & Ronan Toft from Water Services and Oisin Egan for Parks. The following was established over the course of the meeting, it was confirmed by South Dublin County Council that there are no protected structured on-site, but it is recognised that the site is still within an Architectural Conservation Area. South Dublin County Council agreed in principle that the placing of additional units to the rear of Muldowney's Public House and the refurbishment of the existing Cottages to the front of the site is acceptable. The Transport Department confirmed that they are satisfied with the proposed entrance and will consider a reduction in car-parking number for the site.

5.0 DESCRIPTION AND MERITS OF THE PROPOSED DEVELOPMENT

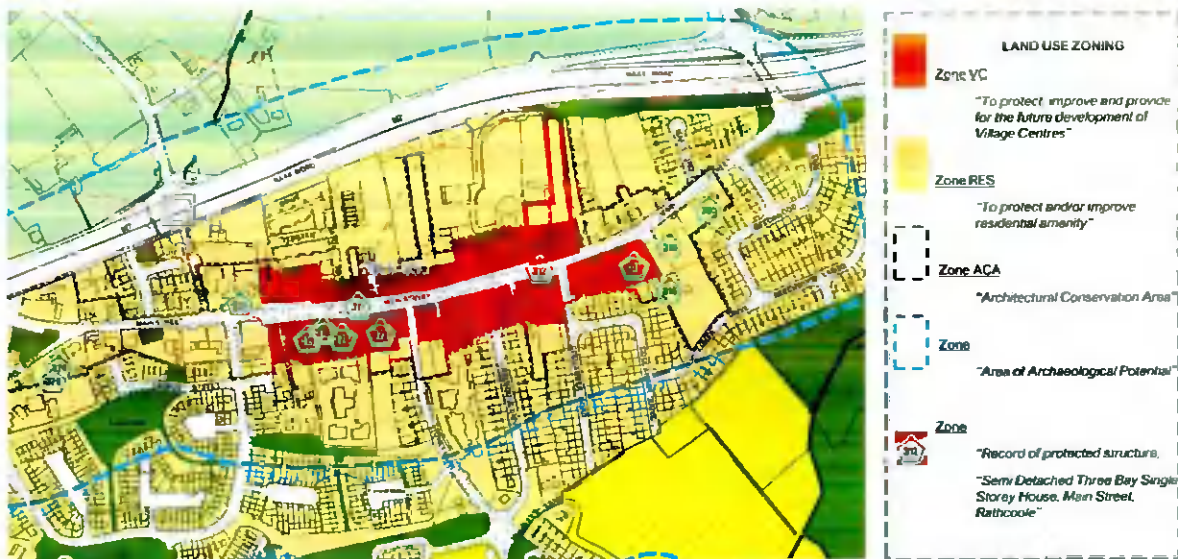
5.1 Description of Proposed Development

The proposed is proposing to demolish some of the existing structures on site and construct a development comprising of 21 no. residential apartments within 2 no. 3-storey blocks and reconfigurations, renovation and extension to the existing cottages on site. The development will also include the renovation and reconfiguration of Muldowney's Pub. Vehicular and pedestrian access to the proposed development is to be obtained via the existing access point onto 'Eaton way', which runs parallel to the western boundary of the site. A second pedestrian access will be facilitated via the existing gateway from Main Street, between the existing cottages and Muldowney's Pub. The description of the proposed development as per the statutory public notices is as follows:

"The proposed development will consist (a) the demolition of some of the existing structures on site to include: a portion of an existing rubble wall; the rear extension of an existing cottage; existing structures, storerooms, and sheds to the west and north of Muldowney's Pub. (b) The reconfiguration, renovation, and extension of the existing cottages on site to provide for 2 no. 2-bedroom units. (c) The reconfiguration and renovation of Muldowney's Pub and storage yard. (d) The construction of 21 residential units within 2 no, 3-storey blocks to the rear and side of Muldowney's Pub as follows: Block A will provide 6 no. 1-bedroom units, giving a total of 6 no. apartments in this building. Block B will provide for a mix of 3 no. 1-bedroom and 12 no. 2-bedroom units, giving a total of 15 units within this Block.

Private open space will be provided in the form of balconies with communal open space provided in the centre of the site. The development will also include the provision of a pedestrian access from Main Street and a pedestrian and vehicular access via the existing car-park entrance to the rear of Muldowney's Pub. Provision of 32 carparking spaces and 44 bicycle spaces, all ancillary hard and soft landscaping, boundary treatment, ESB sub-station, signage, bin and bike stores and all engineering and site development works necessary to facilitate the development".

Under the South Dublin City Council Development Plan 2016-2022, the subject site is zoned Objective 'RES' (Existing Residential) & 'VC' (Village Centres). The objective of this zoning use is "to protect and/or improve residential amenity" & "To protect, improve and provide for the future development of Village Centres".



South Dublin County Development Plan 2016-2022 – Site outlined in red

Fig. 6. Land Use Zoning Map (site outlined in red)

Use Classes Related to Zoning Objective	
Permitted in Principle	Housing for Older People, Nursing Home, Open Space, Public Services, Residential, Residential Institution, Retirement Home, Shop-Local, Traveller Accommodation.
Open for Consideration	Advertisements and Advertising Structures, Allotments, Agriculture, Bed & Breakfast, Betting Office, Camp Site, Car Park, Caravan Park-Residential, Cemetery, Childcare Facilities, Community Centre, Crematorium, Cultural Use, Doctor/Dentist, Education, Embassy, Enterprise Centre, Funeral Home, Garden Centre, Guest House, Health Centre, Hotel/Hostel, Home Based Economic Activities, Industry-Light, Live-Work Units, Motor Sales Outlet, Office-Based Industry, Offices less than 100 sqm, Offices 100 sqm - 1,000 sqm, Off-Licence, Petrol Station, Place of Worship, Primary Health Care Centre, Public House, Recreational Facility, Recycling Facility, Restaurant/Café, Service Garage, Shop Neighbourhood, Sports Club/Facility, Stadium, Veterinary Surgery.
Not Permitted	Abattoir, Aerodrome/Airfield, Boarding Kennels, Concrete/Asphalt Plant in or adjacent to a Quarry, Conference Centre, Fuel Depot, Heavy Vehicle Park, Hospital, Industry-Extractive, Industry-General, Industry-Special, Nightclub, Offices over 1,000 sqm, Outdoor Entertainment Park, Refuse Landfill/Tip, Refuse Transfer Station, Retail Warehouse, Rural Industry-Food, Science and Technology Based Enterprise, Scrap Yard, Shop-Major Sales Outlet, Social Club, Transport Depot, Warehousing, Wholesale Outlet, Wind Farm.

Table 1. Use Classes Related to RES Zoning Objective in South Dublin County Council Development Plan

The proposed development is a residential development which is in accordance with the principle of the South Dublin County Council Development Plan.

Note that the site is also surrounded by some residential developments, but also has a range of commercial buildings and community buildings in its proximity.



As mentioned earlier, the proposed development comprises 21 no. residential dwellings within two new three storey building blocks and reconfigured cottages. Block A will be located to the front of the site, running parallel to the southern boundary behind the reconfigure, renovated and extended cottages which are located along the Main Street. Block B is located to the rear of the site, adjacent to Muldowney's Pub. This building will have frontage onto a central portion of the site where the communal open space will be provided.

Fig. 7. Proposed Development Layout

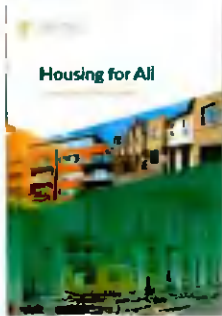
Block A will provide for 6 no. 1-bedroom units, giving a total of 6 no. apartments in this building. All 6 no. proposed apartments are to be dual aspect. The central circulation area of the building will be located to the rear of the building with the main entrance located to the front of the building on the southern elevation.

This building has been carefully designed to ensure minimal impact on Muldowney's Pub. Adjacent to Muldowney's Pub the roof profile proposed will be similar to that of the Pub with roof lights provided at this location. Block B will provide for a mix of 3 no. 1-bedroom and 12 no. 2-bedroom units, giving a total of 15 units over three stories at this location. A total of 6 no. units will be single aspect, the remainder will be dual aspect. Private open space will be provided for each unit in the form of balconies with communal open space provided to the rear of Block B. Carparking spaces will also be provided at the side and rear of Block B. Cycle spaces will be provided in the central courtyard. The cottages will be located to the front of the development along the Main Street they will consist of 2 no. 2-bed units.

6.0 PLANNING CONTEXT

6.1 NATIONAL AND REGIONAL PLANNING CONTEXT

6.1.1 Housing for All (2021)

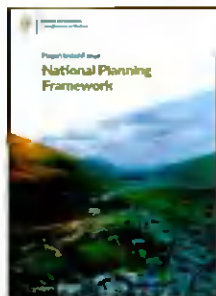


In September 2021 the Government launched *Housing for All*, which is a plan to increase the supply of housing to an average of 33,000 per year over the next decade. The plan provides for an optimal mix of social, affordable, and private housing for sale and rent. These measures are supported by over €4 billion in guaranteed State funding every year, the highest ever level of government investment in building social and affordable housing. The plan also includes measures to support availability of the land, workforce, funding, and capacity to enable both the public and private sectors to meet the targets. The plan is based on four pathways, leading to a more sustainable housing system:

- support home ownership and increase affordability.
- eradicate homelessness, increase social housing delivery, and support social inclusion.
- increase new housing supply.
- address vacancy and make efficient use of existing stock.

Overall, the supply will have to increase to 33,000 new units, on average, per annum up to and including 2030. This will include, on average, 10,000 social housing units, 4,000 homes for Affordable Purchase, 2,000 Cost Rental homes and 17,000 private homes over the lifetime of the plan (to the end of 2030) the 300,000 required homes are expected to consist of: 90,000 social homes; 36,000 Affordable Purchase homes, 18,000 'Cost Rental' homes and approximately 156,000 private homes. One of the key measures in achieving this is to use vacant and underutilised land.

6.1.2 National Planning Framework



The National Planning Framework (NPF) is the new national planning policy document. It replaced the previous National Spatial Strategy (NSS) as the primary national policy framework. Announced in 2018, the NPF is designed to improve the effectiveness of public investment in infrastructure and other relevant services around the country, including facilitating compact growth within existing settlements, reducing the expansion of sprawl led development and revitalising underutilised sites.

The NPF recognises the importance of making better use of under-utilised land and buildings, including vacant and under-occupied buildings, encourage higher housing densities where they are better serviced by existing facilities and public transport. The NPF under the 'National Policy Objectives' states that it is the policy to implement the following criteria:

National Policy Objective 3a – “Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements”.

National Policy Objective 6 – “Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets, that can accommodate changing roles and functions, increased residential population and employment activity and enhanced levels of amenity and design quality, in order to sustainably influence and support their surrounding area”.

National Policy Objective 11 – “In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth”

National Policy Objective 13 – “In urban area, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected”.

National Policy Objective 33 – “Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location”.

National Policy Objective 35 – “Increase residential density in settlements, through a range of measures including reductions in vacancy, reuse of existing buildings, infill development schemes, area or site-based regeneration and increased building heights”.

Implementing the ‘National Policy Objectives’ outlined above is viewed as a national priority and of strategic importance. It can be stated that the proposed development will contribute towards achieving the objectives of the NPF.

6.1.3 Rebuilding Ireland, Action Plan for Housing and Homelessness (2016)



Rebuilding Ireland, an Action Plan for Housing and Homelessness, provides a multi-stranded, action-oriented approach to achieving many of the Government’s key housing objectives. The overarching aim of this Action Plan is to ramp up delivery of housing from its current under-supply across all tenures to help individuals and families meet their housing needs, and to help those who are currently housed to remain in their homes or be provided with appropriate options of alternative accommodation, especially those families in emergency accommodation.

The Plan comprises of five pillars of concerted actions right across Government – addressing homelessness, accelerating social housing, building more homes, improving the rental sector and utilising existing housing. This Plan sets ambitious targets to double the annual level of residential construction to 25,000 home and deliver 47,000 units of social housing in the period of 2021, while at the same time making the best use of the existing housing stock and laying the foundations for a more vibrant and responsive private rented sector.

Achieving the aim of accelerated delivery will contribute to the following core objectives:

- Addressing the unacceptable level of households, particularly families, in emergency accommodation;
- Moderating rental and purchase price inflation, particularly in urban areas;
- Addressing a growing affordability gap for many households wishing to purchase their own homes;
- Maturing the rental sector so that tenants see it as one that offers security, quality and choice of tenure in the right locations and providers see it as one they can invest in with certainty;
- Ensuring housing's contribution to the national economy is steady and supportive of sustainable economic growth; and,
- Delivering housing in a way that meets current needs while contributing to wider objectives such as the need to support sustainable urban and rural development and communities and maximise the contribution of the built environment to addressing climate change.

It is noted that these targets have not been met to date and the provision of 21 no. new residential units and the re-development of existing residential units on site will help the Government achieve the objectives of this Housing Action Plan.

6.1.4 Urban Development and Building Heights Guidelines for Planning Authorities (Dec. 2018)

The height of the proposed development has taken account of the recently adopted Urban Development and Building Heights Guidelines for Planning Authorities (December 2018). The guidelines reinforce that *“a key objective of the NPF is therefore to see that greatly increased levels of residential development in our urban centres and significant increases in the building heights and overall density of development is not only facilitated but actively sought out and brought forward by our planning processes and particularly so at local authority and An Bord Pleanála levels”*. The Guidelines fundamentally try to increase the prevailing building heights in urban areas so as to facilitate more compact growth, through enhancing the scale and density of development.

The Guidelines identify areas that are proximate to public transport as being appropriate for increased building heights. In this regard, SPPR 1 of the Guidelines state:

“In accordance with Government policy to support increased building height and density in locations with good public transport accessibility, particularly town/ city cores, planning authorities shall explicitly identify, through their statutory plans, areas where increased building height will be actively pursued for both redevelopment, regeneration and infill development to secure the objectives of the National Planning Framework and Regional Spatial and Economic Strategies and shall not provide for blanket numerical limitations on building height”.

It is noted that the subject site is located within walking distance of a vast supply of public transport.

In particular, the proposed development is in accordance with SPPR 4 of the Guidelines, which state that:

"It is a specific planning policy requirement that in planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure: 1. the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled "Sustainable Residential Development in Urban Areas (2007)" or any amending or replacement Guidelines; 2. a greater mix of building heights and typologies in planning for the future development of suburban locations; and 3. avoid mono-type building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more.

6.1.5 Sustainable Residential Development in Urban Areas and Best Practice Urban Design Guidelines



The aim of Sustainable Residential Development in Urban Areas document, which reviews and updates the Residential Density Guidelines (1999), is to assist both planning authorities and developers in meeting certain standards in the design of residential development. The proposed development is considered a particularly appropriate location for medium density residential development. The guidelines state that *"the scale of the new development should be in proportion to existing development, and such development should provide for easy connectivity, especially by pedestrians and cyclists, to existing facilities"*.

(Sustainable Residential Development - p.42). The scale of the development has taken cognisance of the site's location within Metropolitan Dublin.



The proposed development has been designed with a particular emphasis on the 'context' of its location and surrounding existing and planned developments. The proposed development also positively and successfully fulfils the 'Urban Design Manual' criteria by which it is recommended that Planning Authorities assess planning applications. This encompasses issues of:

Context; Connections; Inclusivity; Variety; Efficiency; Distinctiveness; Layout; Adaptability; Privacy/Amenity; Parking and Detailed Design.

The proposed scheme reflects a carefully designed scheme that has given full consideration to neighbouring properties (both within the development site, and adjoining developed lands) and, should permission be forthcoming, would integrate successfully with its environs. For further details, please refer to the *Urban Design Statement* enclosed with the application.

6.1.6 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities' (2020)

The recently adopted *"Sustainable Urban Housing: Design Standards for New Apartments"* build on the content of the 2015 apartment guidance, much of which remains valid, particularly with regard to

design quality safeguards such as internal space standards for apartments, internal storage and amenity space. The Guidelines state that *“in the longer term to 2040, the Housing Agency has identified a need for at least 45,000 new homes in Ireland’s five cities (Dublin, Cork, Limerick, Galway and Waterford), more than 30,000 of which are required in Dublin City and suburbs, which does not include additional pent-up demand arising from under-supply of new housing in recent years.”* It is also stated that it is *“critical to ensure that apartment living is an increasingly attractive and desirable housing option for a range of household types and tenures.”*

The Guidelines also state that *“aspects of previous apartment guidance have been amended and new areas addressed in order to:*

- *enable a mix of apartment types that better reflects contemporary household formation and housing demand patterns and trends, particularly in urban areas;*
- *make better provision for building refurbishment and small-scale urban infill schemes;*
- *address the emerging ‘build to rent’ and ‘shared accommodation’ sectors; and*
- *remove requirements for car-parking in certain circumstances where there are better mobility solutions and to reduce costs”.*

The Guidelines state that Ireland is a long way behind European averages in terms of the numbers of households living in apartments, especially in our cities and larger towns. Given the gap between Irish and European averages in numbers of households living in apartments and the importance of addressing the challenges of meeting the housing needs of a growing population in our key cities and towns and by building inwards and upwards rather than outwards, apartments need to become the norm for urban housing solutions.

The Guidelines state that *“ongoing demographic and societal changes mean that in addition to families with children, the expanding categories of households that may wish to be accommodated in apartments include:*

- *Young professionals and workers generally;*
- *Those families with no children;*
- *‘Downsizers’; and,*
- *Older people, in both independent and assisted living settings”.*

The Guidelines also have specific planning policy requirements (SPPRS), which include:

Specific Planning Policy Requirement 1: *Apartment developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms. Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence-based Housing Need and Demand Assessment (HNDA), that has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development plan(s).*

Specific Planning Policy Requirement 3- Minimum Apartment Floor Areas:

- *Studio apartment (1 person) 37 sq. m*
- *1-bedroom apartment (2 persons) 45 sq. m*

- 2-bedroom apartment (4 persons) 73 sq. m

Specific Planning Policy Requirement 4 – In relation to the minimum number of dual aspect apartments that may be provided in any single apartment scheme, the following apply:

- (i) A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject site characteristic and ensure good street frontage where appropriate.
- (ii) In suburban or intermediate locations, it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme.
- (iii) For building refurbishment schemes on sites of any size or urban infill schemes on sites up to 0.25ha, planning authorities may exercise further discretion to consider dual aspect unit provision at a lower level than the 33% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects.

Downey Planning are of the considered opinion that the proposed development complies with the SPPRs/requirements of the recently adopted *Sustainable Urban Housing: Design Standards for New Apartments*. The proposed development will also help to meet the current demand for apartment type developments by providing a variety of housing development of 1-bed and 2-bed apartment units in an area. For further information in this regard, please refer to the enclosed drawings and detailed schedule of accommodation prepared by Downey Planning & Architecture, which provide confirmation that the proposed development is consistent with the design standards of these Guidelines.

6.2 Local Planning Context

6.2.1 South Dublin City Development Plan 2016-2022

Land Use Zoning



The subject site is zoned 'Objective RES' or 'Existing Residential' under the South Dublin City Development Plan 2016-2022 (see Figure 34). Residential use is the primary land use of this zone. The objective of the land use zoning is:

"To protect and/or improve residential amenity".

The settlement of Rathcoole has been identified as a small town within the Metropolitan Green Belt, it was stated that while the settlement of Rathcoole retains a village character, current population statistics exceed the RPG's defined population threshold for a village. The current population of Rathcoole is more consistent with that of a small town, the RPG states that the levels of growth within a small town such as Rathcoole shall be managed in line with the ability of local services for growth, responding to local demand.

In established residential areas sustainable intensification can be achieved through infill development, the subdivision of larger houses, back land development and the development of large corner sites.

Sensitive intensification will be important to revitalise areas that have stagnant or falling populations, to secure the ongoing viability of facilities, services and amenities and to meet the future housing needs of the County.

The sensitive intensification of housing developments in established areas is supported by the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009), which recognises that the provision of additional dwellings in the suburban areas of towns and cities can revitalise such areas. Standards in relation to residential consolidation have been framed by the policies and objectives set out below.

HOUSING (H) Policy 8 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 development is appropriate to its locations and surrounding context

H8 Objective 1

To ensure that the density of residential development makes efficient use of zoned lands and maximises that value of existing and planned infrastructure and services, including public transport, physical and social infrastructure, in accordance with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009)

H8 Objective 2

To consider higher residential densities at appropriate locations that are close to Towns, District and Local Centre and high-capacity public transport corridors in accordance with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009)

HOUSING (H) Policy 17 Residential Consolidation

It is the policy of the Council to support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County.

H17 Objective 1

To support residential consolidation and sustainable intensification at appropriate locations and to encourage consultation with existing communities and other stakeholders.

H17 Objective 2

To maintain and consolidate the County's existing housing stock through the consideration of applications for housing subdivision, backland development and infill development on large sites in established areas, subject to appropriate safeguards and standards identified in Chapter 11 Implementation.

H17 Objective 5

To ensure that new development in established areas does not impact negatively on the amenities or character of an area.

Table 2. Standards of Residential Housing in the South Dublin County Development Plan

In January 2015, the remaining housing capacity of the 2010-2016 South Dublin County Development Plan was 34,294 units. The RPG housing allocations for South Dublin would require 39,649 additional housing units from January to the end of 2022. This results in a capacity shortfall of 5,355 housing units. Capacity has been identified for a further 5,849 units, through sustainable intensification; development on brownfield sites; on a number of smaller infill sites and on Local Area Plan and SDZ areas. In this regard it is of the considered opinion of Downey Planning that the proposed development would be in accordance with the aims laid out within the current South Dublin Councils Development Plan.

6.2.2 Development Management Standards

Density

According to the South Dublin County Development Plan, *'As a general principle and to promote sustainable forms of development, higher residential densities will be promoted within walking distance of town and district centres and high-capacity public transport facilities'*.

And as it states, *'In a predominantly urban county such as South Dublin, new housing will be delivered in established areas through sustainable intensification, infill development and the re-use of brownfield lands while respecting the amenity value of existing public open spaces. Expansion will focus on the creation of sustainable new communities at locations that can be served by high quality public transport. This approach will make the best use of the County's land and infrastructure resources by ensuring that in the first instance, new development is linked to existing transport services, physical and social infrastructure and amenities'*.

It is also the policy of the County Development Plan:

H8 Objective 1: *'To ensure that the density of residential development makes efficient use of zoned lands and maximises the value of existing and planned infrastructure and services, including public transport, physical and social infrastructure, in accordance with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009)'.*

H8 Objective 2: *'To consider higher residential densities at appropriate locations that are close to Town, District and Local Centres and high-capacity public transport corridors in accordance with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009)'.*

Moreover, according to the *'Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2018)'*, as the latest policy document, *'To meet housing demand in Ireland, it is necessary to significantly increase supply. This is a key pillar of the overarching Rebuilding Ireland Housing Action Plan. The National Planning Framework targets increased housing supply in Ireland's cities and urban areas in particular. For the reasons outlined earlier, increased housing supply must include a dramatic increase in the provision of apartment development'*.

Accordingly, this policy document defines 3 types of location in cities and towns that may be suitable for apartment development, including: (i) Central and/or Accessible Urban Locations; (ii) Intermediate Urban Locations; and (iii) Peripheral and/or Less Accessible Urban Locations.

As stated within the Development Plan the density of new residential developments should generally be greater than 35 dwellings per hectare.

Considering the above situation, the proposed development is proposing to demolish the existing structures on site and construct a development comprising of 21 no. residential apartments within 2 no. 3-storey blocks and the redevelopment of the existing cottages to provide 2 no. 2-bedroom units. As such, the proposed density of 40 units per hectare is in accordance with the threshold of the County Development Plan.

Building Height

As stated in South Dublin County Development Plan 2016-2022:

“Varied building heights are supported across residential areas, urban centres and regeneration zones in South Dublin County, subject to appropriate safeguards to protect the amenity of the area”.

The previously refused scheme (Reg. Ref. SD07A/0867/PL06s.230468) for the subject site was refused after The Minister for Defence appealed the application to An Bord Pleanála, who refused permission for the following two reasons:

“Having regard to the policy of the Minister for Defence in relation to Casement Aerodrome and the location of the site within the safety zone for Runway 05 as defined by the Minister for Defence, it is considered that the proposed development would interfere with the safety of aircraft and the safe and efficient navigation thereof. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area”.

“The proposed development by reason of its height, scale, mass, excessive density and poor elevational treatment would be seriously out of character with the scale and pattern of development in the area and would seriously injure the amenity and depreciate the value of property in the vicinity”.

It is felt that this new proposal has addressed the concerns brought forward against the previous application Reg. Ref. SD07A/0867/PL06s.230468. This proposed development has reduced its height from the previously suggested height of 3-4 storeys across three apartment blocks down to two 3 storey apartment blocks with reconfigurations to the existing cottages also proposed. The scale and mass has also been reduced by amending the number of apartments proposed from 75 units with a density of 60 units per hectare to 21 units with a density of 40 per hectare. This has been done in order to fit with the surrounding character of the area in order to be able to provide a high-quality residential scheme as can be seen from the accompanying plans submitted with this application. This development will also aid in adding diversity to the housing market within the area.

Under ‘Urban Development and Building Heights Guidelines for Planning Authorities’ December 2018, the guidelines aim to *increase the prevailing building heights in urban areas so to facilitate more compact growth*, through enhancing the scale and density of development.

Accordingly, the Development Plans states that all new residential developments should be greater than 35 units per hectare.

The following should also be taken into consideration in such:

- Proximity to high quality public transport connectivity (particularly nodes and interchanges);
- Potential contribution of locations to development of new homes, economic growth and regeneration in line with compact urban growth principles;
- Resilience of locations from a public access/egress perspective in the event of major incidents (weather/emergencies);
- Ecological and environmental sensitivities;
- Visual, functional, environmental and cumulative impacts of increased building height.

SPPR 1

In accordance with Government policy to support increased building height and density in locations with good public transport accessibility, particularly town/city cores, planning authorities shall explicitly identify, through their statutory plans, areas where increased building height will be actively pursued for both redevelopment, regeneration and infill development to secure the objectives of the National Planning Framework and Regional Spatial and Economic Strategies and shall not provide for blanket numerical limitations on building height.

SPPR 2

In driving general increases in building heights, planning authorities shall also ensure appropriate mixtures of uses, such as housing and commercial or employment development, are provided for in statutory plan policy. Mechanisms such as block delivery sequencing in statutory plans could be utilised to link the provision of new office, commercial, appropriate retail provision and residential accommodation, thereby enabling urban redevelopment to proceed in a way that comprehensively meets contemporary economic and social needs, such as for housing, offices, social and community infrastructure, including leisure facilities.

SPPR 3

It is a specific planning policy requirement that where;

- (A) 1. an applicant for planning permission sets out how a development proposal complies with the criterial above; and
2. the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in National Planning Framework and these guidelines;

then the planning authority may approve such development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise.

- (B) In the case of an adopted planning scheme the Development Agency in conjunction with the relevant planning authority (where different) shall, upon the coming into force of these guidelines, undertake a review of the planning scheme, utilising the relevant mechanisms as set out in the Planning and Development Act 2000 (as amended) to ensure that the criteria above are fully reflected in the planning scheme. In particular the Government policy that building heights be generally increased in appropriate urban locations shall be articulated in any amendment(s) to the planning scheme
- (C) In respect of planning schemes approved after the coming into force of these guidelines these are not required to be reviewed.

Downey Planning are of the considered opinion that this is evidential proof that the scale and density of the proposed development is appropriate for the subject site and is in accordance with most recent planning policies.

Room Sizes and Mix of Units

The minimum apartment sizes and mix of unit types permitted within the County Development Plan are in accordance with the 2018 '*Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities*'. The new Guidelines review and update the previous 2007 Guidelines and the over-rule the County Development Plan standards.

It is our contention that the proposed development meets all of the criteria as set out in the guidelines, it can be seen from the Housing Quality Assessment that accompanies this planning application. It shows that the proposed development meets and in some cases exceeds the minimum standards set for units mix and floor area required for a development of this kind.

Public & Communal Open Space

It is the policy of the County 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. However, the relevant thresholds and standards used in the proposed development plan are extracted from the '*Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018)*' as the latest relevant policy document.

The apartments will also benefit from the public and communal open space within the scheme, the public open space accounts to appropriate separation distances from existing properties outside of the sites boundary line to ensure that there is no direct overlooking.

In terms of design quality, it is the policy of the County Development Plan:

H12 Objective 2: '*To ensure that there is a clear definition between public, semi-private and private open space at a local and district level and that all such open spaces benefit from passive surveillance from nearby residential development*'.

In light of the above it is the considered opinion of Downey Planning that the proposed development is in line with the standards set out in the current Development Plan, this can be seen from the Housing Quality Assessment that is submitted with this planning application. The proposed development is supplying 23% (1,292 sq.m) of open space well above the required 10% by the council.

Energy Efficiency

According to the County Development Plan, the *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009)* advise that residents are entitled to expect that new homes offer a high level of amenity, privacy, security and energy efficiency.

It is the policy of the County Development Plan:

H11 Objective 2: *'To promote new residential developments taking account of energy efficiency, prioritising passive house construction standards, as well as renewable energy opportunities, including solar energy where appropriate, in accordance with Part L of the Building Regulations'.*

As stated in the County Development Plan, the construction of new residential and non-residential buildings should comply with the requirements of the current Building Regulations Part L – Conservation of Fuel and Energy (2008 and 2011), and any other supplementary or superseding guidance documents.

7.0 PART V

Changes to Part V of the Act have recently come into effect. The increase in the Part V contribution from 'up to 10%' for social housing purposes to a mandatory 20%, of which at least half must be for social housing purposes and the balance can be applied to affordable and/or cost rental housing purposes, will immediately affect only new grants of planning permission in respect of sites purchased before the 1st of September 2015 or after the 31st of July 2021. It is likely, therefore, to be a few months after commencement before the 20% requirement arises as a condition of a grant of planning permission.

Prior to lodging this planning application for a residential development on the site, Downey Planning engaged with South Dublin County Council and in turn received a Part V validation letter which will be included as part of the planning application. It is understood that South Dublin County Council would be in favour of acquiring units on site in order to satisfy the Part V agreement, negotiations are set to commence in turn of any planning permission granted in regard to development on this site.

8.0 ENGINEERING CONSIDERATIONS

E.D.P.M. Ltd. have completed the engineering assessment for the proposed development in conjunction with the Roads and Drainage Section of South Dublin County Council. Please refer to their engineer's pack enclosed with this application.

9.0 ENVIRONMENTAL CONSIDERATIONS

9.1 Environmental Impact Assessment

The proposed development has been screened to confirm if an Environmental Impact Assessment Report (EIAR) would be required. However, this process confirmed that the current proposed development is a 'sub-threshold' development as it is not listed as being a class of development specified within Schedule 5 of the Planning and Development Regulations 2001 (as amended) and as such an EIAR is not required.

9.2 Appropriate Assessment Screening

Tobins Consulting Engineers have carried out a Natura 2000 Appropriate Assessment Screening Report as part of the application, which is submitted under separate cover. The Screening Report concluded by stating:

“It was determined, using best scientific knowledge, that potential impacts associated with the proposed development will not result in likely significant effects on qualifying interests/special conservation interests of any European sites within the Zol of the proposed development, in view of their conservation objectives. A Stage 2 Appropriate Assessment is therefore not required”.

9.3 Bat Survey

Tobins Consulting Engineers have carried out a Bat Survey Report as part of this application, which is submitted under separate cover. The Report concluded by stating:

“The proposed development site does not provide an important habitat for bats. No active bat roosts were identified and only a few potential roosting sites were recorded within existing structures. In addition, very little bat activity was recorded and no important foraging or commuting routes were identified within the site. The demolition of the building and removal of vegetation will not result in significant negative effects on the local bat population”.

10.0 CONCLUSION

This proposed residential development has been carefully designed within the context of the site and surrounding area and having regard to the policies and objectives of the South Dublin Development Plan 2016-2022. In addition, it is submitted that the proposed development is in accordance with the relevant national and regional planning policy and is in accordance with the proper planning and sustainable development of the area. The National Policy Framework requires that at least 40% of all new housing nationally is to be located within the footprint of existing settlements, such as the subject site, while the Building Height Guidelines supports building heights of at least 3-4 storeys in existing suburban areas, including those where 2 storeys would be the prevailing height.

The subject site is suitably located within an existing built-up area and is well served by public transport as well as other commercial, recreational, and local services for future residents. The proposed development will help to increase housing supply within the Dublin Metropolitan area, which is urgently required and is a key objective in the Programme for Government and as such is national policy. The development will also cater for the ‘trade-down’ market, which will also have the indirect benefit of releasing second-hand properties in the area.

In light of the foregoing Downey Planning, on behalf of the applicant, respectfully request that the Planning Authority grant planning permission for the proposed development in this instance.

