

Donna Ryan,
Downey Planning
29, Merrion Square
Dublin 2

PLANNING & DEVELOPMENT ACT, 2000 (as amended) AND PLANNING REGULATIONS THEREUNDER

Decision Order Number: 0683	Date of Decision: 30-May-2022
Register Reference: SD22A/0096	Registration Date: 05-Apr-2022

Applicant: Lorat Trading Ltd.

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

Application Type: Permission

Dear Sir /Madam,

With reference to your planning application, received on 05-Apr-2022 in connection with the above, I wish to inform you that before the application can be considered under Section 33 of the Planning & Development Act 2000, six copies of the following ADDITIONAL INFORMATION must be submitted.

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.

(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 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.

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.

(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 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 411m³ 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

15. Attenuation.

SDCC Water Services estimate that the attenuation of 411m³ 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).

NOTE: The applicant should note that any submission made in response to the above will be examined and MAY be deemed to be SIGNIFICANT ADDITIONAL INFORMATION by the Planning Authority. In this event the applicant(s) will be subsequently notified and requested to publish a notice in an approved newspaper and erect or fix a site notice on the land or structure to which the further information relates and to submit copies of the both the newspaper and site notices to the Planning Authority in accordance with Article 35 (1) (a) and (b) of the Planning and Development Regulations 2001 (as amended).

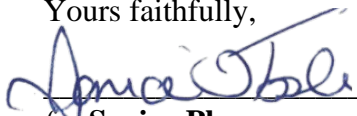
Note: The applicant must submit the Further Information within **6 months** of the **date of decision**. If the information is not received within this period the planning authority shall declare the application to be withdrawn.

Please ensure that your reply to this Request for Additional Information is accompanied by a covering letter marked "ADDITIONAL INFORMATION" and that the Planning Register Reference Number given above is quoted on the covering letter.

Signed on behalf of South Dublin County Council

Register Reference: SD22A/0096

Date: 02-Jun-2022

Yours faithfully,

for **Senior Planner**