

DOWNEY

29 Merrion Square, D02RW64

SUPPORTING PLANNING STATEMENT

**Lands at Stocking Lane,
Rathfarnham,
Dublin 16.**

Applicant: MSJA Ltd.

May 2022

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EXECUTIVE SUMMARY

Downey Planning have prepared this statement in support of a proposed development on lands at Prospect House, Stocking Lane, Rathfarnham, Dublin 16.

This revised application is now submitted in response to a previous scheme which was refused by South Dublin County Council (Reg. Ref. SD19A/0312) and An Bord Pleanála (ABP. Ref. ABP-306282-19). Despite the decision to refuse, the Inspector found the scheme to be acceptable on the following grounds:

- The proposed development is located on appropriately zoned lands *“Residential development on these lands is therefore acceptable in terms of compliance with local and national policy”*.
- The suggested density of the subject site is considered acceptable by the Bord *“The issue of density is not the critical consideration in this case, but impact on the immediate and surrounding area and how does the development integrate into its setting”*.
- The redevelopment of Prospect House and the gate lodge were seen as acceptable by the Bord *“I have no objection to the reuse of Prospect House/ associated coach house”*.
- The proposed apartment units were seen as acceptable *“The proposed unit and room sizes within the apartment blocks are acceptable. Storage provision and private amenity space is in accordance with the ‘Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities’*.
- No adverse effect such as overlooking was expected to take place as a result of the proposed development *“In general, the proposed development will not give rise to significant overlooking of adjoining houses”*.
- No concerns were raised in relation to additional traffic in the area *“The South Dublin County Council Roads Department did not raise any concern regarding the access arrangement serving this development”*.

Taking the previous comments of the Council and the Inspector into account and having regard to recently approved precedents in the local area, this revised proposal has been carefully designed to address the reasons for refusal, as well as other more minor concerns raised by the Council and ABP during the course of the application and subsequent appeal.

Downey are of the considered opinion that the proposal is now acceptable in planning terms for the following reasons:

- This revised apartment block has been significantly reduced in scale and has been re-designed to overcome concerns with the previous application in terms of impact on the setting and amenity of Prospect House.
- The re-use of Prospect House as a single-family unit, ensures the future of this protected structure. It is proposed to renovate and extend this House to future proof the house and ensure it remains in use for decades to come. The immediate setting around Prospect House will be appropriately landscaped to ensure the historic setting also remains intact.
- The re-use of the Gate Lodge also provides for the retention of this historic structure while allowing its re-use to provide a much needed residential unit for the area.
- The proposed development will provide a mix of essential residential development for this area while also restoring and re-using the existing protected structures on site.
- The proposed development will provide a high-quality living environment for future occupants in a sustainable location near Dublin City Centre.

The following tables succinctly summarise how issues raised during the previous application and appeal have been overcome as part of this revised design:

PLANNING APPLICATION REG. REF.
SD19A/0312

REASONS FOR REFUSAL	RESOLUTION
<i>"The proposal constitutes overdevelopment of the site and would have a detrimental effect on the Protected Structure, in terms of: inappropriate height, scale, mass..."</i>	<ol style="list-style-type: none"> 1) The depth and scale of the proposed apartment block has been reduced in order to fit more appropriately into the surrounding environment. 2) Revised plans as to the restoration works that are to be carried out to Prospect House have been included with the application. 3) It is also proposed to redevelop the ruins of the Gate lodge and re-use this as a single residential unit.
<i>"Locating development within the walled garden and along the avenue of the site, completely overshadows Prospect House and dominates the entire site"</i>	The proposed development has been reduced in terms of its scale and massing which has resulted in it being less dominant within the site in relation to the Gate Lodge and Prospect House.
<i>"The removal of the boundary wall on Stocking Lane would materially harm the character of the site"</i>	The proposed entrance to the apartment block from Stocking Lane has been significantly reduced and relocated so as to preserve the existing boundary where possible.
<i>"The location and placement of the proposed apartments along the avenue on approach to the Protected Structure when viewed from Stocking Lane would cause an overall negative visual impact"</i>	The scale and massing of the proposed scheme have been reduced and realigned so as to not cause over dominance to Prospect House or the Gate Lodge and to allow for a clear view of Prospect House from Stocking Lane.
<i>"The development is located within the original walled garden, which will result in the loss of original features and relationship and connection to the Main House"</i>	Evidence submitted as part of this application demonstrates that the proposed development will not cause any detrimental loss to the features and relationship that currently exists within the curtilage of Prospect House instead it is felt it will enhance and rejuvenate Prospect House and the Gate Lodge.
<i>"The proposed development is not consistent with the policy, objectives and guidance detailed in National Guidelines such as Design Manual for Urban Roads and Streets or Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas of the Policies and objectives of the 2016-2022 South Dublin County Development Plan"</i>	The revised proposal now fully complies with DMURS, please refer to the Engineering Service Report submitted as part of this planning application for further details.
<i>"Insufficient details have been lodged with the Planning Authority of a Noise Impact Assessment and Mitigation Plan"</i>	A revised Acoustic Design Statement and Mitigation Plan are now provided with this application which state the following:

"The proposed basement apartment within Prospect House would provide a poor overall standard of accommodation".

"It is concluded that the future residents would have a suitably quiet amenity space"

This has been removed in turn it is proposed to keep Prospect House as just one four-bedroom family unit.

PLANNING APPEAL ABP. REF. ABP-306282-19

REASONS FOR REFUSAL

"Having regard to the existing character and the prevailing pattern of development and the presence of a structure on site of architectural interest which is listed as a protected structure..."

"Having regard to the prominent location of the site, to the established built form and character of stocking lane and to the existing buildings and boundary walls of prospect house, protected structure, on the site which are considered to be of importance to the streetscape, it is considered that the proposed development would be incongruous by reason of its scale, bulk, fenestration, height and design..."

"The proposed development, by reason of its inadequate qualitative and quantitative provision of public/communal open space and lack of designated children's play area, would conflict with the provisions of the current development plan..."

"The applicant has not provided sufficient detail as to how sufficient residential amenity is to be provided for future occupants of the proposed units. The proposed development would, therefore, be prejudicial to public health".

RESOLUTION

The proposal has been redesigned so that its depth and scale have been reduced as to be more fitting with its surroundings and to not be overly dominant within the site.

The scale and massing of the proposed scheme have been reduced and realigned so as to not cause over dominance to Prospect house and allow for a clear view of the House from Stocking Lane.

Revised architectural and landscape plans now show an adequate provision of private and public open space with a children's play area provided as can be seen from the plans submitted as part of this planning application.

An updated Acoustic Design Statement and Mitigation Plan are provided with this submission which state the following:

"It is concluded that the future residents would have a suitably quiet amenity space"

We look forward to working with South Dublin County Council towards a favourable outcome.

1.0 INTRODUCTION

Downey, Chartered Town Planners, 29 Merrion Square, D02 RW64, have prepared this Supporting Planning Statement, on behalf of the applicant, MSJA Ltd, to accompany a planning application to South Dublin County Council in respect of a residential development at Prospect House, Stocking Lane, Rathfarnham, Dublin 16.

The proposed development, as per the description contained within the statutory planning notices, provides for:

"We MSJA Ltd. intend to apply for permission for a residential development which will consist of (a) the demolition of some existing structures on site; (b) the internal modification /reconfiguration and refurbishment of and extension to Prospect House (a protected structure RPS 340) and the renovation and modification of its associated coach house to provide for a 4-bed dwelling with associated private open space and car-parking provision; (c) the re-opening of a gap between Prospect House and its detached coach house to the rear to provide a gated access into the new communal gardens proposed to the west of Prospect House; (d) Reconstruction of the Gate Lodge (in ruins) to provide for a 2-bed, single storey dwelling 63.4sqm with associated private open space and car-parking; (e) the provision of 1 no. apartment block (3-storey plus setback penthouse level) to the western side of Prospect House to provide for 22 no. residential units (11 no. 1 bedroom units and 11 no. 2 bedroom units) over a single storey basement comprising a total of 25 no. car parking spaces, 2 motor bike spaces and 40 no. bicycle parking spaces. The basement will also include associated bin stores, plant and storage rooms; (f) Removal of a portion of the western boundary wall to provide a new vehicular & pedestrian access from Stocking Lane to the new apartment block; (g) All associated hard & soft landscaping, including the provision of a play area and an ESB sub-station & all associated engineering & site development works necessary to facilitate the development, all on a site of 0.51ha at Prospect House (a protected structure RPS 340), Stocking Lane, Rathfarnham, Dublin 16."

This document sets out the rationale and justification of the proposed development and how it accords with the proper planning and sustainable development of the area.

Prospect House site, which is c. 0.51 hectares and is an irregular triangle in shape, is located on Stocking Lane, Rathfarnham, Dublin 16. The Prospect Manor housing estate is located to the north, east and south of the site with Stocking Lane located to the west, with the Airpark residential estate located beyond it. The site is just minutes away from Rathfarnham Village centre with an extensive range of amenities close by.



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

Additionally, the site is integrated within the Dublin city bus network through bus stops which are located within walking distance giving access to bus no. 15b, which according to Dublin Bus Website is a high frequency urban bus (i.e. minimum 10 minute peak hour frequency). There is also a cycle route alongside Stocking Lane which promotes access modes of the subject site. There will be direct pedestrian access from the site to the nearby bus stops and cycle lanes.



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

With more than 50 metres of road frontage to Stocking Lane, the site is bounded from its surrounds by a stone wall and comprises of Prospect House, the ruins of a gate lodge and outhouses. Prospect House which is identified as a protected structure (RPS. Ref. No. 340) is located at the extreme eastern corner of the site facing to the north and is accessible through an entrance from Stocking Lane at the northern corner of the site. The ruinous gate lodge is located at the entrance, while the two-storey coach house is located at the rear of Prospect House.

Prospect House a detached five-bay two-storey over basement handsome Georgian house, circa 1821-1835. Smooth rendered front wall, slate hung to sides and rear. Single-pane timber sash windows. Timber panelled door with flanking side lights and timber surround, all under wide plain fanlight. Approached by a flight of granite steps and retains much of its original features. Hipped slate roof with two central rendered chimney stacks. Two-storey smooth rendered section to rear.



Fig. 3. Location and Orientation of Prospect House within the Site

The house extends to 280 sqm and is in good condition throughout, with gas fired central heating, and comprising of a Hall, Sitting Room, and Dining room, Study, Kitchen, Scullery, Utility, Two Bathrooms and Four Bedrooms. Alongside a range of outhouses and large gardens, the site is broadly triangular in shape, with the house positioned to one end of the site.



Figure 4. Prospect House (left photo), and the block wall on the Site (right photo)

The extension of a more recent block wall can be tracked throughout the site splitting up the land parcel into two, providing a separate garden space for Prospect House and as described previously, the house itself is located in the extreme eastern corner of the site far away from the entrance and facing to the north.

Therefore, the house severely lacks visibility from Stocking Lane as the main access route to the site. At the same time, the row of neighbouring houses are quite dominant with an adverse impact on

visibility of the house. As such, the current backdrop to this view comprises the gables of modern houses on Prospect View which are elevated above the garden of Prospect House.



Fig. 5. Visibility of Prospect House from the Existing Entrance (left photo) and the Dominance of the boundary Stone Wall and Neighbouring Houses on Visibility of the House (right photo)

Planning Pack Map

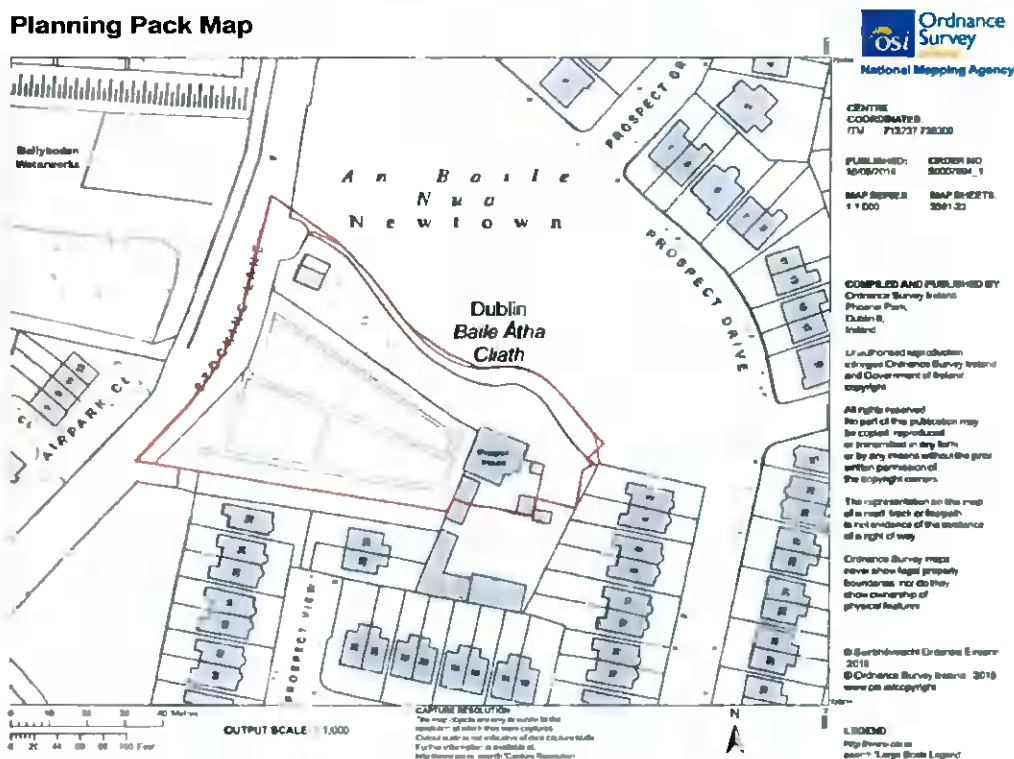


Fig. 6. Precise Boundaries of the Subject Site (subject site outlined in red)

2.0 PLANNING HISTORY OF THE SUBJECT SITE

Downey Planning have carried out an examination of the planning history of the subject site, which determined that there has been several planning applications made on the site for which this planning assessment relates. The reason for their refusal has been briefly mentioned in here.

The planning history on the site is as follows:

Reg. Ref. SD19A/0312:

By Order dated by 3rd October 2019 a planning application was sought by Sequana Assets Limited for (a) Internal modification/reconfiguration of an refurbishments to Prospect House (Protected Structure RPS 340) to provide for: 1 two bed unit & two one bed units ranging from 66sq.m - 148sq.m with 5 in-curtilage car parking spaces; (b) the extension, internal reconfiguration of and refurbishments to the detached outbuildings & courtyard to the rear (south) of Prospect House in order to accommodate a single storey one bedroom apartment unit (52sq.m); (c) the re-opening of a gap between Prospect House and it's detached outbuilding to the rear to provide access into the new communal gardens proposed to the west of Prospect House; (e) revised landscaping to the north of Prospect House, including the removal of a portion of the existing railings to the north of the driveway to facilitate a new vehicular access & parking provision; all served by the existing entrance & avenue to Prospect House; (f) the renovation of the existing derelict gate lodge; (g) the provision of 1 apartment block (three storey setback penthouse level) to the western side of Prospect House to provide for 25 residential units (8 one bedroom units, 16 two bedroom units and 1 three bedroom unit) over a single storey basement comprising a total of 27 car parking spaces and 11 bicycle parking spaces; (h) removal of a portion of the western boundary wall to provide a new vehicular & pedestrian access from Stocking Lane to the new apartment block; (g) all associated hard & soft landscaping, the provision of an ESB sub-station and all associated engineering and site development works necessary to facilitate the development all on a site of 0.4832ha. *The application was refused by South Dublin County Council and appealed under ABP Reg. Ref. 306282 where it was subsequently refused.*



Fig. 7. Proposed Development Plan



Fig. 8. Proposed Elevations

The reasons for refusing the previous development are outlined below:

(1) Having regard to the existing character and the prevailing pattern of development and the presence of a structure on site of architectural heritage interest which is listed as a Protected Structure in the South Dublin County Development Plan 2016-2022, it is considered that the proposed development, by reason of its overall layout, and its scale, height, massing and design, together with the extensive removal of the front boundary wall along Stocking Lane, would be out of scale with its surroundings, would represent an overdevelopment of the site, would dominate and seriously detract from the architectural character and setting of 'Prospect House', a protected structure with RPS Number 340 and of the streetscape generally. The proposed development would, therefore, materially and adversely affect the character of this Protected Structure, would be contrary to the requirements of HCL Policy 3 Protected Structures of the South Dublin County Development Plan 2016 - 2022, would seriously injure the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.

(2) Having regard to the prominent location of the site, to the established built form and character of Stocking Lane and to the existing buildings and boundary walls of Prospect House, protected structure, on the site which are considered to be of importance to the streetscape, it is considered that the proposed development would be incongruous by reason of its design, bulk and fenestration, which would be out of character with the streetscape and would set an undesirable precedent for further inappropriate development in the vicinity of the site. The design is not considered to justify the demolition of the existing boundary walls of the site and the removal of the gardens in their entirety, which comprise elements of the curtilage of Prospect House, a protected structure. The proposed development would, therefore, seriously injure the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.

(3) The proposed development, by reason of its inadequate qualitative and quantitative provision of public/communal open space and lack of designated children's play area, would conflict with the provisions of the South Dublin County Development Plan 2016-2022, for the area and with the minimum standards recommended in the "Sustainable Residential Development in Urban Areas: Guidelines for Planning Authorities" published by the Department of the Environment, Heritage and Local Government in 2009 and would constitute an excessive density of development on this site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

(4) The results of the 'M50 Motorway Noise Assessment' prepared by Byrne Environmental Consulting Ltd, do not demonstrate compliance with Section 11.6.3 (ii) Noise and Policy 7, Environmental Quality of the South Dublin County Council Development Plan 2016 – 2022 and Volume 4 of the Dublin Agglomeration Environmental Noise Action Plan 2018 – 2023, in that daytime and night-time noise levels are outside of the desirable levels expected for residential development. The applicant has not provided sufficient detail as to how sufficient residential amenity is to be provided for future occupants of the proposed units. The proposed development would, therefore, be prejudicial to public health.

Reg. Ref. SD18A/0181:

By Order dated by 22nd May 2018 a planning application was sought by Sequana Assets Limited for Part demolition of the existing wall along Stocking Lane, the construction of a 3- to 4-storey development of 19 residential units consisting of: 9 houses (8 4-bed and 1 3-bed), 8 apartments (4 3-bed, 2 2-bed and 2 1-bed) and 2 duplex units (3 bed); Development also includes the proposed new vehicular entrance off Stocking Lane to the ground floor enclosed car parking area, associated rear gardens for the houses at podium level, associated private open space in the form of balconies for the apartments and landscaped public open space; both Prospect House and the Gate Lodge are to remain intact. All with associated signage, landscaping, street lighting, drainage, site works and ESB substation for the proposed development at this site Prospect House. The application was appealed under ABP Reg. Ref. 302285 and it was refused by both an Bord Pleanála and South Dublin County Council.



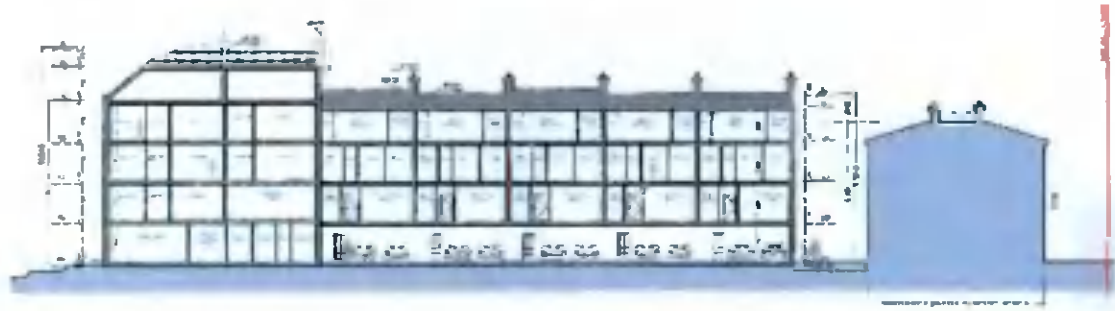


Fig. 9. Proposed Development

The reasons for refusing the proposed development application are summarized as below:

(1) Citing the proposed development plan as an *overdevelopment* due to lack of any proposals for upkeep or maintenance of Prospect House, as the Protected Structure within the site, dominance of the proposed development over the House in layout, scale, height, massing and design, and extensive removal of the front boundary wall (see Figure 7).

(2) Inconsistency of the proposed development with the site (including protected structure) and the surrounding in terms of design, scale, bulk, fenestration, height and design which made the development out of character with the existing streetscape setting an undesirable precedent for further inappropriate development in the vicinity of the site (see Figure 8).



Fig. 10. Dominance and Inconsistency of the Proposed Development with the Context

(3) Lack of access for service vehicles and emergency vehicles within the proposed development plan and expecting the plan to affect the existing traffic by generating more vehicular trips which eventually lead to conflict between road users and would endanger public safety.

(4) Injuring the residential amenities of neighbouring properties by overbearing in the context and the reason of overlooking.

(5) Not being in compliance with the '*Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities*' issued by the Department of the Environment, Heritage and local Government in December 2015.

Reg. Ref. SD05A/0630:

By Order dated by 27th July 2005, a planning permission was sought by Dympna et al. for development of a new single-storey dwelling house in the site. The proposed development consists of a four-bedroom detached bungalow measuring 162.5 sqm. The application includes proposals for the demolition of the existing derelict gate lodge on the site of the proposed dwelling. The application includes proposals for new water services connections from the existing public mains supply, and connections to the existing foul and surface water drains on / adjoining the application site. Access to the proposed dwelling is from the existing vehicular entrance and the private avenue to Prospect House from Stocking Lane. The application was withdrawn by the South Dublin County Council due to not providing further information which was asked from the planner within 6 months.

2.1 Relevant Planning History of the Surrounding Area

As it can be seen below, three planning applications in the vicinity of the subject site two of which were granted.



Fig. 11. A Visualization of the Planning History of Adjoining Properties

Reg. Ref. SD20A/0170 - GRANTED

Garretstown House, Stocking Lane - Decision date: 18/12/2020

Description: (i) Demolition of existing 2-storey dwelling, Garretstown House; (ii) Construction of 24 terraced houses, comprising 8 2-bedroom, 2 storey houses; 8 3-bedroom, 2 storey houses; and 8 4-bedroom, 2 storey houses with attic level accommodation; Vehicular and pedestrian access from Stocking Lane; Car parking, public open space, and all associated site works and services.

Reg. Ref. SHD3ABP-308763-20 – REFUSED

Lands to the east of Stocking Lane Applicant: Decision date: 25/03/2021 Description: 131 residential units including: 21 houses, 51 duplex apartment units in seven blocks of up to three-storeys, 59 apartment units in three apartment blocks up to four-storeys; A creche of c. 128sq.m at the ground floor of Block L; A shop of c. 65sq.m at the ground floor of Block G, with associated storage; A total of 167 car parking spaces, of which: 88 are at surface level and 79 in the basement under apartment Blocks F and G, 5 are dedicated visitor parking spaces; A total of 288 cycle parking spaces and 5 motorcycle spaces; A new vehicular access onto Stocking Lane; A new vehicular and pedestrian/cycle access to the Springvale estate to the east; New roads, footpaths and cycle paths and connections within the site; A new pedestrian crossing on Stocking Lane to the north west; The expansion and upgrade of the existing pedestrian crossing on Stocking Lane to the south west; The development also includes landscaped private and public open space, boundary treatment, lighting, play area, an ESB substation, site drainage works and all ancillary site development works above and below ground on a site of c.2.47ha. A revised scheme is likely to soon be submitted and, given the positive nature of the Inspector's report, will likely be permitted. Upon approval, the associated retail space which forms part of the scheme will benefit future residents of the proposed Prospect House development.

Reg. Ref. SD15A/0017 - GRANTED

Lands at junction at Scholarstown Road and Stocking Lane - Decision date: 20/03/2005 Description: 10 year permission for a residential development consisting of 317 dwelling units (247 houses and 70 apartments) and 223sq.m. crèche including two vehicular accesses from Scholarstown Road and one vehicular access from Stocking Lane, all associated site and infrastructural works including foul and surface water drainage, 599 car parking spaces (534 surface and 65 underground), landscaping and public open space, boundary walls and fences, roads, cyclepaths and footpaths . The development consists of 247 houses (detached, semi-detached, terraced and end-terrace two and three storey units) and 70 apartments (Block A, B and C) to be provided as follows: (i) 6no. 2 bed terrace and end terrace houses (Type 3C and 3D), (ii) 124 3 bed terrace, end-terrace and semi-detached houses (Type 1A, B & C; 3A, B & E and 4A, B & C); (iii) 102 4 bed terrace, end-terrace, semi-detached and detached houses (Type 2A, B, C, D & E and Type 5); (iv) 15 5 bed detached houses (Type 6); (v) 14 1-bed apartments, 51 2-bed apartments and 5 2-bed with study apartments in 3 4 storey apartment blocks (Block A, B [both over basement] & C); (vi) a ground floor crèche with a gross floor area of 223sq.m. within Block C all on a site of approx. 9.77 hectares located south of Scholarstown Road, west of Stocking Lane, north of Ballyboden Waterworks and east of Woodfield Ballyboden.

3.0 DESCRIPTION AND MERITS OF THE PROPOSED DEVELOPMENT

3.1 Description of Proposed Development

The proposed development comprises a 3-storey with set-back penthouse level residential block over basement which will consist of 22 no. apartments (11 no. one bed and 11 no. two bed), refurbishment and single-storey extension of Prospect House a protected structure to form a 4-bedroom dwelling along with the reconstruction of the original gate lodge to form a two-bedroom dwelling. The description of the proposed development as per the statutory public notices is as follows:

"We MSJA Ltd. intend to apply for permission for a residential development which will consist of (a) the demolition of some existing structures on site; (b) the internal modification /reconfiguration and refurbishment of and extension to Prospect House (a protected structure RPS 340) and the renovation and modification of its associated coach house to provide for a 4-bed dwelling with associated private open space and car-parking provision; (c) the re-opening of a gap between Prospect House and its detached coach house to the rear to provide a gated access into the new communal gardens proposed

to the west of Prospect House; (d) Reconstruction of the Gate Lodge (in ruins) to provide for a 2-bed, single storey dwelling 63.4sqm with associated private open space and car-parking; (e) the provision of 1 no. apartment block (3-storey plus setback penthouse level) to the western side of Prospect House to provide for 22 no. residential units (11 no. 1 bedroom units and 11 no. 2 bedroom units) over a single storey basement comprising a total of 25 no. car parking spaces, 2 motor bike spaces and 40 no. bicycle parking spaces. The basement will also include associated bin stores, plant and storage rooms; (f) Removal of a portion of the western boundary wall to provide a new vehicular & pedestrian access from Stocking Lane to the new apartment block; (g) All associated hard & soft landscaping, including the provision of a play area and an ESB sub-station & all associated engineering & site development works necessary to facilitate the development, all on a site of 0.51ha at Prospect House (a protected structure RPS 340), Stocking Lane, Rathfarnham, Dublin 16.”

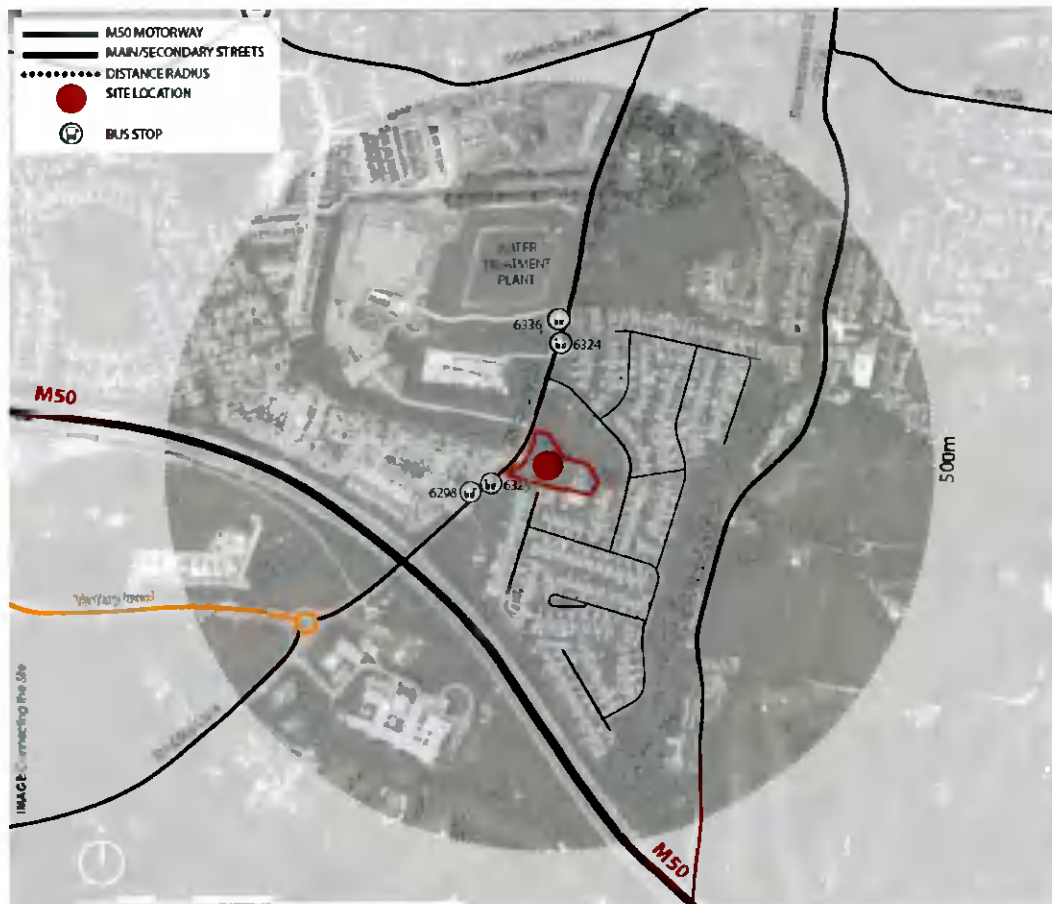


Fig. 12. Subject Site in the Context (site outlined in red)

The proposed development is a residential development which is in accordance with the principle of the South Dublin County Council Development Plan 2016-2022 as well as the Draft South Dublin Development Plan 2022-2028.

Note that the site is also surrounded by mostly residential developments, including Prospect Manor, Airpark Square, and Boden Park. Ballyboden reservoir is close to the subject site in the north-western corner of the site at Stocking Lane. The site is also within close proximity of the M50 Motorway.

The residential developments surrounding the subject site are comprised of attached and/or detached hipped-roof houses with front and/or back yards. Additionally, they all almost match in regard to their

colour palette, which among other architectural/physical features contribute to the residential character of the area.



Fig. 13. Proposed Site Layout Plan

As mentioned earlier, the proposed development comprises 22 new residential dwellings within a new apartment block. The refurbishment and reconfiguration of Prospect House with a single storey extension forming a 4-bedroom dwelling and the reconstruction of the Gate Lodge Ruins into a 2-bedroom dwelling.

3.2 Prospect House

The proposed development will provide for the renovation of Prospect House and the re-establishment of its relationship with its immediate surrounds, with the provision of a sensitive addition to the east and rear of Prospect House with 2 parking spaces and bin storage proposed within its curtilage. The proposed use of the house is that of a single-family dwelling over all floors. The separation of the house into individual apartments as per the previous application will now revert back to maintain the protected structure as one family unit with a garden connected to its living space taking advantage of the house split levels.

A south facing courtyard is proposed with existing Coach house structure maintained. Later additions in the form of sheds and storage will be removed along with the low walls to the east side of the existing houses from facades to allow for a more comfortable south facing family garden.

A high-quality palette of materials will be used throughout this development. Prospect House's original materials will be kept, and aluminium roof finish and grey render will be used on the new

extension in order to achieve a visual hierarchy with the protected House. The choice of extension materials is in keeping with other historic and modern residential housing and apartment developments in the locality in order to create a development rooted in its context. The extension will also be characterised by the large-scale fenestration and detailing in a modern aesthetic for reasons of long-term durability.

Prospect House a protected structure within the site has provided a unique situation for further development of the site, thus it is of considerable significance in the design process. However, this is not the only restriction affecting the design process, but also the scale of the site as a small development site restricted the alternatives to define a reasonable density, while prioritizing Prospect House in the development. Moreover, the stone walls around and within the site and also the garden space are to be retained in the proposed scheme, in order to keep the intervention at a minor level.



Fig. 14. Previous Application Vs. Current Application Floor Plan

3.3 Gate Lodge

The original Gate Lodge is currently in ruins and is proposed to be reconstructed and developed into a 2-bed residential unit at the original entrance to the main house and will be provided with 2 parking spaces, private amenity space and bin storage proposed within its curtilage. One section of the lodge is proposed in the exact footprint of the existing original lodge. A tiled slate roof is proposed for this section with a lower lean to roof proposed for the rest of the building in aluminium to further distinguish it from the footprint of the older section of the lodge. We propose dark grey render to all the walls as a contrast to the stone wall along Stocking Lane.

The footprint of the Gate Lodge ruins will be preserved to create a new block with more traditional materials - Slate roof and rectangular shape. Another block will come out of this first volumetric and will have contemporary design and materials such as aluminium roof finish and grey render. The choice of Gate House's materials is again in keeping with other historic and modern residential housing and apartment development in the locality.

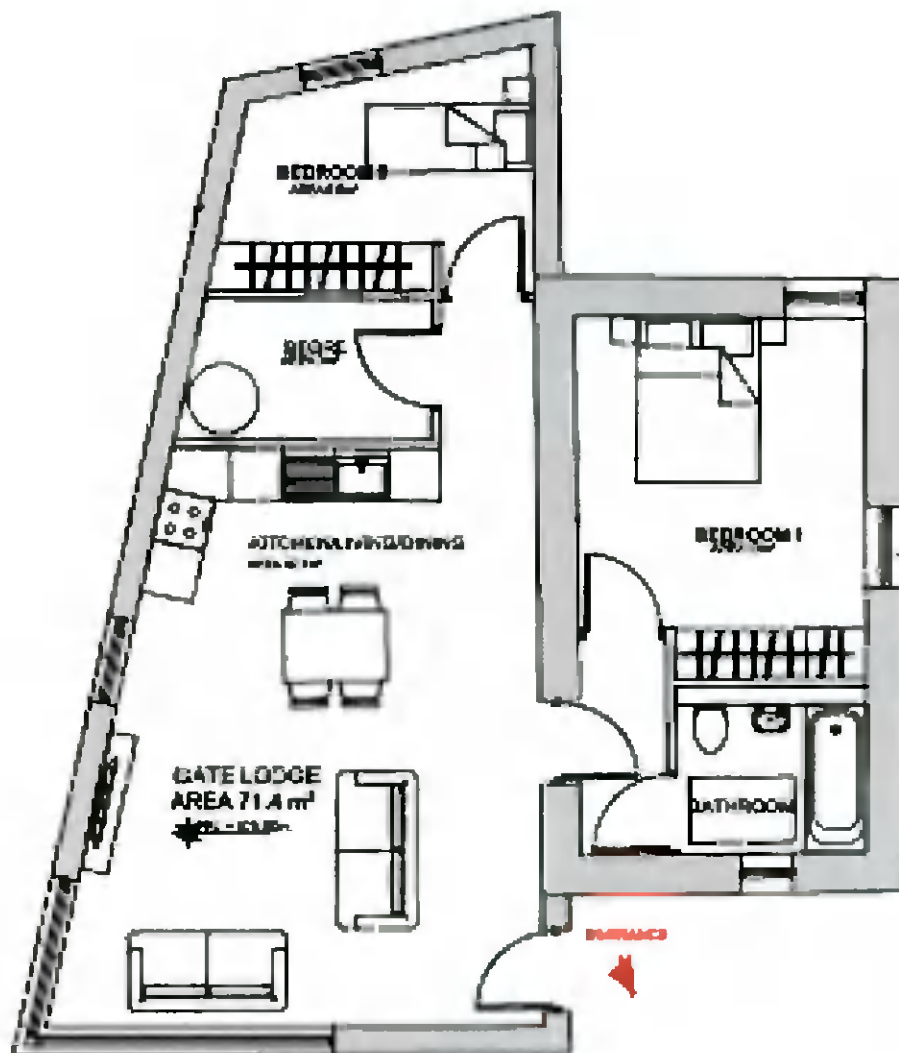


Fig. 15. Gate Lodge Floor Plan

3.4 Apartment Block

As demonstrated in the architectural drawings accompanying this planning application an apartment block comprising of 22 no. units is now proposed within the grounds of Prospect House. Unlike the irregular, splayed footprint of the previous scheme which partially aligned with the front building line of Prospect House, the revised block would be set back behind Prospect House and would extend to the west at an angle. A more regular geometry is proposed aligning the new building with the southern boundary wall. This setting would result in a triangular landscaped area which would broadly match the proportions of the existing walled garden, with much of the bulk of the block set away from the Protected Structure.

The proposed scheme is significantly smaller in bulk and layout with a single line of apartments as opposed to a double row from the previous scheme. A slimline revised plan is proposed in order to preserve dominance of the existing protected structure on the site preserving the hierarchy of the house.

A new entrance from Stocking Lane is proposed which will be formed by removing a portion of the western boundary wall along Stocking Lane. This new entrance offers a glimpse of Prospect House improving its connection with Stocking Lane and the broader community. Moreover, it will be the main access way of the new development which will also lead down to basement car parking and at the same time allowing the site to retain its garden feel for pedestrians.

The new building is a 4-storey building block over basement which comprises 22 no. apartments. Moreover, each unit has a balcony as its private open space. The parking space is provided within the basement accommodating 25 no. car parking spaces and 40 no. bicycle parking spaces as well as bin storage.

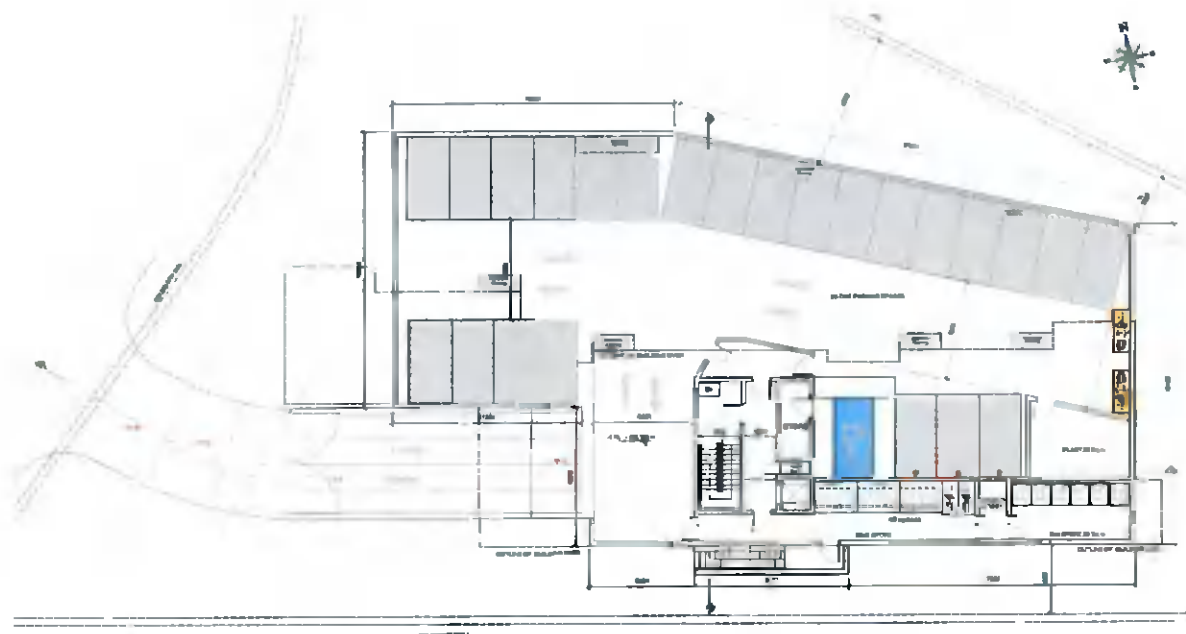


Fig. 16. Car- and Bicycle Parking Spaces in the Proposed Basement Plan

We have addressed the issue of scale within the apartment design in that we have created a series of 3 contemporary style panels each related in scale and proportion to the existing protected house with clear distinguishable parapet heights sitting in the garden as pavilions. These panels are treated in cut stone in light grey to match the house. The darker shingle material on gable for the existing house is picked up in a contemporary fashion with aluminium cladding/glazing and aluminium penthouse which is set back from the stone panels tight to the southern boundary. The extra height in the building is more appropriate to this section of the site as the adjacent houses are at a higher level, dominating the site visually when viewed from Prospect Drive.

The apartment building acts as a bookend to this housing development on the site along Stocking Lane which then forms an edge to the landscaped garden within the development. When viewed from Stocking Lane the apartment building is now reduced significantly in bulk preserving the view of Prospect House and not obscuring the west elevation of Prospect House. This allows the house to stand as the authoritative structure over its fan shaped garden with the apartment building set back out of its way and the gate lodge low in scale on the other side of the south to east wall bisecting the site.

Prospect House and Gate Lodge: will be provided with their own private external area together with a buffer planed zone, in order to confer privacy to their residents. A separate entrance form the block of apartments and the existing southern division wall will with landscaped area will also address more privacy to the two buildings.

Apartments: have been provided with private balconies in accordance with the Sustainable Urban Housing: Design Standards for New Apartments Guidelines. Some of the balconies provided exceed the minimum requirements. Private terraces/balconies located at ground floor level will be screened by a planted buffer zone/privacy strip to ensure that residential amenity is visually protected yet ensuring that visual surveillance of the communal courtyard is enhanced, in order to create a safe environment for visitors and residents.

A communal open space will also be provided between the block of apartments and the existing wall to the north (before proposed Gate Lodge), which will be fully accessible to all residents at the ground floor units, and it will be opened to all units belonging to the proposed development.

The proposed development is set out to ensure the reintegration of existing Prospect House into its site context and the wide community, also to achieve a reasonable density to a site located at the South Dublin area, near to great facilities and Dublin City centre. The key objectives embedded in the design approach from the outset were: to provide an improved layout and add new features to the historical Prospect House with the insertion of a living/ dining rear extension linked to a south facing private external area; To take advantage of the Gate Lodge ruins to build a 2-bedroom separate house within its original footprint and add a contemporary volumetric to it (similar strategy as the Prospect House); To complement the variety of typologies, a single 4-storey block comprising 22 apartments (50% 1-bed and 50% 2-bed types) is also proposed with a high quality landscape design proposed, containing passive recreational areas; permeability and ease of access; biodiversity enhancement; and appropriate screening of the development.

4.0 PRECEDENT CASES WITH A PROTECTED STRUCTURE

Despite the fact that regulations and policy documents alongside specific features of a development site are the key to a successful development, case studies are also a valuable source of data. Keeping in mind that each development site demands a unique approach based on the context and its distinctive features and admitting that there is no one-fit-for-all solution to all development schemes,

case studies can be helpful in the way they define their questions/problems and seek the answers. Accordingly, three cases comprising a protected structure are briefly explored to find out how they managed the design process considering the protected structure requirements.

4.1 Bolton Hall House (Ref. no. SD11A/0244)

The approximately 1.92 hectares site comprises the early 19th century Bolton Hall house is located at the junction of the Ballyboden Road and the Ballyroan Road in Rathfarnham, Dublin 16. The Bolton Hall house is a protected structure which is identified of regional importance in the National Inventory of Architectural Heritage (Reg. No. 11216030).



Fig. 17. Location of the Bolton Hall House

Detached five-bay two-storey house, built 1818. Flanking single-bay single-storey wings with applied blind temple front motifs. Central projecting single-storey porch crowned with cast-iron railings. Smooth rendered walls with parallel quoins and string course. Aluminium casement windows, with bracketed hoods to ground floor. Hipped slate roof with dentil cornice, cast-iron railings to valley, and four chimney stacks to perimeter. Arched gateway to garden with stucco plaque and funerary urn above. And a large derelict house in the garden known as the servants' quarters, echoes the proportions of the main house.

The impressive main house is surrounded by grassed paddocks with walled gardens and has undergone refurbishment works to replace the roof. By locating in an established residential location close to both Rathfarnham Village and Bushy Park, and only 7 km away from Dublin city centre, Bolton Hall is a superb development site.



Fig. 18. Bolton Hall House

The site is of heritage importance with unique features; there is reference on maps to a Paper Mill. The historical maps would suggest that the original paper mill was located south of the Coach house on lands that are now subsumed into the Glendoher housing development. There is an existing arched entrance from Glendoher estate to the Coach house which has been closed up in recent years. The Owendoher River runs through the site to the west. Whilst the area in the immediate vicinity of the

river is generally overgrown it is noted that the river is a notable feature on the subject lands with clear audible evidence on the site that the river exists due to the volume and velocity of the flow.



Fig. 19. Owendoher River Running through the Bolton Hall Site

The subject site is zoned as objective 'RES' or Existing Residential that has the following objective '*to protect and/or improve residential amenity*'. Thus, residential development is permissible under this zoning.

Dated by 10th December 2011 a planning application was sought by John Staunton & James Staunton for provision of 27 no. dwelling units comprising 12 no. new semi-detached 4 bedroom two storey dwellings, 2 no. new semi-detached 3 bedroom two storey dwellings, 1 no. Type 07 house, and 1 no. Type 07A house, 6 no. new detached 4 bedroom two storey dwellings, 1 no. new 2 bedroom single storey gate lodge, 1 no. new 3 bedroom two storey gate lodge, 1 no. refurbished 2 storey 4 bedroom protected detached house (Bolton Hall).

The proposed works to the house are to include the reconfiguration and alteration of the internal and external layouts, to include conservation and repairs to this Protected Structure. Proposals also provide for 1 no. roof terrace to the southeast of the house and 2 no. balconies to the southwest elevation, reducing the area from c. 427 sqm to c. 357 sqm and associated works.

Moreover, the assessment of the first planning report addresses zoning, compliance with council policy, visual impact and established character, residential amenity, impact on protected structures, archaeology, access and parking, landscaping and boundary treatments, service and drainage, flood risk assessment, appropriate assessment and biodiversity, refuse storage, social and affordable housing and childcare facilities. The report recommended that further information be sought in relation to, inter alia, views, road layout and parking provision, foul drainage details, assessment of potential flooding, shadow impacts diagrams, protection and management plans in relation to trees, proposals to address discrepancies on plans in relation to the laneway and arched entrance.



Fig. 20. Original Proposed Development Plan

On 8th August 2012 South Dublin County Council granted planning permission (SD11A/0244) for the development of the site. This decision was subsequently appealed to an Bord Pleanála and on 28th May 2013 An Bord Pleanála granted permission (PL06S.241039) for the refurbishment of Bolton Hall together with the development of 20 new houses on site (totally 21 units). The specification of the final plan can be seen in the Table below.

Table 1. Specifications of the Final Proposed Development Plan for Bolton Hall House

Dwelling Type	No. of Units
Semi-Detached 4-bedroom House	8
4-bedroom Detached House	5
3-bedroom Courtyard House	3
3-bedroom Semi-Detached House	2
3-bedroom Gate Lodge House	1
2-bedroom Gate Lodge House	1
4-bedroom Bolton Hall	1

Thus, the second planner's report assesses the submitted response to the further information request. It concludes that the proposed development accords with the policies and objectives of South Dublin County Development Plan and is in accordance with the proper planning and sustainable development of the area. The planner recommended a grant of permission subject to 27 conditions. Changes made to the proposed development plan include:

- Narrowing and adjusting the Bolton Avenue

- Updating the tree survey and redesigning the landscape scheme accordingly
- Relocating the playground from tree zone to a more central part of the land
- Omitting 3 two-storey houses: 2 from western side and 1 from eastern side of the Bolton Hall House and redesigning the placement of the rest
- Adjusting the Mill Road away from the tree roots
- Realigning the walls around the Bolton Hall House and replacing them by new railing and hedges
- Removing the proposed terrace, windows and doors for the Bolton Hall House



Fig. 21. Final Proposed Development Plan

4.2 Albany House (Ref. no. D13A/0503)

The approximately 0.83 hectares site comprises the 19th century Albany House, which is located at Shanganagh Road, Ballybrack at Killiney, Dublin 18. This locally admired Victorian Villa is a protected structure which is identified as holding regional importance in the National Inventory of Architectural Heritage (Reg. No. 1754).

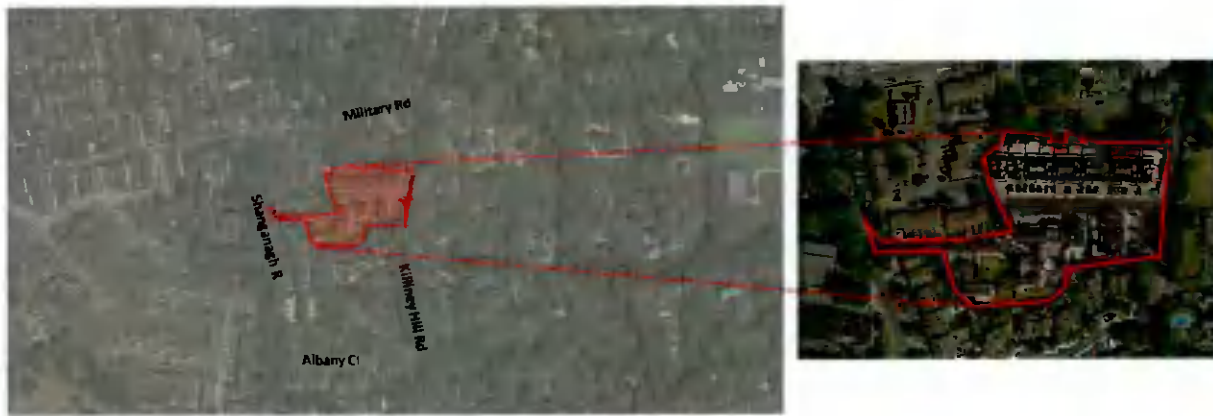


Fig. 22. Location of the Albany House

The application site is of an irregular shape, and is located off the east side of Shanganagh Road, and the west side of Killiney Road, Ballybrack. High masonry walls bound the western part of the site, a new boundary wall to the north and a high stone wall to Killiney Hill Road. Housing developments dating back from the mid 1980's back onto the site at the south, east and part north boundaries. The site can be divided into two parts. The north-east section forms part of what was part of the curtilage of Ballybrack House to the north; whilst the south-western element forms part of the already reduced curtilage of Albany House.

A part two-storey and part three-storey Victorian property known as Albany House, with attached outhouses, is located within the south-western section of the site that is bounded by the small terraced two-storey properties of Firgrove accessed off Military Road to the north; and the two-storey semi-detached and terraced properties of Domville Grove to the south. A number of properties in Domville Grove have been extended significantly to their rear.



Fig. 23. The Albany House Development Site and Ballybrack House in the North of the Site

Ballybrack, which is also a protected structure, is located to the immediate north of the north-eastern part of the site. It is notable that its front elevation faces towards the site and is sited above the site that slopes away from it. Also, the Shanganagh Road exit lies some 90 metres south of the lighted crossroads between Wyatville Road/Military and Shanganagh Road; and that the proposed exit onto Killiney Hill is located some 100 metres south of the junction with Military Road.

The subject site and its surrounds is covered by the zoning objective 'A' that has the objective 'to protect and/or improve residential amenity'. Thus, residential development is permissible under this zoning.

Dated by 28th August 2014 a planning application was sought by Killiney Hill Developments for development consisting of:

(A) The renovation, conversion and sub-division of 'Albany House', its Coach House and Annex, to provide for 4 residential units. Works to include: the provision of an extension on the western elevation of the Coach House (23.46 sqm), internal staircase and walls in Coach House and Annex, glazed walkway and canopy on southern elevation of Annex, Velux windows in Coach House roof, new boundary wall on western elevation of Annex, new opening on eastern elevation of Coach House, new door opening on eastern elevation of Coach House and 3 new openings on western elevation of Annex at ground floor level and 3 new openings at first floor level of Annex on western elevation.

(B) Intervention of existing fabric to include: demolition of existing extension on southern elevation of Annex, removal of existing staircase on western and southern elevation of Annex, removal of some internal walls in Coach House and Annex, removal of external gate between Coach House and Annex on eastern elevation, removal of internal wall and attic staircase in 'Albany House' at first floor level, closing up of existing openings on the northern elevation of the Annex at ground floor level and northern and southern elevation at first floor, alteration of existing openings on the northern elevation of coach House on ground and first floor, works to also include external renovation of existing fabric, including the re-plastering and painting of existing external walls and overhaul of existing doors and windows.

(C) The provision of 18 additional residential dwellings within the curtilage of 'Albany House' as follows: 3 no. House Type A (2.5 storey with attic, detached 231 sqm), 1 no. House Type A1 (2.5 storey with attic, detached, 231 sqm), 1 no. House Type A2 (2.5 storey detached, 202 sqm), 10 no. House Type B (semi-detached, 2 storey, 198 sqm), 3 no. House Type C (2 storey with attic, detached, 156 sqm). Permission will include all associated site works, including hard and soft landscaping, associated parking provision, the upgrading of existing entrance on Shanganagh Road and the provision of a new pedestrian and vehicular entrance from Killiney Hill Road to serve both the proposed new development and 'Albany House', provision of foul and surface water drains on site with connections to existing ones on Shanganagh Road and provision of a water mains on site with connection to the water mains on Shanganagh and Killiney Hill Road. This application relates to A Protected Structure and its curtilage.

The planner recommended a grant of permission subject to 24 conditions. Changes made to the proposed development plan are as below with most of them concerning the road access and proposed footpaths within the site:

- Omitting 2 residential units and restricting the development scheme to only 20 units. The specifications of the final proposed development plan can be seen in table 3 and Figure 25 below.

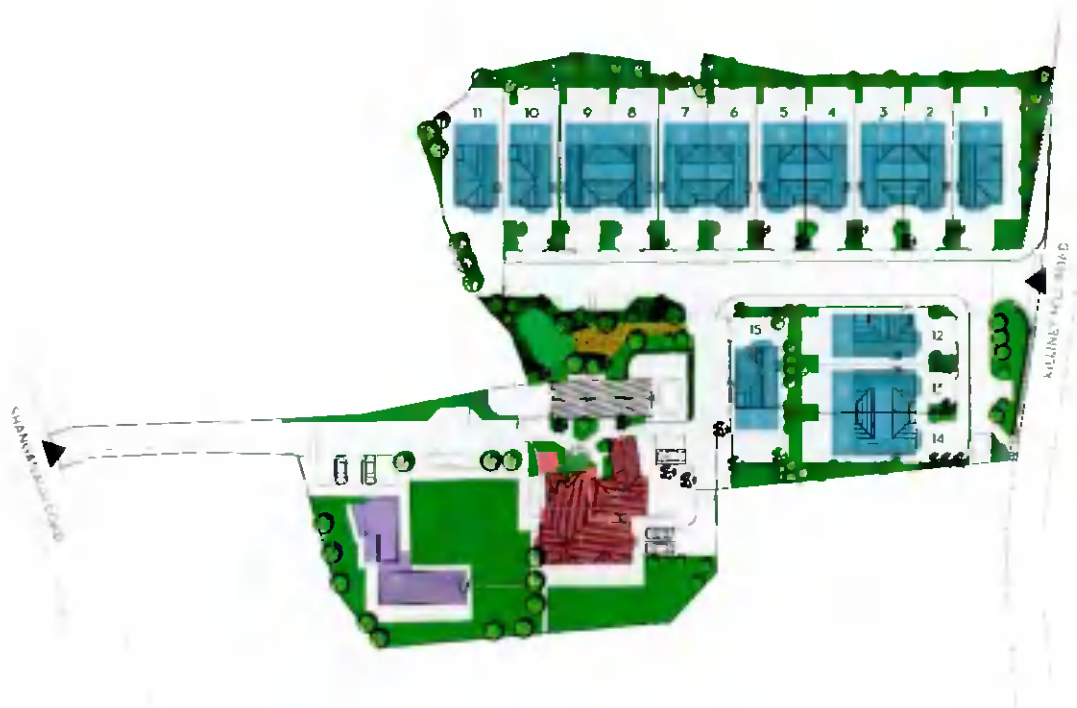


Fig. 24. Final Proposed Development Plan

Table 2. Specifications of the Final Proposed Development Plan for of the Albany Hall House

House No.°	Ref.	Type	Beds	Area
1-15 Albany				
1, 11, 12	A	Detached	5	231 sqm
2-9, 13-14	B	Semi-detached	4	198 sqm
10	A1	Detached	5	231 sqm
15	A2	Detached	4	196 sqm
Albany House				
1	-	Semi-detached	3	203 sqm
2	-	Semi-detached	3	185 sqm
Albany Villa				
5	-	Detached	4	173 sqm

- Restricting the proposed houses to single dwelling units and not allowing any sub-divisions to use the dwelling as two or more separate habitable units in any manners
- Reducing the level of hard landscaping as much as possible and to consider the proposed materials of the hard landscaping
- Modifying the building heights, rear garden depths and separation distances
- Minimizing the private open space serving House no. 17 below the minimum 48 sqm requirement within the site's boundary
- Removing and/or relocating high walls, public lighting poles and other objects with impact on sightlines onto Shanganagh Road

- Setting back the boundary wall at Killiney Hill Road to the proposed new vehicular entrance by a minimum of 2.4 metres to achieve the required visibility for vehicles exiting in accordance with the Design Manual for Urban Roads and Streets
- Revising the proposed footpaths within the development to meet minimum width of 1.8 metres (clear of any vegetation) as the accessibility requirements, this footpath is for approximately 36 metres along the north perimeter of House No. 12 and No. 15 to connect the 2 proposed footpaths
- Revising the relevant boundary treatment to accommodate pedestrian visibility at the south-east corner of House No. 16 in lieu of the proposed 2.0 metres high wall to avoid conflict between pedestrians and vehicles
- Revising the proposed new internal road to access House No.s 1-15 & 18-19 to have a minimum width of 5.5 metres in accordance with the Design Manual for Urban Roads & Streets (DMURS).



Fig. 25. Albany Hall House Development

4.3 Silveracre House (Ref. no. SD10A/0345)

The approximately 0.82 hectares site comprises the early 19th century Silveracre house is located at Sarah Curran Avenue in Rathfarnham, Dublin 16. The Bolton Hall house is a protected structure which is identified of architectural and historical importance for the local area (RPS Ref. No. 277).



Fig. 26. Location of the Silveracre House

Detached five-bay two-storey Victorian country house dating back to 1830's within the substantial ground, is a perfect example of Regency architecture which brings quite the touch of class to the area. Additionally, the house is renowned for its former residents including Rev Henthorn Todd, a professor of Hebrew at Trinity College Dublin, and Dr Albert Croly, a surgeon and the founder of the Baggot Street Hospital.



Fig. 27. Silveracre House

Not only the House, but also the Lodge which was formerly the rear wing of the Silveracre House is a part of the protected structure within the land. Indeed, the rear wing of Silveracre House was added in the early 20th Century and many of the original features from this period including fireplaces and window shutters grace this exquisite home which is being transformed into The Lodge at Silveracre.

There are also a number of large industrial scale outbuildings at the rear of the dwelling, to the north-western corner of the site which were originally associated with agricultural use.



Fig. 28. The Silveracre House Development Site

The subject site is zoned as objective 'A' that has the objective '*to protect and/or improve residential amenity*'. Thus, residential development is permissible under this zoning.



Fig. 29. The Existing Layout of the Site (before development)

Dated by 18th November 2010, a planning application was sought by McCabe Construction Dublin Ltd. for redevelopment of the site known as Silveracre House, off Sarah Curran Avenue, which is a Protected Structure. The development will consist of the following:

- (1) Demolition of single storey additions to the side of existing Silveracre House and the complete refurbishment and division of same to provide 2 new houses - House No. 1 being a 4-bedroom house

accessed from existing main entrance on eastern elevation to Silveracre House and House No. 2 to be contained in the existing return to the main dwelling to be refurbished to a 3-bedroom house to be accessed from new entrance on northern elevation, with new staircase to access first floor;

(2) Demolition of existing storage sheds and structures to the northwest of the site and construction of 4 no. 3 storey, 4-bedroom houses, all with private front and rear landscaped gardens, giving a total of 6 houses;

(3) Boundary wall and entrance to remain as existing, with provision for a new pedestrian entrance and gate to either side of existing vehicular entrance;

(4) Existing vehicular access maintained to access both Silveracre House and existing access maintained to the rear of Silveracre House to access new houses and House No. 2 of Silveracre House;

(5) Construction of a new ESB sub-station on the site;

(6) This development has been designed to allow for the retention of all existing trees and the removal only of other trees/shrubs on the north-western site related to the construction of the 4 new houses;

(7) A traffic calming island is to be installed at the existing entrance onto Sarah Curran Avenue, reducing the overall width of Sarah Curran Avenue to 3.5m locally. This traffic calming island will extend for 30-40m approximately either side & will include the relevant signage, protective bollards, ramps etc.

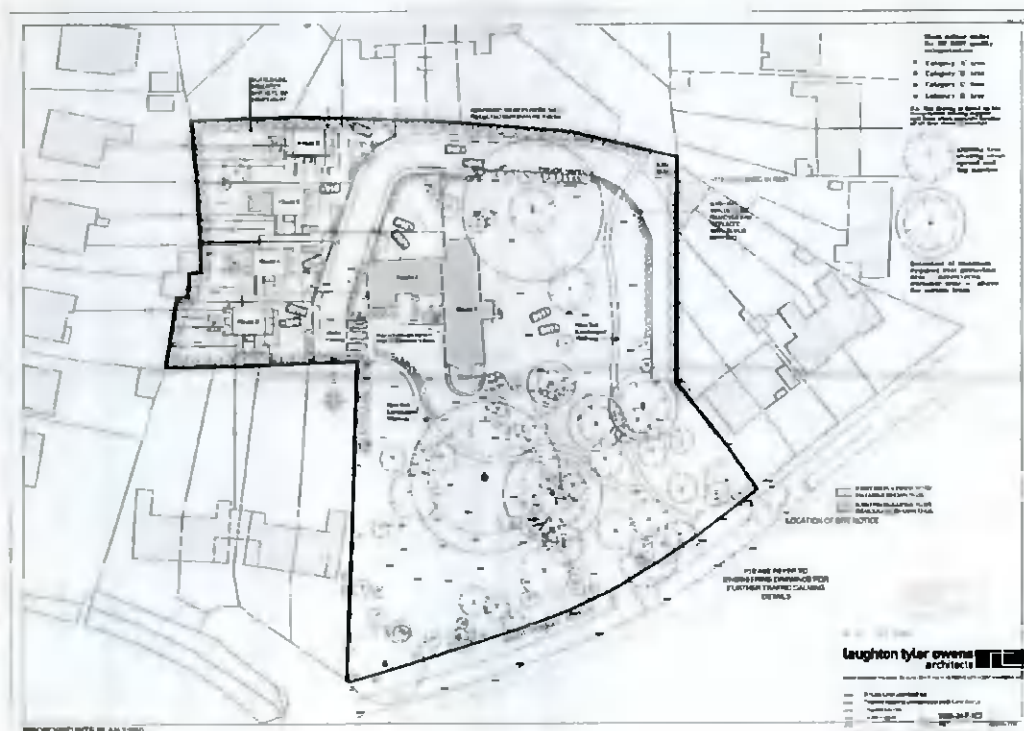


Fig. 30. The Original Proposed Development Plan

The application was appealed by An Taisce and An Bord Pleanála over the following concerns:

An Taisce	<ul style="list-style-type: none"> ○ Traffic will be severely restricted ○ Garden maintenance ○ Trees
Other third party	<ul style="list-style-type: none"> ○ Impact on Protected Structure ○ Traffic ○ Lack of Rationale ○ Height, and density ○ Impact on neighbouring dwellings ○ Devalue properties ○ Water Drainage Sewerage services

Despite grant of permission by the South Dublin County Council on 21st July 2011, the application was appealed through An Bord Pleanála on 18th August 2011. Glendoher and District/Residents Association and Silveracre Residents Association has appealed the decision to grant 4 no. housing units. The consultant response mentioning a four-year history of planning application of the site and considering all concerns in the proposal led into a further assessment by An Bord Pleanála.

According to the assessment which also took previous development proposals into account, the new proposal had addressed the planning concerns on the site relating to overdevelopment, overbearing and the loss of trees and the impact on Silveracre House. However, there are a number of concerns under the following headings:

- Impact on Silveracre House
- Impact on Adjoining Residential Amenities
- Services
- Environmental
- Traffic

Eventually, the planner recommended a grant of permission on 17th July 2012 subject to 18 conditions with essentially none of them having concern to any changes to the proposed development plan. Noteworthy to mention, dated by 22nd April 2013 another planning application was sought by McCabe Construction Dublin Ltd. for addition of 2 new two storey 4 bedroom detached houses to southern boundary of site with private gardens; extension of granted internal vehicular roadway to access new houses and associated site works and landscaping. The planner recommended a grant of permission on 14th November 2013 (Ref. no. SD14A/0228).

Thus, the development site currently comprises 4 new detached 4-bed room houses on the north-west of the site, 2 new detached 4-bed room houses on the southern boundary of the site, and 2 redeveloped 3- and 4-bed room houses in the Silveracre House. More specifications of the development can be seen below.



Fig. 31. The Current Site Plan of the Silveracre House

Table 3. Specifications of the Final Proposed Development Plan for of the Silveracre House

House No.°	Type	Name	Beds	Area
Planning Application Ref. no. SD10A/0345				
1	Semi-detached	Silveracre House	4	313.1 sqm
2	Semi-detached	The Lodge	3	189.9 sqm
3-6	Detached	Amare	4	244 sqm
Planning Application Ref. no. SD14A/0228				
7	Detached	Glenmore	4	230 sqm
8	Detached	Glenquinn	4	230 sqm

All three cases above are good examples of using a ‘residential development scheme’ to not only meet the National Planning Framework target on increased housing supply by using under-used inner lands of the city, but also to revitalize a historical building through upgrading the internal spaces into a habitable unit and unlocking its potential.

However, in all cases the Protected Structure function as both an opportunity and a restriction: It is an opportunity, given it is a valuable source of inspirations in terms of design and architecture and by drawing the development into the city boundaries and underused lands prevents urban sprawl. And in terms of it acting as a restriction, the Protected Structure should be maintained as the dominant feature of the site and this in turn affects the density and height of the proposed development(s).

Keeping the new development subordinated to the Protected Structure can be managed through different ways. In the case of Bolton Hall House, the considerable area of the site helped keeping the subordination of the new development(s) to the Protected Structures, while in the Silveracre House, the L-shaped site provided a chance to locate the new development away from the House. As mentioned earlier, Prospect House is located within a small (0.51Ha) semi-triangular shape site which essentially makes it more complicated to design the new development to prioritize the Protected Structure.

In all cases above, the Protected Structure is facing the main road/access way and/or fronting an open space which help with raising the visibility of the House. However, in the case of Prospect House, the building is located at the extreme eastern corner of the site facing north which is bounded by the stone wall that separates the site from the adjoining Parkland. Therefore, Prospect House not only lacks visibility, its location within the site also functions as a barrier towards increasing the visibility of the House from Stocking Lane where the entrance to the site is located.



Fig. 32. Visibility of Prospect House within the Site

All above cases and especially the Silveracre House have a history of planning applications which indicates an evolution of the proposed development schemes which eventually have led to the most appropriate proposal. As mentioned previously, there have been three planning applications proposed for Prospect House which after reviewing them reveals the concerns of over development of the subject site.

These concerns are as below:

- (1) Overdeveloping the site and lack of any plans for upkeep and maintenance of the Protected Structure,
- (2) Inconsistency of the proposed development with the Protected Structure and context,

- (3) Lack of access for service/emergency vehicles,
- (4) Injuring adjoining residential amenities, and
- (5) Not being in compliance with the 'Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities'.

5.0 NATIONAL & LOCAL PLANNING POLICY

5.1 National and Regional Planning Context

5.1.1 Housing for All (2021)

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

- Support home ownership and increase affordability.
- Eradicate homelessness, increase social housing delivery and support social inclusion.
- Increase new housing supply.
- Address vacancy and make efficient use of existing stock.

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

5.1.2 National Planning Framework

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

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

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

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

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

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

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

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

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

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

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

It is noted that these targets have not been met to date and the provision of 22 no. new residential units and the upgrading of two at this site will help the Government achieve the objectives of this Housing Action Plan.

5.1.4 Urban Development and Building Heights Guidelines for Planning Authorities (Dec. 2020)

The height of the proposed development has taken account of the recently adopted Urban Development and Building Heights Guidelines for Planning Authorities (December 2020). The guidelines reinforce that *“a key objective of the NPF is therefore to see that greatly increased levels of residential development in our urban centres and significant increases in the building heights and overall density of development is not only facilitated but actively sought out and brought forward by our planning processes and particularly so at local authority and An Bord Pleanála levels”*. The Guidelines fundamentally try to increase the prevailing building heights in urban areas so as to facilitate more compact growth, through enhancing the scale and density of development. The Guidelines identify areas that are proximate to public transport as being appropriate for increased building heights. In this regard, SPPR 1 of the Guidelines state:

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

It is noted that the subject site is located within walking distance of a vast range of public transport options, including bus and the proposed Metro North Link (approximately 800 metres to the west). This ensures that the site is highly accessible to the city centre.

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

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

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

The aim of Sustainable Residential Development in Urban Areas document, which reviews and updates the Residential Density Guidelines (1999), is to assist both planning authorities and developers in meeting certain standards in the design of residential development.

The proposed development is considered a particularly appropriate location for medium density residential development. The guidelines state that *“the scale of the new development should be in proportion to existing development, and such development should provide for easy connectivity, especially by pedestrians and cyclists, to existing facilities”* (Sustainable Residential Development- p.42).

The scale of the development has taken cognisance of the site’s location within Metropolitan Dublin, beside a bus corridor and therefore is consistent with the Guidelines.

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

This encompasses issues of:

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

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

5.1.6 ‘Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities’

The recently adopted *“Sustainable Urban Housing: Design Standards for New Apartments”* build on the content of the 2015 apartment guidance, much of which remains valid, particularly with regard to design quality safeguards such as internal space standards for apartments, internal storage and amenity space. The Guidelines state that *“in the longer term to 2040, the Housing Agency has identified a need for at least 45,000 new homes in Ireland’s five cities (Dublin, Cork, Limerick, Galway and Waterford), more than 30,000 of which are required in Dublin City and suburbs, which does not include additional pent-up demand arising from under-supply of new housing in recent years.”* It is also stated that it is *“critical to ensure that apartment living is an increasingly attractive and desirable housing option for a range of household types and tenures.”*

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

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

The Guidelines state that Ireland is a long way behind European averages in terms of the numbers of households living in apartments, especially in our cities and larger towns. Given the gap between Irish

and European averages in numbers of households living in apartments and the importance of addressing the challenges of meeting the housing needs of a growing population in our key cities and towns and by building inwards and upwards rather than outwards, apartments need to become the norm for urban housing solutions.

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

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

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

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

Specific Planning Policy Requirement 3- Minimum Apartment Floor Areas:

- *Studio apartment (1 person) 37 sq. m*
- *1-bedroom apartment (2 persons) 45 sq. m*
- *2-bedroom apartment (4 persons) 73 sq. m*
- *3-bedroom apartment (5 persons) 90 sq. m*

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

5.1.7 Architectural Heritage Protection; Guidelines for Planning Authorities (2011)

Published by Department of Culture, Heritage and the Gaeltacht, Architectural Heritage Guidelines define ‘Protected Structure’ as any structure or specified part of a structure, which is included in the *Record of Protected Structures (RPS)*. A structure is defined by the Act as *‘any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure’*. In relation to a protected structure or proposed protected structure, the meaning of the term ‘structure’ is expanded to include:

- a) The interior of the structure;
- b) The land lying within the curtilage of the structure;
- c) Any other structures lying within that curtilage and their interiors, and
- d) All fixtures and features which form part of the interior or exterior of the above structures.

The Act requires that a protected structure be of special interest under one or more of the following categories: a) Architectural, b) Historical, c) Archaeological, d) Artistic, e) Cultural, f) Scientific, g) Technical, and h) Social.

As mentioned previously, Prospect House is a Protected Structure registered with RPS no. 340 and is of Architectural significance.

5.2 Local Planning Context

5.2.1 South Dublin City Development Plan 2016-2022

Land Use Zoning

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

"To protect and/or improve residential amenity".

The settlements of Palmerstown, Naas Road, Templeogue, Ballyroan, Ballyboden, Knocklyon, Firhouse, Ballycullen and parts of Greenhills, Walkinstown, Terenure and Rathfarnham have been identified as *Consolidation Areas* within the Dublin Gateway. These established areas are located to the east of the M50 and south of the River Dodder. They are suburban areas with established identities and communities with distinct heritage and character. These areas have a range of urban services such as transport, retail, medical and community facilities. Recent Census data identifies an aging population and stagnant or falling populations, which presents a serious risk for the viability of services and facilities into the future.

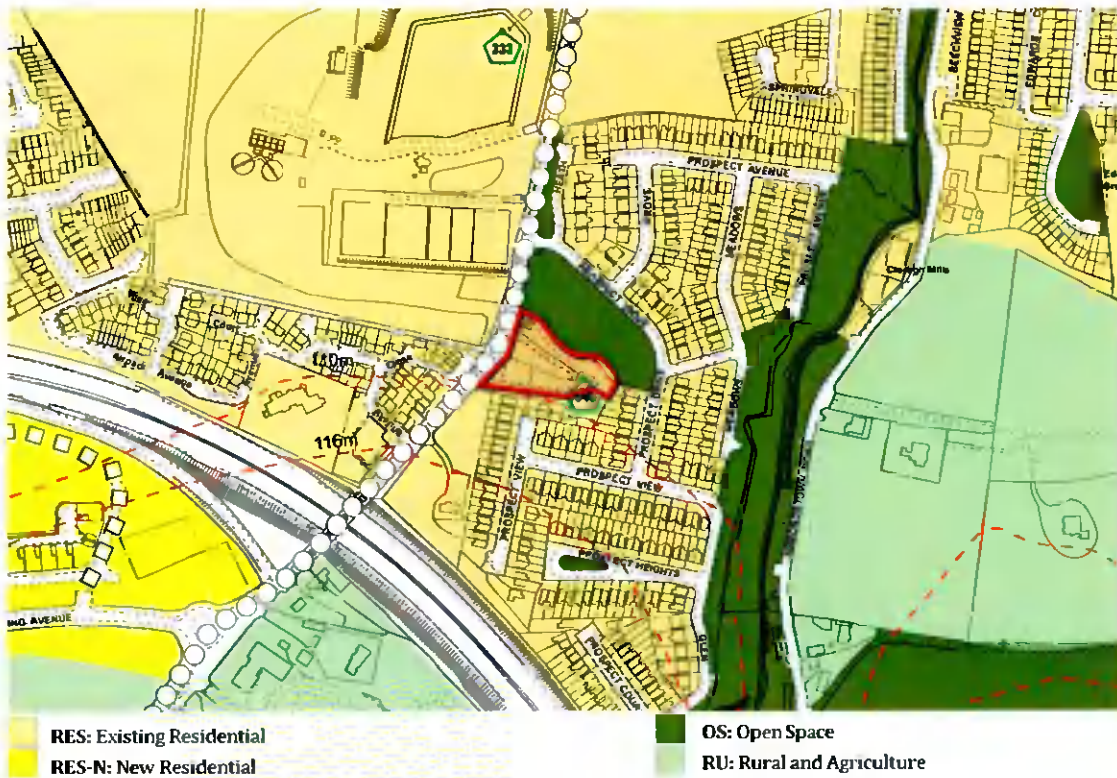


Fig. 33. Extract from Zoning Map of South Dublin City Development Plan 2016-2022 (site outlined in red)

A key element of the overall Settlement Strategy is ‘to promote the consolidation and sustainable intensification of the existing urban/suburban built form to the east of the M50 and south of the River Dodder’, thereby maximising efficiencies from established physical and social infrastructure.

Table 4. Core Strategy Objectives for Consolidation Areas within the Dublin Gateway

CORE STRATEGY (CS) Policy 1 Consolidation Areas within the Gateway
<p>It is the policy of the Council to promote the consolidation and sustainable intensification of development to the east of the M50 and south of the River Dodder.</p> <p>CS1 Objective 1:</p> <p>To promote and support high quality infill development.</p>

In established residential areas sustainable intensification can be achieved through infill development, the subdivision of larger houses, backland development and the development of large corner sites. Sensitive intensification will be important to revitalise areas that have stagnant or falling populations, to secure the ongoing viability of facilities, services and amenities and to meet the future housing needs of the County.

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

Table 5. Standards of Residential Consolidation in the South Dublin County Development Plan

HOUSEING (H) Policy 17 Residential Consolidation
It is the policy of the Council to support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County.
H17 Objective 1 To support residential consolidation and sustainable intensification at appropriate locations and to encourage consultation with existing communities and other stakeholders.
H17 Objective 2 To maintain and consolidate the County's existing housing stock through the consideration of applications for housing subdivision, backland development and infill development on large sites in established areas, subject to appropriate safeguards and standards identified in Chapter 11 Implementation.
H17 Objective 3 To favourably consider proposals for the development of corner or wide garden sites within the curtilage of existing houses in established residential areas, subject to appropriate safeguards and standards identified in Chapter 11 Implementation.
H17 Objective 4 To promote and encourage residential uses on the upper floors of appropriate buildings located in Town, District, Local and Village Centres within the County save for public houses and nightclubs and other inappropriate places where similar business is conducted.
H17 Objective 5 To ensure that new development in established areas does not impact negatively on the amenities or character of an area.
H17 Objective 6 To support the subdivision of houses in suburban areas that are characterised by exceptionally large houses on relatively extensive sites where population levels are generally falling and which are well served by public transport, subject to the protection of existing residential amenity

Protected Structures

South Dublin County Council commissioned an independent review of the RPS, with a view to identifying structures that merit addition or deletion. According to the County Development Plan, 'Where a structure is protected under the RPS, the protection includes (unless otherwise stated) the structure, its interior and the land within its curtilage and other structures within that curtilage (including their interiors) and all fixtures and features which form part of the interior or exterior of all these structures'.

Moreover, it is the policy of the County Council 'to conserve and protect buildings, structures and sites contained in the Record of Protected Structures and to carefully consider any proposals for development that would affect the special character or appearance of a Protected Structure including its historic curtilage, both directly and indirectly'.

It is the policy of the County Council:

HCL3 Objective 2: *'To ensure that all development proposals that affect a Protected Structure and its setting including proposals to extend, alter or refurbish any Protected Structure are sympathetic to its special character and integrity and are appropriate in terms of architectural treatment, character, scale and form. All such proposals shall be consistent with the Architectural Heritage Guidelines for Planning Authorities, DAHG (2011) including the principles of conservation'.*

HCL3 Objective 3: *'To address dereliction and encourage the rehabilitation, renovation, appropriate use and re-use of Protected Structures'.*

HCL3 Objective 4: *'To prevent demolition and inappropriate alteration of Protected Structures'.*

5.2.2 Development Management Standards

Density

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

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

It is also the policy of the County Development Plan:

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

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

Moreover, according to the *'Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2018)'*, as the latest policy document, *'To meet housing demand in Ireland, it is necessary to significantly increase supply. This is a key pillar of the overarching Rebuilding Ireland Housing Action Plan. The National Planning Framework targets increased housing*

supply in Ireland's cities and urban areas in particular. For the reasons outlined earlier, increased housing supply must include a dramatic increase in the provision of apartment development'.

Accordingly, this policy document defines 3 types of location in cities and towns that may be suitable for apartment development, including: (i) Central and/or Accessible Urban Locations; (ii) Intermediate Urban Locations; and (iii) Peripheral and/or Less Accessible Urban Locations. Based on the specifications of each location, the subject site identified as '*Intermediate Urban Locations*', due to proximity to Rathfarnham Village centre with an extensive range of amenities close by and a high frequency bus station.

As stated in the policy document, such locations are generally suitable for smaller-scale (will vary subject to location), higher density development that may wholly comprise apartments, or alternatively, medium-high density residential development of any scale that includes apartments to some extent (will also vary, but broadly >45 dwellings per hectare net). However, Prospect House within the site, as a Protected Structure, is considered a restriction for aiming higher densities.

Considering the above situation, the proposed plan includes (re)development of 2 residential units and the construction of 22 no. residential apartments in a land of c. 0.51 hectares. As such, the proposed density of 41 units per hectare is in accordance with the threshold of the County Development Plan. It should also be noted that the Inspector as part of their report on the last submission made on the subject site had no objection with the proposed density in theory stating: "*The issue of density is not the critical consideration in this case, but impact on the immediate and surrounding area and how does the development integrate into its setting*".

Building Height

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

Accordingly, the Development Plans need to identify specific locations where increased building heights is a fundamental policy requirement with potential for comprehensive urban development or redevelopment. Such areas are '*central and/or accessible locations*' and also '*intermediate urban locations*' where medium density residential development in excess of 45 units/hectare would be appropriate.

The following should also be taken into consideration in such:

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

SPPR 1

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

SPPR 2

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

SPPR 3

It is a specific planning policy requirement that where;

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

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

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

The subject site is considered as an '*intermediate urban location*' where medium density residential development in excess of 45 units/hectare would be appropriate. Also, the proposed development, while increasing the existing density that pertains to the subject site, respects the existing character, context and urban form of the site, the protected structure within the site and the surrounding area.

As fully explained earlier, the design of the proposed development has sought to ensure that it is aligned with its historical context (Prospect House as the Protected Structure within the site), taking the most sustainable approach towards Prospect House, and future uses of the subject site as a result a density of 41 units per Ha is suggested.

The proposed scheme is significantly smaller in bulk and layout with a single line of apartments as opposed to a double row of apartments from the previously refused scheme. A slimline revised plan is proposed in order to preserve the dominance of the existing protected structure on the site preserving the hierarchy of the house in the setting as it stands over the large uninterrupted west facing fan shaped garden. Within views from the adjacent open space and the site itself, the proposed block would have a subservient relationship with Prospect House due to its siting, scale and

appearance. The proposal would also screen ad-hoc residential development to the rear, thereby improving the setting of the Protected Structure.

Downey is of the considered opinion that this is evidential proof that the scale and density of the proposed development is appropriate for the subject site and is in accordance with most recent planning policies. It should also be noted that the Inspector as part of their report on the last submission made on the subject site had no objection with the proposed height in relation to overlooking stating: *"In general, the proposed development will not give rise to significant overlooking of adjoining houses"*.

Room Sizes and Mix of Units

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

It is our contention that the proposed development meets all of the criteria as set out in the guidelines. It should be noted that the proposed apartment units were seen as acceptable by An Bord Pleanála on the last submission made on the subject site stating: *"The proposed unit and room sizes within the apartment blocks are acceptable. Storage provision and private amenity space is in accordance with the 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities'."*

Open Space

It is the policy of the County Council to ensure that all residential developments are served by a clear hierarchy and network of high quality public open spaces that provides for active and passive recreation and enhances the visual character, identity and amenity of the area. However, the relevant thresholds and standards used in the proposed development plan are extracted from the *'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020)'* as the latest relevant policy document.

All of the proposed additional apartments shall have private open space in the form of balconies. Appropriate separation distances have been provided to ensure that there is no direct overlooking onto existing properties outside of the site.

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

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

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

Energy Efficiency

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

It is the policy of the County Development Plan:

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

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

5.2.3 Draft South Dublin County Development Plan 2022-2028

The subject site is zoned 'Objective RES' or 'Existing Residential' under the Draft South Dublin City Development Plan 2022-2028. Residential use is the primary land use of this zone. The objective of the land use zoning is:

"To protect and/or improve residential amenity".

South Dublin County has grown around the villages of Clondalkin, Lucan, Newcastle, Palmerstown, Rathcoole, Rathfarnham, Saggart, Tallaght and Templeogue. Each of the villages has a unique character and offers a diverse range of professional and retail services. Alongside this, new urban centres have developed over the years around the different residential areas. These local and district centres have become an important focus for the local community with their own identity providing a sense of place to these neighbourhoods.

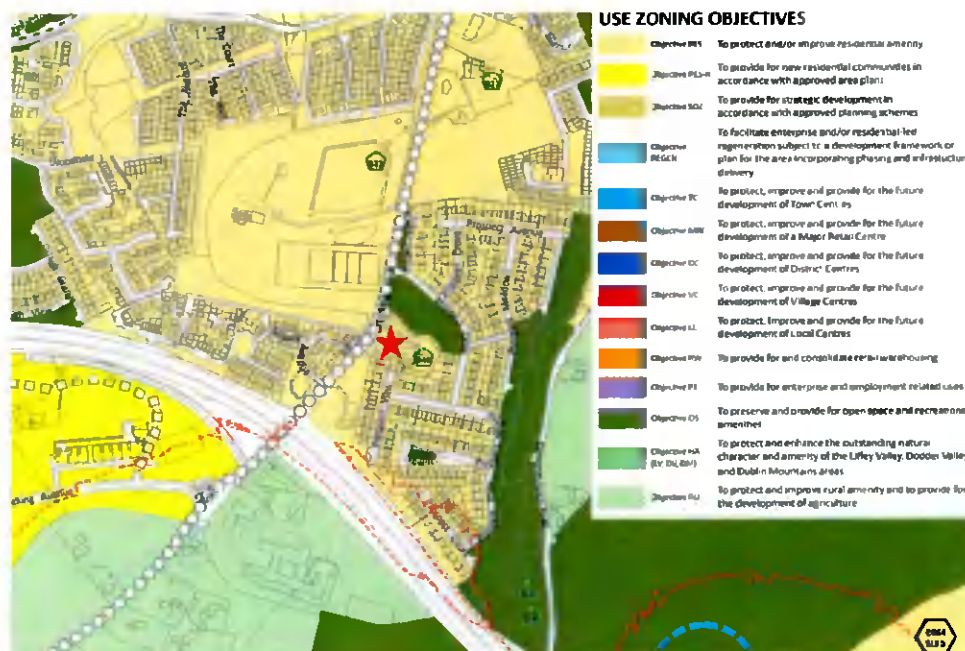


Fig. 34. Extract from Zoning Map of the Draft South Dublin City Development Plan 2022-2028 (site shown in red)

As can be seen above the proposed zoning of the Draft South Dublin Development Plan 2022-2028 is the same as the previous South Dublin Development Plan 2016-2022, it should also be noted that there is no change of objectives which would affect the subject site.

6.0 ENGINEERING CONSIDERATIONS

O'Connor Sutton Cronin have completed the engineering assessment for the proposed development, please refer to their engineer's pack enclosed with this application.

7.0 ENVIRONMENTAL CONSIDERATIONS

7.1 Environmental Impact Assessment

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

7.2 Appropriate Assessment Screening

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

"As the proposed project will have no direct or measurable indirect impacts on any other Natura 2000 in close proximity to the subject site, the conclusion is that no significant impacts on the qualifying interests of the SPA and cSAC are likely. Accordingly, progression to Stage 2 of the Natura Impact Statement process is not considered necessary".

8.0 CONCLUSION

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

The subject site is suitably located within an existing built-up area and is well served by public transport as well as other commercial, recreational and other local services and amenities for future residents. The proposed development will help to increase housing supply within the Dublin Metropolitan area, which is urgently required and is a key objective in the Programme for Government and as such is national policy. The development will also cater for the 'trade-down' market, which will also have the indirect benefit of releasing second hand properties in the area. It is noted that no new apartment developments have been constructed in the immediate surrounding area since before the property crash and there needs to be a variety of units available in order to sustain a properly

functioning market where people have a choice and an ability to enter the property market and also trade up or down in the market.

The current proposal represents a modern, high quality residential development coupled with the restoration of a vacant protected structure and gate lodge that will meet the current and future needs of its residents as well as setting a high-quality urban design for this site. It will not give rise to any significant or material negative impact on the residential amenity of adjoining properties. Furthermore, the development will not give rise to any environmental, flooding or traffic concerns, which has been confirmed by the documentary evidence submitted as part of the planning application.

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

