

Comhairle Chontae Atha Cliath Theas

PR/1007/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0273 **Application Date:** 15-Jun-2022
Submission Type: New Application **Registration Date:** 15-Jun-2022

Correspondence Name and Address: Corbell Designs Ltd Suite 1 Unit 17, Claregalway Corp Park, Claregalway, Co Galway

Proposed Development: Remove circa 180m of iron railings which sit on top of existing stone wall (which will remain) along Mill Lane and Lucan Road
which all form part of the site boundary for Stewarts Foundations. Permission is also sought for removal of existing entrance gates and modifications to existing entrance gates and walls, which form the boundary to Stewarts Main Hospital (A Protected Structure). To include all ancillary siteworks at Stewarts Foundation, Mill Lane Dublin 20 D20 HY57

Location: Stewarts Foundation, Mill Lane, Palmerstown, Dublin 20 D20 HY57

Applicant Name: Stewarts Foundation CLG

Application Type: Permission

(SW)

Description of Site and Surroundings

Site Area: stated as 0.029

Site Description

The subject site is a boundary wall to Stewarts Main Hospital, a protected structure.

Proposal

Remove circa 180m of iron railings which sit on top of existing stone wall (which will remain) along Mill Lane and Lucan Road which all form part of the site boundary for Stewarts Foundations. Permission is also sought for **removal of existing entrance gates and modifications to existing entrance gates and walls**, which form the boundary to Stewarts Main Hospital (A Protected Structure). To include all ancillary siteworks at Stewarts Foundation, Mill Lane Dublin 20 D20 HY57

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Zoning

The subject site is subject to zoning objective RES – ‘*To protect and/or improve residential amenity*’.

Consultations

Water Services – no objection, subject to conditions.

Roads – No objections.

Irish Water - no objection, subject to conditions.

Parks – no comments.

SEA Sensitivity Screening –

The entrance gates and walls are the boundary of Stewarts Main Hospital: RPS 078 Mill Lane, Palmerstown (Stewarts Hospital) ‘Detached Three-Bay Two-Storey Red Brick House Former Superintendents House’.

Other Protected Structures close to the site:

064: Off Mill Lane, Palmerstown

076: Milestone, Old Lucan Road, Palmerstown Lower

082: Palmerstown Barn, Palmerstown

086: Palmerstown House, Stewarts Hospital, Palmerstown

092: Buck House, Mill Lane, Lucan

ACA017 Red Cow Cottages lies to the south / west.

CDP Maps indicate the site is located within an area identified for ‘bird hazards’ for aviation, as well as outer horizontal surface (Casement). Site is within ‘approach surfaces’ and ‘take off climb surfaces’.

Submissions/Observations /Representations

None.

Relevant Planning History

Subject site

SD14A/0119 Retention of single storey extensions to 14 no. residential centres for people with intellectual disabilities as follows: Bungalow 2 - 39sq.m. extension comprising ensuite bedroom; Bungalow 4 - 28sq.m. extension comprising ensuite bedrooms; Bungalow 6 - 28sq.m. extension comprising sitting room; Bungalow 8 - 35sq.m. extension comprising sun room; Bungalow 10 - 31sq.m. extension comprising sun room; Bungalow 11 - 31sq.m. extension comprising sun room; Bungalow 12 - 39sq.m. extension comprising sun room; Bungalow 13 - 39sq.m. extension comprising sun room; House 17 - 38sq.m. extension comprising sun room & WC; Bungalow 18

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- 39sq.m. extension comprising sun room; Bungalow 20 - 39sq.m. extension comprising sun room; Bungalow 22 - 34sq.m. extension comprising sun room; Bungalow 23 - 21sq.m. extension comprising sitting room; House 24 - 36sq.m. extension comprising sun room & WC. **Retention Permission Granted.**

SD03A/0812 Creation of a new lift shaft to the North west corner of the main hospital building with external materials and finishes to match existing building, new glazed entrance to the North elevation, replacement of existing defective metal external fire escape staircase with new clear glazed enclosures to four newly enclosed fire escapes and associated remodelling of the ground floor toilets, forming protected fire lobbies and minor internal works at Stewarts Hospital which is on the record of protected structures. A conservation method statement is being submitted with the application. **Permission Granted**

Adjacent sites

None.

Relevant Enforcement History

None recorded for subject site according to APAS.

Pre-Planning Consultation

None recorded for subject site according to APAS.

Relevant Policy in South Dublin County Council Development Plan 2022-2028

3.5.2 Protected Structures

Policy NCBH19: Protected Structures Conserve and protect buildings, structures and sites contained in the Record of Protected Structures and carefully consider any proposals for development that would affect the setting, special character or appearance of a Protected Structure including its historic curtilage, both directly and indirectly.

NCBH19 Objective 1:

To ensure the protection of all structures (or parts of structures) and their immediate surroundings including the curtilage and attendant grounds of structures identified in the Record of Protected Structures.

NCBH19 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 Protection Guidelines for Planning Authorities*, DAHG (2011 or any superseding documents) including the principles of conservation.

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NCBH19 Objective 3:

To address dereliction and to welcome, encourage and support the rehabilitation, renovation, appropriate use and sensitive re-use of Protected Structures consistent with RPO 9.30 of the RSES.

NCBH19 Objective 4:

To support alternative uses for Protected Structures including former institutional sites in order to provide continued security of the heritage value of these buildings, attendant grounds and associated landscape features.

To this end, the relaxation of site zoning restrictions may be considered in order to secure the preservation and conservation of the protected structure where the use proposed is compatible with the existing structure and where the proposed development is consistent with best practice conservation policies and the proper planning and sustainable development of the area.

NCBH19 Objective 5:

To prohibit demolition and inappropriate alterations of Protected Structures unless in very exceptional circumstances.

Policy NCBH21: Vernacular / Traditional and Older Buildings, Estates and Streetscapes

NCBH21 Objective 1:

To retain existing buildings that, while not listed as Protected Structures, are considered to contribute to historic character, local character, visual setting, rural amenity or streetscape value within the County.

NCBH21 Objective 2:

To ensure that the redevelopment of older buildings, including extensions and renovation works do not compromise or erode the architectural interest, character or visual setting of such buildings including surrounding housing estates or streetscapes.

NCBH21 Objective 3:

To encourage the retention, rehabilitation, renovation and re-use of older buildings and their original features where such buildings and features contribute to the visual setting, collective interest or character of the surrounding area.

NCBH21 Objective 4:

To ensure that infill development is sympathetic to the architectural interest, character and visual amenity of the area.

NCBH21 Objective 5:

To encourage the retention and / or reinstatement of the original fabric of our vernacular and historic building stock such as windows, doors, roof coverings, shop and public house fronts and other special features.

Policy NCBH22: Features of Interest Secure the identification, protection and conservation of historic items and features of interest throughout the County including street furniture, surface finishes, roadside installations, items of industrial heritage and other stand-alone features of interest.

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NCBH22 Objective 1:

To ensure that development within the County, including the Council's own development, seeks to retain, refurbish and incorporate historic items and features of interest.

NCBH22 Objective 2:

To protect, preserve and maintain industrial heritage features including weirs, millraces and mills along the River Dodder, River Camac, River Liffey, and their tributaries.

Policy QDP1: Successful and Sustainable Neighbourhoods

5.2.1 The Delivery of Sustainable Neighbourhoods 'The Plan Approach'

Policy QDP2: Overarching - Successful and Sustainable Neighbourhoods

Policy QDP3: Neighbourhood Context

Policy QDP4: Healthy Placemaking

Policy QDP5: Connected Neighbourhoods

Policy QDP6: Public Realm

Policy QDP7: High Quality Design – Development General Promote and facilitate development which incorporates exemplary standards of high-quality, sustainable and inclusive urban design, urban form and architecture.

Policy QDP11: Materials, Colours and Textures Promote high-quality building finishes that are appropriate to context, durable and adhere to the principles of sustainability and energy efficiency.

Policy GII: Overarching

GII Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.

Policy E3: Energy Performance in Existing and New Buildings

Policy SM7: Car Parking and EV Charging

Policy IE1: Overarching Policy Ensure that development occurs within environmental limits, having regard to the requirements of all relevant environmental legislation and the sustainable management of our natural capital.

Policy IE2: Water Supply and Wastewater

Policy IE3: Surface Water and Groundwater

Policy IE4: Flood Risk

Policy IE7: Waste Management

Policy IE8: Environmental Quality

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12.3.1 Appropriate Assessment

12.3.2 Ecological Protection

12.3.3 Environmental Impact Assessment

12.3.7 Protected Structures

(i) General

Works that would materially affect the character of a Protected Structure require planning permission. A Section 57 Declaration can be sought from the Planning Authority to list the type of works that would not affect the character of a Protected Structure and that do not require planning permission.

(ii) Works to a Protected Structure

All proposals for development or alterations to protected structures and all works to protected structures shall be designed and carried out in accordance with best practice conservation principles as set out in the Architectural Heritage Protection Guidelines for Planning Authorities, DAHG (2011) or superseding guidelines.

All planning applications relating to works to a Protected Structure should be accompanied by a Conservation Report, prepared by a suitably qualified Conservation Architect, which should include a Method Statement and Schedule of Works detailing the proposed works.

An Architectural Heritage Impact Assessment may also be required in the case of applications for extensive or complex works that have the potential to have a significant impact on a Protected Structure.

The following core principles should be considered when reimagining a Protected Structure or historic property specialist in accordance with the above Guidelines and should assess the likely effects of the proposed development on the special character of the Protected Structure and its setting;

- Alterations should reflect and respect the scale, setting and original building character, should not undermine the original built fabric, and should not detract from the significance or value of the structure;
- Design intervention should be well-considered and minimal rather than involving extensive structural alteration to avoid undermining the original structure;
- Original features of architectural and historic interest should be retained, and new features should not be presented as original or older features;
- Extensions should be appropriately scaled and should complement and be subsidiary to the main structure;
- Original fabric should be retained and reused in-situ where possible and appropriate methods of upgrading and enhancement to improve thermal performance should be considered;
- High quality materials and finishes should be used, and the design should reflect the best possible addition or revision to the structure and should contribute to the architectural interest of the structure;

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- New uses should be compatible with the existing building and should respect key architectural and cultural characteristics;
- Proposals that include historic terraces or rows of houses should respect their overall uniformity and be consistent with rooflines, roof features and projecting returns;
- The structural integrity of paired return structures and shared chimney stacks should be retained;
- Chimney stacks in use as part of the ventilation regulation system for historic properties should be retained;
- The impact and insertion of new build should be reduced by utilising original boundaries, screen walls and return structures and mature planting / natural screening;
- The special interest of the structure should not be compromised when adhering to the requirements of Building Regulations. Regard should be had to the Advice Series on historic buildings published by the DEHLG.

(iii) Change of Use

(iv) Development in Proximity to a Protected Structure

Planning applications for development in proximity to a Protected Structure may require a Design Statement to outline how the proposal responds to the setting and special interest of the Protected Structure and its curtilage. Pastiche designs that confuse new features / structures with older and original features / structures should be avoided

12.3.8 Architectural Conservation Areas

12.3.9 Vernacular and Historic / Older Buildings, Estates and Streetscapes

12.3.10 Thermal Upgrading and Energy Efficiency in Historic and Traditional Buildings

12.4.1 Green Infrastructure Definition and Spatial Framework

12.4.2 Green Infrastructure and Development Management All planning applications shall demonstrate how they contribute to the protection or enhancement of Green Infrastructure in the County through the provision of green infrastructure elements as part of the application submission:

Applications for extensions or single houses will also require the submission of a GI Infrastructure Plan which may be incorporated into the proposed landscape plan. This should clearly incorporate GI elements and provide links to local 'Stepping-Stones', Cores and Corridors where appropriate. Some smaller scale development may require more detailed GI Infrastructure Plans. Depending on location and context of the site, this will be decided on a case-by-case basis.

Regardless of development size or type, applicants must submit an overall site summary quantifying and detailing the following:

- tree and hedgerow removal;
- tree and hedgerow retention;
- new tree and hedgerow planting.

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This information will be submitted in a digital format agreed with the Council to allow amalgamation and reporting on tree and hedgerow cover within the County over time.

Green Space Factor (GSF)

The GSF is a score-based requirement that establishes minimum standards for landscaping and GI provision in new developments. Minimum scoring requirements are based on the land-use zoning of a site (See GI5 Objective 4), this applies to all development comprising 2 or more residential units and any development with a floor area in excess of 500 sq m.

12.4.3 Riparian Corridors (not within a corridor)

12.5 Quality Design and Healthy Placemaking

12.7.4 Car Parking Standards

Table 12.26: Maximum Parking Rates (Residential Development)

12.7.5 Car Parking / Charging for Electric Vehicles (EVs)

12.7.6 Car Parking Design and Layout

12.11.1 Water Management

(i) Flood Risk Assessment

Proposals for minor development to existing buildings (for example, extensions or change of use) in areas of flood risk should include a flood risk assessment of appropriate detail.

(ii) Surface Water

Development proposals should provide suitable drainage measures in compliance with the *South Dublin County Council's Sustainable Drainage Systems (SuDS) Explanatory, Design and Evaluation Guide, 2022*.

(iii) Sustainable Urban Drainage System (SuDS)

In general, all new developments will be required to incorporate Sustainable Urban Drainage Systems (SuDS).

(iv) Groundwater

(v) Rain Water Harvesting

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Relevant Government Guidelines

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

Regional, Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, 2019.

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

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

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

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

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

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

Architectural Heritage Protection – Guidelines for Planning Authorities, Department of Arts, Heritage, and the Gaeltacht (2011)

Assessment

The main issues for assessment relate to:

- Zoning and Council Policy;
- Architectural Conservation;
- Visual and Residential Amenity;
- Services and Drainage;
- Environmental Impact Assessment; and
- Appropriate Assessment.

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Zoning and Council Policy

The proposed development is consistent in principle with zoning objective RES – ‘*To protect and/or improve residential amenity*’. The alterations of boundary treatment at a protected structure are considered acceptable in principle.

Council Policy

In accordance with 5.2.1 The Delivery of Sustainable Neighbourhoods ‘The Plan Approach’, the eight key principles apply on all zoned development lands within the County and to a multitude of development types and land uses. The proposal is, therefore, considered against these principles:

Context: Consider existing natural, cultural and built heritage features and green infrastructure elements as well as social, economic and environmental factors that impact on an area. ***The proposal would remove a modern addition to a protected building and would therefore not conflict with the local context.***

Healthy Placemaking: Promote good urban design, which seeks to create public spaces that are vibrant, distinctive, safe and accessible and which promote and facilitate social interaction. ***The proposal would have no significant impact on this feature.***

Connected neighbourhoods: Promote public transport and other transport facilities that mitigate dependence on cars, promote safe walking and cycling, while assisting with internal movements within neighbourhoods. ***The proposal would have no significant impact on this feature.***

Thriving Economy: Ease of access to and availability of good jobs and a good quality of life for the community at large. ***The proposal would have no significant impact on this feature.***

Inclusive and accessible: High quality services, community infrastructure and open spaces accessible to all. ***The proposal would have no significant impact on this feature.***

Public Realm: A real sense of place, positive purpose and local distinctiveness, where buildings are not only attractive but also safe and useful with lots of green and open spaces for people to spend time, relax and play. ***The proposal would remove a modern addition to a protected building and would therefore have the potential to enhance the public realm***

Built Form and Mix: Promotes a mix of uses with appropriate increases in density and building heights in the right locations maximising the existing transport network and existing infrastructure. ***The proposal would have no impact on this feature***

Design and materials: High quality design, materials and finishes and good quality landscaping with robust maintenance protocols for all large residential, commercial and employment

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developments. *The proposal would remove a modern addition to a protected building and would therefore have a positive impact in terms of design.*

Architectural Conservation

The Architectural Conservation Officer has stated:

“Having assessed the above planning application which relates to changes to boundary and entrance at Stewarts, I wish to make the following comments;

The site is a Protected Structure site (Palmerstown House, RPS Ref. 086) and therefore the existing boundary forms part of the Protected Structure.

Permission is sought for the removal of existing entrance gates and modifications to existing entrance gates and walls along Mill Lane. It should be noted that the high wall and entrance gates at this location are modern and therefore the proposed modifications and removal of the existing entrance gates will not directly impact on the character of the Protected Structure. It is also proposed to remove circa 180m of iron railings which sit on top of existing stone wall. The existing railing proposed for removal are a modern insertion and the low stone wall along Mill Lane and Lucan Road will remain in situ and therefore the removal of the existing railings will not visually impact or cause any direct impact on the character of the protected structure or its curtilage.

It can only be presumed that these works are being proposed to improve the connection of the site with their neighbouring service buildings and to allow visual connection to the road sides and for pedestrians, however no justification or detail has been provided. It is considered that details of how the low wall will be made good once the railings have been removed should be submitted by condition. The stone wall along Lucan Road joins an original boundary wall and add to the character along Lucan Road and Mill Lane and therefore it is important that it is made good adhering to traditional methods and materials”.

There are no objections, subject to conditions.

Visual and Residential Amenity

The proposal would have no significant impacts on residential amenity. The removal of the modern addition to a Protected Structure would have a positive visual impact.

Services and Drainage

There are no objections, subject to conditions.

Landscaping

No impacts.

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Roads

The Roads Department has stated “*The roads section has no objections to the proposal. The walls will be lowered improving visibility*”.

Screening for Environmental Impact Assessment

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Screening for Appropriate Assessment

On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to:

- the nature and scale of the proposed development,
- the intervening land uses and distance from European sites,
- the lack of direct connections with regard to the Source-Pathway-Receptor model,

it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives.

An appropriate assessment is not, therefore, required.

Development Contributions

Removal of railings and alterations to access / wall.

Assessable area = Nil

SEA monitoring

Building Use Type Proposed: alterations to boundary treatment

Floor Area: 0sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.029 Hectares.

Conclusion

Having regard to the:

- provisions of the South Dublin County Development Plan 2022-2028,
- the established character of the area, and
- the nature and scale of the proposed development,

it is considered that the proposed development would be in compliance with Council policy in relation to extensions to dwelling houses, would not seriously injure the amenities of the area or

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of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Recommendation

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

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2022 - 2028 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. Drainage.
 - (a) All development shall be carried out in compliance with Irish Water Standards codes and practices;
 - (b) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works;
 - (c) The applicant shall ensure the integrity of any surface water sewer adjacent to proposed development is maintained.REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.
3. Amendments.
Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:
Revised plans (and report where necessary) that detail-

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(a) How the low wall will be made good once the railings have been removed.

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

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

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

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

NOTE: Waste, arising from the site, must be kept to a minimum, segregated where appropriate, and disposed in accordance with the Waste Management Regulations 2007, as amended. Transport of such waste, must be by an authorised waste permit holder. Waste disposal records must be maintained and made available, for inspection by Authorised Persons appointed under the Waste Management Act 1996, as amended. A Waste Transfer Form shall accompany the transportation of all hazardous waste arising from the construction works.

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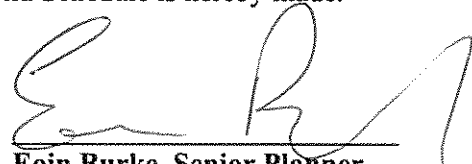
REG. REF. SD22A/0273

LOCATION: Stewards Foundation, Mill Lane, Palmerstown, Dublin 20 D20 HY57

Colm Harte
Colm Harte,
Senior Executive Planner

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

Date: 8/8/22


Eoin Burke, Senior Planner