

# Comhairle Chontae Atha Cliath Theas

**PR/0683/22**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD22A/0096      **Application Date:** 05-Apr-2022  
**Submission Type:** New Application      **Registration Date:** 05-Apr-2022

**Correspondence Name and Address:** Donna Ryan, Downey Planning 29, Merrion Square, Dublin 2

**Proposed Development:** 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; the reconfiguration, renovation, and extension of the existing cottages on site to provide for 2 two bedroom units; the reconfiguration and renovation of Muldowney's Pub and storage yard; the construction of 21 residential units within 2 three storey blocks to the rear and side of Muldowney's Pub as follows: Block A will provide 6 one bedroom units, giving a total of 6 apartments in this building; Block B will provide for a mix of 3 one bedroom and 12 two 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.

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

**Applicant Name:** Lorat Trading Ltd.

**Application Type:** Permission

(CM)

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### **Description of Site and Surroundings**

The subject site, is located on the northern side of Main Street, Rathcoole.

The site comprises Muldowney's Public House and, to the west of that, 3 no. single-storey terraced cottages in two original structures. There are associated outbuildings to the rear, and a large portion of the site to the rear is used as a car park.

Vehicular access to the site is via 'Eaton Way', a cul-de-sac which bounds the western boundary of the site and the rear boundary of the site to the north. This cul-de-sac currently serves the carpark of Muldowney's Pub, the Church of the Holy Family and Scoil Chronain's National School.

The site is composed of two principle elements:

- The southern portion of the site shows the consolidation of several plots by the main street and the cul-de-sac to the west.
- The norther portion of the site is the rear half of a single original burgage plot at 15m in width is considerably narrower than the southern portion of the site. In total, the site extends approx. 170 metres from front to back.

Site Area: Stated as 0.57 Ha.

Site Visit: 24<sup>th</sup> May 2022

### **Zoning:**

The site is divided between two zoning objectives:

- The 'VC' zoning objective seeks "to protect, improve and provide for the future development of Village Centres". Most of the southern portion of the site is zoned VC.
- The 'RES' zoning objective seeks "to protect and/or improve residential amenity." The narrow northern portion of the site, and some of the wider site to the south, is zoned 'RES'.

### **SEA Environmental Sensitivity Screening**

The site overlaps with the following layers of interest:

- Rathcoole Architectural Conservation Area
- Rathcoole Area of Archaeological Potential
- There is a protected structure in close proximity (3 bay semi-detached house at Main Street, Rathcoole, RPS Ref. 312)
- Rathcoole village centre is on the Record of Monuments and Places (RMP Ref. DU021-030).

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### Consultations

#### Internal

SDCC Architectural Conservation Officer	Requests Additional information.
Environmental Services	Requests Additional information.
Roads	Requests Additional information.
Public Realm	Requests Additional information.

#### External

Irish Water	No objection, subject to conditions.
Department of Defence	No response received.
HSE Environmental Health Officer	No response received.

### Submissions/Observations/Representations

Submissions have been received from Rathcoole Community Council CLG and Scoil Chrónáin, and 4 submissions have been received on behalf of individuals/households living on Main Street, Rathcoole.

The issues raised can be summarised as follows:

#### Principle of Development

- No masterplan submitted for this development, to show how the development would interact with the permitted school (SD21A/0231) and other users of the cul-de-sac.
- Site should be used to replace some retail capacity lost in recent times.
- Proposal does not provide bedspaces or children's play areas to benefit families in Rathcoole.
- Development is too dense. (23 units on a 0.57 Ha. site). Proposal represents overdevelopment of the site.
- No provision of 3-bed units. Reference is made to a renter's market.

#### Access, Transport and Parking

- Severe congestion occurs on the cul-de-sac during church services. Car park on the site is currently used by church goers.
- Removal of existing car park would lead to congestion in the cul-de-sac.
- Additional traffic movements at site entrance would lead to congestion in the cul-de-sac.
- No multi-unit developments should be permitted in Rathcoole until a traffic and transport study is undertaken, and the appropriate actions implemented.
- Traffic congestion in Rathcoole is at an all-time high.
- Vehicular access is a risk to users of the school, church and community centre.
- Additional traffic movements at the access road would be highly dangerous.
- Emergency services access could be compromised by additional traffic on the cul-de-sac.

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- Traffic from this development will add to traffic from school development (SD21A/0231).
- Impossible to use cul-de-sac during church or funeral services due to illegal parking and vehicular access to the church.

### Architecture and Character

- Apartment design is inappropriate given that it will be visible from the main street.
- Proposal would be out of character with existing homes on Main Street.
- Not in keeping with the character of the village.

### Residential Amenity

- Overshadowing of neighbouring property at 116 Main Street.
- Upgrade of Tay Lane sewage pumping station is needed to cater for any additional demand.
- Loss of privacy to adjoining rear gardens.
- Loss of natural light to adjoining dwelling.
- Loud patrons and music from public house will be exacerbated due to additional structures providing for noise reverberation. A Traffic and Transport Study has been promised for Rathcoole.

### Other Issues

- Integrated green infrastructure / surface water solution should be implemented between adjacent sites being developed concurrently.
- Block B will overlook school grounds.
- Risk of overshadowing to neighbouring properties.
- Loss of privacy to neighbouring properties.
- Potential noise impact of the public house. Noise impact at present is an issue.
- Private outdoor amenity space is very limited.
- Environmental Regulations should be complied with, with respect to domestic waste.
- Anti-social behaviour has occurred in the car park of the pub.
- Concerns for management of waste.
- Management of waste should be the responsibility of owners, not a management company.

### Aviation

- Noise survey does not take account of aviation noise.
- Department of Defence has not been consulted, and no aviation impact study submitted.

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### Planning History

#### **Subject Site**

S99A/0067

Permission **refused** 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 gents toilets at ground floor level with restaurant, gallery, kitchen, ladies and gents 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 Waste Water treatment plant.

SD07A/0867

Permission **refused** by An Bord Pleanála (overturning a decision to grant permission by SDCC) for Demolition of 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.

SD11A/0275 (on eastern portion of the site)

Permitted **granted** for (1) Change of use of part of existing public house to restaurant unit; (2) elevation changes and signage to form entrance and shopfront.

SD11A/0276 (on western portion of the site)

Permission **granted** for the demolition of existing structures on site & the construction of new two-storey mixed use shop & office development totaling 923 sq.m. 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.

#### **Recent Applications on Neighbouring Sites**

SD18A/0331 at Scoil Chrónáin National School (site to the north and west of the church)

Permission for retention **granted** for a 3 year period, for the existing prefabricated accommodation building consisting of 4 classrooms, 1 resource room and plant room together with all associated site works located within the playing fields to the rear of the school and to the west of the Holy Family Catholic Church. The development was previously granted permission under planning reference SD15A/0204 for a period of 3 years.

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### SD19A/0075 at Scoil Chrónáin National School

Permission **granted** for single storey prefabricated accommodation consisting of 2 classrooms with ancillary toilets; 1 resource room; a canopy to link the unit to the existing prefab; 4 car parking spaces, all located to the rear of the existing prefabricated unit; the works also include the provision of 2 gates within the existing fencing to the west of the site and a new footpath access to the west connecting to the existing footpath to the front of the site together with all associated site works.

### SD20A/0080 at Scoil Chrónáin National School

Permission **granted** for a temporary single storey prefabricated building to be linked to the existing single storey prefabricated building granted under Ref. SD19A/0075; 2 general classrooms each with toilet accommodation (one containing accessible WC); 1 store; entrance lobbies; 1 user assisted toilet; 2 staff toilets and 4 car park spaces all located to the north-rear of the existing school and existing prefabs together with all other ancillary and associated siteworks.

### SD21A/0231 at Scoil Chrónáin National School

Permission **granted** for 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 classroom Special Educational Needs Unit and all ancillary site works. The proposed project also incorporates associated staff car parking, delivery aces, drop off areas, pedestrian/bicycle access, construction of 2 external ball courts, acoustic boundary wall plus additional boundary treatments, landscaping, connection to public services and all associated site works.

### **Enforcement History**

No recent relevant enforcement history recorded.

### **Relevant Policy**

#### **National Policy**

The relevant policy documents are detailed below. The Planning Authority are of the opinion that of most significant relevance is the National Planning Framework (NPF). In this regard, National Strategic Outcome 1 of the NPF refers to and, stresses the importance, of 'Compact Growth'. The NPF states,

'From an urban development perspective, we will need to deliver a greater proportion of residential development within existing built-up areas of our cities, towns and villages and ensuring that, when it comes to choosing a home, there are viable attractive alternatives available to people.'

The NPF indicated that the delivery of compact growth will be through National Policy Objective 2a, which states,

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‘A target of half (50%) of future population and employment growth will be focused in the existing five Cities and their suburbs.’

and National Policy Objective 3a, which states,

‘Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.’

The National Planning Framework also includes a specific Chapter, No. 6, entitled ‘People, Homes and Communities’. It includes 12 objectives among which Objective 27 seeks to ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages. Objective 33 seeks to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

### **Other Ministerial Guidelines and Policy**

**Regional, Spatial & Economic Strategy 2020-2032 (RSES)**, Eastern & Midlands Regional Assembly (2019)

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

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

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

**Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas**, Department of the Environment and Local Government (2009).

**Urban Design Manual**, Department of the Environment, Heritage and Local Government, (2008).

**Urban Development and Building Heights Guidelines for Planning Authorities**, (2018)

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

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

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**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).

**Departmental Circulars**, Department of Housing, Planning and Local Government (2020) – as listed:

- PL02/2020: Covid-19 Measures
- PL03/2020: Planning Time Periods
- PL04/2020: Event Licensing
- PL05/2020: Planning Time Periods
- PL06/2020: Working Hours Planning Conditions
- PL07/2020: Public Access to Scanned Documents
- PL08/2020: Vacant Site Levy
- Circular NRUP 02/2021 - Residential Densities in Towns and Villages

**Circular Letter NRUP 03/2021** – s.28 Guidelines on the Regulation of Institutional Investment in Housing

### **Relevant Policy in South Dublin County 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 Towns and Villages*

*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).



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### *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.

#### *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.

### *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*

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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.

### *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 the development of walking and cycling facilities within a safe and traffic calmed environment.

### *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 7.8.0 Aerodromes & Airports*

#### *Section 7.8.1 Casement Aerodrome*

#### *Policy IE8 Casement Aerodrome*

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### IE8 Objective 2 (C)

Protect runway 05 as a Code 3 subsidiary visual approach runway due to the land contours in the area and prevent objects from penetrating the relevant approach, transitional, inner horizontal and conical limitation surfaces for a visual approach runway in accordance with Section 3.13 of the Irish Aviation Authority 'Guidance Material on Aerodrome Annex 14 Surfaces' (2015). The extent of the lands under the runway approach surface whereby no development is allowed for runway 05 (Rathcoole end) is shown on the Development Plan maps (i.e 1,100 metres) and the ICAO standards will not prejudice the development of zoned lands in Rathcoole.

### *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 9.3.1 Natura 2000 Sites*

#### *Policy HCL12 Natura 2000 Sites*

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

#### *Table 11.20: Minimum Space Standards for Houses*

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*Table 11.21: Minimum Space Standards for Apartments*

*Section 11.4.1 Bicycle Parking Standards*

*Table 11.22: Minimum Bicycle Parking Rates*

*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 11.6.1 (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*

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<b><u>Development Details</u></b>					
<b>Gross Site Area (Ha.)</b>					<b>0.57</b>
<b>Existing</b>					
<b>Cottage Units</b>					<b>3</b>
• <b>Studio/1-bed</b>					<b>2</b>
• <b>2-bed</b>					<b>1</b>
<b>Proposed</b>					
<b>No. of Proposed Units</b>					<b>23</b>
○ <b>1-Bed</b>					<b>9</b>
○ <b>2-Bed (Reconfigured Cottages)</b>					<b>2</b>
○ <b>2-Bed</b>					<b>12</b>
<b>Gross Floor Area</b>					
	Existing	Demolition	Remaining	New	Total Proposed (Remaining + New)
Residential (Cottages and new residential blocks)	189	48	141	811	953
Commercial (Public house)	760	291	469	0	469
<b>Total</b>	<b>949</b>	<b>339</b>	<b>610</b>	<b>811</b>	<b>1422</b>
<b>Plot Ratio of Proposed</b>					<b>0.25</b>
<b>Site Coverage</b>					<b>Stated as 25%</b>
<b>Residential Density (DpH) on full site</b>					<b>40</b>
<b>Net Residential Density (Pub site excluded)</b>					<b>100</b>
<b>Open Space (Sq.M)*</b>					<b>Stated as 1,292</b>
Not defined as public or communal.					

### **Assessment**

The main issues for consideration are:

- Zoning and Council Policy
- Urban Design and Layout
- Residential Amenity
- Architectural Conservation
- Visual Impact
- Mix of Uses
- Access, Transport & Parking

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- Public Realm and Ecology
- Water
- Environmental Health
- Public Housing
- Waste
- Aviation Safety
- Taking in Charge
- Appropriate Assessment
- Environmental Impact Assessment

### Zoning and Policy

The site is divided between the following zoning objectives:

- The 'VC' zoning objective seeks "to protect, improve and provide for the future development of Village Centres". Most of the southern portion of the site is zoned VC.
- The 'RES' zoning objective seeks "to protect and/or improve residential amenity." The narrow northern portion of the site, and some of the wider site to the south, is zoned 'RES'.

As per zoning matrix tables in section 11 of the County Development Plan, the 'public house' use is permitted in principle under the 'VC' zoning objective, and 'open for consideration' under the 'RES' objective. Residential development is permitted in principle in both 'VC' and 'RES' zones.

Both uses are already present on the site. The proposed development amounts to an extension and intensification of residential use by way of infill development to the rear of the site, and refurbishment/reconfiguration of the existing residential units in the cottages. The Public House will not be extended in size under this development, though it will be serviced and facilitated by car parking to the rear.

In principle, the uses are allowable.

See image for division of zoning objectives:

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### Settlement Strategy

Variation 4 of the County Development Plan transposed the settlement strategy of the Eastern & Midlands RSES into local policy. Under Chapter 1 'Core Strategy' of the Plan, Rathcoole is identified as a 'town or village' and as per Policy CS4,

“It is the policy of the Council to support the sustainable long term growth of Towns and Villages based on local demand and the ability of local services to cater for growth.”

CS4 Objective 1 reads:

“To support and facilitate development on zoned lands on a phased basis subject to approved Local Area Plans.”

Rathcoole is not subject to a Local Area Plan and there are no requirements in the County Development Plan for phasing of development in Rathcoole.

The designation of Rathcoole as a village indicates, as per the rationale contained within the RSES, that it is not an area with strong public transport or sustainable transport links. Specifically, it does not have good connections to the red line Luas or future Dart extension as part of the south-west corridor.

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It should be noted also that the prospect of new residential development in Rathcoole does not support the recommendation of the Greater Dublin Transport Strategy to reduce the need to travel.

### Residential Density

The proposed density on the site is stated as **40 dwellings per Hectare**. This figure takes the full site area of 0.57 Ha.

The portion of the site which will contain the residential blocks, residential parking, and the open space most clearly associated with that residential development, is the western half of the site. The eastern half contains the pub car park, the pub, and an area of open space which is detached from both the residential development and the pub, and shares a boundary with the lane to the rear (it is possible that the rear of the site could be redeveloped as an independent residential site with rear access).

Excluding the eastern half of the site, the residential area measures approx. 0.26 Ha. or slightly less than half of the overall site area. The provision of 23 units on a 0.25 Ha. site gives a net residential density of approx. **90 dwellings per ha.**

In terms of settlement policy, the density figure is only useful as a guide. It is clear however that the proposed development would represent a major uplift in residential densities in Rathcoole village. Policy UC3 of the County Development Plan states the following with regard to the traditional village centres of the county:

“It is the policy of the Council to strengthen the traditional villages of the County by improving the public realm, sustainable transport linkages, commercial viability and promoting tourism and heritage value.”

### UC3 Objective 2

To promote design standards and densities in traditional village centres, that are informed by the surrounding village and historic context and enhance the specific characteristics of each town or village in terms of design, scale and external finishes.

The applicant should reconsider the proposed density and should specifically address how the provision of residential development at this density in the village of Rathcoole accords with regional settlement strategy. This can be done by way of **additional information**.

### Urban Design and Layout

The development is laid out with residential uses to the west, bounded by an access road through the site to the east where pub car parking is provided, and access to the pub from the car park via the rear of the building. The residential blocks are arranged as so: block A is located immediately behind the cottages, on the western boundary of the site. Block B is located north of block A and is



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a corner block, creating a north and north-west perimeter. Blocks A and B, the cottages, and the public house, thus create a perimeter block around a central courtyard space. There is an emergency access door from the pub to the open space/courtyard. The public house does not front onto the courtyard, but there are windows from pub toilets to the rear of the building, directly into the courtyard. The courtyard space is accessible to pedestrians from Main Street and from the west of the site.

The Planning Authority has concerns relating to layout and privacy/amenity.

The applicant has not provided public realm / landscape plans, and it is not clear what the quality of the courtyard space would be as communal open space. It is noted that the proposal doesn't provide public open space. Section 11.3.2 of the Development Plan outlines that in relation to infill that 'subject to appropriate safeguards to protect residential amenity, reduced open space and car parking standards may be considered for infill development, dwelling sub-division, or where the development is intended for a specific group such as older people or students. Public open space provision will be examined in the context of the quality and quantum of private open space and the proximity of a public park.'

In terms of privacy, there are a few issues with the courtyard space. (1) As it is located adjacent to a public house, the open access to the courtyard from Main Street is problematic and may present a challenge to the residential amenity and enjoyment of the semi-private space for residents. (2) The provision of open accesses to the south and west also potentially provides a through-route for people walking to and from church or school. This also may compromise the ability of residents to enjoy the space. (3) The emergency access from the public house is a major risk, as the enjoyment of the space is dependent on the management of the pub adhering strictly to the conditions of any planning permission. Furthermore, the doorway would likely need to become a party boundary between the public house and the lands owned by an Owner's Management Company set up under the Multi-Unit Developments Act 2011. It is not clear that this would be a secure boundary and this may raise issues with obtaining insurance.

All of the above issues impact amenity as well as privacy, but additionally there is the issue of pub toilet windows fronting onto the courtyard space, allowing for noise and odours to filter into the courtyard.

It is noted that, at present, the minimum private open space is provided for each apartment unit (excluding cottages) as per the Apartment Guidelines. It should be possible to compensate for lack of quality communal space by providing the required communal space within private balconies and terraces (i.e., doubling them in size).

The applicant should therefore be asked to reconsider these aspects of the development layout, to clarify the purpose of the courtyard (communal or public open space) and to illustrate either that it

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is a communal amenity space with adequate privacy and amenity value, or otherwise that the lack of such dedicated community space can be made up for with more generous provision of private balconies and terraces, or alternative communal open space provision. This should be dealt with by **additional information**.

### Street Frontage and Own Door Access

The proposed development features ground floor units fronting onto streets in Block B which are not provided with own-door access. It is considered appropriate given the village centre setting, that the units fronting onto the internal access street or the internal courtyard are provided with own-door access, and the circulation areas at ground floor can consequently be reduced. This can be addressed by **additional information**.

### **Residential Amenity**

#### Residential Standards: Cottages

The proposed reconfiguration of the cottage units would see three small residential units turned into 2 no. 2-bedroom units. These units would more accurately be described as houses rather than apartments as per the applicant's schedule of accommodation. These generally meet the recommendations provided for in the 2007 Quality Housing for Sustainable Communities guidelines – however, they fall short in terms of private open space requirements. As per section 11.3.2 of the County Development Plan, reduced standards can be acceptable in the case of infill development. Considering the benefit of the improvement to internal layout in each of these units, their being brought back into use and the benefit of that to the character of the village, the proposed reconfiguration of the cottages is acceptable.

#### Residential Standards: Apartments

The schedule of accommodation shows that the apartments generally meet the minimum standards provided for in the 2020 Apartment Guidelines, with the exception of section 3.8 'Safeguarding Higher Standards'. As per sections 3.8 – 3.15 of the guidelines, a 10% uplift on the minimum standards should be provided for either in a majority of units, or spread out more evenly over a larger number of units. The applicant has not complied with sections 3.8 – 3.15, and should show compliance with this part of the 2020 guidelines by way of **additional information**.

Noting earlier comments on communal and private open space, it is advised that any compensatory private amenity space should be in addition to any uplift in minimum floor areas required as per section 3.8 of the guidelines.

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### Inward Noise

The proposed development is located close to the N7 and an Acoustic Design Statement has been provided. No report has been provided by the HSE Environmental Health Officer.

The report notes that private balconies would not be appropriate for the western façade of Block A, and the north, west and north-eastern façade of Block B, due to external noise levels, and suggests the use of winter gardens instead. Internal noise levels within the apartments will require windows to be closed during the day, and ventilation measures are required, with all facades declared suitable for mechanical ventilation.

The Acoustic Design Statement has not taken into account aircraft noise. The applicant's acoustic design consultant should make a comment on this matter and submit a revised assessment report if necessary, by way of **additional information**.

The Acoustic Design Report notes that balconies on the top floor of the east façade of Block A, and on the southeast façade of Block B, will exceed desirable noise levels, but that this is offset by the desirable noise levels in the communal open space. The applicant should address therefore the noise levels on these balconies if measures to further secure privacy in the communal open space are not proposed to be implemented (as per above comments on layout), by way of **additional information**.

### **Architectural Conservation**

The SDCC Architectural Conservation Officer has provided the following appraisal of the proposal:

This is an application for the demolition of existing structures on site and the reconfiguration, renovation and extension of 3 no. existing single-storey cottages along Main Street. The reconfiguration and renovation of the existing Muldowney's Pub and the construction of 21 residential units within 2 no. 3-storey blocks to the rear and side of the existing public House. Block A will be located to the front of the site, running parallel to the southern boundary behind the existing cottages which are located along Main Street. Block B is located to the rear of the site, adjacent to Muldowney's Public House. The proposed development is located within the Architectural Conservation Area of Rathcoole Village.

The reuse of the 3 no. cottages along Main Street is a welcomed part of the proposed development allowing retention of these buildings and streetscape character along Main Street. As part of the application an Architectural and Urban Design Statement has been provided which includes a site context and site analysis which is particularly important when providing a design rationale and impact assessment of any proposed new build within an Architectural Conservation Area. The larger single-storey cottage and the two vernacular

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(3-bay and 2-bay) cottages along with Muldowney's Pub provide streetscape character along this part of Main Street. The existing buildings are single-storey or one and a half storey. Any taller buildings at this location will be highly visible from Main Street. A pre-planning Meeting took place during March 2020 and the possible visual impacts and the requirement to retain the existing single-storey cottages were discussed along with the requirements for any new development within an ACA. The relationship to the existing Church site adjacent was raised and how any development should establish a building line along the northwest of the site allowing the integration of the new development on the Church side, thereby linking the new development somehow back into the Main Street.

It is proposed to provide street frontage to the western open space of the development with the Church as the focal point in acting as a key to the sequencing of external space. A new inner street connecting the Main Street to the linear church open space is created and there is a set back of the northern block proposed to provide sufficient circulation space and visibility around the existing Church. The southern block is linked to the existing cottages to create two L-shaped plan block arrangements around two inner squares which form an urban edge to the western open space and church. It is felt at this area that some separation distance is required to the rear of the corner single-storey cottage allowing a graduation of heights and sufficient setback. It is considered that having the 3-storey block directly onto the rear of the corner cottage allows the block to be imposing and completely dominate the single-storey cottages. Varying heights and some separation to delineate the Main Street buildings from the rear block onto the Church site is required to minimise the visual impact. The block form of the proposed residential units is larger in mass and scale thereby creating more visual impact. The existing Church building although located setback off Main Street still provides architectural interest and character within the village setting. The new development at this location needs to provide a greater level of architectural interest and character. The proposed blocks need to achieve a backdrop of added architectural quality and interest to the rear of the existing single-storey cottages and existing public house. It is considered that more consideration needs to be given to the materials and finishes in order to address the above. The height of the blocks needs to show different heights and setback to reflect the different building heights, roof levels/types and architectural character and materials of the existing building stock along Main Street and the village core. Block A should be re-designed to ensure the street frontage element is delivered along with achieved visual connection to Main Street at this location, therefore the design should provide

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variations in height, levels and roof profiles to reflect a typical streetscape which provides visual interest and variety in design/styles.

The overall design of the proposed residential units, additions to the existing cottages and Public House will be easily read as contemporary additions to the existing buildings and Village, however it is important that those elements reflect the site context and surrounding architectural forms. The existing cottages are to be retained and restored with some reconfirmation and refurbishment. The existing cottages are not included on the Record of Protected Structures, however as previously stated that although very simple in architectural style they reflect the very rural character of Rathcoole Village and therefore their retention and reuse are welcomed as part of the proposed development. Details have been provided in the Architectural and Urban Design report in relation to the existing cottages and the existing Public House. It is considered that further detail will be required with regard to a Method Statement and Schedule of works with regard to the conservation repair works and upgrading to ensure the external appearance and retention of original materials are delivered.

There has been considerable pressure for residential development around the Village and the majority is back land development which can be viewed hovering above the existing building line of Main Street. Unfortunately, not all development has been sensitive to the site context and the character of the Village/Main Street. Without regard for the existing scale and massing in the Village core this can lead to a diminish in visual amenity, the overall historic character and architectural integrity of a Village can be impacted on negatively. It is therefore important that a balance between new build and the existing built environment is provided and an overall design that adds architectural quality and character to the existing Village is provided.

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### **Recommendation**

It is considered that the following Request for Further Information be sought in order to address the issues and concerns relating to visual impact and overall design of the proposed residential units within the Architectural Conservation Area;

- The southern block is linked to the existing cottages to create two L-shaped plan block arrangements around two inner squares which form an urban edge to the western open space and church. It is felt at this area that some separation distance is required to the rear of the corner single-storey cottage allowing a variation of heights and sufficient setback. It is considered that having the 3-storey block directly onto the rear of the corner cottage allows the block to be imposing and completely dominate the single-storey cottages.
  - Differing heights and some separation to delineate the Main Street buildings from the rear block onto the Church site is required to minimise the visual impact. It is noted that the height of Block A is in line with the height of the existing church, however the block form of the proposed residential units is larger in mass and scale thereby creating more visual impact. The existing Church building although located setback off Main Street still provides architectural interest and character within the village setting.
  - The new development at this location needs to provide a greater level of architectural interest and character. The proposed blocks need to achieve a backdrop of add architectural quality and interest to the rear of the existing single-storey cottages and existing public house.
- It is considered that more consideration needs to be given to the materials and finishes in order to address the above. The height of the blocks needs to show different and varying levels and setback to reflect the different building heights, roof levels/types and architectural character and materials of the existing building stock along Main Street and the village core.
  - Block A should be re-designed to ensure the street frontage element is delivered along with achieved visual connection to Main Street at this location, therefore the design should provide variations in height, levels and roof profiles to reflect a typical streetscape which provides visual interest and variety in design/styles.
  - Block B requires re-design/revisions to once again provide an overall design that will provide architectural interest as a backdrop to Main Street. Some reduction in height

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and set back will support a varied design. The use of colour and perhaps different materials would also assist in providing architectural merit and quality defining the architectural quality required within the Village, as part of creating new design and architectural character within the Architectural Conservation Area.

- It is considered that a Method Statement and Schedule of Works should be provided detailing conservation repair and upgrading of the existing single-storey cottages to ensure the external appearance and retention of original materials are delivered.”

### Planning Department's Conclusion

Given the comments of the ACO, it is considered appropriate that **additional information** is sought from the applicant regarding a revision of the height and design of blocks A and B, and the provision of a Conservation Method Statement and Schedule of Works.

### **Visual Impact**

The Architectural Conservation Officer has noted the potentially imposing nature of the development on the streetscape in Rathcoole, and has sought various alterations to height, material treatment and setbacks, etc. This is appropriate.

In addition, it is noted that a number of third parties have commented on the potential for overlooking or overshadowing of neighbouring residential developments and the school site to the north-west.

The applicant has provided a Sunlight and Daylight Assessment of the proposed development, which shows that there will be no material impact on adjoining sites from loss of aspect or overshadowing. This is acceptable.

The school has objected to the possibility over overlooking from Block B into the school site. Reviewing the permitted plans (SD21A/0231) and the proposed development, it would appear that there is the possibility of overlooking into the front area of the school, though not necessarily a playground. This can be avoided by reorienting the living rooms and balconies of Block B at the north-western corner to face west, rather than face north. The applicant can address this via **additional information**.

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### Building Height

As per the 2019 Building Height Guidelines, building height should be assessed with regard to context in which the development is located, with regard to strategic and local concerns. In this instance, the applicant's own sunlight and daylight analysis has shown that the 3-storey buildings can be accommodated without causing issues of overshadowing or loss of aspect.

The Architectural Conservation Officer has noted however the imposing nature of the development on the streetscape on Main Street. Noting that the area is on the record of monuments and places, and that the proposed development is in an Architectural Conservation Area, and noting also the requirements of policy UC3 on village centres, it is considered appropriate that a softer transition in height is provided from the main street.

### Design and Material Treatment

The Architectural Conservation Officer has sought alternative approaches to the design of the buildings. The applicant should provide a Building Lifecycle Report by way of **additional information**, to fulfil the following recommendations of section 6.13 of the Apartment Guidelines (2020):

“6.13: Accordingly, planning applications for apartment development shall include a building lifecycle report which in turn includes an assessment of long term running and maintenance costs as they would apply on a per residential unit basis at the time of application, as well as demonstrating what measures have been specifically considered by the proposer to effectively manage and reduce costs for the benefit of residents.”

### **Mix of Uses**

The applicant proposes to retain the public house and residential uses which currently address Main Street, and to extend and intensify residential use to the rear. Policy R7 of the County Development Plan supports the strengthening of retail, retail services and nice retailing in traditional villages. Ground floor units in Block A and the southwestern wing of Block B might be appropriate locations for small retail units to be included in the scheme. Given the scale of the development, and that no uses are being lost from particularly the Main Street frontage, it is not considered necessary to impose a requirement for additional retail or retail services at this site. The mix of uses on the site is acceptable.

It is considered however that units 02 Block A) and 07, 08, 09, 10 and 11 (Block B) should be delivered as convertible units, with a floor-to-ceiling height that would be potentially appropriate for small-scale retail, retail services or niche retail units, subject to later planning. The applicant can address this possibility by way of **additional information**.



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### Access, Transport and Parking

The Roads Department has recommended a request for additional information in order to obtain a Traffic and Transport Assessment and the provision of EV charging areas in the public house car park.

A number of observations have noted the levels of traffic in Rathcoole. Some have suggested that development be curtailed until the conclusion of a Traffic Study and implementation of appropriate actions following such a study. I have been advised by the Roads Department that while SDCC has sought such a study from the NTA, there is no immediate guarantee that such a study will be undertaken or when it will be undertaken. It is of paramount importance therefore that a TTA is undertaken to justify the development at this site. The TTA should include in its baseline assumptions the increase in traffic that will be caused by the permitted school (SD21A/0231). This should be addressed by **additional information**.

As mentioned above, it is noted that Rathcoole is not considered to be a priority area for new housing under the regional settlement strategy, owing to its poor transit links. The delivery of housing at this density and at this location should be dependent on the road network in the area having sufficient capacity for the development.

Additionally, a Stage 1 + 2 Road Safety Audit should be carried out with respect to the vehicular access to the site, by way of **additional information**.

The applicant should also be requested to provide changes to the layout to show the provision of electric charging for both the residential and the public house car parking, by way of **additional information**.

Details should also be provided regarding the amount and location of car parking for patrons of Muldowneys Pub.

### Public Realm

The Public Realm Department has noted a lack of Landscape drawings provided with the application and a lack of SUDs proposals. They have sought 5 items of additional information relating to:

- Landscaping scheme and boundary treatment proposals
- Arboricultural impact assessment
- Visual Impact Assessment
- Green infrastructure
- SuDs

The applicant has provided arboricultural information and a Landscape and Visual Impact Assessment, which I am content are adequate to allow assessment of the application. In terms of a

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Landscape Plan and green infrastructure and SUDs proposals, the applicant should address these matters by way of **additional information**.

### **Water and Drainage**

The Environmental Services Department has sought additional information in relation to: SUDs, the need for additional attenuation, and relocation of petrol interceptors to be upstream of attenuation infrastructure. This is noted and the proposed items for **additional information** are considered to be appropriate. It should be noted that a natural SUDs scheme on a site such as this should be capable of minimising if not removing the need for underground attenuation storage.

Irish Water has stated no objection, subject to standard conditions relating to a connection agreement.

### **Environmental Health**

The HSE Environmental Health Officer has not provided a report at the time of writing. In the event of a grant of permission, the applicant should obtain the requirements of the EHO to development, given the juxtaposition of uses between public house and residential development.

### **Public Housing**

The Housing Department has submitted a report. The preference of the council is to acquire units on site, and subject to a revised proposal being agreed with the applicant. The details should be agreed by **condition** in the event of a grant of permission.

### **Waste Management**

The proposed development provides for refuse waste to be stored in the courtyard area, away from site accesses. The applicant should provide an **Operational Waste Management Plan** to show how waste will be stored and taken away during occupation, and if necessary, how refuse vehicles will access the waste. This should be undertaken by way of **additional information**.

### **Aviation Safety**

The site is located Policy IE8, objective 3(c), of the County Development Plan states:

- c). Protect runway 05 as a Code 3 **subsidiary** visual approach runway due to the land contours in the area and prevent objects from penetrating the relevant approach, transitional, inner horizontal and conical limitation surfaces for a visual approach runway in accordance with Section 3.13 of the Irish Aviation Authority 'Guidance Material on Aerodrome Annex 14 Surfaces' (2015). The extent of the lands under the runway approach surface whereby no development is allowed for runway 05 (Rathcoole end) is shown on the Development Plan maps (i.e 1,100 metres) and the ICAO standards will not prejudice the development of zoned lands in Rathcoole.

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The site is located in the 'critical safety zone', underneath the runway approach to runway 05. Section 7.8.1 of the County Development Plan identifies runway 05/23 as being a secondary runway. The site is **not** located in the inner approach zone, where development is not permissible. As per Policy IE8 objective 3(c), and the County Development Plan maps, "the ICAO standards will not prejudice the development of zoned lands in Rathcoole".

The applicant has not addressed the issue of aviation safety, either in terms of noise or building height. They should provide comment by way of **additional information**.

The Department of Defence has not provided a response to the application.

### **Taking in Charge**

The applicant has not provided a Taking in Charge Plan and has not indicated those parts of the development to be retained in private ownership, or to be taken over by an Owner's Management Company or similar acceptable body. The applicant should address this by way of **additional information**.

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### Screening for Appropriate Assessment

**Table 1: Description of the project and site characteristics**

<b>Planning File Reference</b>	SD22A/0096
<b>Brief description of the project</b>	See description of development.
<b>Brief description of site characteristics</b>	See site description.
<b>Application accompanied by a NIS Y/N</b>	No. Accompanied by a Screening Report.

**Table 2: Identification of European Sites which may be impacted by the project**

<b>European Site</b>	<b>List of Qualifying Interest/ Special Conservation Interest</b>	<b>Distance from proposed development (km)</b>	<b>Connections (Source- Pathway- Receptor)</b>	<b>Considered further in screening Y/N</b>
Glenasmole Valley SAC	3 Qualifying Interests CO001209.pdf (npws.ie)	6.7	No links – see applicant's report.	No
Wicklow Mountains SAC	13 Qualifying Interests ConservationObjectives.rdl (npws.ie)	7.6	No links – see applicant's report.	No
Wicklow Mountains SPA	2 Qualifying Interests - Merlin (Falco columbarius) [A098] Peregrine (Falco peregrinus) [A103] CO004040.pdf (npws.ie)	11.1	No links – see applicant's report.	No
Rye Water Valley / Carton SAC	<ul style="list-style-type: none"> <li>• Petrifying springs with tufa formation (Cratoneurion) [7220]</li> <li>• Vertigo angustior (Narrow-mouthed Whorl Snail) [1014]</li> <li>• Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016]</li> </ul>	9.1	No links – see applicant's report.	No
Red Bog Kildare SAC	<ul style="list-style-type: none"> <li>• Transition mires and quaking bogs [7140]</li> </ul>	10.3	No links – see applicant's report.	No
Poulaphouca Reservoir SPA	<ul style="list-style-type: none"> <li>• Greylag Goose (Anser anser)</li> </ul>	11.2	No links – see applicant's	No

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	[A043] • Lesser Black-backed Gull (Larus fuscus) [A183]		report.	
South Dublin Bay SAC	4 Qualifying Interests ConservationObjectives.rdl (npws.ie)	>15km	No – Connection is further than 15km.	No
South Dublin Bay and River Tolka Estuary SPA	14 Qualifying Interests ConservationObjectives.rdl (npws.ie)	>15km	No – Connection is further than 15km.	No

**Table 3: Assessment of Likely Significant Effects**

<b>Identify all potential direct and indirect impacts (alone or in combination) that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project:</b>	
<b>Likely Impacts</b>	<b>Possible Significance of Impacts (duration, magnitude etc.)</b>
Construction phase e.g. <ul style="list-style-type: none"> <li>• Vegetation clearance</li> <li>• Demolition</li> <li>• Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</li> <li>• Dust, noise, vibration</li> <li>• Lighting disturbance</li> <li>• Impact on groundwater/dewatering</li> <li>• Storage of excavated/construction materials</li> <li>• Access to site</li> <li>• Pests</li> </ul>	As no so source-pathway-receptor links were identified there is no potential for likely significant effects on any European site in view of their conservation objectives, as a result of the proposed development.
Operational phase e.g. <ul style="list-style-type: none"> <li>• Direct emission to air and water</li> <li>• Surface water runoff containing contaminant or sediment</li> <li>• Lighting disturbance</li> <li>• Noise/vibration</li> <li>• Changes to water/groundwater due to drainage or abstraction</li> </ul>	As no so source-pathway-receptor links were identified there is no potential for likely significant effects on any European site in view of their conservation objectives, as a result of the proposed development.

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<ul style="list-style-type: none"> <li>• Presence of people, vehicles and activities</li> <li>• Physical presence of structures</li> <li>• (e.g. collision risks)</li> <li>• Potential for accidents or incidents</li> </ul>	
In-combination/Other	As no so source-pathway-receptor links were identified there is no potential for likely significant effects on any European site in view of their conservation objectives, as a result of the proposed development.

<b>Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?</b>
No

**Table 4: Screening Determination Statement**

<b>Assessment of significance of effects:</b>		
Describe how the proposed development (alone or in-combination) is/is <u>not likely</u> to have <u>significant</u> effects on European site(s) in view of its conservation objectives.		
<b>Conclusion:</b>		
	<b>Indicate (X)</b>	<b>Recommendation</b>
<b>It is clear that there is no likelihood of significant effects on a European site</b>	X	The proposal can be screened out. Appropriate assessment not required.
<b>It is uncertain whether the proposal will have a significant effect on a European site</b>		Request further information to complete screening Request NIS Refuse permission
<b>Significant effects are likely</b>		Request NIS Refuse permission
<b>Completed by</b>	CM	
<b>Date</b>	May 2022	

### Screening for Environmental Impact Assessment

Having regard to the scale 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.

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### Conclusion

The proposed infill development presents a number of issues regarding visual impact, local character in an ACA, privacy/amenity, traffic and transport, noise and aviation safety. These issues would need to be comprehensively addressed prior to a final decision on the application.

The applicant is requested to note that the South Dublin County Development Plan 2022-2028 plan making process is reaching a conclusion in the coming months. The applicant is advised that the Planning Authority is required to assess planning application having regard to the active Development Plan at the time. The further information response should provide a report demonstrating that the revised proposal is fully in compliance with the adopted new Development Plan (if relevant).

### Recommendation

I recommend that **ADDITIONAL INFORMATION** be requested from the applicant with regard to the following:

1. Traffic and Transport.

The applicant is requested to submit a detailed Traffic and Transport Assessment (TTA) for the proposed development. The TTA should address

a) any traffic and parking issues in respect to school drop-off/collection and masses and funerals at the church. The TTA should assume the delivery of the permitted school (SD21A/0231).

b) the location and details of car parking for patrons of Muldowneys Pub (which should not be the same parking to be used for occupants or the proposed apartments)

2. Residential Density.

The applicant should consider and address how the provision of residential development at this density in the village of Rathcoole accords with the regional and local settlement strategy, with special reference to the results of the Transport and Traffic Assessment.

3. Architectural Character.

The applicant is invited to respond to the following items identified and set out by the SDCC Architectural Conservation Officer:

(A) (i) The southern block (Block A) is linked to the existing cottages to create two L-shaped plan block arrangements around two inner squares which form an urban edge to the western open space and church. It is felt at this area that some separation distance is required to the rear of the corner single-storey cottage allowing a variation of heights and sufficient setback. It is considered that having the 3-storey block directly onto the rear of the corner cottage allows the block to be imposing and completely dominate the single-storey cottages.

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(ii) Differing heights and some separation to delineate the Main Street buildings from the rear block onto the Church site is required to minimise the visual impact. It is noted that the height of Block A is in line with the height of the existing church, however the block form of the proposed residential units is larger in mass and scale thereby creating more visual impact. The existing Church building although located setback off Main Street still provides architectural interest and character within the village setting.

(iii) The new development at this location needs to provide a greater level of architectural interest and character. The proposed blocks need to achieve a backdrop of add architectural quality and interest to the rear of the existing single-storey cottages and existing public house.

(B) (i) It is considered that more consideration needs to be given to the materials and finishes in order to address the above. The height of the blocks needs to show different and varying levels and setback to reflect the different building heights, roof levels/types and architectural character and materials of the existing building stock along Main Street and the village core.

(ii) Block A should be re-designed to ensure the street frontage element is delivered along with achieved visual connection to Main Street at this location, therefore the design should provide variations in height, levels and roof profiles to reflect a typical streetscape which provides visual interest and variety in design/styles.

(iii) Block B requires re-design/revisions to once again provide an overall design that will provide architectural interest as a backdrop to Main Street. Some reduction in height and set back will support a varied design. The use of colour and perhaps different materials would also assist in providing architectural merit and quality defining the architectural quality required within the Village, as part of creating new design and architectural character within the Architectural Conservation Area.

(C) A Method Statement and Schedule of Works should be provided detailing conservation repair and upgrading of the existing single-storey cottages to ensure the external appearance and retention of original materials are delivered.

#### 4. Courtyard.

(A) In terms of amenity and privacy, there are a few issues with the courtyard space.

(i) As it is located adjacent to a public house, the open access to the courtyard from Main Street is problematic and may present a challenge to the residential amenity and enjoyment of the semi-private space for residents.

(ii) The provision of open accesses to the south and west also potentially provides a



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through-route for people walking to and from church or school. This also may compromise the ability of residents to enjoy the space.

(iii) The emergency access from the public house is a major risk, as the enjoyment of the space is dependent on the management of the pub adhering strictly to the conditions of any planning permission. Furthermore, the doorway would likely need to become a party boundary between the public house and the lands owned by an Owner's Management Company set up under the Multi-Unit Developments Act 2011. It is not clear that this would be a secure boundary and this may raise issues with obtaining insurance.

(iv) pub toilet windows fronting onto the courtyard space, allowing for noise and odours to filter into the courtyard, and additionally to detract from the sense of privacy or enclosure offered by the courtyard.

It is noted that, at present, the minimum private open space is provided for each apartment unit (excluding cottages) as per the Apartment Guidelines. It should be possible to compensate for lack of quality communal space by providing the required communal space within private balconies and terraces (i.e. doubling them in size).

The applicant is therefore asked to reconsider these aspects of the development layout, to clarify the purpose of the courtyard and to illustrate either that it is a communal amenity space with adequate privacy and amenity value, or otherwise that the lack of such dedicated community space can be made up for with more generous provision of private balconies and terraces, or alternative communal open space provision. This should be dealt with by additional information.

(B) The Acoustic Design Report notes that balconies on the top floor of the east façade of Block A, and on the southeast façade of Block B, will exceed desirable noise levels, but that this is offset by the desirable noise levels in the communal open space. The applicant should address therefore the noise levels on these balconies if measures to further secure privacy in the communal open space are not proposed to be implemented (as per above comments on layout).

### 5. Residential Floor Area Standards.

As per sections 3.8 – 3.15 of the 2020 Apartment Guidelines, a 10% uplift on the minimum standards should be provided for either in a majority of units, or spread out more evenly over a larger number of units. The applicant has not complied with sections 3.8 – 3.15, and should show compliance with this part of the 2020 guidelines by way of additional information.

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6. Village Centre.

(a) The proposed development features ground floor units fronting onto streets in Block B which are not provided with own-door access. It is considered appropriate given the village centre setting, that the units fronting onto the internal access street or the internal courtyard are provided with own-door access, and the circulation areas at ground floor can consequently be reduced. The applicant is invited to consider and respond to this.

(b) It may be appropriate that units 02 (Block A) and 07, 08, 09, 10 and 11 (Block B) should be delivered as convertible units, with a floor-to-ceiling height that would be potentially appropriate for small-scale retail, retail services or niche retail units, subject to later planning. The applicant is invited to consider and respond to this.

7. Aviation Safety.

(A) The site is located in the 'critical safety zone', underneath the runway approach to runway 05. Section 7.8.1 of the County Development Plan identifies runway 05/23 as being a secondary runway. The site is not located in the inner approach zone, where development is not permissible. As per Policy IE8 objective 3(c), and the County Development Plan maps, "the ICAO standards will not prejudice the development of zoned lands in Rathcoole".

The applicant has not addressed the issue of aviation safety, either in terms of noise or building height/ obstacle limitations. They should provide comment by way of additional information.

As per Section 11.6.6 of the Development Plan, the Planning Authority request the applicant to submit a longitudinal section through the relevant Approach Surface funnel. The section drawing shall include the following:

- The Ordnance Datum (OD) of the relevant runway,
- The approach surface slope for the relevant runway in accordance with Table 3 & 4 of the IAA Guidance Material on Aerodrome Annex 14 Surfaces (2015) The OD of the highest point and OD of the predominant height of the proposed development,
- A range of OD reference points for the existing ground levels on the subject site,
- The horizontal distance of the subject site from the Aerodrome, and
- Heights of existing permanent obstacles in the vicinity of the site if applying the principle of shielding (see Section 3.23 of the Irish Aviation Authority Guidance Material on Aerodrome Annex 14 Surfaces, 2015).
- The distance from threshold shall be taken into account in the section drawing.

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(B) The Acoustic Design Statement has not taken into account aircraft noise. The applicant's acoustic design consultant should make a comment on this matter and submit a revised assessment report if necessary, by way of additional information.

8. Overlooking.

The school has objected to the possibility over overlooking from Block B into the school site. Reviewing the permitted plans (SD21A/0231) and the proposed development, it would appear that there is the possibility of overlooking into the front area of the school, though not necessarily a playground. This can be avoided by reorienting the living rooms and balconies of Block B at the northwestern corner to face west, rather than face north. The applicant can address this via additional information.

9. Building Lifecycle Report.

The applicant should provide a Building Lifecycle Report by way of additional information, to fulfil the following recommendation of section 6.13 of the Apartment Guidelines (2020):

'6.13: Accordingly, planning applications for apartment development shall include a building lifecycle report which in turn includes an assessment of long term running and maintenance costs as they would apply on a per residential unit basis at the time of application, as well as demonstrating what measures have been specifically considered by the proposer to effectively manage and reduce costs for the benefit of residents.'

10. Road Safety Audit.

The applicant is invited to provide a Stage 1 & 2 Road Safety Audit which should focus on the junction being created at the vehicular entrance to the site.

11. Electric Charging of Vehicles.

The applicant is invited to revise their Site Layout Plan to show the provision of 10% of spaces with facilities for charging electric vehicles, both in the residential and pub car park areas.

12. Public Realm.

There are concerns with the lack of information submitted in terms of a landscaping scheme and boundary treatment for the proposed development. The applicant is requested to provide a landscape design including details of boundary treatment for the proposed development. The applicant is requested to provide a detailed landscape plan with full works specification, that accords with the specifications and requirements of the Public Realm Section. The landscape Plan should include hard and soft landscape details; including levels, sections and elevations, detailed design of SUDs features including integrated/bio retention tree pits. In addition, the applicant is requested to submit a

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landscape rationale. The landscape proposals should be prepared by a suitably qualified landscape architect.

### 13. Green Infrastructure.

The applicant is requested to submit green infrastructure proposals to help mitigate and compensate for the impact of the proposed development on this green field site and the removal of a hedgerow. These proposals should include additional landscape details, SUDS measures (such as permeable paving, green roofs, filtration planting, above ground attenuation ponds etc) and planting for carbon sequestration and pollination to support the local Bat population. The response should include drawings.

### 14. Sustainable Drainage Systems.

The applicant has not proposed any SuDS (Sustainable Drainage Systems) features for the proposed development. The applicant is requested to submit a drawing in plan and cross-sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development.

a) The applicant is requested to show natural SUDS features for the development such as Green roofs, swales, tree pits, permeable paving, and other such SuDS and show what attenuation capacity is provided by such SuDS.

b) The applicant is requested to refer to the recently published 'SDCC Sustainable Drainage Explanatory, Design and Evaluation Guide 2022' for acceptable SUDS tree pit details.

c) SDCC Water Services estimate that the attenuation of 411m<sup>3</sup> proposed is undersized by 15%. The applicant should explore the possibility of installing SuDS devices such as grasscrete, and permeable paving in footpaths and road areas and this may reduce or eliminate the need to extend or use attenuation tanks as proposed.

d) The applicant is requested to submit a revised drawing showing a petrol interceptor upstream of attenuation system close to entry point of same.

The greater Dublin regional code of practice for drainage works states that petrol interceptors should be installed upstream of any attenuation systems. The drawing submitted by applicant shows the petrol interceptor installed downstream of the attenuation system and this should be corrected.

Note: SUDs features include but are not not limited to the following:

- Permeable Paving
- Grasscrete
- Rain Gardens
- Planter boxes with overflow connection to the public surface water sewer.
- Swales
- Channel Rills

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15. Attenuation.

SDCC Water Services estimate that the attenuation of 411m<sup>3</sup> proposed is undersized by 15%. The applicant should explore the possibility of installing SuDS devices such as green roofs, grasscrete, and permeable paving in footpaths and road areas and this may reduce or eliminate the need to extend proposed attenuation tanks.

16. Operational Waste Management.

The proposed development provides for refuse waste to be stored in the courtyard area, away from site accesses. The applicant should provide an Operational Waste Management Plan to show how waste will be stored and taken away during occupation, and if necessary, how refuse vehicles will access the waste. This should be undertaken by way of additional information.

17. Taking in Charge / Management Company.

The applicant has not provided a Taking in Charge Plan and has not indicated those parts of the development to be retained in private ownership, or to be taken over by an Owner's Management Company or similar acceptable body. The applicant should address this by way of additional information.

18. The applicant is requested to note that the South Dublin County Development Plan 2022-2028 plan making process is reaching a conclusion in the coming months. The applicant is advised that the Planning Authority is required to assess planning application having regard to the active Development Plan at the time. The further information response should provide a report demonstrating that the revised proposal is fully in compliance with the adopted new Development Plan (if relevant).

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REG. REF. SD22A/0096


LOCATION: Muldowney's Pub, Main Street, Rathcoole, Co. Dublin

  
\_\_\_\_\_  
**Jim Johnston,**  
**Senior Executive Planner**

  
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**Eoin Burke, Senior Planner**

**ORDER:** I direct that **ADDITIONAL INFORMATION** be requested from the applicant as set out in the above report and that notice thereof be served on the applicant.

**Date:** 30/05/2022

  
\_\_\_\_\_  
**Mick Mulhern, Director of Land Use,  
Planning & Transportation**